

Carlsbad TOMORROW

Growth Management Citizens Committee



APPENDIX 3 PUBLIC COMMENTS

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APPENDIX 3 – PUBLIC COMMENTS

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From: [Tammy Cloud-McMinn](#)
To: [Growth Management Committee](#)
Cc: [Melissa Flores](#)
Subject: FW: Comments on Goal Setting Special council meeting 3-30-2022
Date: Tuesday, March 29, 2022 4:33:09 PM

FYI – please include as correspondence in the 3/30/22 meeting.

Kind regards,
Tammy McMinn, CPMC, CMC
Senior Deputy City Clerk
City of Carlsbad
442-339-2953

From: Mary Real <anewday4me2020@gmail.com>
Sent: Tuesday, March 29, 2022 3:58 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>; City Clerk <Clerk@carlsbadca.gov>;
Tammy Cloud-McMinn <Tammy.McMinn@carlsbadca.gov>
Subject: Comments on Goal Setting Special council meeting 3-30-2022

To all concerned citizens who actually like Seniors and want them to enjoy their Sr. Center!:

I hope that YOU will fund a feasibility study of Park & Rec. management of the Senior Center over the past 5 years to compare the decline in services, and the customer service to seniors and the direction toward making money rather than providing services to seniors rather than giving excuses as to why they have downgraded or eliminated services to seniors. They have given mixed signals to seniors (jerked them around) and they have no direct method of answering the comment cards from seniors! It appears that they "know best" about what seniors want and, if they do respond, the managers give a slick reason why they have removed the grill citing it was not being used! Formerly, the staff used the grill for an annual picnic where the staff would make hamburgers and hot dogs and hire musical entertainment. Current management lean toward less work for Staff. I hate to say that the Staff is not looking to improve or maybe the Staff is mediocre, not very creative in offering cooking classes on using the grill. In any case, we seniors need to have an outside consulting firm to complete a feasibility study to assess (impartially) areas where Staff is doing average or needs improvement starting with consideration of accomplishments and ending with thoughts on having a full time Sr. Ctr manager who actually likes seniors and is working to make the Senior Center more friendly and more interactive with seniors. It seems as if being 'friendly' and adept at Public Relations and slick comments and doing what is best for Staff is more important to Mike Pacheco and lower level managers than serving seniors. Mike Pacheco looks like the boy next door and handles all complaints with a smile promising to look into solving situations while doing nothing while being "likeable". Other lower level Staff have not grown into even making up their mind to serve salad to seniors at lunch. Apparently, the Staff is glib about reasons for Not doing their best for seniors. This glibness or ability to say we can't do this or that for seniors because it is Monday or

another Senior Center has a perfectly good refrigerator for seniors to bring their own food for personal consumption is a step too far for the current Managers!

Isn't it time to consider having a separate dept. that is not under Park and Rec-ers. A separate Dept under the City Manager with full accountability to the City Council that wants a welcoming place for senior citizens to meet and greet and talk to other people and see friendly smiling faces on Staff and Volunteers who do not hide out in their offices. Why is the City so unwilling to have an independent examination of the management of the Senior Center and a feasibility study on the need and location of a second Senior Center.

With all of the federal money pouring into Carlsbad, why not spend a few thousand dollars on a Feasibility study and examination for improvement of the Senior Center ? After all, the City spent 14 million of federal money to fund pensions for Staff, and the pension fund debt this year is less money as PERS made money and lowered the obligation on pensions for this fiscal year.

Please consider this independent feasibility study to build a second senior center and please request a second feasibility study to examine setting up a separate dept to deal with Senior Center issues to benefit an independent dept or how to improve the current Management to be responsive to Seniors and their requests. Why should managers stall the offering of Zentangle classes for 2 years? Or deny seniors salad ---as in first you can serve it and only food handlers that are certified can prepare it to taking salads away entirely and blaming it on the County of San Diego "rules" which is incorrect info!

Why does the City of Carlsbad want to keep any examination of the Park & Rec management to do whatever without more oversight and imagination to serve the growing population and need by contracting an independent Feasibility Study to change and improve services and expand the customer service to Seniors?

Where is the money being spent and how many people have to request more open communication with the City? How many people have to request upgrades before the City Council plans for the future for Senior Citizens?

Thank YOU,

Mary Lucid

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From: descorscor2002 <descorscor2002@yahoo.com>
Sent: Tuesday, May 24, 2022 11:46 AM
To: Growth Management Committee <Committee@carlsbadca.gov>
Subject: 1300 housing units planned for north carlsbad??

Hi,
Is there any update on whether or not 1300 very low/low income housing units are planned for north carlsbad?
Thats an incredibly high number...is this true? How is this managed growth if this is true?
thank you.
Desmond Correia
617 256 4885

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From: [Growth Management Committee](#)
To: [descor2002](#)
Subject: RE: 1300 housing units planned for north carlsbad??
Date: Thursday, May 26, 2022 9:48:38 AM

Mr. Correia,

Thank you for your inquiry. On Feb. 15, 2022, the City Council directed staff to study two maps that identified potential sites throughout Carlsbad for new housing. The maps include sites in the northwest quadrant (north of Palomar Airport Road and west of El Camino Real) and the northeast quadrant (north of Palomar Airport Road and east of El Camino Real). If all the sites identified on the maps are developed residentially, staff estimates up to 1,730 new homes could be built in the northwest quadrant and 668 new homes could be constructed in the northeast quadrant. The majority of these would be built at densities considered appropriate for persons with lower incomes. By state law, the city must identify sites throughout the city to accommodate housing at all affordability levels. The number of units to accommodate are forecasted by the state and distributed to Carlsbad and other San Diego jurisdictions by the San Diego Association of Governments.

In 2023, the City Council is expected to consider staff recommendations to redesignate sites to accommodate much of the new housing (some of the identified sites already have appropriate designations). If the City Council acts to redesignate them, the action will simply result in approval of appropriate land use and zoning designations to permit residential development. It will then be up to developers to actually propose projects and construct homes on the site. The actual number of units built and their affordability will likely vary from staff's estimates when and if actual projects are submitted. We expect, for example, that only 15-20% of the new housing built will be affordable to persons with lower incomes.

As far as your question about managed growth, state law prohibits the city from applying limitations on the number of homes that can be built in Carlsbad. This prohibition affects the dwelling unit caps established for each city quadrant by the Growth Management Plan (GMP). While the law precludes the city's ability to enforce the caps, it does not affect other GMP provisions, such as those establishing standards for traffic, sewer capacity, and fire response times. City staff is studying the impacts of the new housing, including on infrastructure such as water and sewer, and will present that information when the City Council considers redesignating sites in 2023.

More information on housing, relevant state laws and the city's effort to address them is available at <https://www.carlsbadca.gov/departments/community-development/planning/housing-plan-update>. The Feb. 15, 2022, City Council staff report on potential housing sites to accommodate the new housing is also available at <https://records.carlsbadca.gov/WebLink/DocView.aspx?id=6247842&dbid=0&repo=CityofCarlsbad&searchid=ee00bd5c-101f-4029-a13c-80b848933595>.

If you have any questions on the housing plan, please contact Scott Donnell, Senior Planner at scott.donnell@carlsbadca.gov. Additional information on the Growth Management Committee and future meeting agendas is available here: <https://www.carlsbadca.gov/city-hall/meetings-agendas/boards-commissions/growth-management-committee>.

From: phillip.rogul
To: [Growth Management Committee](#)
Subject: A Carlsbad Resident's personal comments for today's Growth Management Citizens Committee meeting today @ 5pm @ Faraday Admin Center
Date: Thursday, May 26, 2022 10:29:25 AM

I am a local Carlsbad resident, who arrived here (fortuitously) from ST Louis Misery in 1978.

I'm presently the chair of the Carlsbad Sustainability Coalition - established in 2008 by Carlsbad residents Jay Klopfenstein and Don Christiansen. CSC functions to build on the original work of City of Carlsbad's program "Envision Carlsbad", which brought together local citizens (about 50-70) to work with city staff to identify the community's hopes and aspirations for the future of Carlsbad back in 2006-2007.

Our CSC has refocused that original mission to directly address the most critical issue facing our world - the acceleration of global warming. We are continuing to explore what we can and should do here locally in Carlsbad to catalyze the implementation of renewable energy systems. Building local renewable energy systems are crucial to help us transition away from the widespread use of fossil fuels causing global warming.

I would like to strongly encourage this committee to consider our community as a potential center for distributed renewable energy via implementing this proposed 40-acre Maerkle Reservoir solar energy project.

With the recent adoption of "community choice energy" which is now called our Clean Energy Alliance, we have the perfectly positioned piece of city-owned property which is ideal for the building of locally generated renewable solar energy. A project such as this proposed local Maerkle reservoir has been considered (over the last decade) as an ideal site for solar energy production . I'd like to please encourage this committee to strongly encourage our City Council & Staff to fully support this effort.

A local renewable energy expert and friend, Dr Phil Watts, has developed a comprehensive plan for the development of this particular reservoir site. Please review and consider his professional approach, which provides for the financing of this project along with his recommended engineering strategy .

City of Carlsbad has often proclaimed their "world class leadership" over a wide range of important areas of concern. This Maerkle Reservoir project offers our city an excellent opportunity to step forward and be the actual SD County renewable energy leader in this most critical moment of global warming.

Thanks so much for your time, and your continuing work on this committee.

Sincerely yours,

Phil Rogul
Carlsbad Sustainability Coalition - since 2008
760-804-1870

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Imagine
Carlsbad

CARLSBAD'S NEW CITY HALL / CIVIC CENTER

Jan 1 2021

Geo-Centric or Historic Heart

Ask pretty much anyone, they will say ***Carlsbad is a very nice place***. People from other areas usually say "you are fortunate if Carlsbad is where you call home. To continue that status the City Council now has a major question needing to be answered. ***That question is where to place our new and final City Hall and how to also make it a Civic Center.*** Not an easy decision so we ask that the following input be considered. We all know the City has been defined on paper as having four different zip code quadrants separated by our two largest roadways. It is now defined by four voting districts mostly cutting east to west. ***We also know that the major residential areas are positioned north and south generally separated by the airport and its influence on adjacent land uses.*** We know that the vast majority of Carlsbad was laid out and built under the land planning model of "***suburban-ization***" This doctrine came about in the early 1950s. It's where all different land uses are separated in their own areas. This separation was meant to reduce the possible conflicts between different uses which had been somewhat common up to that time. This separation requires one additional element that would make it possible for this new form of town planning. It requires a full network of roadways for the automobile to tie all areas together into a workable land use fabric. However, one area of Carlsbad is different as it was laid out and built under a different land planning program now referred to as "***Traditional Town Planning***". That area was the city's starting point, a start that took place much earlier. Its planning program built a relatively small multi-use core area on a tight grid of Main Street type thoroughfares. This gives that area, the Village-Barrio, ***a different and unique character in all of Carlsbad.***

Now the question of where to put our City Hall. An opportunity to create a new Flagship facility with civic amenities that will be embraced as a proud symbol representing our community. It should be a model of City government ***efficiency and professionalism. A symbolic element that reinforces its general location as a "point of focus" for the community, a Town Center.***

MID CITY - Two sites that are geo-centric to be more equal distant from both south and north areas of town.

NORTH WEST CORNER - The two sites that will support of the City's Historic Heart Neighborhood (the Village / South Village - our Historic Barrio).

OUR CRITERIA FOR EVALUATING THESE POTENTIAL SITES

- ★ City Hall as a highly productive and stimulating work place environment
- ★ Accessibility for Employees, Business Guest & the Community
- ★ Presences/Imagery - A Flagship facility with high visibility that represents our community Pride
- ★ Civic Amenities for the community
- ★ ***Its relationships with its surrounding area Synergy & Symbiotic (2+2=5)***

Back to Carlsbad being a great place to live. Taking this as a given can we now pause and reflect on all that we have, all that we done but also do some ***objective evaluation of what we may have missed, what we may be lacking?*** This review should influence the evaluation of where our ultimate City Hall should be placed. What ingredient might be needed to strengthen our community, to its sense of place, its sense of identity and pride. The element that should have come out of that objective evaluation as missing is a Town Center. As far as we know a ***Town Center*** has never been put on any map, never been part of any plan in all of our town planning. ***We submit that a recognizable Town Center is very important to a city the size of Carlsbad adding to our community's sense of place, identity and pride.***

All along our town planning journey we have had the "Historic Heart", the starting point of town but we really never saw the need to fully wrap our arms around it. To elevate it as our point of focus for the full community as a recognized Town Center. "It is up there in the far corner", "shouldn't a town center be in the center of town?" It's our starting point and hence it was logically located on the coast line, on the regional highway, on the rail line. Yes today it is the NW corner of our town just one of the city's four corners. The flip side of this can be expressed in one word, "***Car-nitas***". This term, we have heard, is used by some who live in south Carlsbad but have a Encinitas state of mind. Why do these people relate more to Encinitas, certainly it has nothing to do with their City Hall.

However, this should be seen as a tear in our community's fabric of cohesiveness and belonging. Some believe the fix is to place our "seat of power" the City Hall in the center of town so it is seen as equal in its reach and representation. "That makes sense on paper", as they say, if centered it is equal right?. However the next question is, does that get us where we should want to be, is it really just that simple, we think not. **Rarely is a City Hall on its own a Town Center**, an important part yes but as a stand alone facility it is hard pressed to pull that kind of weight. Make it a Civic Center by adding civic amenities, like a learning center/Library with auditorium or exhibit hall, already done **at "the Dove" along with another civic staple a Federal Post Office**, or may be give it a larger performing arts venue. An objective evaluation will show that it will be very difficult if not impossible to create a true Town Center at the mid City sites. As we know, we already own land in the Center of town. Rather than place **a stand alone City Hall at Farmers**, as an island in the employment center sea. May be we make that site a different feature for the community, a larger performing arts venue, say an amphitheater. May be not, as we did have one of these proposed in our town some time back. But due to the cold shoulder reaction it received here that proposal moved on to Poway. It then lost out in a head to head competition with a proposal for a theater in Chula Vista. How many of us in Carlsbad want to travel to Chula Vista or even S.D. State to go to a performance in an amphitheater? But nice if we had that venue close in.

If we can agree that our community will benefit significantly by having a strong Town Center, a point of focus for all of us. If we can agree to have a Town Center as a new and major goal (a Council Goal) and also agree that the City Hall should be placed at our Town Center. We should take into consideration how the four candidate sites for City Hall measure up to a set of criteria for this role as a flagship facility, as an important part of the community's Town Center. As has been expressed, if a mid city locations have little chance to become a strong and meaningful Town Center then where? The Village also does not currently carry that weight. However, unlike mid town it does have that potential, it's just not there yet. So the real question here is what must we do to make it so. **To make the Village a true Town Center that has that weight, that gravity to draw all of us to it, even those "Car-nitas". But that is a topic for another session, another paper. A session to tackle that question, and to ask if we have that kind of vision, that kind of resolve to strengthen Carlsbad as a community made whole with a compelling Town Center ?**



*Imagine
Carlsbad*

WHAT MAKES FOR A SUCCESSFUL TOWN CENTER _____ Jan1 2021

A Center with many activities and services creating a significant draw that becomes a local attraction, a destination for the entire community.

A Center that provides a special setting assisted by its character and ambiance enhancing the community's sense of place, identity and pride.

A Center that is easy to locate, offers easy access and has adequate fundamentals for all its uses and planned events.

A Center that can host a full range of special events throughout the year.

A Center where there are strong public/private partnerships and many active community groups.

A Center strengthened by the inclusion of the town's Seat of Power (City Hall) placed at a location of prominence and status. A flagship facility that also offers as many features for community use as its layout can accommodate.

A Center with a high level of authenticity and/or heritage, it is optimal if the location has an innate quality to it. Something special took place there, something special was built there, something was started at this location that has meaning to the community. This should enhance its prominence and status adding depth in the community's sense of time, sense of longevity.

A Center with ample public land, although the center can include a mix of both public and private properties, it must be rich in our public domain. Allowing easy public movement unencumbered by private rights. A location where there are also ample areas for the public to gather. Where one gathering location is widely held to be the venue for public expression. Where the community comes together to hold a hand over heart, where they push both hands high into the air with movement and rhythm, where, after sunset, they hold lights tight in hand as an expression of a collective spirit.

From: [Lance Schulte](#)
To: [Eric Lardy](#); [Council Internet Email](#); [City Clerk](#); [Kyle Lancaster](#); [Boyle, Carrie@Coastal](#); ["Prahler, Erin@Coastal"](#); [Ross, Toni@Coastal](#); [Don Neu](#)
Cc: info@peopleforponto.com
Subject: Public input to Carlsbad Tomorrow Growth Management Committee & CCC - Parks & Unconstrained-Useable Open Space facilities
Date: Monday, May 30, 2022 1:23:48 PM
Attachments: [Carlsbad 2019 proposed Draft LCP Amendment - People for Ponto 2021-Oct Updated Public Comments - Coastal Recreation.pdf](#)
[Sea Level Rise and Carlsbad DLCP-LUPA planned loss of OS at Ponto - 2022.pdf](#)
[2022-June General Comparative cost-benefits of Completing PCH-PCH Modification-Ponto Park - Part 1 of 2.pdf](#)
[City's PCH area map w numbered notes of Constraints - 2 of 2.pdf](#)
[Carlsbad FY 2019-20 Budget Public Input Report - Summary analysis for Public Comments on Budget-DLCPA-PMU.pdf](#)

Dear Carlsbad Tomorrow Growth Management Committee, Carlsbad Council and Parks and Planning Commissions, & CA Coastal Commission:

The Committee is tasked with recommending to the Council proposed changes to City Park and City Unconstrained/Useable Open Space Standards within the Growth Management Program Update.

Because Carlsbad is quickly running out of vacant land, the Committee's recommendations are critical for very obvious reasons. The Committee will be recommending (for all future generations) the final methods to supply Citizen desired Parks and Unconstrained/Useable Open Space. It is important the Committee wisely represent the interests of those future generations. The Park and Open Space supply solutions for future generations will amend Carlsbad's updated 2015 General Plan and the "as of 2013" Local Coastal Program.

Since 2017 many People for Ponto Carlsbad Citizens have overwhelmingly expressed their need and desire for:

1. Fairness, and a true adequately sized and dimensioned Ponto Park to address City Park Master Plan documented "lack of Park Service and Park Inequity" in this area, and
2. Correcting the City's documented 30-acre shortfall in required Unconstrained and Useable Open Space in the Ponto area, and
3. Correcting the City's planned loss of 32+ acres of Coastal Open Space at Ponto (the State Campground and Beach) first documented in 2017 and thus not a part of the City's General Plan & Growth Management Program.

Since 2017, over 5,000 Carlsbad Citizen and visitor petitions have been sent to the City & Coastal Commission expressing the desire and need of both Citizens and visitors to have these Parks and Open Space issues addressed. The Council has been narrowing deferring addressing these issues and noted waiting for the Carlsbad Tomorrow Growth Management Committee to consider both the data and Citizen and visitor desires.

Attached are 5 data files sent to the City by Carlsbad People for Ponto. The data files were sent as comments to the City's proposed Local Coastal Program (LCP) Amendment that seeks to change Carlsbad's 2013 LCP with the outdated 2015 General Plan, Carlsbad's Park Master Plan Update process, and the Growth Management Program that your Committee will be making recommendations to change. People for Ponto Carlsbad Citizens conducted over 50 official Carlsbad Public Records Requests to compile this data. We provide these data files in preparation of your

June 23rd meeting.

1. Coastal Recreation and comparative Park data: Summary data on supply/demand/distribution-fairness of City Parks in Carlsbad, unflattering comparative data on how much parkland and where Carlsbad provides Parks relative to Encinitas and Oceanside and national averages, documents Carlsbad's Park Master Plan mapping Park distribution unfairness at Ponto, and documenting that many Carlsbad's Park acres are Unusable for people because they are constrained habitat land protected from human use/intrusion.
2. Sea Level Rise & Carlsbad planned loss of Open Space at Ponto: A) Summary data on how sea level rise (SLR) will remove Open Space at Ponto. B) City GIS maps/data that shows 30-acres of required Unconstrained/Useable Open Space was not provided at Ponto (Zone 9) by using false exemptions while similar and adjacent Local Facility Management Zones (19 & 22) provided their required Unconstrained/Useable Open Space. C) City maps and data tables documenting the both loss of Open Space at Ponto from SLR and the missing Growth Management Open Space at Ponto.
3. Updated 2022-June Comparative Cost-Benefits of PCH Modification and Ponto Park: A) Summary City data comparing the Citizen and tax-payer Cost-Benefit of Park and Useable Open Space alternatives at Ponto. The data file initially compared cost-benefits of the 11-acre Ponto Planning Area F and pre-2022 City Cost data. However in May 2022 the City updated its PCH Relocation costs, and a willing seller of 14.3 acres of adjacent land (Ponto Planning Area G, H, and I; aka Kam Sang) was listed for sale. B) The Kam Sang list price of \$2.7 million per acre or a bit more than the \$2.4 to \$1.4 million per acre price of recent Ponto land sales noted in the file but are close. C) The City's updated PCH Relocation Costs are similar. The Cost-Benefit Comparison still shows purchasing Ponto Park land is still a better value for Carlsbad Citizens, and saves tax-payers money. The Comparison references a City map and data showing sea level rise impact areas, and the City's PCH Relocation environmental and design constraints.
4. Citizens' City Budget Ponto Park need-requests: A) Summary data and verbatim documentation of Carlsbad Citizens requests to budget to address the need for Ponto Park, and Open Space issues at Ponto. B) The volume of Citizen input on Ponto Park and Open Space, and the actual verbatim Carlsbad Citizen comments should be considered. C) In addition since 2017 when Carlsbad Citizen first became aware of several Ponto Planning Mistakes by the City:
 - a. false Growth Management Unconstrained/Useable Open Space 'Standard exemption' at Ponto
 - b. failure in the 2010 Ponto Vision Plan that is the basis for the 2015 General Plan Update, and the failure of the 2015 General Plan Update to follow the 1996 Local Coastal Program Land Use Policy for Planning Area F that required the City to consider and document the need for Coastal Recreation (i.e. Public Park) and Low-cost Visitor Accommodation land use prior to proposing a change in the Non-residential Reserve land use policy. Failing to fully disclose the Coastal Commission's rejection of the Ponto Vision Plan in 2010 because of these reasons, and not disclosing 2016, 2017 and 2022 directions to the City..
 - c. SW Quadrant Park deficits going back to 2012

- d. Not considering 2017 Sea Level Rise Impact Report that shows the loss of 32+ acres of high-priority Coastal Open Space land uses at Ponto.
- e. As a corollary example, the City has additional history in collaborating with developers to skirt standards and allow development without developers providing their required public facilities - the Rosalena HOA Trail segment of the Batiquitos Lagoon Bluff-top trail at Ponto is a classic example. This example resulted in delaying construction of the public trail by over 35-years and ended up costing about 75 Carlsbad homeowners over \$1 million in additional costs. It almost resulted in no trail being built and City and/or developer pocketing money meant to pay for the trail. This scenario could happen a far larger scale and cost if Ponto developers are not required to provide the missing 30 acres of required Useable Open Space at Ponto

Carlsbad People for Ponto Citizens have asked the City to provide the Citizen input since 2017 for all things Ponto related. Reviewing the public record of 5,000+ citizen communications since 2017 reveals only maybe a dozen (mostly developer paid or supported) are not in support of Ponto Park. Your fellow Carlsbad Citizens ask the Growth Management Committee to read their input and to consider future generations.

Thank you for serving on the Growth Management Committee. You each have a large and vital task, as your recommendations will be the beginnings of what (due to Carlsbad running out of vacant land) will be the 'final glide path' that forever defines Carlsbad's Quality of Life. After your recommendations, there will only be added population demands on the public facilities. As more infill development is added and there may be no vacant land to provide needed supplies of facilities like Parks and Unconstrained/Useable Open Space.

I speak from having already professionally followed the path you are on. After working on Carlsbad's Growth Management Program in the mid-1980s I addressed this same issues for the then new City of Dana Point that (in 1989) was at a similar stage of 'near buildout as Carlsbad is now.

Based on my professional experience I implore you seriously and fully consider that data and desires your fellow Carlsbad People for Ponto Citizens have provided you and the City. Based on where Carlsbad is we, and you, will only get this one chance to get it right.

Sincerely,
Lance Schulte
35-year Carlsbad resident
former Carlsbad Growth Management and Dana Point city planner

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Updated Pubic Comments Coastal Recreation submitted on Oct 12th 2021:

On 10/8/21 the Carlsbad City Council and CA Coastal Commission were emailed data from an Official Carlsbad Public Records Request (# R002393-092121) on the City of Carlsbad's past compliance/noncompliance with the currently exiting Mello II LCP Land Use Policies # 6-2, 6-4 & 6-10 Certified in the mid-1980s. The City's documents show:

- For Policy 6-2 the 200-300 acre Park called out in Policy 6-2 has been reduced to Veterans Park's 91.5 acres, of which only 54% or 49.5 acres is even useable as a Park. The City provided no documents on how a 200-300 acre park called for in Policy 6-4 is now only 49.5 useable acres.
- For Policy 6-4 there were no City documents were provided. There was no City Public discussion, consideration, or City compliance with Policy 6-4 since the mid-1980's.
- For Policy 6-10 concerns providing Low Cost Visitor Accommodations. Public Parks are the lowest cost (free) Visitor accommodating land use there is.

The 3 existing LCP Land Use Policies are important for Carlsbad, and California's, Coastal land use resources. There appears little to no discussion of the City's past apparent failure to implementation of these 3 LCP LUPs in the current City consideration of changes to the LCP.

Following is a copy of Public Records Request # R002393-092121: "Carlsbad's Local Coastal Program (LCP) for the Mello II Segment of Carlsbad's Coastal Zone has long established land use Policies 6-2, 6-4 & 6-10 that were adopted by Carlsbad and Certified by the CA Coastal Commission in the early/mid-1980's. Mello II LCP Policies 6-2, 6-4 & 6-10 are shown on page 86-87 of Carlsbad's 2016 compiled LCP and are:

- "POLICY 6-2 REGIONAL PARK: If the population of Carlsbad increases in accordance with SANDAG's projected Series V Population Forecasts, it is estimated that Carlsbad will need to develop a new regional park containing 200 to 300 acres in order to adequately serve the public. A location for a new regional park must, therefore, be established. Consideration should be given to a facility within the Aqua Hedionda Specific Plan Area, or adjacent lands. The Batiquitos Lagoon area should also be considered.
- POLICY 6-4 NEED FOR ADDITIONAL OVERNIGHT CAMPING: Additional overnight camping facilities, the main source of lower cost visitor and recreational facilities, are needed throughout the San Diego coastal region. Additional facilities of this kind should be provided in a regional park within the Carlsbad area. This can be accomplished in conjunction with an eventual Batiquitos Park, within the Aqua Hedionda Specific Plan Area, and/or along with the development of private recreational facilities.
- POLICY 6-10 LOWER COST VISITOR-SERVING RECREATIONAL USES: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Encourage a range of affordability for overnight visitor accommodations. Evaluate the affordability of any new or redeveloped overnight visitor accommodations, including amenities that reduce the cost of stay. Mitigation may be applied to protect and encourage affordable overnight accommodations"

The public record request is to see documents of:

- City Staff reports, presentations and communications to the Carlsbad Planning and Parks Commissions, and City Council regarding the City’s consideration and implementation of these 3 specific (6-2, 6-4, and 6-10) Mello II LCP land use policies; and
- Carlsbad Planning and Parks Commissions, and City Council minutes, resolutions and ordinances documenting City of Carlsbad consideration and implementation of these 3 specific (6-2, 6-4, and 6-10) Mello II LCP land use policies.”

Updated Pubic Comments Coastal Recreation submitted on January 2021:

Over 11-months ago in a 1/29/20 1:56PM email People for Ponto Carlsbad citizens first provided the City of Carlsbad both data and comments on **14 critical Coastal Recreation issues (see pages 5-30 below)**. The data and the 14 critical issues do not seem to be receiving appropriate disclosure/presentation/discussion/consideration in the Dec 2, 2020 Staff Report to the Planning Commission. To assure the 26-pages of citizen data and requests in the 1/29/20 email was received by the Planning Commission the file was re-emailed on 12/22/20 12:24pm and specifically addressed to City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD. As citizens we request each of these 14 data points (with supporting data) be honestly considered.

In reading the Dec 2 Staff Report citizens conducted additional analysis of City Park data. That research further reinforces and documents the 14 Critical Coastal Recreation issues and highlights the relatively poor amount of City Park and Coastal Recreation planned by Carlsbad’s Staff proposed Draft LCP-LUPA. We hope the City Council and City Commissions, and CA Coastal Commission & HCD will consider this additional analysis of City data and citizen input:

<u>Coastal Zone data</u>	<u>Carlsbad</u>	<u>Oceanside</u>	<u>Encinitas</u>	<u>note or source</u>
Coastline miles	6.4	3.9	6.0	Carlsbad Draft LCPA 201, Google Maps
Coastal Zone Acres	9,219	1,460	7,845	& Oceanside & Encinitas LCPs
Coastal Zone Acres	100%	16%	85%	% relative to Carlsbad

City Park Standard data

City Park Standard	3	5	5	required park acres / 1,000 population
Park Standard %	100%	167%	167%	% is relative to Carlsbad

- Oceanside & Encinitas 'require' and plan for 67% MORE Parkland than Carlsbad
- Carlsbad 'requires' and plans for ONLY 60% as much Parkland as Oceanside & Encinitas
- Carlsbad only requires developers provide 60% of the parkland (or in-lieu fees) as Oceanside & Encinitas require
- Encinitas has a 'Goal' to provide 15 acres of Park land per 1,000 population

Developed City Park	2.47	3.65	5.5	acres / 1,000 population
Developed Park	100%	148%	223%	% is relative to Carlsbad

- Oceanside provides 48% MORE developed park land than Carlsbad
- Encinitas provide 123% MORE developed park land than Carlsbad
- Carlsbad ONLY provides 68% and 45% as much Parks as Oceanside & Encinitas respectively

National Recreation & Park Asso. Metric: a typical City provides 1 park / 2,281 pop. & 9.9 Park acres / 1,000 population

- Carlsbad (3 acre) Park Standard is ONLY 30% of what a typical City provides nationally
- Carlsbad requires developers to provide, 70% LESS Park acres than typical City provides nationally

National Recreation & Park Asso., Trust for Public Land, et. al.: 10 minute (1/2 mile) Walk to a Park Planning Goal

- Both Oceanside and Encinitas plan parks to be within a 10-minute (1/2 mile) walk to homes.
- Carlsbad DOES NOT plan Parks within walking distance to homes
- Carlsbad is NOT providing equitable and walking/biking access to Parks

Some Carlsbad Parks that are not fully useable as Parks:

Existing Parks with Unusable Open Space acreage	total park acres	Unusable park acres	% of park unusable	reason unusable
Alga Norte - SE quadrant	32.1	10.7	33%	1/3 of park is a Parking lot not a park In many other Carlsbad Parks a significant percentage of those Parks are consumed by paved parking lots and unusable as a Park.
Hidden Hills - NE quadrant	22.0	12.7	58%	city identified unusable habitat open space
La Costa Canyon SE quadrant	14.7	8.9	61%	city identified unusable habitat open space
Leo Carrillo - SE quadrant	27.4	16.5	60%	city identified unusable habitat open space
Poinsettia - SW quadrant	<u>41.2</u>	<u>11.1</u>	<u>27%</u>	city identified unusable habitat open space
Existing Park subtotal	137.4	59.9	44%	44% of these Parks are unusable as Parkland

Anticipated Future Park development projects

Park - quadrant				
Veterans - NW	91.5	49.5	54%	estimated unusable habitat open space
Cannon Lake - NW	6.8	3.4	50%	estimated unusable water open space
Zone 5 Park expansion - NW	9.3	0	0	appears 100% useable as a Park
Robertson Ranch - NE	<u>11.2</u>	<u>0</u>	<u>0</u>	appears 100% useable as a Park
Future park subtotal	118.8	52.9	45%	45% of Future Parks are unusable as Parks

Unusable Open Space acres

in Existing & Future Parks 256.2 112.8 44% **112.8 acres or 44% is unusable as Parks**

- 112.8 acres or 44% of the Existing & Future Parks are unusable Open Space and can't be used as Parkland
- **Based on City's minimum 3-acres/1,000 population Park Standard, 112.8 acres of Unusable Parkland means 37,600 Carlsbad Citizens (or 32.5% of Carlsbad's current population of 112,877) will be denied Parkland that they can actually use as a Park.**
- 112.8 acres of Existing & Future unusable 'park' / 3 acre park standard x 1,000 population = 37,600 Carlsbad citizens without useable parkland per City minimum standard.
- **59.9 acres of Existing unusable 'park' / 3 acre park standard x 1,000 population = 19,967 Carlsbad citizens and their children are currently being denied useable park land. 19,967 is 17.7% of Carlsbad's current population.**
- In addition to these 19,967 existing citizens and their children denied park land, the City needs to develop additional Park acreage in the NE, SW and SE quadrants to cover current shortfalls in meeting in the minimal 3 acre/1,000 population park standard for the current populations in the NE, SW and SE quadrants.
- **The current NE, SW and SE quadrants park acreage shortfalls are in addition to the 19,967 Carlsbad citizens and their children that do not have the minimum 3 acres of parkland per 1,000 population**
- **Current FY 2018-19 MINIMUM park acreage shortfalls are listed below. They are:**
 - **4.3 acres for 1,433 people in NE quadrant,**
 - **6.8 acres for 2,266 people in SW quadrant, and**
 - **2.3 acres for 767 people in SE quadrant**

Shortfall (excess) in
Current Quadrant
Park standard by

	population		Future Park		existing Park shortfalls are for NE, SW & SE quadrants
	acres	need	acres	%	
NW quadrant	(-14.2)	(-4,733)	107.6	91%	Current NW parks are 14.2 acres over min. standard & capacity for 4,733 more people at min. park standard. 91% of all Future City Parks are in NW quadrant
NE quadrant	4.3	1,433	11.2	9%	Future Park will exceed minimum NE park standard
SW quadrant	6.8	2,266	0	0%	No min. parks for 2,266 people in SW quad. Park deficit
SE quadrant	2.3	767	0	0%	No min. parks for 767 SE quadrant Park deficit

A Park Standard minimum is just a “Minimum”. City policy allows the City to buy/create parks above the City’s current 3 acre/1,000 pop. MINIMUM (and lowest) Park Standard of surrounding Coastal cities. Carlsbad already did this in the NW quadrant. It then added 3.1 more NW quadrant Park acres as part of the Poinsettia 61 Agreement. Poinsettia 61:

- converted 3.1 acres of NW City land planned/zoned for Residential use to Open Space Park land use/zoning,
- facilitated a developer building condos (increasing park demand) in the SW quadrant,
- required the SW Quadrant developer pay \$3 million to build the 3.1 acre NW quadrant park, and
- required the SW Quadrant developer pay to convert 3.1 acres of NW Quadrant & 5.7 acres of SW Quadrant City Park land to habitat that will be unusable as a City Park.

So Poinsettia 61 increased SW Quadrant development (that both increased SW Park Demand and expanded the current SW Quadrant Park deficit) while simultaneously using SW Quadrant development to pay for the conversion of 3.1 acres of residential land in the NW Quadrant to City Park (the NW Quadrant already has surplus park land per the City’s minimum standard).

People for Ponto strongly supports creating City Parks above the City’s current low 3-acre per 1,000 population minimum, as the City’s minimum standard is relatively low and substandard relative to other cities; many Carlsbad parks have significant acreage that is in fact ‘unusable’ as a park. Most importantly People for Ponto Citizens think it is very important to prioritize providing City Parks in areas of Park Inequity that are unserved by City Parks. However it seems very unfair to the SW Quadrant citizens to be so unserved and starved of the bare minimum of City Parks while at the same time funding City Parks in excess of City standard in other Quadrants.

The Poinsettia 61 illustrates a larger unfair (and dysfunctional) distribution of Quadrant based City Park demand and supply that is keenly evident in the demands/supply funding and location disparity of Veterans Park. Most all the development impact and park demand that paid Veterans Park fees came from the SW, SE and NE Quadrants yet the Veterans Park (supply) is not in those SW, SE and NE Quadrants. This inequity is counter to the implicit City requirement that City Parks be provided within the Quadrant of their Park demand. It is logical and proper that City Parks be provided and equitably distributed to be close to the development and population that generated the demand for that Park.

The City Park inequity at Ponto and in other Coastal areas of the City is counter to several CA Coastal Act policies; counter to good city planning and good CA Coastal planning; is highly detrimental to the City, City and CA citizens in the long-term; fails to properly distribute and match the location supply with the location of demand for Parks; and is counter to basic fundamental issues of fairness. Since 2017 People for Ponto has tried to get the City Council and City Staff to address this inequity, specifically at Ponto, and to do so in a way that embraces a true and honest Citizen-based planning process.

Coastal Recreation:

2. Request that the City as part of its Draft LCP Public Review process broadly-publicly disclose to all Carlsbad Citizens the City's acknowledged prior LCPA processing and planning "mistakes" regarding the requirement that the Ponto area be considered as a public park: This disclosure is needed to correct about 20 years of City misrepresentation to the public on the since 1996 and currently Existing LCP requirements at Ponto, and the City's prior planning mistakes at Ponto. Citizens have been falsely told by the City that all the Coastal planning at Ponto was done already and that the City followed its Existing LCP regarding the need for a park at Ponto, and that this is already decided and could not be reversed. This misinformation has fundamentally stifled public review and public participation regarding the Coastal Zone. City failure to provide such a broad-public disclosure on the documented prior, and apparently current proposed, "planning mistakes" would appear to violate the principles of Ca Coastal Act Section 30006. A broad-public disclosure would for the first time allow citizens to be accurately informed on the Existing LCP requirements at Ponto so they can provide informed public review and comment regarding the need for a Coastal Park in in this last vacant 'unplanned' area. The requested broad-public disclosure by the City of the City past mistakes and the Existing LCP requirements at Ponto is consistent with CA Coastal Act (CCA) "Section 30006 Legislative findings and declarations; public participation - The Legislature further finds and declares that **the public has a right to fully participate in decisions affecting coastal planning**, conservation and development; that achievement of **sound coastal conservation and development is dependent upon public understanding and support**; and that the continuing planning and implementation of **programs for coastal conservation and development should include the widest opportunity for public participation.**" The public cannot participate as outlined in CCA Section 30006 if past City 'mistakes' and misrepresentations on Coastal planning at Ponto go undisclosed to the public. If the public isn't fully informed about the 20-years of LCP planning mistakes at Ponto how could the public in the past (and now in the present) participate in the proposed LCP Amendment – **Public Participation as noted in Section 30006 above is the means to sound coastal conservation and development and is "... dependent upon public understanding ..."**. The City's past mistakes at Ponto need to be corrected by slightly different a Draft LCP Amendment process than currently outlined by the City; a new process is needed that clearly, opening and honestly informs and engages the public on the Existing LCP Ponto issues. The City's current Draft LCP Amendment process fails to follow CCA Section 30006 in that most all the citizens we encounter are as yet unaware of the City's Ponto mistakes and how they can participate in in the DLCPA process without that information. We see this daily in conversations we have with our fellow citizens. We even saw at the Oct 20, 2019 Carlsbad Planning Commission meeting that the Planning Commission was unaware of the planning mistakes at Ponto. How can a decision body of the City make a decision without knowing about these prior 'planning mistakes' facts that surround what they are being asked to decide on? Repeatedly since 2017 Carlsbad citizens and People for Ponto have asked the City to fully acknowledge the City's prior flawed planning at Ponto, and to correct that with ether maintaining the Existing LCP Non-residential Reserve Land Use or restarting the Coastal Planning at Ponto with a true and accurately informed Community-based Coastal Planning process consistent with Section 30006.

We request the City during the DLCPA Public Review period broadly and publicly disclose to all Carlsbad Citizens the City's acknowledged prior LCP and other "planning efforts" public participation processing and planning "mistakes" regarding the requirement that the Ponto area be considered as a public park, and 1) provide a truly honest public participation process on that disclosure consistent with CCA Section 30006 as part of the Draft LCP Amendment process or 2) retain the Existing LCP Non-residential Reserve Land Use and require a comprehensive and honest community-based redo of Coastal Resource planning at Ponto.

3. City fully and publicly reply to and the City Council consider the 11-20-19 citizen concerns/requests regarding the City's proposed LCP Amendment process: Lance Schulte on 1/23/20 received an email reply by the City to his follow-up email regarding the status of the 11/20/19 citizen concerns/requests public comments and letters presented to the Planning Commission. This is appreciated, however it is request that the City fully publicly reply to the 11-20-19 citizen concerns/requests regarding the City's proposed LCP Amendment process and present the to the City Council 11/20/19 citizen concerns/requests so the City Council can consider them and provide any direction to City Staff. City Staff first presented a summary presentation of the proposed Draft LCP Amendment to the Carlsbad Planning Commission on November 20, 2019, and indicated the public comment period would close on November in less than 2-weeks. Citizens and citizen groups provided public testimony to the Planning Commission, both verbally and in two written letters. The CCC was copied on those letters. The testimony and letters noted significant concerns about the City's proposed LCP Amendment process and made three requests:
- Disclose and provide a publically accessible 'Redline Version' of the Existing 2016/Proposed LCP land use Plan and Policies so everyone can see the proposed changes to the Existing LCP.
 - Provide true Citizen Workshops on the major remaining vacant Coastal land that still have outstanding Citizen Concern or objections. Citizen Workshops, when done right, are valuable means to openly educate, discuss and work to consensus options. These areas, including Ponto, were/are subject to multiple lawsuits, so true open and honest public workshops would provide an opportunity to openly and honestly discuss the issues and hopefully build public consensus/support for solutions. This approach seems consistent with CCA Section 30006, and common sense.
 - Extend the public comment period 6-months to allow Citizen Review of the Redline Version of the LCPA and allow time for Citizen Workshops.

The City did extend the Public Review period 2-months over the holidays to January 31, 2020. This is appreciated although many think this is inadequate given the significance of the Proposed Land Use Plan Amendments, and lack of Redline Version to compare. The City and their consultants required several extra years beyond schedule prepare the proposed LCP Amendments. The extra years of City Staff work reflects on the volume of the over 500-pages in the documents and the time needed to understand the Existing LCP and then create an Amended LCP. Citizens need sufficient time, proper comparative tools (redline) and a process (workshops) to understand the proposed LCP Amendments that is reflective of extensive extra time needed by City Staff and consultants needed. Truncation of lay public review to a few months for an Amendment that took paid professionals many years to produce seems a more than a bit inappropriate. The City appears to be rejecting citizens' request to be provided a 'Redline Version' of the Existing 2016/Proposed LCP land use Plan. So public review comments will tainted or will miss many issues due having to manually cross-reference a 150-page Existing LCP LUP with a Proposed 350-page Proposed LCP LUP. There will be unknown and unconsidered changes in the Draft LCP Amendment that the public and city and CCC decision makers will not know about due to the lack of 'Redline Version'.

The City also appears to reject citizen requests for true Citizen Workshops on the major remaining vacant Coastal land that still have outstanding Citizen Concern – such as Ponto. Like Coastal Recreation issue #1 above the following citizen requests appear consistent with CA Coastal Act (CCA) Section 30006, and the City's rejection of that requests seem counter to the CA Coastal Act.

We again request of the City to provide: 1) a 'Redline Version' to the public and decision makers, along with sufficient time to review and comment on the 'Redline Version'; and 2) true Citizen Workshops for Ponto and the

other last remaining significant vacant Coastal lands in Carlsbad as part of the Draft LCP Amendment process, or as part of deferred LCP Amendment process for those areas.

4. Coastal Zoned land is precious: the very small amount of remaining vacant Coastal land should be reserved for “High-Priority” Coastal Recreation Land Uses under the CA Coastal Act to provide for the growing and forever ‘Buildout’ needs of Carlsbad and CA Citizens, and our visitors.
 - Less than 1.8% (76 square miles) of San Diego County’s 4,207 square miles is in Coastal Zone. This small area needs to provide for all the forever Coastal needs of the County, State of CA, and Visitors. Upland Coastal Recreation (Coastal Park) land use is needed to provide land to migrate the projected/planned loss of “High-Priority” Coastal Recreation land uses due to Sea Level Rise impacts. There is only 76 miles of total coastline in San Diego County; a significant amount is publicly inaccessible military/industrial land. So how the last few portions of Coastal Land within Carlsbad (which is about 8% of San Diego County’s Coastline) is planned for the forever needs for High-Coastal-Priority Recreation Land Use is critical for Carlsbad, San Diego, and California Statewide needs into the future.
 - Most all the developable Coastal land in Carlsbad is already developed with Low-Coastal-Priority residential uses. Only a very small percentage of Carlsbad’s developable Coastal land, maybe 1-2%, is still vacant. This last tiny portion of fragment of vacant developable Coastal Land should be documented in the Draft LCP and reserved for “High-Priority” Coastal Land uses – most critically Coastal Recreation – to address the growing Coastal Recreation needs from a growing population and visitors. These growing needs are all the more critical in that existing Coastal Recreation lands will be decreasing due to inundation and erosion due to DLCPA planned Sea Level Rise.
 - This image of the western half of San Diego County graphically shows (in the blue line) the very small Coastal Zone Area that needs to provide the Carlsbad’s and California’s Coastal Recreational needs for all San Diego County residents and Visitors:



We request that 1) the amount and location of remaining vacant Coastal land in Carlsbad be documented and mapped and be reserved for high-priority Coastal Land Uses consistent with CCA Goals in Section 30001.5 “... (c) ... **maximize public recreational opportunities in the coastal zone** consistent with sound resources conservation principles and constitutionally protected rights of private property owners. (d) **Assure priority for coastal-dependent and coastal-related development over other development on the coast.** ...”; 2). This data be used in the City’s analysis and the public’s review and discussion about the City’s proposed Draft ‘Buildout’ Land Use Plan. The City’s proposed Draft ‘Buildout’ Land Use Plan will forever lock in the amount “maximum public recreational opportunities in the coastal zone” and will be the final Coastal Land Use Plan that is supposed to “assure priority for coastal-dependent and coastal-related development over other development on the coast”. Most of Carlsbad’s Coastal Zone is already developed or committed to low-priority land uses contrary to these CCA Goals, so how we finally and forever plan to use of the last small remaining vacant Coastal Land is very important.

5. The proposed Draft LCP Amendment in Chapter 3 makes unfounded statements regarding the proposed Amendment to the LCP Land Use Plan provision of “High-Priority” Coastal Recreation land use: On page 3-3, at the beginning of the Chapter 3 – Recreation and Visitor Serving Uses the City correctly states that the CA Coastal Act (CCA) places a high priority on maximizing Recreation uses, and cites multiple CCA Sections to that effect. The City’s proposed Coastal Land Use Plan then states on page 3-5 that a high proportion of land in the City is dedicated open

space available for passive and active use, yet provides no justification or accurate metric to support this statement. This is a critical unsubstantiated and speculative statement that is not supported by any comparative data (justifying the “high proportion” statement). The City later in Chapter 3 compared the adjoining cities of Oceanside and Encinitas to try to show how the proposed Draft LCP LUP Amendment provides higher levels of Visitor Serving Accommodations. That ‘non-common denominator’ comparison was fundamentally flawed, as noted in a prior separate Draft LCPA public review comment from People for Ponto regarding another high-priority Coastal land use (visitor accommodations) planned for in Chapter 3, but at least it was an attempt to compare. However, for the Coastal Recreation portion of Chapter 3, the City does not even attempt to provide any comparative data to support (or justify) the proposed Coastal Recreation Land Use Plan and statements. The Coastal Recreation Chapter also fails to disclose Carlsbad’s adopted City Park Master Plan (Park Service Area and Equity map) data that shows a clear conflict between the CA Coastal Act Policy Sections noted at the beginning of Chapter 3 and Chapter 3’s proposed Draft Coastal Recreation Land Use Plan.

Comparative Coastal Recreation: Comparing the Land Use Plan and policies of Oceanside, Carlsbad and Encinitas, one finds Carlsbad’s proposed Coastal Recreational Plan and Policies are not “high”, but very low compared with Oceanside and Encinitas. Carlsbad has a General Plan Park Standard of 3 acres of City Park per 1,000 Population. Oceanside has a 5 acres of City Park Standard per 1,000 population, and Encinitas has a 15 acres per 1,000 population standard, and an in-lieu park fee requirement of 5 acres per 1,000 population. Carlsbad’s proposed Coastal Recreation Land Use Plan is in fact not ‘high’ but is in fact the lowest of the three cities, with Carlsbad providing only 40% of Oceanside’s park standard, and only 20% of Encinitas’s Park Standard. Citywide Carlsbad currently has 2.47 acres of developed park per 1,000 population, Oceanside currently has 3.6 acres of developed park per 1,000 population, and Encinitas currently has 5.5 acres of developed park per 1,000 population. Although this data is citywide, it shows Carlsbad’s current amount of developed parkland is less than 70% of what Oceanside currently provides, and less than 45% of what Encinitas currently provides. Carlsbad is not currently providing, nor proposing a Coastal Land Use Plan to provide, a ‘high’ proportion of Coastal Recreation Land Use compared to Oceanside and Encinitas.

On page 3-5 Carlsbad may be misrepresenting city open space that is needed and used for the preservation of federally endangered species habitats and lagoon water bodies. This open space Land cannot be Used for Coastal Recreation purposes; and in fact Land Use regulations prohibit public access and Recreational Use on these Lands and water bodies to protect those endangered land and water habitats. 78% of Carlsbad’s open space is “open space for the preservation of natural resources” and cannot be used for Coastal Parks and Recreational use. Although “open space for the preservation of natural resources” does provide scenic or visual amenity, and this amenity is addressed as a different coastal resource. Visual open space is not Coastal Recreation Land Use. It appears Carlsbad is proposing in the Draft LCP Amendment to continue to, providing a ‘low’ percentage of Coastal Park Land Use and Coastal Recreation Land Use compared to adjoining cities.

In addition to the comparatively low amount of Coastal Park land Carlsbad plans for, Carlsbad scores very poorly regarding the equitable and fair distribution and accessibility of Coastal Parks and Coastal Recreation Land Uses. Both the City of Oceanside and Encinitas have very robust and detailed Park and Land Use plans to promote an equitable distribution of, and good non-vehicular accessibility, to their Coastal Parks. By comparison, Carlsbad’s park land use plan scores poorly, as exemplified in Ponto and South Carlsbad. Ponto’s existing population requires about 6.6 acres of City Parkland per Carlsbad’s low 3 acres per 1,000 population standard. Yet the nearest City Park is several miles away and takes over 50 minutes to walk along major arterial roadways and across Interstate 5 to access. As such this nearest park is not an accessible park for Ponto children, and thus Ponto children have to play in

our local streets to find a significantly large open area to play in. Ponto residents have to drive their kids to get to a park increasing VMT and GHG emissions. The City’s proposed Coastal Recreation Land Use Plan ‘solution’ to Ponto’s no-park condition, along with the City’s need to add an additional 6.5 acres of new City parks in Southwest Carlsbad to comply with the Southwest Carlsbad’s 2012 population demand (at a ratio of 3-acre/1,000 population) is to provide a City Park – Veterans Park – over 6-miles away from the Ponto and Southwest Carlsbad population need. This makes a bad situation worse. The City’s proposed location is totally inaccessible to serve the needs of the population of children or anyone without a car, that it is intended to serve in South Carlsbad. This City proposed Coastal Recreation Land Use Plan ‘solution’ seems inappropriate and inconsistent with the CA Coastal Act and common sense. During the City’s Veterans Park and budget community workshops citizens expressed a desire for a Ponto Park to be the solution to our Ponto and Southwest Carlsbad Park deficits. Those citizen requests were not apparently considered as part of the City’s proposed Draft Coastal Recreation Land Use Plan. Following is an image summarizing the magnitude of citizen needs/desires expressed at the City’s Budget workshop. Note the number and size of the text citing Ponto Park and South Carlsbad that reflects the number and magnitude/intensity of citizen workshop groups’ input. The failure to acknowledge this public participation and data in the Coastal Recreation Land Use Plan Park seems in conflict with CCA Sections 30006 and 30252(6):



For South Carlsbad there is a complete lack of any existing or planned City Coastal Park and park acreage west of I-5, while North Carlsbad has 9 existing and 1 planned City Coastal Parks totaling 37.8 acres of City Coastal W of I-5 North Carlsbad. Not only is this unfair to South Carlsbad, it is also unfair to North Carlsbad as it increases VMT and parking impacts in North Carlsbad because South Carlsbad is not providing the City Coastal Parks for South Carlsbad resident/visitor demands. This City Park disparity is shown on Figure 3-1 of the Coastal Recreation Land Use Plan;

however it more accurately illustrated in the following data/image from the adopted Carlsbad Park Master Plan's "Service Area Maps (Equity Maps)". The image below titled 'No Coastal Park in South Carlsbad' shows Carlsbad's adopted "Park Service Area Maps (Equity Maps)" from the City's Park Master Plan that says it maps "the population being served by that park type/facility." The added text to the image is data regarding park inequity and disparity in South Carlsbad. The image compiles Carlsbad's adopted Park "Park Service Area Maps (Equity Maps)" for Community Parks and Special Use Area Parks that are the City's two park acreage types produced by the City's comparatively low standard of 3 acre of City Park per 1,000 population. The City's Park Service Area Maps (Equity Maps) shows areas and populations served by parks within the blue and red circles. City data clearly shows large areas of overlapping Park Service (areas/populations served by multiple parks) in North Carlsbad and also shows large areas in South Carlsbad with No Park Service (areas/populations unserved by any parks) and Park Inequity in South Carlsbad. It clearly shows the City's Documented Park Need and Park inequity at Ponto. The Existing LCP LUP for Ponto's Planning Area F in is required to "consider" and "document" the need for a "Public Park". The City's adopted Park Service Area Maps (Equity Maps) clearly shows the inequity of Coastal City Park between North and South Carlsbad, and the need for Coastal Parks in South Carlsbad – particularly at Ponto. The City's proposed Draft 'Buildout' Coastal Recreation Land Use Plan instead proposes to lock-in documented City Public Coastal Park inequity and unserved Coastal Park demand at Ponto and South Carlsbad forever. It does so by proposing the last vacant undeveloped/unplanned Coastal land – Ponto Planning Area F - in the unserved Ponto and South Carlsbad coastline areas instead of being planned for much needed City Park and Coastal Recreation use be converted to even more low-priority residential and general commercial land uses. These 'low-priority' residential uses, by the way, further increase City Park and Coastal Recreation demand and inequity in Coastal South Carlsbad. This is wrong, and a proposed 'forever-buildout' wrong at the most basic and fundamental levels. The proposed Draft Coastal Recreation Land Use Plan by NOT providing documented needed City parks for vast areas of Coastal South Carlsbad is inconsistent with the CA Coastal Act policies and Existing LCP LUP requirements for Ponto Planning Area F; and also inconsistent with fair/equitable/commonsense land use and park planning principles, inconsistent with CA Coastal Commission social justice goals, inconsistent with social equity, inconsistent with VMT reduction requirements, and inconsistent with common fairness. A different Coastal Recreation Land Use Plan should be provided that provides for a socially equitable distribution of Coastal Park resources so as to would allow children, the elderly and those without cars to access Coastal Parks. The proposed Draft 'Buildout' Coastal Recreation Land Use Plan forever locking in the unfair distribution of City Parks appears a violation of the not only CCA Sections 30213, 30222, 30223, and 30252(6) but also the fundamental values and principles of the CA Coastal Act. The Draft also appears a violation of Carlsbad's Community Vision.

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away



A different Coastal Recreation Land Use Plan is required to provide a more equitable distribution of City Parks with non-vehicular accessibility. Such a different plan would advance State and City requirements to reduce vehicle Miles Traveled (VMT) and greenhouse gas emissions that contribute to climate change and sea level rise impacts. Please note that the data for the above basic comparison comes from City of Carlsbad, Oceanside and Encinitas General Plan and Park Master Plan documents.

Data shows the proposed Coastal Recreation Plan conflicts with the CA Coastal Act policy Sections. As mentioned page 3-3 correctly states that the CA Coastal Act (CCA) places a high priority on maximizing Recreation Land Uses, and pages 3-5 list multiple CA Coastal Act (CCA) policy Sections that confirm this. However, given the significant statewide importance of Coastal Recreation Land Use, the City proposed 'Buildout' Coastal Recreation Land Use Plan does not appear to adequately address and implement these CCA Policies, and most noticeably in the Ponto area of South Carlsbad. Coastal Recreation is a significant Statewide High-Priority Land Use under the CCA. For a substantially developed non-coastal-industry city like Carlsbad Coastal Recreation is likely the biggest land use issue. This issue is even more elevated due to the fact that there are only a few small areas left of undeveloped Coastal land on which to provide Coastal Recreation, and Carlsbad is proposing a Coastal 'Buildout' Land Use Plan on those areas. The use of the last few remaining vacant portions of Coastal land for Coastal Recreation Land Use is the most important land use consideration in the proposed Draft LCP Land Use Plan Amendment as population and visitor growth will increase demands for Coastal Recreation. It is thus very surprising, and disturbing that the proposed Coastal Recreation Land Use Plan is so short, lacks any comparative and demand projection data, lacks any resource demand/distribution and social equity data, and lacks any rational and clear connection with CCA Policy and the proposed 'Buildout' Coastal Land Use plan. This is all the more troubling given that:

- The Ponto area represents the last significant vacant undeveloped/unplanned land near the coast in South Carlsbad that can provide a meaningful Coastal Park.
- The fact that the City's Existing LCP requires the city consider and document the need for a "i.e. Public Park" on Ponto's Planning Area F prior to the City proposing a change of Planning Area F's "Non-residential

Reserve” land use designation. The City has repeatedly failed to comply with this LCP LUP requirement, and worse has repeatedly failed to honestly inform citizens of this LCP LUP requirement at planning Area F before it granted any land use. The City, apparently implementing speculative developer wishes, has repeatedly proposed changing Planning Area F’s Coastal Land Use designation to “low-priority” residential and general commercial land uses without publically disclosing and following the Existing LCP LUP.

- The City’s currently developed parks in the southern portion of the City do not meet the city’s comparatively low public park standard of only 3 acres per 1,000 population. Since 2012 there has been City park acreage shortfall in both SW and SE Carlsbad.
- The Existing population of Ponto (west of I-5 and south of Poinsettia Lane) requires about 6.6 acres of Public Park based on the City’s comparatively low public park standard of 3 acres per 1,000 population. There is no Public Park in Ponto. Adding more population at Ponto will increase this current park demand/supply disparity.
- Carlsbad and other citizens have since 2017 expressed to the City the strong need for a Coastal Park at Ponto, and requested the City to provide a true citizen-based planning process to consider the Public Park need at Ponto. The Citizens’ requested process is fully in-line with CCA Goals, Public Participation Policy, Land Use Policies, and the Existing LCP Land Use Plan/requirements for Planning Area F and is the most appropriate means to consider and document the need for a Public Park at Ponto as required by the Existing LCP Land Use Plan.
- Planning Area F is for sale, and a non-profit citizens group has made an offer to purchase Planning Area F for a much needed Coastal Park for both Ponto and inland South Carlsbad residents and visitors. How should these facts be considered by the City and CCC?
- Carlsbad has no Coastal Parks west of I-5 and the railroad corridor for the entire southern half of Carlsbad’s 7-mile coastline.
- The southern half of Carlsbad’s coastline is 5.7% of the entire San Diego County coastline and represents a significant portion of regional coastline without a meaningful Coastal Park west of I-5 and the Railroad corridor.
- The City’s proposed Coastal Recreation Land Use Plan provides No Documentation, No Rational, and No Supporting or Comparative Data to show the proposed Coastal Recreation Land Use Plan in fact complies with the CA Coastal Act.

6. There is no Coastal Recreation/Park west of interstate 5 for all South Carlsbad, or half of the entire City. This is an obviously unfair and inequitable distribution of Coastal Recreation/Park resources that should be corrected by changes to the Draft LCP Land Use Amendment: The following image (which was sent to the City and CCC on several prior communications) was first requested by former Carlsbad Councilman Michael Schumacher during a People for Ponto presentation/request at the Oct 23, 2018 City Council meeting. The data compiled in the image shows how the South Coastal Carlsbad (Ponto) is not served by a Park per the City’s adopted Parks Master Plan. The blue dots on the map are park locations and blue circle(s) show the City’s Park Master Plan adopted Park Service Areas and Park Equity. This data, from pages 87-88 of the City of Carlsbad Parks Master Plan, shows all City Parks (both Community Parks and Special Use Areas in Coastal Carlsbad (except Aviara Park east of Poinsettia Park and west of Alga Norte Park). The text on the left margin identifies the South Carlsbad Coastal Park (west of I-5) gap along with the number of South Carlsbad Citizens (over half the City’s population) without a Coastal Park. The left margin also identifies more local issues for the over 2,000 Ponto area adults and children. For Ponto residents the nearest Public Park and City proposed ‘solution’ to the South Carlsbad and Ponto Public Park deficit are miles away over high-speed/traffic roadways and thus somewhat hazardous to access and effectively unusable by children/the elderly or

those without cars. Having been a 20-year resident of Ponto I regularly see our children have to play in the street as there are no Public Park with large open fields to play at within a safe and under 1-hour walk away. Ponto citizens have submitted public comments regarding this condition and the lack of a Park at Ponto

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

Special Use Areas Map
Approved by the Board of
S.U.A. Resolution 17-001 (10/20/17)

Carlsbad, California
Parks and Recreation
Recreation and Park Plan

There is no Coastal Park to serve South Carlsbad Citizens/Visitors/Businesses. There are 10 Coastal Parks in North Carlsbad. The lack of Coastal Parks in South Carlsbad seems both unfair to South Carlsbad Citizens/Visitors/Businesses; and is unfair to North Carlsbad by forcing congestion into North Carlsbad & Encinitas/Solana Beach where there are Coastal Parks.

Map of the City of Carlsbad, California
Legend: City Boundary, Coastal Park, Water Body, Highway, Coastal Boundary

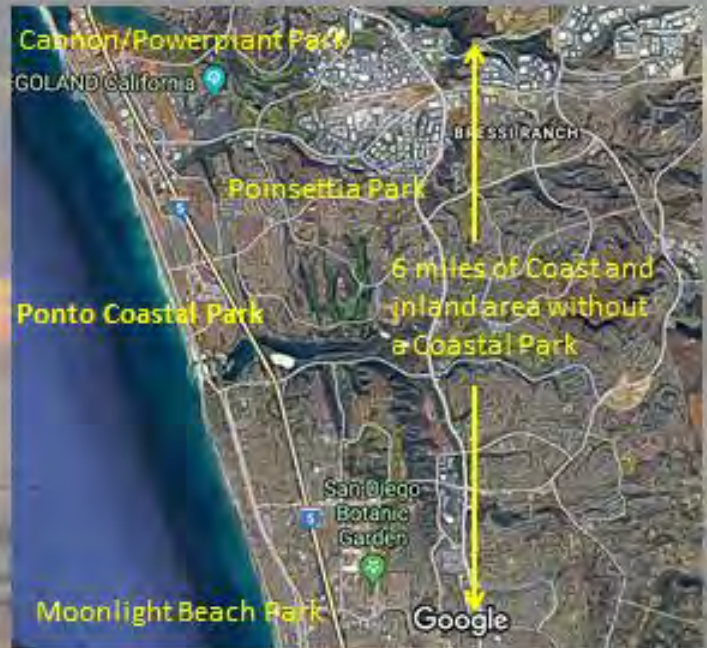
Scale: 1 inch = 1 mile
Date: 1/1/2018

Ponto is at the center of regional 6-mile Coastal Park Gap. A Coastal Park in this instance being a Public Park with practical green play space and a reasonable connection with the Coast (i.e. located west of the regional rail and Interstate-5 corridors). The following image shows this larger regional Coastal Park Gap centered on the Ponto Area, and the nearest Coastal Parks – Cannon Park to the north, and Moonlight Park to the south.

Regionally this image shows Ponto is the last remaining significant vacant Coastal land that could accommodate a Coastal Park to serve the Coastal Park current needs of over existing 2,000 Ponto residents, 64,000 existing South Carlsbad residents, and a larger regional population. It is also the only area to serve the Coastal Park needs for the thousands of hotel rooms in Upland Visitor Accommodations in South Carlsbad.

How Ponto Serves Region

- Ponto is in the middle of the regional Coastal Park Gap
- A Ponto Coastal Park fills a critical 6 mile gap of coastline without a Coastal Park - 8.6% of SD County coastline
- A Ponto Coastal Park Serves over 26,000 homes & 64,000 citizens just in South Carlsbad without a Coastal Park
- Serves many more people outside Carlsbad

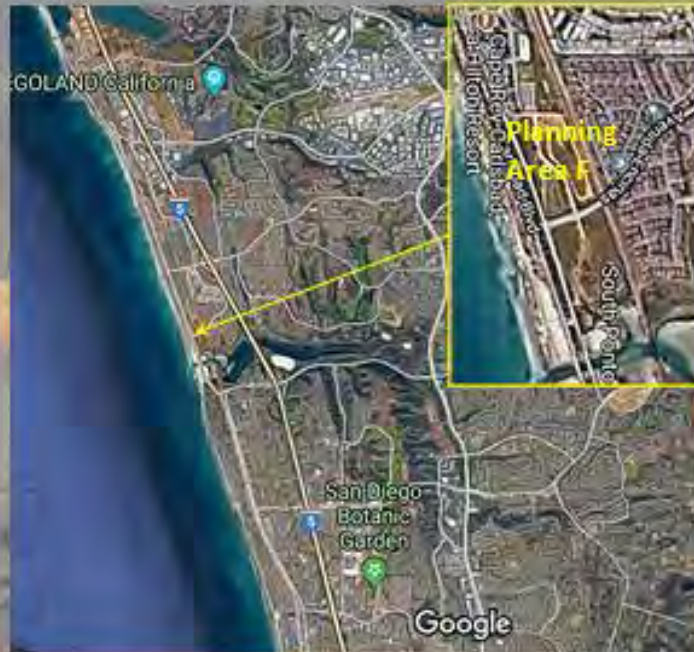


As People for Ponto first uncovered and then communicated in 2017 to the City and CCC; Carlsbad’s Existing (since 1994) Local Coastal Program LUP currently states (on page 101) that Ponto’s Planning Area F: carries a Non-Residential Reserve (NRR) General Plan designation. Carlsbad’s Existing Local Coastal Program Land Use Plan states: “Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an “unplanned” area ...” and requires that: “... **As part of any future planning effort, the City and Developer must 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.**” CA Coastal Commission actions, Carlsbad Public Records Requests 2017-260, 261, and 262, and 11/20/19 City Planner statements confirm the City never fully communicated to Carlsbad Citizens the existence of this LCP requirement nor did the City comply with the requirements. Of deep concern is that the City is now (as several times in the past) still not honestly disclosing to citizens and implementing this Existing LCP requirement as a true and authentic ‘planning effort’. The lack of open public disclosure and apparent fear of true public workshops and Public Comment about the Existing Planning Area F LCP requirements are troubling. The point of a ‘planning effort’ is to openly and publically present data, publically discuss and explore possibilities/opportunities, and help build consensus on the best planning options. Citizens are concerned the city has already made up its mind and there is no real “planning effort” in the proposed Draft LCP Amendment process, just a brief Staff Report and at the end provide citizens 3-minutes to comment on the proposal. This is not the proper way to treat the last remaining significant vacant land in South Carlsbad that will forever determine the Coastal Recreation environment for generations of Carlsbad and California citizens and visitors to come.

The following data/images show how Ponto is in the center of the 6-mile (west of I-5 and Railroad corridor) regional Coastal Park gap. Ponto is the last remaining vacant and currently “unplanned” Coastal land that is available to address this regional Coastal Park Gap.

How Ponto Serves Region cont.

- **Relieves Coastal Park congestion** in North Carlsbad, Encinitas and Solana Beach
- Area currently needs Coastal Park as seen by:
 - Ponto Beach parking congestion
 - current trespass use of Planning Area F as a Park
- **6.6 acre portion of Planning Area F** addresses SW Quad City Park deficit



How Ponto Serves Region cont.

