

From: [Lance Schulte](#)
To: [Growth Management Committee](#); [Michele Hardy](#); [Council Internet Email](#); [City Clerk](#); [Kyle Lancaster](#); [Eric Lardy](#); ["Smith, Darren@Parks"](#); ["Homer, Sean@Parks"](#); ["Moran, Gina@Parks"](#); [Boyle, Carrie@Coastal](#); ["Prahler, Erin@Coastal"](#); ["Ross, Toni@Coastal"](#)
Cc: info@peopleforponto.com
Subject: RE: Public Input for 2022-Oct CTGMC regarding the 9/22/22 meeting & to be provided to the Carlsbad City Council and Parks, Planning and Beach Preservation Commissions as citizen communications
Date: Thursday, September 29, 2022 6:33:08 AM

TYPO Correction to Public Input.

I sincerely apologize for a typo in the public input email below that directly relates to the 2016-2017 CA Coastal Commissions direction to the regarding Ponto Coastal Recreation (i.e. Public Park) and Low-cost Visitor accommodation land use issues. This also directly relates to the CTGMC's work in creating new Park and Open Space Standards that will alter the General Plan.

The Section # is 2.7. The correct page reference to the General Plan is page 2-27, and which says:

"2.7 Special Planning Considerations

In several areas of the city, special planning considerations and/or objectives apply. Section 2.9 contains goals and policies that address the areas described below:

Coastal Zone Planning

The California Coastal Act regulates all development within the state-designated Coastal Zone. The zone extends through the length of the city, and covers approximately one-third of the city's land area, as shown in Figure 2-2. The Coastal Act requires that individual jurisdictions adopt local coastal programs (LCP) to implement the Coastal Act. Carlsbad's LCP consists of a separate land use plan document containing separate land use policies and an implementation plan, which primarily consists of the city's Zoning Ordinance, as well as portions of the Grading and Drainage Ordinance and Building Codes and Regulations that are applicable to storm water management and grading; master and specific plans applicable to areas in the Coastal Zone are also part of the LCP Implementation plan. Development in the Coastal Zone must comply with the LCP in addition to the General Plan.

The city's LCP Land Use Plan will be updated consistent with this General Plan. However, to take effect, the LCP must be certified by the Coastal Commission as well as adopted by the city. Until such time that this occurs, the existing (as of 2013) LCP must be adhered to.

Although the LCP covers all of Carlsbad's Coastal Zone, the Coastal Commission retains coastal development permit authority within its original permit jurisdiction and deferred certification areas. Carlsbad continues to pursue LCP certification in the deferred certification areas in order to transfer permit authority to the city and streamline development approval.

Within the Coastal Zone, no discretionary permit shall be issued by the city unless found to be consistent with the General Plan and the LCP. In the event of conflict between the provisions of the General Plan and LCP Land Use Plan, the terms of the LCP Land Use Plan shall prevail."

I sincerely apologize for this typo in the email below.

Lance Schulte

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Monday, September 26, 2022 11:45 AM

To: 'committee@carlsbadca.gov'; 'Michele Hardy'; 'council@carlsbadca.gov'; 'City Clerk'; 'Kyle Lancaster'; 'Eric Lardy'; 'Smith, Darren@Parks'; 'Homer, Sean@Parks'; 'Moran, Gina@Parks'; 'Carrie Boyle'; 'Prahler, Erin@Coastal'; 'Ross, Toni@Coastal'

Cc: 'info@peopleforponto.com'

Subject: Public Input for 2022-Oct CTGMC regarding the 9/22/22 meeting & to be provided to the Carlsbad City Council and Parks, Planning and Beach Preservation Commissions as citizen communications

Importance: High

Dear Carlsbad Tomorrow Growth Management Committee, Carlsbad City Council, Parks, Planning and Beach Preservation Commissions, and CA Coastal Commission and CA State Parks:

I apologize for the directness of this email; but standing up for truth and facts can only be done with directness. It is also important that the CA Coastal Commission knows if CA Coastal Act and Coastal Land Use issues are not being truthfully communicated by the City to Carlsbad Citizens.

The CTGMC is creating Council recommendations for new land use plans regarding Park and Open Space in CA Coastal Zone in Carlsbad.

