

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

F9a



Prepared February 17, 2011 (for March 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 City of Capitola Local Coastal Program Amendment Number 1-10 Part 1 (C-C District Standards; Definitions)

The City of Capitola has submitted the above-referenced Local Coastal Program (LCP) amendment request intended to amend Chapter 17.27 of the City's Implementation Plan (IP) regarding parking and use standards in the C-C (Community Commercial) zoning district. The proposed amendment also makes changes to the definitions found in Chapter 17.03 of the IP pertaining to "restaurants" and "floor area available for dining."

Coastal Act Section 30510 allows a proposed LCP amendment to be submitted if the submittal contains materials sufficient for a thorough and complete review. Once that requirement is satisfied and the amendment is filed as complete, the Coastal Act requires that the Commission act on an Implementation Plan (IP) amendment within 60 days and a Land Use Plan (LUP) amendment or combined LUP/IP amendment within 90 days. If Commission action is not taken within the applicable timeframe, then the amendment is deemed approved and certified by the Commission (Coastal Act Sections 30510, 30512, 30513, and 30514).

Capitola LCP amendment 1-10 Part 1 was filed as complete on January 10, 2011. The proposed LCP amendment includes an IP component only and thus the 60-day requirement applies; the 60th day is March 11, 2011. Therefore the amendment would have to be scheduled for action by the Commission's March 11, 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 March 11, 2012.

In this case, the proposed amendment presents LCP resource issues with respect to parking and use standards in the C-C zoning district and there is insufficient time before the March 2011 hearing to analyze the changes proposed to ensure coastal resource protection consistent with the LUP. A later meeting date would allow for adequate review time, as well as allow for consultation with the City regarding any possible amendment modifications. 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 amendment 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 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 60-day time limit to act on City of Capitola Local Coastal Program Amendment Number 1-10 Part 1 to March 11, 2012.

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