- A Ponto Park helps address 2050 and beyond Regional Population and Visitor Growth demands for Coastal Parks
- A Ponto Park provides the lowest-cost coastal access and recreation opportunities for CA citizens and visitors



How Ponto Serves Region cont.

- Vital park and open space amenity for Visitor serving businesses and accommodations
- 6.6 acre unique City Coastal Park venue to stage special events: Runs, bike rides, triathlons, sports, coastal festivals, etc.



How Ponto Serves Region cont.

- Critical Park space for So. Carlsbad State Beach Campground
- Provides a big training and staging space for Junior lifeguards
- Dog walk trail

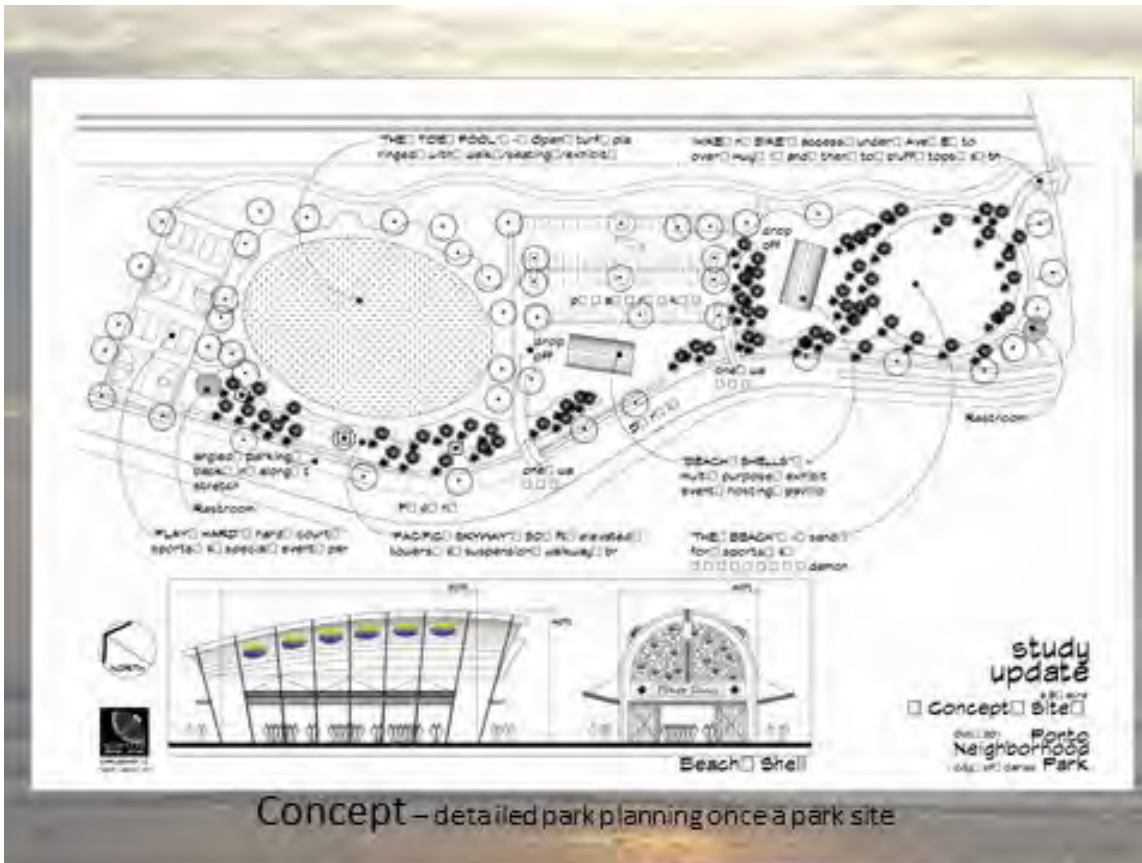


Ponto Coastal Park Concept

- A concept – but shows potential recreational opportunities
- Provides **vital parkland support for beach & open play fields**
- Concept plan a gift from San Pacifico Community Association



One possible Concept image of a potential Ponto Coastal Park at Planning Area F is illustrated below. The potential for a Ponto Coastal Park is real. The speculative land investment fund (Lone Star Fund #5 USA L.P. and Bermuda L.P.) that currently owns Planning Area F is selling the property, and is available for the City of Carlsbad to acquire to address the documented demand/need for a City Park and City Park inequity at Ponto and in Coastal South Carlsbad. A Ponto Beachfront Park 501c3 is working to acquire donations to help purchase the site for a Park. These situations and opportunities should be publicly discussed as part of the City Staff's proposed Local Coastal Program Land Use Plan Amendment.



Concept – detailed park planning once a park site

7. Projected increases in California, San Diego County and Carlsbad population and visitor growth increases the demand for High-Priority-Coastal Recreation land use:

- Increasing Citizen demand for Coastal Recreational land needs to be addressed with increased Coastal Recreation land:

San Diego County Citizen Population - Source: SANDAG Preliminary 2050 Regional Growth Forecast

1980	1,861,846
1990	2,498,016
2000	2,813,833
2010	3,095,313
2020	3,535,000 = 46,500 Citizens per mile of San Diego County coastline
2030	3,870,000
2040	4,163,688
2050	4,384,867 = 57,700 Citizens per mile of San Diego County coastline

2020 to 2050 = 24% increase in San Diego County population.

Citizen Population will continue beyond 2050. Carlsbad may plan for 'Buildout' in 2050, but what is San Diego County's 'Buildout'? There is a common-sense need to increase the amount of Coastal Recreation Land Use in the Proposed LCP Amendment to the Land Use Plan for this growing population. If we do not increase our supply of Coastal Recreational Resources for these increased demands our Coastal Recreation Resources will become more overcrowded, deteriorated and ultimately diminish the Coastal Recreation quality of life for Citizens of Carlsbad and California. Ponto sits in the middle of an existing 6-mile regional Coastal Park Gap (no Coastal Park west of Interstate 5) and there is No Coastal Park in all of South Carlsbad to address the Coastal Recreation needs of the 64,000 South Carlsbad Citizens.

- Increasing Visitor demand for Coastal Recreational land needs to be addressed with increased Coastal Recreation land:

Yearly Visitors to San Diego County – source: *San Diego Tourism Authority; San Diego Travel Forecast, Dec, 2017*

2016	34,900,000
2017	34,900,000
2018	35,300,000
2019	35,900,000
2020	36,500,000 = average 100,000 visitors per day, or 2.83% of County’s Population per day, or 1,316 Visitors/coastal mile/day in 2020
2021	37,100,000
2022	37,700,000

This is growth at about a 1.6% per year increase in visitors. Projecting this Visitor growth rate from 2020 to 2050 results in a 61% or 22,265,000 increase in Visitors in 2050 to:

2050	58,765,000 = average 161,000 visitors per day, or 3.67% of the County’s projected 2050 Population per day, or 2,120 Visitors/coastal mile/day in 2050.
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The number of Visitors is likely to increase beyond the year 2050. There is a common-sense need to increase the amount of Coastal Recreation Land Use in the Proposed LCP Amendment to the Land Use Plan for these projected 2050 61% increase, and beyond 2050, increases in Visitor demand for Coastal Recreational Resources. Increasing Coastal Recreation land is a vital and critically supporting Land Use and vital amenity for California’s, the San Diego Region’s and Carlsbad’s Visitor Serving Industry. Ponto sits in the middle of an existing 6-mile regional Coastal Park Gap (no Coastal Park west of Interstate 5). There are thousands of hotel rooms in South Carlsbad that have NO Coastal Park to go to in South Carlsbad. This needs correcting as both a Coastal Act and also a City economic sustainability imperative.

- We request that the as part of the public’s review, the City Staff proposed Draft LCP Amendment to the Land Use Plan clearly document if and/or how future forever ‘Buildout’ City, Regional and Statewide population and visitor population demand for Coastal Recreation and City Coastal Parks are adequately provided for both in amount and locational distribution in the Carlsbad proposed Amendment of the LCP Land Use Plan.

8. Carlsbad’s Draft Local Coastal Program Land Use Plan Amendment says it plans to a year 2050 buildout of the Coastal Zone. The Draft Local Coastal Program Land Use Plan Amendment then is the last opportunity to create a Coastal Land Use Plan to provide “High-Priority” Coastal Recreation Land Use, and will forever impact future generations of California, San Diego County, and Carlsbad Citizens and Visitors:

- The Draft LCPA indicates in 2008 only 9% of All Carlsbad was vacant land. Less is vacant now in 2019. Carlsbad’s Coastal Zone is 37% of the City, so vacant unconstrained land suitable for providing Coastal Recreation is likely only 3-4%. The prior request for a full documentation of the remaining vacant Coastal lands will provide a better understanding needed to begin to make the final ‘buildout’ Coastal Land Use Plan for Carlsbad. The Draft LCPA does not indicate the amount and locations of currently vacant unconstrained Coastal Land in Carlsbad. This final limited vacant land resource should be clearly documented and mapped in the DLCPA as it represents the real focus of the DLCPA – the Coastal Plan for these remaingn undeveloped

lands. These last remaining vacant lands should be primarily used to provide for and equitably distribute “High-Priority” Coastal Recreation Land Uses consistent with CCA Sections:

- i. Section 30212.5 “... Wherever appropriate and feasible, public facilities, including parking areas or facilities, **shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.**”;
- ii. Section 30213 “... **Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...**”;
- iii. Section 30222 “**The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development,** but not over agriculture or coastal-dependent industry.”
- iv. Section 30223 “**Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible**” ,
- v. Section 30251 ... The location and amount of new development should maintain and enhance public access to the coast by ... 6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by **correlating the amount of development with local park acquisition** and development plans with the provision of onsite recreational facilities to serve the new development”

Adopted City Park Service Area and Park Equity maps discussed earlier document the proposed Draft LCP Amendment’s inconstancy with the above CCA Policy Sections. The locations and small amounts remaining vacant Coastal lands provide the last opportunities to correct the inconsistencies of City proposed Draft “buildout” LCP Land Use Plan Amendment with these Coastal Act Policies.

Currently and since 1996 there has been LCP LUP Policy/regulations for Ponto Planning Area F that require consideration of a “Public Park” prior to changing the existing “unplanned Non-residential Reserve” Land Use designation. A map and data base of vacant developable Coastal land should be provided as part of the Draft LCPA and the Draft LCPA. This map and data base should document the projected/planned loss of Coastal land use due to Sea Level Rise. Draft LCPA projects Sea Level Rise will eliminate several beaches and High-Priority Coastal Land Uses like Coastal Lagoon Trails and the Campground.

- The LCP Land Use Plan should plan and reserve the very limited vacant developable Coastal land for the long-term ‘Buildout’ needs of “High-Priority” Coastal Recreation Land Use. Vacant developable Coastal land is too scarce to be squandered for “low-priority” uses. Sea Level Rise will reduce “High-Priority” Coastal Uses. So how vacant developable Upland area should be preserved for “High-Priority” Coastal Uses is a key requirement to be fully documented and discussed in the Draft LCPA. If not one of two things will eventually happen 1) any new Coastal Park land will require very expensive purchase and demolition of buildings or public facilities to create any new Coastal Park land to meet existing and growing demand; or 2) Coastal Recreation will be hemmed-in by “low-priority” uses and thus force Coastal Recreation to decrease and become increasingly concentrated and overcrowded in its current locations; and thus will promote the eventual deterioration of our current Coastal Recreation resources. A plan that fails to fix Coastal Park deficits and then increase Coastal Parks in pace with increased population/visitor demand is a plan that can

only result in degradation. How the Draft LCPA documents and addresses the land use planning of the last small portions of vacant developable Coastal land is critical for the future and future generations.

9. Citizens of South Carlsbad are concerned about the City's multiple prior flawed Ponto planning processes or 'mistakes' the City has made yet is basing the City Staff's proposed Draft LCP LUP. The concerns being the City is not openly and honestly communicating information to citizens and the public, and not allowing a reasonable and appropriate community-based planning process to address the documented Park, Coastal Recreation and unconstrained open space needs in South Carlsbad. One of these groups of citizens has created a www.peopleforponto.com website to try to research and compile information and hopefully provide a better means for citizens to understand facts and then express their concerns/desires to the City of Carlsbad (City) and CA Coastal Commission (CCC). Over 2,000 emails have sent to the City and CCC regarding Coastal Land Use Planning Issues at Ponto. The San Pacifico Planned Community (i.e. San Pacifico Community Association) has also, since 2015, sent numerous emailed letters to the City and CCC noting the significant concerns about changes in Coastal planning the City is proposing for our Planned Community.

Repeatedly over 90% of surveyed citizens (results emailed prior to both the City and CCC) have expressed the vital need and desire for a Coastal Park at Ponto to serve the current and future Coastal Recreation needs for all both Ponto and South Carlsbad and for larger regional and State Coastal Recreational needs. This desire is supported by data, CA Coastal Act Policy, and also Carlsbad's Community Vision – the foundation for the City's General Plan. Ponto is the last remaining vacant Coastal area available to provide for those needs in South Carlsbad and for a regional 6-mile stretch of coastline. Citizens have expressed deep concern about the City's flawed prior Coastal planning efforts for Coastal Recreation at Ponto, including two repeated LCP Amendment "mistakes" (Ponto Beachfront Village Vision Plan in 2010 and General Plan Update in 2015) when the City twice failed to publicly disclose/discuss and then follow the Existing LCP requirements at Ponto – specifically for Planning Area F. People for Ponto had to use multiple Carlsbad Public Records Requests in 2017 to find these "mistakes". CCC Staff was helpful in both confirming the City "mistakes" and communicating back to the City. As citizens we are still unclear as to how/why these two repeated "mistakes" happened. There is citizen concern that the City is again repeating these two prior "mistakes" by not at the beginning of the Public Comment Period clearly and publicly disclosing the Planning Area F LCP requirements to citizens as part of the current LCP Amendment process, and also by not implementing the existing LCP requirement PRIOR to proposing an Amended Coastal Land Use Plan for Ponto. The City in its proposed LCP Amendment process is putting-the-cart-before-the-horse with respect to honest and open consideration, documentation and public discussion of the need for high-priority Coastal Recreation land use required of Planning Area F at Ponto. The City is also not clearly letting all Carlsbad citizens know about the Existing LCP requirements for Ponto's Planning Area F so they can be informed to reasonably participate in public review and comment regarding amending that LCP requirement, and the need for Coastal Recreation land uses in South Carlsbad. Since 2017 there has been repeated citizen requests to the City (copies were provided to the CCC) to fix these multiple fundamental/foundational flaws by in the City's prior Coastal Recreation and Public Parks and Open Space at planning, and the currently Proposed Draft LCP Land Use Plan Amendment. Since 2017 there have also been repeated citizen requests to the City to provide a truly open, honest, inclusive community-based planning process and workshops with the accurate and honest information, prior to forming a proposed Draft LCP Land Use Plan Amendment. As citizens we believe we can constructively work with the City and CCC towards a consensus or viable options on these important Coastal Recreation issues if the City allows and encourages such an open, honest and inclusive process. We request the City respond to the requests submitted to the City since 2017, and again request such a process from the City before any LCP Amendment is first considered by the Planning Commission and City Council. Such a requested process benefits all.

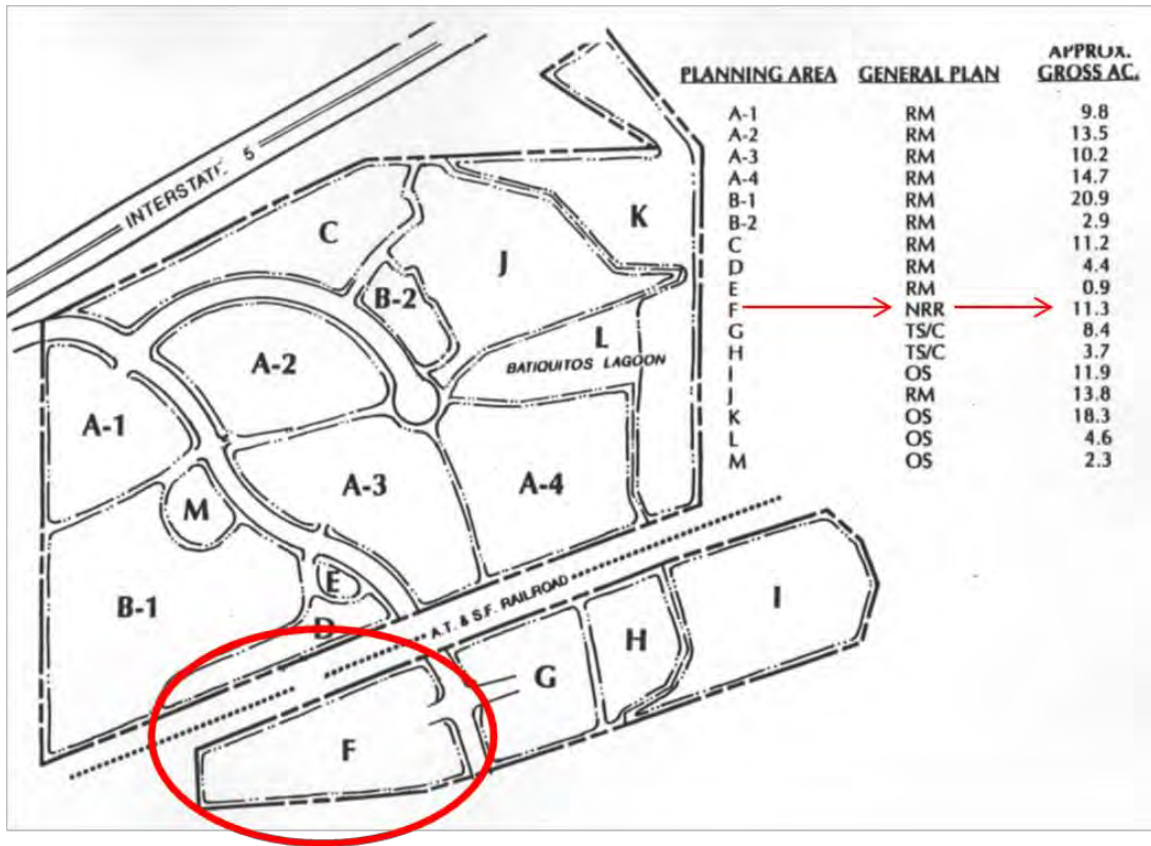
10. Why the Draft LCPA Land Use Plan for Ponto should provide for the current and future Coastal Park and Recreation needs for South Carlsbad, the San Diego Region and California.

- Ponto, is one of last remaining vacant and undeveloped Coastal lands in North County
- Ponto is the last remaining undeveloped Coastal land in South Carlsbad
- Ponto has the last unplanned Planning Area of the Existing Poinsettia Shores Planned Community & Local Coastal Program that can be planned for high-priority Coastal Recreation land use. This Existing LCP requires Planning Area F be considered for a “Public Park”.
- Following is a map of the Ponto area in South Carlsbad:



Following is the LCP Land Use map from the Existing Poinsettia Shores Master Plan & Local Coastal Program adopted in 1996. This is the Land Use map that the City is proposing to change in the proposed LCP Amendment to the Land Use Plan. As the Existing LCP Land Use map shows most all the land is ‘low-priority’ residential use at an RM Residential medium density, a small portion is ‘high-priority’ Visitor Serving TC/C Tourist Commercial. Most all the

Open Space is constrained and undevelopable land (the steep CSS habitat bluffs above Batiquitos Lagoon) or water (the lagoon water). This land/water is owned by the State of California, like the inner lagoon east of I-5. Only Planning Area M at 2.3 acres is unconstrained Open Space and it provides a small private internal recreation facility for the approximately 450 homes and 1,000 people in the Planned Community. This small recreation area is a City requirement for ‘planned developments’ to off-set loss open space from planned development impacts on housing quality. Planned developments can propose designs that reduce normal setback and open space areas – they bunch together buildings to increase development – such as the smaller lot sizes, and extensive use of “zero-setbacks” to reduce typical lot sizes that occurs at Poinsettia Shores. A private recreation facility in any of the City’s planned developments is never considered a replacement for required City Parks. Planned Developments, like unplanned developments, are required to dedicate Park land to the City, or pay a Park In-Lieu fee to the City so the City provide the developer’s obligation to provide City Park acreage to address the population increase of their proposed planned development. For Poinsettia Shores’ population the City’s minimum City Park Standard would require developers set aside 3 acres of City Park land for local park needs. For the larger Ponto area population about 6.6 acres of City Park Land is required. The Existing LCP reserves Planning Area F as an unplanned “Non-residential Reserve” Land Use until the Public Park needs for Ponto are considered and documented. Only then can the NRR land use be changed.



11. Developers have overbuilt in the Ponto area of the Coastal Zone. The City of Carlsbad has under questionable circumstances is currently choosing to ‘exempted’ Ponto developers from providing the minimum amount of unconstrained Open Space according to the City’s developer required Open Space Public Facilities Standard. The legality of these confusing circumstances is subject to a lawsuit against the City. However the City’s computerize mapping system has documented that the Ponto area of the Coastal Zone is missing about 30-acres of Unconstrained Open Space that can be used to fulfill the City’s Open Space Performance Standard that states that

15% of unconstrained and developable land must be preserved by developers as Open Space. Following is a summary of data from the City data regarding the missing Open Space at Ponto (Local Facility Management Plan Zone 9, LFMP Zone 9) in the Coastal Zone pursuant to the City's Open Space Performance Standard. If it is desirable People for Ponto can provide the City GIS map and parcel-by-parcel data base on which the following summary is based:

City of Carlsbad GIS data calculations of Open Space at Ponto area of Coastal Zone:

472 Acres = Total land in LFMP Zone 9 [Ponto area] per City of Carlsbad GIS data

(197 Acres) = Constrained land/water/infrastructure that is excluded from the City's Open Space Standard

275 Acres = Unconstrained land in LFMP Zone 9 (Ponto) subject to the City's Open Space Standard

X 15% = Minimum unconstrained Open Space requirement per the City Open Space Standard

41 Acres = Minimum unconstrained Open Space required in LFMP Zone 9

(11 Acres) = Actual unconstrained Open Space provided & mapped by City in LFMP Zone 9

30 Acres = Missing unconstrained Open Space needed in LFMP Zone 9 [Ponto area of Coastal Zone] to meet the City's minimum GMP Open Space Standard. 73% of the required Open Space Standard is missing.

Thus the Ponto area of the Coastal Zone appears overdeveloped with 30 additional acres of "low-priority" residential land uses due to developers' non-compliance to the City's Open Space Public Facility Performance Standard's Minimum developer required Open Space requirement. As noted a citizens group has a pending lawsuit with the City over the City's current 'exempting' Ponto and future developers from meeting the Open Space Standard.

12. The prior pre-1996 LCP for Ponto – the Batiquitos Lagoon Educational Park Master Plan & LCP (BLEP MP/LCP) had significant Open Space and recreational areas. These significant Open Space and Recreational areas were removed with BLEP MP/LCP's replacement in 1996 by the currently existing Poinsettia Shores Master & LCP (PSMP/LCP) and its City Zoning and LCP LUP requirements that reserved Planning Area F with the current "Non-residential Reserve" Land Use designation. Since the BLEP MP/LCP it appears developers and the City of Carlsbad have worked to remove "High-Priority" Coastal land uses (i.e. Coastal Recreation and Park uses) out of the Ponto area and replaced them with more "low-priority" residential and general commercial land uses. For example:

- Planning Area F used to be designated "Visitor Serving Commercial" as part of the original 1980's BLEP MP/LCP for Ponto.
- In 1996 the BLEP MP LCP was changed by developer application to the now current PSMP LCP, and the LCP LUP designation changed from "Visitor Serving Commercial" to "Non-Residential Reserve" with the requirement to study and document the need for "High-Priority" Coastal Recreation (i.e. Public Park) and/or Low-cost visitor accommodations prior to any change to Planning Area F's "Non-residential Reserve" LCP land use.
- In 2005 the City started to try to change Planning Area F to low-priority residential and general commercial land use in the City's Ponto Beachfront Village Vision Plan (PBVVP). At this time the City made its first documented Coastal 'planning mistake' by not disclosing to the public the existence of Planning Area F's LCP requirements and then also not following those LCP requirements. The City's planning process seemed focused on addressing developer's land use desires, and increasing land use intensity to boost "Tax-increment financing" as the City had established a Redevelopment Project Area at Ponto. A short time after the State of CA dissolved Redevelopment Agencies due in part to such abuses by cities. The CCC formally rejected the PBVVP in 2010, citing the City's failure to follow the LCP requirements for Planning Area F.

- Five years later in 2015 the City again adopted a proposed General Plan Update to again change Planning Area F to low-priority residential and general commercial land use. The General Plan Update cited the City's PBVVP that was in fact rejected by the CCC only a few years before. The City again repeated their PBVVP's Coastal land use 'planning mistake' by again not disclosing to the public the existence of Planning Area F's LCP requirements and then not following those LCP requirements. It is unclear why the City did this only 5-years after the CCC specifically rejected the Ponto Beachfront Village Vision Plan for those same reasons.
- In 2017 citizens found and then confirmed these Ponto Coastal 'planning mistakes' by the City through multiple official Carlsbad Public Records Requests and CCC Staff confirmation. The CCC readily identified the mistakes, but the City's 2019 proposed Draft LCP Land Use Plan and planning process still has yet fully disclose these prior Coastal 'planning mistakes' to ALL citizens of Carlsbad - the failure to disclose and follow the Planning Area F LCP LUP and City Zoning requirements. Full City disclosure is needed now to try to correct many years of City misrepresentation to citizens on LCP required Coastal land Use planning at Ponto. It is needed now so the public is aware at the start of the Public Comment Period. In 2017 citizens began asking the City fix the City's over 12-years of misinformation and planning mistakes by 'restarting' Coastal land use planning at Ponto with an open and honest community-based Coastal planning process. These citizens' requests have been rejected.
- In 2019 the City Staff proposed citywide Draft LCP land Use Plan Amendment that again proposed to change Planning Area F to "low-priority" residential and general commercial land use, without First disclosing the Planning Area F LCP requirements with corresponding analysis of the Need for Coastal Recreation (i.e. Public Park) and/or low-cost visitor accommodations at Planning Area F and providing that Documented analysis for public review/Consideration/comment. This seems like another 3rd repeat of the prior two Coastal planning mistakes by the City. In 2019, again citizens asked for a reset and a true community-based process for the last remaining significant vacant Coastal lands – including Ponto. Again the City rejected citizens' requests.
- In 2020 thousands of public requests again asked, and are currently asking, for a reset and a true community-based process for the last remaining significant vacant Coastal lands – including Ponto. Again these requests are being rejected. Based on the significant citizen concern and the documented prior 'planning mistakes' at Ponto it appears reasonable and responsible for Ponto's Planning Area F to ether:
 - i. Retain its current Existing LCP LUP land Use of "Non-Residential Reserve" until such time as the City's past Ponto Beachfront Village Vision Plan and General Plan Update planning mistakes and other issues subject to current planning lawsuits against the City are resolved with a true, honest and open community-based Coastal planning process asked for by citizens since 2017. Or
 - ii. Propose in the Draft LCP Land Use Plan Amendment to re-designated Planning Area F back to a Visitor Serving Commercial and Open Space ("i.e. Public Park") to provide both "High-Priory" coastal uses v. low-priority residential/general commercial uses due to the documented Coastal Recreation and Low-cost visitor accommodation needs for both citizens and visitors at Ponto and South Carlsbad.

13. Questionable logic and inconsistency in proposed Draft land use map and policies: Chapter 2 Figure 2-2B & C on pages 2-19 & 20 proposes to Amend the existing LCP Land Use Plan Map, and policies LCP-2-P.19 and 20 on pages 2-27 to 2-29 propose Amendments to existing LCP policy and create a new added layer of policy referencing a Ponto/Southern Waterfront. The proposed Land Use Map and Policies serve to firmly plan for "low-priority" residential and general commercial land uses at Ponto with a clear regulatory Land Use Plan Map showing these land uses and by specific regulatory policy (LCP-2-20) that clearly requires (by using the words "shall") these "low

priority” uses. In contrast the “High-Priority” Coastal Recreation and Coastal Park land uses that would be designated as Open Space are not mapped at all in Figure 2-2B & C; and the proposed policy LCP-2-P.19 is both misleading and specifically does Not Require any “High-Priority” Coastal Recreation and Coastal Park land Use at Ponto and South Carlsbad. In fact page 2-22 specifically indicates two “may” criteria that would first need to occur in the positive before any potential Coastal Recreation and Coastal Park Land could then theoretically even be possible. It is highly probable that it is already known by the City that the proposed relocation of Carlsbad Boulevard (Coast Highway) is not very feasible and not cost effective, and will not yield (due to environmental habitat constraints, narrowness of the roadway median, and other design constraints) any significant dimensions of land that could potentially be designated Open Space and realistically be used as a Park.

The blank outline map (Figure 2-2B & C) provides no mapped Open Space Land Use designation, other than for the currently existing State Campgrounds’ low-cost visitor accommodations, so the proposed Land Use Plan Map is Not providing/mapping any new Open Space land use to address Coastal Recreation and Coastal Park needs. The Draft LCP Land Use Plan Amendment’s proposed/projected/planned Sea Level Rise and associated coastal erosion appears to indicate that this “High-Priority” low-cost visitor accommodation (Campground) land use designated as Open Space will be reduced in the ‘Buildout’ condition due to coastal erosion. So **the Draft LCP Land Use Plan is actually planning for a Reduction in Open Space Land Use in South Carlsbad and Ponto.** Both the blank outline map and the proposed Land Use Map Figure 2-1 DO NOT clearly map and designate both South Carlsbad’s Draft LCP Planned Loss of the Open Space Land Use and also any New or replacement unconstrained land as Open Space land use for Coastal Recreation and Coastal Park. This is an internal inconsistency in Land Use Mapping that should be corrected in two ways:

- 1) Showing on all the Land Use (Figure 2-1), Special Planning Area (Figure 2-2B & C), and other Draft LCP Maps the Draft LCP’s planned loss of land area in those maps due to the Draft LCP’s planned loss of land due to Sea Level Rise and Coastal Land Erosion. This is required to show how land use boundaries and Coastal Recourses are planned to change over time. or
- 2) Provide detailed Land Use Constraint Maps for the current Carlsbad Boulevard right-of-way that the City “may” or ‘may not’ choose (per the proposed “may” LCP-2-P.19 policy) use to explore to address the City’s (Park Master Plan) documented Coastal Recreation and Coastal Park land use shortages in Coastal South Carlsbad and Ponto. Clearly showing the potential residual Unconstrained Land within a Carlsbad Boulevard relocation that have any potential possibility to add new Open Space Land Use Designations (for Coastal Recreation) is needed now to judge if the policy is even rational, or is it just a Trojan horse.

The proposed internal inconsistency in mapping and policy appears like a plan/policy ‘shell game’. The proposed Land Use Plan Maps and Policies should be consistent and equality committed (mapped-shall v. unmapped-may) to a feasible and actual Plan. If not then there is No real Plan.

There is no Regulatory Policy requirement in LCP-2-P.19 to even require the City to work on the two “may” criteria. The City could choose to bury the entire Carlsbad Boulevard relocation concept and be totally consistent with Policy LCP-2-P.19 and the LCP. As such the language on 2-22, Figure 2-2C (and the proposed Land Use Map), and policy LCP-2-P.19 and 20 appear conspire to create a shell game or bait-and-switch game in that only “low-priority” residential and general commercial uses are guaranteed (by “shall” policy) winners, and “high-priority” Coastal Recreation and Coastal Park Land Uses are at best a non-committal ‘long-shot’ (“may” policy) that the city is specifically not providing a way to ever define, or commit to implement. The proposed Draft LCP Land Use Plan Coastal Recreation and Coastal Park statements for Ponto are just words on paper that are designed to have no force, no commitment, no defined outcome, and no defined requirement to even have an outcome regarding the

documented “High-Priority” Coastal Recreation and Coastal Park needs at Ponto, Coastal South Carlsbad and the regional 6-mile Coastal Park gap centered around Ponto.

Policy LCP-2-P.19 falsely says it “promotes development of recreational use” but does not in fact do that. How is development of ‘recreational use promoted’ when the Use is both unmapped and no regulatory policy requirement and commitment (no “shall” statement) to ‘promote’ that Use is provided? Policy LCP-2-19.19 appears a misleading sham that does not ‘promote’ or require in any way “High-Priority” Coastal Recreation and Park Land Use at Ponto. There should be open and honest public workshops before the Draft LCP Amendment goes to its first public hearing to clearly define the major environmental constraints and cost estimates involving possible relocation of Carlsbad Boulevard and constructing needed beach access parking, and sufficient and safe sidewalks and bike paths along Carlsbad Boulevard; and then map the amount and dimensions of potential ‘excess land’ that maybe available for possible designation as Open Space in the City General Plan and Local Coastal Program. The City should not repeat the mistakes at the Carlsbad Municipal Golf Course (resulting in the most expensive to construct maniple course in the USA) by not defining and vetting the concept first. A preliminary review of City GIS data appears the amount, dimensions and locations of any potential ‘excess’ land maybe modest at best. However before the City proposes a ‘Buildout’ Coastal Land Use Plan this critical information should be clearly provided and considered. It is likely the City’s Carlsbad Boulevard relocation concept is unfeasible, inefficient, too costly, and yields too little actual useable ‘excess land’ to ever approach the Coastal Recreation and Coastal Park needs for South Carlsbad. This may already be known by the City, but it surely should be publicly disclosed and discussed in the DLPCA.

The proposed Coastal Land Use Plan to address Carlsbad’s, San Diego County’s and California’s High-Priority Coastal Recreation Land Use and Coastal Park needs should NOT be vague “may” policy that appears to be purposely designed/worded to not commit to actually providing any “High-Priority” Coastal Recreation and Coastal Park land uses on the map or in policy commitments. The Land Use Plan and Policy for High-Priority Coastal Recreation and Coastal Park Land Use should be definitive with triggered “shall” policy statements requiring and assuring that the ‘Forever’ “High-Priority” Coastal Recreation and Coastal Park needs are properly and timely addressed in the City’s proposed ‘Buildout’ Coastal Land Use Plan. This “shall” policy commitment should be clearly and consistently mapped to show the basic feasibility of the planned outcomes and the resulting actual Land that could feasibly implement the planned outcome.

Providing safe and sufficient sidewalks, bike paths, and public parking along Carlsbad Boulevard: Providing safe and sufficient sidewalks, bike paths, and public parking along Carlsbad Boulevard are Coastal Access and Completes Streets issues. South Carlsbad Boulevard now and has for decades been a highly used Incomplete Street that is out of compliance with the City’s minimum Street Standards for pedestrian and bike access and safety. The Coastal Access portion of the Draft Land Use Plan should strongly address the Complete Street requirements for South Carlsbad Boulevard. Those policy commitments should be reference in Policy LCP-2-P.19 and 20 as Carlsbad Boulevard in **South Carlsbad is the most Complete Street deficient portion of Carlsbad Boulevard**. Forever Coastal Access parking demand and the proposed LCP Amendment’s Land Use Plan to supply parking for those demands should also be addressed as part of the Coastal Access and Complete Streets issues for South Carlsbad Boulevard. If much needed Coastal Access Parking is provided on South Carlsbad Boulevard as part of a “maybe” implemented realignment, most of the “maybe” realignment land left after constraints are accommodated for and buffered will likely be consumed with these parking spaces and parking drive aisles/buffer area needed to separate high-speed vehicular traffic from parking, a buffered bike path, and a sufficiently wide pedestrian sidewalk or Coastal Path. After accommodating these much needed Complete Street facilitates there will likely be little if any sufficiently

dimensioned land available for a Coastal Recreation and a Coastal Park. The needed Coastal Access and Complete Street facilities on South Carlsbad Boulevard are very much needed, but they are NOT a Coastal Park.

As mentioned the proposed Draft Coastal Land Use Plan's Maps and Policies are very specific in providing for the City's proposed LCP Land Use changes to 'low-priority' Residential and General Commercial' on Planning Area F (proposed to be renamed to Area 1 and 2). It is curious as to why the proposed Draft LCP Land Use Plan Amendment has no Land Use Map and minor vague unaccountable Land Use Policy concerning 'High-priority Coastal Recreation Land Use' at Ponto, while the very same time proposing very clear Land Use Mapping and detailed unambiguous "shall" land use policy requirements for 'low-priority' Residential and General Commercial land use at Ponto. Why is the City Not committing and requiring (in a Land Use Map and Land Use Policy) to much needed 'High-priority' Coastal Recreation and Coastal Park Land Use' needs at Ponto the same detail and commitment as the City is providing for "low-priority" uses? This is backwards and inappropriate. It is all the more inappropriate given the 'Buildout' Coastal Land Use Plan the City is proposing at Ponto. These issues and plan/policy commitments and non-commitments will be 'forever' and should be fully and publicly evaluated as previously requested, or the Existing LCP Land Use Plan of "Non-residential Reserve" for Planning Area F should remain unchanged and until the forever-buildout Coastal Recreation and Coastal Park issues can be clearly, honestly and properly considered and accountably planned for. This is vitally important and seems to speak to the very heart of the CA Coastal Act, its founding and enduring principles, and its policies to maximize Coastal Recreation. People for Ponto and we believe many others, when they are aware of the issues, think the City and CA Coastal Commission should be taking a long-term perspective and be more careful, thorough, thoughtful, inclusive, and in the considerations of the City's proposal/request to permanently convert the last vacant unplanned (Non-residential Reserve) Coastal land at Ponto to "low-priority" land uses and forever eliminate any Coastal Recreation and Coastal Park opportunities.

14. Public Coastal View protection: Avenida Encinas is the only inland public access road and pedestrian sidewalk to access the Coast at Ponto for one mile in each direction north and south. It is also hosts the regional Coastal Rail Trail in 3' wide bike lanes. There exist now phenomenal coastal ocean views for the public along Avenida Encinas from the rail corridor bridge to Carlsbad Boulevard. It is assumed these existing expansive public views to the ocean will be mostly eliminated with any building development seaward or the Rail corridor. This is understandable, but an accountable ('shall') Land Use Plan/Policy addition to proposed Policy LCP-2-P.20 should be provided for a reasonable Public Coastal View corridor along both sides of Avenida Encinas and at the intersection with Carlsbad Boulevard. Public Coastal view analysis, building height-setback standards along Avenida Encinas, and building placement and site design and landscaping criteria in policy LCP-2-P.20 could also considered to reasonably provide for some residual public coastal view preservation.

15. Illogical landscape setback reductions proposed along Carlsbad Boulevard, and Undefined landscape setback along the Lagoon Bluff Top and rail corridor in Policy LCP-2-P.20: Logically setbacks are used in planning to provide a buffering separation of incompatible land uses/activities/habitats. The intent of the setback separation being to protect adjacent uses/activities/habitats from incompatibility, nuisance or harassment by providing a sufficient distance/area (i.e. setback) between uses/activities/habitats and for required urban design aesthetics – almost always a buffering landscaping. Policy LCP-2-P.20. A.4 and C.3 says the required 40' landscape setback along Carlsbad Boulevard "maybe reduced due to site constraints or protection of environmental resources." The ability to reduce the setback is illogical in that setbacks are intended to protect environmental resources and provide a buffer for constraints. In the Carlsbad Boulevard right-of-way there is documented sensitive environmental habitat, along with being a busy roadway. How could reducing the protective 40' setback in anyway better protect that habitat or provide a better landscaped compatibility or visual aesthesis buffer along Carlsbad Boulevard? It is

illogical. If anything the minimum 40' landscaped setback should likely be expanded near "environmental resources". Regarding reducing the minimum 40' landscape setback for "site constraints" there is no definition of what a "site constraint" is or why it (whatever it may be) justifies a reduction of the minimum landscaped setback. Is endangered species habitat, or a hazardous geologic feature, or a slope, or on-site infrastructure considered a "site constraint"? There should be some explanation of what a "site constraint" is and is not, and once defined if it warrants a landscape setback reduction to enhance the buffering purpose of a landscape setback. Or will a reduction only allow bringing the defined constraint closer to the adjacent uses/activities/habitats that the landscape setback is designed to buffer. It is good planning practice to not only be clear in the use of terms; but also, if a proposed reduction in a minimum standard is allowed, to define reasonably clear criteria for that reduction/modification and provide appropriate defined mitigation to assume the intended performance objectives of the minimum landscape setback are achieved.

Policy LCP-2-P.20.C.4 is missing a critical Bluff-Top landscape setback. It seems impossible that the DLCPA is proposing no Bluff-Top setback from the lagoon bluffs and sensitive habitat. The Batiqitos Lagoon's adjoining steep sensitive habitat slopes directly connect along the Bluff-top. Batiqitos Lagoon's and adjoining steep sensitive habitat is a sensitive habitat that requires significant setbacks as a buffer from development impacts. Setbacks similar to those required for the San Pacifico area inland of the rail corridor, should be provided unless updated information about habitat sensitivity or community aesthetics requires different setback requirements.

Policy LCP-2-P.20 does not include a landscape setback standard adjacent to the rail corridor. This is a significant national transportation corridor, part of the 2nd busiest rail corridor in the USA. Train travel along this corridor is planned to increase greatly in the years to come. Now there is significant noise, Diesel engine pollution, and extensive ground vibration due to train travel along the rail corridor. Long freight trains which currently run mostly at night and weekends are particularly noisy and heavy, and create significant ground vibration (underground noise). These issues are best mitigated by landscape setbacks and other buffers/barriers. A minimum setback standard for sufficient landscaping for a visual buffer and also factoring appropriate noise and ground vibration standards for a buildout situation should be used to establish an appropriate landscape setback that should be provided along the rail corridor. Carlsbad's landscape aesthetics along the rail corridor should be factored into how wide the setback should be and how landscaping should be provided. An example for the landscape aesthetic portion of the setback standard could be landscape design dimensions of the San Pacifico community on the inland side of the rail corridor. However, noise and vibrational impacts at San Pacifico are felt much further inland and appear to justify increased setbacks for those impacts.

Sea Level Rise and Carlsbad’s DLCP-LUPA’s projected/planned Loss of Open Space at Ponto

Introduction:

Carlsbad first documented Sea Level Rise (SLR) and associated increases in coastal erosion in a December 2017 Sea Level Rise Vulnerability Assessment (2017 SLR Assessment). Prior planning activities (2010 Ponto Vision Plan – rejected by CA Coastal Commission, and 2015 General Plan Update) did not consider SLR and how SLR would impact Coastal Open Space Land Use & CA Coastal Act ‘High-Priority’ Coastal Open Space Land Uses at Ponto. The 2017 SLR Assessment shows Open Space land and Open Space Land Uses are almost exclusively impacted by SLR at Ponto & South Coastal Carlsbad. The 2017 SLF Assessment also shows significant LOSS of Open Space land acreage and Land Uses. Most all impacted Open Space Land Uses are CA Coastal Act “High-Priority Coastal Land Uses” – Coastal Recreation (i.e. Public Park) and Low-Cost Visitor Accommodations. Existing Ponto Open Space Land Uses are already very congested (non-existent/narrow beach) and have very high, almost exclusionary, occupancy rates (Campground) due to existing population/visitor demands. Future population/visitor increases will make this demand situation worst. The significant permanent LOSS of existing Coastal Open Space land and Coastal Open Space Land Use (and land) due to SLR reduces existing supply and compounds Open Space congestion elsewhere. Prior Ponto planning did not consider, nor plan, for significant SLR and current/future “High-Priority” Coastal Open Space Land Use demands.

Open Space and City Park demand at Ponto:

Open Space at Ponto is primarily ‘Constrained’ as defined by the City’s Growth Management Program (GMP), and cannot be counted in meeting the City’s minimal 15% ‘Unconstrained’ GMP Open Space Standard. Per the GMP Open Space Standard, the developers of Ponto should have provided in their developments at least 30-acres of additional ‘Unconstrained’ GMP Open Space at Ponto. City GIS mapping data confirm 30-acres of GMP Standard Open Space is missing at Ponto (Local Facilities Management Plan Zone 9).

The City of Carlsbad GIS Map on page 2 shows locations of Open Spaces at Ponto. This map and its corresponding tax parcel-based data file document Ponto’s non-compliance with the GMP Open Space Standard. A summary of that City GIS data file is also on page 2. The City said Ponto’s non-compliance with the GMP Open Space Standard was ‘justified’ by the City ‘exempting’ compliance with the Standard. The City ‘justified’ this ‘exemption’ for reasons that do not appear correct based on the City’s GIS map and data on page 2, and by a review of 1986 aerial photography that shows most of Ponto as vacant land. The City in the Citywide Facilities Improvement Plan (CFIP) said 1) Ponto was already developed in 1986, or 2) Ponto in 1986 already provided 15% of the ‘Unconstrained’ land as GMP Standard Open Space. Both these ‘justifications’ for Ponto ‘exemption’ in the CFIP were not correct. The legality of the City ‘exempting’ Ponto developers from the GMP Open Space Standard is subject to current litigation.

The City proposes to continue to exempt future Ponto developers from providing the missing 30-acres of minimally required GMP Open Space, even though a change in Ponto Planning Area F land use from the current ‘Non-Residential Reserve’ Land Use requires comprehensive Amendment of the Local Facilities Management Plan Zone 9 to account for a land use change. City exemption is subject of litigation.

Ponto (west of I-5 and South of Poinsettia Lane) currently has 1,025 homes that per Carlsbad’s minimal Park Standard demand an 8-acre City Park. There is no City Park at Ponto. Coastal Southwest Carlsbad has an over 6.5 acre Park deficit that is being met 6-miles away in NW Carlsbad. Ponto is in the middle of 6-miles of Coastline without a City Coastal Park west of the rail corridor.



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara had the same lagoon waters.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were never required to comply with the 15% Standard Open Space is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the 15% Growth Management Standard Open Space at Ponto

472 Acres
(197 Acres)
 275 Acres
X 15%
 41 Acres
(11 Acres)
30 Acres

Total land in LFMP Zone 9 [Ponto]
 Constrained land excluded from GMP Open Space
 Unconstrained land in LFMP Zone 9 [Ponto]
 GMP Minimum Unconstrained Open Space requirement
 GMP Minimum Unconstrained Open Space required
 GMP Open Space provided & mapped per City GIS data
Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

Sea Level Rise impacts on Open Space and Open Space Land Use Planning at Ponto:

The City's 2015 General Plan Update did not factor in the impacts of Sea Level Rise (SLR) on Ponto's Open Space land. In December 2017 the City conducted the first Sea Level Rise Vulnerability Assessment <https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=33958>. The 2017 SLR Assessment is an initial baseline analysis, but it shows significant SLR impacts on Ponto Open Space. More follow-up analysis is being conducted to incorporate newer knowledge on SLR projections and coastal land erosion accelerated by SLR. Follow-up analysis may likely show SLR impacts occurring sooner and more extreme.

Troublingly the 2017 SLR Assessment shows SLR actually significantly reducing or eliminating Open Space land at Ponto. SLR is projected to only impact and eliminate Open Space lands and Open Space Land Use at Ponto. The loss of Ponto Open Space land and Land Use being at the State Campground, Beaches, and Batiquitos Lagoon shoreline. The losses of these Open Space lands and land uses would progress over time, and be a permanent loss. The 2017 SLR Assessment provides two time frames near-term 2050 that match with the Carlsbad General Plan, and the longer-term 'the next General Plan Update' time frame of 2100. One can think of these timeframes as the lifetimes of our children and their children (2050), and the lifetimes of our Grandchildren and their children (2100). SLR impact on Coastal Land Use and Coastal Land Use planning is a perpetual (permanent) impact that carries over from one Local Coastal Program (LCP) and City General Plan (GP) to the next Updated LCP and GP.

Following (within quotation marks) are excerpts from Carlsbad's 2017 Sea Level Rise Vulnerability Assessment:

[Italicized text within brackets] is added data based on review of aerial photo maps in the Assessment.

"Planning Zone 3 consists of the Southern Shoreline Planning Area and the Batiquitos Lagoon. Assets within this zone are vulnerable to inundation, coastal flooding and bluff erosion in both planning horizons (2050 and 2100). A summary of the vulnerability assessment rating is provided in Table 5. A discussion of the vulnerability and risk assessment is also provided for each asset category.

5.3.1. Beaches

Approximately 14 acres of beach area is projected to be impacted by inundation/erosion in 2050. ... Beaches in this planning area are backed by unarmored coastal bluffs. Sand derived from the natural erosion of the bluff as sea levels rise may be adequate to sustain beach widths, thus, beaches in this reach were assumed to have a moderate adaptive capacity. The overall vulnerability rating for beaches is moderate for 2050.

Vulnerability is rated moderate for the 2100 horizon due to the significant amount of erosion expected as the beaches are squeezed between rising sea levels and bluffs. Assuming the bluffs are unarmored in the future, sand derived from bluff erosion may sustain some level of beaches in this planning area. A complete loss of beaches poses a high risk to the city as the natural barrier from storm waves is lost as well as a reduction in beach access, recreation and the economic benefits the beaches provide.

5.3.3. State Parks

A majority of the South Carlsbad State Beach day-use facilities and campgrounds (separated into four parcels) were determined to be exposed to bluff erosion by the 2050 sea level rise scenario (moderate exposure). This resource is considered to have a high sensitivity since bluff erosion could significantly impair usage of the facilities. Though economic impacts to the physical structures within South Carlsbad State Beach would be relatively low, the loss of this park would be significant

since adequate space for the park to move inland is not available (low adaptive capacity). State parks was assigned a high vulnerability in the 2050 planning horizon. State park facilities are recognized as important assets to the city in terms of economic and recreation value as well as providing low-cost visitor serving amenities. This vulnerability poses a high risk to coastal access, recreation, and tourism opportunities in this planning area.

In 2100, bluff erosion of South Carlsbad State Beach day-use facilities and campgrounds become more severe and the South Ponto State Beach day-use area becomes exposed to coastal flooding during extreme events. The sensitivity of the South Ponto day-use area is low because impacts to usage will be temporary and no major damage to facilities would be anticipated. Vulnerability and risk to State Parks remains high by 2100 due to the impacts to South Carlsbad State Beach in combination with flooding impacts to South Ponto.

Table 5: Planning Zone 3 Vulnerability Assessment Summary [condensed & notated]:

<u>Asset Category</u>	<u>Horizon [time]</u>	<u>Hazard Type</u>	<u>Impacted Assets</u>	<u>Vulnerability Rating</u>
Beaches	2050	Inundation/Erosion, Flooding	14 acres (erosion)	Moderate
	2100	Inundation/Erosion, Flooding	54 acres (erosion)	Moderate
Public Access	2050	Inundation, Flooding	6 access points 4,791 feet of trails	Moderate
	2100	Inundation, Flooding	10 access points 14,049 feet of trails	Moderate
State Parks <i>[Campground - Low-cost Visitor Accommodations]</i>	2050	Flooding, Bluff Erosion	4 parcels [<18 Acres]	High
	2100	Flooding, Bluff Erosion	4 parcels [>18 Acres] <i>[loss of over 50% of the campground & its Low-cost Visitor Accommodations, See Figure 5.]</i>	High
Transportation (Road, Bike, Pedestrian)	2050	Bluff Erosion	1,383 linear feet	Moderate
	2100	Flooding, Bluff Erosion	11,280 linear feet	High
Environmentally Sensitive Lands	2050	Inundation, Flooding	572 acres	Moderate
	2100	Inundation, Flooding	606 acres	High



Figure 7: Southern Shoreline Planning Area – Year 2050





Figure 5: CoSMoS Bluff Erosion Projections by 2100
(CoSMoS-COAST 2015)

[Figure 5 show the loss of over 50% of the campground and campground sites with a minimal .2 meter Sea Level Rise (SLR), and potentially the entire campground (due to loss of access road) in 2 meter SLF.]”

Directions to analyze and correct current and future LOSS of Coastal Open Space Land Use at Ponto

On July 3, 2017 the CA Coastal Commission provided direction to Carlsbad stating:

“The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto ... 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 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.”

Official Carlsbad Public Records Requests (PRR 2017-260, et. al.) confirmed Carlsbad’s Existing LCP and its Ponto specific existing LUP polices and Zoning regulations were never followed in the City’s prior Ponto planning activities (i.e. 2010 Ponto Vision Plan & 2015 General Plan Update). The projected SLR loss of recreation (beach) and low-cost visitor accommodations (campground) at Ponto should factor in this Existing LCP required analysis, and a LCP-LUP for Ponto and Ponto Planning Area F.

In a February 11, 2020 City Council Staff Report City Staff stated:

“On March 14, 2017, the City Council approved the General Plan Lawsuit Settlement Agreement (Agreement) between City of Carlsbad and North County Advocates (NCA). Section 4.3.15 of the Agreement requires the city to continue to consider and evaluate properties for potential acquisition of open space and use good faith efforts to acquire those properties.”

In 2020 NCA recommended the City acquire Ponto Planning Area F as Open Space. The status of City processing that recommendation is unclear. However the Lawsuit Settlement Agreement and NCA's recommendation to the City should also be considered in the required Existing LCP analysis.

Summary:

Tragically Carlsbad's Draft Local Coastal Program – Land Use Plan Amendment (DLCP-LUPA) is actually planning to both SIGNIFICANTLY REDUCE Coastal Open Space acreage, and to eliminate 'High-Priority Coastal Open Space Land Uses at Ponto due to SLR.

The Existing LCP requirements for Ponto Planning Area F to analyze the deficit of Coastal Open Space Land Use should factor in the currently planned LOSS of both Coastal Open Space acreage and Coastal Open Space Land Uses at Ponto due to SLR. As a long-range Coastal Land Use Plan this required LCP analysis needs to also consider the concurrent future increases in both population and visitor demand for those LOST Coastal Open Space acres and Coastal Open Space Land Uses.

It is very troubling that demand for these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses is increasing at the same time the current (near/at capacity) supply of these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses is significantly decreasing due to SLR. Instead of planning for long-term sustainability of these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses for future generations there appears to be a plan to use SLR and inappropriate (lower-priority residential) Coastal Land Use planning to forever remove those CA Coastal Act 'High-Priority' Coastal Open Space Land Uses from Ponto. CA Coastal Act Policies to address these issues should be thoroughly considered.

2021-2 proposed Draft Local Coastal Program – Land Use Plan Amendment (DLCP-LUPA) will likely result in City and CA Coastal Commission making updates to the 2015 General Plan, based on the existing Ponto Planning Area F LCP – LUP Policy requirements, Ponto Open Space issues, high-priority Coastal Land Use needs, and SLR issues not addressed in the 2015 General Plan.

2022-June General Comparative tax-payer Costs/Benefits of Completing PCH, PCH Modification, and 14.3 acre Ponto Park to address planned loss of 30+ acres of Coastal Open Space Land Use at Ponto/WestBL/South Carlsbad: Part 1 of 2

Key points regarding tax-payer Cost/Benefit comparison:

City Park Fairness: Ponto/Coastal South Carlsbad has ZERO Parks and ZERO Park acres v. 10 Coastal Parks totaling 37 acres in North Carlsbad. South Carlsbad is home to 62% of Carlsbad citizens and the City major visitor industries, and they have no Coastal Park. North Carlsbad is home to 38% of Carlsbad citizens have the entire City's Coastal Parks. The City also falsely allowed Ponto Developers to NOT provide the required 15% unconstrained Growth Management Open Space required by other adjacent developers in Carlsbad. Consequently Ponto is already developed at a density 35% higher than the rest of City.

What is missing from South PCH: The only missing components of a Carlsbad Livable (Complete) Street are adequate Coastal sidewalks/pedestrian paths. Better safer protected bike paths for the volume of bike traffic on a higher-speed roadway are highly desired. Both these missing features can be cost-efficiently provided in the existing PCH configuration. The City had over 35-years to provide the missing sidewalks on PCH and should have added sidewalks years ago.

Generalized Costs: Costs initially came from publicly stated costs by Mayor Hall in a 2019 at Meet the Mayor Realtor luncheon at Hilton Garden Inn, the City's 2001 PCH Feasibility Analysis for PCH Relocation, the earlier \$13 million per mile cost for the simpler .85 mile City CIP #6054 PCH Modification Project at Terramar, general City cost data from official public records requests, and vacant Ponto land costs of \$1.4 to \$2.4 million per acre from recent recorded land sales at Ponto.

In May, 2022 the City released an updated cost increase for the .85 mile Terramar PCH Modification of \$22.4 million per mile; and an updated cost of between \$85 - \$60 million for the 2.3 mile South PCH Relocation Proposal that comes to \$40 to 26.1 million per mile. Kam Sang listed their 14.3 acre vacant site at Ponto for sale for \$2.7 million per acre in May. The Kam Sang list price is a bit higher than recent Ponto land costs, but the Kam Sang site is of significantly higher quality being adjacent to Batiquitos Lagoon, and with 270 degree lagoon and ocean views.

Generalized Benefits: The number of acres and the quality and usability of each of those acres, and the number of new added beach parking for each of the known Option's define each Option's benefits. There may be other unknown Options that have different benefits. The City's 2001 PCH Relocation Feasibility Analysis's highest Park and Open Space Option (2001 ERA Financial Analysis "Alternative 1-parks and open space scheme") only made possible a 4-acre Active Park north of Palomar Airport Road in North Carlsbad. The City's 2013 PCH Relocation Concept design eliminated that 4-acre Active Park and only showed a few small open space areas with picnic tables. Any PCH Modification benefits are limited by existing PCH constraints. See attached Part 2: City PCH map with numbered notes on various existing environmental and land use constraints from the City's 2013 PCH Modification Design.

PCH Modification limitations: Most critically PCH Modification does NOT add any new City land. Rearranging existing PCH land may add some usability beyond the usability of existing parkway areas along PCH. However significant land in PCH right-of-way is already constrained by habitat, slopes, and water quality detention basins. Past City Studies in 2001 and 2013 showed relatively modest changes in useable acreage from major PCH Modifications. Forever removing 2-travel lanes (over 50% of PCH capacity due to removing passing ability) will

create Terramar like traffic congestion, but could repurpose that City pavement for open space. Any net usable land in the PCH median will be relatively narrow and may be modest once all constraints are accounted for. PCH Modification should be accurately compared with the existing usable and open space parkway areas in the existing PCH configuration and Ponto Park situation. See attached Part 2: City PCH map with numbered notes on various existing land use constraints from the City's 2013 PCH Modification Design.

Four (4) Comparative tax-payer Cost/Benefits:

1. Completing PCH & adding missing sidewalk/path and additional public parking and bike safety:

4 vehicle lanes and 2 bike lanes 177 parking spaces currently exist along South Carlsbad Blvd

The only missing component of "Complete/Livable Street" is a pedestrian sidewalk/path on about 70% of PCH

Total Cost to provide missing sidewalks per City data = \$3-5 million (based on path width)

Costs for desirable safety upgrade to existing bike lanes are not known

Cost to add more Beach parking on City owned abandoned PCH North and South of Poinsettia ranges from:

- 273 additional spaces = \$ 0.76 million
- 546 additional spaces = \$ 1.1 million
- Plus an estimated \$1.5 million for 2 signalized intersection upgrades for full 4-way access
- Cost per parking space is estimated at \$19,275 to \$13,899 per additional parking space

Total cost: \$ 3.8 to 6.1 million to provide missing sidewalk/path and add more parking + unknown amount for any desired upgrades to existing bike lanes

2. '2013 2.3 mile PCH Modification Proposal' [AECOM 11/26/2013 Alternative Development Meeting]

Total Cost is \$75 million per Mayor Matt Hall, but updated by City to \$85-60 Million or \$40-26.1 million per mile.

The costs appear consistent with 20-years of cost inflation of the basic (unmitigated environmental and traffic)

2001 costs of \$26.5 to 37.3 million (in 2001 dollars) identified by the City's 2001 Feasibility Analysis by ERA. The City's 2001 ERA Analysis indicated fully mitigated costs will be higher.

Total \$85 to 60 million PCH Modification cost comes to:

\$ 21 to 6 million per acre to reuse existing City land into narrow open space areas (from portions of city roadway)

\$872,093 per additional parking space

- 86 additional parking spaces created = 263 replacement spaces - 177 existing spaces removed
- Includes multi-use pathway (sidewalk) within primarily native/natural landscaping.
- Possible 50% reduction in vehicle lanes (from 4 to 2 lanes) with corresponding traffic congestion like at Terramar. Not clear if Citizens and tax-payers will approve spending \$85 - 60 million to double traffic congestion.
- Includes about 4 - 10 acres for possible narrow passive Park area identified in City's 2001 PCH Modification Feasibility Analysis by ERA. However City's 2013 PCH Modification (AECOM) plans look like smaller acreage is provided.
- Does not purchase any new City land (only reconfigures existing City land) so requires Carlsbad Citizens to vote to expend funds per Proposition H, and as noted in the City's 2001 Feasibility Analysis likely will not qualify for regional, State or Federal tax-payer funding.
- 2013 PCH Modification proposal could not/did not consider and map City's 2017 sea level rise data to show what areas would be lost due to sea level rise and account for any added cost and issues.

3. 14.3 acre Ponto Coastal Park

Total Cost: \$52.3 million that includes \$38 million (full list price) to purchase 14.3 acres plus \$1 million per acre to landscape/irrigate like the recent development cost for Buena Vista Reservoir Park (aka Poinsettia 61). \$ 3.7 million per acre is the cost for buying 14.3 acres of New City land and developing a true City Park.

Ponto Park purchase:

- **is \$3.7 million per New Added Park Acre v. \$21 to \$6 million per acre to NOT buy new land but simply repurposed existing City land in PCH,**
- **Saves tax-payers \$17.3 million to \$2.3 million per acre,**
- **Saves tax-payers \$32.7 to \$7.7 million, and**
- **Provides up to 278% to 43% more Parkland than the 2.3 mile 'PCH Modification option'**
- Includes adding 14.3-acres of new and viable parkland similar to (but twice as large) as Carlsbad's Holiday Park. Site includes habitat and habitat connection to Batiquitos Lagoon, and lagoon and ocean view trails that connect to the ocean and eventually east along Batiquitos Lagoon to El Camino Real.
- Since an Open Space land purchase per Proposition C acquisition voters exempted such purchases from Proposition H. NCA already recommended vacant Ponto land be considered for City purchase as Open Space per the City's obligations under a lawsuit settlement.
- Ponto Park's cost savings over '2.3 mile PCH Modification' = \$32.7 to 7.7 million
- Ponto Park's + adding missing sidewalks cost savings over 'PCH Modification' = \$28.7 to 2.7 million
- Ponto Park's + adding missing sidewalks + 273 additional parking spaces cost savings over "PCH Modification" = \$28 to 2 million
- Ponto Park's + adding missing sidewalks + 546 additional parking spaces cost savings over "PCH Modification" = \$27.6 to 1.6 million

4. Combining both #1-PCH Completion and #3-Ponto Park:

Combining #1 and #3 creates at cost effective and more beneficial Coastal Park-Coastal Parking-Completes Streets solution. This solution actually adds 14.3-acres of New City land for a needed Park, provides for a Complete PCH without increasing traffic congestion, does not forever congest PCH travel if future PCH traffic increases, adds comparatively more beach parking, and preserves PCH land and provides the City with Coastal land use and sea level rise planning flexibility to address future needs by not forever committing the City's PCH land to a Final solution. See map on page 4 showing land use synergy of combining #1 and #3. **\$27.6 to 1.6 million in tax-payer cost savings are estimated from combining #1 & #3 compared to the estimated \$85 - 60 million PCH Modification of 2.3 miles. Combining #1 and #3 provides all the PCH Modification features, added beach parking benefits, and Adds 14.3 acres of New City land for parks, provides the City 100% of the flexibility it will need to address sea level rise, and do so for a reduced cost to tax-payers.** Page 5 shows the synergistic beach parking and Ponto Park relationship. The new 14.3 acre Kam Sang Ponto Park site is just south of the 11-acre Planning Area F site and between Avenida Encinas and Batiquitos Lagoon.

- a. Ponto Park's location allows it to use the 337-610 parking spaces created by #1 above (177 existing + 273 to 546 new parking spaces). The 337-610 parking spaces will allow Ponto Park to effectively host Carlsbad's special community events.
- b. Acquiring Ponto Park's 14.3-acres provides both the City and State of CA with important future land use options to address the Sea Level Rise and Coastal Erosion (SLR) planned by the City. These options are created by leaving the exiting South Carlsbad Blvd right-of-way substantially the same (except for adding needed sidewalks and using the existing Old paved roadway for parking) thus allowing future upland relocation of the Campground. If \$85 to \$60 million is spent on #2 the

likelihood this very expensive City expenditure would never be abandoned by the City to allow relocation of the Campground.

- c. Carlsbad' 2017 Sea Level Rise study shows SLR will eliminate ½ of the State Campground – a high-priority Coastal land use under the CA Coastal Act. The CA Coastal Act calls for “upland” relocation of high-priority Coastal land uses due to SLR impacts. Ponto Park could also provide for “upland” relocation of the State Campground.

Part 2 of this Comparative analysis is a separate 2-page map and data file. This Part 2 file consists of the City's PCH map of a reduced one lane in each direction (greater than 50% roadway capacity reduction) PCH configuration that maximizes potential 'excess right-of-way'. That map has numbered notes to marking locations of PCH environmental and design constraints from the City's 2013 PCH Relocation design, maps the City's 2017 Sea Level Rise Impact Areas, and for reference outlines the easterly 6.5 acre portion of the 11-acre Planning Area F site for acreage comparison purposes.

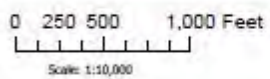


City's PCH Modification Proposal Area Map with notes on usability Constraints and Issues: P4P Input 2 of 2

The City's map below is marked with the following numbered list of Area Constraints and Issues. The Constraints are from the City's 2013 PCH Modification designs, the City's older 2017 Sea Level Rise Impact Study, and on-site observations. The Constraints will limit any fundamental change to the existing PCH landscape. For instance existing slope and habitat area will remain or have to be relocated which will limit the use of any excess land area from PCH Modification. These Constraints will then reduce from 62 acres the actual number of unconstrained and acres that are actually useable and can be used for different uses than currently exist.

1. Loss of the last section of Old "Historic 101" design, ambiance, and openness. Will it be replaced with typical urban arterial design?
2. Freshwater habitat
3. Sewer pumping facility
4. City's 2013 PCH plan for RESTORED RIPARIAN HABITAT
5. Sea Level Rise 2 meter Impact Area
6. City's 2013 PCH plan for BIO SWALE AND RESTORED RIPARIAN HABITAT
7. Existing beach parking to be retained
8. Least Tern habitat
9. Major storm water detention basin
10. Water
11. Slopes will likely need retaining walls to move road inland closer to proposed Kam Sang Resort
12. Endangered Species Habitat
13. City's 2013 PCH plan for COASTAL SAGE SCRUB RESTORATION
14. City's 2013 PCH plan for NATIVE GRASSLAND RESTORATION
15. City's 2013 PCH plan for BIO SWALE AND RESTORED RIPARIAN HABITAT
16. Eliminating access road for homes/businesses south of Cape Rey Resort. Who pays to replace?
17. Removes Cape Rey Resort developer required GMP Open Space for this LFMP. This GMP Open Space will have to be replaced. Who Pays?
18. City's 2013 PCH plan for L.I.D. BASIN / BIO SWALE
19. City left several acres vacant for 20+ years. This area can cost-effectively provide 200-500 more parking spaces w/o any PCH relocation.
20. Unusual jog in roadway. Is this viable?
21. City's 2013 PCH plan for RESTORED NATIVE LANDSCAPE
22. Habitat & need to provide major storm water quality detention basin before discharging urban and creek runoff into ocean.
23. Slopes will likely need retaining walls to move road inland closer to mobile home community.
24. Steep unusable slopes needed for Palomar Airport Road overpass over railroad corridor.

For a Cost/Benefit reference point, the City's PCH Modification at Terramar (CIP project #6054 from Cannon to Manzano) that is less constrained and simpler than South Carlsbad is projected to cost around \$13 million per mile. Vacant primarily unconstrained land sale costs at Ponto are documented at around \$1.4 to \$2.4 million per acre. Honest Cost/Benefit of these two options should be a public tax-payer discussion.



Carlsbad Boulevard Realignment: Right-of-Way and Available Land Analysis*

- Proposed ROW (Approximately 43 acres)
- Area Available for Other Uses (Approximately 62 acres)



July 13, 2021

* Analysis is based on aerial imagery. Right-of-way boundaries and acreages are approximate and intended for planning level analysis only.