Coastal Recreation (i.e. Public Parks), protection of Coastal Habitats, and providing State Park Coastal Camping access are high-priorities of the CA Coastal Act; and are considered High-Priority land uses that need to forever adequately provided Carlsbad's Proposed Local Coastal Program Amendment & in CTGMC's in creating new Park & Open Space Standards in Carlsbad's Coastal Zone.

I was deeply troubled that on 9/22/22 Jeff Graham, Carlsbad Community Development Director said what appears to be a misstatement of facts to the CTGMC regarding the current Local Coastal Program (LCP) and City Proposed Local Coastal Program Amendment AND Jeff's failure to disclose the CA Coastal Commission's (CCC) very clear communication to the City on 2016-2017 on what is the current and possible land use plan for Ponto. Carlsbad's Ponto Vision Plan-General Plan-Master Plans-Zoning Codes are not valid/approved until the CA Coastal Commission Certifies them as being consistent with the CA Coastal Act and Policies. CA Coastal Act status is a primary land use fact and Carlsbad's General Plan clearly states this on [page Section 2-7](#). Please Read the paragraph on General Plan [page Section 2-7](#).

Jeff, as I heard it, made a false statement to the CTGMC that ALL the land use planning at Ponto Planning Area F was already completely done and no changes to can/need to be made. This is clearly false as the City is currently proposing an LCP Amendment to the CCC that includes significant changes to Ponto Planning Area F land use policy and zoning standards. Jeff is misrepresenting facts to Citizens, like what was done during the developers/City Ponto Vision Plan and General Plan Update. City staff misrepresentation of the facts to Citizens corrupts the Public Input Process, and in itself is a violation of the CA Coastal Act. This misrepresentation of facts is why decision making at Ponto has been so messed up. The City by withholding key Ponto facts from Citizens seems to be trying to mislead Citizens so developer proposed land use changes can be pushed through. Over 50 Official Carlsbad Public Records Requests and the data/lack of data the City provided seem to support this concern about honesty.

PLEASE READ the 2 Attached Data Files!

To refute Jeff's apparent inaccurate statement to the CTGMC on 9/22/22, The CA Coastal Commission has provided very clear communication to the City on the future potential Coastal land use plan at Ponto:

7/3/17 CCC letter to City of Carlsbad Staff on the City's proposed land use changes at Planning Area F. City Staff only for the 1st time provided this to City Council on 1/28/20:

"The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto/Southern Waterfront area. For example, Planning Area F requires the city and developer to "consider and document the need for the provision of lower cost visitor accommodations or recreational facilities (i.e. public park) on the west side of the railroad. This is an issue that the San Pacifico HOA community group is raising in regards to the Shopoff/Ponto development proposal, and this study should be undertaken as a part of the visitor serving use inventory analysis described above. If this analysis determines that there is a deficit of low cost visitor accommodations or recreation facilities in this area, then Planning Area F should be considered as a site where these types of uses could be developed."

8/16/2017 CCC email to Carlsbad Citizens said:

"The City is currently undertaking a comprehensive update to their LCP funded in part through a CCC grant. As a part of this process the City will be consolidating all previous LCP segments into a single, unified LCP. The City has received direction from both the Commission (May 2016 CCC hearing) and Commission staff, that as a part of this update the City shall undertake an inventory of visitor serving uses currently provided within the City's Coastal Zone which will then serve to inform updates to the City's land use and zoning maps as necessary. This inventory could have future implications for the appropriate land use and zoning associated with the Ponto area."

The CTGMC should not use false statements (9/22/22), excuses and dubious work-arounds to try to wiggle out of the responsibility to properly address the clear and obvious current higher-residential densities, and significant Park and Open Space shortfalls at Ponto/Coastal South Carlsbad. The CTGMC, Carlsbad City Council and Parks, Planning & Beach Preservation Committees it seems have an ethical, moral and generational responsibility to correct the well documented Park & Open Space shortfalls (City's past land use planning & Growth Management Plan Standard mistakes) at Ponto, and Coastal land use plan for more loss of these land uses due to sea level rise.

