

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

175 METROPOLITAN DRIVE, SUITE 103
DIEGO, CA 92108-4402
(619) 767-2370

RECORD PACKET COPY

TO: Commissioners and
Interested Persons

Date: May 24, 2002

Tue 5a

FROM: Staff

SUBJECT: Request to Waive Time Limits for the City of Carlsbad Local Coastal Program Amendment No. 1-2002 (Carlsbad Promenade, Thompson/Tabata and Redeemer by the Sea Rezones, and Planned Development Requirements) (Commission Meeting of June 10-14, 2002)

On February 25, 2002, the City of Carlsbad LCP amendment request No. 1-2002 was received in the San Diego Area office. The submittal was deemed incomplete and a letter dated March 11, 2002 was sent to the City to this effect. Upon submittal of additional information, the file was deemed completed and filed on April 22, 2002. The LCP amendment consists of four items, including the proposed rezone of three properties from Limited Control (LC) and Residential One Family (R-1) to R-1 and Residential Multiple Density (RD-M), and the incorporation of planned development requirements.

Pursuant to Section 30513 of the Coastal Act, implementation plan amendments must be acted upon by the Commission within 60 days of their filing. Based on the above-cited time limits, the proposed LCP submittal must be scheduled for review by the Commission at the June 10-14, 2002 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 the applicable time limits for a period not to exceed one year.

In this particular case, the properties to be rezoned have been identified as containing environmentally sensitive habitat areas (ESHA) which will be permanently preserved as part of the Carlsbad Habitat Management Plan (HMP). Staff is currently working with the City to finalize citywide standards for preservation and protection of ESHA on these properties as well as all other remaining undeveloped properties in the coastal zone, in order to avoid piecemeal rezones which may not adequately protect ESHA or meet the requirements of the HMP and the Coastal Act. Additional time is required to finalize these requirements, which will be incorporated into the HMP and LCP through a future LCP amendment.

Staff Recommendation: Staff recommends that the Commission extend the 60-day time limit for a period not to exceed one year. However, the LCP Implementation Plan amendment will be scheduled as expeditiously as possible, potentially as early as the July 2002 hearing in Huntington Beach.

MOTION:

I move that the Commission extend the 60-day time limit to act on the City of Carlsbad Local Coastal Program Amendment No. 1-2002 for a period not to exceed one year.

STAFF RECOMMENDATION:

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