

**CALIFORNIA COASTAL COMMISSION**

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# Th25b

December, 22, 2009

TO: Commissioners and Interested Persons

FROM: SHERILYN SARB, SOUTH COAST DEPUTY DIRECTOR  
TERESA HENRY, SOUTH COAST DISTRICT MANAGER  
KARL SCHWING, ORANGE COUNTY AREA SUPERVISOR  
MEG VAUGHN, COASTAL PROGRAM ANALYST

SUBJECT: **Request to extend the sixty-day time limit for Commission action on City of Laguna Beach LCP Amendment Request No. 3-09 (IP Amendment) (for Commission Action at the January 14-15, 2010 meeting in Huntington Beach).**

On December 3, 2009, the City of Laguna Beach submitted Local Coastal Program Amendment Request No. 3-09 to amend its certified Local Coastal Program Implementation Plan (IP). The proposed amendment contains a variety of changes to Title 25 of the Zoning Code/IP that would prohibit certain uses in the City; change grading/construction material hauling hours, modify threshold for development requiring design review, modify design review noticing requirements, exempt elevator shafts from floor area calculation, allow development on nonconforming lots and additions to legal nonconforming structures without a variance; and update the floodplain ordinance. Proposed LCP Amendment Request No. 3-09 was submitted for Commission certification by City Council Resolution No.s 09.077, 09.086, and 09.073.

The Executive Director determined that LCP Amendment Request No. 3-09 was in proper order and legally adequate to comply with the submittal requirements of the Coastal Act and the California Code of Regulations as submitted on December 3, 2009. Therefore, LCP Amendment Request No. 3-09 is deemed complete pursuant to the requirements of Section 30510 of the Coastal Act.

Pursuant to Sections 30512, 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; and for an LUP amendment the Commission must take action within ninety days of a complete submittal. The sixtieth day after the City's filing of the complete submittal is February 1, 2010 (i.e. before the February 10-12, 2010 Commission hearing).

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, 30513 and 30514, for up to a year. Staff is recommending that the Commission extend the 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. February 1, 2011).

**MOTION: I move that the Commission extend the time limit to act on the City of Laguna Beach Local Coastal Program Implementation Plan Amendment No. 3-09 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.