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* For comparative visual reference the * area is the 6.5 acre eastern portion of Planning Area F.

Submitted: May 28, 2020

Dear Carlsbad City Council, Carlsbad Planning and Parks Commissions, and Coastal Commission:

The City Budget should address both short-term Covid-19 impacts, and near/longer-term investments needed for Economic Recovery and Revitalization.

The quality of our Carlsbad coastline, Coastal Parks and open spaces are continually rated by Carlsbad citizens and businesses as the critical foundation of our quality of life, economic strength, and tourism industry. Ponto Coastal Park is a critically needed investment, and the last opportunity for the City to make an investment for Carlsbad's long-term sustainability. South Carlsbad Citizens, visitors, and the Visitor Industry have no Southern Coastal Park. Ponto is the only place to provide that needed investment for residents and visitors, and advance Economic Recovery and Revitalization of South Carlsbad's significant Visitor Industry. Coastal Recreation is the major attraction for visitors.

With these understandings we submit the following testimony and data from the City's FY 2019-20 Budget Public Input Report that highlights the documented significant number of citizens asking for a Ponto Coastal Park. We also note concerns about the Report's dilution of specific citizen input provided at both the March 4, 2019 and 2020 Citizen Workshops.

Citizen input on the need for a Ponto Coastal Park was the most numerous specific place need/desire citizens mentioned in the City's:

- Budget Public Input process,
- Draft Local Coastal Program Amendment process, and
- Parks Master Plan Update process.

The Budget Public Input process documented 85 specific, verbatim citizen comments on Ponto area park needs and over 90% of citizen requests that Council budget to address this need. These 85 Verbatim Citizen comments (listed at the end of this testimony and data) specifically address how they would like their (Park) tax dollars budgeted. Additionally, 2,500 similar public input email/petitions were submitted as public comments on Carlsbad's Draft Local Coastal Program Amendment and Park Master Plan Update processes spoke to the need for a Ponto Coastal Park.

As you know, the 11-acre Ponto Planning Area F site is for sale. This site is similar in size/shape as Holiday Park, providing a Coastal site for similar multipurpose community functions.

Carlsbad's Local Coastal Program (and thus General Plan and Zoning Code) requires the City to first consider and document the need for a "Public Park" before any land use can be planned for the Planning Area F site.

The City's Park Master Plan already documents the need for a Ponto "Public Park", showing the area as "unserved" by City Parks and an area of Park "inequity" correlating well with Citizen input.

The City also received offers of potential donations, or cost-saving collaborations from Carlsbad Citizens and non-profits to advance the much needed Ponto Coastal Park. The City disappointingly has not replied to these special opportunities.

Therefore, it is requested the City budget for a Ponto Coastal Park and contact the Planning Area F landowner regarding site purchase.

Consistent with Budget Public Input Report page 3 it is requested that this this testimony and data be provided to the Planning and Parks Commissions; and Coastal Commission as public input on the City Staff's proposed 1) City Budget, 2) Draft Local Coastal Program Amendment, and 3) Parks Master Plan Update.

Thank you.
People for Ponto

The following data is from the Carlsbad FY 2019-20 Budget Public Input Report:
<https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=38546>

In reading the data different text treatment is used to differentiate between actual page number and text in the Report, Important Report text, and public comments and analysis of Report text. Following is a legend to those text treatments:

- (p.X) is the Report page number where the information is found, and normal text is the actual Report text.
- Text in **Bold Face** is particularly important Report text.
- **Arrow bullets and Text in Bold Italic Text** are analysis and comments on the Report's information.

Introduction (p. 3):

- **Members of the public have a right to be involved in decisions affecting their lives.**
- **It is the city's responsibility to seek out and facilitate the involvement of those interested in or affected by a decision. The city errs on the side of reaching out to people who might not be interested, rather than potentially missing people who are.**
- **City staff provide balanced and factual information to the public and do not engage in advocacy.**
- **Public dialogue strives for a focus on values over interests and positions.**
- **Public involvement planning is coordinated across all city departments to ensure consistency and avoid process fatigue.**

On (p. 5) specific Verbatim Public Input was generalized by City Staff as follows:

Main Themes: The following themes were a high priority overall:

- **Neighborhood quality of life**
- **Access to nature, trails and open space**
- Environmental sustainability
- Traffic and mobility

Most Important Services: City services in the following areas were identified as the most important:

- **Neighborhood quality of life**
- **Parks and recreation**
- Law enforcement
- Fire and paramedic service

- Environmental sustainability

Specific Areas for Budget Enhancement: When asked which services they would like to see enhanced in next year’s budget, the top five responses were:

- **Neighborhood quality of life**
- **Parks and recreation**
- **Environmental sustainability**
- **Mobility/transportation**
- Arts and culture

- *The lack of a Coastal Park at Ponto impacts all South Carlsbad neighborhoods’ quality of life. Carlsbad’s Park Master Plan documents that Ponto and Coastal South Carlsbad are “not served” by parks and Ponto and Coastal South Carlsbad is an area of park “inequity”*
- *The City and CA Coastal Commission are required to consider and document the need for a “Public Park” before any planning to allow any land use on Ponto Planning Area F. For over 10-years the City failed to disclose and follow this requirement – making multiple “Ponto planning mistakes”. The City will now have to correct its multiple “Ponto planning mistakes” as part of the Draft Local Coastal Program Amendment*
- *The lack of a Park at Ponto also impacts both Environmental Sustainability and Mobility/Transportation:*
 - *Prevents parks within walking distance, forces driving (and the need for more parking in our Park) to access parks.*
 - *Forces South Carlsbad Neighborhoods to drive long distances to North Carlsbad and/or Encinitas to access a Coastal Park*
 - *Congests North Carlsbad and/or Encinitas Coastal Parks with South Carlsbad Coastal Park demands*
 - *Congests North Carlsbad and/or Encinitas roadways and parking facilities with South Carlsbad Coastal Park demands.*
 - *Importantly, it would forever negatively impact the economic sustainability of Carlsbad’s Visitor industry. There are thousands of inland South Carlsbad resort/hotel rooms that have no access to a Coastal Park. This will ultimately undermine the attractiveness and competitiveness of South Carlsbad’s Visitor industry and the tax revenue the City receives from that industry.*

Word Maps (pp 6-8)

Staff provided 3 ‘word maps’ saying the show the words mentioned at the March 4th 2020 workshop attend by 38 citizens.

- *There is citizen concern about the accuracy of these word maps and what is conveyed on pages 6-8 of the Report.*
- *Several of those 38 citizens, provided specific written (individual index cards) and verbal (round table flip chart notes) Pubic Input several stating the need for a “Ponto Coastal Park”, another mentioned a “liner Park”, and several mentioned the “Senior Center”, all these written/verbal comments were not accurately documented or reported on pages 6-8. It appears the City Staff interrupted and translated/transformed the actual citizen comments (as documented in the index cards and flip chart notes) when creating the word maps. There is a concern that specific citizen input provided at the actual workshop was not accurately*

reported in the Public Input Report to the City Council. As citizens we are concerned that our input is accurately reported and conveyed to the City Council.

- Surprisingly no word map was provided in the Report for the much larger (1,330 to 1,710 person) March 5-22, 2019 Public Input process. Following is the actual word map the city showed participants at the March 4, 2019 Public Input Workshop. The image of the word map was taken with a participant's cell phone. It summarized the magnitude of citizen needs/desires expressed at this larger Budget workshop.



The word map graphic above from the March 4, 2019 Workshop although not summarized by Staff in the Report is clearly documented in the Verbatim Comments (Public Input) that was included in pages 24-91 of the Report and accounted for below.

Verbatim Comments (pp 24-91): **Number of times a specific Place Name was mentioned:**

- **Ponto, Zone 9, and Southwest Carlsbad: 85 times** (see below for list of Verbatim Public Input)
- Village: 23 times, this is 27% as much as Ponto area
- Carlsbad Senior Center: 7 times, this is 8% as much as Ponto area
- Agua Hedionda Lagoon: 3 times, this is 4% as much as Ponto area
- New Village Arts: 3 times, this is 4% as much as Ponto area
- Barrio: 2 times, this is 2% as much as Ponto area
- Calaveras: 2 times, this is 2% as much as Ponto area
- Alga Norte Park: 2 times, this is 2% as much as Ponto area

- Poinsettia Park: 2 times, this is 2% as much as Ponto area
- Veterans Park: 2 times, this is 2% as much as Ponto area
- Rancho Carrillo: 1 time, this is 1% as much as Ponto area
- Hub Park: 1 time, this is 1% as much as Ponto area
- Crossings Golf Course: 1 time, this is 1% as much as Ponto area
- Robertson Ranch: 1 time, this is 1% as much as Ponto area
- Palomar Airport: 1 time, this is 1% as much as Ponto area

➤ ***As the Budget Public Input Report suggests, reading of each of the Verbatim Comments of actual public input should be done. The place names area specific list above does not include broad places such as “beaches” the names of specific roads, and other names that appeared vague. It is clear in reading through and counting the place name references that the Ponto area expressed as Ponto, Zone 9 (i.e. Local Facilities Management Plan Zone 9), and the coastal park references to Southwest Carlsbad and South Carlsbad was by far the greatest area of public input. This makes perfect sense in that for half of the City Ponto is the last significant vacant Coastal land available to address two of Carlsbad Citizens’ most important budget concerns ‘Neighborhood quality of life’ and ‘Parks and recreation’ that relate to core community values around Carlsbad’s “Beach”, “small beach town character”, and “valued open space”.***

Following is the listing of the Verbatim Public Input (Appendix A in Public Input Report, pp 24-91) that specifically referenced Ponto or a clear reference to Ponto such as Zone 9 or Coastal Park needs in Southwest Carlsbad. There are many more comments such as “The purchase of remaining open space for preservation of the last remaining coastal areas.” that logically and clearly refers to the Ponto situation. However these many additional comments were excluded from the list below since they did not specifically mention Ponto, Zone 9, or SW Carlsbad place names.

Of the 85 citizen comments below specifically referencing Ponto, 77 or 90.6% were asking the City to budget for a Ponto Coastal Park. Only 8, or 9.4% of those citizen comments were not asking for a Ponto Coastal Park. We are not sure if the 8 commenters knew about the City’s now acknowledged “Ponto planning mistakes” dating back over the past 10-years, as the City only first briefly acknowledged this recently on 1/28/20. We have found once citizens are truly aware of the facts and prior “Ponto planning mistakes” there is almost uniform desire for a Ponto Coastal Park. There is citizen concern that these “Ponto planning mistakes” are not being fully, openly and accurately being disclosed to Citizens during the various Public Input processes, thus tainting those Public Input processes.

Verbatim Ponto City Budget Public Input from pages 24-91 of FY 2019-20 Budget Public Input Report:

1. My biggest disappointment is the lack of park facilities in my section of the city, near South Ponto Beach. Lots of open land but no park within at least 2 miles. This should be a city priority
2. It used to be the beach but now Ponto & South Carlsbad are more like rocky shores. I’d like to see the rocks cleared up and more sand added to these beaches
3. COMMENT TRAFFIC IS BEING SPAMMED HERE TO PUSH THIS PONTO PARK PLOY (PPP) Develop Ponto and have the hotel maintain our beach! It’s all rocks currently!
4. Ponto Beach. We do NOT need a commercial development or hotel there. That needs to be a park and/or open space for future generations.

5. Ponto beach.
6. Don't ruin South Ponto Beach with condos and/or hotel, need to restore the sand on the beach.
7. Like most residents and visitors I treasure the beach. I feel the highest priority should be open space and parks that serve the beach region. Particularly important is the open space still available in the Ponto region. There is ample space here for an extraordinary area of open space and even a park. There is not one of either of these in the southwest quadrant near the beach. Children cannot walk safely to a park from that area. Open space and a park in the Ponto area would serve all residents, visitors, and the business community.
8. Beaches, parks, safe neighborhoods, OPEN SPACE! Need Beach parks like Del Mar Powerhouse/Sea Grove Park & Encinitas Community Park. Ponto Beach needs some attention.
9. I love the beach and the parks and fields and open space and hiking trails in Carlsbad. I wish we had more!! We have had 3 kids in sports in Carlsbad. Currently, field/park space is very limited and often over committed. Currently, there aren't enough fields to meet the need of the community. Adding more parks and fields would create a better community in the following ways.... The sports played on these fields help keep our kids fit and healthy; It keeps kids busy and out of trouble; It fosters friendships and community; it teaches team work and fosters dedication and teaches a willingness to help others succeed; it brings in community \$\$ from other teams who come to play on Carlsbad fields; It's a wonderful way to showcase our city to others who will want to return thus helping grow tourism. Additional Parks would offer the same benefits. We do not need more high density building. And, Please do NOT ruin Ponto with more building!!!!!!
10. We love the beach and the small-town feel Carlsbad has. We love the scattered open spaces and trails. Carlsbad is a great place to live and spend time outdoors, like the Ponto area. Let's keep it that way by not developing every last square foot into a condo complex, hotel or shopping mall, if that's what you want please move to Oceanside.
11. Let us protect the valuable open space that is left and not develop every square inch. Especially at the beach, let us save the land across the coast highway from Ponto Beach and make a beautiful park, not more condos and hotels. Carlsbad is in great financial shape and does not need to go after every development and tax dollar it can get. Some things are more important, like quality of life, than a fat wallet. I know that this will fall upon deaf ears amongst the two older members of the City Council, but maybe some rearranging of priorities is in order.
12. Would love to see the last areas of open land to stay that way. I have lived here for 25 years and have seen a tremendous amount of development eating away at the open beauty of the area. We have enough shopping centers and homes. Please leave the area at Ponto open and do not approve the Ponto development.
13. Keep Ponto Beach development free!
14. Preserving Open Space and Building Ponto Park in the South West Quadrant!
15. I second Tisha Klingensmith's comment and all the others regarding Ponto Beach development.
16. Preserving open space and maintaining high quality Parks and Rec with park location emphasis on geographical location. It's time to build a park in the SW quadrant near the beach for locals and visitors alike. Veterans Park is not a solution for each quadrant's deficiency, particularly in the south.
17. We need more parks, especially in southwest Carlsbad!
18. I agree, we need more parks and open space. I live in Zone 9 and don't have a park anywhere within walking distance.
19. We need to continue to preserve open space and NOT develop Ponto into an awful condo complex. We would love a park!

20. We need a park in the Ponto area and not a development. It is the last open space next to the beach left
21. I agree with the need to preserve open space throughout Carlsbad and NOT develop Ponto into awful condo complex.
22. We need to preserve our open space --it's what keeps the city feeling like a small town. We need more parks -esp one at Ponto in the SW quad!
23. Preserve the open space and build a park in SW quadrant at Ponto. We do not need or want any more huge developments, especially right by the beach in one of the last remaining open spaces. Once it's built, you can't un-build it. Build Ponto Park in SW quadrant. Do the right thing. Especially for our children and grandchildren. They won't thank us for building outrageously tall high density condos, hotels and unnecessary shops right by our gorgeous beaches. The only people this benefits are some wealthy developers, not the people of Carlsbad. Think long term, not short term. We have a beautiful city and community-preserve it now or it's gone forever!
24. We really need a park in the southwest quad by the beach. This could be an amazing asset (on SO many levels) for the community and visitors alike. The revenue stream would return the city investment in spades!
25. Parks. Needed in Ponto area our children in this area don't have a close park. And the house lots in our area are small.
26. I agree that we should be very mindful that the citizens of Carlsbad voted out the retail space plan at the power plant site a few years ago. The new Ponto project should not replace that. Citizens should be part of the decision to build out that area
27. We need to preserve our open space and we need a park at Ponto!
28. We need a park in the Southwest quadrant of our community. Safety in the community is what we like best in this area
29. Carlsbad's small town feel, friendly atmosphere and location has made it our ideal place to live for the past 20 years, We live across from South Ponto Beach and DESPERATELY need a park for our area residents. It would be sad to see the area overbuilt with high density projects and not retain some of the open space at this southern entrance to our "Village by the Sea". PLEASE help preserve some of its appeal before it is too late.
30. I love the quaintness of the Village, the open land areas, trails, small businesses and the arts. A huge NO to PONTO. Please stop the excessive building and development of the open areas of our beautiful and unique city. We have lived here for over 30 years and are sad to see so much over development. Keep our special village a village, and please don't turn it into another ordinary city.
31. Favorite is small town feel and the beach --the beach provides us with all the open space we need. The city has enough open space with all the lagoons, etc. --we don't need any more parks --especially at PONTO --I am thrilled to see and drive by every day the new resort at La Costa which is in Encinitas and that is what we need here at the South end of Carlsbad --more residential --NO more open space
32. What I love about Carlsbad is that it has a small village feel but it also has the beach and some restaurants and then little town. I really would like more to walk to around the Ponto area. Specifically I think it should be more of a beat centered area with places to grab ice cream or grab some food or a coffee and walk to the beach.
33. I love that our village that is not a strip of 101. The quaint cottages helped Carlsbad have a downtown feel. It has several streets with unique interest. I love the Trees on Grand! The landscape of the trees setting the height of the town. Unfortunately the taller buildings are killing that. Vertical dwellings are taking over.. think of the reason you travel to Europe. It's not

for Developers Generica. We also want the NRG power plant space into a Park... and... I would LOVE for the city to finish the rail trail to Ponto. Imagine taking a trail to Ponto? It would be a dream!

34. Our San Pacifico Community and the surrounding neighborhoods need a local park. So far Carlsbad has no real performing arts venue of any size to meet the needs of a city of more than 100,000. This should be a serious consideration when the new civic center is being designed.
35. We need more coastal parks and open space. Especially in zone 9
36. protect more open space, including Ponto
37. We need Veterans Park completed and Ponto park developed. Everyone in Carlsbad is engaged and we have been talking about the park deficits for a while now. Veterans park is over-due!!!
38. Our libraries are the best in the region! But I have to put them 4th to our Neighborhood quality of life, which is being impacted by huge developments destroying our property values, our piece of mind and privacy. We do need to insure that our environment is cared for, since all of these housing projects are going in. I do love our parks but we need to insure that the SW quadrant has their share of parks (think-Ponto).
39. Zone 9 (in southwest Carlsbad) does not have a park within walking distance! I hope the City can remedy this.
40. Ponto needs a park not a hotel or more condos. Please stop building on every last piece of land
41. See previous comment concerning the lack of a local, beach oriented park in the South Ponto area. Ditto a performing arts venue.
42. PLS get the Ponto Proyect development going....., that area of Carlsbad needs it asap
43. I support Ponto Development. PLs get it going...
44. Ponto has 2 miles of unobstructed beach access and a lagoon that already act as a "park within walking distance". The Ponto project was approved long ago and is part of the citizen approved master plan. Please get it done.
45. Strengthen and protect the financial stability of the City. Businesses pay a significant amount of taxes, property, sales and income and those employed spend and live here. Encourage affordable housing opportunities for everyone, think outside the box and find some unique solutions. Complete build out in areas available, Ponto Beach is a great opportunity and the project is well thought out, get it built. And please don't become a 'Nanny City' and waste time to pass frivolous laws restricting straws, plastic bags, soda consumption, etc.
46. Development of open space and parking space in the Ponto region
47. Specifically, I want the city to remedy the lack of equal access to parks and trails evident in the southwest quadrant of the city. I support a park project at Ponto: in the long run, the south coastal gateway to Carlsbad needs a welcoming park with beach access and supporting facilities. Though less extensive than Village beach areas, good design would merge a Ponto park with access to beach and access to the 'memorial area on the bluff at city border with the ecology of the Batiquitos Lagoon adjacent to make a marvelous creek to beach environment accessible for all and ever.
48. There are two miles of unobstructed beach plus the lagoon within "walking distance" of the neighborhoods near Ponto. The project was approved long ago and is part of the Master Plan approved by the citizens of Carlsbad. Zoning changes and project vote downs are often just another way to steal private property.
49. Local park deficits continue to be a problem. Let's please support Ponto Park development. We as a city are losing an unobstructed landmark in our community. Please share some of that with local residents. And, did I mention parking??
50. The extreme southwestern (Ponto) area of Carlsbad does not have a park within walking distance -this is my top priority to fix.

51. We have wonderful neighborhood parks, but not in Ponto and it's on the beach; Veteran's Park is more of a hiker/nature lover's place to enjoy nature.
52. We need a park at Ponto - to serve not only residents, but visitors and tourists.
53. A park is much needed in SW Quadrant of the city
54. Ponto Park. So much has been done for businesses, tourism, etc. This is the last bit of Carlsbad coast line left. And the residents could use more park space in the south part of the City. I don't want to see this area developed. Carlsbad has become overdeveloped.
55. I want to see a park for the Ponto road area. I feel that that area should not be used for condo - residential development. It is so important to showcase that wonderful piece of property, which is so rare to find all up the coast of Calif. and would be a welcomed park for all as you drive north into Carlsbad. ALSO I am very concerned that the Palomar Airport and the larger airplanes the new plan will bring and ask that the city stay involved to support our concerns, thank you for help I appreciate all off the councils work.
56. Ponto area open space and park development
57. Take control of our coastline, bring fire rings to Ponto beach, every family should have the experience of gathering around a roaring fire on evening.
58. Cancel the Ponto development tragedy. Build a free park and keep the free beach parking there.
59. Buy the land for open space on Ponto Drive and build a park in Zone 9 that has no park even though developers paid into the park fees for 20 + years.
60. support Ponto development
61. Now that we have removed the jetty and allowed Warm Waters to wash away, and now we are planning to build on Ponto, where will locals access the beach? If 50% of responders stated the beach is the best part of Carlsbad living, why are continually squandering this gift? I know the council would live to sell Agua Hedionda to a developer too. When will there be decisions made to maintain our quality of life? Furthermore, I selected transportation because my commute time has DOUBLED in the past 5 years. The 55mph speed limit on El Camino is a joke. It takes me 2 light cycles just to cross each intersection now due to this unmitigated growth with no regard for how people will get around. I'm continually dismayed by this city.
62. Preserve the open space at Ponto. Keep traffic under control.
63. Preserve open space in zone 9
64. Money for persevering open space in zone 9 and building parks in the SW quadrant!
65. More parks and open space in Southwest Carlsbad!
66. Why another proposed hotel at Ponto? There are an abundance of hotels & stores already available ---even more than necessary. Preserving nature & some green space is more important than more concrete & businesses with "lease available" signs everywhere!
67. Prop to aid Ponto to keep it natural, as park area & natural habitat.
68. Put budget money towards Parks and Recreation, specifically Preserving Open Space in Zone 9 and Building #PontoPark in the SW Quadrant (p 84)
69. Please put budget money towards Parks and Recreation, specifically Preserving Open Space in Zone 9 and Building #PontoPark in the SW Quadrant (p 85)
70. need a park in the southwest Carlsbad post development
71. Parks in southwest Carlsbad!
72. Zone 9's lack of park and open space is sad. The SW quadrant needs more places to take kids to play, seniors to walk and get outside, and for the community to gather. A park at Ponto would be an ideal place for that and would make for a beautiful and welcoming entry into Carlsbad for locals and tourists.
73. We need a park site near Ponto Beach on the property now slated for a 5 star hotel which has not been built despite attempts by several developers over the last ten plus years.

74. Please spend more on Parks and Recreation. We need to Preserve Open Space in Zone 9 and Build Ponto Park in the SW Quadrant. We do not need more homes congesting the already packed Coast Hwy. Adding sand to Ponto Beach would be nice too -too rocky!
75. I'm asking the City to put budget money towards Parks and Recreation, specifically Preserving Open Space in Zone 9 and Building #PontoPark in the SW Quadrant -this will enhance the quality of life in Carlsbad, contribute to the highest and best use, meet the requirement to have a park in this area, and make the area so desirable that it will allow raising of local tax rates (I don't believe I'm saying this). Best Regards, David Johnson
76. Put some park and playgrounds in SW Carlsbad. There are none near Ponto, yet there are open spaces, near Avenida Encinas and 101. Nothing to walk to. Thank you
77. We could really use a park in southwest Carlsbad especially the San Pacifico area. Thank you
78. Work toward filling the deficit in parks and open space in the Southwest part of Carlsbad, especially Ponto.
79. Would truly love the Ponto Beach Park! As a resident of South Carlsbad we need this!!!
80. There are no Parks in South Carlsbad. We are neglected here yet I pay very high taxes.
81. Build a Park at Ponto! Keep the open space!
82. I would like to see the city buy the Ponto property and develop it into a park.
83. Build a park at ponto
84. Appropriate development of open space and park space in the Ponto region. We are currently at huge deficit of both of these in the Ponto region
85. We are very quickly running out of open space. This is probably one of the most beautiful areas in the country, we need to preserve that beauty and maintain some open space. The open land near South Ponto beach must be preserved. There are no parks in the area, developing that area would not only add to the pollution but it would sacrifice one of the most beautiful parts of Carlsbad. Towns and Cities across the country are prioritizing open space that is so important, it is time we did that in Carlsbad. We need open space near Ponto Beach.

A few of the many Citizens asking the City Council to budget for a much needed Ponto Coastal Park





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<https://www.nrpa.org/publications-research/research-papers/agency-performance-review/>

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- Higher real estate values
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March 11th, 2022

Carlsbad City Council
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Re: Support creation of Ponto Park – a needed park for South Carlsbad

Dear Mayor Hall,

The Trust for Public Land (TPL) is strongly supporting the efforts of ‘People for Ponto’ and thousands of Carlsbad residents to build Ponto Park in the 11-acre coastal parcel known as ‘Planning Area F’ in South Carlsbad. For over 40-years TPL has been designing and building parks in California and although we have world-class parks and beaches, the fact remains 3.2 million Californians don’t have access to a park, and some of those Californians are residents of South Carlsbad. While the National Recreation and Park Association calls for 10-acres of park lands per 1000 residents as standard metric for healthy and vibrant cities, Carlsbad has a comparatively and relatively low park standard of only 3-acres/1,000 population and no requirement to provide accessible parks within walking distance.

And according to our own Trust for Public Land 2020-21 ‘City Parkscore’, Carlsbad is also below national averages both providing park land acreage and in providing residents a park within a 10-minute walk.

The City of Carlsbad’s Park Master Plan on pages 86-89 documents park service and park equity/inequity. Carlsbad’s Park Master Plan documents that Ponto area has no park and all of South Carlsbad (over 61% of the entire city population) has no Coastal Park while . Carlsbad provides 10 City Coastal Parks (totaling over 35-acres) in North Carlsbad, while South Carlsbad has no coastal parks to serve the 64,000 residents, many of which are children. Ponto Park at 11-acre Planning Area F is the last remaining reasonable bit of vacant and currently unplanned Coastal land to provide a Coastal Park for South Carlsbad. Ponto Park would also be in the middle of a 6-mile long section of North San Diego County coastline without Coastal Park, and would help address a regional need for a Coastal Park for these 6-miles of coastline.

The CA Coastal Act has numerous policies that support the creation of Ponto Park and Coastal Recreation land use. The City of Carlsbad’s history of following these CA Coastal Act polies now and over the past 40-years in its Local Coastal Program should be considered now in the City’s proposed Local Coastal Program Amendment. Over the past 40-years Carlsbad and California residents have forever

lost numerous opportunities to create vital Coastal Parks and Coastal Recreation for our growing population.

In addition to the clear need for coastal parks in South Carlsbad, the citizens are overwhelmingly supporting the creation of Ponto Park in Planning area F. As you know during the past 2-years during the City Budget and Local Coastal Program Amendment processes, residents strongly demonstrated their desire that the City Council purchase and build Ponto Park. In 2019, 2020 and 2021 over 90% of citizen input expressed need was for Ponto Park, along with extensive verbal and written citizen testimony.

As COVID-19 vividly pointed out, parks are not an amenity, but a key component to human physical and mental health. Parks also provide environmental benefits and contribute to cleaner air and water, climate adaptation and social cohesion. TPL think you have a great opportunity to address equity and access to park space and improving the lives of thousands of Carlsbad residents and strongly urge you to support the building of Ponto Park for families and community.

Sincerely,

Rico Mastrodonato
Government Relations Director

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From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, June 16, 2022 11:15:02 PM

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:

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. 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.

Disclose and address 2017 CA Coastal Commission direction to City on Ponto Vision Plan and Planning Area F Existing LCP in the PCH Project. 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.

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.

Incorporate the 5,000+ written/mailed petitions to the Council & CA Coastal Commission, and the Letters from Carlsbad visitor industry, Surfrider Foundation, and Batiquitos Lagoon Foundation.

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.

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.

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”.

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.

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 CarlsbadCarlsbad.

Sent from [People for Ponto](#)

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



March 11th, 2022

Carlsbad City Council
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Re: Support creation of Ponto Park – a needed park for South Carlsbad

Dear Mayor Hall,

The Trust for Public Land (TPL) is strongly supporting the efforts of ‘People for Ponto’ and thousands of Carlsbad residents to build Ponto Park in the 11-acre coastal parcel known as ‘Planning Area F’ in South Carlsbad. For over 40-years TPL has been designing and building parks in California and although we have world-class parks and beaches, the fact remains 3.2 million Californians don’t have access to a park, and some of those Californians are residents of South Carlsbad. While the National Recreation and Park Association calls for 10-acres of park lands per 1000 residents as standard metric for healthy and vibrant cities, Carlsbad has a comparatively and relatively low park standard of only 3-acres/1,000 population and no requirement to provide accessible parks within walking distance.

And according to our own Trust for Public Land 2020-21 ‘City Parkscore’, Carlsbad is also below national averages both providing park land acreage and in providing residents a park within a 10-minute walk.

The City of Carlsbad’s Park Master Plan on pages 86-89 documents park service and park equity/inequity. Carlsbad’s Park Master Plan documents that Ponto area has no park and all of South Carlsbad (over 61% of the entire city population) has no Coastal Park while . Carlsbad provides 10 City Coastal Parks (totaling over 35-acres) in North Carlsbad, while South Carlsbad has no coastal parks to serve the 64,000 residents, many of which are children. Ponto Park at 11-acre Planning Area F is the last remaining reasonable bit of vacant and currently unplanned Coastal land to provide a Coastal Park for South Carlsbad. Ponto Park would also be in the middle of a 6-mile long section of North San Diego County coastline without Coastal Park, and would help address a regional need for a Coastal Park for these 6-miles of coastline.

The CA Coastal Act has numerous policies that support the creation of Ponto Park and Coastal Recreation land use. The City of Carlsbad’s history of following these CA Coastal Act polies now and over the past 40-years in its Local Coastal Program should be considered now in the City’s proposed Local Coastal Program Amendment. Over the past 40-years Carlsbad and California residents have forever

lost numerous opportunities to create vital Coastal Parks and Coastal Recreation for our growing population.

In addition to the clear need for coastal parks in South Carlsbad, the citizens are overwhelmingly supporting the creation of Ponto Park in Planning area F. As you know during the past 2-years during the City Budget and Local Coastal Program Amendment processes, residents strongly demonstrated their desire that the City Council purchase and build Ponto Park. In 2019, 2020 and 2021 over 90% of citizen input expressed need was for Ponto Park, along with extensive verbal and written citizen testimony.

As COVID-19 vividly pointed out, parks are not an amenity, but a key component to human physical and mental health. Parks also provide environmental benefits and contribute to cleaner air and water, climate adaptation and social cohesion. TPL think you have a great opportunity to address equity and access to park space and improving the lives of thousands of Carlsbad residents and strongly urge you to support the building of Ponto Park for families and community.

Sincerely,

Rico Mastrodonato
Government Relations Director

From: [Mary Real](#)
To: [Growth Management Committee](#)
Subject: Public comments June 23 2021 Growth Management Citizens Committee
Date: Wednesday, June 22, 2022 4:47:09 PM

Dear Committee Members:

Please do not forget the neglected senior citizens in the area.

Where is the second senior center south of town?

Why is Park & Rec so UNresponsive to the requests of seniors to use their Senior Center?

Management does not want Seniors to use the dining hall after lunch for games or music or conversation to socialize???? because Park & Rec-ers claim "they have to clean up" after lunch which takes less than 30 minutes to sweep the floor as seniors move out of the way!

Why is the city council unwilling to do a feasibility study of the Senior Center management? Why is the Senior Commission not more than an advisory commission and why are there no members who go to the Center 3 or 4 days a week on the Commission?

Thank YOU for your time,

Mary Lucid

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From: [Holistic Food](#)
To: [Growth Management Committee](#)
Subject: Question :)
Date: Wednesday, June 22, 2022 3:41:45 PM

Hello,
I'm wondering if disability access and disability friendliness is part of the growth plan?

Thank you

Sent from my iPhone

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

From: [Chuenwei Hsu](#)
To: [Growth Management Committee](#)
Subject: The future growth of Carlsbad
Date: Wednesday, June 22, 2022 5:03:20 PM

As a resident living near the beach I do have a concern on the parking situation and traffics along Garfield. Many times we the residents are concerned about merging to Garfield from our own streets. That People driving fast and cars parking close to the entrance of roads make daily driving a stressful experience.

My question is ‘will you build parking facilities at the current obsolete power plant next to Cannon Road?’

Thanks,
Jean Hsu

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From: [Ken Pace](#)
To: [Growth Management Committee](#)
Subject: Comment for Carlsbad Tomorrow Growth Meeting 6/23/22
Date: Thursday, June 23, 2022 7:39:33 AM

I think there should be zero discussion of development of any kind in the Agua Hedionda Creek watershed until the flood dangers to the Rancho Carlsbad Community are resolved.

I know some Carlsbad City Staff have been made aware of the problem but to my knowledge no ideas of what to do about the flooding danger to this community of 504 homes have been offered.

I again suggest zero discussion of up stream development until the present flooding danger is fully resolved.

Ken Pace
5157 Don Mata Drive
Carlsbad, CA 92010

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From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, June 22, 2022 8:49:39 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:

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. 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

Disclose and address 2017 CA Coastal Commission direction to City on Ponto Vision Plan and Planning Area F Existing LCP in the PCH Project. 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.

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Incorporate the 5,000+ written/mailed petitions to the Council & CA Coastal Commission, and the Letters from Carlsbad visitor industry, Surfrider Foundation, and Batiquitos Lagoon Foundation.

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.

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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.

Sent from [People for Ponto](#)

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June 23, 2022

To Members
CARLSBAD TOMORROW
Growth Management Citizens Committee

ORAL COMMENT

My name is Mercedes Martin, and I live at 3715 Longview Drive.

Thank you for volunteering for this committee and taking time to consider input from fellow Carlsbad residents.

1. Limit the height and density in the Village.
2. Encourage resident serving businesses in the Village.
3. Keep the MAIN City Hall in the VILLAGE; I am including the current location.
4. Encourage the City to install solar (environmentally friendly) to cover the City's energy use, and incentivize residents to do the same.
5. Ask the City to take a strong stance against NEW taxes on solar photo voltaic systems, and convey that to the Governor.
6. Build a public park AT or NEAR the Beach.
7. Keep McClellan Airport SMALL and do everything possible to limit and enforce operating hours to protect Carlsbad residents from noise and air pollution.
8. When the City takes any action, keep in mind that the government's purpose is to serve ALL of its residents. Ask the City Council to do whatever is possible to protect Carlsbad's citizens from noise, air and water pollution, and maintain Carlsbad's quality of life.
9. Final point/Question: HOW can the City allow the build out of the City when we are already suffering from a water shortage?

Thank you.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, June 16, 2022 11:15:02 PM

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.

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Sent from [People for Ponto](#)

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National Recreation & Park Association (NRPA) Agency Performance Review – Carlsbad Parks
<https://www.nrpa.org/publications-research/research-papers/agency-performance-review/>

The following in quotation marks is from the NRPA Agency Performance Review. Under each quote is how Carlsbad compares with this nationwide park data base.

“The typical park and recreation agency offers one park for every 2,323 residents served, with 10.4 acres of parkland per 1,000 residents. But park and recreation agencies are as diverse as the communities that they serve, and what works well for one agency may not be best for your agency. Therefore, park and recreation professionals need data to identify the best practices to optimally serve their community.”

Carlsbad has one park for 2,797 residents with 2.95 acres of parkland per 1,000 residents.

Carlsbad is 20% below typical in providing the number of parks, and

Carlsbad is 72% below typical in providing acres of parkland.

Carlsbad data is from 2020 US Census, Carlsbad General Plan & data from new Buena Vista Reservoir Park in NW quadrant. City also counts school playgrounds as Parks, even though these are not 100% available for park use.

The NRPA Agency Performance Review also provides finer-grained data on a City’s relative performance based on population, population per square mile (aka population density), and City Park Budget size. Carlsbad’s 2020 population of 114,746 places it in the 100,000 to 250,000 category, Carlsbad’s population per square mile of 2,792.2 places it in the ‘over 2,500’ category, and Carlsbad 2022-23 Park Budget of \$2,601,669 places it in the \$1 to \$5 million budget category. NRPA data for these categories is:

“Based on	Lower quartile	median	upper quartile
<u>Total city population:</u>			
Residents per park	2,205	3,170	5,852
Acres of park/1,000 residents	4.6	8.9	16.3”

Carlsbad is:

12% better than the median in providing the number of parks per residents

67% worse than the median in providing acres of park per resident

“Population/sq. mile (population density):

Residents per park	1,382	2,261	3,908
Acres of park/1,000 residents	3.9	7.9	14.5”

Carlsbad is:

24% worse than the median in providing the number of parks per residents

63% worse than the median in providing acres of park per resident

“City Park budget:

Residents per park	1,174	1,941	4,288
Acres of park/1,000 residents	5.1	10.6	18.3”

Carlsbad is:

44% better than the median in providing the number of parks per residents

72% worse than the median in providing acres of park per resident

It is unclear in the NRPA data if the nationwide data includes and count school playgrounds as a park, (like Carlsbad does) even though school playgrounds are 100% available as parkland. The City's use of School facilities that are outside of the City Park System and City Park Budget to count as Parks may distort data comparisons.

The NRPA Agency Performance Review has no comparative data on the accessibility of Parks. The NRPA website references the Trust for Public Land's (TPL) Park Score data for Park accessibility data. The Trust for Public Land's Park Score for Carlsbad is at <https://www.tpl.org/city/carlsbad-california> . Carlsbad's TPL Park Score data indicates:

For a 10-minute walk to a Park, Carlsbad is:

33% below the Median for the TPL's 100 ParkScore® cities:

9% below the Median for the 14,000 cities and towns in the TPL ParkServe® database

For overall Park acreage, Carlsbad is:

26% below the Median for the TPL's 100 ParkScore® cities:

7% below the Median for the 14,000 cities and towns in the TPL ParkServe® database

The TPL database includes all parks within a city, including non-City parks. For instance TPL includes the State Campground as a Park; even though the Campground is a 'low-cost visitor accommodation' there is no park within the Campground. The TPL also counts restricted habitat areas within City Parks that cannot be used as parks.

The NRPA does provide information in support of park accessibility as noted in the following clips and links:

["10-Minute Walk Campaign](https://www.nrpa.org/publications-research/evaluation-resource-hub/park-check/resources/) NRPA, The Trust for Public Land, and the Urban Land Institute have joined forces to ensure there is a great park within a 10-minute walk of every person across America. More than 220 mayors have committed to expanding equitable park access through local policy changes, master planning efforts and increased funding." <https://www.nrpa.org/publications-research/evaluation-resource-hub/park-check/resources/>

"NRPA Park Check Principles, **Access:** Everyone deserves access to a high-quality park that is within a 10-minute walk of where they live. It is important that all members of the community, including lower-income residents, have walkable park access." <https://www.nrpa.org/publications-research/evaluation-resource-hub/park-check/principles/>

"Ashburn, Va. (Sept. 24, 2018) — According to a recent [report](#) published by the [National Recreation and Park Association](#) (NRPA), the majority (85 percent) of Americans support efforts, such as the [10-Minute Walk campaign](#), to ensure every person has access to a great park within a 10-minute walk of their home. Currently, 3 in 4 Americans say they live within walking distance of a local park or other recreational facility and, on average, visit their local park and recreation facilities more than twice a month. ... A [report](#) issued by NRPA — in partnership with the Center for Regional Analysis at George Mason University — demonstrates the vast economic impact of local parks nationwide. Operations and capital spending for local parks generates more than \$154 billion in economic activity and supports more than 1.1 million jobs. This is a conservative estimate that does not capture parks' other economic benefits:

- Higher real estate values
- Health and wellness benefits
- Conservation/Resiliency benefits
- Tourism

- Economic development”

<https://www.nrpa.org/about-national-recreation-and-park-association/press-room/americans-agree-every-person-deserves-access-to-a-great-park-within-a-10-minute-walk/>

“Ashburn, Va. (Feb. 11, 2019) — As part of the [10-Minute Walk](#) campaign, which aims to address the fact that 1 in 3 Americans don’t have a park within a 10-minute walk (or half-mile) of home, the [National Recreation and Park Association](#) (NRPA), along with [The Trust for Public Land](#) (TPL) and the [Urban Land Institute](#) (ULI), has selected 10 campaign cities nationwide to receive grant funding totaling \$400,000. This funding will be used to support city planning and policy efforts that help increase access to high-quality, close-to-home parks and public green space.” <https://www.nrpa.org/about-national-recreation-and-park-association/press-room/new-grant-funding-supports-10-cities-participating-in-10-minute-walk-campaign/>

The City’s Park Master Plan (pages 86-xx) maps Park Service Areas and areas Unserved by City Parks. Following is a compilation the City parkland and the City areas Served (circled) and Unserved (outside the circles) by City Parks. This data was compiled and submitted to City in a ‘Coastal Recreation data file’ on 1/29/20 by People for Ponto Carlsbad Citizens, along with submitting over 5,000 petitions regarding many comparative shortfalls in City Parkland:

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

Data Sources:

<https://www.census.gov/quickfacts/fact/table/carlsbadcitycalifornia/PST045221>

<https://www.carlsbadca.gov/departments/community-development/planning/general-plan>

<https://www.carlsbadca.gov/departments/parks-recreation/parks-community-centers/parks/future-park-planning/buena-vista-reservoir-park>

<https://www.tpl.org/city/carlsbad-california>

<https://www.carlsbadca.gov/departments/parks-recreation/parks-community-centers/parks-master-plan>



March 11th, 2022

Carlsbad City Council
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Re: Support creation of Ponto Park – a needed park for South Carlsbad

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lost numerous opportunities to create vital Coastal Parks and Coastal Recreation for our growing population.

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Sincerely,

Rico Mastrodonato
Government Relations Director

From: [Lance Schulte](#)
To: [Eric Lardy](#); [Council Internet Email](#); [City Clerk](#); [Boyle, Carrie@Coastal](#); ["Prahler, Erin@Coastal"](#); [Ross, Toni@Coastal](#); [Kyle Lancaster](#); [Don Neu](#)
Cc: [info@peopleforponto.com](#)
Subject: citizen input for Carlsbad Tomorrow Growth Management Committee (et. al.) regarding Parks - Park land dedication requirements for developers - an example of Ponto Site 18
Date: Thursday, July 14, 2022 9:05:43 AM
Attachments: [image002.png](#)

Dear Carlsbad City Council, Carlsbad Tomorrow Growth Management Committee, Carlsbad Park and Planning Commissions, and CA Coastal Commission:

This email is a follow-up to the July 7th email below, and only in regards to item #2 that deals with Park land dedication rules of 20.44 of the Carlsbad Municipal Code. Please include this email as public input to the Carlsbad Tomorrow Growth Management Committee (CTGMC), Parks Master Plan Update, Local Coastal Program Amendment, and Ponto Site 18 development file. Sorry for the length of this email, due to documentation to counter staff's incomplete information.

Role of Carlsbad Ordinance 20.44 - DEDICATION OF LAND FOR RECREATIONAL FACILITIES

The primary 20.44 requirement for developers to (at no cost to the City) provide land to the City to meet the development's demand for more City park acres, and the specific Park demand/supply situation at Ponto that clearly justifies the City Council pursuant to Council's (not staff's) authority under 20.44 to 1) require development to provide (dedicate without cost to the City) land for City Park that is sufficient to meet that development's park land demand (in the example of Ponto Site 18 that land area is 0.6118 acres), and 2) that pursuant to Council authority in 20.44, it is fiscally prudent and much better for the City and Citizens of Carlsbad to accept 'free' land v. receive a "park land in-lieu-fee" that only provides for 27% of the required land area called out in 20.44 and is thus ultimately results in a tax-payer subsidy of development. Tax-payer subsidy of development is also counter to the purpose of the City's Growth Management Program.

Staff misrepresentation of Citizen input

Some staff misrepresented my and other Carlsbad Citizens when staff said **their** Thursday, July 7, 2022 4:05 PM below: "The comment (citizen's 7/4/2022 8:33am email) claims that there is a requirement for the city to build a park in the southwest quadrant." What we said in our Mon 7/4/2022 8:33 AM emails was:

"2. Ponto needs a 6-7 acre Neighborhood Park to serve Neighborhood needs based on the current Ponto population & City's minimal Parkland Standard of 3 acre per 1,000 population. The SW Quadrant needs a new 6-7 acre City Park to make up for the Park acreage Deficit in the SW Quadrant since 2012. South Carlsbad (62% of the Carlsbad's population) needs a significant Coastal Park, as there is no City Park west of I-5 in South Carlsbad. Ponto is at the center of a 6-mile Regional Coastal Park gap. Ponto is the last remaining vacant land that can provide a true Park. Carlsbad's Park Master Plan maps Ponto as an 'area unserved by parks, and an area that the City should provide new parks'.

Since 2017 Carlsbad citizens have sent over 5,000 petitions to the City and CA Coastal Commissions regarding the need for a Neighborhood Ponto Park, and larger Coastal Park for

South Carlsbad's (and region's) inland population. Citizens also called out flaws in the City's Ponto planning that failed to and consider and document these Park needs (and the need for "Low-cost Visitor Accommodation" land use). Citizens shared these citizen concerns and data to Fenton. Citizens asked Fenton to provide their required City Park land dedication in actual Park Land at Ponto. Carlsbad's park land dedication ordinance is CMC 20.44. Fenton and People for Ponto Citizens have indicated they would like together [meet] with the City to define how Fenton can provide Fenton's fair-share of actual Ponto Park land. Fenton's fair-share would be about .7 acre of Parkland. Fenton is trying to set a meeting with the City to do that."

We Citizens are saying we NEED a Ponto Park adequate for local Ponto Citizen needs, AND also a park adequate to serve the Coastal Park needs for All South Carlsbad (inland citizens) and address a regional 6-mile long Coastal Park gap centered around Ponto. Sadly, current City 'requirements' fail to recognize these NEEDS. The CTMC is charged with addressing these NEEDS and suggesting changes to City 'requirements'.

As a citizen, I am troubled by the some City Staff not being able to read what is being sent to them. Most troubling is some staff misrepresentations to Citizens serving as the City Council, City Commissions and Citizens Committees on what your fellow Carlsbad Citizens are communicating to you. It seems from a Citizen perspective that some staff are biased against citizens and citizen input that maybe contrary to what some staff want to do. As Citizens elected and appointed officials charged with directing, recommending, questioning, and overseeing City Policy and staff we hope you assure your processes, and City Staff serving you, provide an honest and truthful consideration of fellow Citizens' input.

Staff misrepresentation of Growth Management Program and Ordinance

Also of critical Citizen concern is that some City Staff are fundamentally misrepresenting what Carlsbad's Growth Management fundamentally is - setting MINIMUM required public facilities thresholds (aka MINIMUM Performance standards) below which development will be halted. All of Carlsbad's Growth Management resolves around this fundamental Principle - the GM Performance Standards are ONLY MINIMUMS that define when development must stop until that public facility is raised ABOVE the MINIMUM Performance Standard. Some City Staff are inaccurately presenting GM Performance Standards as the Ultimate, Final or Maximum desired level of a public facility to define Carlsbad's Quality of Life. Any facility above the MINIMUM Performance Standard is simply above the 'failure level' where development stops until we are above the Performance Standard threshold. Some of City Staff's misrepresentation of Performance Standards is very serious, and needs firm correcting. Reading the ballots establishing Growth Management and the City's own FY 2019-20 Growth Management Plan Monitoring Report confirms that: ""FAILURE TO MEET PRERFORMANCE STANDARD: The Growth Management Plan requires development activity to stop if a performance standard is not being met." The Growth Management Performance Standard line is a 'failure line', not a Maximum or Average level of Quality of Life we all voted for and aspire to. Some City Staff sadly thing that anything above failure (an F-grade defined by the GM Performance Standard) is success and deserves an A-grade.

The Growth Management Plan or City Growth Management Ordinance 21.90 does not restrict the

City Council in any way from providing Public Facilities ABOVE the Growth Management (Minimum) Performance Standard: ““21.90.140 Obligation to pay fees or install improvements required by any other law. - **Nothing in this chapter [Growth Management Ordinance 21.90 and the Plans it is based on] shall be construed as relieving a builder, developer or subdivider from any public improvement requirement, dedication requirement** or fee requirement which is imposed pursuant to **Titles 13, 18, 20** or 21 of this code or pursuant to any city council policy. (Ord. 9808 § 1, 1986)”

This portion of Carlsbad law is supported by multiple City Council actions to exceed the MINIMUM Performance Standards, such as the ‘oversupply’ (relative to the MINIMUM Park Standard) of City Parks in the NW Quadrant. The Growth Management Plan plans for the NW Quadrant to have far more Park acreage than required by the MINIMUM (you have been provided this data in the Coastal Recreation data file). The SW and SE (and to a lesser extent the NE) Quadrants are failing to meet the MINIMUM, but the City uses an ‘accounting trick’ to say that Parks that are in the NW Quadrant are ‘on-paper’ in the SW, SE, NE Quadrant so a permanent future “Park failure” in the SW and SE Quadrants are covered up in accounting. But the reality on-the-ground for Citizens and their children is the reality – permanent Park actual acreage/access failure in the SW & SE Quadrants. The City’s ‘accounting trick’ thus CREATES AN ACTUAL PERFORMANCE STANDARD FAILURE in the SW & SE Quadrants that Citizens and their families actually experience. You have seen the pictures of families having to play in streets, railroad right-of-way, and trespass on other vacant Ponto land to use as a Park; and been provided the 5,000+ emails as testament to these facts.

The fact is that the SW, SE and NE Quadrants do not have their MINIMUM required Park acreage Performance Standard actually within their Quadrants. The City used an ‘accounting trick’ to cover the that do not their bare MINIMUM of Park acres.

City Council regularly directs actions and funds to Oversupply (exceed) the Minimum Performance Standard for most all Growth Management public facilities

The Council recently acted to increase this ‘oversupply’ of Park land in NW Quadrant with the new Buena Vista Reservoir Park. This Park was NEVER in the Growth Management Plan nor was it REQUIRED to meet a MINIMUM Performance Standard. Sadly (for South Carlsbad Citizens) SW Carlsbad (that has had a 6.5 acre MINIMUM Park Deficit since 2015) has had to absorb more development and that SW Quad development paid for the NW Quadrant Buena Vista Reservoir Park via “Poinsettia 61”. The City Council has also increased public facilities beyond the MINIMUM Performance Standard on multiple other occasion such as the recent Fire Service investments beyond the Performance Standard, and all over the City with City Administrative Facilities, Water, sewer, most Streets, and other public facilities in the City that are being provided Over and Above the MINIMUM Performance Standards (failure/no further development threshold) established for those facilities.

Carlsbad Citizens, in over 5,000 petitions and overwhelming input at numerous public meetings, clearly is documenting the NEED for the City Council to do (and direct Staff to do) what Carlsbad has done before:

- provide for Park acreages and Parks at Ponto and SW Quad that are above the Minimum Performance Standard (failure threshold),
- properly address the current 6-7 acre Park Deficit that has existed in the SW Quadrant since 2012 with a park WITHIIN the SW Quadrant,

- Properly address Carlsbad Citizens overwhelming desire for a True Ponto Park,
- Get rid of accounting tricks that falsely say that Parks actually in the NW Quadrant are ‘considered to be in the SW, SE, and NE Quadrants’
- Require developers to provide their fair-share of actual Park Land per 20.44. Do this at Ponto! Park land is needed AT Ponto.
- Listen to Citizens, don’t fight and try to crush Citizens’ input and requests for you to address critical Quality of Life issues

City Council (not City Staff) Authority under Carlsbad Ordinance 20.44 - DEDICATION OF LAND FOR RECREATIONAL FACILITIES

As noted in my Thursday, July 7, 2022 5:17 PM email below, some City staff are also misdirecting issues and incomplete in their assessment on the City’s Dedication of Land for Recreational Facilities Ordinance 20.44, and in what appear to be some staff trying to assume and take over the City Council’s authority to make Park decisions under 20.44. Following is CMC 22.44.060 that clearly spells out the City Authority responsible for determining if Park land dedication or a “fee-in-lieu” is used. In the case of if only a SDP and CDP applications are needed for Ponto Site 18 development that ‘decision making authority’ would be Carlsbad Planning Commission, or if/when appealed to the City Council, the City Council.

20.44.060 Determination of land or fee.

A. **Whether the decision-making authority for the tentative map or tentative parcel map requires land dedication or elects to accept payment of a fee in lieu thereof, or a combination of both, shall be determined by the decision-making authority at the time of approval of the tentative map or tentative parcel map.** In making that determination, **the decision-making authority shall consider** the following:

- 1 Park and recreation element of the general plan;
- 2 Topography, geology, access and location of land in the subdivision available for dedication;
- 3 Size and shape of the subdivision and land available for dedication;
- 4 The feasibility of dedication;
- 5 Availability of previously acquired park property.

B. The determination of the city council as to whether land shall be dedicated, or whether a fee shall be charged, or a combination thereof, shall be final and conclusive. (Ord. CS-192 § 49, 2012; Ord. 9614 § 1, 1982; Ord. 9190 § 6)

20.44.060 requires (shall) “consideration” of factors, but Council has discretion on how it ‘considers’ factors. “Consideration” is by definition a respectful, thoughtful, reflection and deliberation of issues. “Consideration” is NOT a straight-jacket. The City Council has already provided critical Policy direction to Staff to form the Carlsbad Tomorrow Growth Management Committee because according to the City’s website “the city is entering a new phase **where different tools will be needed to effectively manage growth.**” And that **“The city is now in the beginning stages of creating a new approach to managing growth in Carlsbad,** starting with a citizens committee.” So the decision whether to do what Park land dedication ordinances are intended to do receive land dedicated to the City by developers to offset that developer’s impact on Parks is solely the City Councils, and the City Council has started a processes to create new Park Standards and

requirements. The CTGMC is charged with considering past and future Park Standards and Park Growth Management standards. The Ordinance allows the City Council to consider this and past information at the time the entire development application comes before the Council for approval, denial, or conditioning.

An example Carlsbad Ordinance 20.44 - DEDICATION OF LAND FOR RECREATIONAL FACILITIES using as example the Fenton Ponto Site 18 development proposal:

Fenton recently purchased most of Ponto Site 18. They are proposing to develop most (4.64 acres), but not all their land. Fenton wants to reserve some (about 1 acre) of their Ponto Site 18 vacant land for future development. Fenton has land resources to provide actual Land as the DEDICATION OF LAND FOR RECREATIONAL FACILITIES per 20.44.

Dedication of Land for Recreational Facilities calculation:

86 (DU of Fenton proposed development) X 2.64 (Carlsbad's average population per DU per 2020 US Census) = 227 (population of Fenton project)

227 ÷ 1,000 (population that needs a minimum of 3 acres of Park land per CMC 20.44) = 0.22704 (the percentage of the 3 acres of Park land minimally required for 227 people)

0.22704 X 3 acres (minimally required Park land per 1,000 people) = **0.68112 acres of Park land is minimally required for Fenton's proposed 86 home based on City's minimum requirement**

Fenton recent land purchase cost is about \$2.178 million per acre. So Fenton's 0.68112 acre minimum park site requirement's land cost is \$1.484 million. However, the City's "Park in-lieu-fee" for Fenton's proposal is only \$4,636 per home or \$398,696. **So the City's Park in-lieu-fee only covers 27% of the Park land value the City would receive if the City accepted land under 20.44.**

Cost of City failure to acquire 'free Park land' from developers, 'in-lieu fees loose significant value adding to tax-payer liabilities, and failure to get free park Land dedication loses critically important opportunities to provided needed park:

The Fenton example shows that getting for free land is a much better deal for the City and Citizens. It seems fiscally irresponsible for the City Council not to acquire Free park land per 20.44. The City would be losing \$1.085 million per acre by accepting "Park in-lieu-fees" that are inadequate to pay for the cost of park land that the City would otherwise be provided free by a developers in their Park land dedication. **The City's "Park in-lieu-fee" is basically a developer/development subsidy by the City and the City's tax-payers.** This subsidy will ultimately be paid by Carlsbad tax-payers. This is one reason that developers love to pay "in-lieu-fees" as these fees never cover the developer's full cost to mitigate their development's impact on and obligations to a community/City. This subsidy dynamic of "in-lieu-fees" is well known but, cities tend to hide this information from citizens. Recall the history of Affordable Housing in-lieu-fees and update a while back. Per 20.44.08 the Park in-lieu-fee" is supposed to cover the fair-market value to buy the land that would otherwise be dedicated (for free) to the City. As shown above the City's current Park-in-lieu-fee is not doing that:

20.44.080 Amount of fee in lieu of land dedication.

A. **When a fee is required to be paid in lieu of land dedication, the amount of the**

fee shall be based upon the fair market value of the amount of land which would otherwise be required to be dedicated pursuant to Section 20.44.040. The fair

market value shall be determined by the city council using the following method:

1 The city manager may from time to time survey the market value of undeveloped property within the city. This survey may be prepared through various means including, but not limited to, selection of several real estate professionals within Carlsbad to provide current estimates of undeveloped property values with each of the city's four quadrants.

2 The council shall adopt a resolution establishing the value of one acre of park land in each quadrant after considering the results of this survey and any other relevant information.

B. Subdividers objecting to such valuation, may, at their own expense, obtain an appraisal of the property by a qualified real estate appraiser approved by the city, which appraisal may be accepted by the city council if found to be reasonable. If accepted, the fee shall be based on that appraisal. (Ord. NS-120 § 1, 1990; Ord. 9831 § 1, 1987; Ord. 9781 § 1, 1985; Ord. 9614 § 1, 1982; Ord. 9190 § 8)

A critical consideration for Carlsbad is that we are rapidly running out 'relatively cheaper' vacant land like at Ponto, and the City is better off getting developers to provide actual park land, or if an "in-lieu-fee" is paid that fee should accurately represent 100% of the actual cost to buy the acreage of park land within a 10-minute walk of that development. The City should not subsidize development and make parks inaccessible and outside of the 10-minute walk to the developments generating the need for park land. **These facts/issues should be consider by the CTGMC in formulating recommendations to City Council on Growth Management and Park land dedication.**

I am using the Fenton proposal as an example of Park Standard issues and the shortcomings of Carlsbad's current Park standards the CTGMC is charged with studying and making update recommendations to the Council. People for Ponto Carlsbad Citizens are trying to collaboratively work with Fenton to get park land at Ponto dedicated. This initial Park land dedication can be the beginnings of a much needed and larger Ponto Park to address the acute park needs at Ponto and in Coastal South Carlsbad that are documented by the City, Carlsbad Citizens, and many others. Fenton has graciously offered to try to set a meeting between People for Ponto Citizens-City-Fenton to see how Fenton's Ponto park land dedication requirements can be met in Ponto. We are hopeful Fenton will provide a 0.68112 acre Park site as the 'down payment' for a much needed larger Ponto Park. We are hopeful the City Council will direct City Staff to work with Carlsbad Citizens to effect this.

Thank you for your consideration. Please know P4P citizens truly care and love Carlsbad and want to leave a better Carlsbad to future generation. P4P citizens have a lot of successful and creative expertise and can help the City in these issues.

Sincerely and with Aloha Aina,
Lance Schulte

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Thursday, July 7, 2022 5:17 PM
To: 'Jason Goff'
Cc: 'Eric Lardy'; 'Cliff Jones'; Carrie Boyle (carrie.boyle@coastal.ca.gov); 'Prahler, Erin@Coastal'; Ross, Toni@Coastal (Toni.Ross@coastal.ca.gov); 'info@peopleforponto.com'
Subject: RE: CITY RESPONSE RE: EMAIL DATED JULY 4, 2022 - public input on CDP 2022-0023 & SDP 2022-0003 - Ponto Site 18 - 4 major issues - CCC needs to be contacted

Jason, City Council, and Carlsbad Tomorrow Growth Management Committee:

Thanks-

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Regarding #1: Thank you. Is it possible to receive a copy of the CCC's response to your communication?

Regarding #2: Your reading of 20.44, is incomplete. It also seems you are also incorrectly speaking 'as the City Council' on what is a City Council decision based on 20.44 and that has yet to be rendered by the Council regarding this development proposal. 20.44 does NOT explicitly disallow Dedication of Ponto land for a needed Ponto Park from and for a Ponto development. Not acquiring Park land or not using park land "in-lieu-fees" at Ponto to provide a Park at Ponto for a Ponto development is further removed from the intent and purpose of the Park land dedication ordinance.

What is the City Council's and City staff's intent to use Park land dedication 'In-lieu-fees' for to serve the Park needs of this Ponto development? There is a 6.5+ acre Park deficit in the SW Quadrant. Where will the Park for this Ponto development be provided - 6-miles away in the NW Quadrant's Veterans Park?

If you read 20.44 how the Council chooses to require park land dedication or accept a Park land dedication 'In-lieu-fee' is a City Council policy decision that is made when the project is being heard for consideration. Your 20.44 citation even supports the dedication of park land at Ponto by the proposed development as such a land dedication would be the best way to "... shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision." As clearly documented in the City Park Master Plan, Ponto is an area of the City 'unserved by Parks' and an 'area the City should look to provide new Parks'. Again, per 20.44 it is The City Council's policy decision/direction as to if the City wants park land dedicated at Ponto for Ponto development or it wants to receive a park land dedication 'in-lieu-fee'. The City Council should make that policy decision/directive to staff if it wants park land or equivalent park land 'in-lieu-fees'.

Also, the City is formally in the process of re-evaluating the Growth Management Parks Standard. Citation of past GM Park Standard compliance reports to City Council when the City Council has already provided direction to staff and acknowledged such Standards should be studied and potentially updated or replaced should have been acknowledged, and is a critical aspect of information City Council should consider as part of a 20.44 Council determination of whether to require Park land at Ponto for Pont Park impacts or accept a park land 'in-lieu-fee' for Ponto Park impacts. This issues seems appropriate for the Citizens Carlsbad Tomorrow Growth Management Committee to provide input to the City Council on.

~~Regarding #4: What will be the City's response and responsibilities if/when parking impacts spill on to City Streets and Public beach parking (from inadequate City parking requirements)?~~

From: Jason Goff [mailto:Jason.Goff@carlsbadca.gov]
Sent: Thursday, July 7, 2022 4:05 PM
To: Lance Schulte
Cc: Eric Lardy; Cliff Jones
Subject: CITY RESPONSE RE: EMAIL DATED JULY 4, 2022 - public input on CDP 2022-0023 & SDP 2022-0003 - Ponto Site 18 - 4 major issues - CCC needs to be contacted

Dear Mr. Schulte,

Thank you for the email comments on the project known as FPC Residential (SDP 2022-0003/CDP 2022-0023). The following is the City's response to the email comments received on July 4, 2022 (attached):

City's Response to Comment No. 1:

The comment claims that the project should be required to apply for various amendments to the city's land use documents. However, the applicant is proposing a development project that is consistent with the current land use designations for the property; therefore, amendments to the General Plan, Zoning and Local Coastal Program Land Use and Zoning designations are not included. As previously noted, the property is currently designated a combination of VC (Visitor Serving Commercial) and R-23 (19 to 23 dwelling units per acre). The comment implies that the current project requires written confirmation from the Coastal Commission to process consistent with these designations. The city disagrees. The city's review of current policies indicates that the combo districts in Ponto can be built as one or the other land use or as a combination of both with the area of each land use delineated on the land use map (typically determined at the time of a development proposal).

Additionally, the hotel north of the subject Ponto combo district is on parcels that were also previously a combination district; however, the parcels were built entirely with visitor serving uses (parcels redesignated VC during GP update but were previously TR/RMH).

Development of the property is subject to the city's review and approval. The city has authority to issue Coastal Development Permits (CDPs) in this area, and therefore, Coastal Commission approval of the project is not required. In addition, the property is not within the Coastal Commission's appeal jurisdiction and the city's approval of a CDP on the property is not appealable to the Coastal Commission. This information has been shared with Coastal Commission staff.

City's Response to Comment No. 2:

The comment claims that there is a requirement for the city to build a park in the southwest quadrant. There is not a requirement for construction of a park in this area. As reported in the city's latest Growth Management Plan (GMP) Annual Report and further detailed to the City Council on

January 26, 2021, and July 13, 2021, the city is in compliance with the GMP's performance standards for open space and parks and there is not a requirement to purchase additional park land in the southwest quadrant. We acknowledge the conversations with the citizens and developer relating to applying park fees for park space in this area. However, Carlsbad Municipal Code § 20.44.090 governs the use of the collected fee and states *the land and fees received under this chapter shall be used for the purpose of developing new or rehabilitating existing park and recreational facilities which serve the population within the park quadrant within which the subdivision for which the fees are received is located and the location of the land and amount of fees shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision. (Ord. NS-842 § 1, 2007; Ord. 9680 § 12, 1983; Ord. 9190 § 11)*. As currently written, the code does not explicitly allow for park fees to be dedicated to a specific park or area within the quadrant.

Link to latest GMP Annual Report:

<https://www.carlsbadca.gov/home/showpublisheddocument/8573/637744924012530000>

Link to January 13, 2021, City Council Staff Report:

<https://records.carlsbadca.gov/WebLink/DocView.aspx?id=5244472&dbid=0&repo=CityofCarlsbad&searchid=4d4f5873-14c1-42fb-a3c6-d6da0037b658>

Link to July 13, 2021, City Council Staff Report:

<https://records.carlsbadca.gov/WebLink/DocView.aspx?id=5432896&dbid=0&repo=CityofCarlsbad&searchid=8e946f0a-1e58-462f-98f5-11d939f53b36>

City's Response to Comment No. 3:

Comment highlights the existence of the SoCal Gas natural gas easement. This is acknowledged. Staff is aware of the SoCal Gas natural gas easement and pipeline running north-south through the subject site as well as along the west side of the railroad right-of-way, which is also located directly adjacent to other residential land uses throughout the city. The applicant was notified in the first review of the project application as to the gas line's presence and is presently working with SoCal Gas and the city to provide proper setbacks to ensure that the public's health and safety is maintained.

City's Response to Comment No. 4:

Regarding concerns with parking adequacy, the city's municipal code section covering parking ratios associated with multiple-family residential dwellings (apartments only) and required visitor parking is outlined in § 21.44.020.B.Table A. This section of the municipal code is used throughout the city, including the coastal zone pursuant to our local coastal plan, for required parking associated with apartments and visitor parking needs. While the applicant can voluntarily add additional parking stalls, the city cannot legally require more parking spaces than what current code requires.

