

CALIFORNIA COASTAL COMMISSION

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Prepared September 24, 2021 (for October 15, 2021 Hearing)

To: Coastal Commissioners and Interested Persons

From: Susan Craig, Central Coast District Manager
Kevin Kahn, Central Coast District Supervisor

Subject: Extension of Time Limit for Commission Action on Santa Cruz County Local Coastal Program (LCP) Amendment Number LCP-3-SCO-20-0066-2 (Coastal Hazards Update)

Santa Cruz County has submitted the above-referenced LCP amendment request intended to update the LCP's coastal hazards provisions, including in terms of bluff and shoreline setbacks for new development and redevelopment, permissible shoreline armoring, and other requirements associated with development along the shoreline and at the ocean/land interface.

Coastal Act Section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied and an amendment request is deemed submitted (or "filed"), the Coastal Act requires the Commission to act on Implementation Plan (IP) amendments within 60 working days, and on Land Use Plan (LUP) amendments and combined LUP/IP amendments within 90 working days. If Commission action is not taken within the applicable timeframe, then the amendment is deemed approved and certified by the Commission.

This proposed LCP amendment application was filed as complete on June 15, 2021. Because it includes proposed changes to both the LCP's LUP and its IP, the 90-working-day deadline for action applies, and such deadline is currently October 21, 2021. Therefore, this amendment would have to be scheduled for action (and final action taken) by the Commission's October 2021 meeting if it were to be decided within the applicable timeframe. However, Coastal Act Section 30517 allows the Commission to extend, for good cause, the time limit for Commission action for a period not to exceed one year.

In this case, the proposed amendment would update the LCP's entire coastal hazards framework, and it includes a series of complicated and overarching proposed changes that raise significant and core coastal resource issues and questions regarding the manner in which coastal hazards should be evaluated in relation to proposed development along the County's shoreline areas, including as it relates to the County's

significant beaches and offshore recreational areas which provide a rich resource and public recreational asset for the community as well as visitors to it. A later deadline date would allow for adequate time to thoroughly analyze the proposed changes to ensure that coastal resources are protected consistent with the Coastal Act, and would also critically allow for necessary consultation with the County and interested members of the public (of which there are many) regarding any issues raised and possible amendment modifications. A one-year extension would result in a new deadline for Commission action of October 21, 2022.

Although staff believes that these matters will be brought to hearing before the new deadline, it has generally been the Commission's practice to extend such deadlines for a full year as provided by the Coastal Act to allow for flexibility in hearing scheduling (including to accommodate any requested or otherwise necessary postponements, continuances, etc.) and in terms of allotting scarce staff resources. Therefore, staff recommends that the Commission extend the deadline for Commission action on the proposed LCP amendment by one year.

Summary of the Staff Recommendation

Staff recommends that the Commission extend the deadline for Commission action on the proposed amendment by one year. Staff recommends a **YES** vote on the motion below. Passage of the motion will result in a new deadline for Commission action on the proposed LCP amendment. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. *I move that the Commission extend the time limit to act on Santa Cruz County Local Coastal Program Amendment Number LCP-3-SCO-20-0066-2 to October 21, 2022, and I recommend a yes vote.*