

CALIFORNIA COASTAL COMMISSION

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Prepared December 3, 2021 (for December 17, 2021 Hearing)

To: Coastal Commissioners and Interested Persons

From: Susan Craig, Central Coast District Manager
Ryan Moroney, Central Coast District Supervisor

**Subject: Extension of Time Limit for Commission Action on City of Santa Cruz
Local Coastal Program (LCP) Amendment Number LCP-3-STC-21-0071-2
(Small-Cell Wireless Telecommunications Facilities)**

The City of Santa Cruz has submitted the above-referenced LCP amendment request intended to update the LCP's wireless telecommunications provisions, including related to wireless telecommunications facilities generally, as well as small-cell wireless telecommunications facilities located in and outside of 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.

This proposed LCP amendment application was filed as complete on October 25, 2021. This amendment proposes changes to the LCP's IP, and thus the 60-working-day deadline for action applies, and such deadline is currently January 25, 2022. Therefore, this amendment would have to be scheduled for action (and final action taken) by the Commission's December 2021 meeting 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.

In this case, the proposed amendment would update the LCP's wireless telecommunications regulations, including as those regulations relate to small-cell wireless facilities. Staff has been working closely with the City to address significant coastal resource issues related to public views and access, as well as complicated permitting requirements and deadlines for these facilities imposed by Federal law. A later deadline date would allow for adequate time to thoroughly analyze the proposed changes to ensure that coastal resources are protected consistent with the Coastal Act,

and would also critically allow for necessary consultation with the City. A one-year extension would result in a new deadline for Commission action of January 25, 2023.

Although staff believes that these matters will be brought to hearing before the new deadline, 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 the 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-21-0071-2 to January 25, 2023, and I recommend a yes vote.*