

CALIFORNIA COASTAL COMMISSION

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W25c

TO: Commissioners and
Interested Persons

DATE: February 18, 2010

FROM: Staff

SUBJECT: Request to Waive Time Limit for City of Carlsbad LCP Amendment No. 4-09 (A-E)
for the Commission Meeting of March 10-12, 2010

On December 29, 2009, the City of Carlsbad Local Coastal Program (LCP) amendment #4-09 (A-E) was filed in the San Diego District office. The amendment involves five components. LCP amendment 4-09A (Nonconforming Buildings) is an Implementation Plan (IP) amendment that includes replacing Chapter 21.48 – Nonconforming Building and Uses, and other associated relevant chapters encouraging the rehabilitation of nonconforming buildings and uses. The LCP amendment 4-09B (Building Height) is an IP amendment to modify how height is calculated, and amend several related definitions. LCP amendment 4-09C (Adult Business Ordinance) is an IP amendment modifying several chapters updating the definitions and location requirements for adult businesses. LCP amendment 4-09D (Tabata Ranch) is an LCP amendment modifying the land use designation from Residential Medium (RM) to Residential Low-medium (RLM) and modify the zoning from Residential Density – Multiple with a Qualified Development Overlay (RD-M-Q) and Limited Control (LC) to One Family Residential (R-1) and Open Space (OS) on a 2.9 acre site generally located on the north side of Poinsettia Land at the westernmost terminus of Lemon Leaf Drive. LCP 4-09E (Tabata 10) is an LCP amendment modifying the land use designation on a portion of the lot from Open Space (OS) to Residential Low Medium (RLM) and modify the existing zoning on the entire site from Limited Control (L-C) to Residential 1 (R-1) on a 10.16 acre site generally located at the north-east end of Camino Hills Drive along the west side of El Camino Real. The proposed amendment submittal, as a whole will affect both the land use and implementation plan of the certified LCP.

Pursuant to Section 30512 of the Coastal Act, the Commission must act on amendments containing both land use and implementation plan components, within 90 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, 2010 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. Staff recommends the Commission extend the 90-day time limit for one year.

MOTION:

I move that the Commission extend the 90-day time limit to act on the City of Carlsbad LCP Amendment No. 4-09 (A-E) 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.

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