

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET, SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
FAX (707) 826-8960
WWW.COASTAL.CA.GOV



Th7a

DATE: April 19, 2019

TO: Coastal Commissioners and Interested Persons

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

SUBJECT: Extension of Time Limit for Commission Action on City of Eureka's
Local Coastal Program Amendment LCP-1-EUR-19-0004-1
(Cannabis)

For the Commission meeting of May 9, 2019

LCP AMENDMENT DESCRIPTION

The City of Eureka transmitted Implementation Plan (IP) Amendment Application No. LCP-1-EUR-19-0004-1 to the Commission on January 4, 2019. This LCP amendment modifies the existing commercial cannabis regulations in the City's certified IP to: (1) remove a prohibition on signs for cannabis businesses; (2) allow on-site consumption of cannabis products at cannabis retail facilities; and (3) add a new more limited cannabis retail facility use type for on-site consumption of cannabis products in the same districts where the broader cannabis retail facility use type is allowed as well as in the Commercial Waterfront (CW) District.

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 March 20, 2019, Commission staff deemed the proposed IP amendment submitted. The 60th-day after the date this proposed IP amendment was deemed submitted is June 14, 2019. Unless the Commission extends the deadline, the Commission will need to complete its action at the Commission's June 12-14, 2019 hearing in San Diego.

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. To accommodate local public interest in the amendment, Commission staff recommends extending the deadline for Commission action to allow for the amendment to be heard locally during the upcoming August 2019 Commission meeting in the North Coast District. City staff has been consulted on this

time extension recommendation and has indicated that a time extension for the proposed IP amendment is acceptable. While staff is planning to bring the proposed amendment forward at the August 7-9, 2019 Commission meeting in the North Coast District, staff recommends that the Commission extend the deadline for a full year to allow for uncertainty in the review process and/or scheduling issues that may arise, as extension requests are only considered once.

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-19-0004-1 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 June 14, 2019 to June 14, 2020**. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.