

CALIFORNIA COASTAL COMMISSION

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TO: Commissioners and
Interested Persons

DATE: June 20, 2013

FROM: Staff

SUBJECT: Request to Waive Time Limit for City of Carlsbad LCP Amendment No. CAR-MAJ-1-13 (Housing Element 2.1-Barrio) for the Commission Meeting of July 10-11, 2013

On April 19, 2013, the City of Carlsbad Local Coastal Program (LCP) Amendment #1-13 was filed in the San Diego District office. The amendment principally involves establishment of a new R-30 (23-30 dua) land use designation for the Barrio community and the application of the new land use designation with companion rezonings to specific properties. The proposed amendment will affect both the land use plan and implementation plan components 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. Based on the above-cited time limits, the proposed LCP amendment must be scheduled for review by the Commission at the July 2013 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.

In addition to this amendment, there are six other pending LCP amendments from the City of Carlsbad. Five of the other amendments also involve work by the City to address its Housing Element update and implementation (CAR-MAJ-3-12 A, B, C, D and E). The sixth pending LCP amendment relates to the Encina Power Plant and it is being handled by the Energy Unit. Commission staff is requesting the subject time extension due to insufficient time to adequately review the amendment and prepare a recommendation given the volume of pending LCP amendments; nonetheless, staff does plan to schedule this item no later than the November 2013 hearing in Southern California. However, staff recommends that the Commission extend the deadline for a full year as provided by the Coastal Act to allow for uncertainty in the review process and scheduling issues that may arise. Staff therefore 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. 1-13 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.