

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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April 22, 2004

**TO:** Commissioners and Interested Persons**RECORD PACKET COPY**

FROM: DEBORAH LEE, DEPUTY DIRECTOR
KARL SCHWING, ORANGE COUNTY AREA SUPERVISOR
MEG VAUGHN, COASTAL PROGRAM ANALYST

SUBJECT: Request to extend the ninety-day time limit for Commission action on City of Huntington Beach LCP Amendment Request No. 2-02 (for Commission Action at the May 12-14, 2004 meeting in Santa Rosa).

On December 23, 2002, the City of Huntington Beach submitted a request to amend its certified Local Coastal Program (LCP), effecting both the Land Use Plan (LUP) and Implementation Plan (IP). The proposed LCP amendment would certify an approximately 50 acre area that was previously deferred. The LCP amendment would designate 38.4 acres as low density residential, 8.2 acres as parkland, and 3.3 acres as conservation. Proposed LCP Amendment Request No. 2-02 was submitted for Commission certification by City Council Resolution No. 2002-123.

On March 9, 2004, upon receipt of requested additional information, the Executive Director determined that LCP Amendment Request No 2-02 was in proper order and legally adequate to comply with the submittal requirements of the Coastal Act and the California Code of Regulations. Therefore, LCP Amendment Request No. 2-02 is deemed complete pursuant to the requirements of Section 30510 of the Coastal Act.

Pursuant to Sections 30512 and 30514 of the Coastal Act, an LCP amendment that includes changes to the LUP portion of a certified LCP must be scheduled for a public hearing and the Commission must take action within ninety days of a complete submittal. The ninetieth day after the City's filing of the complete submittal is June 7, 2004. In order to be heard within this time frame, and to allow the Commission one additional hearing to address any unresolved issues, the LCP amendment would have needed to be scheduled for the Commission's May 12-14, 2004 meeting.

However, this deadline may be extended for good cause. Public Resources Code (PRC) Section 30517 allows the Commission to extend any time limitation established by Chapter 6 of Division 20 of the PRC, wherein lies Sections 30512 and 30514, for up to a year. Staff is recommending that the Commission extend the ninety-day time limit for the review of the LCP amendment request. The time extension would allow for a thorough review of the City's proposed changes.

STAFF RECOMMENDATION

Staff recommends that the Commission extend the deadline for Commission action for one year (i.e. to June 7, 2005).

MOTION: I move that the Commission extend the ninety-day time limit to act on the City of Huntington Beach Local Coastal Program Amendment No. 2-02 for a period of one year.

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