

CALIFORNIA COASTAL COMMISSION

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July 18, 2006

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TO: Commissioners and Interested Persons

FROM: DEBORAH LEE, SENIOR 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. 2-06 (for Commission Action at the August 8-11, 2006 meeting in San Pedro).

On July 3, 2006, the City of Laguna Beach submitted a request to amend its certified Local Coastal Program (LCP), affecting the Implementation Plan (IP). The proposed IP amendment would include 1) concept review hearings are no longer a prerequisite if a variance is proposed; 2) the list of development subject to design review has been amended; 3) the list of development exempted from design review has been amended; 4) a new Administrative Design Review process section has been codified; 5) staking requirements have been revised to include decks and eaves and must be constructed and certified 28 calendar days prior to the hearing; 6) biological report requirements are specified; 7) fire department review and approval requirements have been added; 8) Design Review public noticing has been extended to 40 calendar days prior to the public hearing; 9) the Planning Commission will be the approval authority for projects that require a discretionary permit from them; 10) hearings for residential projects of 3 units or less are limited to 2 to 3 hearings and concept review hearings are no longer permitted; 11) after denial of a project, no application for a project located on the same site may be filed for 2 months; 12) appeals of a design review decision must be filed within 14 calendar days; 13) the City Council is limited to deciding issue(s) specifically stated in the appeal, and a remand, reversal or modification requires a vote of 3 Councilmembers; and 14) temporary on-grade removable accessory structures used as play sets and swing sets do not require a building permit. Proposed LCP Amendment Request No. 2-06 was submitted for Commission certification by City Council Resolution No. 06.045.

On July 3, 2006, the date of submittal, the Executive Director determined that LCP Amendment Request No 2-06 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. 2-06 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 September 1, 2006. In

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order to be heard within this time frame, the LCP amendment would need to be scheduled for the Commission's August 9-11, 2006 meeting in San Pedro.

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.

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 September 1, 2007.

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-2-06 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.