

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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F9a

DATE: May 23, 2019

TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director
Amber Dobson, District Manager
Liliana Roman, Coastal Program Analyst

SUBJECT: Request to extend the time limit for Commission action on City of San Clemente LUP Amendment Request No. 1-18 (LCP-5-SCL-18-0099-1), for Commission action at its June 14, 2019 hearing in San Diego.

On December 21, 2018, 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. 2018-57. The LUP amendment request is for a single change to the definition of “Major Remodel” in the City of San Clemente LUP certified by the Commission in May 1988 and most recently updated in August 2018. On January 8, 2019, Commission staff notified the City of deficiencies in the City’s resolution that require additional action on the City’s part before the LUP amendment submittal could be deemed complete and filed. In response, the City revised City Council Resolution No. 2018-57 (**Exhibit 1**) and resubmitted the document on March 18, 2019 to the Commission’s South Coast office. After reviewing the transmitted documents, the Executive Director determined that LUP Amendment Request No. 1-18 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).

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 90 days of the complete submittal. The 90th day after the City’s March 18, 2019 filing of the complete submittal is June 16, 2019. Coastal Act Section 30517 and Section 13535(c) of the Coastal Commission Regulations state that the Commission may extend for good cause the 90-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 change with the provisions of the Coastal Act and to prepare an appropriate staff recommendation, including preparation of suggested modifications if necessary.

Therefore, staff recommends 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 as early as October 2019, however, 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 the following page, 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. 1-18 for a period of one year.”

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