

CALIFORNIA COASTAL COMMISSION

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May 18, 2017

W26a

TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director
Charles Posner, Supervisor of Planning
Meg Vaughn, Staff Analyst

SUBJECT: Request to extend the time limit for Commission action on City of Huntington Beach LCP Amendment Request No. 2-16 (LCP-5-HNB-16-0031-1), for Commission Action at the June 7-9, 2017 meeting in Arcata.

On June 14, 2016, the City of Huntington Beach submitted a request to amend its certified Local Coastal Program (LCP). On May 3, 2017, upon receipt of requested additional information, the Executive Director determined that LCP Amendment Request No. 2-16 was in proper order and legally adequate to comply with the submittal requirements of the Coastal Act and the California Code of Regulations. Therefore, LCP Amendment Request No. 2-16 has been deemed complete pursuant to the requirements of Section 30510 of the Coastal Act. The proposed amendment was submitted for Coastal Commission action via City Council Resolution No. 2016-16, which requests Commission action on City of Huntington Beach Ordinance Nos. 4058, 4047, 4069, 4019, 4020, 4021, 3960, 3961, 4037, 4038, 4039, 4040, and 3934.

The IP amendment request proposes changes to Chapter 204 *Use Classifications* regarding medical marijuana; Chapter 233 *Signs* regarding non-commercial signs; Chapter 254 *Dedications and Reservations* regarding how in lieu park fees are determined; Chapter 230 *Wireless Communication Facilities* revising the citywide permitting and entitlement process and other revisions; and Chapter 203 *Definitions*, Chapter 211 *Commercial Districts*, Chapter 212 *Industrial Districts*, Chapter 230 *Site Standards* to reorganize entitlements of certain applications to the lower hearing body, codify existing City policies, and make clarifications. The amendment request also proposes to create a new Chapter 228 *Senior Residential Overlay District*, with a related zoning map amendment to apply the Senior Residential Overlay District to two sites within the City's coastal zone. Only the Implementation Plan (IP) portion of the City's certified LCP will be amended. The proposed amendment would apply citywide.

Pursuant to Sections 30513 and 30514 of the Coastal Act, an LCP amendment that includes changes to the IP portion of a certified LCP only must be scheduled for a public hearing within sixty days of a complete submittal. The sixtieth day after the City's filing of the complete submittal is July 2, 2017 (the Commission's July hearing is July 12-14, 2017). However, this deadline may be extended for good cause. Section 30517 of the Coastal Act allows the Commission to extend any time limitation established by Chapter 6 of the Coastal Act, including Sections 30512 and 30514, for up to one year. Staff is recommending that the Commission extend the sixty-day time limit for the review of the LCP amendment request until July 2, 2018.

Unless the deadline is extended, Commission staff will need to complete its review and preparation of a staff recommendation and, possibly, suggested modifications and the Commission will need to

City of Huntington Beach
LCP No. 2-16
Time Extension Request
Page 2 of 2

complete its action on the LCP amendment at the Commission's current June 7-9, 2017 meeting. A time extension is necessary due to significant staff workload and scheduling constraints, including staff time needed to prepare and review the staff recommendation. Additional time is necessary to allow staff to conduct further analysis of the conformance of the proposed LCP amendment with the provisions of the certified LUP and to prepare an appropriate staff recommendation, including preparation of suggested modifications if appropriate, for the Commission. Thus, staff is recommending that the Commission extend the time limit for review of LCP Amendment Request No. 2-16.

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 until July 2, 2018 as provided by the Coastal Act to allow for additional time in the review process and flexibility for coordination with the City of Huntington Beach on potential modifications, establishing hearing schedules, and managing competing priorities.

STAFF RECOMMENDATION

Staff recommends that the Commission extend the deadline for Commission action on the LCP Amendment Request for one year (to July 2, 2018).

Motion:

“I move that the Commission extend the time limit to act on the City of Huntington Beach Local Coastal Program Amendment No. 2-16 for a period of one year.”

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