

CALIFORNIA COASTAL COMMISSION

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Prepared January 21, 2011 (for February 11, 2011 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, District Manager
Susan Craig, Coastal Planner

Subject: Extension of Time Limit for Commission Action on Santa Cruz County Local Coastal Program Amendment Numbers 2-10 Part 1 (Hoop Houses), Part 2 (Emergency Homeless Shelters), Part 3 (Public Agency Second Units), and Part 4 (Demolition Exclusion)

Santa Cruz County has submitted the above-referenced Local Coastal Program (LCP) amendment requests intended to modify the LCP: (Part 1) to change standards associated with agricultural “hoop houses” and to exclude them from coastal permit requirements; (Part 2) to change standards associated with siting of emergency homeless shelters on land designated for public facilities; (Part 3) to modify owner-occupancy requirements related to second units that house special populations and that are owned by public agencies; and (Part 4) to exclude demolition (with certain exceptions) from coastal permit requirements.

Coastal Act Section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied and an amendment request is deemed submitted (or “filed”), the Coastal Act requires the Commission to act on Implementation Plan (IP) amendments within 60 days, and on Land Use Plan (LUP) amendments and combined LUP/IP amendments within 90 days. If Commission action is not taken within the applicable time frame, then the amendment is deemed approved and certified by the Commission. (Coastal Act Sections 30512 and 30513)

LCP amendments 2-10 Parts 1, 2, and 3 were filed as complete on January 3, 2011, and Part 4 was filed as complete on December 17, 2010. These proposed LCP amendments include IP changes only and thus the 60-day requirement applies; the 60th day for Parts 1, 2, and 3 is March 4, 2011, and the 60th day for Part 4 is February 15, 2011. Therefore, these amendments would have to be scheduled for action by the Commission’s February 2011 meeting if they were to be decided within the applicable time frame. However, Coastal Act Section 30517 allows the Commission to extend, for good cause, the time limit for Commission action for a period not to exceed one year.

In this case, the amendments include proposed changes that present significant Coastal Act and LCP conformance issues, and staff has not yet had sufficient time to analyze the changes proposed to ensure that coastal resources are protected consistent with the LCP’s LUP. A later meeting date would allow for adequate review, as well as consultation with the County regarding any possible amendment modifications. A one-year extension would result in a new deadline for Commission action on Parts 1, 2 and 3 of March 4, 2012, and on Part 4 of February 15, 2012.



Although staff believes that these matters will be brought to hearing before such new deadlines, it has generally been the Commission's practice to extend such deadlines for a full year as provided by the Coastal Act to allow for flexibility in hearing scheduling (including to accommodate any requested or otherwise necessary postponements, continuances, etc.) and in terms of allotting scarce staff resources. Therefore, staff recommends that the Commission extend the deadlines for Commission action on these proposed LCP amendments by one year.

Summary of the Staff Recommendation

Staff recommends that the Commission extend the deadline for Commission action on the proposed amendments by one year. Staff recommends a **YES** vote on the motion below. Passage of the motion will result in a new deadline for Commission action on each of these proposed LCP amendments. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. I move that the Commission extend the time limit to act on Santa Cruz County Local Coastal Program Amendment Numbers 2-10 Parts 1, 2, and 3 to March 4, 2012, and Part 4 to February 15, 2012. I recommend a yes vote.

