

CALIFORNIA COASTAL COMMISSION

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TO: Commissioners and Interested Persons

April 22, 2016

FROM: Sherilyn Sarb, Deputy Director
Karl Schwing, Coastal Program Manager
Charles Posner, Supervisor of Planning
Meg Vaughn, Coastal Program Analyst

SUBJECT: **Request to Extend the Sixty-Day Time Limit for Action for up to One year
City of Laguna Beach Implementation Plan Amendment LCP-5-LGB-13-0019-1,
for Commission action at its May 12, 2016 hearing in Newport Beach.**

On September 20, 2013, the City of Laguna Beach submitted a request to amend the Implementation Plan portion of the City's certified Local Coastal Program (LCP) to make changes to Chapter 25.55 (Telecommunications Facilities). The changes proposed include: identifying the various permits that may be required with wireless communication facility proposals; adding a new type of permit (Administrative Use Permit for Wireless Communications Facilities); adding new definitions, changes to text to better reflect current technology; expanding the section that identifies materials to be submitted with permit applications for wireless communications facilities; requiring expert review of project proposals when required by the Director of Community Development; adding a new Development Standards section; adding a new section addressing Administrative Use Permit for Wireless Communications Facilities; and adding to the review criteria/standard conditions section new setback and lighting requirements. On October 4, 2013, the submittal was determined to be incomplete and Commission staff requested that the City provided additional materials and information.

On March 14, 2016, the requested additional information was received from the City and the Executive Director determined the City's LCP amendment request to be in proper order and legally adequate to comply with the submittal requirements of Coastal Act Section 30510(b). Pursuant to Section 30513 of the Coastal Act and California Code of Regulations, Title 14, Section 13522, an amendment to the certified LCP Implementation Plan must be scheduled for public hearing and the Commission must take action within sixty days from the date the complete amendment was properly submitted. In this case the sixtieth day will be May 13, 2016.

Section 30517 of the Coastal Act and California Code of Regulations, Title 14, Section 13535(c), state that the Commission may extend, for good cause, the sixty-day time limit for a period not to exceed one year. Commission staff is recommending that the Commission extend the time limit in order to allow adequate time to review and analyze the amendment request. Staff is planning to tentatively schedule the subject amendment for the June or July 2016 Commission hearing. However, such a schedule is dependent upon several workload factors. Thus, although staff believes the matter will be brought to hearing in the near-term, staff recommends that the Commission extend the deadline for a full year as provided by the Coastal Act to allow for uncertainty in the review process and flexibility for coordinating with the City of Laguna Beach, establishing hearing schedules, and managing competing workload items.

STAFF RECOMMENDATION

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

MOTION: *"I move that the Commission extend the sixty-day time limit to act on the City of Laguna Beach Implementation Plan amendment LCP-5-LGB-13-0019-1 for a period of one year."*

An affirmative vote of the majority of the Commissioners present is needed to pass the motion.