

**CALIFORNIA COASTAL COMMISSION**

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# F11.1a

**Prepared October 23, 2020 (for November 6, 2020 Hearing)**

**To:** Coastal Commissioners and Interested Persons

**From:** Susan Craig, Central Coast District Manager  
Colin Bowser, Coastal Planner

**Subject: Extension of Time Limit for Commission Action on City of Santa Cruz Local Coastal Program (LCP) Amendment Number LCP-3-STC-20-0017-1-Part C (Small-Cell Wireless Telecommunication Facilities)**

The City of Santa Cruz has submitted the above-referenced LCP amendment request intended to modify the LCP to change the standards associated with small-cell wireless (5G) telecommunication equipment installations in the public right-of-way. The requested LCP amendment attempts to align local wireless telecommunication regulations with recently enacted federal requirements, specifically for rapid consideration and approval of wireless providers' applications to install new wireless equipment in the public right-of-way.

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 Implementation Plan (IP) amendments within 60 working days, and on Land Use Plan (LUP) amendments and combined LUP/IP amendments within 90 working days. If Commission action is not taken within the applicable timeframe, then the amendment is deemed approved and certified by the Commission.

The subject LCP amendment was filed as complete on August 21, 2020 and includes IP changes only, thus the 60-working-day requirement applies; the 60<sup>th</sup> working day is November 16, 2020. Therefore, this amendment would have to be scheduled for action by the Commission's November 2020 hearing if it were to be decided within the applicable timeframe. 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.

LCP-3-STC-20-0017-1-Part C (Small-Cell Wireless Telecommunication Facilities)  
Time Extension

In this case, the amendment includes proposed changes that present somewhat complicated issues regarding the relationship between new federal telecommunications law and the Coastal Act/LCP. A later hearing date would allow for additional time for Commission and City staffs to work together to better understand both how federal and state law interrelate on this issue more broadly, as well as to understand how this specific amendment would affect coastal resources in the City. A one-year extension would result in a new deadline for Commission action of November 16, 2021.

Although staff believes that this matter will be brought to hearing before such new deadlines, 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 this 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 City of Santa Cruz Local Coastal Program Amendment Number LCP-3-STC-20-0017-1-Part C to November 16, 2021. I recommend a **yes** vote.