

CALIFORNIA COASTAL COMMISSION

South Coast District Office
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September 18, 2020

W11c

TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director
Eric Stevens, District Supervisor
Christine Pereira, Staff Analyst

SUBJECT: Request to extend time limit for Commission action on City of Dana Point LCP Amendment Request No. LCP-5-DPT-20-0047-2, for Commission Action at the virtual October 7-9, 2020 meeting.

On August 4, 2020, the Commission's South Coast District office in Long Beach received a request from the City of Dana Point to amend its certified Local Coastal Program (LCP). The LCP amendment request was submitted to the Commission's South Coast District office with City Council Resolution No. 20-06-16-02 and City Council Ordinance No. 20-02. LCP Amendment No. LCP-5-DPT-20-0047-2 would modify Planning Area 3 of the Dana Point Harbor Revitalization Plan and District Regulations to modify and add various provisions, including the addition of a market rate hotel. The proposed LCP amendments affect both the certified Land Use Plan (LUP) and Implementation Plan (IP).

In a letter dated August 7, 2020, Commission staff asked the City to provide additional information. Commission staff received a response from the City on August 10, 2020. After reviewing the transmitted documents, the Executive Director determined on August 10, 2020 that LCP Amendment Request No. LCP-5-DPT-20-0047-2 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). Therefore, LCP Amendment Request No. LCP-5-DPT-20-0047-2 is deemed officially submitted as of August 10, 2020.

Pursuant to Sections 30512.1 and 30514 of the Coastal Act, an LCP amendment that includes changes to the Land Use Plan (LUP) and Implementation Plan (IP) portions of a certified LCP must be scheduled for a public hearing and the Commission must take action within ninety (90) working days of a complete submittal. The ninetieth working day after the City's filing of the complete submittal is December 18, 2020. Coastal Act Section 30517 and Section 13535(c) of the Coastal Commission Regulations state that the Commission may extend for good cause the ninety (90) working day time limit for a

period not to exceed one (1) year. Staff recommends that the Commission extend the time limit for up to the full year because extension requests are only considered once, and it is prudent to allow for the maximum amount of time to properly schedule the requested amendment for public hearing in case of unexpected delays resulting from uncertainty in the review process and/or scheduling issues that may arise.

STAFF RECOMMENDATION

Staff recommends that the Commission extend the deadline for Commission action on the LCP Amendment Request for a period of one year.

Motion:

I move that the Commission extend the time limit to act on City of Dana Point Local Coastal Program Amendment No. LCP-5-DPT-20-0047-2 for a period of one year (to December 18, 2021).

Staff recommends a **YES** vote. An affirmative vote of a majority of the Commissioners present is needed to pass the motion. 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 December 18, 2020 to December 18, 2021.