

CALIFORNIA COASTAL COMMISSION

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Prepared September 23, 2022 (for October 14, 2022 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director
Katie Butler, District Supervisor

Subject: Extension of Time Limit for Commission Action on City of Grover Beach Local Coastal Program (LCP) Amendment Number LCP-3-GRB-22-0030-1 (IP Housing Update)

The City of Grover Beach has submitted the above-referenced LCP amendment request intended to implement its 2020-2028 Housing Element and other recently adopted State law aimed at facilitating housing production, such as State Senate Bill (SB) 9. The amendment also provides for general clean-up, clarifications, and improved internal consistency in the Implementation Plan.

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 July 25, 2022. Because it includes proposed changes to the LCP's IP, the 60-working-day deadline for action applies, and such deadline is currently October 18, 2022. Therefore, this amendment would have to be scheduled for action (and final action taken) by the Commission's October 2022 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 includes many housing-related changes, including new residential design standards, provisions for SB 9-related development in certain zones, an allowance for fractional density for multi-family developments, and other revised standards that provide for additional clarity and flexibility for residential development (related to landscaping, setbacks, and street improvements, among other things). The proposed changes related to SB 9, in particular, would allow for two

residential units on one parcel and/or lot splits in the City's single-family residential zoning districts (CR1 and CPR1). In general, SB 9 has the potential to represent a fairly significant shift in traditional single-family residential development in California in that it intends to provide for additional residential density in otherwise single-family zones. Such a potential increase in density in the coastal zone must be carefully evaluated against Coastal Act and LUP requirements related to protection of coastal resources, including as related to coastal hazards and sea level rise. An extended deadline would allow for time to work through some of the particular aspects of SB 9 as it applies in the Grover Beach coastal zone context, including to ensure that coastal resources are protected consistent with the Coastal Act, and it would also allow time for continued important consultation with the City regarding possible amendment modifications. Furthermore, Commission staff believes this to be one of the first SB 9-related LCP amendment request to come before the Commission for action, and thus could be an example for other coastal jurisdictions for how to best harmonize SB 9 and the Coastal Act. In that sense, staff believes it is even more important to allocate enough time for a thorough review, and an extension facilitates that as well. A one-year extension would result in a new deadline for Commission action of October 18, 2023.

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 City of Grover Beach Local Coastal Program Amendment Number LCP-3-GRB-22-0030-1 to October 18, 2023, and I recommend a yes vote.*