

**CALIFORNIA COASTAL COMMISSION**

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# F20d

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

**To:** Coastal Commissioners and Interested Persons

**From:** Susan Craig, Central Coast District Manager  
Robert Moore, Coastal Planner

**Subject: Extension of Time Limit for Commission Action on Santa Cruz County Local Coastal Program (LCP) Amendment Number LCP-3-SCO-20-0067-2 (Safety Element Update)**

Santa Cruz County has submitted the above-referenced LCP amendment request intended to modify the LCP's LUP and IP provisions related to public safety, including with respect to erosion control, grading, slope stability, seismic hazards, fire hazards, and flood hazards. Modifications include changes and clarification of permitting requirements, indemnification and deed recordation requirements for development in hazardous areas, changes to flood hazard regulations to address sea level rise, and many clarifying changes in language.

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 LCP amendment was filed as complete on June 15, 2021. The proposed LCP amendment includes changes to both the LUP and IP and thus the 90-working-day requirement applies, which is October 21, 2021. Therefore, this amendment would have to be scheduled for action 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, amendments include proposed changes that directly involve coastal resource and development issues including addressing sea level rise, landform alteration, runoff and water quality, geotechnical reporting requirements, and liability within hazardous areas, among others. Additional time would allow staff to further

analyze the proposed changes to ensure that coastal resources are protected consistent with the Coastal Act. A later meeting date would also allow for necessary consultation with the County and interested members of the public regarding any 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-20-0067-2 to October 21, 2022. I recommend a yes vote.