



City of San Clemente Planning Division

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original staff report

January 5, 2017

Ms. Caitlin Oshida, Coastal Program Analyst
California Coastal Commission
South Coast Office
200 Oceangate, 10th Floor
Long Beach, CA 90802

Re: CCC Item F15b – City of San Clemente LUP Amendment

Dear Ms. Oshida:

The purpose of this letter is to acknowledge that the City of San Clemente staff are in support of the CCC staff request to extend the time limit for Commission action on City of San Clemente LUP Amendment Request No. 1-16 (LCP-5-SCL-16-0012-1). The item is scheduled for Commission action at its January 13, 2017 hearing in San Luis Obispo. CCC staff have asked for an extension of the LUP Amendment processing time for the maximum period of 12 months.

With this extension, the Commission would need to take action on the City's LUP Amendment no later than February 13, 2018. While we hope that the full year extension is not required, we will continue to regularly coordinate with CCC staff to refine the LUP Amendment and look forward to continuing our productive relationship.

Sincerely,

Amber Gregg, Interim City Planner
City of San Clemente

CC: Karl Schwing, CCC Deputy Director
Charles Posner, CCC Supervisor of Planning
Cecilia Gallardo-Daly, Community Development Director, City of San Clemente
James Makshanoff, City Manager, City of San Clemente
Mayor Kathy Ward and Councilmembers, City of San Clemente

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
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F15b

DATE: December 22, 2016

TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director
Charles Posner, Supervisor of Planning
Caitlin Oshida, Coastal Program Analyst

SUBJECT: Request to extend the time limit for Commission action on City of San Clemente LUP Amendment Request No. 1-16 (LCP-5-SCL-16-0012-1), for Commission action at its January 13, 2017 hearing in San Luis Obispo.

On March 17, 2016, the City of San Clemente submitted a request to amend the City of San Clemente certified Land Use Plan (LUP) with City Council Resolution No. 16-02. The LUP amendment request is for the comprehensive update to the City of San Clemente LUP previously certified by the Commission in May 1988 and amended October 1995. All of the certified LUP policies are being amended and new policies introduced to be consistent with the City's 2014 General Plan goals and Coastal Act policies.

On April 1, 2016, Commission staff notified the City that, due to existing LCP workload and staffing constraints, a full review of the LUP update submittal was not possible during the initially allotted ten-day period. Staff also requested additional information to aid in the review of the LUP submittal for completeness. Some of the requested information was emailed to Commission staff on June 24, 2016, and hardcopies were received on September 2, 2016. Copies of the remaining requested material were emailed to Commission staff on November 11, 2016, and hardcopies were received on November 15, 2016. After reviewing the transmitted documents, the Executive Director determined that LUP Amendment Request No. 1-16 is in proper order and legally adequate to comply with the submittal requirements of Section 30510 of the Coastal Act and Section 13553 of the California Code of Regulations (Title 14). Therefore, LUP Amendment Request No. 1-16 is officially deemed submitted as of November 15, 2016.

Pursuant to Sections 30512, 30513 and 30514 of the Coastal Act, an LUP amendment must be scheduled for a public hearing and the Commission must take action within ninety days of the complete submittal. The ninetieth day after the City's filing of the complete submittal is February 13, 2017. Coastal Act Section 30517 and Section 13535(c) of the Coastal Commission Regulations state that the Commission may extend for good cause the ninety-day time limit for a period not to exceed one year. In this case, a time extension is necessary to allow staff to conduct further analysis of the conformance of the proposed LUP update with the provisions of the Coastal Act and to prepare an appropriate staff recommendation, including preparation of suggested modifications if necessary, for the Commission.

Therefore, staff is recommending that the Commission extend the time limit for up to a year because extensions are only considered once, and it is prudent to allow for the maximum amount of time in case of unexpected delays. Commission staff anticipates this item being scheduled at a Commission meeting in Southern California 2017. Scheduling is dependent upon several workload factors. Thus, although staff believes this matter will be brought to a 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 City of San Clemente on potential modifications, establishing hearing schedules, and managing competing priorities. The motion to carry out the staff recommendation is on Page Two.

STAFF RECOMMENDATION

Staff recommends that the Commission vote **YES** to extend the deadline for Commission action on the LUP update for one year.

Motion:

“I move that the Commission extend the time limit to act on City of San Clemente Land Use Plan Amendment No. 1-16 for a period of one year.”

An affirmative vote of the majority of the Commissioners present is needed to pass the motion.