

CALIFORNIA COASTAL COMMISSION

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W6c

DATE: July 22, 2010

TO: Coastal Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
Robert S. Merrill, North Coast District Manager
James R. Baskin AICP, Coastal Planner

SUBJECT: **COUNTY OF DEL NORTE LCP AMENDMENT NO. DNC-MAJ-1-09 (Flood Damage, General Provisions, Hogberg Redesignations)**
For the Commission meeting of August 11, 2010

Amendment Description:

On June 12, 2009, the Commission received an LCP amendment transmitted by Del Norte County. As submitted, County of Del Norte LCP Amendment No. DNC-MAJ-1-09 (Flood Damage, General Provisions, Hogberg Redesignations) has three main components that would: (a) comprehensively update the flood damage ordinance to meet contemporary Federal Emergency Management Agency's National Flood Insurance Program standards, including the adoption of updated flood hazard maps; (b) modify restrictions on the placement of fences within certain visual-clearance restricted yard areas; and (c) reclassify the land use plan and zoning designations for a three-acre, two parcel property in the Crescent City Planning Area.

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 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 (Coastal Act Sections 30510, 30512, 30513, and 30514).

On July 16, 2010, the Executive Director determined that the County's LCP amendment transmittal was in proper order and the application was deemed submitted. This proposed LCP amendment would amend the Land Use Plan and the Implementation Plan and thus, the 90-day requirement applies. The 90th day after the date this LCP Amendment

Application was deemed submitted is October 14, 2010. Therefore, unless the Commission extends the deadline, the Commission will need to complete its action on the LCP amendment at or prior to the second day of the Commission's October 13-15, 2010 hearings.

However: (a) the extensive nature of the subject LCP amendment; and (b) the shortage of staff in the North Coast District Office and the need for staff to process other LCP amendments and permit applications already pending before the Commission prior to submittal of LCP Amendment No. DNC-MAJ-1-09 have lengthened the time needed for the staff review of the amendment. Thus, a time extension is necessary to allow staff to conduct further research and analysis of the conformance of the Land Use Plan and Implementation Program amendments with the provisions of the Coastal Act and the LUP, respectively, and prepare an appropriate staff recommendation to the Commission.

Coastal Act Section 30517 states that the Commission may extend for good cause the 90-day time limit for a period not to exceed one year.

Staff Recommendation

Staff recommends that the Commission vote to extend the deadline for Commission action for one year.

MOTION:

I move that the Commission extend the time limit to act on County of Del Norte Local Coastal Program Amendment No. DNC-MAJ-1-09 for a period of one year.

Staff recommends a YES vote. Passage of this motion will result in a one-year extension of the period in which the Commission must act on the proposal, changing the deadline for Commission action from October 14, 2010 to October 14, 2011. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.