

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



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DATE: November 19, 2009

TO: Commissioners and Interested Persons

FROM: John Ainsworth, Deputy Director

SUBJECT: **City of Malibu LCP Amendment No. MAJ-3-09 Time Extension** to be heard at the December 9, 2009 Commission Hearing in San Francisco.

On September 21, 2009, the City of Malibu submitted an amendment to the Land Use Plan (LUP) and Implementation Plan (LIP) portions of its certified Local Coastal Program (LCP). The City proposes to amend the Transfer Development Credit (TDC) provisions of its certified LCP to allow ownership of TDC donor parcels to be transferred to a public entity willing to accept title, and to allow TDC donor parcels to be merged with adjacent buildable lot(s) rather than adjacent already developed lot(s).

On October 5, 2009, the Executive Director determined that the City's amendment submittal was in proper order and legally adequate to comply with the submittal requirements of Coastal Act Section 30510(b). Pursuant to Coastal Act Section 30512 and California Code of Regulations Section 13522, an amendment to the certified LCP must be scheduled for a public hearing and the Commission must take action within 90 days of a complete submittal. The 90th day after filing the complete submittal is January 3, 2010.

Coastal Act Section 30517 and California Code of Regulations Section 13535 (c) state that the Commission may extend for good cause the 90-day time limit for a period not to exceed one year. Commission staff is requesting an extension to the 90-day time limit in order to allow adequate time to review and analyze the amendment. Therefore, staff recommends that the Commission extend the 90-day time limit to act on the City of Malibu LCP Amendment No. MAJ-3-09 for a period not to exceed one year.

STAFF RECOMMENDATION

Staff recommends that the Commission vote to extend the deadline for Commission action for one year.

MOTION: ***I move that the Commission extend the 90-day time limit to act on the City of Malibu LCP Amendment No. MAJ-3-09 for one year.***

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