

CALIFORNIA COASTAL COMMISSION

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Th7a

TO: Commissioners and
 Interested Persons

DATE: December 19, 2013

FROM: Staff

SUBJECT: Request to Waive Time Limit for City of Carlsbad LCP Amendment No. CAR-MAJ-2-13A (CUP Code Amendments) for the Commission Meeting of January 8 – 10, 2013

On October 22, 2013, the City of Carlsbad Local Coastal Program (LCP) Amendment #2-13 was filed in the San Diego District office. The amendment package included three unrelated items including the subject revisions to the City's Conditional Use Permit provisions, a revised Sign Ordinance and a site specific amendment for the Kelly Corporate Center along Palomar Airport Road. As a whole, the submittal contains components that modify both the certified land use plan, specifically the Mello II LUP segment, and the City's certified implementation plan. The subject amendment for the conditional use permit code revisions only involves the certified implementation plan.

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 package must be scheduled for review by the Commission at the January 2014 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.

Of the three components within the amendment package, the one item that involves both LUP and IP revisions (CAR-MAJ-2-13C/Kelly Corporate Center) is scheduled for Commission action at the January 2014 hearing. However, Commission staff is requesting time extensions for the other two components due to insufficient staff time to adequately review them and prepare a recommendation. There are currently six other pending LCP amendments from the City of Carlsbad before the Commission. All of these are related to the City's Housing Element and its implementation to expand affordable housing opportunities. Five of the amendments constitute one submittal (CAR-MAJ-3-12) which the City has asked Commission staff to defer to accommodate further revisions based on direction from State Housing and Community Development. The other component (CAR-MAJ-1-13/Housing Element-Barrio) is pending due to competing workload priorities. For the subject CUP code amendments and revised Sign Ordinance, staff will plan to schedule them for the March or June 2014 hearings in Southern California. However, staff recommends and asks the Commission to 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 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. 2-13A 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.