

CALIFORNIA COASTAL COMMISSION

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W19b

Date: September 22, 2021

To: **COMMISSIONERS AND INTERESTED PERSONS**

From: **STAFF**

Subject: **Request to Waive Time Limit for City of Encinitas LCP Amendment No. LCP-6-ENC-21-0058-2 (Cannabis Ordinance) for the Commission Meeting of October 13-15, 2021**

On September 14, 2021, the City of Encinitas Local Coastal Program (LCP) Amendment No. LCP-6-ENC-21-0058-2 was filed in the San Diego District office. The amendment involves the identification of zoning districts where cannabis-related uses can be permitted, including uses for retail sales and distribution, agricultural cultivation, and product manufacturing. The proposed amendment will only affect the certified LCP Implementation Plan (IP).

Pursuant to Section 30513 of the Coastal Act, the Commission must act on implementation plan amendments within 60 working days of filing. Based on the above-cited time limits, the proposed LCP amendment has been scheduled for review by the Commission at the October 13-15, 2021 meeting. However, Section 30517 of the Coastal Act and Section 13535(c) of the California Code of Regulations state that the Commission may extend for good cause any applicable time limits for a period not to exceed one year.

Commission staff is requesting the time extension due to insufficient staff time to adequately review the amendment and prepare a recommendation. Currently, there are no other pending LCP amendments for the City of Encinitas. The City has been consulted and has indicated the request for postponement is acceptable.

There are other workload demands from the City and given staffing limits, along with the operational constraints related to the on-going public health crisis, staff recommends the Commission extend the 60-working-day time limit for one year. The requested time extension will also allow for Commission review and resolution of any issues or scheduling conflicts that may arise. However, it is anticipated that the amendment request will be scheduled for Commission review early next year.

PROCEDURE

MOTION:

I move that the Commission extend the 60-day time limit to act on the City of Encinitas LCP Amendment No. LCP-6-ENC-21-0058-2 for one year.

STAFF RECOMMENDATION:

Staff recommends a YES vote. An affirmative vote of the majority of the Commissioners present is needed to pass the motion.