Thank you,

Jason Goff



Community Development Department

Jason Goff | Senior Planner

Planning Division

1635 Faraday Avenue

Carlsbad, CA 92008

442-339-2643 | jason.goff@carlsbadca.gov

FOR SUBMITTAL APPOINTMENTS PLEASE CALL OR EMAIL YOUR REQUEST:

Phone: 442-339-2600 (select Option 2)

Email: planning@carlsbadca.gov

www.carlsbadca.gov

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Comments on PCH Relocation & design Options offered – Manzano to Island Way – 2022 July

Comments on all three Options:

1. PCH Relocation as noted in the City's 2001 Study was focused on allowing the City to develop PCH Median land for commercial uses and advance the City acquiring in-trade State land (primarily the Manzano site just south of the Terramar neighborhood) for commercial development. The land trade would then allow the Carlsbad Campground to move inland along PCH so as to move out of the "Coastal hazard zone" of coastal erosion, bluff erosion and now sea level rise and climate changes that will accelerate these Coastal Hazards. There are several vacant areas in all three Options that are similar to the areas proposed for commercial development in the City 2001 PCH Study. Although the 1-mile PCH Relocation proposal includes the Manzano Site and covers the northern tip of the Campground, a clear explanation if the original intents of PCH Relocation are still part of the City's proposal – commercial development of PCH median land.
2. The City should map and enumerate the actual length of PCH roadway facilities – vehicle lanes, bike lanes, sidewalks that are in the "Coastal hazard zone". For instance if only a couple hundred feet of the southbound lanes of PCH at "the dip" bridge are in the "Coastal hazard zone", it may be more cost effective to simply address Relocation of that segment.
3. Was a simple and likely far less costly PCH redesign that simply lifted up and/or moved inland those PCH roadway facilities – vehicle lanes, bike lanes, sidewalks that are in the "Coastal hazard zone" considered and designed? Why?
4. Clearly provide a 'profile of the Existing Condition' of PCH lanes, bike lanes, pedestrian paths for the various segments of the Study Area. It should be clear to citizens what we have now and what new added features each design provides for the various segments.
5. A basic traffic study showing impact to both link and intersection Vehicle LOS and Vehicle speed should be conducted now so citizens clearly understand what the vehicle LOS and speed consequences from existing PCH and all PCH Relocation designs.
6. Clearly describe what the "Coastal hazard zone" is, and if it conforms to the latest CCC requirements of SLR analysis and Coastal planning.
7. Clearly describe what the "Las Encinas Creek restoration area" is and clearly outline the borders of the "Las Encinas Creek restoration area".
8. Use wider landscaped medians to provide areas for shade, a coastal tree-scape and soften the extensive hardscape. The proposed minimal 4' wide median in all three Options is a very 'urban roadway' design and very out of character with our existing Historic 101 and well regarded wide and natural landscaped PCH median. The proposed minimal 4' wide and landscaped median is grossly out-of-character, particularly when seen in profile with the continuous/adjoining pavement.
9. A clear map and itemization of all existing parking spaces should be conducted and names or letters used to identify each existing parking area.
10. All new parking areas should be named or a numbered to correspond to the Existing Parking lot name or letter. For example Existing Turnarounds lot A, Proposed Turnarounds Lot A-1
11. An Existing and Proposed Parking map and accounting of the number of spaces should be provided so citizens know where and how many beach parking spaces we have and where and how many proposed spaces there are and the net difference between existing and proposed.
12. Move "Retain existing parking" at "turnarounds" inland to be outside of "Coastal hazard zone", and use old PCH pavement as parking spaces.
13. Provide a plan to transfer the spaces in the "existing parking to remain" at the "glider port" to the "Turnarounds" parking area. Label the "glider port"

14. Move “Retain existing parking” at the north end of the Campground (north of Island Way) inland to be next to the PCH Roadway so vehicles do not have to cross the “Class 1 shared path for pedestrians, slower moving mobility options”, and to place this parking outside of “Coastal hazard zone”.

Comments on Option 1: 4-lane road with traffic signals:

1. Replace all 4 traffic signals with 4 traffic circles. For PAR use separate ‘free-right’ lanes outside of traffic circle to reduce volume in the circle. This design is used at LEGOLAND. Given T-intersections using free-right or straight through bi-pass lanes will allow better flow.
2. A narrow 4’ wide median maybe needed on the Bridge, but an honest consideration of a separate 2-lane bridge or 2 2-lane bridges that provides more separation between NB and SB lanes should be explored.

Comments on Option 2: 2-lane road with roundabouts & Option 3: 2-lane road with roundabout and one enhanced pedestrian crossing:

1. A 50% reduction in vehicle travel lanes will have a dramatic impact on current and future vehicle and transit capacity on PCH. This impact is over 50% in that by removing the 2nd passing lane and ability to pass, all vehicle speeds are reduced the ‘slowest’ vehicle in the lane. This will have significant impacts not only to citizens in their vehicles, but also to transit vehicles as they will be slowed down due to more than doubling lane congestion, being slowed down in trying to re-enter the single lane after dropping/picking up passengers, and by the slower speeds that will accompany the 50% lane reduction to a single lane in each direction and by reducing the existing wide landscape median with a minimal 4’ wide urban street median.
2. A 50% reduction in vehicle travel lanes will have a dramatic impact on the City’s current and future Emergency Vehicles (police-fire-ambulance-lifeguard) travel speeds on PCH. This impact is over 50% in that by removing the 2nd passing lane and ability to pass, all vehicle speeds are reduced the ‘slowest’ vehicle in the lane. As noted before this will have significant impacts to Emergency Vehicles as they will be slowed down due to more than doubling lane congestion, and maybe completely stopped as the most likely Emergency will be on the single PCH lane and all traffic will be stopped. The adjacent 11’ wide bike lane and buffer area is narrow and limits Emergency Vehicles using that bike lane area as a ‘passing lane’ around stopped vehicles, or for vehicles to pull over into the bike lane to try to let Emergency Vehicles pass.
3. The City has noted wanting to provide a new Emergency Vehicle Services operation along PCH, noted the higher Emergency incidence along PCH, and noted the very high cost to buy, build, equip, provide personal to operate, and post-service pension costs to provide an additional fire/EMT and/or Lifeguard operation along PCH. If PCH travel is slowed down, or more emergency incidents be created by a reducing PCH to one-lane in each direction with a minimal 4’ median would a 2nd Emergency Vehicle Services operation along PCH be needed?
4. Given the State of California’s requirement that Carlsbad and all other areas of the State provide for unlimited population growth and that PCH vehicle, transit, bike and pedestrian volumes will have commensurate increases into the future, and that PCH Relocation and lane reduction would be very expensive (\$70 million from 2022 CIP Council meetings April 20 & 26, and May 3, 2022) and forever City commitment it would be difficult to under consider the impacts and consequences of forever reducing lanes while Carlsbad has to accommodate forever unlimited population and traffic growth.

From: [Lance Schulte](#)
To: [Council Internet Email](#); [City Clerk](#); [Tom Frank](#); [Nathan Schmidt](#); [Kyle Lancaster](#); [Don Neu](#); [Eric Lardy](#); [Boyle, Carrie@Coastal](#); ["Prahler, Erin@Coastal"](#); [Ross, Toni@Coastal](#)
Subject: Public input to 1-mile PCH Relocation Proposal - FW: public input to 7-5-22 Traffic Committee meeting - South Carlsbad Boulevard Climate Adaptation Project
Date: Sunday, July 17, 2022 6:05:10 PM
Attachments: [Comments on PCH Relocation and design Options offered - 2022 July.pdf](#)

Dear Carlsbad City Council, Traffic, Parks, Planning Commission; Carlsbad Tomorrow Growth Management Committee; & CA Coastal Commission:

I was unable to attend July 5th meeting. However today I had time to watch the July 5th Traffic Committee meeting but did not see the issues noted in the July 4th email and attachment noted. I am not sure if the July 4th input (attached and below) was considered, but was encouraged by the Traffic Commission's call for data, comprehensiveness, congestion considerations; and logical and principled desire to make 'data driven decisions'.

The Traffic Commission's concerns reflected some of the attached and below concerns. Of key concern is rushing in asking for 'incremental' decisions on what is to be a critical MM (vehicle, bike, ped, Transit vehicle, and emergency vehicle) Traffic corridor without a verified Multi-modal Traffic LOS (vehicle, bike, ped, Transit vehicle, and emergency vehicle) data that not only covers the 'pre-Covid' condition, but addresses also addresses the "Forever/Final/Buildout MM Traffic Volumes" that any major reconfiguration of PCH will have to perform within.

I can appreciate and sympathize with staff in their rush, but potentially tragically, in that rush (solely driven by timing of a grant and grant funds) to be forcing Citizen Commissions to make disconnected decisions without critical data and a comprehensive perspective on such an important issue seems both unfair and "penny wise and pound foolish", "putting the cart before the horse", "jumping before looking" or any other common sense truth about rushed uninformed actions. In retrospect maybe planning a Joint Commission meeting on this issue after all the critical data was compiled may have been a better processing approach.

To the July 4th email/attachments of issues and data I hoped the City's Commissions and City Council would have considered on July 5th etc. I add the following:

1. Study keeping existing PAR/PCH design (free flowing) and simply move SB PCH lane (and bike/ped improvements) inland before "turnarounds" to merge with the PAR to SB PCH lane to a 4-lane PCH at So Lamar (option 2 design - south of So Lamar). I think this was what one Traffic Commissioner was suggesting.
2. The Staff report used traffic volumes for a location about 2-miles away (PCH/Avenida Encinas) v. using traffic counts for PCH/Cannon Road & Terramar that is a lot closer, is directly impacted by any induced congestion from NB PCH Traffic entering Terramar and the PPCH/Cannon intersection and by possible congestion backups into Terramar and the PCH/Cannon intersection from removing the current SB free flow of traffic until you reach Solamar. Terramar congestion is bad and potentially congesting 1-mile of PCH directly south of congested Terramar seems will make Terramar congestion worse and likely extend congestion further south (possibly to Island Way). Terramar also represents how pedestrian

traffic across PCH impacts PCH non-pedestrian congestion.

3. Taking MM Traffic counts (vehicle-bike-ped-transit-emergency vehicle) at Carlsbad's current 3-way & 1-lane PCH/State Street Traffic roundabout would give an 'on-the-ground' model on which to test the same type of roundabouts in the two roundabout based alternatives and then MM Traffic Model the future/final/buildout growth in all MM volumes on such 3-way 1-lane roundabouts. Any major PCH redesign/relocation will be a permanent/final/forever decision so making 100% sure we know how it will work in the future is critical.
4. Conduct a documented MM (vehicle-bike-ped-transit-emergency vehicle) Traffic LOS analysis of 3-way 1-lane PCH/State Street Roundabout for existing, pre-Covid, and future/final/buildout growth in volumes, so we have an understanding of how present MM LOS differs from Pre-Covid and future/final/buildout growth MM LOS.
5. Calibrate the above MM LOS models to a) the current MM Traffic Counts at the 1-mile PAR/PCH volumes and then adjust for both b) Pre-Covid volumes and also to c) projected final/Forever Carlsbad MM Traffic volumes based on 2015 General Plan and updated projections used to define Carlsbad's 'buildout MM Traffic Volumes' at and along PAR and PCH for the 1-mile PAR/PCH segment; and how it impacts the current, pre-Covid and future/final/buildout growth MM LOS at Terramar.
6. Provide a clear understanding of how Transit services will be impacted by delay, congestion and removing a NB and SB passing-lane in the 2-lane (50%) reduced proposals. Confirmation from the NCTD as to the Transit Service impacts should be provided to the public and City decision makers.
7. Provide a clear understanding of how Emergency vehicles, response times and services will be impacted by delay, congestion and removing a NB and SB passing-lanes in the 2-lane (50%) reduced proposals. Emergency vehicles will not be able to pass congested traffic, which seems like a significant impact in an area the City is spending millions in capital and forever operational and pension costs to provide another fire station along PCH for the current 4-lane (with passing lanes) condition. Will the proposed PCH reconfigurations force the City to have to provide another fire station along PCH due to potential increases in congestion and inability to pass congestion during emergencies? City decision makers should have that data so they can make data driven decisions relative to emergency services.

I hope this email and attachment are provided to you and that you honestly and sincerely consider it.

I am not against a possible 2-lane PCH if it Preforms Better both now and forever into the future. The concerns are that we do not yet have the data to judge if the limited options (or other viable options) Preform Better and will be Preform Better forever for Carlsbad. We also seem to be shortchanging (or glossing over) significant citizen and stakeholder concerns/issues in the incremental rush.

Thank you for your thoughtful consideration.
Lance Schulte

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Monday, July 4, 2022 3:39 PM

To: traffic@carlsbadca.gov; 'Nathan Schmidt'

Cc: 'City Clerk'; council@carlsbadca.gov; 'info@peopleforponto.com'

Subject: public input to 7-5-22 Traffic Committee meeting - South Carlsbad Boulevard Climate Adaptation Project

Dear Carlsbad Traffic Commission:

We hope you had a wonderful 4th of July, and ask you please sincerely consider the attached questions/comments regarding on 7-5-22 and on other meetings regarding the South Carlsbad Boulevard Climate Adaptation Project.

I travel PCH often from South to North Carlsbad – car, bike and walk. It is my main travel and exercise corridor. The congestion at Terramar as 4-lanes are compressed into 2-lanes is kind of a nightmare at times and will get more traffic from continued growth. Proposing to permanently and irreversibly doubling that nightmare and congestion with some of the designs needs serious and very well vetted public discussion. Providing needed pedestrian sidewalks/paths is critical, and providing safer bike lanes are appreciated, but permanently eliminating over 50% of vehicle capacity and expanding congestion does not seem to make any common sense. The Roadway options also urbanize (see the profiles) PCH and fundamentally change the open wide median and rural Old Carlsbad and Old California Character of our Historic 101.

Having worked as a City Planner for several Coastal cities, and having lived on the coast for my entire adult life, I speak with some experience about the folly that can occur by abandoning capacity, and by unneeded lane reduction that is not fully and properly analyzed and public vetted with a specific focus on the long-term transportation demands. With a price-tag of \$70 million per mile, to in 2 of the options permanently reduce by over 50% vehicle transportation capacity, we hope your considerations are very thorough and future orientated.

It is in-fad to promote vehicle congestion, to slow traffic, and max-out LOS to close to failure as a wise use of pavement. This is counter to what most all people want. Imagine how difficult and unpleasant it is to travel in a congested lane, and how frustrating and 'LA like' it is to travel in a congested network. We may be using pavement efficiently, but we pay the price in our mobility, travel experience, and road rage. Roads should work for people, not people having to work frustratingly on congested roads.

Thank you for your consideration,
Lance Schulte

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Sunday, July 3, 2022 4:50 PM

To: 'Katie Hentrich'

Cc: 'James Wood'; 'Tom Frank'; 'Nikki Matosian'; 'Nichols, Katie@SCC'

Subject: RE: South Carlsbad Boulevard Climate Adaptation Project

Katie:

Thanks. Yes I do have questions and comments. See attached.

I look forward to hearing from you and understanding/participating in the next steps in gathering citizen input.

Thanks,

Lance Schulte

From: Katie Hentrich [mailto:Katie.Hentrich@carlsbadca.gov]
Sent: Wednesday, June 29, 2022 4:09 PM
Cc: James Wood; Tom Frank; Nikki Matosian; Nichols, Katie@SCC
Subject: South Carlsbad Boulevard Climate Adaptation Project

Hi all,

Thank you for participating in the listening sessions held for the [South Carlsbad Boulevard Climate Adaptation Project](#). Since then, Mike Grim, who served as the previous project manager, has retired and I have taken his place; if I've yet to meet you in person or virtually, hello!

Due to your participation and interest in this project, I wanted to share a status update. We now have three draft conceptual roadway options that protect public infrastructure from future sea level rise for the one-mile project area along south Carlsbad Boulevard from Manzano Drive to Island Way. At this time, the conceptual designs are just focused on the roadway and enhancements to walking and biking.

The City of Carlsbad is committed to engaging the community and is continuing to provide public input opportunities about the future use of Carlsbad's southern coastline. You can learn more about the project's current status and next steps [here](#). The [project webpage](#) is also updated.

Please let me know if there are any questions.

Thank you very much,



Katie Hentrich
she | her | hers
Climate Action Plan Administrator
Environmental Management

City of Carlsbad
1635 Faraday Ave.
Carlsbad, CA 92008
www.carlsbadca.gov

442-339-2623 | katie.hentrich@carlsbadca.gov
[Facebook](#) | [Twitter](#) | [You Tube](#) | [Pinterest](#) | [Enews](#)

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From: [Sharon Jewell](#)
To: [Growth Management Committee](#)
Subject: Parks
Date: Wednesday, August 17, 2022 1:39:43 PM

I am pleased we finally got the Poinsettia dog park opened. It would be nice if there were shade sail areas actually inside the fencing so that those using the park are not standing in full sunlight- and only people who are not using the dog park have a nice shaded area with tables. This part of the design is confusing.

Carlsbad needs to rethink their dictates on dogs walking on leash within our park. Surrounding cities allow dogs on leash in parks and have for years. I am all for enforcing CA state and local laws requiring picking up poop and walking dogs on leash outside the dog park.

Why does Carlsbad forbid responsible dog owners who keep their dogs on leash and pick up the poop from enjoying the parks fully. Other cities have signs with animal control phone # so offenders can be reported.

I believe anyone not abiding by the rules should be ticketed and repeat offenders banned.

Parks are for the entire community, - not just pickle ball Tennis and parents who aren't supervising their kids and to be honest I see lots of kids misbehaving without any supervision in all the parks in carlsbad, and adults who dump the dogs at alga Norte dog park while they play sports, or let them off leash- by the batting cage area and even on playing fields without repercussions.

Please reconsider allowing people with dogs on leash who are responsible and carry doggie bags with them to take a nice walk in Carlsbad Parks without fear of being ticketed - we have rights too!

Sincerely
Sharon Corrigan
Carlsbad homeowner since 1996

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From: [Michael Fidler](#)
To: [Growth Management Committee](#)
Subject: Traffic issues
Date: Sunday, August 21, 2022 12:49:39 PM

I think everyone living in Carlsbad has noticed the increased level of flagrant violations of posted speed and reckless behavior. The increased level of traffic has spread to side streets as well as overall increased speed on main thoroughfares.

I have lived in Carlsbad for over 20 years and have definitely seen a lack of police enforcement for traffic related issues. Speeding is so prevalent through all residential areas with excess speed and dangerous driving conditions. With faster vehicles, distractions from mobile phones, increase of e-bikes, lack of civility and little or no police to curtail these dangerous conditions continue unabated.

We need alternative methods to address these issues given the constraints of available enforcement. The consideration should be given to the use of speed bumps, traffic roundabouts, capturing license plates with capture of excess speed and running red lights, and higher police presence.

We have seen increasing fatalities, unsafe conditions and flagrant violations of traffic laws, it is time to aggressively protect citizens and reinforce Carlsbad's commitment to safer communities.

Time to take definitive action as our population continues to grow and our quality of life is severely impacted.

Mike & Tricia Fidler
6767 Mallee St
Carlsbad

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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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From: [People for Ponto Petition](#)
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.

– 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.
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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

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: 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: Monday, September 26, 2022 11:45:00 AM
Attachments: [Updated 2020 Dec 2 - Planning Area F existing LCP-LUP & CCC direction.pdf](#)
[Sea Level Rise and Carlsbad DLCP-LUPA planned loss of OS at Ponto - 2022 \(2\).pdf](#)
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 2-7. Please Read the paragraph on General Plan page 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

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

City Staff's comparison of Ponto Planning Area F's existing v. Carlsbad proposed LCP LUP Policy below is not fully correct. The table below is from City of Carlsbad. The last paragraph of the Existing LCP notes "prior to any planning activity". **This "prior to any planning activity" was newer done as documented by official Carlsbad Public Records Requests 2017-260, 2017-262, R000930-072419, R001280-021720, and R001281-02170.** So the City's "General Plan update" (of just the land use map) was done in violation of the Existing LCP LUP Policy – one of the City's Ponto planning mistakes. Citizens repeatedly asked in the above official Public Records Request to see the City's evidence of City compliance with Planning Area F's Existing LCP LUP Policy. The City responded with: "... you are asking the City to answer questions about information not found in the documents of existence provided. The City is unable to assist you in this manner. ... " There is no evidence that the City during both the Ponto Vision Plan and General Pan Update planning efforts informed Citizens of Planning Area F's Existing LCP LUP Policy. Hiding information prevented Citizens knowing about the policy and providing informed input. No evidence shows the City ever complied with the requirements of the Policy. The Ponto Vision Plan and General Plan Update planning efforts were thus flawed, and counter to the LCP and CA Coastal Act.

As noted in 1-5 below, the CCC has noted these mistakes dating back to 2010 with the "Ponto Beachfront Village Vision Plan" and 2015 General Plan map, and is seeking to correct them in the 2016 and 2017 communications to the City. Also some of the City's own documents verify these facts.

HOW THE EXISTING CITY OF CARLSBAD LOCAL COASTAL PROGRAM (LCP) POLICIES ARE ADDRESSED IN THE DRAFT LOCAL COASTAL PROGRAM UPDATE

Row	EXISTING LCP POLICIES	HOW DRAFT LCP ADDRESSES EXISTING LCP POLICIES
	WEST BATIQUITOS LAGOON/SAMMIS PROPERTIES SEGMENT	
282	<p>10. Planning Area F</p> <p>Planning Area F is located at the far northwest corner of the Master Plan area west of the ATRSF Railway right of way. This Planning Area has a gross area of 11 acres and a net developable area of 10.7 acres.</p> <p>Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an "unplanned" area, for which land uses will be determined at a later date when more specific planning is carried out for areas west of the railroad right of way. A future Major Master Plan Amendment will be required prior to further development approvals for Planning Area F, and shall include an LCP Amendment with associated environmental review, if determined necessary.</p> <p>The intent of the NRR designation is not to limit the range of potential future uses entirely to non-residential, however, since the City's current general plan does not contain an "unplanned" designation, NRR was determined to be appropriate at this time. In the future, if the Local Coastal Program Amendment has not been processed, and the City develops an "unplanned" General Plan designation, then this site would likely be redesignated as "unplanned." Future uses could include, but are not limited to: commercial, residential, office, and other uses, subject to future review and approval.</p> <p>As part of any future planning effort, the City and Developer must 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.</p>	<p>As part of the General Plan update, the Coastal Commission approved residential and general commercial land use designations on the LCP land use map.</p> <p>This policy is updated to be consistent with the land use map designations and the Ponto Beachfront Village Vision Plan. See draft LCP policy LCP-2-P.20.A and B.</p> <p>Regarding the need for lower cost visitor accommodations or recreational facilities west of the railroad, analysis and documentation will be provided in the staff report to the Planning Commission.</p>

CCC direction on why Draft LCP description is not accurate:

During the Jan 28, 2020 City Council Meeting (item #14), Carlsbad City staff for the first time as a side-bar comment admitted the City made some 'Ponto planning errors' going back over 15 years. Those City planning errors were first called out when the CA Coastal Commission (CCC) denied Carlsbad's Ponto Beachfront Village Vision Plan (the referenced foundation for Carlsbad's 2015 General Plan Update) in

2010 in part due to the City's mistake. Following are 4 documents that conflict with the above City Staff interpretation of how the Draft LCP addresses Existing LCP Polies.

- 1) The CCC in denying in 2010 the Ponto Vision Plan (the foundation for Carlsbad's 2015 General Plan Update at Ponto) specifically said with direct reference to Ponto Planning Area F:

"Currently, this area [Planning Area F] has an Unplanned Area land use designation. In order to facilitate any type of development in this portion of the Ponto area, an LCP amendment modifying the land use will have to be brought forward to the Commission for review and approval."

"... the Commission would reject such proposed uses because there has been no evidence presented that would support the elimination of these [Planning Area F] areas for some lower cost overnight accommodations or public recreational amenities in the future. The Commission's past action of the Poinsettia Shores Master Plan specifically called for such an assessment, and none has been submitted to date. The concerns related to the lack of lower cost overnight accommodations in Area F (ref. Exhibit #7) are further discussed in the findings later."

"City is inadvertently sending a message to potential developers that 1) the identified development (townhouses) is the primary type of use the City will support, or 2) that development type is consistent with the current land use and zoning designations. Neither of those assumptions is correct. As the previously certified Poinsettia Shores Master Plan states, any type of development at this location would first require an LCP amendment to establish the land use and zoning, which would have to be certified by both the City and the Coastal Commission. Additionally, the Master Plan further states that some component of the development at this location must consider the need for the provision of lower cost accommodations or recreational facilities."

"While residential use is one of the land uses listed for this area in the Poinsettia Shores Specific Plan, it may not be the most appropriate designation. As previously stated, the project will at least need to consider the incorporation of some kind of lower cost accommodations, and any proposed zoning designation for the site will have to be found consistent with the policies contained in the Poinsettia Shores Master Plan. Furthermore, the standard of review for any change to the current land use designation is the Coastal Act, and thus will also have to be found consistent with all its applicable policies."

Recently, the Commission has become concerned with the lack of lower-cost accommodations statewide. Thus, the establishment of a residential land use at this location may not be what is ultimately determined to be certified as consistent with the Poinsettia Shores Master Plan, or the Coastal Act."

"B. High-Priority Uses - Lower Cost Visitor Accommodations in 'Area F': The Coastal Act has numerous policies promoting public access to the beach and state:

Section 30210 - In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and **recreational opportunities**

shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30213 - Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. **Developments providing public recreational opportunities are preferred.** The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30221 **Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.**

Section 30222 - **The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.**"

"... in 1996, the Poinsettia Shores Master Plan was certified as part of the City's LCP, and replaced the [Visitor serving] land use designation as an "Unplanned Area." **In an attempt to maintain a lower-cost visitor-serving component at this location, the Commission, through a suggested modification, required language within the Master Plan that would serve to protect this type of use.** The language in the Poinsettia Shores Master Plan, for this location, "Area F," included: **As part of any future planning effort, the City and Developer must consider and document the need for the provision of lower cost accommodations or recreational facilities (i.e. public park) on the west side of the railroad.**"

"**The Ponto Beachfront area is an area that could be considered as a high-priority location for lower cost overnight accommodations.** While located across the street from a State Park (South Carlsbad State Park) containing camping facilities, **during peak summer months, the campground is consistently at capacity. ... If at any time in the future, this State Beach campground is converted to day use sites, the market and the need for low cost overnight accommodations will be significantly amplified. Thus the Vision Plan, as proposed by the City, cannot be found consistent with the Coastal Act.**"

"H. Conclusions: ... **concerns regarding the determination of preferred land uses in an 'unplanned' area, the lack of provision of lower-cost accommodations and recreational uses, ... remain. All of these oversights could result in impacts to public access and recreation and other coastal resources and, therefore, the Vision Plan, as submitted, is therefore inconsistent with the Coastal Act, and therefore, shall be denied as submitted.**"

- 2) Following is from a 7/3/17 CCC letter to City Staff on the City's proposed land use changes at Planning Area F. City Staff 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.”

- 3) In 2017 after citizens received the City's reply to Public Records Request 2017-260, citizens meet with CCC staff to reconfirm the City failed since before 2010 to publicly disclose and comply with Planning Area F's LCP requirements. CCC Staff acknowledged the City has not yet complied with the LCP and in an 8/16/2017 email 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.”

- 4) In 2016, the CCC told City that Carlsbad's proposed 2015 General Plan land use map could change based on the outcomes of both a Citywide Coastal Recreation needs Study, and also the specific Planning Area F LCP requirement to study Park needs at Ponto.
- 5) Currently and since 2016 the City acknowledged that the existing LCP, City and LCP Master Plan Zoning of “Non-Residential Reserve” land use needs to be changed by BOTH the City and CA Coastal Commission to only then allow any proposed development on Ponto Planning Area F. Also, since 1996 the Local Facilities Management Plan for Zone 9 (Ponto) has the planned land use and zoning of Ponto Planning Area F as “Non-Residential Reserve” that has no land use. The LFMP-Zone 9 must be amended to account for any City and CA Coastal Commission change from “Non-Residential Reserve” and address the land use impacts on all the Growth Management Program Facility

Standards in Zone9 such as the current Park deficit, and also the recently discovered false exemption of the Open Space Standard in Zone 9. The false exemption being that Zone 9 was not developed in 1986 nor have the land use changes since 1986 complied with the 15% 'unconstrained' Open Space Standard.

The City currently and since 2016 acknowledges the existing LCP, City and LCP Master Plan Zoning of "Non-Residential Reserve" land use of Ponto Planning Area F needs to be changed by BOTH the City and CA Coastal Commission as evidenced on page 14-15 of City's Planning Pending Applications as of November 2020 at <https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=46332> as it shows:

"PONTO BEACHFRONT 12/20/2016

<u>Legislative application</u>	<u>applied on</u>	<u>description</u>
AMEND2017-0001 [LU Change]	1/19/17	LFMP AMENDMENT FOR ZONE 9
LCPA2016-0002 [LCP Change]	12/20/16	USES PROPOSED FOR PLANNING AREA F
MP2016-0001 [Zone Change]	12/20/16	USES PROPOSED FOR PLANNING AREA F

– Carlsbad City Planner = Goff"

The City is apparently failing to fully disclose to Citizens these facts and the City's prior "Ponto Planning Area F planning mistakes dating back over 10-years when the land was purchased by speculative investors.

For the City's and CA Coastal Commission's Public Participation process to function Carlsbad Citizens need to have these facts, so they are properly informed.

The overwhelming Citizen input on the need for and request the City provide Ponto Coastal Park comes from Citizens slowly in 2017 becoming aware of the City's prior Ponto Planning Area F planning mistakes and asking the City to acknowledge and correct those mistakes.

Sea Level Rise and Carlsbad's DLCP-LUPA's projected/planned Loss of Open Space at Ponto

Introduction:

Carlsbad first documented Sea Level Rise (SLR) and associated increases in coastal erosion in a December 2017 Sea Level Rise Vulnerability Assessment (2017 SLR Assessment). Prior planning activities (2010 Ponto Vision Plan – rejected by CA Coastal Commission, and 2015 General Plan Update) did not consider SLR and how SLR would impact Coastal Open Space Land Use & CA Coastal Act 'High-Priority' Coastal Open Space Land Uses at Ponto. The 2017 SLR Assessment shows Open Space land and Open Space Land Uses are almost exclusively impacted by SLR at Ponto & South Coastal Carlsbad. The 2017 SLF Assessment also shows significant LOSS of Open Space land acreage and Land Uses. Most all impacted Open Space Land Uses are CA Coastal Act "High-Priority Coastal Land Uses" – Coastal Recreation (i.e. Public Park) and Low-Cost Visitor Accommodations. Existing Ponto Open Space Land Uses are already very congested (non-existent/narrow beach) and have very high, almost exclusionary, occupancy rates (Campground) due to existing population/visitor demands. Future population/visitor increases will make this demand situation worst. The significant permanent LOSS of existing Coastal Open Space land and Coastal Open Space Land Use (and land) due to SLR reduces existing supply and compounds Open Space congestion elsewhere. Prior Ponto planning did not consider, nor plan, for significant SLR and current/future "High-Priority" Coastal Open Space Land Use demands.

Open Space and City Park demand at Ponto:

Open Space at Ponto is primarily 'Constrained' as defined by the City's Growth Management Program (GMP), and cannot be counted in meeting the City's minimal 15% 'Unconstrained' GMP Open Space Standard. Per the GMP Open Space Standard, the developers of Ponto should have provided in their developments at least 30-acres of additional 'Unconstrained' GMP Open Space at Ponto. City GIS mapping data confirm 30-acres of GMP Standard Open Space is missing at Ponto (Local Facilities Management Plan Zone 9).

The City of Carlsbad GIS Map on page 2 shows locations of Open Spaces at Ponto. This map and its corresponding tax parcel-based data file document Ponto's non-compliance with the GMP Open Space Standard. A summary of that City GIS data file is also on page 2. The City said Ponto's non-compliance with the GMP Open Space Standard was 'justified' by the City 'exempting' compliance with the Standard. The City 'justified' this 'exemption' for reasons that do not appear correct based on the City's GIS map and data on page 2, and by a review of 1986 aerial photography that shows most of Ponto as vacant land. The City in the Citywide Facilities Improvement Plan (CFIP) said 1) Ponto was already developed in 1986, or 2) Ponto in 1986 already provided 15% of the 'Unconstrained' land as GMP Standard Open Space. Both these 'justifications' for Ponto 'exemption' in the CFIP were not correct. The legality of the City 'exempting' Ponto developers from the GMP Open Space Standard is subject to current litigation.

The City proposes to continue to exempt future Ponto developers from providing the missing 30-acres of minimally required GMP Open Space, even though a change in Ponto Planning Area F land use from the current 'Non-Residential Reserve' Land Use requires comprehensive Amendment of the Local Facilities Management Plan Zone 9 to account for a land use change. City exemption is subject of litigation.

Ponto (west of I-5 and South of Poinsettia Lane) currently has 1,025 homes that per Carlsbad's minimal Park Standard demand an 8-acre City Park. There is no City Park at Ponto. Coastal Southwest Carlsbad has an over 6.5 acre Park deficit that is being met 6-miles away in NW Carlsbad. Ponto is in the middle of 6-miles of Coastline without a City Coastal Park west of the rail corridor.



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara had the same lagoon waters.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were never required to comply with the 15% Standard Open Space is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the 15% Growth Management Standard Open Space at Ponto

472 Acres	Total land in LFMP Zone 9 [Ponto]
<u>197 Acres</u>	Constrained land excluded from GMP Open Space
275 Acres	Unconstrained land in LFMP Zone 9 [Ponto]
X 15%	GMP Minimum Unconstrained Open Space requirement
41 Acres	GMP Minimum Unconstrained Open Space required
<u>11 Acres</u>	GMP Open Space provided & mapped per City GIS data
30 Acres	Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

Sea Level Rise impacts on Open Space and Open Space Land Use Planning at Ponto:

The City's 2015 General Plan Update did not factor in the impacts of Sea Level Rise (SLR) on Ponto's Open Space land. In December 2017 the City conducted the first Sea Level Rise Vulnerability Assessment <https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=33958>. The 2017 SLR Assessment is an initial baseline analysis, but it shows significant SLR impacts on Ponto Open Space. More follow-up analysis is being conducted to incorporate newer knowledge on SLR projections and coastal land erosion accelerated by SLR. Follow-up analysis may likely show SLR impacts occurring sooner and more extreme.

Troublingly the 2017 SLR Assessment shows SLR actually significantly reducing or eliminating Open Space land at Ponto. SLR is projected to only impact and eliminate Open Space lands and Open Space Land Use at Ponto. The loss of Ponto Open Space land and Land Use being at the State Campground, Beaches, and Batiquitos Lagoon shoreline. The losses of these Open Space lands and land uses would progress over time, and be a permanent loss. The 2017 SLR Assessment provides two time frames near-term 2050 that match with the Carlsbad General Plan, and the longer-term 'the next General Plan Update' time frame of 2100. One can think of these timeframes as the lifetimes of our children and their children (2050), and the lifetimes of our Grandchildren and their children (2100). SLR impact on Coastal Land Use and Coastal Land Use planning is a perpetual (permanent) impact that carries over from one Local Coastal Program (LCP) and City General Plan (GP) to the next Updated LCP and GP.

Following (within quotation marks) are excerpts from Carlsbad's 2017 Sea Level Rise Vulnerability Assessment:

[Italicized text within brackets] is added data based on review of aerial photo maps in the Assessment.

"Planning Zone 3 consists of the Southern Shoreline Planning Area and the Batiquitos Lagoon. Assets within this zone are vulnerable to inundation, coastal flooding and bluff erosion in both planning horizons (2050 and 2100). A summary of the vulnerability assessment rating is provided in Table 5. A discussion of the vulnerability and risk assessment is also provided for each asset category.

5.3.1. Beaches

Approximately 14 acres of beach area is projected to be impacted by inundation/erosion in 2050. ... Beaches in this planning area are backed by unarmored coastal bluffs. Sand derived from the natural erosion of the bluff as sea levels rise may be adequate to sustain beach widths, thus, beaches in this reach were assumed to have a moderate adaptive capacity. The overall vulnerability rating for beaches is moderate for 2050.

Vulnerability is rated moderate for the 2100 horizon due to the significant amount of erosion expected as the beaches are squeezed between rising sea levels and bluffs. Assuming the bluffs are unarmored in the future, sand derived from bluff erosion may sustain some level of beaches in this planning area. A complete loss of beaches poses a high risk to the city as the natural barrier from storm waves is lost as well as a reduction in beach access, recreation and the economic benefits the beaches provide.

5.3.3. State Parks

A majority of the South Carlsbad State Beach day-use facilities and campgrounds (separated into four parcels) were determined to be exposed to bluff erosion by the 2050 sea level rise scenario (moderate exposure). This resource is considered to have a high sensitivity since bluff erosion could significantly impair usage of the facilities. Though economic impacts to the physical structures within South Carlsbad State Beach would be relatively low, the loss of this park would be significant

since adequate space for the park to move inland is not available (low adaptive capacity). State parks was assigned a high vulnerability in the 2050 planning horizon. State park facilities are recognized as important assets to the city in terms of economic and recreation value as well as providing low-cost visitor serving amenities. This vulnerability poses a high risk to coastal access, recreation, and tourism opportunities in this planning area.

In 2100, bluff erosion of South Carlsbad State Beach day-use facilities and campgrounds become more severe and the South Ponto State Beach day-use area becomes exposed to coastal flooding during extreme events. The sensitivity of the South Ponto day-use area is low because impacts to usage will be temporary and no major damage to facilities would be anticipated. Vulnerability and risk to State Parks remains high by 2100 due to the impacts to South Carlsbad State Beach in combination with flooding impacts to South Ponto.

Table 5: Planning Zone 3 Vulnerability Assessment Summary [condensed & notated]:

<u>Asset Category</u>	<u>Horizon [time]</u>	<u>Hazard Type</u>	<u>Impacted Assets</u>	<u>Vulnerability Rating</u>
Beaches	2050	Inundation/Erosion, Flooding	14 acres (erosion)	Moderate
	2100	Inundation/Erosion, Flooding	54 acres (erosion)	Moderate
Public Access	2050	Inundation, Flooding	6 access points 4,791 feet of trails	Moderate
	2100	Inundation, Flooding	10 access points 14,049 feet of trails	Moderate
State Parks <i>[Campground - Low-cost Visitor Accommodations]</i>	2050	Flooding, Bluff Erosion	4 parcels [<18 Acres]	High
	2100	Flooding, Bluff Erosion	4 parcels [>18 Acres] <i>[loss of over 50% of the campground & its Low-cost Visitor Accommodations, See Figure 5.]</i>	High
Transportation (Road, Bike, Pedestrian)	2050	Bluff Erosion	1,383 linear feet	Moderate
	2100	Flooding, Bluff Erosion	11,280 linear feet	High
Environmentally Sensitive Lands	2050	Inundation, Flooding	572 acres	Moderate
	2100	Inundation, Flooding	606 acres	High



Figure 7: Southern Shoreline Planning Area – Year 2050





Figure 5: CoSMoS Bluff Erosion Projections by 2100
(CoSMoS-COAST 2015)

[Figure 5 show the loss of over 50% of the campground and campground sites with a minimal .2 meter Sea Level Rise (SLR), and potentially the entire campground (due to loss of access road) in 2 meter SLF.]”

Directions to analyze and correct current and future LOSS of Coastal Open Space Land Use at Ponto

On July 3, 2017 the CA Coastal Commission provided direction to Carlsbad stating:

“The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto ... 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 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.”

Official Carlsbad Public Records Requests (PRR 2017-260, et. al.) confirmed Carlsbad’s Existing LCP and its Ponto specific existing LUP polices and Zoning regulations were never followed in the City’s prior Ponto planning activities (i.e. 2010 Ponto Vision Plan & 2015 General Plan Update). The projected SLR loss of recreation (beach) and low-cost visitor accommodations (campground) at Ponto should factor in this Existing LCP required analysis, and a LCP-LUP for Ponto and Ponto Planning Area F.

In a February 11, 2020 City Council Staff Report City Staff stated:

“On March 14, 2017, the City Council approved the General Plan Lawsuit Settlement Agreement (Agreement) between City of Carlsbad and North County Advocates (NCA). Section 4.3.15 of the Agreement requires the city to continue to consider and evaluate properties for potential acquisition of open space and use good faith efforts to acquire those properties.”

In 2020 NCA recommended the City acquire Ponto Planning Area F as Open Space. The status of City processing that recommendation is unclear. However the Lawsuit Settlement Agreement and NCA's recommendation to the City should also be considered in the required Existing LCP analysis.

Summary:

Tragically Carlsbad's Draft Local Coastal Program – Land Use Plan Amendment (DLCP-LUPA) is actually planning to both SIGNIFICANTLY REDUCE Coastal Open Space acreage, and to eliminate 'High-Priority Coastal Open Space Land Uses at Ponto due to SLR.

The Existing LCP requirements for Ponto Planning Area F to analyze the deficit of Coastal Open Space Land Use should factor in the currently planned LOSS of both Coastal Open Space acreage and Coastal Open Space Land Uses at Ponto due to SLR. As a long-range Coastal Land Use Plan this required LCP analysis needs to also consider the concurrent future increases in both population and visitor demand for those LOST Coastal Open Space acres and Coastal Open Space Land Uses.

It is very troubling that demand for these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses is increasing at the same time the current (near/at capacity) supply of these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses is significantly decreasing due to SLR. Instead of planning for long-term sustainability of these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses for future generations there appears to be a plan to use SLR and inappropriate (lower-priority residential) Coastal Land Use planning to forever remove those CA Coastal Act 'High-Priority' Coastal Open Space Land Uses from Ponto. CA Coastal Act Policies to address these issues should be thoroughly considered.

2021-2 proposed Draft Local Coastal Program – Land Use Plan Amendment (DLCP-LUPA) will likely result in City and CA Coastal Commission making updates to the 2015 General Plan, based on the existing Ponto Planning Area F LCP – LUP Policy requirements, Ponto Open Space issues, high-priority Coastal Land Use needs, and SLR issues not addressed in the 2015 General Plan.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 10:06:31 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.

– 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

As long- time(decades) resident and business owner in the immediate Ponto area that is addressed here it is ABOUT TIME the City moved FOR THE GOOD OF THIS AREA. It is the LAST CHANCE we will have to preserve this precious area for the PEOPLES' and the environment's good!!!

Name

Robin Hansen

Email

mermama1@mac.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 10:13:25 AM

Protect Ponto Petition:

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

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Additional Comments

Please! We need space for our kids and families to enjoy the outdoors

Name

Ian Zakrzewski

Email

ianzak@yahoo.com

City

Carlsbad

State

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 10:24:47 AM

Protect Ponto Petition:

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Name

Gregory Gould

Email

greggould_sd@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 10:38:39 AM

Protect Ponto Petition:

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

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- 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.

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Name

Robert Philion

Email

jbphilion@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 12:34:20 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.

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Name

Sanford Braver

Email

carlsbad3br@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, September 21, 2022 10:41:49 AM

Protect Ponto Petition:

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

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Name

Raymond Hughes Hughes

Email

rayjay3@sbcglobal.net

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 1:18:21 PM

Protect Ponto Petition:

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

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Name

Gayle Fini

Email

gfini@me.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 2:04:25 PM

Protect Ponto Petition:

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

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Name

Gregory Gould

Email

greggould_sd@yahoo.com

City

Carlsbad

State

CA

From: [Lance Schulte](#)
To: [Growth Management Committee](#)
Cc: [City Clerk](#)
Subject: FW: Public comment - Parkland Imbalance & resulting VMT increase - RE: Naming and shaming in California
Date: Monday, September 19, 2022 8:40:09 AM
Attachments: [image001.png](#)
[image002.png](#)
[image005.png](#)
[TPL Support for Ponto Park - 2022-3-11.pdf](#)
[CARB Dashboard - Tracking Progress - Sustainable Communities California Air Resources Board - Carlsbad - 2022 Sep 11.pdf](#)
Importance: High

Sorry Carlsbad Tomorrow Growth Management Committee, in rushing to get this out I only originally sent this Eric Lardy.
Lance

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Monday, September 19, 2022 8:31 AM
To: council@carlsbadca.gov; 'Tom Frank'; 'Eric Lardy'; 'City Clerk'; 'Kyle Lancaster'; Carrie Boyle (carrie.boyle@coastal.ca.gov); 'Prahler, Erin@Coastal'; Ross, Toni@Coastal (Toni.Ross@coastal.ca.gov)
Cc: 'info@peopleforponto.com'
Subject: Public comment - Parkland Imbalance & resulting VMT increase - RE: Naming and shaming in California
Importance: High

Dear City Council; Traffic, Planning and Park Commissions, Carlsbad Tomorrow Growth Management Committee; and CA Coastal Commission:

Please review and consider this email and data on regional VMT data in the Carlsbad Tomorrow Growth Management Committee's Sept 22 and future meetings on Parks, and your considerations of Carlsbad General Plan & LCPA, Growth Management Standards and Park Master Plan Updates. As has been provided in many data supported Citizen desires (and Trust for Public Land ParkScore data) and again mentioned to the CTGMC in July Carlsbad's Parkland distribution Imbalance creates multiple negative impacts to current and future generations and the environment. As mentioned to City in the "Coastal Recreation" data file and in other public input Carlsbad's Parkland Imbalance is in conflict with CA Coastal Act Policy, and as noted to you before and again in the email below Carlsbad's Parkland Imbalance is increasing Carlsbad's VMT for Park access in conflict with State law to reduce VMT. As the Trust for Public Land Parkscore data show Carlsbad is a relatively poor performer in regards to both providing Park acres and fairly distributing Park acres so more Citizens and their families can walk to Parks.

Carlsbad is also below average nationally in both providing Park acres and in fairly distributing Park acres. Carlsbad has one park for 2,797 residents with 2.95 acres of parkland per 1,000 residents. National Recreation and Park Association (NRPA) data show that Carlsbad is 20% below what is typical in providing the number of parks, and Carlsbad is 72% below what is typical in providing acres of parkland (<https://www.nrpa.org/publications-research/research-papers/agency-performance-review/>). The Trust for Public Land (TPL) also measures a City's Park performance (<https://www.tpl.org/city/carlsbad-california>). TPL data show Carlsbad total Park land acres (including counting State Park land acres) is 26% below the Median for the TPL's 100 ParkScore® cities, and 7% below the Median for the 14,000 cities and towns in the TPL ParkServe® database. The TPL also maps if a City provides/has Parks within a 10-minute walk to a Park; and Carlsbad is 33% below the Median for the TPL's 100 ParkScore® cities and 9% below the Median for the 14,000 cities and towns in the TPL ParkServe® database. This comparative information has not been publicly addressed by Council or in the 2015 General Plan Update. As noted both the Cities of Encinitas & Oceanside and many others have a 10-minute walk to Park Standard. Carlsbad does not and thus makes Carlsbad Parks less accessible and forces more VMT on Carlsbad roadways.

The CARB data so the SANDAG Regional average for Parks within walking distance is 71%, and the Statewide average is 72%. Carlsbad's Trust for Public Land Parkscore as noted above shows Carlsbad is only 50% or almost ½ worse than both the Regional and Statewide averages for walkable access to Parks. Carlsbad requires about 50% more VMT than the Region and State for Park access. This is the Imbalance People for Ponto Citizens have repeatedly shown the City but is being ignored.

Simply look at the following image from the City's own Park Service Area Maps in the Carlsbad Park Master Plan to see the unfairness, added VMT and gross Imbalance in the Land Use Plan. The blue dot is a Park and the light blue circle is that Park's service area. Even a 5-year child can see the unfairness and Imbalance.

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

I hope you consider this data. Our future depends on it.

Lance

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Friday, September 9, 2022 9:01 AM
To: council@carlsbadca.gov; 'Tom Frank'; 'Eric Lardy'; 'City Clerk'
Subject: FW: Naming and shaming in California

Dear City Council, Traffic & Planning Commissions, and Carlsbad Tomorrow Growth Management Committee:

A former professional college of mine (and former Carlsbad citizen) who is a founding member of the New Urbanism sent me the email below. It has links to some base Regional data on issues critical to Traffic and Planning Commissions, and CTGMC regarding VMT.

How Carlsbad, and areas within Carlsbad, compare to Regional (SANDAG) VMT should likely be evaluated by the City.

The later part of my planning career I specialized in Transit Oriented Development (redevelopment) that coordinates land use and transportation planning and investment to redesign existing development to be more livable, mobile and sustainable. I hope the Commissions, CTGMC, and Council find the data helpful.

Thanks & Aloha Aina,
 Lance Schulte

From: Peter Katz [mailto:pkatz@smartgo.network]
Sent: Friday, September 9, 2022 6:15 AM
To: Peter Katz
Subject: Naming and shaming in California

To my CA friends (and a few others):

As you may know, the State of California is a leader in adopting legislation aimed at reducing VMT (vehicle-miles traveled) and hopefully the GHG (greenhouse house gas) that results from the use of gas-powered vehicles.

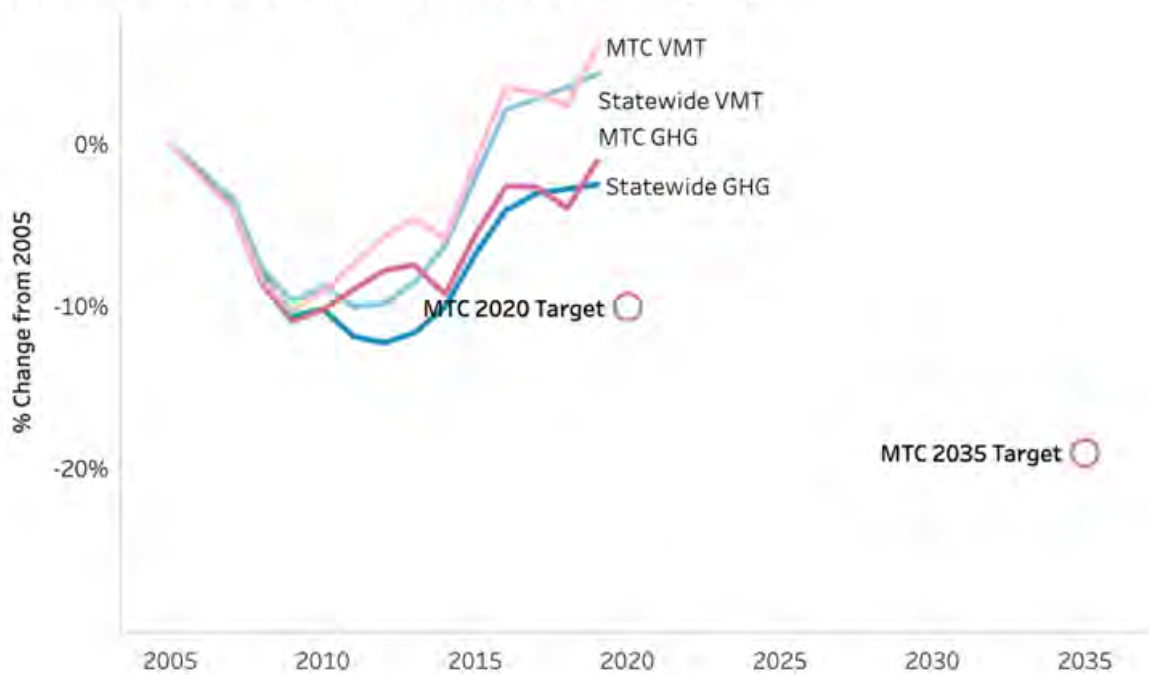
So how is the state (and its various geographic units) progressing toward stated goals? Not very

well, according to this dashboard, recently set up by California's Air Resources Board:

<https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/dashboard-tracking-progress-sustainable>

Here is a sample image from the dashboard for the SF Bay region (lines in purple):

GHG and VMT Compared to SB 375 Targets



I recommend you spend a minute with the dashboard to see how your region compares to the state average and with other regions. This comment from a CA-based colleague sums up the problem that I observed in nearly every region of the state:

"Despite California's laws and regulations around VMT/GHG reduction, macro level economic effects have more than offset reduction goals and produced trends moving in the wrong direction. Part of the challenge is that the state hasn't done enough to manage vehicle travel demand. The cost and convenience of vehicle use have not been dampened by state or regional actions associated with SB 375 or other laws."

Best;
Peter

PS: If you haven't been to SmartGO's website recently, please take a look. And don't miss the new page on our pay-per mile (PPM) auto insurance program (<https://smartgo.network/insurance-information>).

Multiple studies have shown VMT reduction of about 8% with such coverage, due mostly to behavior changes when people know they're paying for every mile that's

driven. Low mileage drivers (below 10K per year) can often save money by switching to PPM. If the approach was widely adopted in California, you'd see the lines in the chart above starting to bend downward toward the target circles, as they should be.

Maybe better consumer choices will succeed in ways that government regulation has not!

SmartGO Network

5268G Nicholson Ln #280
North Bethesda, MD 20895
202/486-7160
PKatz@SmartGO.network
www.SmartGO.network



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

Dashboard - Tracking Progress - Sustainable Communities

IN THIS SECTION

CONTACT

Sustainable Communities & Climate Protection Program

Email sustainablecommunities@arb.ca.gov

Phone (800) 242-4450

Note: This beta dashboard is a draft. Do not cite.

Introduction

In 2008, the California Legislature passed the Sustainable Communities and Climate Protection Act, Senate Bill 375 (SB 375). SB 375 is a first-of-its-kind law to recognize the critical role of integrating transportation, land use, and housing decisions. The law requires each of California's 18 metropolitan planning organizations (MPOs) to include a sustainable communities strategy (SCS) in its long-range regional transportation plan. The SCS identifies strategies to meet regional greenhouse gas (GHG) emission reduction targets set by the California Air Resources Board (CARB).

In 2017, the Legislature passed Senate Bill 150 (SB 150), tasking CARB with issuing a progress report every four years that assesses progress each MPO has made in meeting the regional GHG emission reduction targets set by CARB. This dashboard showcases over two dozen data-supported metrics that CARB analyzed to support the Draft 2022 Progress Report.

How to Use This Dashboard

The purpose of this dashboard is to highlight transportation, land use, and housing metrics that CARB analyzed to support the 2022 Progress Report. Users can interact with the visualizations below to filter data or reveal additional information.

Filter Data

Use filters at the top of each visualization to narrow down data of interest. Most visualizations allow filtering by MPO region. Some visualizations also allow filtering by year.

Find Additional Information

Hover or click on a chart or graphic to reveal additional information about a given metric. For details on how a metric was calculated, see the linked methodology below each visualization.

Progress Toward SB 375 GHG Emission Reduction Targets

Changes in transportation, land use, and housing are essential to meeting the State's climate and equity goals. Despite

California’s aggressive work on vehicle technology, advancing vehicle electrification alone will not be enough to get to carbon neutrality.

CARB estimated passenger vehicle miles traveled (VMT) and associated GHG emissions compared to each MPO’s regional GHG emission reduction targets (which are set relative to a 2005 baseline). This comparison shows that California is not on track to reduce GHG emissions from personal vehicle travel under SB 375. Actual per capita GHG emissions and VMT continue to increase throughout the state. However, per capita VMT and GHG increases have slowed down since 2017.

DRAFT - DO NOT CITE

Select Region 1

Statewide

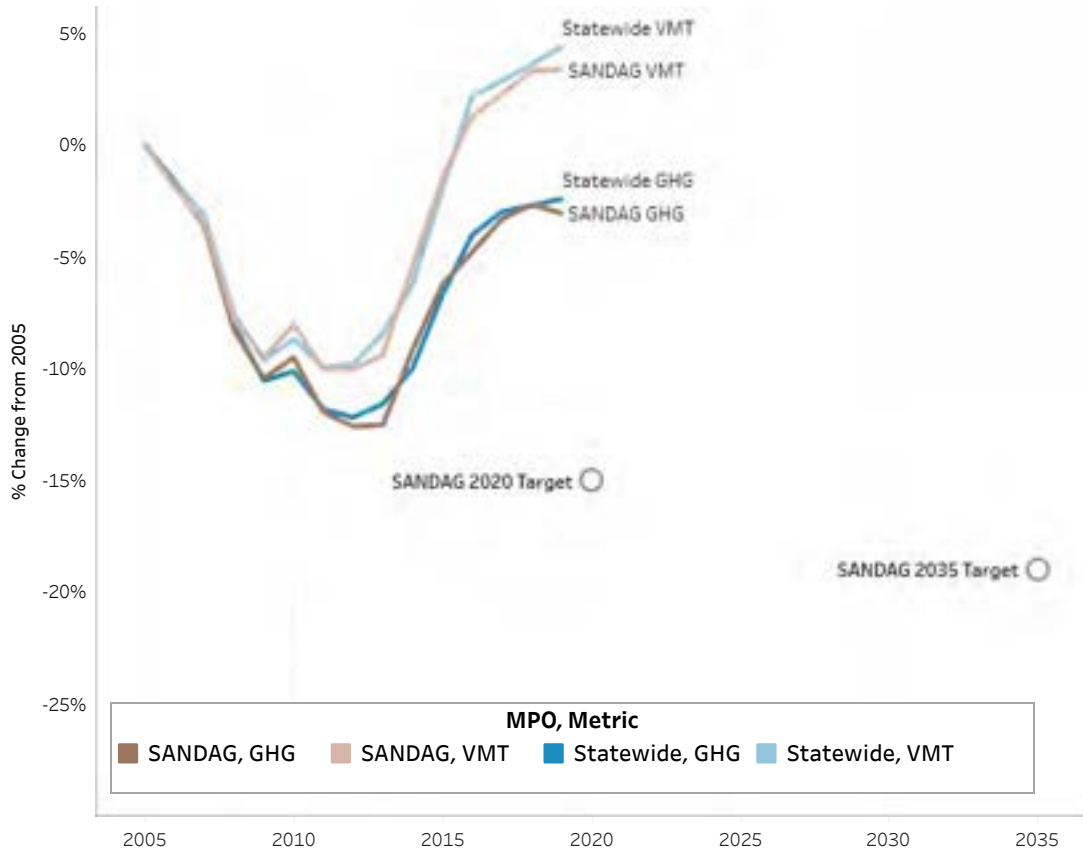
Select Region 2 (optional)

San Diego Association of Governments (S...

Select Metric

GHG
 VMT

GHG and VMT Compared to SB 375 Targets



Methodology (Appendix A)

Shifting Travel Patterns

Transportation and land use development can reduce GHG emissions by making it easier for people to get around on foot, by bike, or by transit. Travel indicators such as vehicle ownership, transit ridership, commute mode share, and commute time paint a picture of how transit, carpooling, and active transportation usage have changed relative to driving. In general, Californians continue to drive alone more and carpool less to work. Household vehicle ownership is growing, transit ridership is falling, and the small percentage of people that walk or bike to work is declining.

DRAFT - DO NOT CITE

Select Region 1

None

Select Region 2 (optional)

San Diego Association of Governments (SANDAG)

Select Year

2019



Drive Alone



SANDAG
76% Drive Alone



Carpool



SANDAG
9% Carpool



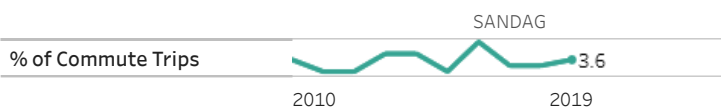
Transit



SANDAG
3% Use Transit



Walk or Bike



SANDAG
4% Walk or Bike

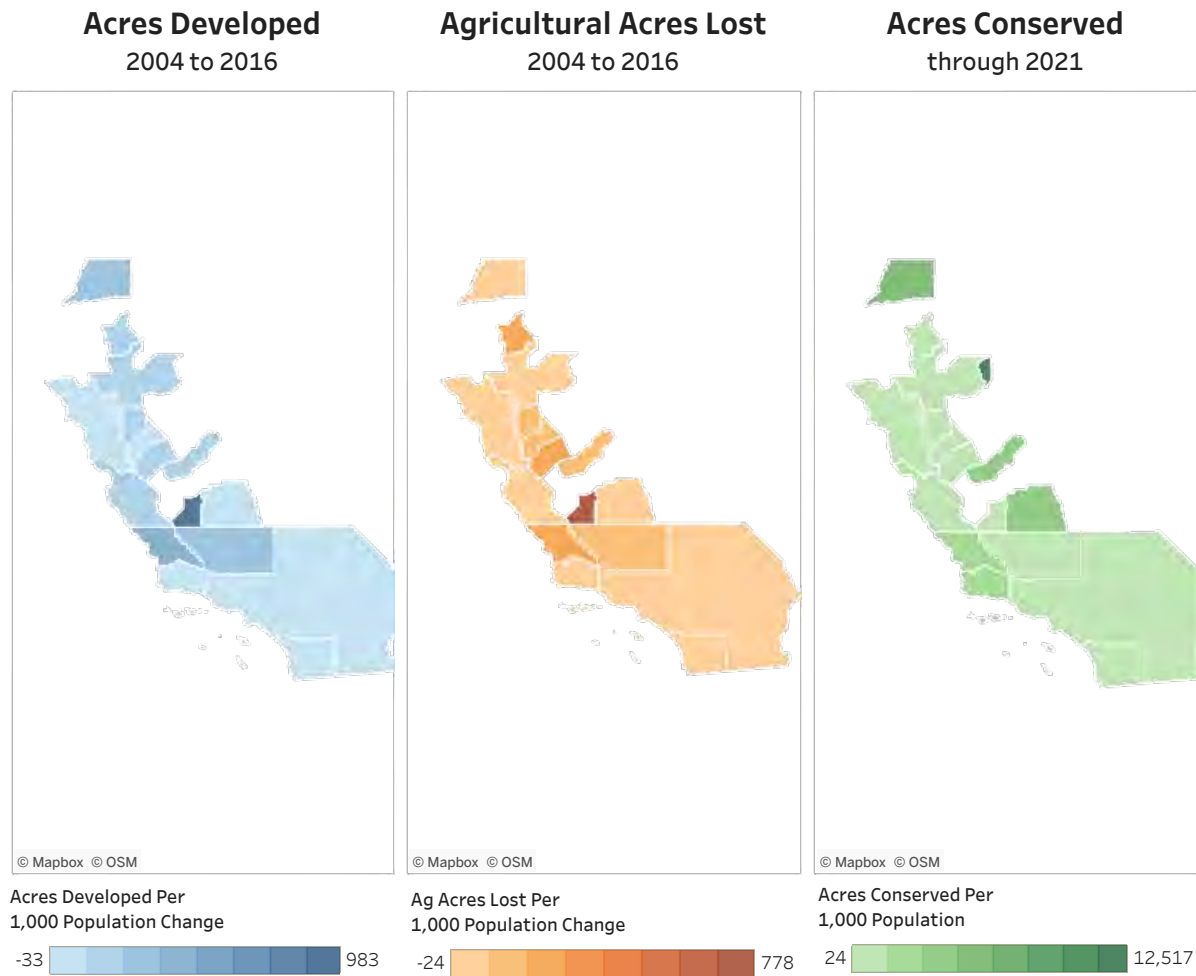


Methodology (Appendix A)

Sustainable Regional Growth

One way to reduce the need to drive long distances is to build homes, jobs, and other key destinations closer together. CARB examined changes in land use to assess whether development patterns were becoming more compact. This included evaluating changes in three types of land use: developed acres, agricultural acres, and conserved acres. Developed acres are areas that have been converted from other uses to urban land. Agricultural acres lost are areas that have been converted from agriculture to other uses. Conserved acres are areas that are protected from development of any kind. All three of these indicators vary by region, as illustrated in the maps below.

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Methodology (Appendix A)

Accessible Communities

When people live near shops, schools, parks, and transit, they can meet many of their daily needs without having to drive long distances. They may even be able to walk, bike, or ride a bus to their destination.

For each region, CARB evaluated the percentage of the population that lived within a 15-minute walk to four key destination types: park/open space, educational facilities, transit stops, and grocery stores. Unfortunately, most residents in California lack good accessibility to key destinations: less than half of the population in every region can access all four destination types by walking.

DRAFT - DO NOT CITE

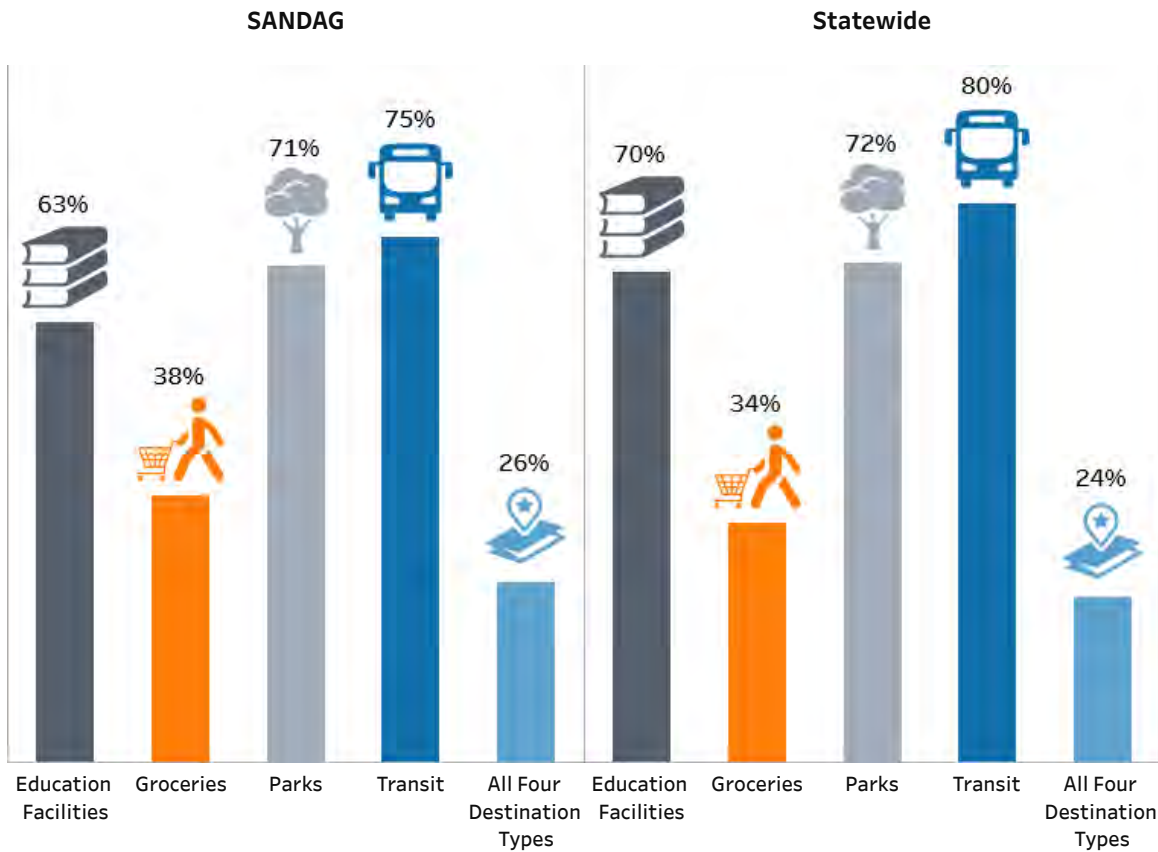
Select Region 1

Statewide (18 MPO regions combined) ▼

Select Region 2 (optional)

San Diego Association of Governments (SANDAG) ▼

Percent of Population With Access to Destinations by Foot



Methodology (Appendix A)

A Growing Housing Market

Housing development is an essential component for achieving SB 375 goals. For example, housing policies that promote multi-family units and equitable development can improve transit accessibility and help reduce trip length.

CARB compared permitted new housing construction to each region's housing need by income group as defined by the State Regional Housing Needs Allocation (RHNA) 5th planning cycle. Housing permitting and constructions were significantly behind regional housing allocations, especially for low-income housing.

CARB also analyzed the growth rate in single-family and multi-family housing units. The state continues to build more single-family housing than multi-family housing. However, since 2013 the growth rate of new housing has started to rebound, and the share of multi-family housing units has outpaced the percentage of single-family housing units.

Housing costs can be a substantial financial burden to predominantly low-income households. CARB analyzed the percentage of households that are overburdened by housing costs (defined as households that spend more than 35% of their income on housing). The percentage of overburdened households increased from 2010 to 2014 and slowly decreased in recent years.

