

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



W11a

**TO: Commissioners and
Interested Persons**

DATE: April 22, 2015

FROM: Staff

**SUBJECT: Request to Waive Time Limit for City of Oceanside LCP Amendment
No. LCP-6-OCN-15-0005-1 (Density Bonus Provisions) for the
Commission Meeting of May 13-15, 2015**

On March 11, 2015, the City of Oceanside Local Coastal Program (LCP) Amendment #LCP-6-OCN-15-0005-1 was filed in the San Diego District office. The amendment involves revisions to the City's certified Implementation Plan to add Article 40 to its Coastal Zoning Ordinance in order to bring the City's density bonus provisions into conformance with state housing law. The proposed amendment will affect the certified LCP implementation plan only.

Pursuant to Section 30513 of the Coastal Act, the Commission must act on implementation plan amendments within 60 days of filing. Based on the above-cited time limits, the proposed LCP amendment must be scheduled for review by the Commission at the May 2015 meeting. However, Section 30517 of the Coastal Act and Section 13535(c) of the California Code of Regulations state that the Commission may extend for good cause any applicable time limits for a period not to exceed one year.

The City's provisions for density bonus proposals have been previously certified by the Commission. City of Oceanside LCP Amendment No. 1-12 (Density Bonus Provision) was certified by the Commission with the inclusion of one suggested modification at its November, 2013 hearing. Section 13537 of the Commission's Regulations requires the City to formally acknowledge receipt of the Commission's resolution of certification, including any terms or suggested modifications, and take a formal action, or request an official time extension, within 6 months of the Commission's approval. In this case, no such action was taken by the City within this timeframe and the certification has since expired. As such, the City is proposing the resubmittal of the same ordinance revisions. The current amendment request was filed before Commission staff subsequently determined that no City Council action to either adopt the prior modification or resubmit an amended ordinance had occurred. Therefore, staff is requesting the Commission extend the time limit to allow Commission and City staff to determine the most appropriate and expeditious way to process the item. There are no other pending LCP amendments from the City of Oceanside. Staff is anticipating this item will be heard no later than the June 2015 hearing but staff recommends that the Commission extend the deadline for a full year as provided by the Coastal Act to allow for uncertainty in the review process and scheduling issues that may arise. Staff therefore recommends the Commission extend the 60-day time limit for one year.

MOTION:

I move that the Commission extend the 60-day time limit to act on the City of Oceanside LCP Amendment No. LCP-6-OCN-15-0005-1 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.