

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to you that the Planning Commission of the City of Carlsbad will hold a public hearing at the Council Chamber, 1200 Carlsbad Village Drive, Carlsbad, California, at 5:00 p.m. on Wednesday, **May 3, 2023**, to consider a request for the following:

CASE NAME: CDP 2022-0019, V 2022-0002 (DEV 2022-0005) – HOM RESIDENCE: RETAINING WALL VARIANCE

PUBLISH DATE: April 21, 2023

DESCRIPTION: Request for approval of Coastal Development Permit and Variance to allow a series of four retaining walls and a wood deck, which are currently built but unpermitted, to be kept in place. The Variance application includes a requirement to allow retaining walls into an uphill perimeter manufactured slope beyond the six feet from the toe of slope, where six vertical feet is the standard limit per section 21.95.140(C)(1)(a)(i), and to allow a deck to be constructed upon an uphill perimeter manufactured slope within the required setback, where decks are required to be setback consistent with the required building setback per section 21.95.140(c)(1)(a)(ii). The project site, 2170 Twain Ave, is within the Mello II Segment of the city's Local Coastal Program and is not within the appealable area of the California Coastal Commission. In accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, the City Planner has determined that the project qualified for an exemption pursuant to CEQA Guidelines section 15303(e) – New Construction or Conversion of Small Structures.

Those persons wishing to speak on this proposal are cordially invited to attend the public hearing and provide the decision makers with any oral or written comments they may have regarding the project. Copies of the staff report will be available online at <https://www.carlsbadca.gov/city-hall/meetings-agendas/boards-commissions/planning-commission> on or after the Thursday prior to the hearing date.

VISUAL MATERIALS FOR PLANNING COMMISSION: Visual materials should be submitted to the Planning Division at 1635 Faraday Avenue no later than noon on the day of a Regular Planning Commission Meeting. Digital materials will be placed on a computer in Council Chambers for public presentations. Please label all materials with the agenda item number you are representing. Items submitted for viewing, including presentations/digital materials, will be included in the time limit maximum for speakers. All materials exhibited to the Planning Commission during the meeting (slides, maps, photos, etc.) are part of the public record and must be kept by the Planning Division for at least 60 days after final action on the matter. Your materials will be returned upon written request. **Video clips cannot be accommodated.**

If you have any questions, or would like to be notified of the decision, please contact Kyle Van Leeuwen in the Planning Division at 442-339-2611 or Kyle.VanLeeuwen@carlsbadca.gov, Monday through Friday 8:00 a.m. to 5:00 p.m. at 1635 Faraday Avenue, Carlsbad, California 92008.

