

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
FAX: (831) 427-4877  
WEB: WWW.COASTAL.CA.GOV

F13a



**Prepared January 19, 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 Soquel Union Elementary School District Opal Cliffs Public Works Plan (PWP 8-09)**

The Soquel Union Elementary School District has submitted the above-referenced Public Works Plan (PWP) application intended to guide future preschool and elementary school development on a portion of Jade Street Park located at 4400 Jade Street in the City of Capitola.

Coastal Act Section 30605 allows for public works plans to be submitted to the Commission for review in the same manner prescribed for the review of local coastal programs. Section 13353 of the California Code of Regulations (CCR) states that a PWP submittal shall contain sufficient information regarding the kind, size, intensity and location of development activity intended to be undertaken pursuant to the plan to determine consistency with the policies of Chapter 3 of the Coastal Act. Once that requirement is satisfied and the PWP application is filed as complete, CCR Section 13356(c) requires that the Commission act on a PWP within 60 days. If Commission action is not taken within the applicable timeframe, then the PWP is deemed approved and certified by the Commission (Coastal Act Sections 30510, 30512, 30513, and 30514).

PWP 8-09 was filed as complete on December 16, 2010. The 60-day hearing requirement applies and the 60<sup>th</sup> day is February 14, 2011. Therefore the amendment would have to be scheduled for action by the Commission's February 2011 meeting if it were to be decided within 60 days of filing. However, Coastal Act Section 30517 allows the Commission to extend, for good cause, the 60-day time limit for a period not to exceed one year. A one-year extension would result in a new deadline for Commission action of February 14, 2012.

CCR Section 13357 requires Commission staff to consult with the affected local government regarding the impact of the proposed plan on the coastal zone and the certified Local Coastal Program (LCP). Commission staff has consulted with the City and the City has raised concerns about Phase II of the proposed PWP. There is insufficient time before the February 2011 hearing to fully analyze the proposed PWP with respect to the City's concerns and to analyze the proposed PWP to ensure coastal resource protection consistent with the LCP. A later meeting date would allow for adequate review time, as well as allow for additional consultation with the School District regarding the City's concerns. Although staff believes that this matter will be brought to hearing before the new deadline, 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 deadline for Commission action by one



year.

Summary of the Staff Recommendation

Staff recommends that the Commission extend the deadline for Commission action on the proposed PWP 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 this proposed PWP. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**Motion.** I move that the Commission extend the 60-day time limit to act on the Soquel Union Elementary School District's PWP to February 14, 2012.

**Staff Recommendation.** Staff recommends a **YES** vote. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

