

M E M O R A N D U M

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TO: Commissioners and
Interested Persons

DATE: May 21, 1998

FROM: Staff

RECORD PACKET COPYSUBJECT: Request to Waive Time Limits for City of Carlsbad
LCP Amendment #1-97(C) for the Commission Meeting
of June 8-11, 1998

On March 5, 1998, the City of Carlsbad's proposed LCP Amendment #1-98 was received in the San Diego District including six separate revisions to the Land Use and Implementation Plans of the certified local coastal program. The amendment amends the Mello II land use designations and proposes zone changes and the Poinsettia Properties Specific Plan, modifies Aviara Master Plan planning area boundaries, density allotments and development standards for planning areas 18 and 19 and deletes Planning Area 20, revises Chapter 21 of the Carlsbad Municipal Code relating to Hillside Development and Uses Generally, adds a new chapter to the Carlsbad Municipal Code relating to Stormwater Management and Discharge Control, modifies Chapter 21 of the Municipal Code to allow Incidental Outdoor Dining Areas associated with restaurants on private property and prohibits drive-thru restaurants as an allowable land use. The first two amendments listed above are being heard at the Commission's June, 1998 hearing as Amendments A and B. The last four amendments are the subject of this time extension and will be heard as Amendment C. The submittal was deemed complete on April 6, 1998 pursuant to Section 30510(b) of the Coastal Act.

Pursuant to Section 30514 of the Coastal Act, a land use plan amendment must be acted upon by the Commission within 90 days of a complete submittal. In order to be heard within the allotted time frame, the amendment would have to be agendaized for Commission hearing at the scheduled June 1998 hearing. 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 the submittal and prepare a recommendation. The City of Carlsbad has been consulted and they have agreed to the time extension. Commission staff has committed to scheduling the amendment for the July 7-10 hearing in San Francisco.

Summary of Staff Recommendation. Staff recommends 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 July 7-10, 1998 hearing in San Francisco.

MOTION:

I move that the Commission extend the 90 day time limit to act on the City of Carlsbad's Local Coastal Program Amendment No. 1-98 for a period not to exceed one year.

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STAFF RECOMMENDATION:

Staff recommends a YES vote. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

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