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## MEMORANDUM

TO: Commissioners and  
Interested Persons

DATE: May 25, 1999

FROM: Staff

SUBJECT: Request to Waive Time Limit for City Council Action on Suggested  
Modifications to San Diego LCP Amendment No. 1-98 A and B  
for Commission Meeting of June 7-10, 1999

On February 4, 1999, the Commission approved with suggested modifications San Diego LCP Amendment No. 1-98A which included revisions to the North City Future Urbanizing Area (FUA) Framework Plan to change the boundaries of the Environmental Tier land use designation to have it conform with the open space system in the City's Multiple Species Conservation Program (MSCP). In addition, the amendment included revisions to the Tijuana River Valley Land Use Plan to bring its goals and policies into conformance with those in the MSCP.

Also on February 4, 1999, the Commission approved with suggested modifications San Diego LCP Amendment No. 1-98B, which included portions of the Land Development Code and Land Development Manual, to replace the currently certified LCP Implementation Plan. However, the Commission did not certify a portion of the City's Implementation Plan submittal, i.e. the Steep Hillside Guidelines. Instead, the Commission directed the City to develop revised Steep Hillside Guidelines conforming to the Land Development Code as modified by the Commission and to resubmit the guidelines for certification. The revised guidelines must first be approved by the City Council, and then certified by the Commission. Any suggested modifications would have to be accepted by the City Council in order for the guidelines to be effectively certified. The Land Development Code cannot be effectively certified as the LCP Implementation Plan until the Steep Hillside Guidelines have been effectively certified by the Commission.

Pursuant to Sections 13537 and 13542 of the Code of Regulations, the Commission's certification with suggested modifications of San Diego LCP Amendment No. 1-98 (A and B) expires six months from the date of Commission action. This means that the City Council action to adopt the suggested modifications must occur within the six month period following Commission action. However, pursuant to Section 13535, the Commission may for good cause extend a time limit for a period not to exceed one year, after consultation with the local government and by a majority vote of the Commissioners present.

In this particular case, the City has requested that the six month time limit be extended to allow enough time to separate the City Council and Commission actions on the Steep

Hillside Guidelines from the City Council action on the suggested modifications. This will allow the Council to act on the entirety of the suggested modifications at one hearing, and allow effective certification by the Commission of the entirety of the LCP amendment to potentially occur at one hearing.

The City staff has been diligently working on the Steep Hillside Guidelines since the February Commission action and the guidelines are currently scheduled for a June 1, 1999 public hearing before the City Council. The revised findings with suggested modifications are scheduled for Coastal Commission action at the June 10, 1999 hearing. After the Steep Hillside Guidelines have been approved by the Council, the City will then schedule the Commission's suggested modifications to the San Diego LCP Amendment 1-98 (A and B) for public hearing before the City Council. It is anticipated the Steep Hillside Guidelines will be scheduled for Commission action by the August 1999 Commission hearing. If the Guidelines are not approved as submitted, they will require a subsequent hearing before the Council. The six month time period expires on August 4, 1999. There is not sufficient time for all of the required local public hearings to occur within that timeframe.

Commission staff concurs that the Council action on the suggested modifications should not occur until the revised findings have been adopted by the Commission. Additionally, the City Council should have the opportunity to review the revised Steep Hillside Guidelines within the context of the Commission's suggested modifications. Also, for ease of implementation of the Land Development Code, it would be desirable for effective certification of the entire LCP amendment by the Commission to occur at one time. Therefore:

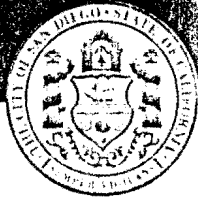
Summary of Staff Recommendation. Staff recommends the Commission extend the six month time limit for a period not to exceed one year, i.e. to February 4, 2000. However, it is anticipated effective certification may occur by the October 1999 hearing in San Diego.

MOTION:

I move that the Commission extend the six month time limit for the City Council to adopt the suggested modifications to San Diego LCP Amendment No. 1-98 A and B for a period not to exceed one year.

STAFF RECOMMENDATION:

Staff recommends a YES vote. An affirmative vote of the majority of the Commissioners present is needed to pass the motion.



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THE CITY OF SAN DIEGO

RECEIVED  
MAY 26 1999

RECEIVED  
MAY 25 1999

May 20, 1999

CALIFORNIA  
COASTAL COMMISSION

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

CALIFORNIA COASTAL COMMISSION  
45 Fremont Street Ste. 2000  
San Francisco, CA 94105

Dear Commissioners:

Subject: Request for Waiver of the Time Limit for the City of San Diego Action on LCP Amendments #1-98A, #1-98B and #2-98. For Consideration at the California Coastal Commission Meetings of June 8-11, 1999

The City of San Diego requests a waiver (Postponement of Action) to the six-month time limit required for the City to act on the Coastal Commission suggested modifications to the City's Local Coastal Program (LCP) Amendment submittals #1-98A, #1-98B and #2-98C.

The City anticipates that City Council action on all components of Amendments #1-98A, #1-98B and #2-98C cannot be accomplished by August 4, 1999. Due to the delayed timing of the Commission's adoption of the revised findings for the City's LCP amendments (expected to occur at the Commission's June 1999 hearings) the City will require additional time to act on the Coastal Commission's suggested modifications. Approval of the waiver to the time limit will provide the City an opportunity to review the revised LCP Amendment findings and schedule the appropriate hearing for City Council action. The additional time also would allow for separate City Council and Coastal Commission actions on the Steep Hillside Guidelines. Separating the City Council and Coastal Commission actions on the Steep Hillside Guidelines from the other items related to the LCP amendments would provide the City Council the opportunity to act on the entirety of the Coastal Commission suggested modifications at one hearing.

Therefore, we respectfully request the Coastal Commission consider the following request for Postponement of Action:

1. Postponement of Action on LCP Amendments #1-98A and #1-98B for up to six months following Coastal Commission action on the Steep Hillside Guidelines.

City's Request for  
Extension of Time



Planning and Development Review

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California Coastal Commission

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2. Postponement of Action on the City's Planned District Ordinances component of LCP Amendment #2-98C with a time extension concurrent with final Coastal Commission action on LCP Amendments #1-98A and #1-98B.

Thank you for your consideration of our proposed extension of the hearing schedules. We believe they offer benefits to all involved.

Sincerely,



STEPHEN M. HAASE  
Development Review manager

LYJ/lmgb

cc: The Honorable Mayor and City Council  
Michael T. Uberuaga, City Manager  
Penelope Culbreth-Graft, DPA , Assistant City Manager  
Peter Douglas, Executive Director, California Coastal Commission  
Deborah Lee, California Coastal Commission South Coast Deputy Director  
Prescilla Dugard, Head Deputy City Attorney  
Richard Duvernay, Deputy City Attorney  
Betsy McCullough, Deputy Director Long Range Planning  
Tom Story, Deputy Director MSCP Program  
Linda Johnson, LDC Program Manager

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