

LCP Amendment Submittal Requirements

Local Coastal Program (LCP) Amendment submittals are governed by Coastal Act Sections 30510 through 30514 and Sections 13551 through 13555 of the Commission’s regulations, contained in [Title 14 of the California Code of Regulations \(CCR\)](#) .

The following discussion draws from those statutory and regulatory requirements to classify and describe the types of documentation that may be required as part of an LCP Amendment (Amendment) application. This is not intended to be a comprehensive list, or checklist, of requirements. Given the complexity of the regulations and corresponding discretionary interpretation, the parameters in the applicable Coastal Act and regulations should be reviewed for each Amendment application as the guiding authority.

Amendment Application Review

Coastal Act Section 30510(b) requires that the Amendment application contain “materials sufficient for a thorough and complete review” consistent with Commission guidelines. Sections 13551 and 13552 of the Commission’s regulations detail the categories of information that must be provided with an Amendment submittal.

For clarity, below, the required contents of 13551 and 13552 are classified into three categories: procedural requirements, evaluations of the Amendment’s consistency, and substantive materials related to the Amendment itself.

Note: Amendment materials must be provided in written and electronic forms, including maps.

Documentation of Procedural Requirements

In order to be consistent with the Coastal Act, there are certain procedural requirements that local governments must follow when reviewing and approving a proposed Amendment at the local level. These procedures must be followed during the local process in order for the Amendment submittal to be deemed complete. For example, the local government must: hold at least one public hearing on an LCP Amendment; provide the public and affected agencies *maximum opportunity to participate* in the review; circulate the draft Amendment for a certain timeframe; and adopt a Resolution with specific required content.

LCP Amendment applications must include documentation that all procedural requirements of the Coastal Act and the Commission’s regulations have been met. Such documentation may include:

- *Certified* newspaper notices for all hearings, specifically indicating date of newspaper publication;
- Hearing notices for all public hearings, workshops, or other public meetings;

- Hearing slips for anyone who spoke at a local hearing;
- Local mailing lists for each public hearing and a comprehensive interested parties list, including but not limited to stakeholders; members of the public, organizations, and agencies appearing at any hearing or contacted for comment on the LCP; parties that have provided written comments; and any person that has requested to be provided notice on the Amendment. The local mailing list and interested parties list must be provided in electronic format to be used for noticing of Commission hearings;
- Meeting minutes available for any public hearings, workshops, or other public meetings held on the matter;
- Notices of availability of the public review drafts, including the date circulated and/or posted, evidencing review draft was available six weeks prior to taking action;
- Signed decision-maker Resolutions and/or Ordinances, including resolution language that explains how the Amendment will take effect (i.e, automatically or pursuant to formal adoption after Commission action);
- Written comments from the public on the Amendment and local responses.

Consistency Evaluations

Section 13552, along with additional provisions cross-referenced to Section 13511, requires a specific set of consistency evaluations to be provided as part of the Amendment application. In addition, such information is necessary to undertake a thorough and complete review as required pursuant to Coastal Act Section 30510(b). The types of consistency evaluations required for an Amendment submittal may include, but are not limited to:

- An evaluation of the Amendment’s relationship to, and effect on, the other sections of the certified LCP;
- An analysis that demonstrates the Amendment’s conformity with the requirements of Chapter 6 of the Coastal Act, which describes the procedures for LCP and LCPA development and the responsibilities for implementing the public access program;
- An analysis of the Amendment’s potential for individual and cumulative impacts on coastal resources (e.g., environmentally sensitive habitat, public access, recreation, visual resources, water quality) from existing and potentially allowable development proposed in the Amendment;
- An analysis of the level and pattern of development affected by the Amendment;
- An analysis of the Amendment’s consistency relative to the applicable standard of review (i.e., LUP consistency with Coastal Act Chapter 3; IP consistency with the LUP); and/or

- Depending on the nature of the Amendment, other land use and procedural evaluations may be required, as detailed in Section 13511, such as those for public works, public services, and public recreational facilities.

The Coastal Act does not require a specific format for these consistency evaluations, and local governments have prepared these analyses in various forms. Regardless of form, it is important that the location of each consistency evaluation is specifically identified within the Amendment application, particularly where such evaluations are embedded within the Amendment record and not provided as separate application materials. Consistency evaluations have been provided in a combination of forms such as:

- As a separate document for the Amendment application;
- Within CEQA documents;
- Within the local staff reports that the decision-makers reviewed;
- Within PowerPoint presentations; and/or
- Other Amendment materials.

Substantive Amendment Materials

Coastal Act Section 30510(b) requires that the Amendment submittal include materials sufficient for a thorough and complete review. In addition, Section 13552(b) of the Commission regulations requires LCP amendment submittals to include all policies, plans, standards, objectives, diagrams, drawings, maps, photographs, and supplementary data, related to the amendment in sufficient detail to allow review for conformity with the requirements of the Coastal Act.

Substantive amendment materials are interpreted to include all information necessary to fully describe: the proposed Amendment and the resulting changes to the LCP, the background and purpose of the Amendment, the analyses that were undertaken to confirm that the Amendment is consistent with Coastal Act requirements, the interested parties and controversial aspects of the Amendment, and the information upon which the approving-body based its decision. Essentially, this includes any and all materials that can help convey the details, purpose, implementation, and rationale of the Amendment for the purpose of determining the Amendment's conformity with the relevant standard of review.

Given that each Amendment is different in scope and content, there is no format or checklist for such substantive requirements. The following list provides some examples of commonly required substantive materials:

- All policies, plans, standards, objectives, diagrams, drawings, maps, photographs, and supplementary data, related to the amendment in sufficient detail to allow review for conformity with the requirements of the Coastal Act;

- CEQA documents (if prepared);
- Digital version of the certified LCP;
- A “mark-up” version (also referred to as a “red line,” “line edit,” or “underline/strikeout” version) of the Amendment language showing the proposed changes relative to the certified LCP (note, this is necessary in most cases to track certified versus proposed language);
- Maps and map comparisons (certified & proposed);
- Materials listed in the environmental documents as substantive sources of background or technical information;
- Multiple copies of the Amendment as necessary for review in the relevant district office
- Signed ordinance(s);
- Signed resolution(s);
- Staff reports and presentation materials prepared for all local hearings, workshops, and other meetings, as applicable; and
- Technical studies including biological reports, traffic studies, shoreline studies, and hazards studies.