

CALIFORNIA COASTAL COMMISSION

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F15a

May 19, 2022

TO: California Coastal Commissioners and Interested Parties

FROM: Steve Hudson, District Director

SUBJECT: **City of Malibu Local Coastal Program Amendment No. LCP-4-MAL-21-0073-2 (Sea View Hotel Project) Time Extension to be heard at the Friday, June 10, 2022 Commission Hearing.**

On November 15, 2021, the City of Malibu submitted the subject amendment request to amend the Land Use Plan (LUP) and Local Implementation Plan of the certified Malibu Local Coastal Program (LCP) to modify the land use and zoning designation of two parcels at 22741 and 22729 Pacific Coast Highway from Community Commercial to Commercial Visitor Serving-Two, a new overlay district with special development standards to facilitate the development of a hotel, and a Development Agreement to allow an increase in allowable floor area ratio from 0.15 to 0.52 for public benefits.

On March 21, 2022, the Executive Director deemed the City's amendment to be in proper order and legally adequate to comply with the submittal requirements of Coastal Act Section 30510(b). Pursuant to Coastal Act Section 30513 and California Code of Regulations, Title 14, Section 13522, an amendment to the certified LUP must be scheduled for public hearing and the Commission must take action no later than 90 working days from the date the amendment was properly submitted. In the subject case, the 90th working day will be July 28, 2022.

Coastal Act Section 30517 and California Code of Regulations, Title 14, Section 13535(c) state that the Commission may extend the 90 working day time limit for good cause for a period not to exceed one year. Commission staff is requesting an extension to the 90 working day time limit in order to allow adequate time to review and analyze the amendment and to allow greater scheduling flexibility. Although staff believes this matter will be brought to hearing in the near term, extending the deadline will allow for uncertainty in the review process and flexibility for coordination with the City of Malibu, establishing hearing schedules, and managing competing workload items. Therefore, staff recommends that the Commission extend the 90 working day deadline for a full year, as provided by the Coastal Act, to allow the subject amendment to be brought to hearing at a later date.

PROCEDURE

MOTION:

I move that the Commission extend the 90 working day time limit to act on the City of Malibu LCP Amendment No. LCP-4-MAL-21-0073-2 for one year.

STAFF RECOMMENDATION:

Staff recommends a YES vote. An affirmative vote of the majority of the Commissioners present is needed to pass the motion.