

CALIFORNIA COASTAL COMMISSION

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W21a

Prepared January 20, 2017 (for February 8, 2017 Hearing)

To: Coastal Commissioners and Interested Persons

From: Susan Craig, Central Coast District Manager
Kevin Kahn, Central Coast District Supervisor

Subject: Extension of Time Limit for Commission Action on San Luis Obispo County Local Coastal Program (LCP) Amendment Number LCP-3-SLO-15-0013-1-Part B (Resource Management System).

San Luis Obispo County has submitted the above-referenced LCP amendment request intended to update the LCP's Resource Management System (RMS), including by modifying the standards for defining adequacy of public and private services to serve new development, including water supply and wastewater treatment capacity.

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 request 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. If Commission action is not taken within the applicable timeframe, then the amendment is deemed approved and certified by the Commission. (Coastal Act Sections 30512 and 30513.)

LCP amendment LCP-3-SLO-15-0013-1-Part B was filed as complete on November 18, 2016. The proposed LCP amendment includes LUP changes only and thus the 90-day requirement applies; the 90th day for this amendment is February 16, 2017. Therefore, the amendment would have to be scheduled for action by the Commission's February 2017 meeting if it were to be decided within the applicable timeframe. However, Coastal Act Section 30517 allows the Commission to extend, for good cause, the time limit for Commission action for a period not to exceed one year.

In this case, Commission staff sent the County preliminary suggested modifications to the amendment in June 2016 and subsequently held several discussions with County staff regarding those modifications. Commission staff published a staff report for the Commission's December 2016 hearing with those suggested modifications, but postponed the item at the request of several members of the public to allow for additional public comment. Commission staff published a staff report with the same suggested modifications on December 23, 2016. After publishing of the staff report, the County requested additional time to discuss the suggested modifications. A later hearing date would allow for the County and Commission staff to meet to further discuss the suggested modifications. A one-year extension would result in a new deadline for Commission action on LCP-3-SLO-15-0013-1-Part B of February 8, 2018.

Although Commission staff believes that the LCP amendment will be brought to hearing before the requested one-year 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 on the proposed LCP amendment 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 the 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 time limit to act on San Luis Obispo County Local Coastal Program Amendment Number LCP-3-SLO-15-0013-1-Part B to February 8, 2018. I recommend a yes vote.*