

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
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**RECORD PACKET COPY****F 7**

DATE: February 24, 2000

TO: Coastal Commissioners and Interested Parties

FROM: Steven F. Scholl, Deputy Director
Chris Kern, North Central Coast District Supervisor

SUBJECT: **Pacifica LCP AMENDMENT NO. 1-99 (Minor) Time Extension** (For public hearing and Commission action at the March 17 meeting in Carmel)

Amendment Description

The City of Pacifica proposes to revise the Pacifica Municipal Code, which is a part of the Implementation Plan of the City's certified Local Coastal Program, to include Ordinance No. 670-C.S. Surface Mining and Reclamation Ordinance in compliance with the State Surface Mining and Reclamation Act. On February 10, 2000, the Executive Director determined that the County's LCP amendment submittal was in proper order and legally adequate to comply with the requirements of Section 30510(b) of the California Coastal Act.

Pursuant to Sections 30512 of the California Coastal Act, LCP Amendment No. 1-99 (Minor) must be scheduled for public hearing and the Commission must take action within 60 days of filing. The 60th day after filing is April 10, 2000. Therefore, the LCP Amendment would need to be scheduled for Commission review at or prior to the Commission's March 14-17, 2000 meeting.

LCP Amendment No. 1-99 involves adoption of a surface mining and reclamation ordinance in compliance with the requirements of California Department of Mines and Geology under the Surface Mining and Reclamation Act (SMARA) (*PRC Div. 2, Ch. 9*). The proposed ordinance is not effective until certified by the State Mines and Geology Board. Mines and Geology is currently reviewing the proposed ordinance but has not scheduled the ordinance for certification by the Board.

Commission staff has reviewed the proposed ordinance and has identified suggested modifications to ensure that the ordinance conforms to the coastal resource protection provisions of the Coastal Act and the Land Use Plan. Staff has contacted Mines and Geology in attempt to coordinate the review of the proposed ordinance in effort to assure that (1) the staff's suggested modifications to not conflict with the requirements of SMARA, and (2) the ordinance as certified by the Commission as an amendment to the City's LCP is not subsequently modified by the Mines and Geology Board.

Because the Department has not completed its review of the proposed ordinance or the staff's suggested modifications, the staff recommends that the Commission delay action on LCP Amendment 1-99 at this time. Coastal Act Section 30517 and Section 13535(c) of the California Code of Regulations states that the Commission may extend for good cause the 60-day time limit for a period not to exceed one year.

Staff Recommendation

Staff recommends that the Commission vote to extend the deadline for Commission action for up to a year.

MOTION

I move that the Commission extend the 60-day time limit to act on the Pacifica Local Coastal Program Amendment No. 1-99 (Minor) for a period not to exceed one year.

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