

**CALIFORNIA COASTAL COMMISSION**

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# W16b

**Date:** August 18, 2022

**To:** COMMISSIONERS AND INTERESTED PERSONS

**From:** STAFF

**Subject:** Request to Waive Time Limit for City of Carlsbad LCP Amendment No. LCP-6-CII-22-0017-1 (Chick-Fil-A Map Amendment) for the Commission Meeting of September 7-9, 2022

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On May 11, 2022, the City of Carlsbad Local Coastal Program (LCP) amendment #LCP-6-CII-22-0017-1 was filed in the San Diego District office. The amendment involves a map amendment to the LUP and Zoning Map of the Mello II segment of the Carlsbad LCP to change the LCP Land Use Designation from Planned Industrial with a Commercial/Visitor Serving Overlay (P-M-Q) to Commercial Tourist with Commercial/Visitor-Serving and Qualified Development Overlays (C-T-Q) on two parcels totaling 0.89 acres located at 5850 Avenida Encinas in the City of Carlsbad (Assessor Parcel Nos. 210-170-08-00, 210-170-08-00).

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 September 7-9, 2022 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 due to insufficient staff time to adequately review the amendment and prepare a recommendation. In addition to the above item, Commission staff is also reviewing LCP-6-CII-21-0040-1 (West Oaks), LCP-6-CII-21-0086-2 (Inns at Buena Vista Creek), and LCP-6-CAR-21-0087-3 (LCP Update). Given the volume of workload, and operational constraints related to the current public health crisis, the requested time will allow for Commission review and resolution of issues or scheduling conflicts that may arise. The City has been consulted and has indicated the request for postponement is acceptable. Therefore, staff recommends the Commission extend the 90-day time limit for one year.

## **PROCEDURE**

### **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-22-0017-1 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.