

CALIFORNIA COASTAL COMMISSION

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

Th16h



TO: Commissioners and
Interested Persons

DATE: December 17, 2015

FROM: Staff

SUBJECT: Request to Waive Time Limit for City of Encinitas LCP Amendment No. LCP-6-ENC-15-0042-2 (Density Bonus) for the Commission Meeting of January 13 – 15, 2015

On November 23, 2015, the City of Encinitas Local Coastal Program (LCP) Amendment # LCP-6-ENC-15-0042-2 was filed in the San Diego District office. The amendment request from the City of Encinitas included an amendment to the Encinitas Municipal Code that would make the City's regulation of density bonuses consistent with State Law. The proposed changes would modify the City's certified Implementation Plan (IP).

Amendments containing IP components only must be acted upon by the Commission within 60 days of filing. Based on the above-cited time limits, the proposed LCP amendment request must be scheduled for review by the Commission at the January 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.

Commission staff is requesting a time extension for LCP Amendment No. LCP-6-ENC-15-0042-2 (Density Bonus), due to insufficient staff time to adequately review this item and prepare a recommendation. At the November 2015 hearing, staff prepared and the Commission acted on a separate LCP amendment from the City of Encinitas. Therefore, at this time, there are no other pending LCP amendments from the City before the Commission. Commission staff plans to schedule this item for the next southern California hearing in March. Staff does, however, recommend and asks the Commission to 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 thus 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 Encinitas LCP Amendment No. LCP-6-ENC-15-0042-2 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.