

## CALIFORNIA COASTAL COMMISSION

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# Wed 10a



TO: Commissioners and  
Interested Persons

DATE: 10/28/2004

FROM: Staff

## RECORD PACKET COPY

SUBJECT: Request to Waive Time Limit for City of Carlsbad's LCP Amendment No. #2-04A (Agricultural Mitigation Fee Program) for the Commission Meeting of November 17-19, 2004

The City of Carlsbad's Local Coastal Program (LCP) amendment #2-04 contains two separate LCP amendments. LCPA #2-04A proposes to replace the State Coastal Conservancy with the City of Carlsbad as administrator of the agricultural mitigation fee program and to update the list of allowable uses for the program. Staff is requesting a time extension be granted to allow additional time to review LCPA #2-04A. LCPA #2-04B would change the zoning designation of a 4.4-acre site located on the southwest corner of Black Rail Rd and Poinsettia Lane in Carlsbad from LC (Limited Control) to R-1 (One-family Residential). It is scheduled for the Commission's November 2004 hearing.

The proposed amendment will affect both the land use and implementation plan segments of the certified LCP. Pursuant to Section 30512 of the Coastal Act, the Commission must act on land use plan amendments within 90 days of complete submittal or filing. Pursuant to Section 30513 of the Coastal Act, the Commission must act on implementation plan amendments within 60 days of filing. Amendments containing both land use and implementation plan components, must be acted upon by the Commission within 90 days of filing. The LCP amendment submittal was filed complete on August 12, 2004. Based on the above-cited time limits, the proposed LCP amendment must be scheduled for review by the Commission at the November 2004 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 workload resulting in insufficient time to adequately review the issues and prepare a recommendation.

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 December 2004 hearing in San Francisco.

### MOTION:

I move that the Commission extend the 90-day time limit to Carlsbad LCP Amendment No. 2-04A for a period not to exceed one year.

### STAFF RECOMMENDATION:

Staff recommends a YES vote. An affirmative vote of the majority of the Commissioners