

## CALIFORNIA COASTAL COMMISSION

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**Prepared August 18, 2011 (for September 9, 2011 Hearing)**

**To:** Coastal Commissioners and Interested Persons

**From:** Dan Carl, District Manager  
Madeline Cavalieri, Coastal Planner

**Subject: Extension of Time Limit for Commission Action on San Luis Obispo County Local Coastal Program Amendment Number 1-10 (Grading and Stormwater Ordinance)**

San Luis Obispo County has submitted the above-referenced Local Coastal Program (LCP) amendment request to provide additional regulations for stormwater management and to update existing regulations for grading, drainage and erosion and sedimentation control. With regard to stormwater regulations, the amendment adds a new stormwater management ordinance, specifies requirements for stormwater pollution prevention plans, and repeals and replaces sections of the existing implementation plan (IP) that provide requirements for drainage plans and erosion control and sedimentation plans. With regard to grading, the amendment repeals and replaces the existing grading ordinance with a new grading ordinance. The amendment would also update references to these IP regulations with the proposed new section numbers in the Coastal Plan Policies of the Land Use Plan (LUP) and it would apply the new stormwater ordinance to all new development and redevelopment in the Lodge Hill area of Cambria through amendments to Chapter 7 of the North Coast Area Plan.

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 time frame, then the amendment is deemed approved and certified by the Commission. (Coastal Act Sections 30512 and 30513)

LCP amendment 1-10 was filed as complete on July 5, 2011. This proposed LCP amendment includes both LUP and IP changes and thus the 90-day requirement applies; the 90th day is October 3, 2011. Therefore, the amendment would have to be scheduled for action by the Commission's September 2011 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 includes numerous proposed changes that present significant Coastal Act and LCP conformance issues, and staff has not yet had sufficient time to analyze the changes proposed to ensure that coastal resources are protected consistent with the Coastal Act and the LCP's 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 3, 2012.

Although staff believes that this matter will be brought to hearing before such a 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 San Luis Obispo County Local Coastal Program Amendment Number 1-10 to October 3, 2012.

