

**CALIFORNIA COASTAL COMMISSION**

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**W10b**

TO: Commissioners and  
Interested Persons

DATE: April 25, 2012

FROM: Staff

SUBJECT: Request to Waive Time Limit for City of Carlsbad LCP Amendment No. 1-12 (Non-conforming Buildings and Uses) for the Commission Meeting of May 9-10, 2012

On April 7, 2012, the City of Carlsbad's Local Coastal Program (LCP) Amendment #1-12 was filed in the San Diego District office. The amendment involves revisions to several chapters of the City's certified Implementation Plan, including replacement of Chapter 21.48 – Nonconforming Building and Uses in its entirety, and amendments to other relevant chapters to encourage the rehabilitation of nonconforming structures and uses. The amendment only affects the certified LCP Implementation Plan.

Pursuant to Section 30513 of the Coastal Act, the Commission must act on implementation plan amendments within 60 days of filing. Based on the above-cited time limits, the proposed LCP amendment must be scheduled for review by the Commission at the May 9-10, 2012 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 to allow time for further coordination and discussions with the City. This proposed amendment had been previously filed and the City withdrew the submittal because the matter was at the mandatory deadline for action. The City wanted additional time to review the staff recommendation and consult with stakeholders at the local level. Staff recommends the Commission extend the 60-day time limit for one year but we have committed to prioritize continued work on this matter.

**MOTION:**

I move that the Commission extend the 60-day time limit to act on the City of Carlsbad LCP Amendment No. 1-12 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.