

CALIFORNIA COASTAL COMMISSION

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



August 23, 2018

F13d

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: JOHN AINSWORTH, EXECUTIVE DIRECTOR

SUBJECT: EXECUTIVE DIRECTOR'S DETERMINATION that the action by the City of Carlsbad, certifying the City's Local Coastal Program Amendment No. LCP-6-CAR-17-0054-2 (Prohibited Uses), is adequate to effectively certify its local coastal program (for Commission review at its meeting of September 12-14, 2018)

BACKGROUND

At its June 7, 2018 meeting, the Coastal Commission certified, with suggested modifications, the City of Carlsbad Local Coastal Program Amendment No. LCP-6-CAR-17-0054-2 which added text to the Carlsbad Village Master Plan and Design Manual and Section 21.05.080 of the City's Zoning Ordinance to clarify that uses that are prohibited in portions of the City's Municipal Code that are not part of the certified LCP, are also prohibited land uses within the LCP. By its action adopting Resolution No. 2018-147 on July 24, 2018 and Ordinance No. CS-339 on August 21, 2018, the City Council has acknowledged and accepted all of the Commission's suggested modifications. The two modifications identify the existing land use prohibitions in the Municipal Code that are added to the LCP by this amendment. The City already has coastal development permit authority over this geographic area and will continue issuing permits consistent with the local coastal program as amended.

As provided for in Section 13544 of the Commission's Code of Regulations, the Executive Director must determine if the action of the City of Carlsbad is legally sufficient to finalize Commission review of the LCP amendment. The City's actions have been reviewed and determined to be adequate by the Executive Director. Section 13554 of the Commission's Code of Regulations then requires this determination be reported to the Commission for its concurrence.

RECOMMENDATION

Staff recommends that the Commission **CONCUR** with the Executive Director's determination as set forth in the attached letter (to be sent after Commission endorsement).

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



September 17, 2018

Mayor Matt Hall
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008

RE: Certification of the City of Carlsbad Local Coastal Program Amendment
No. LCP-6-CAR-17-0054-2 (Prohibited Uses)

Dear Mayor Hall:

The California Coastal Commission has reviewed the City's Resolution No. 2018-147 and Ordinance No. CS-339 together with the Commission's action of June 7, 2018 certifying City of Carlsbad Local Coastal Program Amendment No. LCP-6-CAR-17-0054-2 clarifying that uses that are prohibited in portions of the City's Municipal Code that are not part of the certified LCP, are also prohibited land uses within the LCP. In accordance with Section 13544 of the Commission's Code of Regulations, I have made the determination that the City's actions are legally adequate, and the Commission has concurred at its meeting of September 12-14, 2018.

By its actions on July 24, 2018 and August 21, 2018, the City has formally acknowledged and accepted the Commission's certification of the Local Coastal Program Amendment including all suggested modifications. The two modifications identify the existing land use prohibitions in the Municipal Code that are added to the LCP by this amendment. The addition of prohibited uses in the future will need to be separately considered by the Commission as LCP amendments. The City is already issuing coastal development permits in conformance with the certified local coastal program for this area.

In conclusion, I would like to congratulate you and all other elected or appointed officials, staff and concerned citizens for continuing to work towards full implementation of the Coastal Act. We remain available to assist you and your staff in any way possible as you continue to develop and implement the City's local coastal program.

Sincerely,

John Ainsworth
Executive Director