

## GENERAL PLAN AND LOCAL COASTAL PROGRAM

### *Manner of Adoption And Amendment*

The General Plan, the Local Coastal Program (LCP), or any part or element thereof, and any amendment to such plan or any part or element thereof, shall be adopted in the following manner:

A. Pre-hearing Consultation.

1. LCP Notice of Availability - Review Drafts. For a LCP and LCP amendments, a notice of the availability of the review draft of the LCP or LCP amendment shall be made as soon as the draft is available, but at a minimum of at least six (6) weeks before final City Council action on the document in compliance with California Code of Regulations Section 13515(c), or any successor regulation.

The Planning Division shall make available review drafts for public perusal at the offices of the Community Development Department and at all branches of the City library.

2. Tribal Consultation. For a General Plan and General Plan amendments, the City shall send notice to California Native American tribes identified by the Native American Heritage Commission of the opportunity to conduct consultations for the purpose of preserving, or mitigating impacts to, cultural places located on land that may be affected by the proposed plan adoption or amendment. Tribes shall have 90 days from the date on which they receive notification to request consultation, unless the tribe has agreed to a shorter timeframe. Notification by the City shall be in accordance with Government Code Section 65352.3, or any successor statute.

B. Public Hearing - Planning Commission.

The Planning Commission shall hold at least one public hearing before making a recommendation to the City Council on a General Plan, LCP, or any part or element thereof, or any amendment to such plan or any part or element thereof. Advanced notice of the hearing and the procedures for the conduct of the hearing shall be the same as those required by the Zoning Code for a code amendment.

- C. Recommendation by Planning Commission - Resolution. The recommendation by the Planning Commission to the City Council on the General Plan, LCP, or any

part or element thereof, or any amendment to such plan or any part or element thereof, shall be by the adoption of a resolution, endorsed by the chairman and Secretary of the Commission and transmitted to the City Council.

- D. Public Hearing - City Council. Before adopting the General Plan, LCP, or any part or element thereof, or any amendment to such plan or any part or element thereof, the City Council shall hold at least one public hearing. . Advanced notice of the hearing and the procedures for the conduct of the hearing shall be the same as those required by the Zoning Code for a code amendment.
- E. Referral of Proposed Changes Back to Planning Commission. In adopting a General Plan, LCP, or any part or element thereof, or any amendment to such plan or any part or element thereof, which has been reviewed by the Planning Commission, the City Council shall consider the recommendation of the Planning Commission. If the City Council intends to make major changes and take an action not considered by the Planning Commission, the changes shall be referred back to the Planning Commission for its recommendation. Planning Commission consideration of an alternative shall be construed liberally so as to allow the City Council to act on any one of a range of alternatives generally considered by the Planning Commission. The Planning Commission shall report back to the City Council with their recommendation on the proposed changes within 45 days.
- F. General Plan - Adoption by City Council - Resolution. The adoption of the General Plan or any part or element thereof, or any amendment to such plan or any part or element thereof, shall be by resolution.
- G. LCP - Submittal to Coastal Commission - Resolution. Submittal of a LCP or LCP amendment shall be submitted to the Coastal Commission pursuant to a resolution adopted by the City Council certifying that the LCP or LCP amendment is intended to be carried out in a manner fully in conformity with the Coastal Act. The City Council may submit a proposed amendment to a certified LCP either (1) as an amendment that will take effect automatically upon Coastal Commission approval, or (2) as an amendment that will require formal City Council adoption after Coastal Commission approval.
- H. LCP - City Council Action following Coastal Commission Certification. After receipt of a resolution of certification from the Coastal Commission, the City Council shall:
  - 1. Acknowledge receipt of the Coastal Commission's resolution of certification including any terms or modifications, which may have been required for final certification;

2. Consider any terms and modifications; and
  3. Take appropriate action, including no action, regarding any terms and modifications.
- I. LCP – Adoption by City Council – Resolution and/or Ordinance. The adoption of a LCP land use plan, or any amendment to such plan, shall be by resolution. The adoption of a LCP implementing action, or any amendment to such implementing action, shall be by ordinance.

### *Amendment Procedures*

#### City Amendments

- A. City-sponsored amendments to the General Plan, or LCP, shall be initiated by the City Council.
- B. In initiating action to amend the General Plan, or LCP, the City Council shall direct the Planning Commission to set public hearings for such amendments as it deems appropriate.
- C. Prior to making its recommendation on the proposed General Plan or LCP amendments, the Planning Commission may do such research as it deems necessary to establish whether the proposed amendment warrants approval.

#### Property Owner Amendments

- A. Property owners may apply for an amendment to the General Plan, or LCP, limited to changes to the land use designation and/or development limit for their property. Such request shall be made by the filing of an application on a form prescribed by the Community Development Director along with the fee established by the City Council. If property that is the subject of an application is in more than one ownership, all the owners shall join in filing the application. The request should clearly set forth the reason for which the request is made and should contain information substantiating the need.

#### Exception

Pursuant to Section 8 of City Council Resolution No. 2006-76, errors of fact, language consistency between elements and policies, calculations and/or scribe's errors in the General Plan text, exhibits, figures and plan map may be corrected without further amendment. All revisions made pursuant to Section 8 shall be reported to Planning Commission for affirmation.

*History*

Adopted Q-1 - 4-22-1974  
Amended Q-1 - 6-23-1980  
Amended Q-1 - 11-23-1981  
Amended Q-1 - 11-22-1982  
Amended Q-1 - 11-27-1989  
Amended Q-1 - 1-24-1994 (changed to K-1)  
Amended K-1 - 2-26-1996  
Amended K-1 - 5-8-2001  
Amended K-1 - 4-13-2004  
Amended K-1 - 8-11-2009  
Amended K-1 - 9-27-2011  
Amended K-1 - 8-8-2017