

CALIFORNIA COASTAL COMMISSION

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**W38c/W38e**

TO: Commissioners and
Interested Persons

DATE: August 19, 2009

FROM: Staff

SUBJECT: Request to Waive Time Limit for City of Carlsbad LCP Amendment No. 1-09 (A & B) for the Commission Meeting of September 9-11, 2009

On July 13, 2009, the City of Carlsbad Local Coastal Program (LCP) Amendment #1-09 was filed in the San Diego District office and involves two components. LCP Amendment 1-09A (Seascape) would amend both the certified Land Use Plan and Implementation Plan to 1) change the land use designation from Residential Low-Medium Density (RLM) to Residential Low-Medium Density and Open Space (OS) and 2) change the zoning designation from Limited Control (L-C) to One-Family Residential (R-1) and Open Space (OS) to accommodate 12 residential lots, two open space lots, and 1 private street lot to facilitate the construction of 12 single-family homes on a 5.05 acre site located at the northeast corner of Black Rail Road and Avena Court. LCP Amendment 1-09B (Legoland Hotel) would amend the City's certified Implementation Plan to update the Carlsbad Ranch Specific Plan to allow hotel and accessory uses as permitted uses within the Outer Park and modify parking provisions at the Legoland Park property. The second component of the submittal (Legoland Hotel) is tentatively scheduled for the October Commission hearing.

Pursuant to Section 30512 of the Coastal Act, the Commission must act on amendments containing both land use and implementation plan components, within 90 days of filing. Based on the above-cited time limits, the proposed LCP amendment must be scheduled for review by the Commission at the October, 2009 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 insufficient staff time to adequately review the amendment and prepare a recommendation. Staff recommends the Commission extend the 90-day time limit for one year.

MOTION:

I move that the Commission extend the 90-day time limit to act on the City of Carlsbad LCP Amendment No. 1-09 (A & B) for 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.