

M E M O R A N D U M

TO: Commissioners and
Interested Persons

DATE: July 22, 1999

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FROM: Staff

SUBJECT: Request to Waive Time Limit for Carlsbad LCP Amendment No. 2-99C for the
Commission Meeting of August 10 - 13, 1999

On May 25, 1999, the City of Carlsbad's proposed Local Coastal Program Amendment (LCPA) #2-99 was received in the San Diego District office. The amendment package contains four separate LCPAs. Staff reports have been prepared for the August, 1999 hearing for the Commercial Visitor-Serving Overlay Zone (LCPA 2-99A) an implementation plan amendment affecting the Mello I, Mello II and Agua Hedionda Lagoon segments, and for the Mello I land use and implementation revisions to Planning Area #23 of the Aviara Master Plan (LCPA 2-99B). The submittal for the Kelly Ranch land use and implementation plan revisions has not yet been filed.

The one item for which a staff report and recommendation has not been prepared is the proposed implementation plan amendment to the Mello II segment regarding the DeJong rezoning (LCPA 2-99C). An amendment to the Mello II zoning map is proposed to change the zoning designation of the 33.4 acre property from Limited Control (L-C) to One Family Residential with a Qualified Development Overlay Zone (R-1-7500-Q) and Open Space (OS). Pursuant to Section 30512 of the Coastal Act, a zoning amendment must be acted on by the Commission within 60 days of complete submittal. To be heard within the allotted time period, the amendment request would have to be agendized for the scheduled August 1999 hearing.

Section 30517 of the Coastal Act and Section 13535 of the Code of Regulations state, however, that the Commission may for good cause extend a time limit for a period not to exceed one year, after consultation with the local government and by a majority vote of the Commissioners present. Commission staff is requesting the time extension due to insufficient staff time to adequately review the Dejong amendment and prepare a recommendation. The City has indicated the item could be postponed until the October 1999 hearing in San Diego, provided the Commission grants the waiver of the applicable time limits.

Summary of Staff Recommendation. Staff recommends the Commission extend the 60-day time limit for a period not to exceed one year. However, it is anticipated that the amendment requests will be scheduled for the September 14-17, 1999 hearing in Eureka.

MOTION:

I move that the Commission extend the 60-day time limit to Carlsbad LCP Amendment No. 2-99 C for a period not to exceed 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.

(CarlsbadLCPA2-99Ctimewaiverfnl)