

CALIFORNIA COASTAL COMMISSION

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W12a

TO: Commissioners and
Interested Persons

DATE: January 17, 2013

FROM: Staff

SUBJECT: **Request to Waive Time Limit for City of Imperial Beach LCP
Amendment No. IMB-MAJ-2-12 (Commercial Mixed Uses) for the
Commission Meeting of February 6-8, 2013**

On November 19, 2012, the City of Imperial Beach Local Coastal Program (LCP) Amendment #2-12 was filed in the San Diego District office. The amendment involves revisions to both the certified Land Use and Implementation Plans to modify provisions for commercial and residential uses in mixed use districts and zones. The proposed amendment will therefore affect both components of the certified LCP.

Amendments containing both land use and implementation plan components, must be acted upon by the Commission within 90 days of filing. Based on the above-cited time limits, the proposed LCP amendment must be scheduled for review by the Commission at the February 6-8, 2013 meeting. However, Section 30517 of the Coastal Act and Section 13535(c) of the California Code of Regulations state that the Commission may extend for good cause any applicable time limits for a period not to exceed one year.

The City of Imperial Beach currently has two other pending LCP amendments. Imperial Beach LCPA #1-12 (IMB-MAJ-1-12) involves the establishment of a new Commercial-Recreation/Ecotourism land use category along with a companion zone and then applies the new provisions to a specific site. Imperial Beach LCPA #3-12 (IMB-MAJ-3-12) involves an ordinance to prohibit the establishment of medical marijuana distribution outlets anywhere in the City. Both of these pending LCP amendments are scheduled for the March 2013 hearing in San Diego. Therefore, Commission staff is requesting the time extension on this third amendment request in order to adequately review the amendment and prepare a recommendation. Staff will schedule this amendment no later than the June 2013 hearing but 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 scheduling issues that may arise. Staff therefore recommends the Commission extend the 90-day time limit for one year.

MOTION:

I move that the Commission extend the 90-day time limit to act on the City of Imperial Beach LCP Amendment No. 2-12 for one year.

STAFF RECOMMENDATION:

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