

CALIFORNIA COASTAL COMMISSION

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DATE: December 19, 2001

TO: Coastal Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
Steven F. Scholl, Deputy Director

RECORD PACKET COPY

SUBJECT: **CITY OF HALF MOON BAY LCP AMENDMENT NO. 1-01 (Measure D Growth Control) Time Extension** (For public hearing and Commission action at the January 9, 2002 meeting in Los Angeles)Amendment Description

On July 26, 2001 the Commission received from the City of Half Moon Bay a Local Coastal Program amendment submittal implementing Measure D, a growth control initiative passed by the City's voters in November 1999. Commission staff wrote to the City on August 8, 2001, requesting certain additional information required in order for the submittal to meet the LCP amendment filing requirements of Section 30510(b) of the Coastal Act and Sections 13511 and 13552 of the Commission regulations. On October 22, 2001, the Commission received the City's response enclosing additional information.

As submitted, the City of Half Moon Bay's LCP Amendment No. 1-01 principally includes

- (1) Measure D, as passed by the voters in November 1999, adopting an amendment to Chapter 9, Section 9.4 of the City's LCP and Land Use Plan, and
- (2) Ordinance C-01-01, adopted by the City on June 19, 2001, amending Chapter 18.04 of the Half Moon Bay Municipal Code and repealing the building permit allocation system contained in Chapter 17.06 of the Municipal Code.

Measure D in effect proposes to reduce the annual residential growth rate in Half Moon Bay from 3 percent, as previously approved by City voters in 1991 under Measure A, to 1 percent. Ordinance C-01-01 proposes to implement Measure D and would institute a random selection process, or lottery, for allocating building permits to applicants subject to the annual growth constraints. The implementing Ordinance would also define certain exempt categories of development, which are not reflected in the wording of the initiative passed by the voters.

Pursuant to Sections 30512 of the California Coastal Act, LCP Amendment No. 1-01 must be scheduled for public hearing and the Commission must take action within 90 days after receipt of a complete transmittal. As noted, the Commission received the City's supplemental response enclosing additional information on October 22, 2001. The 90th day after receipt of this transmittal is January 22, 2002.

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Therefore, the LCP Amendment would need to be scheduled for Commission review at or prior to the Commission's meeting of January 8-11, 2002.

At this time, Commission staff requests that the Commission extend time for action on the LCP amendment, to allow the City and Commission staff additional time to process the LCP amendment submittal. The composition of the City Council changed in the recent November election, and Commission staff is informed that the City is currently weighing further action with respect to the LCP submittal, including possible changes to the wording of the implementing ordinance and withdrawal of the proposed LCP amendment as submitted. As such, the staff believes that it may be premature for the Commission to take action on the LCP amendment at this time. Coastal Act Section 30517 states that the Commission may extend the 90-day time limit for good cause 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 one year.

MOTION:

I move that the Commission extend the 90-day time limit to act on the City of Half Moon Bay Local Coastal Program Amendment No. 1-01 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.