

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE

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DATE: September 27, 2012

TO: Coastal Commissioners and Interested Parties

FROM: Alison Dettmer, Deputy Director
Robert Merrill, North Coast District Manager
Melissa Kraemer, Coastal Program Analyst

SUBJECT: **Time Extension for Humboldt County LCP Amendment HUM-MAJ-1-12
(Williams-Gutterro LUP and IP amendments)**

For the Commission meeting of October 10, 2012

LCP AMENDMENT DESCRIPTION

On July 18, 2012, Humboldt County submitted to the Commission an LCP amendment known as the “Williams-Gutterro” LCP amendment (named for the owners of the two subject properties). As submitted, HUM-MAJ-1-12 would redesignate/rezone two private properties totaling 10.9 acres from Rural Residential (RR/RA) to Coastal Commercial Timberland (TC/CT). The subject site is located on the east side of Patricks Point Drive, approximately 0.5-mile north of Seawood Drive, approximately three miles north of the City of Trinidad, Humboldt County (APNs 517-271-05 & -05). The site is mostly forested and is surrounded by rural residential development and timberland resources.

The proposed LCP amendment is to reclassify the subject two RA-zoned properties that total 10.9 acres to CT, in order to facilitate another proposal to merge the properties with the adjacent 70.4-acre CT-zoned property and then divide the ~81 acres into two CT-zoned properties (of approximately 40 acres and 41 acres in size). The two properties totaling 10.9 acres that would be redesignated/rezoned under this LCP amendment both are developed with single family residences, yet both properties still remain mostly covered in timber. The adjacent 70.4-acre property is undeveloped and forested. The County approved a Joint Timber Management Plan for the subject properties and adjacent 70.4-acre property that concludes that the proposed resultant parcels (each ~40 acres) would be economically viable for coastal commercial

HUM-MAJ-1-12 (Time Extension)

timberland uses. The County has already approved the necessary CDP for the proposed merger and resubdivision described above, though completion of the County's notice of final local action for the CDP is on hold pending effective certification of the proposed LCP amendment application. Thus, an effect of the proposed LCP amendment, in conjunction with the proposed merger and resubdivision of the subject properties and adjacent timberland property, could be to limit future development potential on two timberland parcels (the proposed resultant 40-acre and 41-acre parcels), since both would already be developed with the two existing single family residences that currently reside on the 10.9-acres of RA-zoned land. Another effect would be to create an additional 10.9 acres of land planned and zoned for coastal commercial timberland uses.

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 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 (Coastal Act Sections 30510, 30512, 30513, and 30514). On August 16, 2012, the Commission staff deemed the LCP amendment application submitted. This proposed LCP amendment would amend both the LUP designation and IP zoning of the site, and thus the 90-day time limit applies. The 90th day after the date this LCP amendment application was deemed submitted is November 14, 2012. Therefore, unless the Commission extends the deadline, the Commission will need to complete its action on the LCP amendment at or prior to the Commission's November 14, 2012 hearing.

The need for the staff in the Commission's North Coast District office to process other LCP amendments and permit applications already pending before the Commission prior to submittal of LCP amendment HUM-MAJ-1-12 coupled with state-directed furloughs has lengthened the time needed for staff review of the amendment. Thus, a time extension is necessary to allow staff to conduct further research and analysis of the conformance of the proposed LCP amendment with the Coastal Act and provisions of the certified LUP and prepare an appropriate staff recommendation for the Commission.

Coastal Act Section 30517 states that the Commission may extend for good cause the 90-day time limit for Commission action on an LCP amendment for a period not to exceed one year. Commission staff preliminarily expects to schedule LCP amendment HUM-MAJ-1-12 for Commission action well before the one-year time extension deadline, likely by the early part of next year (January/February). Although staff believes this matter will be brought to hearing in the near term, staff recommends that the Commission extend the deadline for a full year as provided by the Coastal Act to allow for uncertainty in the review process and flexibility for coordination with the County on potential modifications, establishing hearing schedules, and managing competing workload. Therefore, staff recommends that the Commission extend the deadline for Commission action on the proposed LCP amendment by one year. A one-year extension would result in a new deadline for Commission action of November 14, 2013.

STAFF RECOMMENDATION

Staff recommends that the Commission vote to extend the deadline for Commission action for one year.

Motion:

I move that the Commission extend the time limit to act on Humboldt County Local Coastal Program Amendment No. HUM-MAJ-1-12 for a period of one year.

Staff recommends a **YES** vote. Passage of this motion will result in a one year extension of the period in which the Commission must act on the proposal, changing the deadline for Commission action from November 14, 2012 to November 14, 2013. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.