

CALIFORNIA COASTAL COMMISSION

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August 22, 2019

Th18a

TO: Commissioners and Interested Persons

FROM: Steve Hudson, Deputy Director
Zach Rehm, District Supervisor
Dani Ziff, Staff Analyst

SUBJECT: Request to extend the time limit for Commission action on City of Long Beach LCP Amendment Request No. 1-19 (LCP-5-LOB-19-0008-1), for Commission Action at the September 11-13, 2019 meeting in Newport Beach.

On January 29, 2019, the City of Long Beach submitted a request to amend its certified Local Coastal Program (LCP). On February 12, 2019, the Executive Director notified the City in writing that additional information was needed for review of the LCP submittal, pursuant to Section 13553 of the California Code of Regulations (Title 14). All of the information requested by the Executive Director was received on July 26, 2019 and the proposed LCP amendment was found to be 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. 1-19 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-17-0104, RES-17-0103, RES-17-0102, and RES-17-0101, which request Commission action on City of Long Beach Ordinance Nos. ORD-17-0022 and ORD-17-0023.

The Land Use Plan (LUP) and Implementation Plan (IP) of the City's certified LCP would be amended to repeal the Southeast Area Development and Improvement Plan (SEADIP) from the LCP, establish the Southeast Area Specific Plan (SEASP) as part of the LCP, and certify previously deferred areas. 9 acres of the SEADIP area would not be included in the SEASP area and would revert to conventional zoning. Specifically, the proposed LUP/IP amendment includes changes to support more compact mixed-use development and a range of mobility options, make 38 residential properties and one City-owned parcel subject to conventional certified zoning requirements, create a new land use designation to preserve and provide public access to coastal habitat and recreation uses, provide additional environmental protections, and transfer deferred certification areas, which include the Los Cerritos Wetlands, into the City's jurisdiction, subject to appeal to the Coastal Commission.

Pursuant to Sections 30512, 30513, and 30514 of the Coastal Act, an LCP amendment that includes changes to the LUP portion of a certified LCP only must be scheduled for a public hearing within ninety days of a complete submittal. The ninetieth day after the City's filing of the complete submittal is October 24, 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

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Time Extension Request

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recommending that the Commission extend the ninety-day time limit for the review of the LCP amendment request until October 24, 2020.

Unless the deadline is extended, Commission staff will need to complete its tribal consultation, review, and preparation of a staff recommendation, possibly with suggested modifications, and the Commission will need to complete its action on the LCP amendment at the Commission's October 16-18, 2019 meeting. Due to the potential impact of the proposed policies on coastal resources, especially related to the certification of deferred areas including the Los Cerritos Wetlands, 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. 1-19.

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 October 24, 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 October 24, 2020).

Motion:

“I move that the Commission extend the time limit to act on the City of Long Beach Local Coastal Program Amendment No. 1-19 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 October 24, 2019 to October 24, 2020. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.