

CALIFORNIA COASTAL COMMISSION

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W14b

Date: February 19, 2021

To: COMMISSIONERS AND INTERESTED PERSONS

From: STAFF

Subject: Request to Waive Time Limit for City of Encinitas LCP Amendment No. LCP-6-ENC-21-0003-2 (Density Bonus Update) for the Commission Meeting of March 10-12, 2021

On December 22, 2020, the City of Encinitas Local Coastal Program (LCP) Amendment No. LCP-6-ENC-21-0003-2 was filed in the San Diego District office. The amendment involves revisions to Title 30 of the LCP IP to update regulations and requirements for Density Bonuses, consistent with current state law. The proposed amendment is one part of a batched submittal from the City that will affect the certified LCP implementation plan only. Due to the unforeseen and unusual circumstances related to the current public health crisis, in addition to the LCP amendment having been submitted during the winter holiday season, the subject LCP amendment was not officially recorded in the Commission's database until January 4, 2021.

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 must be scheduled for review by the Commission at the March 10-12, 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.

In addition to the above item, the City's batched submittal included LCP-6-ENC-21-0002-2 (ADU/JADU Update) and LCP-6-ENC-21-0004-2 (Group Homes Update) which are also on the March hearing for time extension requests. Commission staff is requesting a time extension for the subject LCPA due to insufficient staff time to adequately review the amendment and prepare a recommendation. Given the scope of work, the volume of workload, staffing limits and operational constraints related to the current public health crisis, the requested time extension will allow for Commission review and resolution of any issues or scheduling conflicts that may arise.

Staff recommends the Commission extend the 60-day time limit for one year. However, it is anticipated that the subject amendment request will be scheduled as workload and the City's priorities can be accommodated.

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-21-0003-2 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.