CALIFORNIA COASTAL COMMISSION

F14b

Prepared February 26, 2021 for March 12, 2021 Hearing

To: Commissioners and Interested Persons

From: Jeannine Manna, North Central Coast District Manager
Erik Martinez, Coastal Planner

Subject: Extension of Time Limit for Commission Action on San Mateo County Local Coastal Program Amendment No. LCP-2-SMC-20-0055-2 (Density Bonus)

San Mateo County has submitted the above-referenced LCP amendment request to modify the LCP's existing density bonus provisions. The proposed amendment would modify standards for providing additional density and relief from some development standards for certain types of residential development projects in exchange for the provision of affordable housing (or other housing intended for certain populations such as seniors and disabled veterans) consistent with recent changes to State Density Bonus Law (Government Code Section 65915). The proposed revised rules would apply in urban areas of San Mateo County's coastal zone that allow for multi-family residential development.

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 December 15, 2020 and includes IP changes only, thus the 60-working-day requirement applies; the 60th working day is March 16, 2021. Therefore, this amendment would have to be scheduled for action by the Commission's March 2021 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.

Although Commission staff has been working with County staff to address concerns with regard to potential impacts on coastal resources through implementation of the

revised density bonus provisions in the County's coastal zone, the two staffs have not yet completed that consultation. The starting point for staff to complete its analysis of the proposed amendment and to prepare a staff recommendation is completing said consultation, including related to any potential modifications that might be recommended. Therefore, staff recommends extending the deadline for Commission action, where a one-year extension would result in a new deadline for Commission action of March 16, 2022.

Although staff believes that this matter will be brought to hearing before such 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 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 San Mateo County Local Coastal Program Amendment Number LCP-2-SMC-20-0055-2 to March 16, 2022, and I recommend a **yes** vote.*