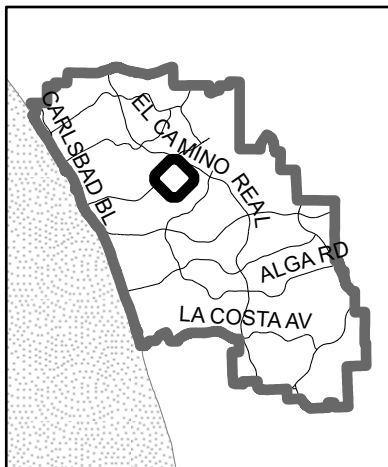
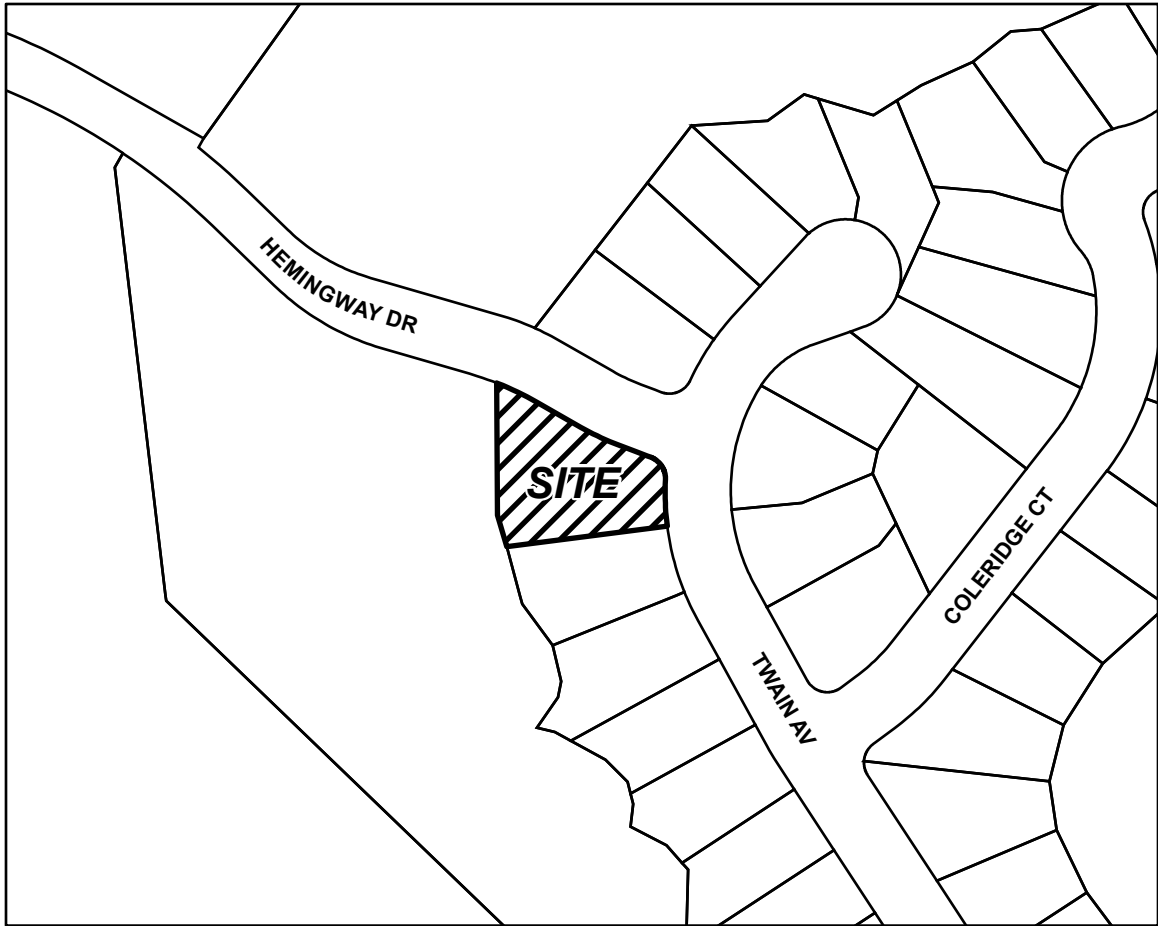
APPEALS

The time within which you may judicially challenge these projects, if approved, is established by State law and/or city ordinance and is very short. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City of Carlsbad at or prior to the public hearing.

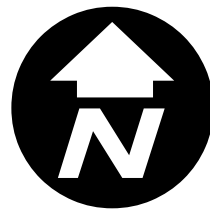
- Appeals to the City Council:** Where the decision is appealable to the City Council, appeals must be filed in writing within ten (10) calendar days after a decision by the Planning Commission.
- Coastal Commission Appealable Project:**
 - This site is located within the Coastal Zone Appealable Area.
 - This site is not located within the Coastal Zone Appealable Area.
 - Application deemed complete: February 3, 2023

Where the decision is appealable to the Coastal Commission, appeals must be filed with the Coastal Commission within ten (10) working days after the Coastal Commission has received a Notice of Final Action from the City of Carlsbad. Applicants will be notified by the Coastal Commission of the date that their appeal period will conclude. The San Diego office of the Coastal Commission is located at 7575 Metropolitan Drive, Suite 103, San Diego, California 92108-4421.

CITY OF CARLSBAD
PLANNING DIVISION



SITE MAP



NOT TO SCALE

Hom Residence: Retaining Wall Variance

V 2022-0002 / CDP 2022-0019