

CALIFORNIA COASTAL COMMISSION

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W9.5a

March 24, 2011

TO: Commissioners and Interested Persons

FROM: SHERILYN SARB, SOUTH COAST DEPUTY DIRECTOR
TERESA HENRY, SOUTH COAST DISTRICT MANAGER
KARL SCHWING, ORANGE COUNTY AREA SUPERVISOR
MEG VAUGHN, COASTAL PROGRAM ANALYST

SUBJECT: Request to extend the sixty-day time limit for Commission action on City of Laguna Beach LCP Amendment Request No. LGB-MAJ-1-11 (IP Amendment) (for Commission Action at the April 13, 2011, in Santa Barbara).

On February 9, 2011, the City of Laguna Beach submitted Local Coastal Program Amendment Request No. LGB-MAJ-1-11 to amend its certified Local Coastal Program Implementation Plan (IP). The proposed amendment contains a variety of changes to the Zoning Code/IP that would change grading/construction material hauling hours, modify threshold for development requiring design review, modify design review noticing requirements, exempt elevator shafts from floor area calculation, allow development on nonconforming lots and additions to legal nonconforming structures without a variance; establish/clarify what constitutes a 'major remodel' and redefine the term 'kitchen'; update the floodplain/hazards ordinance; update residential development guidelines; and revise City hedge height claim process.

On March 8, 2011, the Executive Director determined that LCP Amendment Request No. 1-11 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. 1-11 is deemed complete pursuant to the requirements of Section 30510 of the Coastal Act.

Pursuant to Sections 30512, 30513 and 30514 of the Coastal Act, an LCP amendment that includes changes to the IP portion of a certified LCP must be scheduled for a public hearing and the Commission must take action within sixty days of a complete submittal. The sixtieth day after the City's filing of the complete submittal is May 7, 2011 (i.e. before the May 11-13, 2011 Commission hearing).

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, 30513 and 30514, for up to a year. Staff is recommending that the Commission extend the time limit for the review of the 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. May 7, 2012).

MOTION: I move that the Commission extend the time limit to act on the City of Laguna Beach Local Coastal Program Implementation Plan Amendment No. LGB-MAJ-1-11 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.