

CALIFORNIA COASTAL COMMISSION W19a

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



TO: Commissioners and
Interested Persons

DATE: November 19, 2014

FROM: Staff

SUBJECT: Request to Waive Time Limit for City of Carlsbad LCP Amendment No. LCP-6-CII-14-0837-2 (Daybreak Community Church) for the Commission Meeting of December 10-12, 2014

On September 24, 2014, the City of Carlsbad Local Coastal Program (LCP) Amendment #LCP-6-CII-14-0837-2 was filed in the San Diego District office. The amendment involves a land use redesignation and companion rezoning from residential use to residential/open space uses on a site located at the southeast corner of Poinsettia Lane and Fisherman Drive in the Mello II segment of the City's LCP. The proposed amendment will affect both the land use and implementation plan components of the City's 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 at the December 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.

At this time, there is only one other pending planning item from the City of Carlsbad filed in the San Diego office; it is the Car Country Initiatives 2 and 4 (LCP-6-CII-14-0597-1). It was postponed from the October 2014 hearing and staff is working with the City to refine the suggested modifications. However, the City is working on an update of its General Plan that will then serve as a basis for an LCP Update. In addition, at the local level, an initiative was passed addressing, in part, agricultural lands in the Agua Hedionda LCP segment which remains an area of deferred certification. Staff is dedicating time and resources to provide comments on those efforts. The timing of this last submittal has also coincided with a number of other end-of-year LCP amendments from multiple jurisdictions and staff has therefore not been able to complete review of the subject amendment. Given the number of LCP amendments already committed to the January 2015 hearing for the San Diego office, it is unlikely that this item could be scheduled then but staff would commit to bringing it to the Commission no later than the March 2015 hearing in San Diego. Nonetheless, 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 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. LCP-6-CII-14-0837-2 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.