
CALIFORNIA COASTAL COMMISSION

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Prepared September 16, 2009 (for October 7, 2009 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, District Manager
Susan Craig, Coastal Planner

Subject: Extension of Time Limit for Commission Action on Santa Cruz County Local Coastal Program Amendment Number 2-09 Part 1 (Poor Clares Site Re-Designation and Rezoning)

Santa Cruz County has submitted the above-referenced Local Coastal Program (LCP) amendment request intended to re-designate and rezone a four-acre portion of the Poor Clares site in the Seacliff Village area of Aptos from commercial visitor-serving uses to high-density residential uses and to amend the Seacliff Village Plan as it pertains to allowable uses on this four-acre portion of the Poor Clares site accordingly.

Coastal Act Section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied and an amendment request is deemed submitted (or "filed"), the Coastal Act requires the Commission to act on Implementation Plan (IP) amendments within 60 days, and on Land Use Plan (LUP) amendments and combined LUP/IP amendments within 90 days. If Commission action is not taken within the applicable timeframe, then the amendment is deemed approved and certified by the Commission (Coastal Act Sections 30512 and 30513).

LCP amendment 2-09 Part 1 was filed as complete on July 23, 2009. This proposed LCP amendment includes both LUP and IP changes and thus the 90-day requirement applies; the 90th day is October 21, 2009. Therefore, the amendment would have to be scheduled for action at the Commission's October 2009 meeting if it were to be decided within the applicable time frame. However, Coastal Act Section 30517 allows the Commission to extend, for good cause, the time limit for Commission action for a period not to exceed one year.

In this case, the amendment files are extensive and present significant Coastal Act and LCP conformance issues related to the appropriate land use designation of this critical property, the changes have engendered significant public interest and controversy, and staff has not yet had sufficient time to analyze the changes proposed to ensure that coastal resources will be adequately protected consistent with the Coastal Act and the LUP. A later meeting date would allow for adequate review, as well as consultation with the County regarding any possible amendment modifications. A one-year extension would result in a new deadline for Commission action of October 21, 2010.

Although staff believes that this matter will be brought to hearing before the new deadline, it has generally been the Commission's practice to extend such deadlines for a full year as provided by the Coastal Act to allow for flexibility in hearing scheduling (including to accommodate any requested or



otherwise necessary postponements, continuances, etc.) and in terms of allotting scarce staff resources. Therefore, staff recommends that the Commission extend the deadline for Commission action on the proposed LCP amendment by one year.

Summary of the Staff Recommendation

Staff recommends that the Commission extend the deadline for Commission action on the proposed amendment by one year. Staff recommends a **YES** vote on the motion below. Passage of the motion will result in a new deadline for Commission action on this proposed LCP amendment. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. I move that the Commission extend the time limit to act on Santa Cruz County Local Coastal Program Amendment Number 2-09 Part 1 to October 21, 2010.

