

CALIFORNIA COASTAL COMMISSION

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W10a & W10b

DATE: July 24, 2020

TO: Coastal Commissioners and Interested Persons

FROM: John Ainsworth, Executive Director
Alison Dettmer, Deputy Director
Robert S. Merrill, North Coast District Manager

SUBJECT: **Extension of Time Limit for Commission Action on City of Eureka LCP Amendment No. LCP-1-EUR-20-0009-1, (PART B: Service Commercial District Height Limit & PART C: Crowley Site Redesignation)**
For the Commission meeting of August 12, 2020

LCP AMENDMENT DESCRIPTION

On February 3, 2020, the City of Eureka transmitted LCP Amendment Application No. LCP-1-EUR-20-0009-1 to the Commission consisting of three parts: (1) Part A amends the IP to add a Q Combining District; (2) Part B amends the IP to increase the maximum building height within the CS Zoning District from 35 feet to 55 feet; and (3) Part C amends the certified IP zoning map and LUP land use map to change the land use designation and zoning on a single parcel in South Eureka (APN 019-271-04).

Coastal Act Section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied, an amendment is deemed submitted (or "filed"). On June 16, 2020, Commission staff deemed LCP Amendment No. LCP-1-EUR-20-0009-1 submitted.

The Coastal Act requires the Commission to act on a combined LUP and IP amendment within 90 working days (Coastal Act sections 30510, 30512, 30513, and 30514). The 90-working-day deadline for Commission action on this LCP amendment is October 21, 2020. Unless the Commission extends the deadline, the Commission will need to complete its action on LCP Amendment Application No. LCP-1-EUR-20-0009-1 at the Commission's October 7-9, 2020 Commission meeting.

In cases where the Commission is reviewing an LCP amendment with multiple components, 14 CCR §13518 allows the Executive Director to combine or separate the individual components as necessary to facilitate the Commission's review of the submittal. To expedite review of the Part A (Q Combining District) portion of the

amendment, which the Executive Director had determined could be processed as a de minimis LCP amendment, the Executive Director separated out Part A from the review of the broader amendment. The Commission certified that portion of the amendment at the May 2020 Commission hearing.

Because of staffing constraints in the North Coast District Office due to staff turnover and leave, staff will not have sufficient time to complete its analysis, prepare a staff recommendation, and coordinate with the City on both remaining parts of the amendment prior to October 21, 2020. City staff has indicated that they would like the Commission to prioritize processing Part C of LCP Amendment No. LCP-1-EUR-20-0009-1 over Part B. Therefore, Commission staff will complete its analysis and prepare a staff recommendation for Part C first. Staff intends to schedule Part C for a Commission hearing at the October 2020 Commission meeting and recommends that the Commission extend the deadline for Commission action on the LCP amendment as a whole to enable Part B to be considered at a subsequent meeting.

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. City staff has been consulted on this time extension recommendation and has indicated that a time extension is acceptable. While staff is planning to schedule Part B of the proposed amendment for a Commission hearing prior to the end of 2020, staff recommends that the Commission extend the deadline for Part B pursuant to Section 30517 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-20-0009-1 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 October 21, 2020 to October 21, 2021**. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.