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Select Region 1

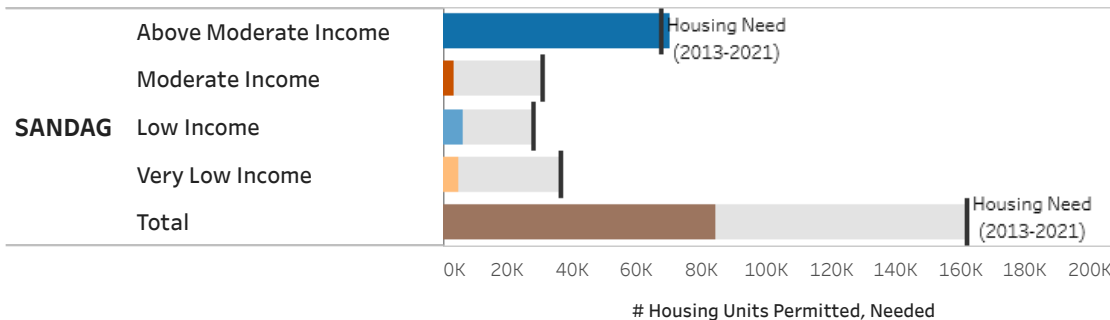
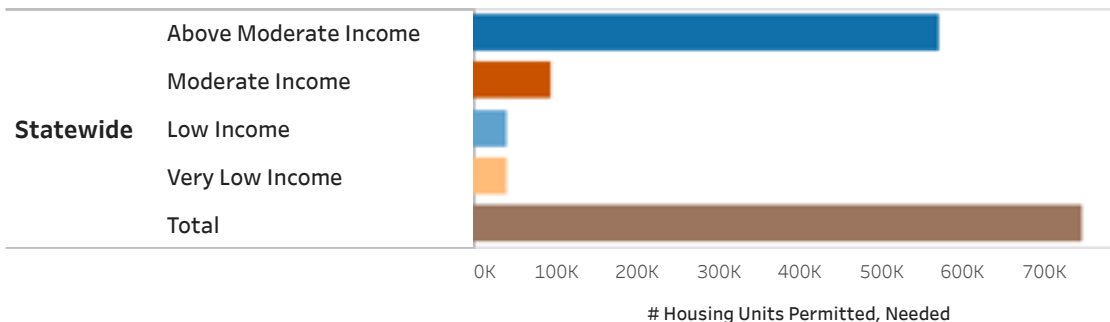
Statewide

Select Region 2 (optional)

San Diego Association of Governments (SANDAG)

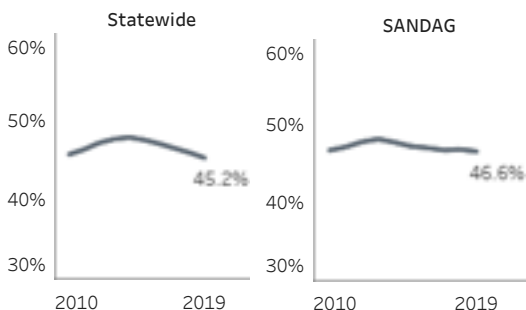
New Housing Permits and Housing Need

Regional Housing Needs Allocation - 5th Planning Cycle



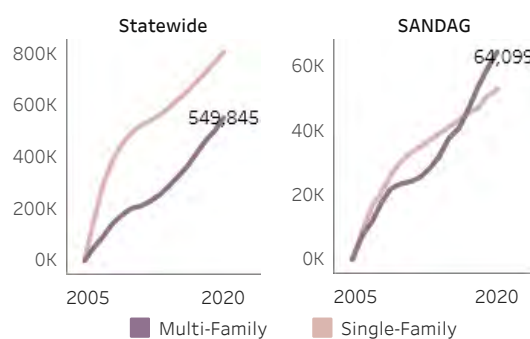
Housing Cost Burden

% Households Spending Over 35% Income on Housing



Growth in Housing Units by Type

Units Added Since 2005



Methodology (Appendix A)

Funding and Delivering Travel Choices

Funding for SCS projects comes from local, regional, state, and federal funding programs. Planned financing can explain whether a region is implementing projects and programs that reduce VMT and GHG emissions.

The charts below illustrate planned spending by mode in each region according to the MPOs most recent Regional Transportation Plan (RTP). RTPs typically cover a period of two or three decades and must cover at least 20 years. MPOs have discretionary authority over only a portion of the funds in RTPs, and that portion differs by region. Local governments, County Transportation Commissions, and transit agencies are examples of authorities with decision-making power over funds in the RTPs. Certain funding sources also have constraints attached.

With a few notable exceptions, most regions have more spending dedicated to roads than transit or active travel. Many regions continue to include significant funding for road expansion.

DRAFT - DO NOT CITE

Select Region 1

San Diego Association of Governments (SANDAG) ▼

Select Region 2 (optional)

None ▼

Regional Transportation Plan Expenditures

- Active Travel
- Other
- Roads
- Transit



Methodology (Appendix A)

Additional Information

For additional information, please see:

- Draft 2022 Progress Report for details on CARB's findings and methodology

For assistance with web accessibility, please email webaccessibility@arb.ca.gov.

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March 11th, 2022

Carlsbad City Council
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Re: Support creation of Ponto Park – a needed park for South Carlsbad

Dear Mayor Hall,

The Trust for Public Land (TPL) is strongly supporting the efforts of ‘People for Ponto’ and thousands of Carlsbad residents to build Ponto Park in the 11-acre coastal parcel known as ‘Planning Area F’ in South Carlsbad. For over 40-years TPL has been designing and building parks in California and although we have world-class parks and beaches, the fact remains 3.2 million Californians don’t have access to a park, and some of those Californians are residents of South Carlsbad. While the National Recreation and Park Association calls for 10-acres of park lands per 1000 residents as standard metric for healthy and vibrant cities, Carlsbad has a comparatively and relatively low park standard of only 3-acres/1,000 population and no requirement to provide accessible parks within walking distance.

And according to our own Trust for Public Land 2020-21 ‘City Parkscore’, Carlsbad is also below national averages both providing park land acreage and in providing residents a park within a 10-minute walk.

The City of Carlsbad’s Park Master Plan on pages 86-89 documents park service and park equity/inequity. Carlsbad’s Park Master Plan documents that Ponto area has no park and all of South Carlsbad (over 61% of the entire city population) has no Coastal Park while . Carlsbad provides 10 City Coastal Parks (totaling over 35-acres) in North Carlsbad, while South Carlsbad has no coastal parks to serve the 64,000 residents, many of which are children. Ponto Park at 11-acre Planning Area F is the last remaining reasonable bit of vacant and currently unplanned Coastal land to provide a Coastal Park for South Carlsbad. Ponto Park would also be in the middle of a 6-mile long section of North San Diego County coastline without Coastal Park, and would help address a regional need for a Coastal Park for these 6-miles of coastline.

The CA Coastal Act has numerous policies that support the creation of Ponto Park and Coastal Recreation land use. The City of Carlsbad’s history of following these CA Coastal Act polies now and over the past 40-years in its Local Coastal Program should be considered now in the City’s proposed Local Coastal Program Amendment. Over the past 40-years Carlsbad and California residents have forever

lost numerous opportunities to create vital Coastal Parks and Coastal Recreation for our growing population.

In addition to the clear need for coastal parks in South Carlsbad, the citizens are overwhelmingly supporting the creation of Ponto Park in Planning area F. As you know during the past 2-years during the City Budget and Local Coastal Program Amendment processes, residents strongly demonstrated their desire that the City Council purchase and build Ponto Park. In 2019, 2020 and 2021 over 90% of citizen input expressed need was for Ponto Park, along with extensive verbal and written citizen testimony.

As COVID-19 vividly pointed out, parks are not an amenity, but a key component to human physical and mental health. Parks also provide environmental benefits and contribute to cleaner air and water, climate adaptation and social cohesion. TPL think you have a great opportunity to address equity and access to park space and improving the lives of thousands of Carlsbad residents and strongly urge you to support the building of Ponto Park for families and community.

Sincerely,

Rico Mastrodonato
Government Relations Director

From: [Lance Schulte](#)
To: [City Clerk](#); [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](#); [Tom Frank](#)
Cc: [info@peopleforponto.com](#)
Subject: Public input to Carlsbad Tomorrow Growth Management Committee Sep 22 2022 meeting; and for LCPA, Parks Master Plan Update - Parks & Open Space at Ponto-Coastal South Carlsbad
Date: Monday, September 19, 2022 11:34:37 AM
Importance: High

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

I was out this weekend so just had time to do a quick scan and noticed some obvious missing information and 'spin' in the staff 'report'. I hope the CTGMC can see this and the data 'cherry picking' and diversions to change subjects to "recreation land" and falsely try to count or hide Park shortfalls by trying to use other 'recreation' lands areas' as "Parks. Here is what I was able to quickly scan and note:

Citizen response and Input regarding 'Fact Sheet – Community Interest in Ponto Park'

Page

1 City falsely says "City can only acquire property from a willing seller" - this is false. The City can use legal powers emanate domain and condemnation to buy property for public purpose (Parks) unless the USA & California Constitutions have been amended to only allow acquisitions from 'willing sellers'. The Carlsbad City Council may have CHOSEN to adopt a formal Policy/Law (or undisclosed and hidden vote) that is constraining their authority. However that City Council CHOICE does not mean the Council can CHOOSE otherwise and use legal powers emanate domain and condemnation to buy property for public purposes.

Ironically the City Council has in fact used these emanate domain and condemnation powers on behalf of the Aviara Master Plan Developer to force an "unwilling seller" to sell a sewer line easement to the City for the Aviara Master Plan Developer.

1 'Park funding only comes from the City's General Fund' - this is false. Recently the Federal government provided the City of Carlsbad \$ 3million to help fund Veterans Park. There are both Federal and State Grants and funding for Park acquisition. The City cites many other funding sources in its CIP, and like those other funding sources for Park acquisition, the City just does not list them. Also, the City has an Park land dedication Ordinance CMC 20.44 (per CA Quimby Act) that pre-dates growth management and requires developers to give the City Free land for use as a Park to meet the Park needs for that development. In fact 20.44 is where the 3 acre per 1,000 population Park Standard came from.

1 City fails to mention we have a 'willing seller' for 14.3 acres of vacant land at Ponto. The City cites \$35 million as the price of that land. The 2-part tax-payer Cost-benefit Analysis data files sent to you should be looked at as simply buying these 14.3 acres saves tax-payers millions and is a Better Park option. P4P can show the City and you how the City could buy this property with minimal added City tax-payer cost. There are Federal and State funding (like note above) for Park acquisition. Also ALL Developers are required to give parkland for

free to the City under its Park land Dedication Ordinance 20.44 and about 1.76 acres of Ponto land would be given to the City for free to be used as a Park, or the developers would have to give the City money (pay a park-in-lieu-fee) that should be sufficient to buy 1.76 acres of Park land at Ponto.

- 1 City Budget funding is a yearly process, and future Budgets, and even most recent Council actions, will/have changed what was in prior Budgets. Buying Ponto Park actually saves taxpayer dollars as noted in the following bullets and in the 2 files sent to the CTGMC – “2022 General Comparative cost-benefits of Completing PCH-PCH Modification-Ponto Park part 1 of 2” & “City’s PCH area map w numbered notes of constraints – 2 of 2” data files. The data in these data files is from the City. As tax-payers the CTGMC should read these data files.
- 1 City wide approvals will also be needed for the "South Carlsbad Coastal Project (SCCP)" mentioned in the report. The SCCP is a \$135 million to \$150 million improvement to existing City Land and will require a City wide vote. Based on the known tax-payer Cost-Benefits of SCCP, it is not clear if votes will support this expenditure – particularly given the Citizen input the City obtained in the \$50,000 survey it conducted on the SCCP, and the Council deferring the SCCP for another year.
- 1 The staff report incompletely says 136 dwelling units are planned for one of the sites. But the report critically failed to disclose to you that Carlsbad’s General Plan Land Use Element page 2- specifically states Carlsbad’s General Plan is not adopted UNTIL the CA COASTAL COMMISSION (CCC) fully CERTIFIES the current City Proposed comprehensive Local Coastal Program Amendment (LCPA). The CCC will decide if to approve-deny-approve with modification the City Proposed LCPA in 2023. As provide the CTGMC the CCC has told the City in 2016 & 2017 that based on the Need for Coastal Recreation (i.e. Public Park) and/or Low-cost Visitor Accommodations the General Plan Land Use at Ponto may change. See the “Updated 2020 Dec 2 Planning Area F existing LCP-LUP & CCC direction to City” data file sent to the CTGMC. Read the CCC’s reasons for 2010 rejection of the Ponto Vision Plan that is the basis for the 2015 General Plan.
- 1 The 2017 Sea Level Rise Impact analysis did specifically cite both acres of land impacted and the type of land use that was impacted. I can send you the report if you want. I copied key acreage and land use from the SLR Analysis in the “Sea level rise and DUPA LUPA planned loss of Open Space at Ponto data file”. This data file also shows how the City falsely exempted Ponto developers from complying with the growth management 15% Useable Open Space Standard.
- 1 City says "South Carlsbad Coastal Project (SCCP) will Create 60 acres of available space" - this is false. The 60-acres of Space already exists. The City already owns this land. The SCCP is a \$70 million (for 1-mile Manzano to Island Way segment) + \$65 to \$80 million (for 2.3 mile Island Way to La Costa Ave segment) for a total \$135 million to \$150 million project that does not buy one single square foot of new City land. Much of the City's 60-acres is already environmentally constrained by protected Habitat so will not change anything and will continue to be unusable for people use as a Park. Parks are people and Not habitat and

Projected Habitat is for plants and animal and Not people. The City knows that most of these existing City owned 60-acres is not useable for people and is too narrow to be a Park. The largest part of the 60-acres is at 'the dip' in the 1-mile Manzano to Island Way segment. We ask the CTGMC to ask staff to show you a map and acreage count of that Segment, and how much acreage is planned for 1) roadway-bikeway-sidewalk, 2) Habitat, 3) useable land for people; and 4) the area that will be lost due to Sea Level Rise for each of these 3. What land uses are lost from SLR? Ask to see the same data for the existing configuration for the segment. Compare the data. Compare the total segment acres with the total 60-acres. There is no secured funding for the \$135 to \$150 million SCCP. The City could buy 3+ Ponto Parks for the cost of rearranging exiting features and adding a sidewalk on existing City land. The only missing feature to Complete" PCH in the two segments (total 3.3 miles) are some missing sidewalks/ped paths.

Enhancements to make PCH better and safer for bikes is a very good idea, but seems like can be done within the existing PCH configuration at a fraction of the cost. See the tax-payer cost-benefit Part 1 of 2 and Part 2 of 2 SCCP/PCH Relocation data files. SCCP will also require a citizen vote to approve funds, I am also hearing that Carlsbad citizens are not that supportive of SCCP. So is the SCCP are secured funded and 'countable solution' to the documented Park deficit at Ponto & Coastal South Carlsbad?

- 2 City says 2,074-acres or 8% of Carlsbad is Park and recreation land (page 2-7 of General Plan). This should be itemized and mapped as the numbers likely include golf courses (mostly private) and maybe Lago land and some Lagoon waters. The City is trying to inaccurately try to use private Recreation land as a public Park. The CTGMC is supposed to compare Park Standard to Park Standards. The City's Park Standard is fairly poor relative to Encinitas and Oceanside and many other cities, so you are being diverted from that fact.
- 2 432.4-acres of exiting Park & 519.7-acres of final Park based on 7/26/22 CC vote. This data should closely match the City's General Plan Land Use data that is the data base used in the "2022 Coastal Recreation data file" sent to you. Of critical importance to the CTGMC is to note the City is apparently saying that they will only provide a final 519.7-acres of Park in City. Yet as the CTGMC knows the City CANNOT plan for Buildout or a final population. So as population continues to grow there will be less and less parkland per 1,000 population. See the "CTGMC key issues and suggestions 2022-8-8" data/suggestion file sent to you.
- 2 in Table 2 the City did not provide the Park Acres per 1,000 for the same City selected data set. Compare Park acres to Park acres. We provided the NRPA data in the "2022 Coastal Recreation data file" we provided the CTGMC. We also provided the even more comprehensive Trust for Public Land ParkScore data that also shows Carlsbad is below average. That more comprehensive data should be considered. See also Ponto park support letter from Trust for Public Land.

CTGMC, you have a heavy burden to set Carlsbad's Growth Management Program on a fair and sustainable course to accommodate unlimited future growth as required by the State of CA. This

involves fixing past errors and fixing what was unfair and setting Standard that are continually adding more parks and Open Space as Carlsbad is forced to grow.

We provided you a "CTGMC key issues and suggestions 2022-8-8" data/suggestion file that I think could help you in looking at how to set new Standards for unlimited future growth.

Thank you and Aloha Aina,
Lance

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Monday, September 19, 2022 9:05 AM

To: 'City Clerk'; committee@carlsbadca.gov; 'Michele Hardy'; 'council@carlsbadca.gov'; 'City Clerk'; 'Kyle Lancaster'; 'Eric Lardy'; 'Smith, Darren@Parks'; Homer, Sean@Parks (Sean.Homer@parks.ca.gov); 'Moran, Gina@Parks'; Carrie Boyle (carrie.boyle@coastal.ca.gov); 'Prahler, Erin@Coastal'; Ross, Toni@Coastal (Toni.Ross@coastal.ca.gov); 'Tom Frank'

Cc: 'info@peopleforponto.com'

Subject: Public input to Carlsbad Tomorrow Growth Management Committee Sep 22 2022 meeting; and for LCPA, Parks Master Plan Update - Parks & Open Space at Ponto-Coastal South Carlsbad

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

We ask you to please consider this email and attachments in the Sept 22nd CTGMC and subsequent Land Use, Parks and Open Space discussions by the CTGMC, LCP Amendment, PCH Relocation project, Park Master Plan Update, and development proposals at Ponto.

As always, and as we have repeatedly asked for since our initial 2017 letter to the City Council, People for Ponto Carlsbad Citizens asks for and are willing able to work with you to find the solutions for:

- the documented Park Inequity at Ponto & Coastal South Carlsbad,
- the documented missing Unconstrained Open Space at Ponto,
- the future loss of 32+ acres of Coastal Open Space (State beach and Campground) due to sea level rise,
- the needed upgrades to Carlsbad's Growth Management Program and Standards (and developer required land dedications and mitigations) to account for an Unlimited population and the need for Unlimited increases in Carlsbad Parks and Open Space to address those Unlimited populations so as to assure we maintain our quality of life,
- beneficial collaborations and donations, and
- the wiser use of tax-payer dollars to address tax-payer needs

The CTGMC and City Commission have an opportunity to do the right thing and correct the clear and obvious Park Inequity and Coastal land use Imbalance at Ponto & Coastal South Carlsbad. Please don't kick-the-can-down-the-road and fail to consider that data and your fellow Citizen desires for a better Carlsbad. P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of

life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

Sincerely and with Aloha Aina,
Lance Schulte

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

From: [Lance Schulte](#)
To: [City Clerk](#); [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](#); [Tom Frank](#)
Cc: info@peopleforponto.com
Subject: Public input to Carlsbad Tomorrow Growth Management Committee Sep 22 2022 meeting; and for LCPA, Parks Master Plan Update - Parks & Open Space at Ponto-Coastal South Carlsbad
Date: Monday, September 19, 2022 9:04:54 AM
Attachments: [Citizen questions-input for CTGMC 2022 Sep 22.pdf](#)

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Sincerely and with Aloha Aina,
Lance Schulte

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2022 Sept. 22nd Carlsbad citizens' data input & questions for the Carlsbad Tomorrow Growth Management Committee on fairness, and correcting below Standard and missing Parks & Open Space at Ponto

People for Ponto (P4P) is an all-volunteer citizen organization founded in 2017 by the 500 home San Pacifico Community Association Board. Since 2017 Citizens from all areas of Carlsbad have joined P4P in support, as have Citizens from San Diego County, visitors to Carlsbad, along with Carlsbad visitor industry, Surf rider Foundation, Batiquitos Lagoon Foundation, and the Trust for Public Land. P4P's mission is:

- *Provide information to all San Pacifico residents (and surrounding neighborhoods) on the developments.*
- *Obtain and consolidate constructive feedback from the residents. Give this feedback to the residents, developers and City so that we can have productive/timely input into the projects and their designs.*
- *Act as a strong, unified voice and with the support of our residents in upcoming Planning, Council and Coastal Commission meetings.*

In fulfilling its mission P4P has filed over 50 official Carlsbad Public Records Requests and communicated the findings. Over 5,000 petitions, hours of citizen testimony, and hundreds of pages of data have been sent to the City of Carlsbad and Council, and CA Coastal Commission and other agencies.

The main issues and desires P4P has obtained and transmitted are the same as Carlsbad Citizens have expressed for years – the need and desire for Parks and Open Space, and concerns about increasing density. Data gathered by P4P show a significant need for Park and Open Space at Ponto, and how Ponto has been developed at much higher densities than the rest of the City.

- *Ponto has a substandard amount Growth Management required Useable Open Space.*
- *South Carlsbad (62% or 2/3's of Carlsbad Citizens and families) have no Coastal Park.*
- *Ponto has unique and critical importance as the last major vacant Coastal land in South Carlsbad to provide a true City Park.*

How the Carlsbad Tomorrow Growth Management Committee and City Council, and CA Coastal Commission plan and development Ponto will forever define South Carlsbad's future.

1. Carlsbad's Park Master Plan maps show that Ponto is not served by Parks and states that Ponto is one of the areas where the Council should make new Park acquisitions. 14.3 acres of world-class vacant land is available at Ponto for a needed Park. P4P is concerned about using tax-payer dollars wisely. Initial P4P cost-benefit analysis using City data indicates that buying and developing a Park on the 14.3 acre site would save tax-payers \$8-\$32 million relative to a 2.3 mile PCH Relocation from Island Way south to La Costa Avenue. Ponto Park would also increase City land resources by 14.3 acres compared with planned City spending on the PCH Relocation that does not produce any new land. PCH Relocation is a reconfiguration of narrow strips of existing somewhat constrained City land in the PCH roadway median at a City stated tax-payer cost of \$60 - \$85 million (\$26 to \$40 million per mile). Providing about 1.6 miles of missing sidewalks in PCH costs about 1/10th the cost of PCH Relocation. The City's 2001 ERA Financial Study of PCH Relocation provides important information about the tax-payer costs and location/amount of Park land possible from PCH Relocation.
 - a. Will the Carlsbad Tomorrow Growth Management Committee (CTGMC) recommend to the City Council to study the cost/benefits/value of a Ponto Park acquisition v. PCH Relocation?
 - b. Will the CTGMC support public discussion and City Council consideration of tax payer's cost-benefit analysis of the following:
 - i. 14.3 acre Ponto Park,
 - ii. 2.3 miles of PCH Relocation, and
 - iii. Providing missing sidewalks for the 2.3 miles of PCH, and additional beach parking?

- c. Will CTGMC support making Carlsbad’s 2001 ERA Financial Study of PCH Relocation publicly available on the CTGMC website?
 - d. Will CTGMC support making P4P’s tax-payer Cost-Benefit analysis of Ponto Park, PCH Relocation and adding needed sidewalks available on the CTGMC website)?
 - e. Will CTGMC support working with Carlsbad Citizens to openly study acquiring a Ponto Park site?
2. Carlsbad’s 2017 Sea Level Rise Impact Report notes Ponto will lose over 32-acres of “High-priority Coastal Open Space Land Use” due to coastal erosion and flooding - 14+ acres of beach and 18+ acres of Campground. But Carlsbad’s 2015 General Plan and Proposed Local Coastal Program Amendment couldn’t consider 2017 Sea Level Rise data. So Carlsbad’s 2015 General Plan & proposed Coastal Land Use Plan are not replacing the 32+ acers and campground that will be lost. The following images from Carlsbad’s 2017 Sea Level Rise Impact Report show the new campground bluff edge and shoreline from sea level rise vulnerability:



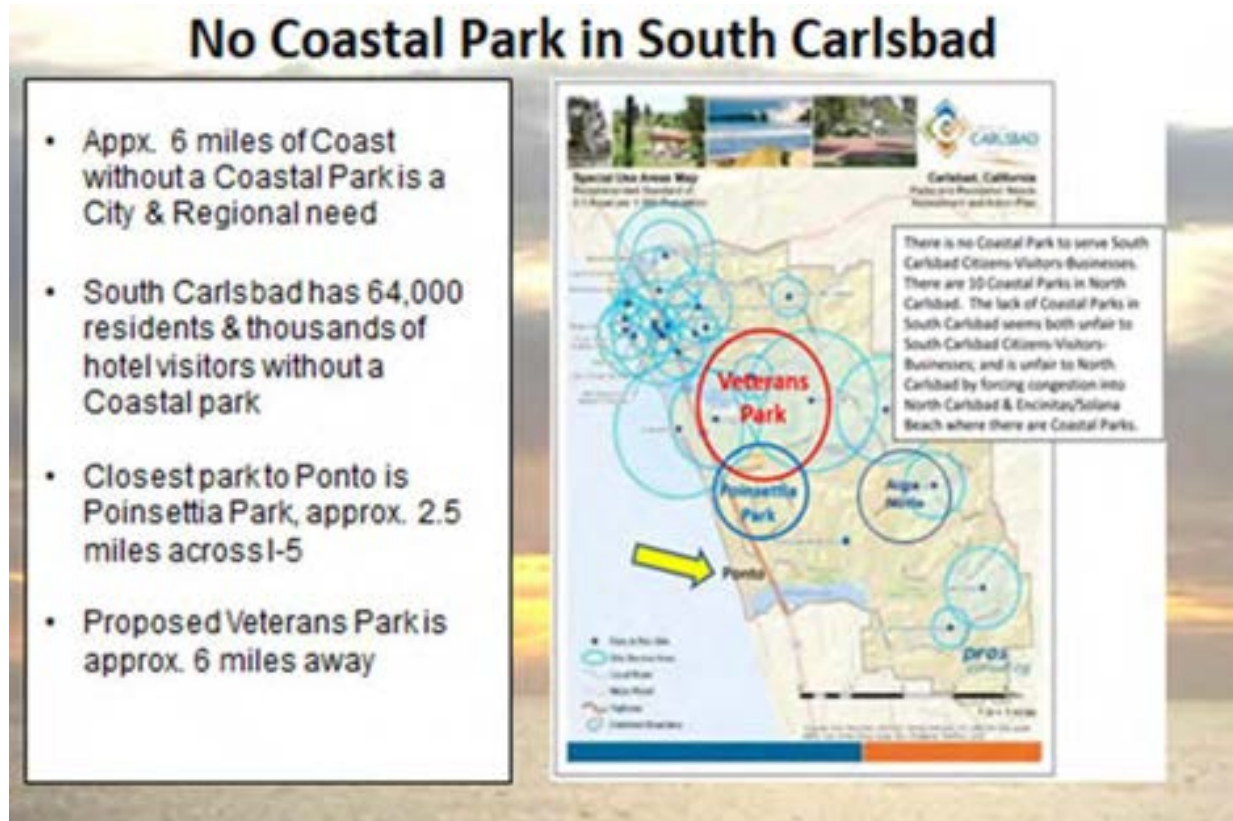
Figure 5: CoSMoS Bluff Erosion Projections by 2100
(CoSMoS-COAST 2015)



Figure 7: Southern Shoreline Planning Area – Year 2050



- a. Will CTGMC recommend to the City Council to revise the 2015 General Plan and proposed Coastal Land Use Plan for Ponto to address the impacts of sea level rise on Ponto Open Space and citizen desire for a Ponto Park?
3. 38% of Carlsbad families live in North Carlsbad. 62% of Carlsbad families live in South Carlsbad. There is significant inequity in the amount of City Parks and City Park Acres the City provides in North & South Carlsbad; and most significantly in what the City provides west of I-5 in Coastal North and South Carlsbad. In North Carlsbad there are 10 City Parks totalizing 37 acres west of I-5, or about 1 acre of Coastal City Park for each 1% of Carlsbad population or 1,147 Carlsbad residents. In South Carlsbad there are 0 (zero) City Parks totaling 0 (zero) acres of City Park west of I-5. For South Carlsbad citizens and their families this lack of equitable City Park acres is unfair. This is also unfair to North Carlsbad citizens by increasing traffic, parking and Park congestion. The following image compiled from Carlsbad's Park Master Plan shows the unfairness in City Park distribution:



- a. Will CTGMC recommend to the City Council to provide an equal, or fairer, distribution of City Park acres west of I-5 for South Carlsbad?
- b. Will CTGMC support fairness in distribution of park land?

4. Locally Carlsbad ranks relatively poorly in both providing City Park acres and distributing City Park acres so there is fair and equal access to City Parks. Carlsbad only requires 3 acres of City Park land for each 1,000 Carlsbad residents. Both the Cities of Encinitas & Oceanside require 5 acres of City Park land for each 1,000 of their residents - that is 67% more park land than Carlsbad requires. Also, Carlsbad has no requirement that City Parks be distributed to be within walking distance to homes so families can adequately access and use City Parks. Both the Cities of Encinitas & Oceanside require their City Parks to be distributed to within a 10-minute walk for all homes and families. P4P provides a 30-page '2022 Coastal Recreation data file' that documents these and more Park facts.

Carlsbad is also below average nationally in both providing Park acres and in fairly distributing Park acres. Carlsbad has one park for 2,797 residents with 2.95 acres of parkland per 1,000 residents. National Recreation and Park Association (NRPA) data show that Carlsbad is 20% below what is typical in providing the number of parks, and Carlsbad is 72% below what is typical in providing acres of parkland (<https://www.nrpa.org/publications-research/research-papers/agency-performance-review/>). The Trust for Public Land (TPL) also measures a City's Park performance (<https://www.tpl.org/city/carlsbad-california>). TPL data show Carlsbad total Park land acres (including counting State Park land acres) is 26% below the Median for the TPL's 100 ParkScore® cities, and 7% below the Median for the 14,000 cities and towns in the TPL ParkServe® database. The TPL also maps if a City provides/has Parks within a 10-minute walk to a Park; and Carlsbad is 33% below the Median for the TPL's 100 ParkScore® cities and 9% below the Median for the 14,000 cities and towns in the TPL ParkServe® database. This comparative information has not been publicly addressed by Council or in the 2015 General Plan Update.

- a. Will CTGMC recommend to City Council to change/update Carlsbad's Park Standard to at least 5 acres per 1,000 population, which would be the same as our adjacent cities of Encinitas and Oceanside?
- b. Will CTGMC recommend to City Council to update Carlsbad's Park Standard to require/plan appropriately sized City Parks to serve the population within a 10-minute walk?
- c. Will CTGMC recommend to City Council to have a policy to work with Citizens that do not have a Park within a 10-minute walk to make sure the type, size, location, features of a Park meets their needs?

5. The 2020 Census reaffirmed City-data.com data on how densely land (population per square mile of land) is currently developed in each Quadrant of Carlsbad. The Citywide average density is around 2,800 people per square mile of land. Higher density by definition indicates more people residing within a given area of land, and demanding more Park and Open Space resources. Following is rounded Quadrant-based, and Ponto Census Block, data from <https://www.city-data.com/>:

<u>City Area</u>	<u>Population per square mile</u>	<u>% more/less densely developed than Citywide average</u>
NE Quad	2,100	25.0% less dense than City
NW Quad	2,500	10.7% less dense than City

Citywide	2,800	Average density of Carlsbad
SW Quad	3,500	25.0% more dense than City
SE Quad	3,600	28.6% more dense than City
Ponto	4,100	46.4% more dense than City

- a. Will CTGMC recommend to City Council to update City policy so that more densely developed areas have an adequate and fair amount of Parks?
 - b. Will CTGMC recommend to City Council a City Park and Budget policy to prioritize Park land acquisitions in more densely populated areas?
 - c. Ponto is currently developed at over 46% higher density than the rest of the City, is not near major employment centers, and has no Parks.
 - i. Will CTGC recommend to the City Council to update City Housing and Land Use policy to avoid increasing population density in already more densely developed areas that do not have adequate Park and Useable Open Space?
6. The City allowed Ponto developers to create higher density development at Ponto than the rest of the City. **Ponto’s higher density is partially the result of the City not enforcing the City’s Growth Management Useable Open Space Standard at Ponto.** Questionably the City did not require Ponto developers in Local Facilities Management Plan Zone 9 (LFMP-9) to provide the minimum Standard of 15% of all Useable land in Zone 9 as Useable Open Space. Surrounding LFMP Zones under the same/similar situations were required to provide 15% Useable Open Space. Not complying with the Growth Management Open Space Standard explains much of why Ponto is currently developed at a density that is 46.4% higher than the City.

The following City GIS map and acreage calculations of Useable (“Outdoor Recreation”) Open Space and Constrained/Unusable (“Preservation & Natural Resources”) Open Space in LFMP-9 attests to the fact that Ponto is missing 30 acres of required Useable Open Space. This missing Useable Open Space, along with other issues in other areas of Carlsbad, is part of current litigation by North County Advocates - a separate citizens group.



**City GIS map of Ponto's (LFMP Zone 9)
Open Space:**

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara includes the same lagoon.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were not required to comply with the 15% Useable Open Space Standard is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the Growth Management Standard of 15% Useable Open Space at Ponto

472 Acres	Total land in LFMP Zone 9 [Ponto]
<u>(197 Acres)</u>	Constrained land excluded from Growth Management (GMP) Open Space
275 Acres	Unconstrained land in LFMP Zone 9 [Ponto]
<u>X 15%</u>	GMP Minimum Unconstrained Open Space requirement
41 Acres	GMP Minimum Unconstrained Open Space required
<u>(11 Acres)</u>	GMP Open Space provided & mapped per City GIS data

30 Acres **Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data**

Although the missing required Useable Open Space at Ponto is subject to current litigation, it is desirable for Citizens to know the CTGMC's position on City responsibility and City recognition and correction or restitution of mistakes, and willingness to work with those impacted by possible City and/or developer mistakes.

- a. Does CTGMC support responsibility and integrity in City government?
- b. Does CTGMC support discussing and correcting City mistakes?
- c. Does CTGMC support discussing and working with Carlsbad Citizens impacted by possible City mistakes to find corrections?

Thank you for receiving this citizen data input
and answering your fellow citizens' questions

From: [Lance Schulte](#)
To: [City Clerk](#); [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](#); [Tom Frank](#)
Cc: [info@peopleforponto.com](#)
Subject: Public input to Carlsbad Tomorrow Growth Management Committee Sep 22 2022 meeting; and for LCPA, Parks Master Plan Update - Parks & Open Space at Ponto-Coastal South Carlsbad
Date: Monday, September 19, 2022 11:34:37 AM
Importance: High

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

I was out this weekend so just had time to do a quick scan and noticed some obvious missing information and 'spin' in the staff 'report'. I hope the CTGMC can see this and the data 'cherry picking' and diversions to change subjects to "recreation land" and falsely try to count or hide Park shortfalls by trying to use other 'recreation' lands areas' as "Parks. Here is what I was able to quickly scan and note:

Citizen response and Input regarding 'Fact Sheet – Community Interest in Ponto Park'

Page

1 City falsely says "City can only acquire property from a willing seller" - this is false. The City can use legal powers emanate domain and condemnation to buy property for public purpose (Parks) unless the USA & California Constitutions have been amended to only allow acquisitions from 'willing sellers'. The Carlsbad City Council may have CHOSEN to adopt a formal Policy/Law (or undisclosed and hidden vote) that is constraining their authority. However that City Council CHOICE does not mean the Council can CHOOSE otherwise and use legal powers emanate domain and condemnation to buy property for public purposes.

Ironically the City Council has in fact used these emanate domain and condemnation powers on behalf of the Aviara Master Plan Developer to force an "unwilling seller" to sell a sewer line easement to the City for the Aviara Master Plan Developer.

1 'Park funding only comes from the City's General Fund' - this is false. Recently the Federal government provided the City of Carlsbad \$ 3million to help fund Veterans Park. There are both Federal and State Grants and funding for Park acquisition. The City cites many other funding sources in its CIP, and like those other funding sources for Park acquisition, the City just does not list them. Also, the City has an Park land dedication Ordinance CMC 20.44 (per CA Quimby Act) that pre-dates growth management and requires developers to give the City Free land for use as a Park to meet the Park needs for that development. In fact 20.44 is where the 3 acre per 1,000 population Park Standard came from.

1 City fails to mention we have a 'willing seller' for 14.3 acres of vacant land at Ponto. The City cites \$35 million as the price of that land. The 2-part tax-payer Cost-benefit Analysis data files sent to you should be looked at as simply buying these 14.3 acres saves tax-payers millions and is a Better Park option. P4P can show the City and you how the City could buy this property with minimal added City tax-payer cost. There are Federal and State funding (like note above) for Park acquisition. Also ALL Developers are required to give parkland for

free to the City under its Park land Dedication Ordinance 20.44 and about 1.76 acres of Ponto land would be given to the City for free to be used as a Park, or the developers would have to give the City money (pay a park-in-lieu-fee) that should be sufficient to buy 1.76 acres of Park land at Ponto.

- 1 City Budget funding is a yearly process, and future Budgets, and even most recent Council actions, will/have changed what was in prior Budgets. Buying Ponto Park actually saves taxpayer dollars as noted in the following bullets and in the 2 files sent to the CTGMC – “2022 General Comparative cost-benefits of Completing PCH-PCH Modification-Ponto Park part 1 of 2” & “City’s PCH area map w numbered notes of constraints – 2 of 2” data files. The data in these data files is from the City. As tax-payers the CTGMC should read these data files.
- 1 City wide approvals will also be needed for the "South Carlsbad Coastal Project (SCCP)" mentioned in the report. The SCCP is a \$135 million to \$150 million improvement to existing City Land and will require a City wide vote. Based on the known tax-payer Cost-Benefits of SCCP, it is not clear if votes will support this expenditure – particularly given the Citizen input the City obtained in the \$50,000 survey it conducted on the SCCP, and the Council deferring the SCCP for another year.
- 1 The staff report incompletely says 136 dwelling units are planned for one of the sites. But the report critically failed to disclose to you that Carlsbad’s General Plan Land Use Element page 2- specifically states Carlsbad’s General Plan is not adopted UNTIL the CA COASTAL COMMISSION (CCC) fully CERTIFIES the current City Proposed comprehensive Local Coastal Program Amendment (LCPA). The CCC will decide if to approve-deny-approve with modification the City Proposed LCPA in 2023. As provide the CTGMC the CCC has told the City in 2016 & 2017 that based on the Need for Coastal Recreation (i.e. Public Park) and/or Low-cost Visitor Accommodations the General Plan Land Use at Ponto may change. See the “Updated 2020 Dec 2 Planning Area F existing LCP-LUP & CCC direction to City” data file sent to the CTGMC. Read the CCC’s reasons for 2010 rejection of the Ponto Vision Plan that is the basis for the 2015 General Plan.
- 1 The 2017 Sea Level Rise Impact analysis did specifically cite both acres of land impacted and the type of land use that was impacted. I can send you the report if you want. I copied key acreage and land use from the SLR Analysis in the “Sea level rise and DUPA LUPA planned loss of Open Space at Ponto data file”. This data file also shows how the City falsely exempted Ponto developers from complying with the growth management 15% Useable Open Space Standard.
- 1 City says "South Carlsbad Coastal Project (SCCP) will Create 60 acres of available space" - this is false. The 60-acres of Space already exists. The City already owns this land. The SCCP is a \$70 million (for 1-mile Manzano to Island Way segment) + \$65 to \$80 million (for 2.3 mile Island Way to La Costa Ave segment) for a total \$135 million to \$150 million project that does not buy one single square foot of new City land. Much of the City's 60-acres is already environmentally constrained by protected Habitat so will not change anything and will continue to be unusable for people use as a Park. Parks are people and Not habitat and

Projected Habitat is for plants and animal and Not people. The City knows that most of these existing City owned 60-acres is not useable for people and is too narrow to be a Park. The largest part of the 60-acres is at 'the dip' in the 1-mile Manzano to Island Way segment. We ask the CTGMC to ask staff to show you a map and acreage count of that Segment, and how much acreage is planned for 1) roadway-bikeway-sidewalk, 2) Habitat, 3) useable land for people; and 4) the area that will be lost due to Sea Level Rise for each of these 3. What land uses are lost from SLR? Ask to see the same data for the existing configuration for the segment. Compare the data. Compare the total segment acres with the total 60-acres. There is no secured funding for the \$135 to \$150 million SCCP. The City could buy 3+ Ponto Parks for the cost of rearranging exiting features and adding a sidewalk on existing City land. The only missing feature to Complete" PCH in the two segments (total 3.3 miles) are some missing sidewalks/ped paths.

Enhancements to make PCH better and safer for bikes is a very good idea, but seems like can be done within the existing PCH configuration at a fraction of the cost. See the tax-payer cost-benefit Part 1 of 2 and Part 2 of 2 SCCP/PCH Relocation data files. SCCP will also require a citizen vote to approve funds, I am also hearing that Carlsbad citizens are not that supportive of SCCP. So is the SCCP are secured funded and 'countable solution' to the documented Park deficit at Ponto & Coastal South Carlsbad?

- 2 City says 2,074-acres or 8% of Carlsbad is Park and recreation land (page 2-7 of General Plan). This should be itemized and mapped as the numbers likely include golf courses (mostly private) and maybe Lago land and some Lagoon waters. The City is trying to inaccurately try to use private Recreation land as a public Park. The CTGMC is supposed to compare Park Standard to Park Standards. The City's Park Standard is fairly poor relative to Encinitas and Oceanside and many other cities, so you are being diverted from that fact.
- 2 432.4-acres of exiting Park & 519.7-acres of final Park based on 7/26/22 CC vote. This data should closely match the City's General Plan Land Use data that is the data base used in the "2022 Coastal Recreation data file" sent to you. Of critical importance to the CTGMC is to note the City is apparently saying that they will only provide a final 519.7-acres of Park in City. Yet as the CTGMC knows the City CANNOT plan for Buildout or a final population. So as population continues to grow there will be less and less parkland per 1,000 population. See the "CTGMC key issues and suggestions 2022-8-8" data/suggestion file sent to you.
- 2 in Table 2 the City did not provide the Park Acres per 1,000 for the same City selected data set. Compare Park acres to Park acres. We provided the NRPA data in the "2022 Coastal Recreation data file" we provided the CTGMC. We also provided the even more comprehensive Trust for Public Land ParkScore data that also shows Carlsbad is below average. That more comprehensive data should be considered. See also Ponto park support letter from Trust for Public Land.

CTGMC, you have a heavy burden to set Carlsbad's Growth Management Program on a fair and sustainable course to accommodate unlimited future growth as required by the State of CA. This

involves fixing past errors and fixing what was unfair and setting Standard that are continually adding more parks and Open Space as Carlsbad is forced to grow.

We provided you a "CTGMC key issues and suggestions 2022-8-8" data/suggestion file that I think could help you in looking at how to set new Standards for unlimited future growth.

Thank you and Aloha Aina,
Lance

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Monday, September 19, 2022 9:05 AM

To: 'City Clerk'; committee@carlsbadca.gov; 'Michele Hardy'; 'council@carlsbadca.gov'; 'City Clerk'; 'Kyle Lancaster'; 'Eric Lardy'; 'Smith, Darren@Parks'; Homer, Sean@Parks (Sean.Homer@parks.ca.gov); 'Moran, Gina@Parks'; Carrie Boyle (carrie.boyle@coastal.ca.gov); 'Prahler, Erin@Coastal'; Ross, Toni@Coastal (Toni.Ross@coastal.ca.gov); 'Tom Frank'

Cc: 'info@peopleforponto.com'

Subject: Public input to Carlsbad Tomorrow Growth Management Committee Sep 22 2022 meeting; and for LCPA, Parks Master Plan Update - Parks & Open Space at Ponto-Coastal South Carlsbad

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

We ask you to please consider this email and attachments in the Sept 22nd CTGMC and subsequent Land Use, Parks and Open Space discussions by the CTGMC, LCP Amendment, PCH Relocation project, Park Master Plan Update, and development proposals at Ponto.

As always, and as we have repeatedly asked for since our initial 2017 letter to the City Council, People for Ponto Carlsbad Citizens asks for and are willing able to work with you to find the solutions for:

- the documented Park Inequity at Ponto & Coastal South Carlsbad,
- the documented missing Unconstrained Open Space at Ponto,
- the future loss of 32+ acres of Coastal Open Space (State beach and Campground) due to sea level rise,
- the needed upgrades to Carlsbad's Growth Management Program and Standards (and developer required land dedications and mitigations) to account for an Unlimited population and the need for Unlimited increases in Carlsbad Parks and Open Space to address those Unlimited populations so as to assure we maintain our quality of life,
- beneficial collaborations and donations, and
- the wiser use of tax-payer dollars to address tax-payer needs

The CTGMC and City Commission have an opportunity to do the right thing and correct the clear and obvious Park Inequity and Coastal land use Imbalance at Ponto & Coastal South Carlsbad. Please don't kick-the-can-down-the-road and fail to consider that data and your fellow Citizen desires for a better Carlsbad. P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of

life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

Sincerely and with Aloha Aina,
Lance Schulte

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

CARLSBAD TOMORROW GROWTH MANAGEMENT COMMITTEE
SEPTEMBER 22, 2022

FACTS:

1. Zone 9 (the southwest quadrant of Carlsbad) is short 30 acres of open space per city ordinance 29.10.130.
2. City ordinance 29.10.130 states "Open Space Standard: Fifteen percent [15%] of the total unconstrained developable land area in the Local Facility Management Zone (LFMZ) must be set aside for permanent open space and must be available concurrent with development".
3. Ponto developers were falsely exempted from this standard.
4. The city's first attempt to develop this area (The Ponto Beach Village project) was denied by the Coastal Commission.
5. The Coastal Commission required the city to investigate this area for "visitor serving uses, i.e. a public park.". You are now in a position to do this!
6. There is a 14.3 acre lot available that would make a perfect coastal park in this area. This lot could be purchased at a huge taxpayer savings of \$20 - \$40 million compared to the currently proposed PCH relocation project that does not add a single square foot of city land.
7. The people for ponto group, *Bartigoles Larson Foundation*, residents in the southwest quadrant, surfriders foundation, and many other groups and citizens overwhelmingly support a coastal park at ponto.
8. We've been asking the city to work with us for over 5 years to address the open space standard and park space deficiency to no avail.
9. A Ponto park is consistent with all the elements of the community vision. We are told this document is used to make growth management decisions. This has been detailed to the mayor and city council in official meetings and ignored.
10. Please work with us to address these deficiencies. This is the southern border and entrance to Carlsbad. We, no not we, YOU have the opportunity to make something special and permanent at the southern entrance to our city.
11. The city is leaving us very few options to address our concerns with the exception of a potential lawsuit. Please do not force us down this path.

Respectfully submitted by Dr. John Gama, Pharm.D, Resident of Zone 9 and Carlsbad citizen

CARLSBAD TOMORROW GROWTH MANAGEMENT COMMITTEE
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- Batiquetas Lagoon Foundation*
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Respectfully submitted by Dr. John Gama, Pharm.D, Resident of Zone 9 and Carlsbad citizen

Your fellow People for Ponto Citizens sent you many data files confirmed by official Carlsbad Public Records Requests including these **City maps** documenting the unfair distribution of Parks and that the GMP Open Space Standard was/is not met at Ponto. These Maps don't lie. They show what is true - Ponto is missing 30-acres of GMP Open Space and Ponto/Coastal South Carlsbad is UNSERVED by Parks. This is clear as day. The excuses in your report to try to wiggle out of these facts is simply trying to cover-up the on-the ground truth and reality. Your fellow Carlsbad Citizens need your help to create a much needed Ponto Park and fix the Open Space mistakes done at Ponto.

We shared wonderful news that we have "willing seller" of 14 acres of Ponto land that will be a world-class Coastal Park for Carlsbad. 14 acre Ponto Park has world-class ocean/lagoon views, provides adequate dimensions to host profitable community/special events, and allows the city to apply for park grants. You have a video showing Ponto Park's greatness.

And wow, we can have this 14 acres of NEW world-class City Park land at a \$20-40 million tax-payer cost savings compared to the City's proposed 2.3 miles of PCH Relocation. Ponto Park saves tax-payers money and we can do so much good for other areas of Carlsbad with that savings! Carlsbad's 2001 studies show PCH Relocation does not buy one single square foot of new City land; it only rearranges Existing Facilities to maybe create a few small isolated narrow land fragments along a roadway. Ponto Park provides Citizens what they want, saves tax-payers \$20-40 million, and gets 14 MORE acres of waterfront park. Coastal Park land is much needed for South Carlsbad - 62% of Carlsbad's population. Carlsbad Citizens overwhelmingly asked for this Ponto Park and we ask you to put world-class Ponto Park into your GMP Update Recommendations to the Council and-save tax-payers \$20-40 million. P4P Citizens can help you with revenue/grant support.

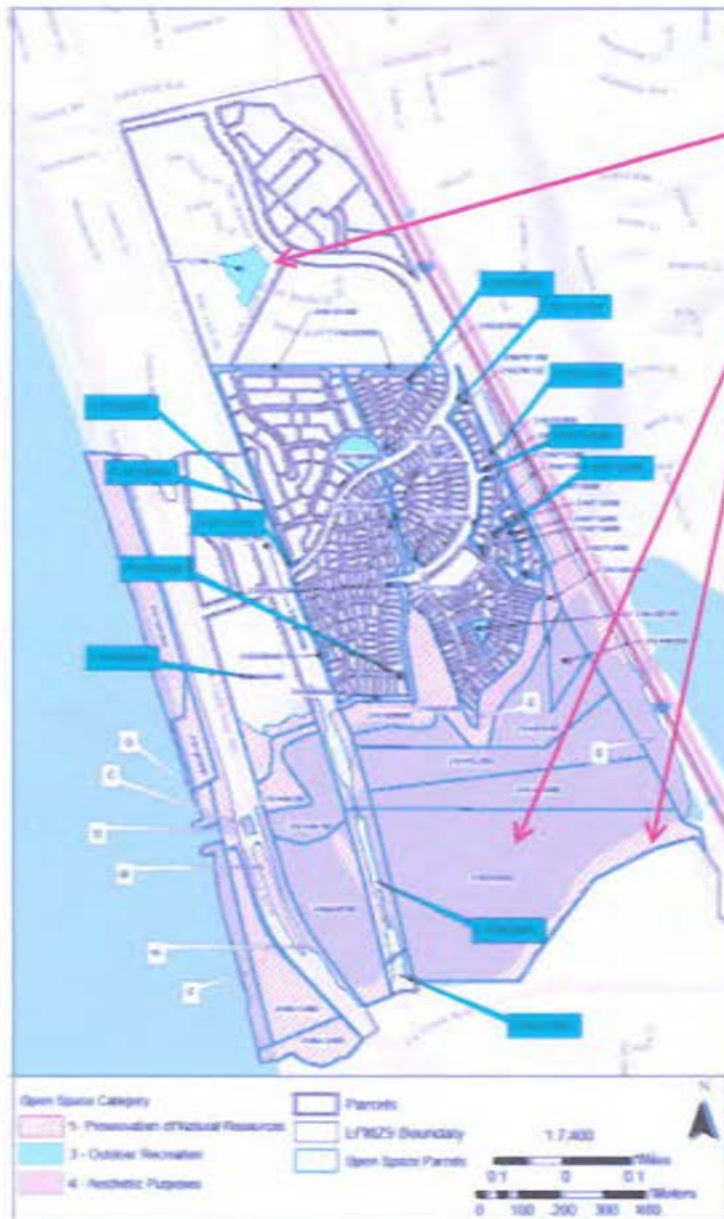
You have a once in a lifetime opportunity to do something truly needed, great and world-class for Carlsbad. Please seize this wonderful opportunity. You will be forever remembered based on your decision. Don't be shortsighted. If Ponto is developed Park & Open Space opportunities will be lost forever. Please listen to your fellow citizens, look at the Maps, data and logic; be fair to South Carlsbad citizens and families;, and invest for our shared Carlsbad future. You can be great. Be great.

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away



Current 2015 Carlsbad Park Master Plan pp 86-89, circled areas are Served by Parks & areas outside circles are Not Served by Parks & areas where Carlsbad's Park Master Plan says new City parks should be added.



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
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City GIS map data summary of the 15% Growth Management Standard Open Space at Ponto

472 Acres	Total land in LFMP Zone 9 [Ponto]
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30 Acres	Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

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: Public Input - Our Home Our Future citizen input - Why a park is needed within walking distance to multifamily housing & why a meaningful Coastal Park is needed for Ponto/South Carlsbad - public input to DLCPA, Housing and Park planning
Date: Sunday, September 11, 2022 6:31:51 AM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[RE Carlsbad Citizen Questions and request to Carlsbad City Council-Planning-Parks-Housing Commissions for Carlsbad Staff proposed Draft LCP-LUPA-Housing Element Parks Master Plan Updates - 11-30-2020.msg](#)

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

Please review and consider the following US Census data on Carlsbad Housing Density in various areas of the City in working to correct Carlsbad's Parks/Housing Imbalance; and also in understanding how Affordable housing supply currently at Ponto.

Thank you,
Lance Schulte

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Monday, September 27, 2021 3:13 PM
To: 'Scott Donnell'
Cc: 'Mandy.Mills@carlsbadca.org'; 'info@peopleforponto.com'
Subject: RE: Our Home Our Future citizen input - Why a park is needed within walking distance to multifamily housing & why a meaningful Coastal Park is needed for Ponto/South Carlsbad - public input to DLCPA, Housing and Park planning

Thanks Scott. Much appreciated

If you could also please consider in your process:

1. US Census data that shows that Ponto, even with some of the remaining vacant Coastal land, has already been developed at a 39% greater residential density that the City.

Given there is no Coastal Park in all of South Carlsbad the City should doubly consider the higher residential density and populations in South Carlsbad Quadrants relative to citywide averages. Denser residential development created by Carlsbad's General Plan and GMP 1.0 basically means on-average in South Carlsbad Quadrants there are a combination of smaller backyards, less City parkland, and less open space. Common sense and good planning should provide more City Parkland for denser residential development, not less (or none). This is however not what Carlsbad's General Plan and GMP 1.0 provided in South Carlsbad as clearly documented by City data. The following census data reconfirms South Carlsbad park inequity data/concerns People for Ponto has sent to Council:

	%	Population
Population		

Council	ZIP	Square of	% of	Density			
<u>District</u>	<u>Quad</u>	<u>Code</u>	<u>Miles</u>	<u>SM</u>	<u>population</u>	<u>Pop.</u>	<u>(pop/SM)</u>
<u>Citywide average</u>							
1,2	NW	92008	11	28%	27,429	24%	2,494
84%							
2,1	NE	92010	8	21%	16,565	14%	2,071
70%							
3,4,2	SW	92011	7	18%	24,405	21%	3,486
118%							
4,3,2	SE	92009	13	33%	47,003	41%	3,616
122%							
City total =			39	100%	115,401	100%	2,959
100%							
Ponto =			0.397		1,632		4,111
139%							

Key Census data points: 1) 62% of Carlsbad’s population are in South Quadrants. 2) South Quadrants are 18% and 22% more Dense than the Citywide average, thus have relatively more City Park and open space needs. 3) Ponto’s 936 dwellings have a residential density of 4,111 pop/SM that is 39% more dense than the Citywide average. This makes sense when one looks at the attached Open Space data; People for Ponto Open Space map/analysis documenting missing GMP open space. This Ponto GMP Open Space shortfall is made worse by the projected/planned loss of 32+ acres Ponto Coastal Open Space Land Use due to sea level rise. The Council should know about and consider the residential density and Parks/Open Space disparities in this data and reflected by the thousands of Citizen Emails referencing this disparity.

2. the attached public input and data that you received on 11/30/20, with a particular focus on comments related to page 10-169 in the Housing Element that relate to the Ponto area:
 - a. “Of Ponto’s 1,025 current homes, 202 in the San Pacifico Community Association were built to be affordable condominium homes with very small ‘exclusive use’ lots, zero-side yards/building setbacks and only 10-15’ wide ‘back yards’; and 384 Lakeshore Gardens homes are affordable age-restricted manufactured homes. So 586 of Ponto’s 1,025 current homes or 57% of Ponto’s housing were planned and built to be affordable. At 57% Ponto has and was developed with a consideration of affordable housing, but also was denied needed City Park facilities of at least 8-acres to meet minimum City Park Standards.

Consistent with Policy 10-P.7 Ponto Planning Area F should be used to address Ponto’s ‘Park Inequity’ being ‘unserved’, and not used to increase the “over concentration” of affordable housing that was already planned and built at Ponto.”

I am not against affordable housing and high density to ‘actually achieve affordable housing’, and have PMed several Housing Elements and high-density TOD land use plans and high-density projects.

However, as development goes up and is more dense it is critical that Parks be provided for these dense areas and urban design requirements provide significant ground level open spaces to manage and make livable higher densities. This is the biggest issue I have in how the City is exploring densification. The City does not even mention or ask about access to Parks in your survey. Yet this is one of the most obvious and clear land use nexus with high-density residential development. The City does not appear to be presenting, discussing and addressing 3 fundamental principles of urban planning - the key requirement to require and provide sufficient Parkland within walking distance to higher density residential, provide adequate walkable parkland access to all residential neighborhoods, and for all our inland residents provide significant and sufficiently sized/dimensioned Coastal Parks to make sure inland residents, particularly those in high-density developments, have a Coastal Park to go to.

Thanks,
Lance

From: Scott Donnell [mailto:Scott.Donnell@carlsbadca.gov]
Sent: Monday, September 27, 2021 10:30 AM
To: Lance Schulte
Subject: FW: Our Home Our Future citizen input - Why a park is needed within walking distance to multifamily housing & why a meaningful Coastal Park is needed for Ponto/South Carlsbad - public input to DLCPA, Housing and Park planning
Importance: High

Good morning,

Thank you for your comments. They will be included in the public input summary report presented to the City Council early next year. You can also provide additional input through October 1 via our online survey, available at <https://www.surveymonkey.com/r/housingsites> and continue to provide mail and email comments through October 22.

You are also welcome to keep apprised of the project by visiting the housing plan webpage, www.carlsbadca.gov/housingplan. Further, at the bottom of this webpage is a link to sign up for email updates on the housing plan should you know other people who may want to keep tabs on the project.

Last, I have forwarded your email to Mandy Mills, Housing and Homeless Services Director, as she is the current liaison to the Housing Commission. If you wish to send correspondence to the Housing commission, please copy her.

Thank you.

Scott Donnell
Senior Planner
1635 Faraday Avenue
Carlsbad, CA 92008-7314

www.carlsbadca.gov

760-602-4618 | 760-602-8560 fax | scott.donnell@carlsbadca.gov

DURING THE CURRENT PUBLIC HEALTH EMERGENCY:
FOR ONGOING PROJECTS, PLEASE CONTACT YOUR PROJECT PLANNER TO SCHEDULE A RESUBMITTAL
DROP-OFF APPOINTMENT.

FOR NEW PROJECT SUBMITTALS AND LANDSCAPE SUBMITTALS/RESUBMITTALS/ASBUILTS, PLEASE
CALL OR EMAIL YOUR REQUEST FOR A SUBMITTAL DROP-OFF APPOINTMENT:

Phone: 760-602-4610

Email: planning@carlsbadca.gov

From: Lance Schulte <meyers-schulte@sbcglobal.net>

Sent: Tuesday, September 21, 2021 8:20 AM

To: Council Internet Email <CityCouncil@carlsbadca.gov>; City Clerk <Clerk@carlsbadca.gov>; Don Neu <Don.Neu@carlsbadca.gov>; Kyle Lancaster <Kyle.Lancaster@carlsbadca.gov>; Erin.Praher@coastal.ca.gov; 'Ross, Toni@Coastal' <Toni.Ross@coastal.ca.gov>; Boyle, Carrie@Coastal <carrie.boyle@coastal.ca.gov>; Scott Donnell <Scott.Donnell@carlsbadca.gov>

Cc: info@peopleforponto.com; 'Mehmood, Sohab@HCD' <Sohab.Mehmood@hcd.ca.gov>;

'McDougall, Paul@HCD' <Paul.McDougall@hcd.ca.gov>; 'McDonell, Glenn'

<Glenn.McDonell@asm.ca.gov>; 'Moran, Gina@Parks' <Gina.Moran@parks.ca.gov>; 'Smith,

Darren@Parks' <Darren.Smith@parks.ca.gov>; 'Homer, Sean@Parks' <Sean.Homer@parks.ca.gov>

Subject: Our Home Our Future citizen input - Why a park is needed within walking distance to multifamily housing & why a meaningful Coastal Park is needed for Ponto/South Carlsbad - public input to DLCPA, Housing and Park planning

Importance: High

Dear Carlsbad City Council, Housing Commission, Planning Commission, and Park Commission; and CA Coastal Commission and HCD:

The following is citizen feedback on Carlsbad's 9-13-21 email to 'Give input on locations for future housing'. It is also for consideration in Carlsbad's Draft LCP and Parks Master Plan Amendment Processes.

At the very heart of these comments is: There is finite vacant land in Carlsbad and an even smaller figment of Vacant Coastal Land in Carlsbad. This small amount of is getting smaller due to documented coastal erosion and sea level rise. Over 32 acres of high-priority Coastal Open Space Land Use will be lost at Ponto/South Carlsbad. This very small finite vacant Coastal land is all we have to provide for the "infinite" demands for high-priority Coastal Recreation and Low-cost access to the Coast land uses from this "infinite" amount of future generations of Carlsbad and inland cities residents; and of outside Visitors to Carlsbad's Coast. How Carlsbad, and the CA Coastal Commission and HCD, uses those precious finite fragments of vacant Coastal Land is the vital question. Since 2017 Carlsbad citizens have been asking the Council for a true, honest, open and comprehensive consideration of these issues at Ponto. Over 4,500 emails have been sent to the Council, many City Budget Workshop requests, Hours of public testimony, and hundreds of pages of documents facts gained via official Carlsbad Public Records Requests.

The proposed land use changes to high density R-23 for the 8 properties of Site 18, seem to be being operating in a 'incomplete policy silo' that only looks at affordable housing and is not considering

needed City Park and wider Coastal Land Use issues at Ponto. This ‘policy silo process’ seems to be counter to the wise consideration and use of the last remaining vacant and redevelopable Coastal land – particularly at Ponto/South Carlsbad.

Having managed creation of a Coastal City General Plan and several Housing Elements I understand and sympathize with the challenges City Staff and Council face in trying to provide for unlimited high-density residential development growth, but we need to look at preserving vacant land to provide needed City Parks to balance these high-density developments and provide needed Parks for these homes that have no/little yards. But it seems, as citizens have asked since 2017, there is better way to address those challenges.

The 9/13/21 City email states:

- “The city needs to identify locations for about 2,600 new homes to fulfill the state’s requirement that all cities in the region provide enough housing to meet anticipated needs. Most of these homes **need to be affordable for people with moderate to low incomes, according to state formulas for household income levels.**”

Input: Per pages 33-34 of 3/23/21 2020 Housing Element Annual Progress Report to the Carlsbad City Council stated that:

“Prices of Affordable Housing – Generally, the federal and state rule is that housing is affordable to a given family if the family pays no more than 30% of its monthly income for housing expenses that include the rent or mortgage payment, property taxes, insurance, utilities, and the like.”

The staff report then documents that a home in Carlsbad to be affordable to Low and Moderate Incomes, requires the following home sale or rental prices:

“Table 3: CY 2020 qualifying rent and utility expenses by number of bedrooms

Income Group	Number of bedrooms			
	1 bedroom	2 bedrooms	3 bedrooms	4 bedrooms
Very Low	\$1,155	\$1,444	\$1,675	\$1,906
Low	\$1,849	\$2,310	\$2,680	\$3,050
Moderate	\$2,225	\$2,781	\$3,226	\$3,671
Above Moderate	> \$2,225	> \$ 2,781	> \$ 3,226	> \$ 3,671

Source: "Household Income Limits 2020", City of Carlsbad (effective April 30, 2020)"

And the “for Sale Prices that are Affordable” for each income group:

<u>Area Median Income</u>	<u>2020 Annual Income</u>	<u>Affordable Purchase Price</u>
Very Low (30% to 50%)	\$34,651 to \$57,750	\$82,001 to \$186,000
Low (50% to 80%)	\$57,751 to \$92,400	\$186,001 to \$342,000
Moderate (80% to 120%)	\$92,401 to \$111,250	\$342,001 to \$510,000
Above Moderate	\$111,251 or above	\$510,001 and above”

However, Carlsbad developers seeking to justify increase residential density site in the name of ‘Affordability’ to Low or Moderate incomes are not providing homes that meet these affordable rents or purchase prices. Carlsbad’s land use regulations that promote larger unit sizes and building height and bulk work in the opposite direction and instead promote Above Moderate housing as clearly evidenced in Carlsbad’s Village where housing developed at 28-35 dwelling

units per acre (that should be affordable to Low Incomes – i.e. 1-4 bedroom rent at \$1,849 - \$3,050, and at sales or purchase prices from \$186,001 to \$342,000) are instead being sold for \$1.8 to \$3 million as seen in the following:

RECENT SALES

2687 State Street		2683 State Street	
2 Bed 2.5 Bath 2,022 Sq. Ft. SOLD \$1,846,500		3 Bed + Bonus Room 2 Bath 2,143 Sq. Ft. SOLD \$1,800,000	
2677 State Street, 301		2677 State Street, 302	
2 Bed + Office Space 2.5 Bath 2,150 Sq. Ft. SOLD \$2,250,000		3 Bed 3.5 Bath 2,717 Sq. Ft. SOLD \$3,000,000	

This data is not a criticism of expensive housing or developers seeking to maximize their profits.

It simply shows that Carlsbad’s land use regulations and ‘Affordability quid-pro-quo for increasing land use density’ are not functioning as intended to promote Affordability. Carlsbad’s land use approach is simply increasing developer profit that serves to drive up land costs (land is a residual cost in land use development pro formas) and thus works to instead reduce Affordability. Simply changing land use to increase dwelling unit density to R23 or R-28-35 to provide “Affordable Housing is not really true.

It is suggested that with a change in land use to increase density should be a commitment recorded on the land to actually provide the number of Affordable units being cited as the rationale for increasing the density. This is an honest and accurate ‘Affordable quid pro quo’. This commitment, along with land use regulation reform, will help reduce speculative land costs that discourage Affordability.

Citizens are being inaccurately told that density increases are needed to provide Affordability yet developers do not create, nor are not required to create, those Affordable units.

Unaccountable density increases do however create more speculative developer profits, and increase land costs. Density increases also increases the need for City Parks (high density by its nature depends on City Parks and Open Space for livability) along with other City services and infrastructure. Yet unaccountable density increases not does not provide actual Affordable housing. So at the next City Housing Element even more Affordable Housing will be required since the prior unaccountable density increases did not create it. During this unaccountable process vacant land disappears. That vacant land is vitally needed to provide City Parks to balance and provide useable park space for residents in high density apartments/condos.

The City Staff's documents that one of the Site 18 land owners/developers are requesting an increase in land use density to R-23 that is to provide housing Affordable to Moderate Incomes. Yet there is no developer commitment or City requirement to create the numbers of Moderate Income housing identified in City Staff's Site 18 documentation.

There is no accessible City Park in the area to provide the needed City Park and open space needed for higher density development – the 'Veterans Park solution is 6-miles away and is effectively unusable for citizens at Ponto.

- “We'd like your input on 18 proposed locations for future housing chosen based on public input gathered last year.”

Input: Site 18, was not a site 'chosen based on public input gathered last year', but was just recently chosen by a speculative developers of Site 18. As staff documents: “Staff has received a letter from one property owner expressing support for higher density.” Site 18 consists of 8 properties, so it is unclear if all 8 properties are requesting higher density. Site 18 is being proposed as a “Moderate Income housing site” (i.e. a site that will provide 90 dwelling units [DU] affordable to Moderate Incomes as noted in the City Staff's analysis:

“Potential Housing: Site 18

Site Description: Vacant

Property Name: North Ponto Parcels

Site Group Acres: 5.9

Potential units site can accommodate (all parcels): 90

Income Category: Moderate (based on proposed minimum density)”

There is no copy of the 'letter' showing an accountable Affordable rational or developer commitment, or a requirement by the City that Site 18 will be developed and rented or sold to provide the 90 dwellings Affordable to Moderate Income as noted above. If the Site 18 developers would commit to recording providing that affordability it would be a responsible and accountable Affordability quid pro quo for consideration.

- The City Staff report also does not discuss the various land uses changes to increase density in a properly holistic or fully comprehensive planning way. All sites should be compared on all the key metrics for suitability. For high density housing, the most fundamental metric is walkability to a meaningful City Park for outdoor recreation and breathing room. This is fundamental in that high density housing, by definition has little/no park and recreational open space - high density means many people living on a small area of land. High density without significant large and usable City Parks within walking distance simply creates dense urban environments that over time will not sustain quality of life.

In addition for Site 18 and other at the Coast locations there are other land use demands of large inland populations or families and visitors come to the Coast and increase even more demands for City Parks. A comprehensively considered Coastal Land Use Plan needs to assure vacant and redevelopable lands along the Coast provide sufficient Park land acreage for local Park needs (i.e. high density development requires more Park acreage), but also to provide extra Park acreage to address the Park needs of hundreds of thousands of inland residents and visitors to the Coast. Densifying the Coast with high density residential development runs counter to this need for Coastal Parks.