Thank you,
Lance Schulte

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Friday, December 10, 2021 11:36 AM
To: 'City Clerk'
Cc: CityCouncil@carlsbadca.gov; Carrie Boyle; Erin.Prahler@coastal.ca.gov; Ross, Toni@Coastal; info@peopleforponto.com
Subject: FW: 12-13-2021 Special City Council Meeting Agenda

Dear City Council:

Since 2017 extensive Carlsbad Citizen input/desires (over 5,000 emails/petitions, and at many budget and Council meetings) to you has requested Ponto Park. That Citizen input/desires is based on City documented facts. Again, we ask you to start considering the facts and the overwhelming Citizens' input/desires submitted to you over the past 4+ years. Attached are some of the relevant files we request you again receive as public input and read and consider on 12/13/21 regarding your CITY

COUNCIL STRATEGIC PLAN.

Thank you and Happy Holidays,
Lance Schulte

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From: [Lance Schulte](#)
To: [Eric Lardy](#); [Faviola Medina](#)
Cc: [Michele Hardy](#)
Subject: FW: Ponto Park & Open Space public input delivery - RE: Meeting Follow-Up
Date: Tuesday, September 27, 2022 7:22:13 AM
Attachments: [image002.png](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)

Faviola & Eric:

We received 2 more Citizen petitions for Ponto Park since 9/24/22. So our count is 142 for the CTGMC Park/Open Space/Ponto Park issue so far.

Lance

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Sunday, September 25, 2022 6:56 AM
To: 'Faviola Medina'; 'Eric Lardy'
Cc: Carrie Boyle (carrie.boyle@coastal.ca.gov); 'Prahler, Erin@Coastal'; Ross, Toni@Coastal (Toni.Ross@coastal.ca.gov); 'info@peopleforponto.com'
Subject: Ponto Park & Open Space public input delivery - RE: Meeting Follow-Up

Thank you both for our upcoming meeting to assure public input is being completely and timely delivered as addressed to City of Carlsbad Council-Commissions-Committees by City staff.

As part of our discussion I counted 140 emailed petitions (example of one attached) to the Carlsbad CTGMC, City Council, and Planning-Parks Commissions from 9/20/22 5:32pm through to 9/24/22 9:30pm. Getting confirmation that all these petitions were timely delivered as addressed is appreciated. Citizens need to know their input is being delivered.

I think you both are making strides to improve and this is much appreciated. Your willingness to meet is an reflection of that effort.

Thanks,
Lance

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Friday, September 23, 2022 5:13 AM
To: 'Faviola Medina'
Subject: RE: Meeting Follow-Up

Thanks that would be great.
Thanks for your considerate follow-up!
Lance

From: Faviola Medina [mailto:Faviola.Medina@carlsbadca.gov]
Sent: Thursday, September 22, 2022 3:53 PM
To: Lance Schulte
Cc: Eric Lardy
Subject: Meeting Follow-Up

Good Afternoon Lance,

Eric and I are both available to meet on Tuesday, September 27 at 8 a.m. Would you be available during this time?

Please advise,



Faviola Medina, CMC

City Clerk Services Manager

Office of the City Clerk

1200 Carlsbad Village Drive

Carlsbad, CA 92008

P: 442-339-5989 | faviola.medina@carlsbadca.gov | www.carlsbadca.gov



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CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](http://peopleforponto.com)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, September 21, 2022 1:00:35 PM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

Since 2017 the City received over 5,000 petitions, written and verbal testimony regarding the need for Ponto Park and the Park and Useable Open Space unfairness at Ponto and Coastal South Carlsbad. The City staff should provide the Growth Management Committee all that citizen input since 2017.

– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

– Carlsbad’s Growth Management Program and 2015 General Plan did not consider this critical 2017 & 2020 Sea Level Rise data and new actions and a new Plan are needed to address the 32+ acre loss AND increased population/visitor demand for “High-priority Coastal Land Uses”.

– Carlsbad’s Growth Management Program and General Plan also did not incorporate requirements for unlimited population growth that will need even more City and Coastal Recreation land – “High-priority Coastal Land Uses”.

– There is a current Growth Management Program 6.6-acre City park deficit in Coastal Southwest Carlsbad, and a 30-acre Unconstrained/Useable Coastal open-space deficit in Zone 9 (Ponto area – west of I-5 and south of Poinsettia) that only gets worse as we lose 32+ acres of Coastal Open Space lands from Sea Level Rise.

