

CALIFORNIA COASTAL COMMISSION

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October 27, 2010

TO: Commissioners and Interested Persons

FROM: Sherilyn Sarb, South Coast Deputy Director, (Orange County)
Teresa Henry, South Coast District Manager
Karl Schwing, Orange County Area Supervisor
Meg Vaughn, Coastal Program Analyst

SUBJECT: Request to extend the ninety-day time limit for Commission action on City of Laguna Beach LCP Amendment Request No. 1-10 (LUE Update)
(For Commission Action at the November 17-19, 2010 meeting in Santa Monica).

On January 13, 2010, the City of Laguna Beach submitted Local Coastal Program Amendment Request No. 1-10 to amend its certified Local Coastal Program (LCP). The City's certified Land Use Plan is comprised primarily of the Land Use Element, the Open Space/Conservation Element, and the Coastal Technical Appendix. The amendment proposes to replace the certified Land Use Element portion of the Land Use Plan component of the City's certified Local Coastal Program with a fully revised document. In addition, the amendment proposes various specific changes to the certified Land Use Plan map and certified Zoning Map. Proposed LCP Amendment Request No. 1-10 was submitted for Commission certification by City Council Resolution No. 09.094, which incorporates General Plan Amendment 08-03, Local coastal Plan Amendment 08-03, and Rezone 09-01, and Ordinance No. 1519. The proposed amendment affects both the certified Land Use Plan and Implementation Plan portions of the certified Local Coastal Program.

Upon receipt of requested additional information on September 17, 2010, the Executive Director determined that LCP Amendment Request No. 1-10 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. 1-10 is deemed complete pursuant to the requirements of Section 30510 of the Coastal Act.

Pursuant to Sections 30512 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 days of a complete submittal. The ninetieth day after the City's filing of the complete submittal is December 16, 2010.

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 and 30514, for up to one year. Staff is recommending that the Commission extend the ninety-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.

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STAFF RECOMMENDATION

Staff recommends that the Commission extend the deadline for Commission action for one year (i.e. to December 16, 2011).

MOTION: I move that the Commission extend the ninety-day time limit to act on the City of Laguna Beach Local Coastal Program Amendment No. 1-10 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.