The following email and attached images were submitted on 9/8/21 that illustrate the City Parks needs generated by R-23 higher density and why it is important to provide meaningful City Parks within walking distance to higher density development.

Thank you for your consideration. You say it is Our Home Our Future. We hope you do the right thing for present and future generations of Carlsbad and CA citizens and visitors. Please do not let short-term and short sighted silo thinking lead to a bad decisions on the use of the last bit of vacant coastal land.

Respectfully,
Lance Schulte

From: Lance Schulte [<mailto:meyers-schulte@sbcglobal.net>]

Sent: Wednesday, September 8, 2021 11:55 AM

To: 'CityCouncil@carlsbadca.gov'; 'City Clerk'; 'Don.Neu@carlsbadca.gov'; 'Kyle.Lancaster@carlsbadca.gov'; 'Erin.Praher@coastal.ca.gov'; Ross, Toni@Coastal (Toni.Ross@coastal.ca.gov); Carrie Boyle (carrie.boyle@coastal.ca.gov); 'scott.donnell@carlsbadca.gov'

Cc: 'info@peopleforponto.com'; Mehmood, Sohab@HCD (Sohab.Mehmood@hcd.ca.gov); McDougall,

Paul@HCD (Paul.McDougall@hcd.ca.gov); 'McDonell, Glenn'; Moran, Gina@Parks (Gina.Moran@parks.ca.gov); Smith, Darren@Parks (Darren.Smith@parks.ca.gov); Homer, Sean@Parks (Sean.Homer@parks.ca.gov)

Subject: Why a park is needed within walking distance to multifamily housing & why a meaningful Coastal Park is needed for Ponto/South Carlsbad - public input to DLCPA, Housing and Park planning

Dear Carlsbad City Council, Planning Commission, Parks Commission and Housing Commission; and CA Coastal Commission:

I request this email and attachments be provided as official public input to the Carlsbad's Draft Local Coastal Program Amendment, Housing Element land use changes, Parks Master Plan Amendment, and land use activities at Ponto and Coastal South Carlsbad.

For many years Carlsbad and People for Ponto Citizens have been trying to communicate the need for a meaningful Coastal Park for South Carlsbad. There is NO City Coastal Park west of I-5/rail corridor in South Carlsbad (yet there are 10 such City Parks totaling over 35 acres in North Carlsbad). The Citizens and visitors to South Carlsbad have No Coastal Park, and Ponto is the last vacant unplanned Coastal land left to provide this needed Coastal Park.

The attached images of high-density housing (R-23) in Carlsbad clearly illustrate why City Parks are needed within walking distance to multifamily housing. It also illustrates why meaningful Coastal Parks are needed to provide Coastal Recreation for a unlimited growing population that will primarily be housed by high-density housing that minimizes outdoor recreation space.

High-density housing, by definition, provides minimal outdoor recreation space per dwelling unit. So City Parks are the only meaningful sized areas where high-density housing occupants (particularly Children) can have room to play. This is particularly critical in regards to Coastal Parks, as Coastal Parks absorb the Coastal Park demands/needs from significant large inland and visitor populations. This critical need is made all the more serious given sea level rise and coastal erosion impacts to Coastal Open Space.

The State of California is advancing dense high-density housing to promote affordability, yet most of the benefits of simply increasing density tend to result in increasing developer profit margins and thus increase residual land costs as Carlsbad has seen in Carlsbad Village. The State of California Housing Law currently does not address the logical and concurrent need to both increase City Park acreage and equitably distribute that City Park acreage within walking distance to housing – particularly high-density housing.

Having a City Park within a 10-minute walk from high-density housing is vital for the long-term viability, livability, and quality of life for high-density housing and the citizens and families that live in this housing. Hopefully the City of Carlsbad can advance the concurrent increase in City Park acreage and 10-minute walk accessibility in its Coastal land use, land use, housing, and parks plans.

As a former city, coastal and urban planner having worked in high-density situations I have several planning policy ideas that maybe helpful if the City Council would like to discuss them.

Thank you for your consideration.

Lance Schulte

From: City of Carlsbad [<mailto:communications@carlsbadca.ccsend.com>] **On Behalf Of** City of Carlsbad

Sent: Thursday, September 2, 2021 4:39 PM

To: info@peopleforponto.com

Subject: Give input on locations for future housing

OUR HOME OUR FUTURE



Give input on locations for future housing

The City of Carlsbad is seeking input on where new housing units could be built in Carlsbad to satisfy a state requirement that cities accommodate their fair share of the region's housing needs, including homes for people of all income levels and stages of life. Eighteen proposed locations were chosen based on public input gathered last year, input from a [citizens advisory committee](#) and direction from the City Council.

Of the 3,900 new housing units that make up Carlsbad's fair share, about 2,100 need to be affordable for people with very low to moderate incomes. The city had already identified vacant residential locations and planned housing projects to help meet the state's housing requirement, but it wasn't enough to meet the need for 3,900 units.

[Review sites on an online map.](#)

Community members have three ways to provide feedback:

Survey

An [online survey](#) will be available through Oct. 1.

Virtual public workshops (held via Zoom)

Wednesday, Sept. 15, 5:30 to 7 p.m. | [Register here](#)

Wednesday, Sept. 22, 5:30 to 7 p.m. | [Register here](#)

[City staff will provide an overview of the city's housing plan update process and how the potential housing sites were selected. Participants will then break into smaller groups to ask questions and provide input on the potential locations.](#)

*Persons with a disability may request meeting materials in appropriate alternative formats as required by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting(s). Please contact Sue Armstrong at 760-434-5352 (voice), 711 (free relay service for TTY users) or sue.armstrong@carlsbadca.gov at least 48 hours prior to the meeting to

discuss accessibility needs.

Comments via mail or email by Oct. 22

Scott Donnell, Senior Planner, Community Development
1635 Faraday Ave., Carlsbad, CA 92008

scott.donnell@carlsbadca.gov

The city is seeking input on proposed sites that would need to be rezoned, either to allow housing where it's not allowed today or increase the number of units allowed on sites already zoned for housing. Owners and people living within 600 feet of all the potentially affected properties have been notified by mail of the potential rezoning.

The city would not build housing on these sites. Instead, the city's obligation is to identify space for housing and create policies that would facilitate new housing to be built based on different income levels and stages of life.

Next steps

City staff will update the map of proposed sites based on community input and then share it with the City Council in early 2022 for approval to move forward with the environmental review of those sites.

- Sept. 2 - Oct. 22, 2021: Public input on potential sites for future housing
- Early 2022: City Council public meeting to receive input and consider endorsing final map(s) for environmental review
- Spring 2022 - Winter 2022/2023: Environmental review of housing sites and public input on environmental analysis document

Background

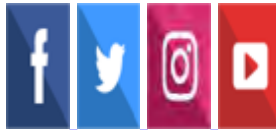
The City of Carlsbad has updated its housing plan, something required by state law to ensure the city is meeting the housing needs of all members of the community. The new plan includes policies designed to encourage the number and types of housing the state requires. It also identifies locations where new housing could be built. In all, the City of Carlsbad needs to show how about 3,900 housing units could be built over the next eight years to meet state requirements.

Learn more

- [Map of potential housing sites](#)
- [Approved housing plan](#) (policies and strategies)
- [Housing plan update website](#)
- Scott Donnell, senior planner, scott.donnell@carlsbadca.gov, 760-602-4618



[Visit the Website](#)



City of Carlsbad | 1200 Carlsbad Village Drive, Carlsbad, CA 92008

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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: [Lance Schulte](#)
To: [Matthew Hall](#); [Council Internet Email](#); [City Clerk](#); [Scott Chadwick](#); [Gary Barberio](#); [Don Neu](#); [Kyle Lancaster](#); "Mike Pacheco"; david.decordova@carlsbadca.gov; [Scott Donnell](#); Erin.Prahler@coastal.ca.gov; Ross.Toni@Coastal.cort.hitchens@coastal.ca.gov; [Lisa Urbach](mailto:Lisa.Urbach); info@peopleforponto.com; [Planning McDougall, Paul@HCD](#); Mehmood.Sohab@HCD; [Bret Schanzenbach](mailto:Bret.Schanzenbach); Kathleen@carlsbad.org
Cc: McDougall, Paul@HCD; Mehmood.Sohab@HCD; [Bret Schanzenbach](mailto:Bret.Schanzenbach); Kathleen@carlsbad.org
Subject: RE: Carlsbad Citizen Questions and request to Carlsbad City Council-Planning-Parks-Housing Commissions for Carlsbad Staff proposed Draft LCP-LUPA-Housing Element & Parks Master Plan Updates - 11-30-2020
Date: Sunday, November 29, 2020 2:14:14 PM
Attachments: [2020 Nov 30 - Draft Housing Element Update - People for Ponto Public Comments.pdf](#)
[#1 - Carlsbad FY 2019-20 Budget Public Input Report - Summary analysis for Public Comments on Budget-DLCPA-PMU.pdf](#)
[#2 - South Carlsbad Ponto Beach Park Letter of Request - SPCA 2017 Aug 17.pdf](#)
[#3 - 2020-11-30 Citizen Questions and request for Carlsbad on Draft LCP-LUPA-Housing Element and Parks Master Plan Updates.pdf](#)
[#4 - 2020 Jan 28 Carlsbad CC meeting item #14 public testimony1.pdf](#)
[#5 - Carlsbad 2019 proposed Draft LCP Amendment - People for Ponto additional Comments - Coastal Recreation w - 1.pdf](#)
[#6 - Carlsbad 2019 proposed Draft LCP Amendment - Public Comments - Low-cost Visitor Accommodations.pdf](#)
[#7 - 2020 Sept 14 public inout to Carlsbad- CCC-HCD on DLCP-LUPA-HEU-PMPU.pdf](#)

Dear Carlsbad City Council, Planning Commission, Housing Commission, Parks Commission, Housing Element Advisory Committee, CA Coastal Commission & HCD:

Attached is 2020 Nov 30 public input on the Draft Housing Element Update, and Draft Local Coastal Program Land Use Plan Amendment and Parks Master Plan Amendment. Because the Draft Housing Element Update refers and relates to and is thus connected with these other processes, particularly the Draft Local Coastal Program Land Use Plan Amendment process, the comments are sent to all.

Thank you.

Sincerely,
Lance Schulte

Nov 30, 2020

People for Ponto citizen public input on:

Carlsbad's Draft Housing Element Update

Carlsbad Planning Commission for the Draft Local Coastal Program Land Use Plan Amendment;

Carlsbad Park Commission for the Draft Parks Master Plan Update; and

City Council and CA Coastal Commission for all the above Draft updates and amendments

Page# Citizen concern & public input

Overall Since 2017 there has been extensive Carlsbad Citizen input provided to the City Staff and City Council concerning the documented past/present 'City Coastal land use planning mistakes' at Planning Area F at Ponto (a site the City Staff is including in the housing inventory), and Citizens documenting and expressing the need for Ponto Park on Planning Area F and desire for the City Council to acquire it for a much needed (and only) Coastal Park for South Carlsbad.

The extensive Carlsbad Citizen input to the City gathered by People for Ponto Carlsbad Citizens (as of Nov 2020) includes over 2,700 emailed requests for the Ponto Park, over 200-pages of public testimony and data documentation showing the Carlsbad Citizen need for Ponto Park, and numerous presentations to the City Council showing Ponto Park needs and Citizen's requests for Ponto Park. Ponto Park was also by far the most cited Citizen need and request for City Council funding during both the 2019 and 2020 Budget processes. Over 90% of Citizen requests during both those City budget processes asked or Ponto Park [see attachment 1 & go to the 6/2 & 6/24/20 City Budget at <https://carlsbadca.swagit.com/play/06022020-906> & <https://carlsbadca.swagit.com/play/06232020-1181> and listen to and read the public testimony as the files are too big to email]. Due to the 4-person City Council and 2-2 City Council split these extensive Citizens needs and requests were not acted on. With the recent election, there is now a 5th Council person (from District 4 that includes Ponto) to provide a City Council decision on Citizen needs and desire for Ponto Park. People for Ponto citizens have asked the City Staff circulate and provide the extensive Carlsbad Citizen input, need and request for Ponto Park to Carlsbad's Planning, Parks and Housing Commissions, and the Housing Element Advisory Committee (HEAC), so the primary CA Coastal Land Use planning issues area coordinated between the City Staff's proposed Draft Local Coastal Program Land Use Plan Amendment, Housing Element Update, and Parks Master Plan Update processes. Unfortunately, City Staff communication, coordination and inviting People for Ponto Carlsbad Citizens to be involved when the Ponto Planning Area F land use issues are being considered by the Planning, Parks and Housing Commissions, and the Housing Element Advisory Committee does not seem to be happening.

On 2017 what is now a much larger People for Ponto group of Carlsbad Citizens asked the City Council and City Staff for a better Ponto Planning Process, and documented why Ponto Park is more consistent with Carlsbad's Community Vision (the foundation for Carlsbad's General Plan, and land use plan) [see attachment #2]

In 2017 People for Ponto filed official Carlsbad Public Records Requests, and found the City make multiple 'planning mistakes' at Ponto, and particularly at Planning Area F with regard to non-compliance with Carlsbad exiting Local Coastal Program and also overall Growth Management Standard Open Space acreage requirements at Ponto. These have been

documented to the City on several occasions and are highlighted on pages 2-5, 6-7, 11-12, and 14-16 in Attachment #3.

As summarized on page 11 in Attachment #3, in 2017 the CA Coastal Commission informed the City how the City's proposed Ponto Planning Area F General Plan Land Use designation change from the existing "Non-residential Reserve" to R-23 & General Commercial could change if 'higher-priority' Coastal Recreation or Low-cost Visitor Accommodations area needed at Ponto. City Staff first and only provided that information to the City Council (and one assumes also the Carlsbad Planning, Parks and Housing Commissions) on 1/28/20. On 1/28/20 City Staff introduced the Draft Local Coastal Program Land Use Plan Amendment process to the City Council. We are not sure if City Staff provided the CA Coastal Commissions' direction to the City on Ponto Planning Area F to the Planning, Park, and Housing Commissions and HEAC? The CA Coastal Commission is the final land use authority at Ponto since Ponto is in the CA Coastal Zone and is governed by the CA Coastal Act, which supersedes Carlsbad's General Plan. Land use in the CA Coastal Zone and the State law that governs land use in the CA Coastal Zone, the CA Coastal Act is not constrained by many CA Housing laws. This is logical as the Coast is a very limited State resource and many critical Coastal land uses can only be provided in the Coast, whereas housing can be provided over a much larger land area and based on beneficial surrounding land use adjacencies is better located in inland locations.

At the above mentioned 1/28/20 City Council meeting there were numerous apparent errors, omissions or misrepresentations in the Staff Report. These errors/omissions/misrepresentations had critical reference and relevance to the Draft Housing Element and how CA Coastal Act and state housing laws interact. People for Ponto submitted written and verbal testimony at the 1/28/20 meeting on these errors/omissions/misrepresentations [see attachment #4]. The Housing Commission and HEAC, Planning Commission and Parks Commission should review and consider Attachment #4 in evaluating the Draft Housing Element Update, Draft LCP-LUPA and Draft Parks Master Plan Update.

As documented in Attachment #5 Carlsbad's 2015 General Plan clearly recognizes that Carlsbad's General Plan land use changes to Carlsbad's Coastal Zone from the 2015 General Plan Update are not valid until the CA Coastal Commission fully "Certifies" a Local Coastal Program Land Use Plan Amendment (LCP-LUPA). This has not yet occurred. The CA Coastal Commission will likely consider Carlsbad's Draft LCP-LUPA in 2021-2022. As noted in Attachment #3, based on the 2010 and two 2017 communications from the CA Coastal Commission, the CA Coastal Commission may or may not "Certify" the City's proposed, Coastal land use change at Ponto Planning Area F from its current "Non-residential Reserve" land use to R-23 Residential and General Commercial. People for Ponto Citizen data provided to both the City and CA Coastal Commission show Carlsbad appears to both significantly lag behind other Coastal cities in providing both Coastal Recreation (i.e. Public Park) and Low-cost Visitor Accommodation that at high-priority Coastal land uses at Ponto [see Attachments #5 & #6]. Thus the CA Coastal Commission may direct Carlsbad to change its General Plan at both Ponto Planning Area F and maybe at other areas to provide these 'higher-priority' Coastal land uses consistent with the CA Coastal Act, and Carlsbad's existing LCP requirements for Ponto Planning Area F. The Housing Commission and HEAC, Planning Commission and Parks Commission should review and consider Attachments #5 & #6 in evaluating the Draft Housing Element Update, Draft LCP-LUPA and Draft Parks Master Plan Update.

Ponto Planning Area F is only 11-acres in size, and is the last remaining vacant and unplanned Coastal land in South Carlsbad to provide for the 'forever supply' of Coastal Recreation to accommodate the 'forever increasing population and visitor demands' of 'High-Priority Coastal Recreation and Low-cost Visitor Accommodations'. This issue of Coastal 'buildout' of 'High-priority Coastal land uses v. a forever increasing Carlsbad and CA residential population and visitor demand for those 'High-Priority Coastal land uses was presented to and asked of Carlsbad's City Council; Planning, Housing and Parks Commissions, HEAC, CA Coastal Commission and CA Housing and Community Development on 9/14/20 by People for Ponto Citizens [see attachment #7 on page XX below]. As yet there has been no City/State reply and City opportunity to fully discuss the issues in the 9/14/20 email. Ponto Planning Area F is the last critical and most economical area for those high-priority uses in South Carlsbad. Conversely, Planning Area F has a negligible impact on Carlsbad's affordable housing supply as documented in the Draft Housing Element. The Draft Housing Element documents a significant oversupply of housing and most critically affordable housing opportunities without even including the potential (only if both the City ultimately proposes and CA Coastal Commission actually 'Certifies' a change to Ponto Area F Coastal land use to residential) for Ponto Planning Area F's residential use. As noted on the comments below relative to Draft Housing Element page 10-92 and Table 10-29, the City's proposed Planning Area F's R-23 residential and General Commercial use would yield a potential 108-161 min-max range of dwellings. Of these 20% would be required to be affordable at the "Lower" income category since the City would have to transfer "excess Dwelling Units" to Planning Area F's "Non-residential Reserve" Coastal land Use. This 20% is a relatively small 22-32 "Low" income units. 22-32 "Low" income units is only .40% to .59% of all the "Lower" income housing units provided by Carlsbad in the Draft Housing Element; and is only .66% to .96% of the amount of the "Excess" (beyond the RHNA requirement) Lower Income housing units" provided by Carlsbad's Draft Housing Element. So Ponto Planning Area F has no impact on Carlsbad meeting its RNHA allocation, and has a negligible 0.66% to 0.96% impact on the amount of "Excess" (beyond the RHNA requirement) Lower Income housing units" provided by Carlsbad's Draft Housing Element. Yet Ponto Planning Area F has a profound, critical and truly forever impact on Carlsbad's and the State of California's Coastal Land Use Priorities for Coastal Recreation for the 64,000 current and growing numbers of South Carlsbad residents who want and need a Coastal Park. Ponto Planning Area F is the last meaningful vacant and unplanned Coastal land in South Carlsbad to provide Coastal Park, and the most affordable and tax-payer efficient Park Carlsbad could provide. Forever squandering this last bit of precious Coastal Land for residential use so a few (86-129) can buy \$ 1+ million homes, and a few 'lucky' (22-32) subsidized affordable homeowners have a coastal location; while forever denying a far greater 64,000 (and growing) South Carlsbad residents-children their only South Carlsbad Coastal Recreation (i.e. Public Ponto Park) opportunity does not make sense for either the City or State of California. Forever squandering Ponto Planning Area F for a few years of "Excess" residential land for some very expensive luxury homes does not seem to make sense.

So, the Housing Commission and HEAC should at this time remove Ponto Planning Area F from the Housing Element at this time. The City should only consider including it in the Housing Element as 'vacant housing site' if and after the CA Coastal Commission 'Certifies' the City's proposed Coastal Land Use change from the existing LCP-LUPA "Non-residential Reserve" land use to a 'lower-Coastal-priority' residential land.

Additional Data in support of the above Citizen request, & Draft Housing Element Comments:

- 10-63 States: “Coastal Zone: Although sites located within the Coastal Zone, as defined in the 2019 Local Coastal Program (LCP) Land Use Plan, are not excluded, areas within the Coastal Zone have been carefully considered, as any necessary redesignations in this zone would require additional processes and time, which can be a constraint to housing development.” It is unclear what this means?

Also, this section fails to disclose some very critical Coastal Zone, that are governed by the CA Coastal Act, issues relative to the CA Coastal Act’s superiority over CA Housing Laws if there is competing land use priorities or conflicts. This is logical and also written into State Law such as SB 330 (Skinner) Section 13 that states: “(2) **Nothing in this section supersedes, limits, or otherwise modifies the requirements of the California Coastal Act of 1976** (Division 20 (commencing with Section 30000) of the Public Resources Code). **For a housing development project proposed within the coastal zone, nothing in this section shall be construed to prohibit an affected county or an affected city from enacting a development policy, standard, or condition necessary to implement or amend a certified local coastal program consistent with the California Coastal Act of 1976** (Division 20 (commencing with Section 30000) of the Public Resources Code).” This language is consistent with CA case law, and other housing laws that recognize the obvious – there is very limited amount of Coastal land v. significant land area inland. Limited Coastal Land per the CA Coastal Act is needed for CA “High-Priority” Coastal Land Uses” - i.e. Coastal Recreation and Low-cost visitor accommodations primarily in a city such as Carlsbad. The CA Coastal Act identifies both residential and general commercial land uses as “low-priority” as these can be well provided in non-Coastal Zone areas. So although affordable housing is important there are other more appropriate locations, than on the last remaining vacant Coastal land in South Carlsbad that will be needed to address the “High-Priority” Coastal Land Uses to serve Carlsbad and California’s ‘buildout’ needs. CA case law recognizes the supremacy of the CA Coastal Act over CA Housing Laws as noted in “Kalnel Gardens, LLC v. City of Los Angeles” et. al.

The Coastal Zone section on 10-63 should be clarified and acknowledge the CA Coastal Act Policies that concern California’s Coastal Land Use priorities. Given future increases in Carlsbad and CA populations (and visitors) and those populations needing increases in Coastal Land for Coastal Recreation, it is prudent for the City of Carlsbad to plan and reserve the last remaining fragments of Coastal Land for Coastal Recreation land use to address these population increases [see Attachment 7].

- 10-92 Table 10-29: This table shows that Carlsbad has more than sufficient housing sites to address all its RHNA numbers in this cycle. Carlsbad and the State of California both have higher priority Coastal Land Use needs at Ponto Planning Area F then for housing. This is all the more relevant in that the housing proposed at the 11-acre Ponto Planning Area F is:
- relatively small and has negligible impact on overall city housing goals,
 - would not really further Carlsbad’s nor the State of California’s affordable goals, in that housing being designed-marketed and that housing market will price and sell homes for well over \$1 million per unit; and even if you build 3-5-10 stories high the market sell price would be the same or very similar, due to its Coastal location, will likely not even be exclusively used for housing, but market forces will promote more profitable short-term or medium term visitor rental use, and

- if for some reason the City will still be requiring the Ponto Planning Area speculative land owner to actually provide 20% of Planning Area F's potential 108-161 min-max range of dwellings as affordable at the "Lower" income category as is currently required, this is a relatively small 22-32 "Low" income units. 22-32 "Low" income units is only .40% to .59% of all the "Lower" income housing units provided by Carlsbad and is only .66% to .96% of the amount of "Excess" Lower Income housing units" provided by Carlsbad's land use plan. The landowner already has tried to offload their 20% Lower income requirement to an inland location around the airport but could not do so for several reasons, but likely will try again. So Ponto Planning Area F is well below 1% influence on Carlsbad housing; yet has a significant impact on Carlsbad's and the State of California's Coastal Land Use Priorities for Coastal Recreation.
- In reference to the above bullet, The current Coastal Land Use for Ponto Planning Area F is "Non-Residential Reserve" and has no residential land use associated with it under Carlsbad's General Plan as currently Certified by the CA Coastal Commission. So the City of Carlsbad currently requires under its Growth Management Plan to transfer some excess SW Quadrant dwelling units from the City's housing unit bank to the Ponto Planning Area F site change the Area F's land use for residential use. For this dwelling unit transfer the City requires a developer/land owner to provide 20% of the dwelling as affordable to "Low" incomes. The City has a formal agreement with the Ponto Planning Area F land owner requiring this 20% "Low" income housing on-site in exchange for City's 'transfer of Excess Dwelling Units' specifically to an existing "Non-residential Reserve" Coastal land use site in Carlsbad's current LCP. Draft Housing Element pages 10-117 to 119 documents the City's 'Excess Dwelling Units' program.

10-110 Construction and Labor Costs: The Draft Housing Element states that the total cost to build housing is composed of the following cost components - 63% are construction building materials and labor, 19% are administrative legal, professional, insurance, and development fee costs, 10% are conversion (title fees, operating deficit reserve) cost, and 8% are acquisition costs (land and closing costs). Developer profit is then added on top of these costs and sets the 'minimum price' a developer can offer to sell/rent a housing unit. Typical minimum estimated developer profit to determine if a project is feasible is around 10%. So land cost at 8% is the lowest cost component in housing development. Developer profit can increase beyond this in a hotter housing and can reduce in a cooler market than the Developer projects in their project pro-forma. A market housing builder, understandably, looks to maximize their profit and if possible reduce risk.

So should the Draft Housing Element focus on the major housing cost factors (construction costs) and possibly reduce developer risk by providing more robust policies to provide direct subsidies to market developers to pay for their developer's 10% profit and some of the major construction costs for in exchange for permanent affordability on the dwellings so subsidized? It may be a non-typical idea, but would kind of be like developer profit insurance, and maybe worth exploring. If a market developer is guaranteed their 10% profit on their dwelling unit costs then this would seem good for them – they are guaranteed to make their 10% profit. The challenge would be how to fund the City's, or State HCD's developer profit insurance pool to fund such an affordability program.

10-115 Growth Management Plan Constraints Findings: This section starts out with the following statement: *"With the passage of SB 330 in 2019, a "city shall not enact a development policy,*

standard, or condition that would...[act] as a cap on the number of housing units that can be approved or constructed either annually or for some other time period.” This opening statement is very incomplete and misleading on four (4) major points:

1. For clarity the statement should document that SB 330 applies to Charter Cities like Carlsbad. Carlsbad Charter has specific language relative to the Growth Management Program, and this should be explained.
2. SB 330 is clearly short-term 6-year housing crisis legislation, that is set to will expire on 1/1/2025 – 5-years from now.
 - a. This short-term 6-year applicability of SB 330 should be clearly disclosed up-front particularly if a short-term law is being used to overturn Carlsbad’s City Charter and change decades of Carlsbad infrastructure planning. It will likely take Carlsbad 5-years to create and get adopted by the City and CA Coastal Commission (for Carlsbad’s Coastal Zone) to comply with SB 330 only to have SB 330 expire.
 - b. Also, as is logical in a short-term law that will expire in 5-years, SB 330 is only applicable to a City “enacting” such policy within the time SB 330 is law (i.e. until 1/1/2025). SB 330 language is “enact” and that word reflects future action not a past City action. SB 330 being short-term 6-year legislation uses the word ‘enact’ that refers to a future action To be apical to a past action the language would have to be ‘have enacted’ but should have clearly indicated all such past laws are now invalid until 1/1/2025. It is illogical to have a short-term crises legislation that expires in 1/1/2025 overturn over 30-years of pre-SB 330 development policies in Carlsbad and possibly other cities, particularly when the actual language of SB 330 does not clearly state so.
3. Carlsbad’s Draft Housing Element will be valid from 2021-2029 or 4-years beyond the expiration of SB 330. If the Draft Housing Element is meeting its RHNA numbers for the years 2021-2029 and not creating “a cap on the number of housing units that can be approved or constructed” during the 6-year period when SB 330 is the law (only until 1/1/2025) then there seems no Growth Management Program “Constraint” on the 2021-2029 RHNA numbers and SB 330 set to expire on 1/1/2025.
4. As noted above for page 10-63, SB 330 (Skinner) Section 13 states that: **“(2) Nothing in this section supersedes, limits, or otherwise modifies the requirements of the California Coastal Act of 1976** (Division 20 (commencing with Section 30000) of the Public Resources Code). **For a housing development project proposed within the coastal zone, nothing in this section shall be construed to prohibit an affected county or an affected city from enacting a development policy, standard, or condition necessary to implement or amend a certified local coastal program consistent with the California Coastal Act of 1976** (Division 20 (commencing with Section 30000) of the Public Resources Code).” This should be clearly stated.

This section of the Draft Housing Element needs more research and full disclosure of the four (4) above SB 330 issues.

Also the Section should address the 3 foundational issues emailed on 9/14/20 ‘Citizen public input for Housing Element & Parks Master Plan Updates, & Draft Local Coastal Program Land Use Plan Amendment’ to the ‘Carlsbad City Council, Housing-Parks-Planning Commissions & Housing Element Advisory Committee; & State of CA Coastal Commission, Parks, Housing & Community Development Department’ [Attachment7].

- 10-119 Mitigating Opportunities, 2nd paragraph: the 3 foundational issues emailed on 9/14/20 'Citizen public input for Housing Element & Parks Master Plan Updates, & Draft Local Coastal Program Land Use Plan Amendment' to the 'Carlsbad City Council, Housing-Parks-Planning Commissions & Housing Element Advisory Committee; & State of CA Coastal Commission, Parks, Housing & Community Development Department' should be address here also. **How can Carlsbad or any California City plan to assure their land use plans' "primary tenant that public facilities keep pace with growth" occur if population growth is unlimited and will increase each RHNA cycle while at the exact same time a City's vacant land, and critical vacant Coastal Zone land, is getting smaller and will eventually effectively be gone?**

Without new vacant land and critical new vacant Coastal Zone Land to provide new City Parks and new Costal Recreation to 'keep pace with growth' in population and visitors how can Carlsbad's and California's quality of life be maintained or enhanced?

Are City Park Standards of 3-5 acres of Parkland per 1,000 populations to become void when there is no more vacant land to provide New Parks needed for an unlimited growth in population? Will California's Coastal Recreation resources not be allowed to concurrently grow in land area and be appropriately distributed with population and visitor growth? Will California's beloved and economically important Coastal Recreation resources then become 'loved to death' by more overcrowding from unlimited population and visitor growth? Without providing concurrent, equivalent, and unlimited growth in new Coastal Recreation land for the growth of those two populations a slow, but eventual deterioration will occur. These are fundamental issues of CA State priorities, particularly between the CA Coastal Act and CA Planning and Zoning and housing laws.

- 10-123 California Government Code Section 65863: The California Government Code Section 65863 exceptions should all be listed, and if section 65863 supersedes the CA Coastal Act and how the CA Coastal Commission may finally decide to finally Certify Coastal land use at Ponto in he next year or so. As per Carlsbad's General Plan the General Plan at Ponto is not adopted until the CA Coastal Commission fully Certifies or Certifies with Modifications Carlsbad's Draft Local Coastal Program Land Use Plan Amendment. Carlsbad's Draft Housing Element already shows "Excess" housing capacity to meet RHNA numbers limits without the need for Ponto Planning Area F.

- 10-149 California Coastal Commission: This section is incomplete. It is missing some key fundamental and common-sense land use principles regarding the CA Coastal Commission; CA Coastal Act; State 'Coastal Land Use Priorities' under the CA Coastal Act that Carlsbad needs to follow; and that CA housing law does not 'supersede, limit, or otherwise modify the requirements of the California Coastal Act of 1976'.

The fundamental and common sense land use principles are that the Coastline and Coastal Land near the Coast area a very small areas that need to provide high-priority Coastal land use to serve a magnitudes larger inland area and visitors to the coast. This very small Coastal Land needs to "forever" provide for All the Future Coastal Recreation needs for Carlsbad, Cities inland of Carlsbad, CA Citizens such as those coming from LA Metro region, and for all the out-of-state Visitors that visit Carlsbad. This is a huge amount of both Present and Future Coastal Recreation demand focused on a very small land area. Attachment #5 data documents the projection of both population and visitor growth that will increase demands for Coastal Recreation.

Most all of Carlsbad's Coastal Zone is already developed and not available to address those needs. In 2008 only 9% of Carlsbad was vacant, and maybe only ½ or less of that 9%, say only 4.5% was vacant land in the Coastal Zone. This 4.5% of vacant land is likely even a smaller percentage in 2020, and will be an even smaller in 2029 at the end of the Housing Element's planning horizon. The Draft Housing Element does not indicate amount of Vacant Coastal Land in Carlsbad in 2020. This small remaining less than 4.5% of Carlsbad must forever provide for All the future Coastal Priority Land Use needs such as critical Coastal Recreation (i.e. Public Park) that is the lowest cost method to access and enjoy the coast. Ponto Planning Area F is the last remaining vacant land to provide for "High-Priority Coastal Recreation Land Uses" in an area in need of a Coastal Park consistent with CA Coastal Act.

Housing however can be, and is better located in more inland areas where there is more land, more vacant land, more affordable land, and where there is 360 degrees of surrounding land that supports housing, such the bulk of employment and commercial centers and public services such as schools. The common-sense logic that very limited and finite Coastal Land should be used primarily for only those land uses that can only be provided by a Coastal location finally came to forefront in the 1970's after years of sometimes poor Coastal land use decisions by Cities.

In the 1970's CA citizens and then the CA State government addressed how California's limited Coastal Land area should be 'Prioritized' for use with the CA Coastal Act. In that regard the CA Coastal Act (CA PRC Section 30001.5) has the following goals:

(c) **Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone** consistent with sound resources conservation principles and constitutionally protected rights of private property owners.

(d) **Assure priority for coastal -dependent and coastal-related development over other development** on the coast.

In support of these Goals there are numerous regulatory policies that prioritize and guide how Coastal Land should be used such as:

- Section 30212.5 ... **Wherever appropriate and feasible, public facilities**, including parking areas or facilities, **shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.**
- Section 30213 ... **Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...**
- Section 30221 **Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.**
- Section 30222 The use of **private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation**

shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- Section 30223 **Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.**
- Section 30251 ... **The location and amount of new development should maintain and enhance public access to the coast by ... 6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition** and development plans with the provision of onsite recreational facilities to serve the new development
- Section 30255 **Coastal-dependent developments shall have priority over other developments on or near the shoreline**

The CA Coastal Commission (CCC) uses the CA Coastal Act Goals and Polices in reviewing the Coastal Zone areas of Carlsbad's General Plan and thus Coastal Zone area of the Housing Element to determine if the CCC can certify the Coastal Zone of Carlsbad's General Plan as being in compliance with the CA Coastal Act. Carlsbad's General Plan Land Use Element clearly states on page 2-26 that "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.**"

For one small 11-acre vacant site – Ponto Planning Area F – Carlsbad's existing Local Coastal Program land use plan and regulations are:

"Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. **Planning Area F is an "unplanned" area, for which land uses will be determined at a later date when more specific planning is carried out for areas west of the railroad right-of-way.** A future Major [*Poinsettia Shores. aka San Pacifico Community Association*] Master Plan Amendment will be required prior to further development approvals for Planning Area F, and shall include an LCP Amendment with associated environmental review, if determined necessary. ... **As part of any future planning effort, the City and Developer must 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.**"

Although the City has twice tried to change the General Plan land use designation on Ponto's Planning Area F to R-23 Residential and General Commercial the City has:

1. Never complied with this Coastal regulatory requirement as has been documented by official Carlsbad Public Records Requests 2017-260, 2017-262, R000930-072419, R001280-021720, & R001281-02170.
2. Never clearly and publicly disclosed and engaged Carlsbad citizens, and particularly to the San Pacifico Community Association in which Planning Area F belongs to, in "any future planning effort" and in in our Community, South Carlsbad, and Citywide "need for the provision of lower cost visitor accommodations or recreational facilities (i.e. public park) on the west side of the railroad.",

3. Never conducted a “Major Master Plan Amendment”, and never invited nor engaged the San Pacifico Community Association that composes over 70% of the Master Plan area to be consulted on possible changes to the Community’s Master Plan, and
4. Had the City’s/Developer’s proposed land use change from Non-residential Reserve to R-23 & General Commercial denied by the CA Coastal Commission in 2010,
5. Not yet had the CA Coastal Commission yet consider/rule on Certification of Carlsbad’s proposed Draft Local Coastal Program - Land Use Plan Amendment to change Planning Area F’s existing ‘Non-residential Reserve’ Coastal land use. The City maybe submit the City’s proposal in 2021-2,
6. Received specific direction in 2016 and 2017 from the CA Coastal Commission regarding the City’s proposed land use change for Ponto Planning Area F. Specifically:
 - a. CCC Staff acknowledged the City has not yet complied with the LCP and in an 8/16/2017 email 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.”**
 - b. CCC Staff sent Carlsbad City Staff on 7/3/17. City Staff 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.”**

Carlsbad’s Draft LCP-LUPA, Draft Housing Element Update and Parks Master Plan Update should ALL land use plan and reserve Ponto Planning Area F and the other last few remaining vacant Coastal Lands to address the ‘forever’ or ‘Buildout’ High-Priority Coastal Recreation and Visitor serving Land Use needs for Carlsbad, North San Diego County, and California.

10-169 Draft Policy 10-P.7 says “Encourage distribution of development of affordable housing throughout the city to avoid over concentration in a particular area, excluding areas lacking necessary infrastructure or services.” Carlsbad’s Park Master Plan identifies Ponto as an area lacking park services, stating and showing on maps Ponto as ‘unserved’ by City Parks, and an area of ‘Park Inequity’. Ponto currently has 1,025 homes that creates an 8-acre City Park demand (based on the City minimal 3-acres/1,000 population Park Standard) yet is ‘Unserved’

by City Parks per the City's Park Master Plan. Ponto development and homeowners paid City park-in-lieu-fees sufficient for 8-acres of City Park.

Of Ponto's 1,025 current homes, 202 in the San Pacifico Community Association were built to be affordable condominium homes with very small 'exclusive use' lots, zero-side yards/building setbacks and only 10-15' wide 'back yards'; and 384 Lakeshore Gardens homes are affordable age-restricted manufactured homes. So 586 of Ponto's 1,025 current homes or 57% of Ponto's housing were planned and built to be affordable. At 57% Ponto has and was developed with a consideration of affordable housing, but also was denied needed City Park facilities of at least 8-acres to meet minimum City Park Standards.

Consistent with Policy 10-P.7 Ponto Planning Area F should be used to address Ponto's 'Park Inequity' being 'unserved', and not used to increase the "over concentration" of affordable housing that was already planned and built at Ponto.

10-171 Figure 10-13: Sites Requiring No Zone Change: Ponto Planning Area F needs to be removed from Figure 10-13. As has been previously documented Planning Area F is currently Certified in the Existing Carlsbad Local Coastal Program as "Non-residential Reserve". Both the City's General Plan Land Use Element and Zoning Code clearly state the City needs to receive CA Coastal Commission 'Certification' of Carlsbad's Proposed Draft Local Coastal Program Land Use Plan Amendment (sometime in 2021-22) to change that existing Certification before Ponto Planning Area F's Coastal Land Use and Zoning is fully changed to R-23 Residential and General Commercial. Based on Ponto Planning Area F's existing Certified LCP regulations and well documented need for high-priority Coastal land uses at Ponto, it is likely Planning Area F's ultimate land use approved by the CA Coastal Commission could change.

10-191 Program 2.1: Inclusionary Housing Ordinance: this section states that "For all residential projects of fewer than seven units, payment of a fee in lieu of inclusionary units is permitted. The fee is based on a detailed study that calculated the difference in cost to produce a market rate rental unit versus a lower-income affordable unit. As of 2020, the in-lieu fee per market-rate dwelling unit was \$4,515." The City's in-lieu-affordable-housing fees seems very inadequate, as other cities like the City of Laguna Beach's (I recall) \$160,000 per unit in-lieu affordable housing inclusionary housing fee that actually reflects the in-lieu cost. This cost and fee should be similar to Carlsbad's situation. If in fact the Carlsbad's in-lieu affordable inclusionary housing cost to provide an affordable housing unit is only \$4,515 per dwelling, then the City appears have sufficient resources in the as I understand \$19 million Affordable Housing Inclusionary Fee accounts to provide the gap funding to 'buy' over 4,200 affordable dwellings. Since an in-lieu fee is to cover the costs of actually providing the affordable dwelling the fees should then be able to purchase that affordable dwelling someplace else in the housing market. There is a critical need to explain in much more detail why the in-lieu fee is what it is, if it is truly adequate in funding affordable housing "in-lieu" of a developer providing the affordable housing? If the in-lieu fee is the total cost difference between affordable and market construction then is the difference in affordable and market dwelling sales/rental price the market housing developers' Profit? If so then developer profit is the major barrier to affordable housing, as total costs are not that much different. If so then it seems logical to address this major barrier to affordable housing.

10-192 Program2.2: Replace or Modify Growth Management Plan (GMP): As mentioned before is seems imprudent to overturn the GMP for a temporary crisis housing law (SB 330) set to expire on 1/25/20. Also, it should be clearly stated in the this section that SB 330 has limited applicability or enforceability in the CA Coastal Zone if the City is pursuing compliance with the CA Coastal Act as documented in Attachment #4.

SB 330 reflects a very unusual time when national and international economic market distortion by central banks has created, historically low interest rates and resulting in historic Housing (and other) Asset (stocks and bonds) values. This manufactured temporary inflationary market stimulus is to be temporary, not long-term, and will be a temporary market distortion that will likely see asset prices 'revert to mean' once the cost of capital is properly priced. If SB 330 legally overrides Carlsbad's GMP until 2025 then that is what the State is mandating Carlsbad do. However, it is very imprudent and inappropriate to use SB 330's temporary crises language as rational for long-term changes to critical foundations of GMP. Once the temporary crises that SB 330 is designed to address is over is the time to methodically approach wise long-term and sustainable land use policy.

Attachment #7:

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Monday, September 14, 2020 10:46 AM

To: Council Internet Email (CityCouncil@carlsbadca.gov); Scott Chadwick (Scott.Chadwick@carlsbadca.gov); Erin Prahler (Erin.Prahler@coastal.ca.gov); Ross, Toni@Coastal (Toni.Ross@coastal.ca.gov); Cort Hitchens (cort.hitchens@coastal.ca.gov); Lisa Urbach (lisa.urbach@parks.ca.gov); 'Zachary.Olmstead@hcd.ca.gov'; 'Megan.Kirkeby@hcd.ca.gov'; 'scott.donnell@carlsbadca.gov'

Cc: Brhiggins1@gmail.com; Phil Urbina (philipur@gmail.com); Lela Panagides (info@lelaforcarlsbad.com); Team Teresa for Carlsbad (teamteresaforcarlsbad@gmail.com); People for Ponto (info@peopleforponto.com); Laura Walsh (lauraw@surfridersd.org); 'Steve Puterski'; Philip Diehl (philip.diehl@suniontribune.com)

Subject: Citizen public input for Housing Elem & Parks Master Plan Updates, & Draft Local Coastal Program Land Use Plan Amendment

Dear Carlsbad City Council, Housing-Parks-Planning Commissions & Housing Element Advisory Committee; & State of CA Coastal Commission, Parks, Housing & Community Development Department:

As one of the many People for Ponto (www.peopleforponto.com), we wanted to make sure this email and attachments have been provided to you and that the issues/data in this email be publicly presented/discussed during both the City's and State's consideration of the above planning and any other related activities.

1. Legality of 'Buildout' and quality of life standards in both California and a City within California; and if planning for "buildout" is illegal, can we California Citizens be provide the specific citation in CA State Law that forbids the State and/or Cities within California from land use and public infrastructure planning to cap to a finite or "buildout" population/development condition. As California and Carlsbad citizens it important to know the State's legal policy on "buildout"; and State policy laws on how are an infinite amount of Coastal Recreation and other high-priority Coastal land

uses can be correspondently provided for infinite population growth within a largely developed and finite (and shrinking due to sea level rise) Coastal Zone?

The following public testimony and questions were presented the 6/23/20 Carlsbad Budget meeting. Coordinated answers from the State of CA and City of Carlsbad on how State Coastal and Housing planning priorities are ordered and reconciled is important. Carlsbad has a very small fragment of remaining vacant coastal land and once it is developed it essentially lost forever. This is being planned now with the above mentioned planning efforts. Most all of Carlsbad's Coastal lands are already developed with Low-Coastal-Priority residential land use, or off-limits due to endangered habitat preservation. Coastal Parks or Campgrounds can only be provided along the Coast and they are currently very crowded, and will continue to get more crowded and eventually degrade over time by increased population demands if new Coastal Parks and campgrounds are not created by coordinated Coastal Land Use planning by the State and City. How is the State of CA and City of Carlsbad to address maintaining our coastal quality of life (coastal recreation) with infinite population growth and rapidly shrinking coast land resources?

Citizens need a coordinated State of CA and City response to: *"6-23-20 City Council Budget meeting – pubic testimony by Lance Schulte: People for Ponto submitted 130-pages of public testimony on 6/2/20, would like to submit the following public input to both the 6/23/20 City Budget Meeting and the City proposed Draft Local Coastal Program Amendment – and with reference to a proposed change the land use of Planning Area F from its Existing Non-Residential Reserve land use to City proposed low-coastal priority high-density residential and general commercial land uses. Contrary to what was said by 2 Council members the City's LCP policy covering Planning Area F is not a Citywide LCP policy, but is specific to the Sammis/Poinsettia Shores LCP area, and the policy's scope and regulatory authority is limited by the boundaries of the Sammis/Poinsettia Shores LCP area.*

The Planning Area F Ponto Coastal Park is critical to the long-term economic vitality and sustainability of South Carlsbad's neighborhoods and extensive Visitor Industry; and Carlsbad's 1st and 3rd highest revenue sources.

Beyond Ponto there is an additional and separate Citywide Coastal Recreation requirement related to CA Coastal Commission concerns about Carlsbad's proposed LUP land use changes and proposed Local Coastal Program Amendment (LCPA) adequately providing for a Citywide 'buildout' need for Coastal Recreation land.

It is not clear if 'buildout' is a set and final amount of City and State population and development or if 'buildout' represents accommodating an endless amount of future population and development in Carlsbad and the State of California. If 'Buildout' is an endless future amount of population growth and development, then how is the City planning to provide a commensurate endless amount of City Parks and Open Space? How is an endless amount of Coastal Recreation provided to accommodate endless amount of City and Statewide growth?

Until these questions can be authoritatively answered by the City and State of California the preservation and acquisition of vacant Coastal land should be a City priority. Because once land is developed it will never be available for Park and Coastal Recreation use. Continual population and development growth without corresponding Park and Open Space growth will lead to a gradual but eventual undermining of the quality of life for Carlsbad and California, and our Carlsbad economy. It is for these and other important reasons People for Ponto ask the City to budget for the purchase of

Planning Area F for Coastal Recreation and City Park needs – needs that City has documented exist now, and needs that will only grow more critical and important in the future.

Thank you, People for Ponto love Carlsbad and our California Coast. We hope you love Carlsbad also and you take responsibility as a steward of our California Coast.”

2. Attached is an email regarding clarification of apparent City errors/misrepresentations on 1/28/20 regarding a) the CA Coastal Act’s relationship with CA Housing laws regarding CA land use priorities and requirements within the CA Coastal Zone, and b) City planning documents and City planning and public disclosure mistakes regarding Ponto. The clarification of the issues noted on 1/28/20 should be comprehensive, and holistically and consistently disclosed/discussed in each of the City’s and State’s Coastal-Land Use Planning-Parks-Housing planning efforts showing the principles and legal requirements for how potential conflicts within State/City Policies are to be resolved.
3. Similar to #2 above, People for Ponto has provided public testimony/input of over 200-pages of documented data on the need for a “Public Park” and over 2,500 Citizens’ requests for that Park. Those 200+ pages and the email requests from 2,500 citizens, and the CA Coastal Commission direction to the City as noted below should also be shared with the Carlsbad’s Planning-Parks-Housing Commissions and the City’s Housing Element as part of the respective land use-parks-housing discussions.

The CA Coastal Commission has also provided direction to the City regarding some of the City’s planning mistakes at Ponto, and those directions should also be shared with the City’s Planning-Parks-Housing Commissions and Housing Element Advisory Committee regarding Coastal Land Use planning at Ponto Planning Area F. CA Coastal Commission has provided the following direction to the Carlsbad:

- a. Following is from a 7/3/17 CCC letter to City Staff on the City’s proposed land use changes at Planning Area F. City Staff 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.”**
- b. In 2017 after citizens received the City’s reply to Public Records Request 2017-260, citizens meet with CCC staff to reconfirm the City failed since before 2010 to publicly disclose and comply with Planning Area F’s LCP requirements. CCC Staff acknowledged the City has not yet complied with the LCP and in an 8/16/2017 email 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.”**

Please do not misinterpret these comments as anti-housing or anti-development, it is the exact opposite, they are in support of existing and future development. It is a logical recognition of what is the best use of very limited (and shrinking) vacant Coastal Land resources. It is prudent and sustainable State and City Coastal Land Use planning to best serve all CA residents – now and in the future. Housing can be developed in many large inland areas that are better connected with job centers and transit. New Coastal Parks can only be located on the last few remaining vacant parcels within a short distance to the coast. This very small area (vis-a-vis) large inland areas must serve all the coastal Park and recreation needs of California’s almost 40 million residents and the additional millions of annual visitors to California’s coast. This very small amount of Coastal land drives a lot what makes CA desirable and successful, but it is getting very overcrowded due to population/visitor growth while at the same time shrinking due to coastal erosion and sea level rise. Squandering the few remaining Coastal vacant land resources, and not reserving (planning) these lands for more high-priority Coastal Recreation Land Uses will ultimately undermine CA both socially and economically. The attached ‘Carlsbad 2019 proposed Draft LCP Amendment’ file should be provided to and reviewed by Carlsbad’s Planning-Parks-Housing Commissions and the Housing Element Advisory committee in their consideration of Carlsbad’s proposed Housing Element update and proposed Draft LCP Land Use Plan Amendment, and also jointly by CA HCD and CCC in providing Carlsbad direction on CA Coastal Land Use priorities in the Coastal Zone relative to those two (2) City proposals.

Thank you all for your consideration and comprehensive inclusion of the various issues in both the City and States upcoming evaluation of proposed Coastal land use plan, Housing Element and Parks Master Plan updates. There is precious little vacant Coastal land left and how it is planned to be used and developed is critical and needs full public disclosure/involvement and a comprehensive and coordinated approach.

Sincerely,
Lance Schulte
www.peopleforponto.com

Following are the 2 attachments to the above 9/14/20 email:

1. 4/21/20 email of Public input to Carlsbad City Council-Planning-Parks-Housing Commissions and CA Coastal Commission on DLCPA-PMU-HEU processes: Dear Carlsbad City Council, and Planning, Parks and Housing Commissions; and CA Coastal Commission: People for Ponto submits this email, and the attachment that was provided to the Carlsbad City Council for Item#14 at the 1/28/20 meeting. The attachment provided at the 1/28/20 City Council meeting has not been recorded on the Carlsbad City website that documents public input provided at that 1/28/20 meeting. Consequently we request this email and attachment be provided to the Carlsbad City Council, and Planning, Parks and Housing Commissions; and CA Coastal Commission as public input on the City Staff proposed 1) Draft Local Coastal Program Amendment, 2) Parks Master Plan Update, and 3) Housing Element Update processes. The attachment documents apparent errors, omissions, and/or misrepresentations in the 1/28/20 Item #14 Staff Report/Presentation to the City Council. We wish this email and the attached public comments be provided to the Council and Commissions addressed to in this email and be included as public comments to be addressed in the 3 planning processes listed. Thank you. Email confirmation of receipt and delivery of this email/attachment is requested. Thank you. Sincerely, Lance Schulte People for Ponto

- a. Attachment: Carlsbad City Council meeting of 1-28-20 agenda item #14 [typo corrected on 2-4-20]: People for Ponto apologize for this late and hastily, review and comments. We just found out about the meeting this morning. We citizens know we can together achieve great things if you allow us to work with you.

Staff
Report

<u>Page</u>	<u>clarification/correction:</u>
1	The LCP Land Use Plan Update is in fact an Amendment to an Existing LCP Land Use Plan. The Existing LCP Land Use Plan is already certified by the CA Coastal Commission as being consistent with the CA Coastal Act, except for some Amendments needed to address Sea Level Rise impacts and some other issues. The LCP Amendment proposes to change the Existing CA Coastal Commission certified LCP Land Use Plan’s “Non-residential Reserve” Land Use and Policy on Planning Area F to consider and document the need for “i.e. Public Park” at Ponto .
1	Staff summarizes the CA Coastal Act objectives to "ensure maximum public access to the coast and public recreation areas." Carlsbad’s Adopted Park Service Area/Equity Mapping shows there is no Park Service for the Ponto Area and Ponto Citizens, and no Park Service for the Coastal South Carlsbad area west of Interstate-5 and the rail corridor. The City’s mapping of land that meets the developer required Growth Management Open Space Standard of 15% Unconstrained land shows about 30-acres of this Open Space is missing at Ponto. This missing Open Space could have provided needed Park facilities that are missing at Ponto. Citizens in over 2,500 emails to the City Council have cited the need for a Public Park at Ponto as part of the Existing LCP Land Use Plan Amendment proposed at Ponto. These requests are consistent with the CA Coastal Act.
3	2nd bullet: says city staff proposes to replace, amend, or retain various Existing LCP policies, so the Staff has a documented understanding how each Existing LCP policy is being treated in the proposed Amendment. Citizens asked in Oct 20, 2019 for this ‘redline’ version of the Existing LCP Policies and Land Use Maps so citizens can understand what the Amendments are so we as citizens could then provide informed public comment. This ‘redline’ version is also important for the City Council and Planning and other Commissions so they know what Amendments to Existing City LCP Land Use policy are being proposed. Citizens again request this ‘redline’ version that it appears the staff already has; as they know what Existing LCP Land Use policies are being replaced, amended, or retained.
4	V is incomplete: the community asked on Oct 20, 2019 for 3 things: 1) a ‘redline’ version as noted above, 2) true Public Workshops to help inform and resolve community concerns about the proposed LCP land Use Plan Amendments, and 3) more public review time to provide for the above two other requests. All 3 requests should be acknowledged in the staff report. All 3 requests are rational and reasonable considering the proposed Draft LCP Land Use Plan Amendment is the “buildout” plan for Carlsbad’s Coastal Zone, and there were multiple

documented fundamental “planning mistakes” regarding past City public information and participation in the Coastal Land Use planning. Providing such a process as outlined by the 3 requests would help to correct these documented public disclosure/participation and ‘planning mistakes’ that have gone on for many years. It is the right thing to do and most productive approach for all concerned.

- 7 Staff should accurately disclose that in 2010 the CA Coastal Commission in fact rejected the City’s proposed Ponto Beachfront Village Vision Plan for failing to disclose and comply with the then and current LCP Land Use Plan policy for Planning Area F at Ponto. Carlsbad Public Record Requests confirmed the staff did not disclose to citizens the existence LCP Land Use Plan policy for Planning Area F at Ponto, so citizens had no idea a Public Park at Planning Area F at Ponto needed to be considered. How can citizens, provide input if citizens don’t have complete and accurate information to review and comment on?

- 8 Staff should correctly disclose that the 2015 application at Planning Area F at Ponto is first for a Local Coastal Program Amendment and Master Plan Amendment. These are both applications to change City Land Use Plan Policy and Zoning regulations. The actual applications for ‘development’ permits can in fact not even be considered by the City until the Local Coastal Program Land Use of “Non-residential Reserve” is changed and Master Plan rezoning is approved. Only then can the ‘development’ permit application can applied for. The developer abandoned their application to change the LCP and Master Plan and then apply for developer permit review about a year ago. However, the city staff is keeping the application ‘alive’ even though there has been no progress on the application for over a year. It is unclear if the staff has authority to do this, or if the City Council has authority to withdrawal the application due to non-activity. The City has permit standards that withdraw applications if applicants make no progress on the applications after 6-months. What is troubling is that it appears the city staff proposal is to process the developer’s application to change the Existing LCP Land Use Plan for the developer.

Staff notes that the Planning Area F sites now designated as Residential R-23 and General Commercial by the Carlsbad General Plan Update. However, staff fails to disclose that until the Existing LCP Land Use Plan Amendment (as proposed by City Staff) is in fact approved by both the City and the CA Coastal Commission the Existing LCP Land Use Plan for Planning Area F supersedes the City’s General Plan Update. Carlsbad’s General Plan Land Use Element clearly states this on page 2-26 stating: “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.” So until the City Council adopts the staff’s proposed Draft LCP Land Use Plan Amendment, AND the CA Coastal Commission “certifies” that LCP LUP Amendment; the City’s General Plan Update Land Use change cannot take effect. The General Plan Land Use at Ponto Planning Area F has in fact not been changed by the General Plan Update, but can only change with staff’s proposed

Draft LCP Land Use Plan Amendment that the City Council can choose to approve or disapprove. Also official Public Records Requests have documented that the City's General Plan Update planning process was also fundamentally flawed at Ponto. Again, like during Ponto Beachfront Village Vision Plan planning process a few years earlier the city failed to comply with the then and current LCP Land Use Plan policy for Planning Area F at Ponto. The flawed General Plan Update process at Ponto prevented Citizens from knowing the facts so they could properly participate and provide review and comment during the General Plan Update. The significant citizen comments to the City Council asking for a Ponto Coastal Park is reflective of the fundamental public disclosure and processing flaws that the city is only now acknowledging as one of the repeated 'planning mistakes' at Ponto. This is why citizens are asking for full disclosure of the facts and a complete planning process re-boot at Ponto. It also should be noted that the Existing LCP Land Use Policy for Planning Area F states that "as part of any future planning effort ... consideration of a "Public Park" is required. CA Coastal Commission Staff has indicated the City's proposed land use planning changes at Ponto as part of the General Plan Update are subject to change.

At the bottom of the page regarding SB 330, as noted above the "residential land use designation on the site" is not in effect until the currently proposed LCP Land Use Plan Amendment is both approved the City Council AND also certified by the CA Coastal Commission, so SB 330 does not apply. Also SB 330 has specific language that exempts land use in the Coastal Zone. SB 330 (Skinner) Section 13 states: "(2) Nothing in this section supersedes, limits, or otherwise modifies the requirements of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). For a housing development project proposed within the coastal zone, nothing in this section shall be construed to prohibit an affected county or an affected city from enacting a development policy, standard, or condition necessary to implement or amend a certified local coastal program consistent with the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code)." This language is consistent with CA case law, and other housing laws that recognize the obvious – there is very limited amount of Coastal land v. significant land area inland. Limited Coastal Land per the CA Coastal Act is needed for "High-Priority" Coastal Land Uses" - i.e. Coastal Recreation and Low-cost visitor accommodations primarily in a city such as Carlsbad. The CA Coastal Act identifies both residential and general commercial land uses as "low-priority". So although affordable housing is important there are other more appropriate locations, than on the last remaining vacant Coastal land in Carlsbad that will be needed to address the "High-Priority" Coastal Land Uses to serve Carlsbad and California's 'buildout' needs. CA case law recognizes the supremacy of the CA Coastal Act over CA Housing Laws as noted in "Kalnel Gardens, LLC v. City of Los Angeles". This case law data has already been provided to the City Council as part of Staff's housing discussions over the past few years. The staff report should have disclosed the above information, as it appears SB 330 is not a factor at Ponto.

13 2005-2010 Housing Element: As noted above the General Plan Land Use Element states the General Plan Land Use Plan is not effective until the proposed Draft LCP Land Use Plan Amendment is both approved by the City Council AND certified by the CA Coastal Commission. So, the Housing Element Cannot recognizes the proposed residential use change at Ponto until then. Also as noted before there were multiple documented fundamental ‘planning mistakes’ in public disclosure, participation and process that flawed the Housing Element. It should be noted that these flaws occurred during the time the CA Coastal Commission specifically rejected the Ponto Beachfront Village Vision Plan due to those flaws. The now City acknowledged ‘planning mistakes’ at Ponto prevented Carlsbad citizens from providing informed participation during the Housing Element.

Also, it is unclear why the staff misrepresented the amount of housing proposed in the Housing Element on the Ponto Planning Area F site as “the Ponto site for high density residential use at a minimum density of 20 dwellings per acre (128 units minimum)”; as this is not true. The City’s General Plan promises only the minimum 15 dwelling units/acre for the R-23 Land Use designation. See the “Ponto” unit capacity table below from the City of Carlsbad General Plan Housing Element Table B-1 on page B-2 that lists 98 dwellings for the site on the east side of Ponto Road and 11 optional dwellings on the west side of Ponto Road for 109 total units for both sites, v. the 128 units mentioned by staff. Not sure why staff misrepresented the density by 17 to 30%.

2007 Ponto Beachfront Village Vision Plan: As noted several times above there were fundamental public disclosure and participation flaws with this plan. It was rejected by the CA Coastal Commission in 2010 in part for those reasons. These flaws are confirmed by the City’s own data as a result of multiple Official Carlsbad Public Records Requests. This should be disclosed to the City Council and citizens.

14 2015 General Plan Update: As noted several times above there were also fundamental public disclosure and participation flaws with this General Plan Update with regards to Ponto. These flaws are confirmed by the City’s own data as a result of multiple Official Carlsbad Public Records Requests. This should be disclosed to the City Council and citizens.

Citizens are asking the City Staff and City Council:

- for honesty; to fully and publicly recognize and disclose the past “planning mistakes” at Ponto, and fundamental flaws from the from those mistakes that prevented citizens from knowing about and participating in the planning process for Ponto.
- To keep the Existing LCP Land Use Plan at Ponto until a new open-honest and inclusive Community-based planning process can be achieved at Ponto.
- To be honest with respect to Park Serve Area and Equity issues at Ponto and Coastal South Carlsbad west of I-5 and the rail corridor.
- Consider the needs for inland South Carlsbad citizens, visitors and business to have their ONLY Coastal Park.

- Consider the larger regional Coastal Park need, and the forever ‘buildout’ Coastal Recreation needs for future generations.
 - To be true and honest in translating and implementing our Community Vision
2. The 2nd attachment to the 9/14/20 email to Carlsbad City Council, Housing-Parks-Planning Commissions & Housing Element Advisory Committee; & State of CA Coastal Commission, Parks, Housing & Community Development Department: Carlsbad City Council, Housing-Parks-Planning Commissions & Housing Element Advisory Committee; & State of CA Coastal Commission, Parks, Housing & Community Development Department was a 26-page document with a Subject line and submitted as official Citizen public input for the Housing Element & Parks Master Plan Updates, & Draft Local Coastal Program Land Use Plan Amendment regarding ‘Coastal Recreation’ facts, needs, issues for Ponto Planning Area F and citywide. This document has been provided as Attachment #5.

Submitted: May 28, 2020

Dear Carlsbad City Council, Carlsbad Planning and Parks Commissions, and Coastal Commission:

The City Budget should address both short-term Covid-19 impacts, and near/longer-term investments needed for Economic Recovery and Revitalization.

The quality of our Carlsbad coastline, Coastal Parks and open spaces are continually rated by Carlsbad citizens and businesses as the critical foundation of our quality of life, economic strength, and tourism industry. Ponto Coastal Park is a critically needed investment, and the last opportunity for the City to make an investment for Carlsbad's long-term sustainability. South Carlsbad Citizens, visitors, and the Visitor Industry have no Southern Coastal Park. Ponto is the only place to provide that needed investment for residents and visitors, and advance Economic Recovery and Revitalization of South Carlsbad's significant Visitor Industry. Coastal Recreation is the major attraction for visitors.

With these understandings we submit the following testimony and data from the City's FY 2019-20 Budget Public Input Report that highlights the documented significant number of citizens asking for a Ponto Coastal Park. We also note concerns about the Report's dilution of specific citizen input provided at both the March 4, 2019 and 2020 Citizen Workshops.

Citizen input on the need for a Ponto Coastal Park was the most numerous specific place need/desire citizens mentioned in the City's:

- Budget Public Input process,
- Draft Local Coastal Program Amendment process, and
- Parks Master Plan Update process.

The Budget Public Input process documented 85 specific, verbatim citizen comments on Ponto area park needs and over 90% of citizen requests that Council budget to address this need. These 85 Verbatim Citizen comments (listed at the end of this testimony and data) specifically address how they would like their (Park) tax dollars budgeted. Additionally, 2,500 similar public input email/petitions were submitted as public comments on Carlsbad's Draft Local Coastal Program Amendment and Park Master Plan Update processes spoke to the need for a Ponto Coastal Park.

As you know, the 11-acre Ponto Planning Area F site is for sale. This site is similar in size/shape as Holiday Park, providing a Coastal site for similar multipurpose community functions.

Carlsbad's Local Coastal Program (and thus General Plan and Zoning Code) requires the City to first consider and document the need for a "Public Park" before any land use can be planned for the Planning Area F site.

The City's Park Master Plan already documents the need for a Ponto "Public Park", showing the area as "unserved" by City Parks and an area of Park "inequity" correlating well with Citizen input.

The City also received offers of potential donations, or cost-saving collaborations from Carlsbad Citizens and non-profits to advance the much needed Ponto Coastal Park. The City disappointingly has not replied to these special opportunities.

Therefore, it is requested the City budget for a Ponto Coastal Park and contact the Planning Area F landowner regarding site purchase.

Consistent with Budget Public Input Report page 3 it is requested that this this testimony and data be provided to the Planning and Parks Commissions; and Coastal Commission as public input on the City Staff's proposed 1) City Budget, 2) Draft Local Coastal Program Amendment, and 3) Parks Master Plan Update.

Thank you.
People for Ponto

The following data is from the Carlsbad FY 2019-20 Budget Public Input Report:
<https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=38546>

In reading the data different text treatment is used to differentiate between actual page number and text in the Report, Important Report text, and public comments and analysis of Report text. Following is a legend to those text treatments:

- (p.X) is the Report page number where the information is found, and normal text is the actual Report text.
- Text in **Bold Face** is particularly important Report text.
- **Arrow bullets and Text in Bold Italic Text** are analysis and comments on the Report's information.

Introduction (p. 3):

- **Members of the public have a right to be involved in decisions affecting their lives.**
- **It is the city's responsibility to seek out and facilitate the involvement of those interested in or affected by a decision. The city errs on the side of reaching out to people who might not be interested, rather than potentially missing people who are.**
- **City staff provide balanced and factual information to the public and do not engage in advocacy.**
- **Public dialogue strives for a focus on values over interests and positions.**
- **Public involvement planning is coordinated across all city departments to ensure consistency and avoid process fatigue.**

On (p. 5) specific Verbatim Public Input was generalized by City Staff as follows:

Main Themes: The following themes were a high priority overall:

- **Neighborhood quality of life**
- **Access to nature, trails and open space**
- Environmental sustainability
- Traffic and mobility

Most Important Services: City services in the following areas were identified as the most important:

- **Neighborhood quality of life**
- **Parks and recreation**
- Law enforcement
- Fire and paramedic service

- Environmental sustainability

Specific Areas for Budget Enhancement: When asked which services they would like to see enhanced in next year’s budget, the top five responses were:

- **Neighborhood quality of life**
- **Parks and recreation**
- **Environmental sustainability**
- **Mobility/transportation**
- Arts and culture

- *The lack of a Coastal Park at Ponto impacts all South Carlsbad neighborhoods’ quality of life. Carlsbad’s Park Master Plan documents that Ponto and Coastal South Carlsbad are “not served” by parks and Ponto and Coastal South Carlsbad is an area of park “inequity”*
- *The City and CA Coastal Commission are required to consider and document the need for a “Public Park” before any planning to allow any land use on Ponto Planning Area F. For over 10-years the City failed to disclose and follow this requirement – making multiple “Ponto planning mistakes”. The City will now have to correct its multiple “Ponto planning mistakes” as part of the Draft Local Coastal Program Amendment*
- *The lack of a Park at Ponto also impacts both Environmental Sustainability and Mobility/Transportation:*
 - *Prevents parks within walking distance, forces driving (and the need for more parking in our Park) to access parks.*
 - *Forces South Carlsbad Neighborhoods to drive long distances to North Carlsbad and/or Encinitas to access a Coastal Park*
 - *Congests North Carlsbad and/or Encinitas Coastal Parks with South Carlsbad Coastal Park demands*
 - *Congests North Carlsbad and/or Encinitas roadways and parking facilities with South Carlsbad Coastal Park demands.*
 - *Importantly, it would forever negatively impact the economic sustainability of Carlsbad’s Visitor industry. There are thousands of inland South Carlsbad resort/hotel rooms that have no access to a Coastal Park. This will ultimately undermine the attractiveness and competitiveness of South Carlsbad’s Visitor industry and the tax revenue the City receives from that industry.*

Word Maps (pp 6-8)

Staff provided 3 ‘word maps’ saying the show the words mentioned at the March 4th 2020 workshop attend by 38 citizens.