Accordingly, I am making my position known and requesting that

I want the Growth Management Committee, City Council and CA Coastal Commission to:

- 1) Address the true neighborhood Park needs for Ponto (minimal 6-7 acre Park to serve minimal neighborhood needs based on Ponto buildout and City's current minimal Park Standard). Ponto Park should be an appropriately wide, viable, flat and fully useable multi-use grassed field – allow kids space to play informal sports. No thin strip of non-park land.
- 2) Address loss of 32+ acres of Coastal Open Space Land from sea level rise by providing for Non-neighborhood City and State buildout-population and visitor demands for both Coastal Recreation land use and the loss of the Campground. Provide sufficient Coastal Recreation and Low-cost Visitor Accommodation land use to address the CA Coastal Act and City/State 'unlimited buildout population/visitor demand', and planned loss of current supply due to planned sea level rise.
- 3) Disclose and address 2017 CA Coastal Commission direction to City on Ponto Vision Plan and Planning Area F Existing LCP in the PCH Project.
- 4) Fully address Sea Level Rise impacts consistent with CA Coastal Act & Commission relative to the State's recent requirement for unlimited City and State population growth. Document, plot the Seal Level Rise inundation and coastal erosion/bluff hazard areas in Carlsbad's General Plan including the Land Use Map, PCH Relocation Project maps, and in the PCH Project replace all 32+ acres of high-priority Coastal land use that will be lost to sea level rise and coastal erosion, and increase the supply of these high-priority Coastal land uses to address State required unlimited increases in City/State population and visitor demands.
- 5) Fully disclose and consider the 2022-June General Comparative tax-payer Costs/Benefits Analysis of Ponto Park-PCH completion-proposed PCH Relocation, to assure tax-payers (City and/or State) are getting the best and most sustainable value for their tax-payer dollars. The City should use tax-payer money wisely.
- 6) Incorporate the 5,000+ written/emailed petitions to the Council & CA Coastal Commission, and the Letters from Carlsbad visitor industry, Surfrider Foundation, and Batiquitos Lagoon Foundation.
- 7) Within the Local Facilities Management Plan Zone 9 portion fully provide the 30-acers of documented missing Unconstrained Growth Management Open Space that developers were supposed to provide. Also fully disclose and incorporate the Ponto Open Space recommendations from North County Advocates per City's lawsuit settlement. Fully preserve or mitigate sensitive habitat areas within and adjacent to the

PCH Project area.

8) Fully provide required storm water quality purification and detention basins in the PCH Project before project waters and waters passing through the project area are discharged into the ocean and Batiquitos Lagoon.

9) I am concerned about the PCH Modification Project more than doubling traffic congestion along Coast Highway for an extremely costly walkway, when the same walkway and other needed Coastal land uses can be provided for a fraction of the cost along existing Coast Highway. It is not appropriate to try to pass off a walkway as "linear park".

10) Lastly as requested since 2017, directly engage and specifically involve the San Pacifico Community Association and Ponto Community in that portion of the City's PCH Project of planning and design of land use in that community.

11) We request the above 11 citizen issues be fully addressed by the Growth Management Committee, City Council, and CA Coastal Commission regarding Park-Useable Open Space and Coastal Land Use issues and City Capital Improvement Projects at Ponto and Coastal South Carlsbad.

Additional Comments

I really hope that the committee really considers ALL of the years and years of the south Carlsbad residents requests and their research of why this piece of land would be better served by providing space for all of Carlsbad as well as San Diego county and our tourist to enjoy forever. What a legacy this would leave the city council to keep truly one of the very LAST piece of property so close to our beautiful ocean for everyone to enjoy! I am a 60 year old resident who really have seen growth and this is very important to me.

Name

Karie Galindo

Email

kdgalindo@roadrunner.com

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Sunday, September 25, 2022 9:21:46 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

Since 2017 the City received over 5,000 petitions, written and verbal testimony regarding the need for Ponto Park and the Park and Useable Open Space unfairness at Ponto and Coastal South Carlsbad. The City staff should provide the Growth Management Committee all that citizen input since 2017.

– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

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Additional Comments

Pinto Park is so needed in our community. Please make it happen

Name

Cherie Copsey

Email

cheriecopsey@hotmail.com

City

Carlsbad

State

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Sunday, September 25, 2022 9:28:05 PM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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Additional Comments

Please consider the People's concerns!

Name

Michael Armstrong

Email

marmstrong@hrec.com

City

Carlsbad

State

California