

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



March 6, 2019

W19b

TO: Commissioners and Interested Persons

FROM: Steve Hudson, Deputy Director
Charles Posner, Supervisor of Planning
Dani Ziff, Staff Analyst

SUBJECT: Request to extend the time limit for Commission action on City of Long Beach LCP Amendment Request No. 3-18 (LCP-5-LOB-18-0100-3), for Commission Action at the March 6-8, 2019 meeting in Los Angeles.

On December 28, 2018, the City of Long Beach submitted a request to amend its certified Local Coastal Program (LCP). On January 11, 2019, the Executive Director determined that LCP Amendment Request No. 3-18 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. 3-18 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 Nos. RES-17-0108, RES-18-0033, RES-18-0050, RES-18-0082, RES-18-0085, RES-18-0139, and RES-18-0177, which request Commission action on City of Long Beach Ordinance Nos. ORD-17-0024, ORD-18-0003, ORD-18-0012, ORD-18-0015, ORD-18-0018, ORD-18-0025, and ORD-18-0030, respectively.

The Implementation Plan (IP) portion of the City's certified LCP would be amended to update the regulations regarding urban agriculture, unattended donation bins, small cell wireless facilities, adult use cannabis, massage establishments, Conditional Use Permits, and religious assembly uses. The IP amendment request proposes changes and additions to Chapter 21.15 *Definitions*, Table 31-1 *Uses in Residential Zones*, Tables 32-1 and 32-1A *Uses in All Other Commercial Zoning Districts*, Table 33-2 *Uses in Industrial Districts*, and Chapter 21.52 *Conditional Uses* relating to urban agriculture; Chapter 21.15 *Definitions*, Table 32-1 *Uses in All Other Commercial Zoning Districts*, Table 34-1 *Uses in the Institutional District*, and Chapter 21.51 *Accessory Uses* relating to unattended donation bins; Chapter 21.56 *Wireless Telecommunications Facilities* relating to small cell wireless facilities; Chapter 21.15 *Definitions*, Table 31-1 *Uses in Residential Zones*, Table 32-1 *Uses in All Other Commercial Zoning Districts*, Table 33-2 *Uses in Industrial Districts*, Table 34-1 *Uses in the Institutional District*, and Table 35-1 *Uses in Park Districts* relating to adult use cannabis; Chapter 21.15 *Definitions*, Chapter 21.32, *Commercial Districts*, Table 32-1 *Uses in All Other Commercial Zoning Districts*, Chapter 21.33 *Industrial Districts*, Chapter 21.34 *Institutional District*, Chapter 21.35 *Park District*, Chapter 21.51 *Accessory Uses*, and Chapter 21.52 *Conditional Uses* relating to massage establishments; Chapter 21.15 *Definitions*, Chapter 21.21 *Administrative Procedures*, Chapter 21.25 *Specific Procedures*, Table 31-1 *Uses in Residential Zones*, Table 32-1 *Uses in All Other Commercial Zoning Districts*, and Chapter 21.52 *Conditional Uses* relating to Conditional Use Permits; and Chapter 21.15 *Definitions*, Chapter 21.25 *Specific Procedures*, Table 32-1 *Uses in All Other Commercial Zoning Districts*, and Chapter 21.52

LONG BEACH LCPA 3-18
Time Extension Request
Page 2 of 2

Conditional Uses relating to religious assembly uses. The proposed amendment is a major LCP amendment that would apply citywide in the coastal zone.

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 working-day after the City's filing of the complete submittal is April 10, 2019 (the Commission's April meeting is April 10-12, 2019). 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 April 10, 2020.

Unless the deadline is extended, Commission staff will need to complete its review and preparation of staff recommendations for the seven separate ordinances and, possibly, suggested modifications. In addition, the Commission will need to complete its action on the LCP amendment no later than April 10, 2019 of the Commission's April 10-12, 2019 meeting. Due to the potential impact of the proposed regulations on coastal resources, especially related to urban agriculture, small cell wireless facilities, adult use cannabis, and conditional use permits, a time extension 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. 3-18.

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 April 10, 2020 as provided by the Coastal Act to allow for additional time in the review process and flexibility for coordination with the City of Long 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 a period of one year (to April 10, 2020).

Motion:

"I move that the Commission extend the time limit to act on the City of Long Beach Local Coastal Program Amendment No. 3-18 for a period of one year."

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

Staff recommends a **YES** vote. Passage of this motion will result in a one year extension of the deadline for Commission action on the proposed LCP amendment, changing the deadline for Commission action from April 10, 2019 to April 10, 2020. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.