

CALIFORNIA COASTAL COMMISSION

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Th9b

DATE: May 19, 2017

TO: Coastal Commissioners and Interested Persons

FROM: Alison Dettmer, Deputy Director
Robert S. Merrill, North Coast District Manager
Cristin Kenyon, Coastal Program Analyst

SUBJECT: Extension of Time Limit for Commission Action on City of Eureka
Local Coastal Program Amendment LCP-1-EUR-17-0007-1 (Part A: Minor Use
Permits and Part B: Medical Cannabis)

For the Commission meeting of June 8, 2017

LCP AMENDMENT DESCRIPTION

On January 19, 2017, the City of Eureka (City) transmitted to the Commission LCP Amendment Application No. LCP-1-EUR-17-0007-1. Part A of the proposed LCP Amendment would amend the Implementation Plan (IP) portion of the certified City of Eureka LCP to establish a minor use permit process. Part B would amend the IP portion of the certified LCP to establish regulations for medical cannabis cultivation, processing, manufacturing, testing, transportation, distribution, and dispensing; and to allow these uses in certain zoning districts.

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 is deemed submitted (or "filed"), the Coastal Act requires the Commission to act on an IP amendment within 60 days (Coastal Act Sections 30510, 30513, and 30514). On May 16, 2017, the Commission staff deemed the proposed LCP Amendment submitted. The 60th day after the date this proposed LCP Amendment was deemed submitted is July 15, 2017. Unless the Commission extends the deadline, the Commission will need to complete its action on the proposed IP Amendment at the Commission's July 12-14, 2017 hearing.

Currently there are four active pending LCP amendments from the City of Eureka, including a proposed major amendment regarding wireless telecommunications facilities scheduled for Commission action at the June 7-8, 2017 hearing. Coastal Act Section 30517 authorizes the Commission to extend, for good cause, the time limit for Commission action on the proposed LCP amendment for a period not to exceed a year. A one-year extension of time would result in a new Commission deadline of July 15, 2018. Although Commission staff is planning to bring the

proposed LCP amendment forward to hearing well before the new deadline, and likely before the end of the year, staff recommends that the Commission extend the deadline for the full year as provided by the Coastal Act to allow for uncertainty in the review process and needed coordination time. Flexibility for coordination with the City and other interested persons regarding the resolution of Coastal Act issues and potential suggested modifications will facilitate the ability of Commission staff to narrow as much as possible the issues that the Commission will need to resolve. Therefore, staff recommends that the Commission extend the deadline for Commission action on the City's proposed LCP amendment by one year.

STAFF RECOMMENDATION

Staff recommends that the Commission vote to extend the deadline for Commission action on the proposed LCP amendment for one year.

Motion:

I move that the Commission extend the time limit to act on City of Eureka Local Coastal Program Amendment No. LCP-1-EUR-17-0007-1 for a period of one year.

Staff recommends a **YES** vote. Passage of this motion will result in a one year extension of the deadline for Commission action on the proposed LCP amendment, changing the deadline for Commission action from July 15, 2017 to July 15, 2018. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.