

CALIFORNIA COASTAL COMMISSION

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Th15a

DATE: July 21, 2017

TO: Coastal Commissioners and Interested Persons

FROM: Alison Dettmer, Deputy Director
Robert S. Merrill, North Coast District Manager
Cristin Kenyon, Coastal Program Analyst

SUBJECT: Extension of Time Limit for Commission Action on Del Norte County
Local Coastal Program Amendment LCP-1-DNC-16-0036-2
(Residential Height Limits)

For the Commission meeting of August 10, 2017

LCP AMENDMENT DESCRIPTION

On July 22, 2016, the County of Del Norte (County) transmitted to the Commission LCP Amendment Application No. LCP-1-DNC-16-0036-2. The proposed LCP Amendment would amend the Implementation Plan (IP) portion of the certified County LCP to increase the maximum building height for residences in a number of residential zoning districts from 25 feet to 30 feet. The affected zoning districts include the Rural Residential (RR-1), Rural Residential Agriculture (RRA), One-family Residence (R-1), and the Low Density Multiple-Family Residence (R-2) Districts.

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 an IP amendment within 60 days (Coastal Act Sections 30510, 30513, and 30514). On June 21, 2017, the Commission staff deemed the proposed IP amendment submitted. The 60th day after the date this proposed IP amendment was deemed submitted is August 20, 2017. Therefore, unless the Commission extends the deadline, the Commission will need to complete its action on the proposed IP amendment at the Commission's August 9-11, 2017 hearing.

Coastal Act Section 30517 authorizes the Commission to extend, for good cause, the time limit for Commission action on the proposed LCP amendment for a period not to exceed a year. A one-year extension of time would result in a new Commission deadline of August 20, 2018. Del Norte County staff is currently coordinating with Commission staff on changes to the language of the IP

amendment to ensure that the final amendment is in conformance with and adequate to carry out the certified LUP. County staff has indicated to Commission staff that it intends to recommend to the Del Norte County Board of Supervisors that the Board amend the current LCP Amendment to incorporate these changes in the hope of obtaining Commission certification of the revised LCP amendment as submitted without suggested modifications. Commission staff recommends extending the 60-day time limit to allow time for Commission and County staff to coordinate on necessary changes and for the County to adopt these changes.

Although the County likely will take action to amend their LCP submittal in the near future, Commission staff recommends that the Commission extend the deadline for the full year as provided by the Coastal Act to allow for uncertainty in the nature and timing of the County's action. Commission staff plans to bring the revised LCP amendment forward to hearing as soon as possible after County revision of the LCP amendment.

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 County of Del Norte Local Coastal Program Amendment No. LCP-1-DNC-16-0036-2 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 August 20, 2017 to August 20, 2018. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.