

**CALIFORNIA COASTAL COMMISSION**

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**W19a**

February 14, 2008



**TO:** Coastal Commissioners and Interested Parties

**FROM:** SHERILYN SARB, Deputy Director  
TERESA HENRY, South Coast District Manager  
KARL SCHWING, Orange County Area Supervisor

**SUBJECT:** Request to extend the ninety (90)-day time limit for Commission action on City of Dana Point LCP Amendment Request No. 1-07 (for Commission Action at the March 5-7, 2008 meeting in Monterey).

On January 11, 2008, staff for the South Coast District of the Coastal Commission received documentation to file as complete City of Dana Point Local Coastal Program Amendment (LCPA) 1-07. This LCP Amendment affects the City's certified Land Use Plan and Implementation Plan. It proposes to amend the City's certified Land Use Plan and Implementation Plan effective for the Dana Point Headlands area in order to eliminate the requirement of the Mid-Strand Vista Park public accessway and to add approximately 800 linear feet of trail within the Harbor Point Park and Hilltop Park.

Pursuant to Sections 30512.1 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 (90)-days of a complete submittal. The ninetieth day after the City's filing of the complete submittal is April 10, 2008. In order to be heard within this time frame, the LCP amendment would need to be scheduled for the Commission's March, 2008 meeting in Monterey or by April 10, 2008 during the Commission's April 9-11, 2008 meeting in Santa Barbara.

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 ninety-day (90) 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 as of the date of this staff report.

This matter is of significant interest to local residents and the general public. Therefore, Commission staff anticipate scheduling the matter at an upcoming hearing to be held in southern California (likely April or May 2008).

Summary of Staff Recommendation. Staff recommends that the Commission extend the ninety (90)-day time limit for a period of one year, i.e. to April 10, 2009.

**MOTION:**

*"I move that the Commission extend the ninety (90)-day time limit to act on the City of Dana Point Local Coastal Program Amendment DPT-MAJ-1-07 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.