

CALIFORNIA COASTAL COMMISSION

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February 23, 2001

TO: Commissioners and Interested Parties

FROM: Alison Dettmer, Manager, Energy and Ocean Resources Unit
Gary Timm, Manager, South Central Coast District Office

RE: Public Hearing and action to extend for a period not to exceed one year
Commission action on Ventura County's LCP Amendment VNT-MAJ-1-00.

On December 27, 2000 the Commission staff received from Ventura County ("County") a Local Coastal Program ("LCP") amendment submittal that is intended to bring the LCP and the County's General Plan into consistency. On January 9, 2001, the County's amendment submittal, which has been numbered VNT-MAJ-1-00, was deemed in proper order, complete, and legally adequate to comply with the requirements of Coastal Act § 30510(b).

Amendment VNT-MAJ-1-00 includes both land use plan and implementation plan changes, and has been determined to be a major amendment pursuant to the requirements of 14 CCR § 13555(b). The proposed amendments affect the oil and energy development sections as well as the other general development sections of the Coastal Area Plan ("CAP"). As submitted, Ventura County's LCP Amendment VNT-MAJ-1-00 includes, but is not limited to, the following proposed changes:

1. Amend the text of the CAP to update out-of-date information and to correct errors (*e.g.*, place names, change in owner's names, changing future tense to past tense for actions that have occurred since adoption of CAP, and updating sections to reflect current amended state law). The proposed changes will bring the CAP into conformity with updates that have already transpired in the Non-Coastal sections of the County's General Plan.
2. Modernize the CAP appendices to reflect current state law and to bring into conformity with the appendices in the County's General Plan Non-Coastal sections. The proposed changes to modernize the appendices include, but are not limited to: 1) updating CAP *Appendix 6* with the most recent 1999 amended version of the Williamson Land Conservation Act; 2) updating the text and format of CAP *Appendix 9 - Oil Development Conditions*; and 3) deleting two appendices in the current CAP that are not applicable to the CAP.
3. Align the language and format of Coastal Zoning Ordinance ("CZO") with the County's Non-Coastal Zoning Ordinance Code as it addresses standards for oil and energy development. Several changes have been made to the Non-Coastal Zoning Ordinance Code

since the adoption of the CZO, and the CZO has not been revised accordingly. The proposed amendments are intended to make it easier for the public to understand and easier for the County Planning staff to administer, and are not intended to reduce any development requirements.

4. Add two new sections to the CZO that propose giving authority to the County to issue emergency permits and waivers for emergency permits. Add one new section to the CZO that proposes giving authority for the County to relinquish its local coastal development permit authority in cases where development spans both the County's LCP jurisdiction and the Commission's original permit jurisdiction.

Request for Time Extension

Pursuant to Coastal Act § 30512, LCP amendment VNT-MAJ-1-00 must be scheduled for a public hearing and the Commission must take action within 90 days after receipt of a complete submittal. The 90th day following January 9, 2001 (the date the submittal was deemed complete) is April 9, 2001, which is prior to the Commission's April meeting that commences April 10. Therefore, LCP amendment VNT-MAJ-1-00 would need to be scheduled for review at the Commission's March meeting.

At this time, Commission staff requests that the Commission extend time for action on LCP amendment VNT-MAJ-1-00 in order to allow staff additional time to further consult with the County staff and more fully analyze the amendment. Coastal Act § 30517 and 14 CCR § 13535(c) of the Coastal Commission's regulations provides that the Commission may extend for good cause this 90-day time limit for a period not to exceed one year, after consultation with local government. The County has verbally agreed to a one-month extension and has requested that this amendment be scheduled for the Commission's April 2001 meeting. Staff has made a commitment to the County that we will make our very best effort to schedule this amendment for the Commission's April 2001 meeting. However, the County understands that there is the possibility that staffing shortages and workload may delay the scheduling of this amendment to a later Commission meeting date.

STAFF RECOMMENDATION: Staff recommends that the Commission extend the 90 day time limit on Ventura County's Local Coastal Program Amendment VNT-MAJ-1-00 until April 10, 2002.

Motion:

I move that the Commission extend the 90-day time limit to act on Local Coastal Program amendment VNT-MAJ-1-00 until April 10, 2002.

Staff Recommendation:

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