- *There is citizen concern about the accuracy of these word maps and what is conveyed on pages 6-8 of the Report.*
- *Several of those 38 citizens, provided specific written (individual index cards) and verbal (round table flip chart notes) Pubic Input several stating the need for a “Ponto Coastal Park”, another mentioned a “liner Park”, and several mentioned the “Senior Center”, all these written/verbal comments were not accurately documented or reported on pages 6-8. It appears the City Staff interrupted and translated/transformed the actual citizen comments (as documented in the index cards and flip chart notes) when creating the word maps. There is a concern that specific citizen input provided at the actual workshop was not accurately*

reported in the Public Input Report to the City Council. As citizens we are concerned that our input is accurately reported and conveyed to the City Council.

- Surprisingly no word map was provided in the Report for the much larger (1,330 to 1,710 person) March 5-22, 2019 Public Input process. Following is the actual word map the city showed participants at the March 4, 2019 Public Input Workshop. The image of the word map was taken with a participant's cell phone. It summarized the magnitude of citizen needs/desires expressed at this larger Budget workshop.



The word map graphic above from the March 4, 2019 Workshop although not summarized by Staff in the Report is clearly documented in the Verbatim Comments (Public Input) that was included in pages 24-91 of the Report and accounted for below.

Verbatim Comments (pp 24-91): **Number of times a specific Place Name was mentioned:**

- Ponto, Zone 9, and Southwest Carlsbad: 85 times (see below for list of Verbatim Public Input)
- Village: 23 times, this is 27% as much as Ponto area
- Carlsbad Senior Center: 7 times, this is 8% as much as Ponto area
- Agua Hedionda Lagoon: 3 times, this is 4% as much as Ponto area
- New Village Arts: 3 times, this is 4% as much as Ponto area
- Barrio: 2 times, this is 2% as much as Ponto area
- Calaveras: 2 times, this is 2% as much as Ponto area
- Alga Norte Park: 2 times, this is 2% as much as Ponto area

- Poinsettia Park: 2 times, this is 2% as much as Ponto area
- Veterans Park: 2 times, this is 2% as much as Ponto area
- Rancho Carrillo: 1 time, this is 1% as much as Ponto area
- Hub Park: 1 time, this is 1% as much as Ponto area
- Crossings Golf Course: 1 time, this is 1% as much as Ponto area
- Robertson Ranch: 1 time, this is 1% as much as Ponto area
- Palomar Airport: 1 time, this is 1% as much as Ponto area

➤ ***As the Budget Public Input Report suggests, reading of each of the Verbatim Comments of actual public input should be done. The place names area specific list above does not include broad places such as “beaches” the names of specific roads, and other names that appeared vague. It is clear in reading through and counting the place name references that the Ponto area expressed as Ponto, Zone 9 (i.e. Local Facilities Management Plan Zone 9), and the coastal park references to Southwest Carlsbad and South Carlsbad was by far the greatest area of public input. This makes perfect sense in that for half of the City Ponto is the last significant vacant Coastal land available to address two of Carlsbad Citizens’ most important budget concerns ‘Neighborhood quality of life’ and ‘Parks and recreation’ that relate to core community values around Carlsbad’s “Beach”, “small beach town character”, and “valued open space”.***

Following is the listing of the Verbatim Public Input (Appendix A in Public Input Report, pp 24-91) that specifically referenced Ponto or a clear reference to Ponto such as Zone 9 or Coastal Park needs in Southwest Carlsbad. There are many more comments such as “The purchase of remaining open space for preservation of the last remaining coastal areas.” that logically and clearly refers to the Ponto situation. However these many additional comments were excluded from the list below since they did not specifically mention Ponto, Zone 9, or SW Carlsbad place names.

Of the 85 citizen comments below specifically referencing Ponto, 77 or 90.6% were asking the City to budget for a Ponto Coastal Park. Only 8, or 9.4% of those citizen comments were not asking for a Ponto Coastal Park. We are not sure if the 8 commenters knew about the City’s now acknowledged “Ponto planning mistakes” dating back over the past 10-years, as the City only first briefly acknowledged this recently on 1/28/20. We have found once citizens are truly aware of the facts and prior “Ponto planning mistakes” there is almost uniform desire for a Ponto Coastal Park. There is citizen concern that these “Ponto planning mistakes” are not being fully, openly and accurately being disclosed to Citizens during the various Public Input processes, thus tainting those Public Input processes.

Verbatim Ponto City Budget Public Input from pages 24-91 of FY 2019-20 Budget Public Input Report:

1. My biggest disappointment is the lack of park facilities in my section of the city, near South Ponto Beach. Lots of open land but no park within at least 2 miles. This should be a city priority
2. It used to be the beach but now Ponto & South Carlsbad are more like rocky shores. I’d like to see the rocks cleared up and more sand added to these beaches
3. COMMENT TRAFFIC IS BEING SPAMMED HERE TO PUSH THIS PONTO PARK PLOY (PPP) Develop Ponto and have the hotel maintain our beach! It’s all rocks currently!
4. Ponto Beach. We do NOT need a commercial development or hotel there. That needs to be a park and/or open space for future generations.

5. Ponto beach.
6. Don't ruin South Ponto Beach with condos and/or hotel, need to restore the sand on the beach.
7. Like most residents and visitors I treasure the beach. I feel the highest priority should be open space and parks that serve the beach region. Particularly important is the open space still available in the Ponto region. There is ample space here for an extraordinary area of open space and even a park. There is not one of either of these in the southwest quadrant near the beach. Children cannot walk safely to a park from that area. Open space and a park in the Ponto area would serve all residents, visitors, and the business community.
8. Beaches, parks, safe neighborhoods, OPEN SPACE! Need Beach parks like Del Mar Powerhouse/Sea Grove Park & Encinitas Community Park. Ponto Beach needs some attention.
9. I love the beach and the parks and fields and open space and hiking trails in Carlsbad. I wish we had more!! We have had 3 kids in sports in Carlsbad. Currently, field/park space is very limited and often over committed. Currently, there aren't enough fields to meet the need of the community. Adding more parks and fields would create a better community in the following ways.... The sports played on these fields help keep our kids fit and healthy; It keeps kids busy and out of trouble; It fosters friendships and community; it teaches team work and fosters dedication and teaches a willingness to help others succeed; it brings in community \$\$ from other teams who come to play on Carlsbad fields; It's a wonderful way to showcase our city to others who will want to return thus helping grow tourism. Additional Parks would offer the same benefits. We do not need more high density building. And, Please do NOT ruin Ponto with more building!!!!!!
10. We love the beach and the small-town feel Carlsbad has. We love the scattered open spaces and trails. Carlsbad is a great place to live and spend time outdoors, like the Ponto area. Let's keep it that way by not developing every last square foot into a condo complex, hotel or shopping mall, if that's what you want please move to Oceanside.
11. Let us protect the valuable open space that is left and not develop every square inch. Especially at the beach, let us save the land across the coast highway from Ponto Beach and make a beautiful park, not more condos and hotels. Carlsbad is in great financial shape and does not need to go after every development and tax dollar it can get. Some things are more important, like quality of life, than a fat wallet. I know that this will fall upon deaf ears amongst the two older members of the City Council, but maybe some rearranging of priorities is in order.
12. Would love to see the last areas of open land to stay that way. I have lived here for 25 years and have seen a tremendous amount of development eating away at the open beauty of the area. We have enough shopping centers and homes. Please leave the area at Ponto open and do not approve the Ponto development.
13. Keep Ponto Beach development free!
14. Preserving Open Space and Building Ponto Park in the South West Quadrant!
15. I second Tisha Klingensmith's comment and all the others regarding Ponto Beach development.
16. Preserving open space and maintaining high quality Parks and Rec with park location emphasis on geographical location. It's time to build a park in the SW quadrant near the beach for locals and visitors alike. Veterans Park is not a solution for each quadrant's deficiency, particularly in the south.
17. We need more parks, especially in southwest Carlsbad!
18. I agree, we need more parks and open space. I live in Zone 9 and don't have a park anywhere within walking distance.
19. We need to continue to preserve open space and NOT develop Ponto into an awful condo complex. We would love a park!

20. We need a park in the Ponto area and not a development. It is the last open space next to the beach left
21. I agree with the need to preserve open space throughout Carlsbad and NOT develop Ponto into awful condo complex.
22. We need to preserve our open space --it's what keeps the city feeling like a small town. We need more parks -esp one at Ponto in the SW quad!
23. Preserve the open space and build a park in SW quadrant at Ponto. We do not need or want any more huge developments, especially right by the beach in one of the last remaining open spaces. Once it's built, you can't un-build it. Build Ponto Park in SW quadrant. Do the right thing. Especially for our children and grandchildren. They won't thank us for building outrageously tall high density condos, hotels and unnecessary shops right by our gorgeous beaches. The only people this benefits are some wealthy developers, not the people of Carlsbad. Think long term, not short term. We have a beautiful city and community-preserve it now or it's gone forever!
24. We really need a park in the southwest quad by the beach. This could be an amazing asset (on SO many levels) for the community and visitors alike. The revenue stream would return the city investment in spades!
25. Parks. Needed in Ponto area our children in this area don't have a close park. And the house lots in our area are small.
26. I agree that we should be very mindful that the citizens of Carlsbad voted out the retail space plan at the power plant site a few years ago. The new Ponto project should not replace that. Citizens should be part of the decision to build out that area
27. We need to preserve our open space and we need a park at Ponto!
28. We need a park in the Southwest quadrant of our community. Safety in the community is what we like best in this area
29. Carlsbad's small town feel, friendly atmosphere and location has made it our ideal place to live for the past 20 years, We live across from South Ponto Beach and DESPERATELY need a park for our area residents. It would be sad to see the area overbuilt with high density projects and not retain some of the open space at this southern entrance to our "Village by the Sea". PLEASE help preserve some of its appeal before it is too late.
30. I love the quaintness of the Village, the open land areas, trails, small businesses and the arts. A huge NO to PONTO. Please stop the excessive building and development of the open areas of our beautiful and unique city. We have lived here for over 30 years and are sad to see so much over development. Keep our special village a village, and please don't turn it into another ordinary city.
31. Favorite is small town feel and the beach --the beach provides us with all the open space we need. The city has enough open space with all the lagoons, etc. --we don't need any more parks --especially at PONTO --I am thrilled to see and drive by every day the new resort at La Costa which is in Encinitas and that is what we need here at the South end of Carlsbad --more residential --NO more open space
32. What I love about Carlsbad is that it has a small village feel but it also has the beach and some restaurants and then little town. I really would like more to walk to around the Ponto area. Specifically I think it should be more of a beat centered area with places to grab ice cream or grab some food or a coffee and walk to the beach.
33. I love that our village that is not a strip of 101. The quaint cottages helped Carlsbad have a downtown feel. It has several streets with unique interest. I love the Trees on Grand! The landscape of the trees setting the height of the town. Unfortunately the taller buildings are killing that. Vertical dwellings are taking over.. think of the reason you travel to Europe. It's not

for Developers Generica. We also want the NRG power plant space into a Park... and... I would LOVE for the city to finish the rail trail to Ponto. Imagine taking a trail to Ponto? It would be a dream!

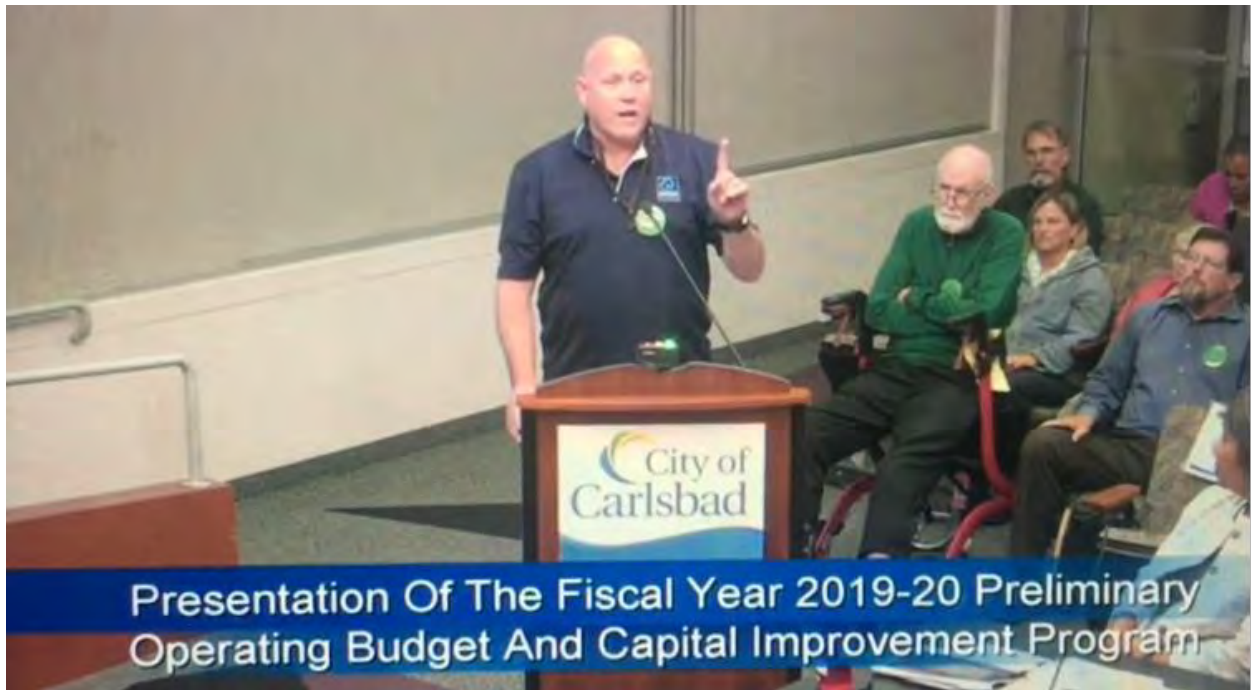
34. Our San Pacifico Community and the surrounding neighborhoods need a local park. So far Carlsbad has no real performing arts venue of any size to meet the needs of a city of more than 100,000. This should be a serious consideration when the new civic center is being designed.
35. We need more coastal parks and open space. Especially in zone 9
36. protect more open space, including Ponto
37. We need Veterans Park completed and Ponto park developed. Everyone in Carlsbad is engaged and we have been talking about the park deficits for a while now. Veterans park is over-due!!!
38. Our libraries are the best in the region! But I have to put them 4th to our Neighborhood quality of life, which is being impacted by huge developments destroying our property values, our piece of mind and privacy. We do need to insure that our environment is cared for, since all of these housing projects are going in. I do love our parks but we need to insure that the SW quadrant has their share of parks (think-Ponto).
39. Zone 9 (in southwest Carlsbad) does not have a park within walking distance! I hope the City can remedy this.
40. Ponto needs a park not a hotel or more condos. Please stop building on every last piece of land
41. See previous comment concerning the lack of a local, beach oriented park in the South Ponto area. Ditto a performing arts venue.
42. PLS get the Ponto Proyect development going....., that area of Carlsbad needs it asap
43. I support Ponto Development. PLs get it going...
44. Ponto has 2 miles of unobstructed beach access and a lagoon that already act as a "park within walking distance". The Ponto project was approved long ago and is part of the citizen approved master plan. Please get it done.
45. Strengthen and protect the financial stability of the City. Businesses pay a significant amount of taxes, property, sales and income and those employed spend and live here. Encourage affordable housing opportunities for everyone, think outside the box and find some unique solutions. Complete build out in areas available, Ponto Beach is a great opportunity and the project is well thought out, get it built. And please don't become a 'Nanny City' and waste time to pass frivolous laws restricting straws, plastic bags, soda consumption, etc.
46. Development of open space and parking space in the Ponto region
47. Specifically, I want the city to remedy the lack of equal access to parks and trails evident in the southwest quadrant of the city. I support a park project at Ponto: in the long run, the south coastal gateway to Carlsbad needs a welcoming park with beach access and supporting facilities. Though less extensive than Village beach areas, good design would merge a Ponto park with access to beach and access to the 'memorial area on the bluff at city border with the ecology of the Batiquitos Lagoon adjacent to make a marvelous creek to beach environment accessible for all and ever.
48. There are two miles of unobstructed beach plus the lagoon within "walking distance" of the neighborhoods near Ponto. The project was approved long ago and is part of the Master Plan approved by the citizens of Carlsbad. Zoning changes and project vote downs are often just another way to steal private property.
49. Local park deficits continue to be a problem. Let's please support Ponto Park development. We as a city are losing an unobstructed landmark in our community. Please share some of that with local residents. And, did I mention parking??
50. The extreme southwestern (Ponto) area of Carlsbad does not have a park within walking distance -this is my top priority to fix.

51. We have wonderful neighborhood parks, but not in Ponto and it's on the beach; Veteran's Park is more of a hiker/nature lover's place to enjoy nature.
52. We need a park at Ponto - to serve not only residents, but visitors and tourists.
53. A park is much needed in SW Quadrant of the city
54. Ponto Park. So much has been done for businesses, tourism, etc. This is the last bit of Carlsbad coast line left. And the residents could use more park space in the south part of the City. I don't want to see this area developed. Carlsbad has become overdeveloped.
55. I want to see a park for the Ponto road area. I feel that that area should not be used for condo - residential development. It is so important to showcase that wonderful piece of property, which is so rare to find all up the coast of Calif. and would be a welcomed park for all as you drive north into Carlsbad. ALSO I am very concerned that the Palomar Airport and the larger airplanes the new plan will bring and ask that the city stay involved to support our concerns, thank you for help I appreciate all off the councils work.
56. Ponto area open space and park development
57. Take control of our coastline, bring fire rings to Ponto beach, every family should have the experience of gathering around a roaring fire on evening.
58. Cancel the Ponto development tragedy. Build a free park and keep the free beach parking there.
59. Buy the land for open space on Ponto Drive and build a park in Zone 9 that has no park even though developers paid into the park fees for 20 + years.
60. support Ponto development
61. Now that we have removed the jetty and allowed Warm Waters to wash away, and now we are planning to build on Ponto, where will locals access the beach? If 50% of responders stated the beach is the best part of Carlsbad living, why are continually squandering this gift? I know the council would live to sell Agua Hedionda to a developer too. When will there be decisions made to maintain our quality of life? Furthermore, I selected transportation because my commute time has DOUBLED in the past 5 years. The 55mph speed limit on El Camino is a joke. It takes me 2 light cycles just to cross each intersection now due to this unmitigated growth with no regard for how people will get around. I'm continually dismayed by this city.
62. Preserve the open space at Ponto. Keep traffic under control.
63. Preserve open space in zone 9
64. Money for persevering open space in zone 9 and building parks in the SW quadrant!
65. More parks and open space in Southwest Carlsbad!
66. Why another proposed hotel at Ponto? There are an abundance of hotels & stores already available ---even more than necessary. Preserving nature & some green space is more important than more concrete & businesses with "lease available" signs everywhere!
67. Prop to aid Ponto to keep it natural, as park area & natural habitat.
68. Put budget money towards Parks and Recreation, specifically Preserving Open Space in Zone 9 and Building #PontoPark in the SW Quadrant (p 84)
69. Please put budget money towards Parks and Recreation, specifically Preserving Open Space in Zone 9 and Building #PontoPark in the SW Quadrant (p 85)
70. need a park in the southwest Carlsbad post development
71. Parks in southwest Carlsbad!
72. Zone 9's lack of park and open space is sad. The SW quadrant needs more places to take kids to play, seniors to walk and get outside, and for the community to gather. A park at Ponto would be an ideal place for that and would make for a beautiful and welcoming entry into Carlsbad for locals and tourists.
73. We need a park site near Ponto Beach on the property now slated for a 5 star hotel which has not been built despite attempts by several developers over the last ten plus years.

74. Please spend more on Parks and Recreation. We need to Preserve Open Space in Zone 9 and Build Ponto Park in the SW Quadrant. We do not need more homes congesting the already packed Coast Hwy. Adding sand to Ponto Beach would be nice too -too rocky!
75. I'm asking the City to put budget money towards Parks and Recreation, specifically Preserving Open Space in Zone 9 and Building #PontoPark in the SW Quadrant -this will enhance the quality of life in Carlsbad, contribute to the highest and best use, meet the requirement to have a park in this area, and make the area so desirable that it will allow raising of local tax rates (I don't believe I'm saying this). Best Regards, David Johnson
76. Put some park and playgrounds in SW Carlsbad. There are none near Ponto, yet there are open spaces, near Avenida Encinas and 101. Nothing to walk to. Thank you
77. We could really use a park in southwest Carlsbad especially the San Pacifico area. Thank you
78. Work toward filling the deficit in parks and open space in the Southwest part of Carlsbad, especially Ponto.
79. Would truly love the Ponto Beach Park! As a resident of South Carlsbad we need this!!!
80. There are no Parks in South Carlsbad. We are neglected here yet I pay very high taxes.
81. Build a Park at Ponto! Keep the open space!
82. I would like to see the city buy the Ponto property and develop it into a park.
83. Build a park at ponto
84. Appropriate development of open space and park space in the Ponto region. We are currently at huge deficit of both of these in the Ponto region
85. We are very quickly running out of open space. This is probably one of the most beautiful areas in the country, we need to preserve that beauty and maintain some open space. The open land near South Ponto beach must be preserved. There are no parks in the area, developing that area would not only add to the pollution but it would sacrifice one of the most beautiful parts of Carlsbad. Towns and Cities across the country are prioritizing open space that is so important, it is time we did that in Carlsbad. We need open space near Ponto Beach.

A few of the many Citizens asking the City Council to budget for a much needed Ponto Coastal Park







August 31, 2017

To:

Carlsbad City Council council@carlsbadca.gov

Carlsbad Parks & Recreation Commission at mike.pacheco@carlsbadca.gov

Carlsbad Planning Commission at Don.Neu@carlsbadca.gov

Kevin Crawford, City Manager at manager@carlsbadca.gov

Chris Hazeltine, Parks & Recreation, City of Carlsbad chris.hazeltine@carlsbadca.gov

Don Neu, Planning, City of Carlsbad Don.Neu@carlsbadca.gov

Subject: City Park Standard in Southwest and South Carlsbad

Dear Carlsbad City Council:

The San Pacifico Community Association (SPCA) represents over 450 homes (around 1,000 Citizens) in the Southwest Quadrant/Park District of Carlsbad, and is the primary component and stakeholder of the Poinsettia Shores Planned Community (Poinsettia Shores Master Plan and Local Coastal Program). SPCA supported the residents in creating the Ponto Beachfront Development Review Committee (PBDRC) to:

- Provide information to all San Pacifico residents (and surrounding neighborhoods) on the developments. (See www.PontoLocals.com)
- Obtain and consolidate constructive feedback from the residents. Give this feedback to the residents, developers and City so that we can have productive/timely input into the projects and their designs.
- Act as a strong, unified voice and with the support of our residents in upcoming Planning, Council and Coastal Commission meetings.

Since PBDRC has been formed there has been a growing participation and concurrence from other Carlsbad areas and groups on the consensus PBDRC has consolidated.

PBDRC and the SPCA are pleased that the City has taken action to fix a timeline defect in the Growth Management Program related to meeting a City Park standard. However there is another truly once in a lifetime opportunity to improve how the City Park standard is proposed to be met in Ponto and coastal South Carlsbad that we would like to request of the City Council. This opportunity stems from the fact that Ponto is the only vacant coastal land in South Carlsbad and is currently being evaluated for low-priority housing and other types of development. Should it be developed in this way, there will never be another opportunity to have a meaningful park in coastal Southwest Carlsbad west of Interstate 5. The request is to work with Pontolocals to provide a comprehensive and open process for citizens of the City [primarily Southwest and Southeast Carlsbad Citizens] to discuss and define possible better approaches to implement a coastal park in Southwest that can serve all of South Carlsbad. We recently had a community meeting attended by approximately 200 people and this letter reflects some of the near unanimous (90%+) concerns from that meeting. We believe these concerns are also likely to be reflective of many others living in South Carlsbad, and also in North Carlsbad.

The City Park Standard is “3.0 acres of Community Park or Special Use Area per 1,000 population **within the Park District**”. So for every 1,000 Citizens in a Park District, such as the coastal Southwest Quadrant Park District, there is to be 3 acres of City Park to meet the standard. The rationale for such a location specific standard is that parks should be distributed so as to be reasonably accessible by all citizens. It is also important to have reasonable and safe park access via walking and biking, not just by motor vehicles. The staff report on correcting the timeline defect in the Park Standard stated that correcting the timeline to correct the park quadrant deficits is “... specifically relevant to the southwest and southeast quadrants. As stated in the report a need for more park acreage in those two quadrants was identified four years ago (during FY 2012-13).” A 6.6 acre park deficit within the Southwest quadrant was identified in the Growth Management Monitoring Report for FY 2014-15. However the report indicates that “Based on the Fiscal Year 2015-16 Capital Improvement Program list of projects, Veteran’s Memorial Park (91.5 acres, with 22.9 acres applied to each quadrant) is proposed to be constructed prior to buildout.” Under this proposal the future Veteran’s Park, that is located in the Northwest Park District and located many miles away from the coastal Southwest and Southeast Quadrants and Park Districts, would be used to meet the population and citizen demand for Parks for citizens within the coastal Southwest and Southeast Quadrant’s Park Districts. We know there is an outstanding opportunity for the City to do a great thing for the community and to add tremendous value to the quality of life by augmenting, enhancing, and/or adjusting planned park supply to better serve citizens and the City; and be more consistent with the General Plan and core values of the Growth Management Plan.

The fundamental intent of creating four Park Districts (one for each quadrant) and managing and matching demand and supply of City Parks into smaller geographical areas (quadrant park districts) is to make the supply of City Parks reasonably accessible to their demand and more equitably distributed for citizens. Equitable distribution of City Park facilities is the right thing to do and has many citizen and city benefits:

- Children and elderly can more easily walk and bike to City Parks when they are close by and within a safe walking and bicycling distance with properly designed access pathways;
- Park supply created so far away from park demand creates the need to drive in a car to access the park, thus increasing vehicle miles traveled (VMT). Depending on locations this also limits park access for citizens without cars or unable to drive;
- When city parks are accessible to their demand by walking/bicycling then less city park land is needed to park cars. Citizens get more actual useable park space for each acre of park land;
- When city parks are close to their demand busy families can quickly get to them after their workday which allows more park time for families during busy weekends;
- Nearby city parks create a stronger sense of stewardship for the “neighborhoods” park and city parks in general. Citizens watch out and care for their nearby park;
- Nearby city parks that are equitably distributed and based on surrounding neighborhood demand serve to strengthen neighborhood quality and property values by providing park amenities close by. It is both a good neighborhood and economic development strategy to assure park demand and supply are locationally matched; and
- Fundamentally it is the right thing to do to place park demand and supply in close proximity to each other and promote and equitable distribution public facility demand and supply.

In coastal Southwest Carlsbad and South Carlsbad we have some glaring gaps in demand and supply of city parks. For instance:

The Carlsbad General Plan Open Space, Conservation and Recreation Element, Figure 4-3 Parks: Shows no existing or planned coastal parks or special use areas west of Interstate 5 for all of South Carlsbad. In North Carlsbad there are 10, parks and special use areas west of Interstate 5 and on or close to the beach (9 of these are existing parks and 1 is a future park). This seems a clear and inherently unfair distribution of coastal park facilities. This unfair distribution severely reduces critical access to coastal park open space near the beach for South Carlsbad Citizens (half the City and over 26,000 homes, and over 64,000 citizens).

This unserved demand for city park space in coastal South Carlsbad is evidenced by the dangerous use of the Carlsbad Boulevard [old highway 101] road shoulder and bike lanes and campground road for recreational purposes, parking demand and the frequent unauthorized recreational use of Ponto vacant land. People are using whatever land they can for needed recreational use. South Carlsbad Citizens in Aviara, La Costa, Rancho Carrillo, Bressi Ranch, La Costa Valley and all the other South Carlsbad inland neighborhoods have no coastal South Carlsbad City Beach Park areas to access the coast. Their only option is to drive significant distances (with increase VMT and greenhouse gas emissions) crosstown to access city beach parks in the North, or travel to Encinitas. This forces increased VMT and greenhouse gas emissions which is counter to both State and General Plan goals. Citizens in South Carlsbad only have a State Beach pay parking lot and a retreating primarily steep cobble beach as their "local" beach. The non-beach portion of the South Carlsbad State Beach campground is a road and lodging facility for primarily out-of-town visitors that are near this beach. It is not a city park. The Campground is not designed to serve the park needs of Carlsbad citizens, but is a great place primarily for visitors to affordably pay to spend nights camping near the beach. The lack of any park facilities at the campground is evidenced by the frequent use of the campground driveway (a significant area of the campground) by children and adults as a play area.

There is an added benefit in that adding a coastal South Carlsbad Ponto Beach Park would help alleviate growing overcrowding, and increased traffic and parking congestion at North Carlsbad's coastal parks.

Citizens west of Interstate 5 in South Carlsbad have very limited access to a city park. Depending on the neighborhood one lives in, access our nearest park [Poinsettia Park] is between a 2 to 4 mile trip. Residents must cross Interstate 5 using one of only two crossings in the space of over 3 miles. These crossings are on major multi-lane, higher speed roadways (Poinsettia Lane or Palomar Airport Road). The route is not the most safe or direct, and it forces one to drive in a vehicle to access a park which increases VMT. Park access for children, the elderly, and those walking dogs west of Interstate 5 in South Carlsbad is severely restricted or effectively eliminated.

Coastal Southwest and all of South Carlsbad have not met their quadrant's Park area standard since 2012 (per the City's Growth Management Program). A specific comprehensive and open discussion with the Southwest and all if South Carlsbad citizens on how that deficient should be resolved should occur. The current City solution to meet local park needs of coastal Southwest and South Carlsbad with a paper allocation of park acreage in the Northwest part of the City that is many miles away does not seem right. It seems inconsistent with the core values and Vision of our City.

From Carlsbad General Plan Community Vision:

"...the Carlsbad Community Vision, which is the foundation for this plan." This is the foundation for the General Plan.

“...In the future, ... social connections will be enhanced through ... more public gathering places, family-friendly activities, and open spaces within walking distance of people’s homes ...”

“The community is proud of the exceptional amount of open space in the city, and envisions a future of continued City commitment to open space protection and strategic acquisitions to further the city’s open space system.”

“Parks, Fields, and Facilities for All Ages: The network of parks and recreation facilities will be improved to meet the community’s active lifestyle needs. Such improvements may include the strategic addition of more parks, ... New facilities will be located to maximize use and access by all neighborhoods, tailored to the needs of local populations, and designed with all ages in mind.”

“Beach Uses and Improvements: The beach is an important outdoor recreational resource, and protecting and enhancing access to the beach and the quality of the beach experience is a top community priority.”

“ ... Access to the beach and the quality of the beach experience will be improved through new compatible and supportive uses on or in close proximity to the beach, which may include ... a park ...”

“Tailored Tourism Strategy: Tourism is an important component of the city’s economy today, and it remains an attractive economic sector for the future since it emphasizes the very resources that make the city attractive to existing residents—the ocean and beach ...”

“Easy and convenient pedestrian connections will be available from every neighborhood to help children get safely to schools and parks.”

From General Plan Land Use Element:

“Beach Access and Activity: ...the community expressed an overwhelming preference for an active waterfront development strategy, which provides opportunities for activities and uses to be more integrated with the ocean. ... Access to the beach will be enhanced through ... open space, parking, and amenities ...”

General Plan Land Use Policy: “2-G.20 Develop an active ocean waterfront, with new growth accommodated west of Interstate 5, to enable residents and visitors to enjoy more opportunities for ... recreating along the coastline. Develop public gathering places and recreational opportunities along the coastal corridor.”

The City’s Park and Recreation Master Plan includes many areas of direction that strongly support a coastal park west of interstate 5 in South Carlsbad. Many of the most important park facilities and program needs identified in the City’s Park and Recreation Master Plan could be most efficiently addressed with a coastal park in the Ponto area. There are also significant and unique opportunities to create both public/private and public/public partnerships that would not only help reduce City recreation costs but also expand and create unique and special recreational program opportunities currently identified in the City’s Park and Recreation Master Plan.

A Ponto city coastal park also implements a major General Plan policy which calls for an active waterfront and creates solutions to long standing Local Coastal Program policy and State Parks Campground issues. There are very unique and special land use compatibility opportunities and synergy from a coastal city park in south Carlsbad and Ponto area that are inline and implement high priorities identified in the City's Park and Recreation Master Plan.

In summary, Carlsbad has a once in a generation opportunity to create very special coastal South Carlsbad Ponto Beach Park in South Carlsbad. This opportunity will be true to our Carlsbad Community Vision and General Plan and the heart and soul of our Growth Management Plan's standard of matching park demand with park supply within a particular park district. We believe this request benefits not only coastal Southwest Carlsbad and South Carlsbad but all of Carlsbad and is more consistent with the City General Plan, Growth Management Program, and Parks Master Plan and will result in a better, more valued and more sustainable City.

We are a key Stakeholder in Ponto and the Poinsettia Shores Maser Plan and Local Coastal Program. We have been hearing similar concerns from other Carlsbad citizens about coastal beach park access and request that the City Council seize this opportunity to work with us to establish a comprehensive and open community discussion about the strategic acquisition of a coastal South Carlsbad Ponto Beach Park for South Carlsbad citizens and businesses. We also request before a solution to the 2012 Southwest quadrant park standard deficit is created we have an open citizen discussion with the Citizens of coastal Southwest Carlsbad on how that solution can better address the park demand created in the Southwest Park District with a better park supply created within that District. Like our City Park Standard says: "3.0 acres of Community Park or Special Use Area per 1,000 population **within the Park District**". We request that a coastal City Park West of Interstate 5 be developed in South Carlsbad to be fair and equitable and to meet the needs of South Carlsbad for a coastal City Park to serve all the Citizens of South Carlsbad. This can take advantage of special land use synergies to help promote public/private collaboration, create added property and transit occupancy tax revenues for the City by creating a valuable and synergistic amenity [where none now exists] for over half the City and over 26,000 homes, along with providing support to our City's visitor serving businesses and activities. It is the right and smart thing to do.

The San Pacifico Community Association and PBDRC as key Stakeholders in Ponto wish to be a key participant any proposed City or CCC actions regarding these subjects, and would like to meet with you to see how we can discuss and advance this for the benefit of South Carlsbad Citizens. As we are citizen volunteers we sincerely appreciate advance notification to allow for preparation and coordination with our work lives and to communicate back to our members and other South Carlsbad Citizens. We wish to be notified in advance of any proposed actions related to the issues in thus letter. The San Pacifico Community Association contact information is:

San Pacifico Community Association and PBDRC
c/o Walters Management, Lee Leibenson
9665 Chesapeake Drive, Suite 300
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The Ponto Beachfront Development Review Committee conducted the research cited in this letter. Along with general communications, please contact the following if you have technical questions regarding this letter. Key Committee contact information is:

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Thank you for your consideration.

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Board of Directors

California Coastal Commission at Erin.Prahler@coastal.ca.gov and gbuhr@coastal.ca.gov

Carlsbad Citizens' questions for the City Council, Planning, Housing and Parks Commissions, & Housing Element Advisory Committee on South Carlsbad Coastal Park needs & Ponto Planning Area F relative to Carlsbad's proposed Draft LCP-LUPA, Housing Element Update, & Parks Master Plan Update

Submitted 2020 Nov 30

For some time all four (4) of the current City Council members have on multiple occasions publicly stated they think Carlsbad's current General Plan and Growth Management Plan need comprehensive updating. As one of our current Council members recently said about Ponto:

"I believe that our best strategy is to support a new Growth Management Plan and General Plan that will reflect the desires of today's residents. Our old plan has served us well but has become outdated. A revised plan could address a variety of services and infrastructure, including parks. I support an updated plan that is built on the desires of our current residents."

So the City Council considering a General Plan and Growth Management Plan change as part of Staff's proposed Draft LCP-LUPA and Housing Element relative to Ponto Planning Area F is not out of the question. There appears unanimous City Council support to consider changes to the 2015 General Plan that are 'built on the desires of our current residents.' – "including parks."

Also in showing the 2015 General Plan is not 'locked in stone' the City Council and Staff have advanced some piecemeal updates to the General Plan and Growth Management Plan. City Staff's proposed Draft Housing Element Update alone includes 13 General Plan Land Use Designation changes. But it appears the City Council has not yet provided direction to City Commissions and City Staff to start a Ponto General Plan and Growth Management Plan Update process, even though a consistent major request by significant numbers of Carlsbad Citizens since 2017.

The City Council recently split 2-2 several times on providing more substantive direction to City Staff on Ponto Park land use issues, other than unanimous agreement that the 2015 General Plan Update does not seem to be working very well in some areas like Ponto. Now with a 5th Councilmember, who represents Ponto and much of South Carlsbad, this 2-2 split will be resolved. **So, People for Ponto Carlsbad Citizens are asking - and it seems very logical - that the Planning Commission, Housing Commission and Housing Element Advisory Committee, hold off on making any decisions on Ponto Planning Area F until the new full City Council has the opportunity to meet, consider, publicly discuss, and provide direction to City Staff on the City Council consensus on the 2015 General Plan Update Land Use Map that all the City Council say needs some changes – most likely at Ponto.**

Following are some data on South Carlsbad's Coastal Park needs & Ponto Planning Area F, and important policy questions to your Individual and collective decisions on Carlsbad's staff proposed Draft LCP-LUPA, Housing Element Update, & Parks Master Plan Update. The data and citizen to fellow citizen policy questions are important and hope you sincerely consider them.

1. People for Ponto Carlsbad citizens have since 2017 1) documented to the City Council & CA Coastal Commission the public's consensus need for the Planning Area F Ponto Coastal Park, 2) request the City fund Ponto Coastal Park, and 3) City fully acknowledge and fix past City Ponto planning errors

that failed to disclose to citizens the since 1996 Ponto (Poinsettia Shores [aka San Pacifico Community Association] Master Plan and Local Coastal Program (LCP) Planning Area F requirement to “prior to any planning activity” study/document the need for a “Public Park” at Ponto and involve citizens, particularly District 4 San Pacifico citizens, in that study. Over 2,500 emails and over 200 pages of public testimony have been submitted to Carlsbad City Council and CA Coastal Commission in support for a park in Ponto at Planning Area F. At City Council meetings on 1/28, 6/2, and 6/24/20 Carlsbad’s City Council was deadlocked in 2 to 2 ties on Ponto Park needs issues and thus rejected responding to citizen communications expressing the need and desires for Planning Area F Ponto Coastal Park. Data Slide #1 below shows the current LCP for San Pacifico’s Planning Area F.

- a. Will you consider and respect massive citizen input since 2017 that clearly documents the need and desire for Ponto Coastal Park and supports creation of Ponto Coastal Park at Planning Area F in your respective and interrelated and interconnected analysis and decisions?
 - b. Will you acknowledge significant citizens’ input that documents the need and desire for Ponto Coastal Park and supports creation of Ponto Coastal Park at Planning Area F?
 - c. Will you direct City staff to work as a partner with People for Ponto and Carlsbad Citizens in advancing Ponto Coastal Park at Planning Area F?
2. During the Jan 28, 2020 City Council Meeting (item #14), Carlsbad City staff for the first time as a side-bar comment admitted the City made some ‘Ponto planning errors’ going back over 15 years. Those City planning errors where first called out when the CA Coastal Commission (CCC) denied Carlsbad’s Ponto Beachfront Village Vision Plan (the referenced foundation for Carlsbad’s 2015 General Plan Update) in 2010 in part due to the City’s mistake. The CCC’s denial conflicts with the City Staff’s interruption of the City Ponto planning process. The CCC in denying in 2010 the Ponto Vision Plan (the foundation for Carlsbad’s 2015 General Plan Update at Ponto) specifically said with direct reference to Ponto Planning Area F:

“Currently, this area [*Planning Area F*] has an Unplanned Area land use designation. In order to facilitate **any type of development in this portion of the Ponto area, an LCP amendment modifying the land use will have to be brought forward to the Commission for review and approval.**”

“... the Commission would reject such proposed uses because **there has been no evidence presented that would support the elimination of these [*Planning Area F*] areas for some lower cost overnight accommodations or public recreational amenities in the future.** The Commission's past action of **the Poinsettia Shores Master Plan specifically called for such an assessment, and none has been submitted to date.** The concerns related to the lack of lower cost overnight accommodations in Area F (ref. Exhibit #7) are further discussed in the findings later.”

“City is inadvertently sending a message to potential developers that 1) the identified development (townhouses) is the primary type of use the City will support, or 2) that development type is consistent with the current land use and zoning designations. Neither of those assumptions is correct. As the previously certified **Poinsettia Shores Master Plan states, any type of development at this location would first require an LCP amendment to establish the land use and zoning, which would have to be certified by both the City and the Coastal Commission. Additionally, the Master Plan further states that some component of the**

development at this location must consider the need for the provision of lower cost accommodations or recreational facilities.”

“While residential use is one of the land uses listed for this area in the Poinsettia Shores Specific Plan, it may not be the most appropriate designation. As previously stated, the project will at least need to consider the incorporation of some kind of lower cost accommodations, and any proposed zoning designation for the site will have to be found consistent with the policies contained in the Poinsettia Shores Master Plan. Furthermore, the standard of review for any change to the current land use designation is the Coastal Act, and thus will also have to be found consistent with all its applicable policies.

Recently, the Commission has become concerned with the lack of lower-cost accommodations statewide. Thus, the establishment of a residential land use at this location may not be what is ultimately determined to be certified as consistent with the Poinsettia Shores Master Plan, or the Coastal Act.”

“B. High-Priority Uses - Lower Cost Visitor Accommodations in ‘Area F’:

The Coastal Act has numerous policies promoting public access to the beach and state:

Section 30210 - In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and **recreational opportunities shall be provided for all the people** consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30213 - Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. **Developments providing public recreational opportunities are preferred.** The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30221 **Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.**

Section 30222 - **The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.”**

“... in 1996, the Poinsettia Shores Master Plan was certified as part of the City's LCP, and replaced the [Visitor serving] land use designation as an "Unplanned Area." In an attempt to maintain a lower-cost visitor-serving component at this location, the Commission, through a suggested modification, required language within the Master Plan that would serve to protect this type of use. The language in the Poinsettia Shores Master Plan, for this location, "Area F," included: As part of any future planning effort, the City and Developer must consider and

document the need for the provision of lower cost accommodations or recreational facilities (i.e. public park) on the west side of the railroad.”

“The Ponto Beachfront area is an area that could be considered as a high-priority location for lower cost overnight accommodations. While located across the street from a State Park (South Carlsbad State Park) containing camping facilities, during peak summer months, the campground is consistently at capacity. ... If at any time in the future, this State Beach campground is converted to day use sites, the market and the need for low cost overnight accommodations will be significantly amplified. Thus the Vision Plan, as proposed by the City, cannot be found consistent with the Coastal Act.”

“H. Conclusions: ... concerns regarding the determination of preferred land uses in an ‘unplanned’ area, the lack of provision of lower-cost accommodations and recreational uses, ... remain. All of these oversights could result in impacts to public access and recreation and other coastal resources and, therefore, the Vision Plan, as submitted, is therefore inconsistent with the Coastal Act, and therefore, shall be denied as submitted.”

The City’s past and present Ponto planning errors were not, and are still not being, fully and honestly disclosed to citizens the City’s CCC requirement on Ponto Planning Area F to “prior to ANY planning activity” (like before the Ponto Vision Plan and General Plan Update) to study Ponto’s need for a “Public Park”. The City’s past failure to accurately disclose the CCC requirements fundamentally flawed the Public Participation process by not allowing proper citizen input on the Ponto Park need. The City’s Public Participation flaws thus flawed the prior City planning efforts at Ponto. The extensive Citizen input now is a clear and obvious result of the City’s prior flawed Ponto planning process. People for Ponto Citizens had to submit and research over 40 official Carlsbad Public Records Requests to find the truth about the City’s prior flawed processes and errors at Planning Area F. The City didn’t clearly, publicly and honestly communicate to Citizens and then conduct the required Ponto Park needs before both the 2010 Ponto Vision Plan and 2015 General Plan Update as documented in Official Carlsbad Public Records Requests.

In 2010 and again in 2017, the CA Coastal Commission told the City that the City is required to correct the past planning errors at Ponto Planning Area F. Please see Data Slide #2 on page 11 for the 2017 CA Coastal Commission communication.

A critical part of the City’s past planning errors at Ponto were failures to ask Ponto and South Carlsbad Citizens for their input (Public Participation) on their Ponto Park needs as part of the City’s required ‘documented need’ study for Ponto, and if a park is needed, Ponto Planning Area F should be considered for the Park site. Citizens, now that they and been informed by Official Carlsbad Public Records Requests have now provided an overwhelmingly clear and Documented Need for Ponto Coastal Park. This LCP requirement is to be done “prior to any planning activity”. The City failed to do that in 2010, 2015, but now should do it and fully consider the overwhelming and documented Citizen need and desires for Ponto Park at Planning Area F. See Data Slides #2 & #3. The City has still not fully and broadly communicated to all Carlsbad Citizens these “Ponto planning mistakes”, nor yet disclosed and presented to Carlsbad Citizens and the Parks-Planning-Housing Commissions for their recommendations the Park needs studies for Ponto Planning Area F.

In addition the City is also required to conduct a Citywide Coastal Recreation buildout needs-supply-demand Study as required by the CA Coastal Commission in 2016. The City has yet to disclose and

present to Carlsbad citizens and the Parks-Planning-Housing Commissions for their recommendations on this Citywide Coastal Recreation buildout needs-supply-demand Study.

The City has already Documented the Park need at Ponto in its Park Master Plan - pages 86-88 shows that Ponto is both “Unserved” by City Parks, and an area of “Park Inequity”.

- a. Do you think it is important for citizens to fully and honestly know the City made “Ponto planning mistakes” going back before 2010 that have impacted prior Coastal land use planning and the City’s General Plan, city housing planning and City parks planning at Ponto? Given the long-term compounded nature of these City Ponto planning mistakes should the City provide a means to work with citizens, particularly the San Pacifico, Ponto and South Carlsbad Citizens most impacted by the City’s prior Ponto planning mistake?
 - b. Due to past mistakes, will you recommend or direct staff to retain or revert to Planning Area F’s ‘existing Non-residential Reserve’ Coastal land use designation in the Existing Local Coastal Program (i.e. Defer Certification) and amend the General Plan to reflect that retention/reversion until a new citizen-based Ponto planning process is completed?
 - c. Will you recommend or direct City Staff to require the citizen-based planning process to substantially and directly involve San Pacifico Community, District 4, and District 3 citizens most impacted by the lack of any City Park at Ponto, and coastal (west of I-5) South Carlsbad?
 - d. During this citizen-based Ponto planning process, will you recommend or direct City Staff to, be consistent with City and State permit streaming laws, and deny “Shopoff’s” Planning Area F land use change and development application due to applicant withdrawal (by recorded Quit Claim) and inaction since 2019?
 - e. During the citizen-based Ponto planning process, will you recommend or direct City Staff to be consistent with the existing LCP and suspend all City Staff proposed land use changes on Planning Area F and retain the existing LCP ‘Non-Residential Reserve’ land use designation on Planning Area F?
 - f. Do you feel it is appropriate that the City is using tax-payer dollars, to change Planning Area F’s land use from the existing Non-residential Reserve” to high-density residential on behalf of and to benefit the Shopoff developers, particularly while the City’s Ponto planning mistakes dating back to before 2010 are not being publicly disclosed and discussed, and properly considered by City Commissions and citizens?
3. Before the above mentioned Ponto (San Pacifico’s) Planning Area F Ponto Park study requirement is even presented to Citizens, the Planning, Housing and Parks Commissions, Housing Element Advisory Committee, and City Council for review and consideration, the City Staff has already proposed land use changes on Ponto/San Pacifico’s Planning Area F. The City Staff’s proposed land use change would allow building development with 486% more intensity and heights 33% taller than San Pacifico. The City never in the past 15+ years directly asked the San Pacifico Community Association for its input, nor directly invited/engaged San Pacifico Community Association involvement in the City’s proposed land use change to San Pacifico’s Planning Area F land use from its existing “Non-residential Reserve” land use. The City’s proposed changes to San Pacifico’s Planning Area F will fundamentally change the Character of the San Pacifico Community and neighborhood. Data Slide #4 documents both existing and City-proposed land use intensity at San Pacifico and Planning Area F.

- a. Do you think changing land use to increase density by 486% and increase building heights by 33% within an established 'planned community' like San Pacifico is appropriate?
 - b. Do you think the City should directly and fully inform, invite and encourage Planned Communities, communities and neighborhoods to participate in City proposed land use changes to Planning Areas in their Community or neighborhood?
 - c. Will you recommend or require the City planning staff to directly inform and involve the Planned Communities, communities and neighborhoods impacted by City proposed changes to their Planned (and/or unplanned) Community or neighborhoods?
4. Ponto (LFMP Zone 9) does not meet the City's Growth Management Open Space Standard, which states that when land is developed, 15% of the 'unconstrained and developable land' needs to be set aside as Open Space. Carlsbad has had this standard since 1987. Per the City's Citywide Facilities Management Plan if by 1987 Ponto had already been developed or if Ponto already had 15% of its unconstrained and developable land reserved as Open Space, the City's 1987 15% unconstrained Open Space Standard would not apply. However, City data/documentation show that neither of these 2 conditions was/is applicable, and that Ponto developers' switched land use plans that removed Growth Management Standard Open Space and thus falsely allowed a completely different land use plan to not provide the required 15% of unconstrained land as Open Space. City data very clearly show in fact that Ponto was not developed in 1987, and City GIS mapping data also clearly shows Ponto (LFMP Zone 9) is actually missing 30 acres of unconstrained Open Space as per the Growth Management Open Space Standard.

Yet, even with this City documented Open Space Standard shortfall, the City has been allowing, and continues to allow, developers to over-develop Ponto by not requiring the missing 30-acres of unconstrained Growth Management Standard Open Space be provided at Ponto. The LFMP for Zone 9 must be formally amended to account for the new added public facility impacts for the proposed change in Planning Area F land use from the existing 'Non-residential Reserve' land use to the City staff's proposed R-23 high-density residential and General Commercial land uses that were never planned for by the adopted LFMP Zone. See Data Slides #5, #6 and #7 showing actual City data on how the City's Growth Management Program Open Space Performance Standard is not being met at Ponto (LFMP Zone 9), and the City's Open Space Performance Standard and Sections 21.90.130 and 180 of the City's Growth Management Ordinance. The City's Growth Management Ordinance (Carlsbad Code 21.90.130 & 180) require the City Manager and City Council to address any situation where a Growth Management Standard is not being met – exactly like Ponto's missing 30-acres of Growth Management Standard Open Space as documented in City data on Data Slides #5 & 6. To illustrate how out of compliance with the Open Space Standard LFMP Zone 9 is City and Developers are counting a Sewage pumping station (parcel 2165606400) that pumps raw sewage as Open Space. If the City's GIS map with corresponding documentation of each Open Space parcel is desired, People for Ponto can provide and discuss that data. The City has/is being sued by others due to the City's failure to follow the 15% unconstrained Growth Management Open Space Standard. A Ponto Park at Planning Area F would help mitigate the missing Open Space. In your recommendations or decisions for land use, housing, and parks planning do you think:

- a. the Growth Management Standard Open Space is important?

- b. the City should follow its Growth Management Ordinance, particularly, 21.90.130 & 180 and address the 30-acres of missing Growth Management Standard Open Space at Ponto?
 - c. the City should directly invite and involve Ponto Citizens in addressing and resolving Ponto's missing 30-acres of Growth Management Standard Open Space?
 - d. the City should follow the Growth Management Ordinance and suspend all development and City proposed Draft Local Coastal Program Land Use Plan changes at Ponto until Ponto's Open Space Performance Standard deficit and issues are resolved?
 - e. the City should temporally suspend all City proposed Draft Local Coastal Program Land Use Plan changes at Ponto until the lawsuit against the City is resolved?
5. As of 2020 there are 1,025 homes at Ponto and over 2,660 adults and children living in those homes. These homeowners already paid City taxes and Park-in-Lieu fees. The in-lieu fees and tax base is sufficient for the City to buy and build 8 acres of City Park. 8-acres of parkland would meet the minimum City park needs of Ponto's 3-acre/1,000 population City Park standard. Carlsbad's Park Standard is relatively low compared with the Cities of Encinitas and Oceanside. **Carlsbad allows developers to provide 40% less Parkland and collects 40% less money for parks than both Oceanside and Encinitas.** The City so far has not required Ponto developers to build these 8 acres of required park at Ponto, but instead took park-in-lieu fees to spend the money elsewhere. This is one reason why Ponto Planning Area F, was in 1996 Coastal land use zoned "Non-Residential Reserve" that requires before 'any planning activity' that proposes changing this Coastal land use zoning, that the City/Developer must consider and document the need for high-priority "Coastal Recreation (i.e. Public Park)" at Ponto and if needed Planning Area F could provide that "Coastal Recreation (i.e. Public Park)".
- a. In your recommendations or decisions for land use, housing, and parks planning do you think it is appropriate to charge Carlsbad homeowners City park-in-lieu fees and then spend the money in areas where those same homeowners cannot effectively access the parks created by those fees?
 - b. In your recommendations or decisions for land use, housing, and parks planning do you think Ponto homeowners deserve from the City an 8 acre park in Ponto that they already paid the City fees for, that the City's Parks Master Plan identifies as an area unserved by City Parks and park inequity, and where an overwhelming amount of Carlsbad citizens have documented their need and desire for a Ponto Park?
 - c. In your recommendations or decisions for land use, housing, and parks planning do you think Carlsbad should have the lowest park standard relative to our adjoin Coastal cities?
 - d. In your recommendations or decisions for land use, housing, and parks planning do you think Carlsbad developers should provide 40% less parkland than Encinitas and Oceanside developers?
6. The City's proposed Veterans Park in NW Carlsbad is being funded by fees paid by homeowners in new homes built after 1991. Since most all the homes built in Carlsbad after 1991 are in the SW, SE, and NE quadrants, most of the funding for Veterans Park is from SW, SE and NE Quadrant Homeowners. These SW, SE and NE homeowners are in Quadrants where there are current City Park acreage deficits per the City's Growth Management Parks Standard. Many of these SW, SE, and NE neighborhoods have no City Park within 10-minute walking distance from their homes. Proposed Veterans Park is from 1 - 5 miles away (as the crow fly's) and from 1.4 - 11.1 miles away (via City Streets) from the SW, SE, and NE Quadrant homeowners that paid for almost all of the proposed

Veterans Park. These distances make the proposed Veterans Park effectively unusable for children and most homeowners in SW, SE and NE quadrants.

Along with Veterans Park, there are many other areas of the City where Carlsbad homeowners pay the City park-in-lieu fees to address the local park demands created by the new development, but no local park is created by the City. The Cities of Encinitas and Oceanside both have strong Park planning policies that direct the City to provide Parks within a 10-minute walk for all homeowners. Carlsbad has no such requirement, but only documents in its Park Master Plan areas “Unserved” by Parks and areas of “Park Inequity”.

- a. In your recommendations or decisions for land use, housing, and parks planning do you think City Staff should come up with some options for a more fair and equitable use of the Veterans Park funding paid by SW, SE, and NE homeowners so that funding actually provides Parks needed in the SW, SE, and NE and that are accessible for their children?
 - b. Both Encinitas and Oceanside have Park accessibility policies and plans to provide a City Park within a 10-minute walk from every home. In your recommendations or decisions for land use, housing, and parks planning do you think Carlsbad should have a similar park accessibility requirement so Carlsbad children and citizens have a park within walking distance from their homes?
 - c. In your recommendations or decisions for land use, housing, and parks planning do you think City Staff should be directed to start working with Carlsbad Citizens to create a Park Master Plan that address fixing the city’s documented “Park Inequities” in various Carlsbad neighborhoods the City documents as “Unserved” by City Parks?
7. San Pacifico’s Planning Area F in Ponto is currently for sale and can be purchased for a Park. The cost would be considerably less than the City’s proposed South Carlsbad Boulevard “promenade” using the existing median of Carlsbad Blvd. The Carlsbad Blvd roadway median although wider than most roadway medians, is still relatively narrow and does not allow many open space uses other than linear walk/pathways that can be most cost effectively provided in the existing right-of-way.

Mayor Matt Hall has publicly said that Ponto Park at Planning Area F would cost \$20-22 million and the City’s narrow promenade would cost \$75 million. If the city purchases Planning Area F, it would add 11 new acres to city-owned property, whereas the promenade (which is basically adding a walkway and parking spaces) adds 0 (zero) acres to city-owned property (the City already owns the roadway median).

There is a smarter and better way. The Promenade walkway and parking can basically be provided for as little as 4%-10% of the City’s proposed \$75 million Promenade cost. This is done by retaining South Carlsbad Boulevard (Historic Coast Highway 101) in its current historic configuration with natural median, and not relocating the south bound pavement to create a wide urban roadway. South Carlsbad Boulevard is one of the last substantially unaltered stretches of San Diego County’s Historic 101 dating back to the 1920’s. Data show it is not threatened by Sea Level Rise so does not need to be relocated. It seems appropriate to retain this historic street and landscape. South Carlsbad Boulevard only needs to add pedestrian paths or sidewalks to be Complete. This can cost effectively be designed and done while preserving the historic features of Historic Coast Highway 101, and creatively reusing old 101 pavement at the Campground entrance to also cost-effectively provide parking.

Based on City data an 8 foot wide concrete walkway within the wide right-of-way could be provided on both sides of South Carlsbad Boulevard for about \$3 million. Parking already exists along some sections of South Carlsbad Boulevard and additional parking can be cost-effectively provided on the old South Carlsbad Boulevard roadway pavement near the Campground entry. In addition if it is possible and desirable to reduce vehicle roadway capacity by over 50% and increase vehicle traffic congestion on South Carlsbad Boulevard the existing outside 2-lanes in each direction could be very cost effectively converted to on-street parking. This would provide around 6-miles of on-street parking or about 12,000 parking spaces.

\$72-67.5 million of tax-payer money savings can be achieved by rethinking the City's \$75 million South Carlsbad Boulevard Promenade concept while still providing the needed pedestrian path and parking. This \$72-67.5 million can be used to fund the more practical, functional, beneficial and tax-payer desired Ponto Park at Planning Area F, and have about \$50 million left over to fund many more Coastal Park and open space improvements in Carlsbad.

Planning Area F would create a park similar in shape to Holiday Park, but more than 1.8 times larger than Holiday Park. Ponto Park at Planning Area F would create Carlsbad's Crown Jewell Coastal Park; with ocean and sunset views, direct pedestrian access to the beach and Batiquitos Lagoon trails, and the size and shape to host Carlsbad community events. Ponto Park at Planning Area F would create a Coastal Crown Jewell Park for both Carlsbad Citizens and visitors that will last for generations. As of 2020 over 64,000 South Carlsbad Citizens and hundreds of thousands visitors in South Carlsbad's resort hotels have no Coastal Park. This inequity damages Carlsbad's current and long-term attractiveness and sustainability of our residential quality of life and visitor experience.

Like Del Mar's Powerhouse Park, Solana Beach's Fletcher Cove Park, Encinitas's Moonlight Beach Park, La Jolla's Scripps Cove Park and La Jolla Shores Park, Coronado's Tideland Park and Coronado Cays Park; Ponto Park can provide Carlsbad a much needed iconic Coastal Park and community place. Ponto is also at the center of a 6-mile Regional Coastal Park gap – there is no Coastal park between Encinitas's Moonlight Beach and Carlsbad's small Cannon Park. Based on the data Ponto Park is a much better park space and appears to be a far better and wiser use of tax payer money.

- a. In your recommendations or decisions for land use, housing, and parks planning will you direct City Staff to contact the Planning Area F landowner to discuss the City being a purchaser of the site?
- b. In your recommendations or decisions for land use, housing, and parks planning did you know that the 400-acre Carlsbad Municipal Golf Course cost Carlsbad Taxpayers \$70 million?
- c. In your recommendations or decisions for land use, housing, and parks planning do you think spending \$75 million to add a sidewalk and some parking (aka Promenade) on narrow land the City already owns and that could alternatively be provided with a little over \$3 million is a wise use in taxpayer dollars?
- d. In your recommendations or decisions for land use, housing, and parks planning do you think spending \$20-22 million to actually buy 11-aces of new City parkland is a better use of Carlsbad's taxpayer dollars compared to spending \$75 million and NOT adding one single acre of new City land?
- e. In your recommendations or decisions for land use, housing, and parks planning do you think a City Park that is 1.8 times larger than Holiday Park, and with coastal views and pedestrian access to the beach and Batiquitos Lagoon would be a great benefit to the City in hosting community events like Holiday Park currently does?

Data Slide #1: San Pacifico Community – Planning Area, Coastal General Plan Land Use, & Acreage Map. Planning Area F is unplanned and zoned NRR (non-residential reserve) and will remain so until a “Park Need” Study is completed and both the City and CA Coastal Commission determine no Park is needed. Only if both the City and CA Coastal Commission determine Ponto’s park needs are met, can Planning Area F be planned and developed for something else.



Source: page 20 of exiting Poinsettia Shores Master Plan/Local Coastal Program

Data Slide #2: One of Carlsbad’s “Ponto Planning Area F planning mistakes” and CA Coastal Commission (CCC) direction to Carlsbad

At the 1/28/20 (item #14) Carlsbad City Council meeting City Staff for the 1st time admitted 15+ years f some Ponto ‘planning mistakes’ on Ponto Planning Area F. This was over 10-years after the City knew of these ‘Ponto planning mistakes’ by the 2010 CA Coastal Commission (CCC) denial of the Ponto Beachfront Village Vision Plan for those mistakes and some other flaws.

Following is from a 7/3/17 CCC letter to City Staff on the City’s proposed land use changes at Planning Area F. City Staff for the 1st time provided this to City Council on 1/28/20:

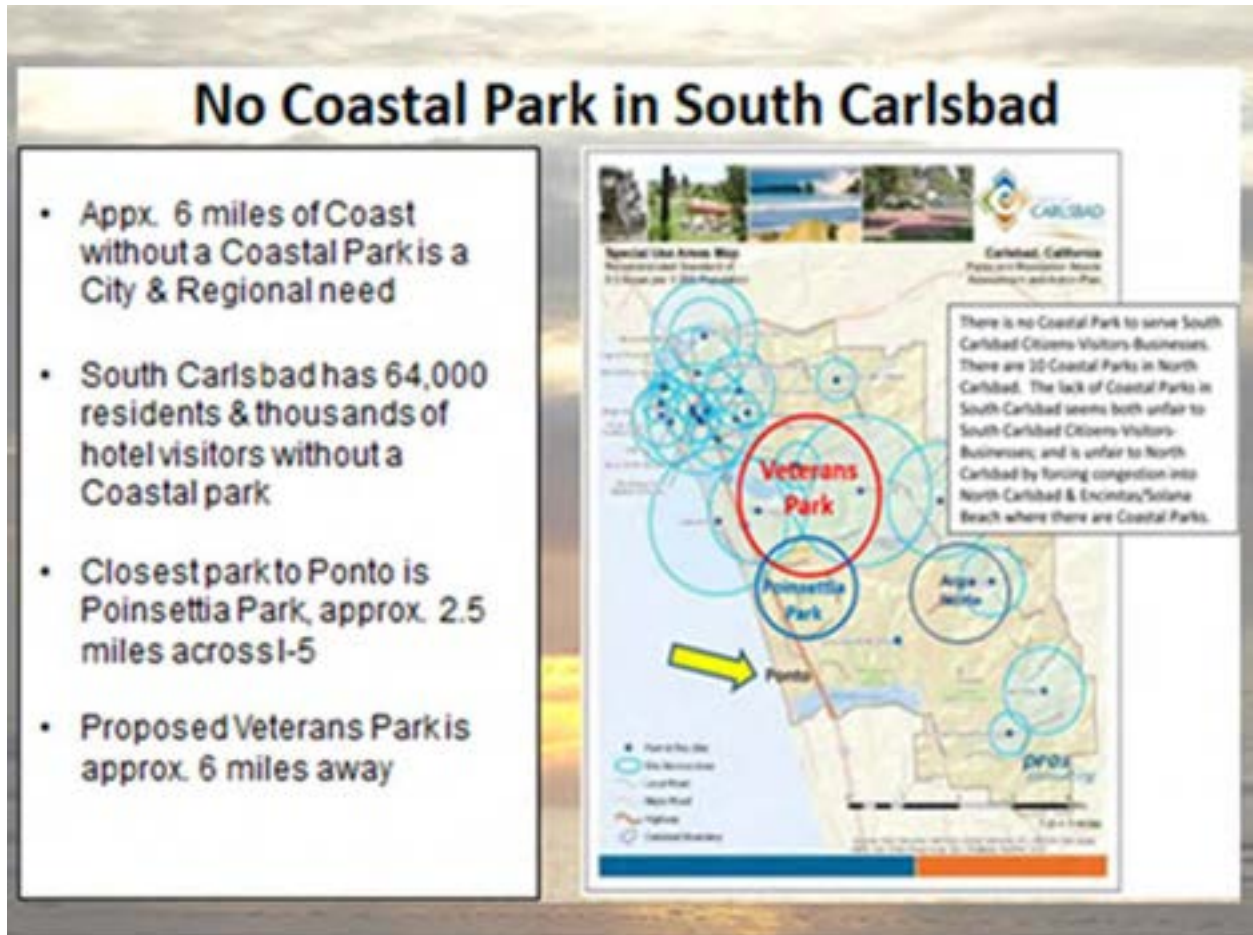
“The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto/Southern Waterfront area. For example, Planning Area F requires the city and developer to "consider and document the need for the provision of lower cost visitor accommodations or 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.”

In 2017 after citizens received the City’s reply to Public Records Request 2017-260, citizens meet with CCC staff to reconfirm the City failed since before 2010 to publicly disclose and comply with Planning Area F’s LCP requirements. CCC Staff acknowledged the City has not yet complied with the LCP and in an 8/16/2017 email 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.”

In 2016, the CCC told City that Carlsbad’s proposed 2015 General Plan land use map could change based on the outcomes of both a Citywide Coastal Recreation needs Study, and also the specific Planning Area F LCP requirement to study Park needs at Ponto. The City is apparently failing to fully disclose to Citizens these facts and the City’s prior “Ponto Planning Area F planning mistakes”.

Data Slide #3: from Carlsbad's adopted Park Master Plan (see pages 86-88). Blue dots = Parks, and blue circles = areas served by Parks. City's adopted Park service map clearly shows Park need at Ponto.



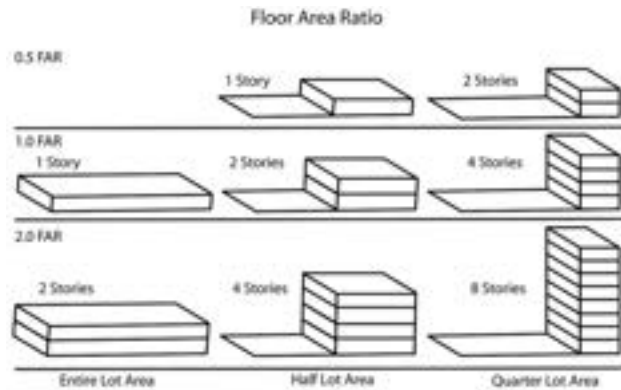
Data Slide #4: Existing and City’s Planning Area F proposed development intensity (FAR) comparisons

FAR (floor area ratio) is a well-established planning method to compare land use intensity (lower FARs reflect lower intensity and higher FARs reflect higher intensity). City Staff is proposing at San Pacifico’s Planning Area F an extremely high FAR land use intensity that will radically change the established character of our San Pacifico Community. The CA Coastal Commission has State Law Polices to protect the character of Coastal communities and a requirement that new development be "visually compatible with the character of the surrounding area." It does not appear that the City’s proposed 486% increase in development intensity for San Pacifico’s Planning Area F is visually compatible with the character of San Pacifico.

