

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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W12d

November 19, 2020

TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director
Zach Rehm, District Supervisor
Marlene Alvarado, Coastal Program Analyst

RE: Request to extend the time limit for Commission action on City of Laguna Beach LCP Amendment Request No. LCP-5-LGB-20-0051-3 For Commission Action at its December 9, 2020 meeting.

On August 25, 2020, the City of Laguna Beach Community Development Department submitted to the Commission's South Coast District office a request to amend the City of Laguna Beach certified Local Coastal Program (LCP). The LCP amendment request was submitted with City Council Resolution No. 20.055 and City Council Ordinance No. 1650. The LCP amendment would amend Land Use Plan (LUP) and the Implementing (IP) Ordinances of the certified LCP to modify the Historic Preservation Program including: 1) new definition of "historic resources"; 2) new explicit requirement for owner consent; 3) elimination of references to "historic inventory"; and 4) additional historic preservation incentives.

After reviewing the transmitted documents for consistency with the LCP and LCP amendment submittal requirements of Sections 13518-13520 and Sections 13551-13553 of Title 14 of the California Code of Regulations, respectively, the Executive Director determined on November 18, 2020 that LCP Amendment Request No. LCP-5-LGB-20-0051-3 is in proper order and legally adequate to comply with the submittal requirements. Therefore, LCP Amendment Request No. LCP-5-LGB-20-0051-3 is deemed officially received as of November 18, 2020.

Pursuant to Section 30512 of the Coastal Act, an LCP amendment that includes changes to the LUP and IP of a certified LCP must be scheduled for a public hearing and the Commission must take action within ninety days of receipt of a complete submittal. The ninetieth day after the City's filing of the complete submittal is February 16, 2021. Coastal Act Section 30517 and Section 13535(c) of the Coastal Commission Regulations allow the Commission to extend for good cause the ninety-day time limit for a period not to exceed one year. Commission staff is requesting the extension to allow for sufficient time for staff to coordinate with City staff and prepare a recommendation. 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 the Commission vote YES to extend the deadline for Commission action for one year.

MOTION: *"I move that the Commission extend the time limit to act on City of Laguna Beach Local Coastal Program Amendment No. LCP-5-LGB-20-0051-3 for a period of one year."*

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