

CALIFORNIA COASTAL COMMISSION

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Prepared September 23, 2011 (for October 7, 2011 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, District Manager
Madeline Cavalieri, Coastal Planner

Subject: Request to Extend the Time Limit to Acknowledge and Accept the Modifications Suggested by the Coastal Commission on City of Pismo Beach Local Coastal Program Amendment Number 1-10 Part 1 (Open Space Landscaping)

At the April 14, 2011 Coastal Commission meeting in Santa Barbara, the Commission denied, and then approved if modified by the Commission's suggested modifications, City of Pismo Beach Local Coastal Program (LCP) Amendment Number 1-10 Part 1 (Open Space Landscaping). This LCP amendment is intended to allow additional landscaping on certain open space parcels.

Pursuant to the Commission's regulations, the City has six months from the date of Commission action to accept the Commission's suggested modifications, in this case by October 14, 2011 (California Code of Regulations (CCR) Section 13537). If the City has not accepted the suggested modifications by that time, then the Commission's approval with suggested modifications expires at that time, and only the Commission's denial stands.

Coastal Act Section 30517 and CCR Section 13535(c) provide that the Commission may extend, for good cause, time limits related to LCPs for a period not to exceed one year. On September 23, 2011, the City requested a six-month extension of time to accept the modifications suggested by the Commission. In this case, the requested time extension will allow further City consideration of the Commission's suggested modifications. A six-month extension would result in a new deadline for the City to accept the Commission's suggested modifications on the proposed amendment of April 14, 2012. Although staff believes that this matter will be resolved well before the new deadline, it is appropriate in this case to extend the deadline for six months as allowed by the Coastal Act and the Commission's regulations for suggested modifications. Therefore, staff recommends a six-month extension of time.

Summary of the Staff Recommendation

Staff recommends that the Commission extend the expiration date of its approval with suggested modifications, and thus extend the six-month time limit that applies to the City's acceptance of the Commission's suggested modifications, for a period of six months. Staff recommends a **YES** vote on the motion below. Passage of the motion will result in a new deadline for City action on this proposed LCP amendment. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. I move that the Commission extend the six-month time limit for the City of Pismo Beach to accept the Commission's suggested modifications that apply to LCP Amendment 1-10 Part 1 by a period of six months, to April 14, 2012.

