

State of California

California Coastal Commission
San Diego District

M E M O R A N D U M

W7b

TO: Commissioners and Interested Parties

DATE: September 18, 1997

FROM: San Diego District Staff

SUBJECT: Request to Waive Time Limits for Carlsbad LCP Amendment 1-97B for
Coastal Commission Meeting of October 7 - 10, 1997

On July 21, 1997, the City of Carlsbad's proposed LCP Amendment #1-97 was received in the San Diego District office. The submittal was deemed complete, as submitted, pursuant to Section 30510(b) of the Coastal Act. The amendment package contains four separate amendment requests including both land use plan and implementation plan revisions. A separate staff report addressing all of the submitted items, except for one proposal, is prepared for Commission review at the October hearings.

The one item for which a staff report and recommendation has not been prepared is referred to as the Aviara Lot 308 Open Space Tradeoff. It is one element of the City's amendment package forwarded under its LCPA #96-13. The specific amendment involves a requested land use redesignation of a 1.2 acre site from Open Space to Residential on Aviara Lot 308 in Planning Area 1 and a related land use redesignation of a 14.4 acre site from Residential to Open Space on Aviara Lot 36 in Planning Area 25 (see attached Exhibit "Y", dated May 21, 1997). Pursuant to Section 30512 of the Coastal Act, a land use plan amendment must be acted on by the Commission within 90 days of complete submittal. In order to be heard within the allotted time period, the amendment request would have to be agendaized for Commission hearing at the scheduled October 1997 hearings.

Section 30517 of the Coastal Act and Section 13535(c) of the Regulations state, however, that the Commission may extend for good cause the 90 day time limit for a period not to exceed one year. Commission staff is requesting this extension due to insufficient staff time to adequately review this one item and prepare a recommendation. Briefly, the subject amendment principally involves a requested land use redesignation for an isolated 1.2 acre site that lies between the 4th and 5th Holes of the Aviara Golf Course and deed restricted open space areas associated with two other residential planning areas. Given that the site is surrounded by open space, isolated from other residential development and it was not specifically identified for development in the Aviara Master Plan, the City designated the lot for Open Space in its 1994 General Plan Update. Alternatively, the property owner maintains that the subject lot was created in the original subdivision for the Aviara community, has been considered for eventual single-family development and was simply inadvertently overlooked with regard to development standards and design criteria in the master plan. The property owner was successful at the

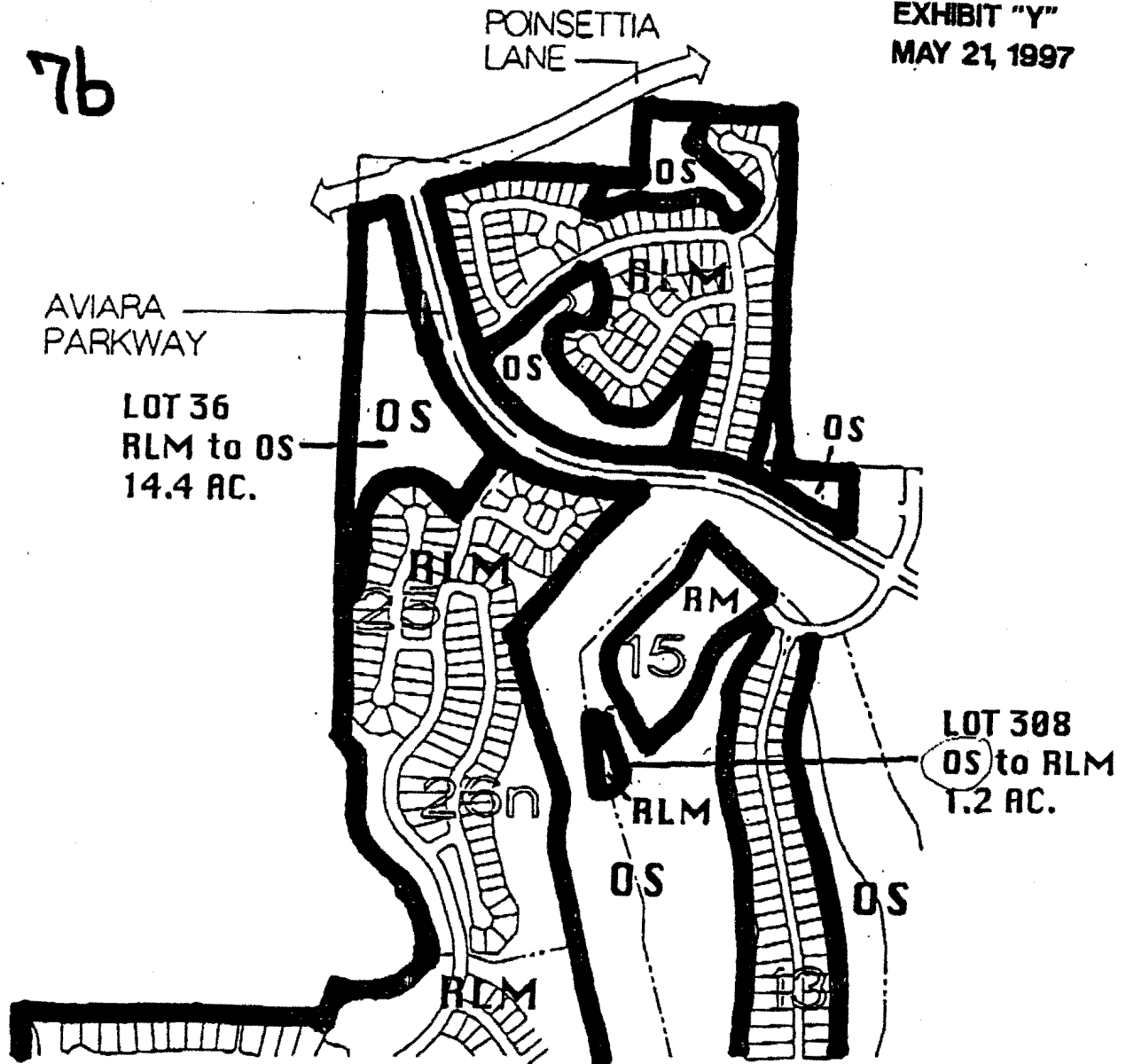
local level in advocating and receiving City approval for the requested land use change. The proposal raises significant questions as to the appropriateness of development in this open space setting as well as potential biological and scenic resource impacts. To date, staff has been unable to independently research and verify the material facts relative to the origination and status of this lot in the Coastal Commission's previous actions on Aviara. This is largely due to the sheer volume of material comprised in the original 1988 approvals and several material amendments over the years. It would be premature to try and prepare a staff report and recommendation on this portion of the amendment request until the file research can be completed. Commission staff is committed to rescheduling the item for the November 1997 hearings in Agoura Hills, provided the Commission grants the waiver of the applicable time limits.

STAFF RECOMMENDATION: Staff recommends that the Commission extend the 90 day time limit for a period not to exceed one year. However, it is anticipated that the amendment request will be scheduled for the November 4 - 7, 1997 hearings in Agoura Hills.

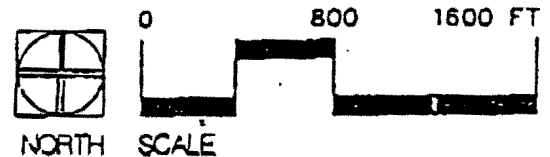
(1941A)

Wed 7b

EXHIBIT "Y"
MAY 21, 1997



PROPOSED GENERAL PLAN



AVIARA



LOT 308 OPEN SPACE TRADE-OFF