

CALIFORNIA COASTAL COMMISSION

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January 15, 2009

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TO: Commissioners and Interested Persons

FROM: Sherilyn Sarb, South Coast Deputy Director, (Orange County)
Teresa Henry, South Coast District Manager
Karl Schwing, Orange County Area Supervisor
Meg Vaughn, Coastal Program Analyst

SUBJECT: Request to extend the ninety-day time limit for Commission action on City of Laguna Beach LCP Amendment Request No. 3-08 (Four Changes) (For Commission Action at the February 4-6, 2009 meeting in Huntington Beach).

On September 25, 2008, the City of Laguna Beach submitted Local Coastal Program Amendment Request No. 3-08 to amend its certified Local Coastal Program (LGB LCPA 3-08), effecting both the Land Use Plan (LUP) and Implementation Plan (IP). The proposed amendment would make the following four unrelated changes to the certified LCP: 1) land use designate and pre-zone the 8.52 acre site at 1900 Laguna Canyon Road (known as ACT V) to Public/Institutional land use designation and Institutional pre-zone; 2) change the zoning at 1435 North Coast Highway from R-1 Residential Low Density to C-N Commercial Neighborhood; 3) amend Land Use Element Policy 12-F regarding existing 500 square foot size limit for buildings located in Public Recreation and Parks land use designation; and, 4) make changes to the Implementation Plan effecting how building heights are measured and clarify parking garage regulations within certain zones. Proposed LCP Amendment Request No. 3-08 was submitted for Commission certification by City Council Resolution Nos. 07.077, 08-003, 08.064, and, 08.072.

Upon receipt of requested additional information on December 29, 2008, the Executive Director determined that LCP Amendment Request No. 3-08 was in proper order and legally adequate to comply with the submittal requirements of the Coastal Act and the California Code of Regulations. Therefore, LCP Amendment Request No. 3-08 is deemed complete pursuant to the requirements of Section 30510 of the Coastal Act.

Pursuant to Sections 30512 and 30514 of the Coastal Act, an LCP amendment that includes changes to the LUP portion of a certified LCP must be scheduled for a public hearing and the Commission must take action within ninety days of a complete submittal. The ninetieth day after the City's filing of the complete submittal is March 29, 2009. In order to be heard within this time frame, the LCP amendment would need to be scheduled for the Commission's March 11-13, 2009 meeting.

However, this deadline may be extended for good cause. Public Resources Code (PRC) Section 30517 allows the Commission to extend any time limitation established by Chapter 6 of Division 20 of the PRC, wherein lies Sections 30512 and 30514, for up to a year. Staff is recommending that the Commission extend the ninety-day time limit for the review of the

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LCP amendment request. The time extension would allow for a thorough review of the City's proposed changes.

STAFF RECOMMENDATION

Staff recommends that the Commission extend the deadline for Commission action for one year (i.e. to March 29, 2010).

MOTION: I move that the Commission extend the ninety-day time limit to act on the City of Laguna Beach Local Coastal Program Amendment No. 3-08 for a period of one year.

Staff recommends a **YES** vote. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.