

CALIFORNIA COASTAL COMMISSION

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November 1, 2005

Th13b

RECORD PACKET COPY

TO: Commissioners and Interested Persons

FROM: DEBORAH LEE, DEPUTY DIRECTOR
TERESA HENRY, SOUTH COAST DISTRICT MANAGER
KARL SCHWING, ORANGE COUNTY AREA SUPERVISOR
RYAN TODARO, COASTAL PROGRAM ANALYST

SUBJECT: Request to extend the sixty-day time limit for Commission action on City of Laguna Beach LCP Amendment Request No. 4-05 (for Commission Action at the November 16-18, 2005 meeting in Los Angeles).

On October 14, 2005, the City of Laguna Beach submitted a request to amend its certified Local Coastal Program (LCP), effecting the Implementation Plan (IP). The proposed IP amendment would require that staking plans be prepared and certified by a licensed land surveyor or registered Civil Engineer by the State of California and precludes any person related to the applicant of the project or any person having a financial interest in the project from preparing or certifying the staking plan and the height and accuracy of the staking poles. Proposed LCP Amendment Request No. 4-05 was submitted for Commission certification by City Council Resolution No. 05.098.

On October 14, 2005, the date of submittal, the Executive Director determined that LCP Amendment Request No 4-05 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. 4-05 is deemed complete pursuant to the requirements of Section 30510 of the Coastal Act.

Pursuant to Sections 30513 and 30514 of the Coastal Act, an LCP amendment that includes changes to the IP portion of a certified LCP must be scheduled for a public hearing and the Commission must take action within sixty days of a complete submittal. The sixtieth day after the City's filing of the complete submittal is December 13, 2005. In order to be heard within this time frame, the LCP amendment would need to be scheduled for the Commission's November 16-18, 2005 meeting in Los Angeles.

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 30513 and 30514, for up to a year. Staff is recommending that the Commission extend the sixty-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. City staff has been notified of this time extension request and has not objected to this request.

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Therefore:

Summary of Staff Recommendation. Staff recommends that the Commission extend the 60-day time limit for a period of one year, i.e. to December 13, 2006.

MOTION:

"I move that the Commission extend the 60-day time limit to act on the City of Laguna Beach Local Coastal Program Amendment LGB-MIN-4-05 for a period of 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.