

CALIFORNIA COASTAL COMMISSION

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TO: Commissioners and
Interested Persons

DATE: February 14, 2008

FROM: Staff

SUBJECT: Request to Waive Time Limit for City of Carlsbad LCP Amendment No. 2-07(A-B)
for the Commission Meeting of March 5-7, 2008

On December 18, 2007, the City of Carlsbad Local Coastal Program (LCP) Amendment #2-07 was filed in the San Diego District office. The amendment involves two components. The LCP amendment A (Aura Circle) modifies the land use designation from Residential Low Medium (RLM) to Open Space with accompanying rezoning from Residential-1 (R-1) to Open Space on a portion of a 15.02 acre site to accommodate 9 single family residences and two open space lots. The LCP amendment B (Kelly JRM) modifies the land use designation from Planned Industrial and Unplanned Industrial to Open Space on a portion of the site, with rezoning changes from Planned Industrial-Qualified Overlay Zone to Open Space on a portion of a 5.9 acre site to accommodate an 89,894 sq. ft. office building.

Pursuant to Section 30512 of the Coastal Act, the Commission must act on land use plan amendments within 90 days of complete submittal or filing. Pursuant to Section 30513 of the Coastal Act, the Commission must act on implementation plan amendments within 60 days of filing. Amendments containing both land use and implementation plan components must be acted upon by the Commission within 90 days of filing. To be heard within the allotted time period, the amendment request would have to be agendaized for the scheduled March 2008 hearing. However, Section 30517 of the Coastal Act and Section 13535 of the Code of Regulations state that the Commission may for good cause extend the time limit for a period not to exceed one year, after consultation with the local government and by a majority vote of the Commissions present. Commission staff is requesting the time extension due to insufficient staff time to adequately review the amendment and prepare a recommendation. The City of Carlsbad staff has indicated the time extension is acceptable.

Staff recommends the Commission extend the 90-day time limit for one year. It is anticipated the item will be scheduled at either the April or May 2008 Commission hearings.

MOTION:

I move that the Commission extend the 90-day time limit for the City of Carlsbad LCP Amendment No. 2-07(A-B) 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.