

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
FAX: (831) 427-4877  
WEB: WWW.COASTAL.CA.GOV



# Th10a

**Prepared December 23, 2016 (for January 12, 2017 Hearing)**

**To:** Coastal Commissioners and Interested Persons  
**From:** Susan Craig, Central Coast District Manager  
Brian O'Neill, Coastal Planner

**Subject: Extension of Time Limit for Commission Action on Monterey County Local Coastal Program Amendment Number LCP-3-MCO-16-0041-1 (Medical Cannabis Regulations).**

Monterey County has submitted the above-referenced Local Coastal Program (LCP) amendment request intended to amend the Implementation Plan (IP) to add definitions related to medical cannabis, add commercial medical cannabis activities as a conditional use within certain zoning districts, and add Chapter 20.67 to the LCP to regulate commercial medical cannabis activities.

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 IP amendments within 60 days, and on Land Use Plan (LUP) amendments and combined LUP/IP amendments within 90 days. If Commission action is not taken within the applicable time frame, then the amendment is deemed approved and certified by the Commission. (Coastal Act Sections 30512 and 30513.)

LCP amendment LCP-3-MCO-16-0041-1 was filed as complete on November 16, 2016. The proposed LCP amendment includes IP changes only and thus the 60-day requirement applies; the 60th day for this amendment is January 13, 2017. Therefore, the amendment would have to be scheduled for action by the Commission's January 2017 meeting if it were to be decided within the applicable time frame. 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, Commission staff sent the County preliminary suggested modifications to the amendment on October 25, 2016 and subsequently held several discussions with County staff regarding those modifications. Commission staff made several changes to the suggested modifications to address the County's concerns and, at the County's request, scheduled the amendment for action at the December 9, 2016 hearing. The staff report with the same suggested modifications was published on November 18, 2016. On December 6, 2016, the County formally requested that the item be postponed to allow the County more time to internally discuss the suggested modifications. A later hearing date would allow for the County's ad-hoc committee on medical cannabis to meet and discuss the suggested modifications, and have further consultations with Commission staff. A one-year extension would result in a new deadline for Commission action on LCP-3-MCO-16-0041-1 of January 12, 2018.

Although Commission staff believes that the LCP amendment will be brought to hearing before the requested one-year 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 Monterey County Local Coastal Program Amendment Number LCP-3-MCO-16-0041-1 to January 12, 2018. I recommend a yes vote.*