Comparison of FAR Data:

	<u>FAR</u>	<u>% more intense than San Pacifico</u>	<u>Building Height</u>
San Pacifico Community - existing	.31	0%	30 feet
San Pacifico’s Planning Area F - City proposed change	1.79	486%	40 feet
Cape Rey Resort - existing	.52	70%	35 feet
Encinitas Beach Hotel - in construction	1.21	295%	unknown
Kam Sang Resort - developer application w/ City	.72	136%	35 feet

Floor Area Ratio (FAR) diagram of examples of 0.5, 1.0 and 2.0 FAR



Below is what the City’s proposed 1.79 FAR at Planning Area F looks like. A 40 foot tall and 1,000 feet long wall of buildings. View is looking NE from corner of Avenida Encinas/Ponto Dr.



Ponto Planning Facts – development standards not being met

City's GIS data of Growth Management Standard Open Space at Ponto

472 Acres	Total land in LFMP Zone 9 [Ponto]
<u>(197 Acres)</u>	Constrained land excluded from GMP Open Space
275 Acres	Unconstrained land in LFMP Zone 9 [Ponto]
<u>X 15%</u>	GMP Minimum Unconstrained Open Space requirement
41 Acres	GMP Minimum Unconstrained Open Space required
<u>(11 Acres)</u>	GMP Open Space provided & mapped per City GIS data
30 Acres	Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS data

73% of the City's minimum required Open Space Standard is missing due to over development of Ponto

Data Slide #6: City GIS map – Light Green is ‘Unconstrained land’ and can be used to meet City’s Growth Management Open Space Standard. The Pink and Purple areas are ‘Constrained land and water’, respectively, and cannot be used to meet the Standard.

Ponto Planning Facts – development standards not being met cont.

- City’s GIS map of Ponto’s (LFMP Zone 9) Growth Management Standard Open Space:
 - Only light green areas on map meet City’s 15% unconstrained GMP Open Space Standard
 - Most Ponto Open Space (pink & purple areas on map) is constrained and does not meet the Standard
 - City required Aviana east of Ponto to provide the 15% Standard Open Space. Why not Ponto?



Data Slide #7: City's Growth Management Open Space Standard

The City's website says: **"The Growth Management Program standard for Open Space requires that "15 percent of the total land area in the Local Facilities Master Plan Zone, exclusive of environmentally constrained non-developable land, must be set aside for permanent open space and must be available concurrent with development."** <https://www.carlsbadca.gov/cityhall/clerk/summaries/space.asp>

The City's Growth Management Ordinance (Carlsbad Municipal Code 21.90) states:

"21.90.130 Implementation of facilities and improvements requirements: ... (b) The city-wide facilities and improvement plan and the local facility management plan process is part of the city's ongoing planning effort. It is anticipated that amendments to the plans may be necessary. Adoption of a facilities management plan does not establish any entitlement or right to any particular general plan or zoning designation or any particular development proposal. **The city-wide facilities and improvements plan and the local facilities management plans are guides to ensure that no development occurs unless adequate facilities or improvements will be available to meet demands created by development. The city council may initiate an amendment to any of the plans at any time if in its discretion it determines that an amendment is necessary to ensure adequate facilities and improvements.**

(c) **If at any time it appears to the satisfaction of the city manager that facilities or improvements within a facilities management zone or zones are inadequate to accommodate any further development within that zone or that the performance standards adopted pursuant to Section 21.90.100 are not being met he or she shall immediately report the deficiency to the council. If the council determines that a deficiency exists then no further building or development permits shall be issued within the affected zone or zones and development shall cease until an amendment to the city-wide facilities and improvements plan or applicable local facilities management plan which addresses the deficiency is approved by the city council and the performance standard is met.**

(d) The city planner shall monitor the development activity for each local facilities management zone and shall prepare an annual report to the city council consisting of maps, graphs, charts, tables and text and which includes a developmental activity analysis, a facilities and improvements adequacy analysis, a facility revenue/expenditure analysis and recommendation for any amendments to the facilities management plan. **The content of the annual report shall be established by the city council.**

(e) **The city council shall annually review the city-wide facilities and improvements plan at the time it considers the city's capital improvement budget. (Ord. 9808 § 1, 1986"**

&

"21.90.180 Public facility reductions: Notwithstanding any previous sections of this chapter, **the city council shall not materially reduce or delete any public facilities or improvements without making a corresponding reduction in residential density unless such a reduction or deletion of public facilities is ratified by a vote of the citizens of Carlsbad. (Ord. 9829 § 4, 1987)"**

People for Ponto apologize for this late and hastily, review and comments. We just found out about the meeting this morning. We citizens know we can together achieve grate things if you allow us to work with you.

Staff
Report

Page clarification/correction:

1 The LCP Land Use Plan Update is in fact an Amendment to an Existing LCP Land Use Plan. The Existing LCP Land Use Plan is already certified by the CA Coastal Commission as being consistent with the CA Coastal Act, except for some Amendments needed to address Sea Level Rise impacts and some other issues.

The LCP Amendment proposes to change the Existing CA Coastal Commission certified LCP Land Use Plan's "Non-residential Reserve" Land Use and Policy on Planning Area F to consider and document the need for "i.e. Public Park" at Ponto .

- 1 Staff summarizes the CA Coastal Act objectives to "ensure maximum public access to the coast and public recreation areas."
 - Carlsbad's Adopted Park Service Area/Equity Mapping shows there is no Park Service for the Ponto Area and Ponto Citizens, and no Park Service for the Coastal South Carlsbad area west of Interstate-5 and the rail corridor.
 - The City's mapping of land that meets the developer required Growth Management Open Space Standard of 15% Unconstrained land shows about 30-acres of this Open Space is missing at Ponto. This missing Open Space could have provided needed Park facilities that are missing at Ponto.
 - Citizens in over 2,500 emails to the City Council have cited the need for a Public Park at Ponto as part of the Existing LCP Land Use Plan Amendment proposed at Ponto. These requests area consistent with the CA Coastal Act.
- 3 2nd bullet: says city staff proposes to replace, amend, or retain various Existing LCP policies, so the Staff has a documented understanding how each Existing LCP policy and how each Existing policy is being treated in the proposed Amendment. Citizens asked in Oct 20, 2019 for this 'redline' version of the Existing LCP Policies and Land Use Maps so citizens can understand what the Amendments are so we as citizens could then provide informed public comment. This 'redline' version is also important for the City Council and Planning and other Commissions so they know what Amendments to Existing City LCP Land Use policy are being proposed. Citizens again request this 'redline' version that it appears the staff already has as they know what Existing LCP Land Use policies are being replaced, amended, or retained.
- 4 V is incomplete: the community asked on Oct 20, 2019 for 3 things: 1) a 'redline' version as noted above, 2) true Public Workshops to help inform and resolve community concerns about the proposed LCP land Use Plan Amendments, and 3) more public review time to provide for the above two other requests. All 3 requests should be acknowledge in the staff report. All 3 requests are rational and reasonable considering the proposed Draft LCP Land Use Plan

Amendment is the “buildout” plan for Carlsbad’s Coastal Zone and there were multiple documented fundamental “planning mistakes” regarding past City public information and participation in the Coastal Land Use planning. Providing such a process would help to correct these documented ‘planning mistakes’ that have gone on for many years. It is the right thing to do and most productive approach for all concerned.

7 Staff should accurately disclose that in 2010 the CA Coastal Commission in fact rejected the City’s proposed Ponto Beachfront Village Vision Plan for failing to disclose and comply with the then and current LCP Land Use Plan policy for Planning Area F at Ponto. Carlsbad Public Record Requests confirmed the staff did not disclose to citizens the existence LCP Land Use Plan policy for Planning Area F at Ponto, so citizens had no idea a Public Park at Planning Area F at Ponto needed to be considered. How can citizens, provide input if they don’t have complete and accurate to review and comment on?

8 Staff should correctly disclose that the 2015 application at Planning Area F at Ponto is first for a Local Coastal Program Amendment and Master Plan Amendment. These are both applications to change City Land Use Plan Policy and Zoning regulations. The actual applications for ‘development’ permits can in fact not even be considered by the City the Local Coastal Program Land Use of “Non-residential Reserve” is changed and Master Plan rezoning is approved. Then the ‘development’ permit application can applied for. The developer abandoned their application to change the LCP and Master Plan and then apply for developer permit review about a year ago. However, the city staff is keeping the application ‘alive’ even though there has been no progress on the application for over a year. It is unclear if the staff has authority to do this, or if the City Council has authority to withdrawal the application due to non-activity. The City has permit standards that withdraw applications if applicants make no progress on the applications after 6-months. What is troubling is that it appears the city staff proposal is to process the developer’s application to change the Existing LCP Land Use Plan for the developer.

Staff notes that the Planning Area F sites now designated as Residential R-23 and General Commercial by the Carlsbad General Plan Update. However, staff fails to disclose that until the Existing LCP Land Use Plan Amended is in fact approved by the CA Coastal Commission the Existing LCP Land Use Plan for Planning Area F supersedes the City’s General Plan Update. **Carlsbad’s General Plan Land Use Element clearly states this on page 2-26 “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.”** So until the City Council adopts the staff’s proposed Draft LCP Land Use Plan Amendment, AND the CA Coastal Commission “certifies” that LCP LUP Amendment; the City’s General Plan Update Land Use change cannot take effect. The General Plan Land Use at Ponto Planning Area F has in fact not been changed by the General Plan Update, but can only change with staff’s proposed Draft LCP Land Use Plan Amendment that the City Council can choose to approve or disapprove. Also official Public Records Requests have documented that the City’s General Plan Update planning process was fundamentally flawed at Ponto. Again, like during Ponto Beachfront Village Vision Plan planning process a few years earlier the city failed to comply with the then and current LCP Land Use Plan policy for Planning Area F at Ponto. The flawed General Plan Update process at Ponto prevented Citizens from knowing the facts so they could properly participate and provide review and comment during the General Plan Update. The significant citizen comments to the City Council asking for a Ponto Coastal Park is reflective of the fundamental public disclosure

and processing flaws that the city is only now acknowledging as one of the repeated 'planning mistakes' at Ponto. This is why citizens are asking for full disclosure of the facts and a complete planning process re-boot at Ponto. It also should be noted that the Existing LCP Land Use Policy for Planning Area F states that **"as part of any future planning effort ... consideration of a "Public Park" is required.** CA Coastal Commission Staff has indicated the City's proposed land use planning changes at Ponto as part of the General Plan Update are subject to change.

At the bottom of the page regarding SB 330, as noted above the "residential land use designation on the site" is not in effect until the currently proposed LCP Land Use Plan Amendment is both approved by the City Council AND also certified by the CA Coastal Commission, so SB 330 does not apply. Also SB 330 has specific language that exempts land use in the Coastal Zone. SB 330 (Skinner) Section 13 states: **"(2) Nothing in this section supersedes, limits, or otherwise modifies the requirements of the California Coastal Act of 1976** (Division 20 (commencing with Section 30000) of the Public Resources Code). **For a housing development project proposed within the coastal zone, nothing in this section shall be construed to prohibit an affected county or an affected city from enacting a development policy, standard, or condition necessary to implement or amend a certified local coastal program consistent with the California Coastal Act of 1976** (Division 20 (commencing with Section 30000) of the Public Resources Code)." This language is consistent with CA case law, and other housing laws that recognize the obvious – there is very limited amount of Coastal land v. significant land area inland. Limited Coastal Land per the CA Coastal Act is needed for "High-Priority" Coastal Land Uses" - i.e. Coastal Recreation and Low-cost visitor accommodations. The CA Coastal Act identifies both residential and general commercial land uses as "low-priority". So although affordable housing is important there are other more appropriate locations, than on the last remaining vacant Coastal land in Carlsbad will be needed to address the "High-Priority" Coastal Land Uses to serve Carlsbad and California's 'buildout' needs. CA case law recognizes the supremacy of the CA Coastal Act over CA Housing Laws as noted in "Kalnel Gardens, LLC v. City of Los Angeles". This case law data has already been provided to the City Council as part of Staff's housing discussions over the past few years. The staff report should have disclosed the above information, as it appears SB 330 is not a factor at Ponto.

- 13 2005-2010 Housing Element: As noted above the General Plan Land Use Element states the General Plan Land Use Plan is not effective until the proposed Draft LCP Land Use Plan Amendment is both approved by the City Council AND certified by the CA Coastal Commission. So, the Housing Element cannot recognize the proposed residential use change at Ponto until then. Also as noted before there were multiple documented fundamental 'planning mistakes' in public disclosure, participation and process that flawed the Housing Element. It should be noted that these flaws occurred during the time the CA Coastal Commission specifically rejected the Ponto Beachfront Village Vision Plan due to those flaws. The now City acknowledged 'planning mistakes' at Ponto prevented Carlsbad citizens from providing informed participation during the Housing Element.

Also, it is unclear why the staff misrepresented the amount of housing proposed in the Housing Element on the Ponto Planning Area F site as "the Ponto site for high density residential use at a minimum density of 20 dwellings per acre (128 units minimum)"; as this is not true. The City's General Plan promises only the minimum 15 dwelling units/acre for the R-23 Land Use designation. See the "Ponto" unit capacity table below from the City of Carlsbad General Plan Housing Element Table B-1 on page B-2 that lists 98 dwellings for the site on the east side of

Ponto Road and 11 **optional dwellings** on the west side of Ponto Road for 109 total units for both sites, v. the 128 units mentioned by staff. Not sure why staff misrepresented the density by 17 to 30%.

APN	General Plan Designation ¹	Zoning District	Site Size (Acres)	Unit Capacity, by Household Income		
				Very Low	Low	Moderate
2090901100 (Sunny Creek)	R15 (12 du/ac)	RD-M	9.6	-	-	115
2161404300 (Ponto)	R23	P-C	6.5	-	-	98
	GC (Mixed Use) ²	P-C	3	-	-	11

2007 Ponto Beachfront Village Vision Plan: As noted several times above there were fundamental public disclosure and participation flaws with this plan. It was rejected by the CA Coastal Commission in 2010 part for those reasons. These flaws are confirmed by the City’s own data as a result of multiple Official Carlsbad Public Records Requests. This should be disclosed to the City Council and citizens.

- 14 2015 General Plan Update: As noted several times above there were fundamental public disclosure and participation flaws with this Update with regards to Ponto. These flaws are confirmed by the City’s own data as a result of multiple Official Carlsbad Public Records Requests. This should be disclosed to the City Council and citizens.

Citizens are asking the City Staff and City Council:

- for honesty, to fully and publicly recognize and disclose the past “planning mistakes” at Ponto, and fundamental flaws from the from those mistakes that prevented citizens from knowing about and participating in the planning process for Ponto.
- To keep the Existing LCP Land Use Plan at Ponto until a new open-honest and inclusive Community-based planning process can be achieved at Ponto.
- To be honest with respect to Park Serve Area and Equity issues at Ponto and Coastal South Carlsbad west of I-5 and the rail corridor.
- Consider the needs for inland South Carlsbad citizens, visitors and business to have their ONLY Coastal Park.
- Consider the larger regional Coastal Park need, and the forever ‘buildout’ Coastal Recreation needs for future generations.
- To be true and honest in translating and implementing our Community Vision

Coastal Recreation:

1. Request that the City as part of its Draft LCP Public Review process broadly-publicly disclose to all Carlsbad Citizens the City's acknowledged prior LCPA processing and planning "mistakes" regarding the requirement that the Ponto area be considered as a public park: This disclosure is needed to correct about 20 years of City misrepresentation to the public on the since 1996 and currently Existing LCP requirements at Ponto, and the City's prior planning mistakes at Ponto. Citizens have been falsely told by the City that all the Coastal planning at Ponto was done already and that the City followed its Existing LCP regarding the need for a park at Ponto, and that this is already decided and could not be reversed. This misinformation has fundamentally stifled public review and public participation regarding the Coastal Zone. City failure to provide such a broad-public disclosure on the documented prior, and apparently current proposed, "planning mistakes" would appear to violate the principles of Ca Coastal Act Section 30006. A broad-public disclosure would for the first time allow citizens to be accurately informed on the Existing LCP requirements at Ponto so they can provide informed public review and comment regarding the need for a Coastal Park in in this last vacant 'unplanned' area. The requested broad-public disclosure by the City of the City past mistakes and the Existing LCP requirements at Ponto is consistent with CA Coastal Act (CCA) "Section 30006 Legislative findings and declarations; public participation - The Legislature further finds and declares that **the public has a right to fully participate in decisions affecting coastal planning**, conservation and development; that achievement of **sound coastal conservation and development is dependent upon public understanding and support**; and that the continuing planning and implementation of **programs for coastal conservation and development should include the widest opportunity for public participation.**" The public cannot participate as outlined in CCA Section 30006 if past City 'mistakes' and misrepresentations on Coastal planning at Ponto go undisclosed to the public. If the public isn't fully informed about the 20-years of LCP planning mistakes at Ponto how could the public in the past (and now in the present) participate in the proposed LCP Amendment – **Public Participation as noted in Section 30006 above is the means to sound coastal conservation and development and is "... dependent upon public understanding ..."**. The City's past mistakes at Ponto need to be corrected by slightly different a Draft LCP Amendment process than currently outlined by the City; a new process is needed that clearly, opening and honestly informs and engages the public on the Existing LCP Ponto issues. The City's current Draft LCP Amendment process fails to follow CCA Section 30006 in that most all the citizens we encounter are as yet unaware of the City's Ponto mistakes and how they can participate in in the DLCPA process without that information. We see this daily in conversations we have with our fellow citizens. We even saw at the Oct 20, 2019 Carlsbad Planning Commission meeting that the Planning Commission was unaware of the planning mistakes at Ponto. How can a decision body of the City make a decision without knowing about these prior 'planning mistakes' facts that surround what they are being asked to decide on? Repeatedly since 2017 Carlsbad citizens and People for Ponto have asked the City to fully acknowledge the City's prior flawed planning at Ponto, and to correct that with ether maintaining the Existing LCP Non-residential Reserve Land Use or restarting the Coastal Planning at Ponto with a true and accurately informed Community-based Coastal Planning process consistent with Section 30006.

We request the City during the DLCPA Public Review period broadly and publicly disclose to all Carlsbad Citizens the City's acknowledged prior LCP and other "planning efforts" public participation processing and planning "mistakes" regarding the requirement that the Ponto area be considered as a public park, and 1) provide a truly honest public participation process on that disclosure consistent with CCA Section 30006 as part of the Draft LCP Amendment process or 2) retain the Existing LCP Non-residential Reserve Land Use and require a comprehensive and honest community-based redo of Coastal Resource planning at Ponto.

2. City fully and publicly reply to and the City Council consider the 11-20-19 citizen concerns/requests regarding the City's proposed LCP Amendment process: Lance Schulte on 1/23/20 received an email reply by the City to his follow-up email regarding the status of the 11/20/19 citizen concerns/requests public comments and letters presented to the Planning Commission. This is appreciated, however it is request that the City fully publicly reply to the 11-20-19 citizen concerns/requests regarding the City's proposed LCP Amendment process and present the to the City Council 11/20/19 citizen concerns/requests so the City Council can consider them and provide any direction to City Staff. City Staff first presented a summary presentation of the proposed Draft LCP Amendment to the Carlsbad Planning Commission on November 20, 2019, and indicated the public comment period would close on November in less than 2-weeks. Citizens and citizen groups provided public testimony to the Planning Commission, both verbally and in two written letters. The CCC was copied on those letters. The testimony and letters noted significant concerns about the City's proposed LCP Amendment process and made three requests:
 - a. Disclose and provide a publically accessible 'Redline Version' of the Existing 2016/Proposed LCP land use Plan and Policies so everyone can see the proposed changes to the Existing LCP.
 - b. Provide true Citizen Workshops on the major remaining vacant Coastal land that still have outstanding Citizen Concern or objections. Citizen Workshops, when done right, are valuable means to openly educate, discuss and work to consensus options. These areas, including Ponto, were/are subject to multiple lawsuits, so true open and honest public workshops would provide an opportunity to openly and honestly discuss the issues and hopefully build public consensus/support for solutions. This approach seems consistent with CCA Section 30006, and common sense.
 - c. Extend the public comment period 6-months to allow Citizen Review of the Redline Version of the LCPA and allow time for Citizen Workshops.

The City did extend the Public Review period 2-months over the holidays to January 31, 2020. This is appreciated although many think this is inadequate given the significance of the Proposed Land Use Plan Amendments, and lack of Redline Version to compare. The City and their consultants required several extra years beyond schedule prepare the proposed LCP Amendments. The extra years of City Staff work reflects on the volume of the over 500-pages in the documents and the time needed to understand the Existing LCP and then create an Amended LCP. Citizens need sufficient time, proper comparative tools (redline) and a process (workshops) to understand the proposed LCP Amendments that is reflective of extensive extra time needed by City Staff and consultants needed. Truncation of lay public review to a few months for an Amendment that took paid professionals many years to produce seems a more than a bit inappropriate. The City appears to be rejecting citizens' request to be provided a 'Redline Version' of the Existing 2016/Proposed LCP land use Plan. So public review comments will tainted or will miss many issues due having to manually cross-reference a 150-page Existing LCP LUP with a Proposed 350-page Proposed LCP LUP. There will be unknown and unconsidered changes in the Draft LCP Amendment that the public and city and CCC decision makers will not know about due to the lack of 'Redline Version'.

The City also appears to reject citizen requests for true Citizen Workshops on the major remaining vacant Coastal land that still have outstanding Citizen Concern – such as Ponto. Like Coastal Recreation issue #1 above the following citizen requests appear consistent with CA Coastal Act (CCA) Section 30006, and the City's rejection of that requests seem counter to the CA Coastal Act.

We again request of the City to provide: 1) a 'Redline Version' to the public and decision makers, along with sufficient time to review and comment on the 'Redline Version'; and 2) true Citizen Workshops for Ponto and the

other last remaining significant vacant Coastal lands in Carlsbad as part of the Draft LCP Amendment process, or as part of deferred LCP Amendment process for those areas.

3. Coastal Zoned land is precious: the very small amount of remaining vacant Coastal land should be reserved for “High-Priority” Coastal Recreation Land Uses under the CA Coastal Act to provide for the growing and forever ‘Buildout’ needs of Carlsbad and CA Citizens, and our visitors.
 - a. Less than 1.8% (76 square miles) of San Diego County’s 4,207 square miles is in Coastal Zone. This small area needs to provide for all the forever Coastal needs of the County, State of CA, and Visitors. Upland Coastal Recreation (Coastal Park) land use is needed to provide land to migrate the projected/planned loss of “High-Priority” Coastal Recreation land uses due to Sea Level Rise impacts. There is only 76 miles of total coastline in San Diego County; a significant amount is publicly inaccessible military/industrial land. So how the last few portions of Coastal Land within Carlsbad (which is about 8% of San Diego County’s Coastline) is planned for the forever needs for High-Coastal-Priority Recreation Land Use is critical for Carlsbad, San Diego, and California Statewide needs into the future.
 - b. Most all the developable Coastal land in Carlsbad is already developed with Low-Coastal-Priority residential uses. Only a very small percentage of Carlsbad’s developable Coastal land, maybe 1-2%, is still vacant. This last tiny portion of fragment of vacant developable Coastal Land should be documented in the Draft LCP and reserved for “High-Priority” Coastal Land uses – most critically Coastal Recreation – to address the growing Coastal Recreation needs from a growing population and visitors. These growing needs are all the more critical in that existing Coastal Recreation lands will be decreasing due to inundation and erosion due to DLCPA planned Sea Level Rise.
 - c. This image of the western half of San Diego County graphically shows (in the blue line) the very small Coastal Zone Area that needs to provide the Carlsbad’s and California’s Coastal Recreational needs for all San Diego County residents and Visitors:



We request that 1) the amount and location of remaining vacant Coastal land in Carlsbad be documented and mapped and be reserved for high-priority Coastal Land Uses consistent with CCA Goals in Section 30001.5 “... (c) ... **maximize public recreational opportunities in the coastal zone** consistent with sound resources conservation principles and constitutionally protected rights of private property owners. (d) **Assure priority for coastal-dependent and coastal-related development over other development on the coast.** ...”; 2). This data should be used in the City’s analysis and the public’s review and discussion about the City’s proposed Draft ‘Buildout’ Land Use Plan. The City’s proposed Draft ‘Buildout’ Land Use Plan will forever lock in the amount “maximum public recreational opportunities in the coastal zone” and will be the final Coastal Land Use Plan that is supposed to “assure priority for coastal-dependent and coastal-related development over other development on the coast”. Most of Carlsbad’s Coastal Zone is already developed or committed to low-priority land uses contrary to these CCA Goals, so how we finally and forever plan to use of the last small remaining vacant Coastal Land is very important.

4. The proposed Draft LCP Amendment in Chapter 3 makes unfounded statements regarding the proposed Amendment to the LCP Land Use Plan provision of “High-Priority” Coastal Recreation land use: On page 3-3, at the beginning of the Chapter 3 – Recreation and Visitor Serving Uses the City correctly states that the CA Coastal Act (CCA) places a high priority on maximizing Recreation uses, and cites multiple CCA Sections to that effect. The City’s proposed Coastal Land Use Plan then states on page 3-5 that a high proportion of land in the City is dedicated open

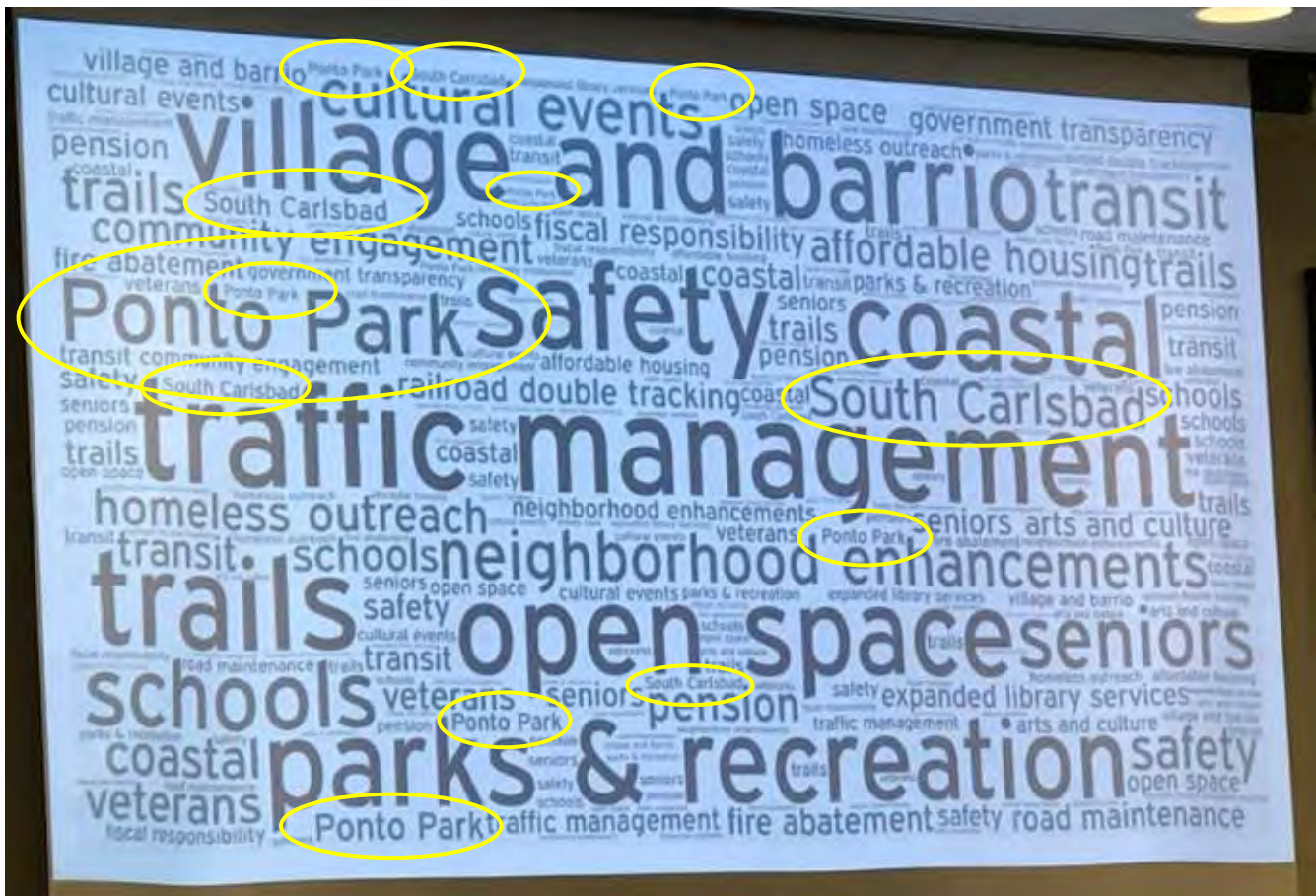
space available for passive and active use, yet provides no justification or accurate metric to support this statement. This is a critical unsubstantiated and speculative statement that is not supported by any comparative data (justifying the “high proportion” statement). The City later in Chapter 3 compared the adjoining cities of Oceanside and Encinitas to try to show how the proposed Draft LCP LUP Amendment provides higher levels of Visitor Serving Accommodations. That ‘non-common denominator’ comparison was fundamentally flawed, as noted in a prior separate Draft LCPA public review comment from People for Ponto regarding another high-priority Coastal land use (visitor accommodations) planned for in Chapter 3, but at least it was an attempt to compare. However, for the Coastal Recreation portion of Chapter 3, the City does not even attempt to provide any comparative data to support (or justify) the proposed Coastal Recreation Land Use Plan and statements. The Coastal Recreation Chapter also fails to disclose Carlsbad’s adopted City Park Master Plan (Park Service Area and Equity map) data that shows a clear conflict between the CA Coastal Act Policy Sections noted at the beginning of Chapter 3 and Chapter 3’s proposed Draft Coastal Recreation Land Use Plan.

Comparative Coastal Recreation: Comparing the Land Use Plan and policies of Oceanside, Carlsbad and Encinitas, one finds Carlsbad’s proposed Coastal Recreational Plan and Policies are not “high”, but very low compared with Oceanside and Encinitas. Carlsbad has a General Plan Park Standard of 3 acres of City Park per 1,000 Population. Oceanside has a 5 acres of City Park Standard per 1,000 population, and Encinitas has a 15 acres per 1,000 population standard, and an in-lieu park fee requirement of 5 acres per 1,000 population. Carlsbad’s proposed Coastal Recreation Land Use Plan is in fact not ‘high’ but is in fact the lowest of the three cities, with Carlsbad providing only 40% of Oceanside’s park standard, and only 20% of Encinitas’s Park Standard. Citywide Carlsbad currently has 2.47 acres of developed park per 1,000 population, Oceanside currently has 3.6 acres of developed park per 1,000 population, and Encinitas currently has 5.5 acres of developed park per 1,000 population. Although this data is citywide, it shows Carlsbad’s current amount of developed parkland is less than 70% of what Oceanside currently provides, and less than 45% of what Encinitas currently provides. Carlsbad is not currently providing, nor proposing a Coastal Land Use Plan to provide, a ‘high’ proportion of Coastal Recreation Land Use compared to Oceanside and Encinitas.

On page 3-5 Carlsbad may be misrepresenting city open space that is needed and used for the preservation of federally endangered species habitats and lagoon water bodies. This open space Land cannot be Used for Coastal Recreation purposes; and in fact Land Use regulations prohibit public access and Recreational Use on these Lands and water bodies to protect those endangered land and water habitats. 78% of Carlsbad’s open space is “open space for the preservation of natural resources” and cannot be used for Coastal Parks and Recreational use. Although “open space for the preservation of natural resources” does provide scenic or visual amenity, and this amenity is addressed as a different coastal resource. Visual open space is not Coastal Recreation Land Use. It appears Carlsbad is proposing in the Draft LCP Amendment to continue to, providing a ‘low’ percentage of Coastal Park Land Use and Coastal Recreation Land Use compared to adjoining cities.

In addition to the comparatively low amount of Coastal Park land Carlsbad plans for, Carlsbad scores very poorly regarding the equitable and fair distribution and accessibility of Coastal Parks and Coastal Recreation Land Uses. Both the City of Oceanside and Encinitas have very robust and detailed Park and Land Use plans to promote an equitable distribution of, and good non-vehicular accessibility, to their Coastal Parks. By comparison, Carlsbad’s park land use plan scores poorly, as exemplified in Ponto and South Carlsbad. Ponto’s existing population requires about 6.6 acres of City Parkland per Carlsbad’s low 3 acres per 1,000 population standard. Yet the nearest City Park is several miles away and takes over 50 minutes to walk along major arterial roadways and across Interstate 5 to access. As such this nearest park is not an accessible park for Ponto children, and thus Ponto children have to play in

our local streets to find a significantly large open area to play in. Ponto residents have to drive their kids to get to a park increasing VMT and GHG emissions. The City's proposed Coastal Recreation Land Use Plan 'solution' to Ponto's no-park condition, along with the City's need to add an additional 6.5 acres of new City parks in Southwest Carlsbad to comply with the Southwest Carlsbad's 2012 population demand (at a ratio of 3-acre/1,000 population) is to provide a City Park – Veterans Park – over 6-miles away from the Ponto and Southwest Carlsbad population need. This makes a bad situation worse. The City's proposed location is totally inaccessible to serve the needs of the population of children or anyone without a car, that it is intended to serve in South Carlsbad. This City proposed Coastal Recreation Land Use Plan 'solution' seems inappropriate and inconsistent with the CA Coastal Act and common sense. During the City's Veterans Park and budget community workshops citizens expressed a desire for a Ponto Park to be the solution to our Ponto and Southwest Carlsbad Park deficits. Those citizen requests were not apparently considered as part of the City's proposed Draft Coastal Recreation Land Use Plan. Following is an image summarizing the magnitude of citizen needs/desires expressed at the City's Budget workshop. Note the number and size of the text citing Ponto Park and South Carlsbad that reflects the number and magnitude/intensity of citizen workshop groups' input. The failure to acknowledge this public participation and data in the Coastal Recreation Land Use Plan Park seems in conflict with CCA Sections 30006 and 30252(6):



For South Carlsbad there is a complete lack of any existing or planned City Coastal Park and park acreage west of I-5, while North Carlsbad has 9 existing and 1 planned City Coastal Parks totaling 37.8 acres of City Coastal W of I-5 North Carlsbad. Not only is this unfair to South Carlsbad, it is also unfair to North Carlsbad as it increases VMT and parking impacts in North Carlsbad because South Carlsbad is not providing the City Coastal Parks for South Carlsbad resident/visitor demands. This City Park disparity is shown on Figure 3-1 of the Coastal Recreation Land Use Plan;

however it more accurately illustrated in the following data/image from the adopted Carlsbad Park Master Plan's "Service Area Maps (Equity Maps)". The image below titled 'No Coastal Park in South Carlsbad' shows Carlsbad's adopted "Park Service Area Maps (Equity Maps)" from the City's Park Master Plan that says it maps "the population being served by that park type/facility." The added text to the image is data regarding park inequity and disparity in South Carlsbad. The image compiles Carlsbad's adopted Park "Park Service Area Maps (Equity Maps)" for Community Parks and Special Use Area Parks that are the City's two park acreage types produced by the City's comparatively low standard of 3 acre of City Park per 1,000 population. The City's Park Service Area Maps (Equity Maps) shows areas and populations served by parks within the blue and red circles. City data clearly shows large areas of overlapping Park Service (areas/populations served by multiple parks) in North Carlsbad and also shows large areas in South Carlsbad with No Park Service (areas/populations unserved by any parks) and Park Inequity in South Carlsbad. It clearly shows the City's Documented Park Need and Park inequity at Ponto. The Existing LCP LUP for Ponto's Planning Area F in is required to "consider" and "document" the need for a "Public Park". The City's adopted Park Service Area Maps (Equity Maps) clearly shows the inequity of Coastal City Park between North and South Carlsbad, and the need for Coastal Parks in South Carlsbad – particularly at Ponto. The City's proposed Draft 'Buildout' Coastal Recreation Land Use Plan instead proposes to lock-in documented City Public Coastal Park inequity and unserved Coastal Park demand at Ponto and South Carlsbad forever. It does so by proposing the last vacant undeveloped/unplanned Coastal land – Ponto Planning Area F - in the unserved Ponto and South Carlsbad coastline areas instead of being planned for much needed City Park and Coastal Recreation use be converted to even more low-priority residential and general commercial land uses. These 'low-priority' residential uses, by the way, further increase City Park and Coastal Recreation demand and inequity in Coastal South Carlsbad. This is wrong, and a proposed 'forever-buildout' wrong at the most basic and fundamental levels. The proposed Draft Coastal Recreation Land Use Plan by NOT providing documented needed City parks for vast areas of Coastal South Carlsbad is inconsistent with the CA Coastal Act policies and Existing LCP LUP requirements for Ponto Planning Area F; and also inconsistent with fair/equitable/commonsense land use and park planning principles, inconsistent with CA Coastal Commission social justice goals, inconsistent with social equity, inconsistent with VMT reduction requirements, and inconsistent with common fairness. A different Coastal Recreation Land Use Plan should be provided that provides for a socially equitable distribution of Coastal Park resources so as to would allow children, the elderly and those without cars to access Coastal Parks. The proposed Draft 'Buildout' Coastal Recreation Land Use Plan forever locking in the unfair distribution of City Parks appears a violation of the not only CCA Sections 30213, 30222, 30223, and 30252(6) but also the fundamental values and principles of the CA Coastal Act. The Draft also appears a violation of Carlsbad's Community Vision.

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away



A different Coastal Recreation Land Use Plan is required to provide a more equitable distribution of City Parks with non-vehicular accessibility. Such a different plan would advance State and City requirements to reduce vehicle Miles Traveled (VMT) and greenhouse gas emissions that contribute to climate change and sea level rise impacts. Please note that the data for the above basic comparison comes from City of Carlsbad, Oceanside and Encinitas General Plan and Park Master Plan documents.

Data shows the proposed Coastal Recreation Plan conflicts with the CA Coastal Act policy Sections. As mentioned page 3-3 correctly states that the CA Coastal Act (CCA) places a high priority on maximizing Recreation Land Uses, and pages 3-5 list multiple CA Coastal Act (CCA) policy Sections that confirm this. However, given the significant statewide importance of Coastal Recreation Land Use, the City proposed 'Buildout' Coastal Recreation Land Use Plan does not appear to adequately address and implement these CCA Policies, and most noticeably in the Ponto area of South Carlsbad. Coastal Recreation is a significant Statewide High-Priority Land Use under the CCA. For a substantially developed non-coastal-industry city like Carlsbad Coastal Recreation is likely the biggest land use issue. This issue is even more elevated due to the fact that there are only a few small areas left of undeveloped Coastal land on which to provide Coastal Recreation, and Carlsbad is proposing a Coastal 'Buildout' Land Use Plan on those areas. The use of the last few remaining vacant portions of Coastal land for Coastal Recreation Land Use is the most important land use consideration in the proposed Draft LCP Land Use Plan Amendment as population and visitor growth will increase demands for Coastal Recreation. It is thus very surprising, and disturbing that the proposed Coastal Recreation Land Use Plan is so short, lacks any comparative and demand projection data, lacks any resource demand/distribution and social equity data, and lacks any rational and clear connection with CCA Policy and the proposed 'Buildout' Coastal Land Use plan. This is all the more troubling given that:

- The Ponto area represents the last significant vacant undeveloped/unplanned land near the coast in South Carlsbad that can provide a meaningful Coastal Park.
- The fact that the City's Existing LCP requires the city consider and document the need for a "i.e. Public Park" on Ponto's Planning Area F prior to the City proposing a change of Planning Area F's "Non-residential

Reserve” land use designation. The City has repeatedly failed to comply with this LCP LUP requirement, and worse has repeatedly failed to honestly inform citizens of this LCP LUP requirement at Planning Area F before it granted any land use. The City, apparently implementing speculative developer wishes, has repeatedly proposed changing Planning Area F’s Coastal Land Use designation to “low-priority” residential and general commercial land uses without publically disclosing and following the Existing LCP LUP.

- The City’s currently developed parks in the southern portion of the City do not meet the city’s comparatively low public park standard of only 3 acres per 1,000 population. Since 2012 there has been City park acreage shortfall in both SW and SE Carlsbad.
- The Existing population of Ponto (west of I-5 and south of Poinsettia Lane) requires about 6.6 acres of Public Park based on the City’s comparatively low public park standard of 3 acres per 1,000 population. There is no Public Park in Ponto. Adding more population at Ponto will increase this current park demand/supply disparity.
- Carlsbad and other citizens have since 2017 expressed to the City the strong need for a Coastal Park at Ponto, and requested the City to provide a true citizen-based planning process to consider the Public Park need at Ponto. The Citizens’ requested process is fully in-line with CCA Goals, Public Participation Policy, Land Use Policies, and the Existing LCP Land Use Plan/requirements for Planning Area F and is the most appropriate means to consider and document the need for a Public Park at Ponto as required by the Existing LCP Land Use Plan.
- Planning Area F is for sale, and a non-profit citizens group has made an offer to purchase Planning Area F for a much needed Coastal Park for both Ponto and inland South Carlsbad residents and visitors. How should these facts be considered by the City and CCC?
- Carlsbad has no Coastal Parks west of I-5 and the railroad corridor for the entire southern half of Carlsbad’s 7-mile coastline.
- The southern half of Carlsbad’s coastline is 5.7% of the entire San Diego County coastline and represents a significant portion of regional coastline without a meaningful Coastal Park west of I-5 and the Railroad corridor.
- The City’s proposed Coastal Recreation Land Use Plan provides No Documentation, No Rational, and No Supporting or Comparative Data to show the proposed Coastal Recreation Land Use Plan in fact complies with the CA Coastal Act.

5. There is no Coastal Recreation/Park west of interstate 5 for all South Carlsbad, or half of the entire City. This is obviously an unfair and inequitable distribution of Coastal Recreation/Park resources that should be corrected by changes to the Draft LCP Land Use Amendment: The following image (which was sent to the City and CCC on several prior communications) was first requested by former Carlsbad Councilman Michael Schumacher during a People for Ponto presentation/request at the Oct 23, 2018 City Council meeting. The data compiled in the image shows how the South Coastal Carlsbad (Ponto) is not served by a Park per the City’s adopted Parks Master Plan. The blue dots on the map are park locations and blue circle(s) show the City’s Park Master Plan adopted Park Service Areas and Park Equity. This data, from pages 87-88 of the City of Carlsbad Parks Master Plan, shows all City Parks (both Community Parks and Special Use Areas in Coastal Carlsbad (except Aviara Park east of Poinsettia Park and west of Alga Norte Park). The text on the left margin identifies the South Carlsbad Coastal Park (west of I-5) gap along with the number of South Carlsbad Citizens (over half the City’s population) without a Coastal Park. The left margin also identifies more local issues for the over 2,000 Ponto area adults and children. For Ponto residents the nearest Public Park and City proposed ‘solution’ to the South Carlsbad and Ponto Public Park deficit are miles away over high-speed/traffic roadways and thus somewhat hazardous to access and effectively unusable by children/the elderly or

those without cars. Having been a 20-year resident of Ponto I regularly see our children have to play in the street as there are no Public Park with large open fields to play at within a safe and under 1-hour walk away. Ponto citizens have submitted public comments regarding this condition and the lack of a Park at Ponto

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

Special Use Area Map
Approved by the Board of
S. Carlsbad on 11/20/2018

Carlsbad, California
Parks and Recreation
Department's jurisdiction

There is no Coastal Park to serve South Carlsbad Citizens/Visitors/Businesses. There are 10 Coastal Parks in North Carlsbad. The lack of Coastal Parks in South Carlsbad seems both unfair to South Carlsbad Citizens/Visitors/Businesses; and is unfair to North Carlsbad by forcing competition into North Carlsbad & Encinitas/Solana Beach where there are Coastal Parks.

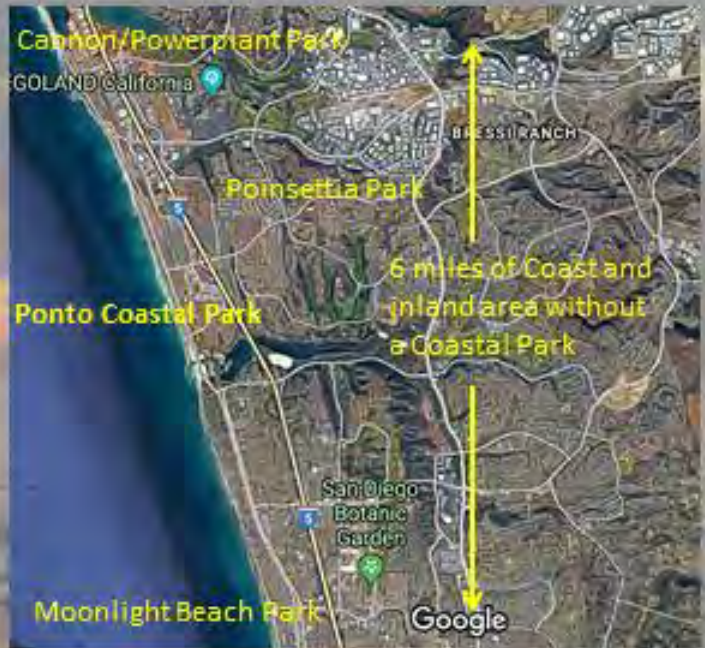
Map of the City of South Carlsbad, California
Legend: City Boundary, Coastal Park, Water Front, Highway, Coastal Boundary
Scale: 1 inch = 1 mile
Date: 1/20/2019

Ponto is at the center of regional 6-mile Coastal Park Gap. A Coastal Park in this instance being a Public Park with practical green play space and a reasonable connection with the Coast (i.e. located west of the regional rail and Interstate-5 corridors). The following image shows this larger regional Coastal Park Gap centered on the Ponto Area, and the nearest Coastal Parks – Cannon Park to the north, and Moonlight Park to the south.

Regionally this image shows Ponto is the last remaining significant vacant Coastal land that could accommodate a Coastal Park to serve the Coastal Park current needs of over existing 2,000 Ponto residents, 64,000 existing South Carlsbad residents, and a larger regional population. It is also the only area to serve the Coastal Park needs for the thousands of hotel rooms in Upland Visitor Accommodations in South Carlsbad.

How Ponto Serves Region

- Ponto is in the middle of the regional Coastal Park Gap
- A Ponto Coastal Park fills a critical 6 mile gap of coastline without a Coastal Park - 8.6% of SD County coastline
- A Ponto Coastal Park Serves over 26,000 homes & 64,000 citizens just in South Carlsbad without a Coastal Park
- Serves many more people outside Carlsbad

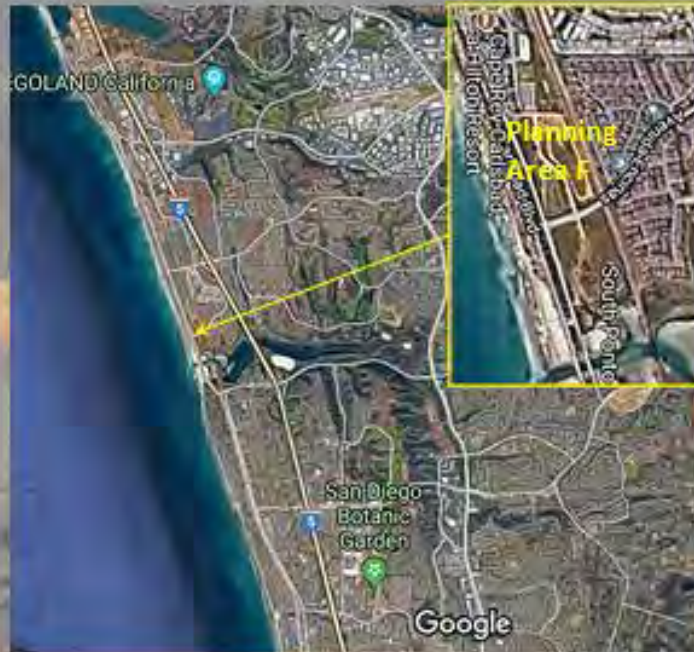


As People for Ponto first uncovered and then communicated in 2017 to the City and CCC; Carlsbad’s Existing (since 1994) Local Coastal Program LUP currently states (on page 101) that Ponto’s Planning Area F: carries a Non-Residential Reserve (NRR) General Plan designation. Carlsbad’s Existing Local Coastal Program Land Use Plan states: “Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an “unplanned” area ...” and requires that: “... **As part of any future planning effort, the City and Developer must 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.**” CA Coastal Commission actions, Carlsbad Public Records Requests 2017-260, 261, and 262, and 11/20/19 City Planner statements confirm the City never fully communicated to Carlsbad Citizens the existence of this LCP requirement nor did the City comply with the requirements. Of deep concern is that the City is now (as several times in the past) still not honestly disclosing to citizens and implementing this Existing LCP requirement as a true and authentic ‘planning effort’. The lack of open public disclosure and apparent fear of true public workshops and Public Comment about the Existing Planning Area F LCP requirements are troubling. The point of a ‘planning effort’ is to openly and publically present data, publically discuss and explore possibilities/opportunities, and help build consensus on the best planning options. Citizens are concerned the city has already made up its mind and there is no real “planning effort” in the proposed Draft LCP Amendment process, just a brief Staff Report and at the end provide citizens 3-minutes to comment on the proposal. This is not the proper way to treat the last remaining significant vacant land in South Carlsbad that will forever determine the Coastal Recreation environment for generations of Carlsbad and California citizens and visitors to come.

The following data/images show how Ponto is in the center of the 6-mile (west of I-5 and Railroad corridor) regional Coastal Park gap. Ponto is the last remaining vacant and currently “unplanned” Coastal land that is available to address this regional Coastal Park Gap.

How Ponto Serves Region cont.

- **Relieves Coastal Park congestion** in North Carlsbad, Encinitas and Solana Beach
- Area currently needs Coastal Park as seen by:
 - Ponto Beach parking congestion
 - current trespass use of Planning Area F as a Park
- **6.6 acre portion of Planning Area F** addresses SW Quad City Park deficit



How Ponto Serves Region cont.

- A Ponto Park helps address 2050 and beyond Regional Population and Visitor Growth demands for Coastal Parks
- A Ponto Park provides the lowest-cost coastal access and recreation opportunities for CA citizens and visitors



How Ponto Serves Region cont.

- Vital park and open space amenity for Visitor serving businesses and accommodations
- 6.6 acre unique City Coastal Park venue to stage special events: Runs, bike rides, triathlons, sports, coastal festivals, etc.



How Ponto Serves Region cont.

- Critical Park space for So. Carlsbad State Beach Campground
- Provides a big training and staging space for Junior lifeguards
- Dog walk trail

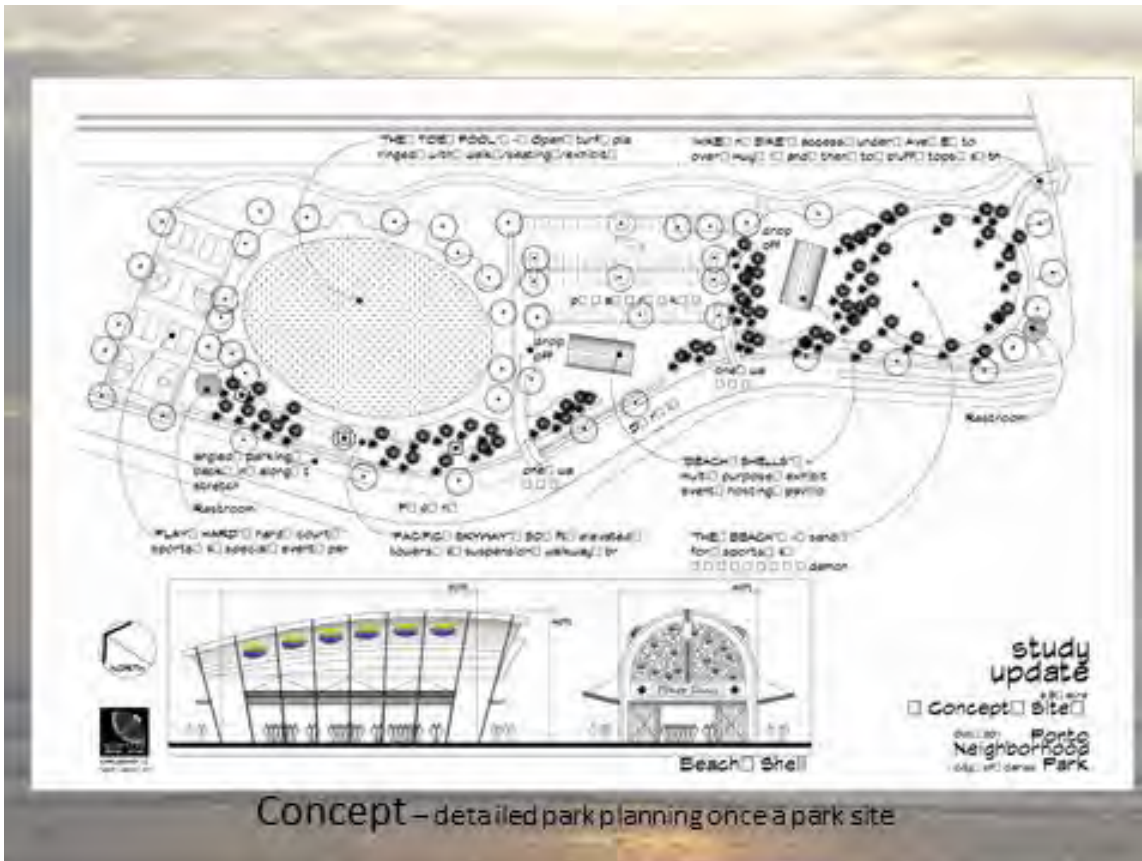


Ponto Coastal Park Concept

- A concept – but shows potential recreational opportunities
- Provides **vital parkland support for beach & open play fields**
- Concept plan a gift from San Pacifico Community Association



One possible Concept image of a potential Ponto Coastal Park at Planning Area F is illustrated below. The potential for a Ponto Coastal Park is real. The speculative land investment fund (Lone Star Fund #5 USA L.P. and Bermuda L.P.) that currently owns Planning Area F is selling the property, and is available for the City of Carlsbad to acquire to address the documented demand/need for a City Park and City Park inequity at Ponto and in Coastal South Carlsbad. A Ponto Beachfront Park 501c3 is working to acquire donations to help purchase the site for a Park. These situations and opportunities should be publicly discussed as part of the City Staff's proposed Local Coastal Program Land Use Plan Amendment.



- 6. Projected increases in California, San Diego County and Carlsbad population and visitor growth increases the demand for High-Priority-Coastal Recreation land use:
 - a. Increasing Citizen demand for Coastal Recreational land needs to be addressed with increased Coastal Recreation land:

San Diego County Citizen Population - Source: SANDAG Preliminary 2050 Regional Growth Forecast

1980	1,861,846
1990	2,498,016
2000	2,813,833
2010	3,095,313
2020	3,535,000 = 46,500 Citizens per mile of San Diego County coastline
2030	3,870,000
2040	4,163,688
2050	4,384,867 = 57,700 Citizens per mile of San Diego County coastline

2020 to 2050 = 24% increase in San Diego County population.

Citizen Population will continue beyond 2050. Carlsbad may plan for 'Buildout' in 2050, but what is San Diego County's 'Buildout'? There is a common-sense need to increase the amount of Coastal Recreation Land Use in the Proposed LCP Amendment to the Land Use Plan for this growing population. If we do not increase our supply of Coastal Recreational Resources for these increased demands our Coastal Recreation Resources will become more overcrowded, deteriorated and ultimately diminish the Coastal Recreation quality of life for Citizens of Carlsbad and California. Ponto sits in the middle of an existing 6-mile regional Coastal Park Gap (no Coastal Park west of Interstate 5) and there is No Coastal Park in all of South Carlsbad to address the Coastal Recreation needs of the 64,000 South Carlsbad Citizens.

- b. Increasing Visitor demand for Coastal Recreational land needs to be addressed with increased Coastal Recreation land:

Yearly Visitors to San Diego County – source: *San Diego Tourism Authority; San Diego Travel Forecast, Dec, 2017*

2016	34,900,000
2017	34,900,000
2018	35,300,000
2019	35,900,000
2020	36,500,000 = average 100,000 visitors per day, or 2.83% of County’s Population per day, or 1,316 Visitors/coastal mile/day in 2020
2021	37,100,000
2022	37,700,000

This is growth at about a 1.6% per year increase in visitors. Projecting this Visitor growth rate from 2020 to 2050 results in a 61% or 22,265,000 increase in Visitors in 2050 to:

2050	58,765,000 = average 161,000 visitors per day, or 3.67% of the County’s projected 2050 Population per day, or 2,120 Visitors/coastal mile/day in 2050.
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The number of Visitors is likely to increase beyond the year 2050. There is a common-sense need to increase the amount of Coastal Recreation Land Use in the Proposed LCP Amendment to the Land Use Plan for these projected 2050 61% increase, and beyond 2050, increases in Visitor demand for Coastal Recreational Resources. Increasing Coastal Recreation land is a vital and critically supporting Land Use and vital amenity for California’s, the San Diego Region’s and Carlsbad’s Visitor Serving Industry. Ponto sits in the middle of an existing 6-mile regional Coastal Park Gap (no Coastal Park west of Interstate 5). There are thousands of hotel rooms in South Carlsbad that have NO Coastal Park to go to in South Carlsbad. This needs correcting as both a Coastal Act and also a City economic sustainability imperative.

- c. We request that the as part of the public’s review, the City Staff proposed Draft LCP Amendment to the Land Use Plan clearly document if and/or how future forever ‘Buildout’ City, Regional and Statewide population and visitor population demand for Coastal Recreation and City Coastal Parks are adequately provided for both in amount and locational distribution in the Carlsbad proposed Amendment of the LCP Land Use Plan.

- 7. Carlsbad’s Draft Local Coastal Program Land Use Plan Amendment says it plans to a year 2050 buildout of the Coastal Zone. The Draft Local Coastal Program Land Use Plan Amendment then is the last opportunity to create a Coastal Land Use Plan to provide “High-Priority” Coastal Recreation Land Use, and will forever impact future generations of California, San Diego County, and Carlsbad Citizens and Visitors:

- a. The Draft LCPA indicates in 2008 only 9% of All Carlsbad was vacant land. Less is vacant now in 2019. Carlsbad’s Coastal Zone is 37% of the City, so vacant unconstrained land suitable for providing Coastal Recreation is likely only 3-4%. The prior request for a full documentation of the remaining vacant Coastal lands will provide a better understanding needed to begin to make the final ‘buildout’ Coastal Land Use Plan for Carlsbad. The Draft LCPA does not indicate the amount and locations of currently vacant unconstrained Coastal Land in Carlsbad. This final limited vacant land resource should be clearly documented and mapped in the DLCPA as it represents the real focus of the DLCPA – the Coastal Plan for these remaining

undeveloped lands. These last remaining vacant lands should be primarily used to provide for and equitably distribute “High-Priority” Coastal Recreation Land Uses consistent with CCA Sections:

- i. Section 30212.5 “... Wherever appropriate and feasible, public facilities, including parking areas or facilities, **shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.**”;
- ii. Section 30213 “... **Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...**”;
- iii. Section 30222 “**The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development,** but not over agriculture or coastal-dependent industry.”
- iv. Section 30223 “**Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible**” ,
- v. Section 30251 ... The location and amount of new development should maintain and enhance public access to the coast by ... 6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by **correlating the amount of development with local park acquisition** and development plans with the provision of onsite recreational facilities to serve the new development”

Adopted City Park Service Area and Park Equity maps discussed earlier document the proposed Draft LCP Amendment’s inconstancy with the above CCA Policy Sections. The locations and small amounts remaining vacant Coastal lands provide the last opportunities to correct the inconsistencies of City proposed Draft “buildout” LCP Land Use Plan Amendment with these Coastal Act Policies.

Currently and since 1996 there has been LCP LUP Policy/regulations for Ponto Planning Area F that require consideration of a “Public Park” prior to changing the existing “unplanned Non-residential Reserve” Land Use designation. A map and data base of vacant developable Coastal land should be provided as part of the Draft LCPA and the Draft LCPA. This map and data base should document the projected/planned loss of Coastal land use due to Sea Level Rise. Draft LCPA projects Sea Level Rise will eliminate several beaches and High-Priority Coastal Land Uses like Coastal Lagoon Trails and the Campground.

- b. The LCP Land Use Plan should plan and reserve the very limited vacant developable Coastal land for the long-term ‘Buildout’ needs of “High-Priority” Coastal Recreation Land Use. Vacant developable Coastal land is too scarce to be squandered for “low-priority” uses. Sea Level Rise will reduce “High-Priority” Coastal Uses. So how vacant developable Upland area should be preserved for “High-Priority” Coastal Uses is a key requirement to be fully documented and discussed in the Draft LCPA. If not one of two things will eventually happen 1) any new Coastal Park land will require very expensive purchase and demolition of buildings or public facilities to create any new Coastal Park land to meet existing and growing demand; or 2) Coastal Recreation will be hemmed-in by “low-priority” uses and thus force Coastal Recreation to decrease and become increasingly concentrated and overcrowded in its current locations; and thus will promote the eventual deterioration of our current Coastal Recreation resources. A plan that fails to fix Coastal Park deficits and then increase Coastal Parks in pace with increased population/visitor demand is a plan that can only result in degradation. How the Draft LCPA documents and addresses the land use planning of the last small portions of vacant developable Coastal land is critical for the future and future generations.

8. Citizens of South Carlsbad are concerned about the City's multiple prior flawed Ponto planning processes or 'mistakes' the City has made yet is basing the City Staff's proposed Draft LCP LUP. The concerns being the City is not openly and honestly communicating information to citizens and the public, and not allowing a reasonable and appropriate community-based planning process to address the documented Park, Coastal Recreation and unconstrained open space needs in South Carlsbad. One of these groups of citizens has created a www.peopleforponto.com website to try to research and compile information and hopefully provide a better means for citizens to understand facts and then express their concerns/desires to the City of Carlsbad (City) and CA Coastal Commission (CCC). Over 2,000 emails have sent to the City and CCC regarding Coastal Land Use Planning Issues at Ponto. The San Pacifico Planned Community (i.e. San Pacifico Community Association) has also, since 2015, sent numerous emailed letters to the City and CCC noting the significant concerns about changes in Coastal planning the City is proposing for our Planned Community.

Repeatedly over 90% of surveyed citizens (results emailed prior to both the City and CCC) have expressed the vital need and desire for a Coastal Park at Ponto to serve the current and future Coastal Recreation needs for all both Ponto and South Carlsbad and for larger regional and State Coastal Recreational needs. This desire is supported by data, CA Coastal Act Policy, and also Carlsbad's Community Vision – the foundation for the City's General Plan. Ponto is the last remaining vacant Coastal area available to provide for those needs in South Carlsbad and for a regional 6-mile stretch of coastline. Citizens have expressed deep concern about the City's flawed prior Coastal planning efforts for Coastal Recreation at Ponto, including two repeated LCP Amendment "mistakes" (Ponto Beachfront Village Vision Plan in 2010 and General Plan Update in 2015) when the City twice failed to publicly disclose/discuss and then follow the Existing LCP requirements at Ponto – specifically for Planning Area F. People for Ponto had to use multiple Carlsbad Public Records Requests in 2017 to find these "mistakes". CCC Staff was helpful in both confirming the City "mistakes" and communicating back to the City. As citizens we are still unclear as to how/why these two repeated "mistakes" happened. There is citizen concern that the City is again repeating these two prior "mistakes" by not at the beginning of the Public Comment Period clearly and publicly disclosing the Planning Area F LCP requirements to citizens as part of the current LCP Amendment process, and also by not implementing the existing LCP requirement PRIOR to proposing an Amended Coastal Land Use Plan for Ponto. The City in its proposed LCP Amendment process is putting-the-cart-before-the-horse with respect to honest and open consideration, documentation and public discussion of the need for high-priority Coastal Recreation land use required of Planning Area F at Ponto. The City is also not clearly letting all Carlsbad citizens know about the Existing LCP requirements for Ponto's Planning Area F so they can be informed to reasonably participate in public review and comment regarding amending that LCP requirement, and the need for Coastal Recreation land uses in South Carlsbad. Since 2017 there has been repeated citizen requests to the City (copies were provided to the CCC) to fix these multiple fundamental/foundational flaws by in the City's prior Coastal Recreation and Public Parks and Open Space at planning, and the currently Proposed Draft LCP Land Use Plan Amendment. Since 2017 there have also been repeated citizen requests to the City to provide a truly open, honest, inclusive community-based planning process and workshops with the accurate and honest information, prior to forming a proposed Draft LCP Land Use Plan Amendment. As citizens we believe we can constructively work with the City and CCC towards a consensus or viable options on these important Coastal Recreation issues if the City allows and encourages such an open, honest and inclusive process. We request the City respond to the requests submitted to the City since 2017, and again request such a process from the City before any LCP Amendment is first considered by the Planning Commission and City Council. Such a requested process benefits all.

9. Why the Draft LCPA Land Use Plan for Ponto should provide for the current and future Coastal Park and Recreation needs for South Carlsbad, the San Diego Region and California.
 - a. Ponto, is one of last remaining vacant and undeveloped Coastal lands in North County
 - b. Ponto is the last remaining undeveloped Coastal land in South Carlsbad
 - c. Ponto has the last unplanned Planning Area of the Existing Poinsettia Shores Planned Community & Local Coastal Program that can be planned for high-priority Coastal Recreation land use. This Existing LCP requires Planning Area F be considered for a “Public Park”.
 - d. Following is a map of the Ponto area in South Carlsbad:



Following is the LCP Land Use map from the Existing Poinsettia Shores Master Plan & Local Coastal Program adopted in 1996. This is the Land Use map that the City is proposing to change in the proposed LCP Amendment to the Land Use Plan. As the Existing LCP Land Use map shows most all the land is ‘low-priority’ residential use at an RM Residential medium density, a small portion is ‘high-priority’ Visitor Serving TC/C Tourist Commercial. Most all the Open Space is constrained and undevelopable land (the steep CSS habitat bluffs above Batiquitos Lagoon) or water

(the lagoon water). This land/water is owned by the State of California, like the inner lagoon east of I-5. Only Planning Area M at 2.3 acres is unconstrained Open Space and it provides a small private internal recreation facility for the approximately 450 homes and 1,000 people in the Planned Community. This small recreation area is a City requirement for 'planned developments' to off-set loss open space from planned development impacts on housing quality. Planned developments can propose designs that reduce normal setback and open space areas – they bunch together buildings to increase development – such as the smaller lot sizes, and extensive use of “zero-setbacks” to reduce typical lot sizes that occurs at Poinsettia Shores. A private recreation facility in any of the City’s planned developments is never considered a replacement for required City Parks. Planned Developments, like unplanned developments, are required to dedicate Park land to the City, or pay a Park In-Lieu fee to the City so the City provide the developer’s obligation to provide City Park acreage to address the population increase of their proposed planned development. For Poinsettia Shores’ population the City’s minimum City Park Standard would require developers set aside 3 acres of City Park land for local park needs. For the larger Ponto area population about 6.6 acres of City Park Land is required. The Existing LCP reserves Planning Area F as an unplanned “Non-residential Reserve” Land Use until the Public Park needs for Ponto are considered and documented. Only then can the NRR land use be changed.



10. Developers have overbuilt in the Ponto area of the Coastal Zone. The City of Carlsbad has under questionable circumstances is currently choosing to 'exempted' Ponto developers from providing the minimum amount of unconstrained Open Space according to the City’s developer required Open Space Public Facilities Standard. The legality of these confusing circumstances is subject to a lawsuit against the City. However the City’s computerize mapping system has documented that the Ponto area of the Coastal Zone is missing about 30-acres of Unconstrained Open Space that can be used to fulfill the City’s Open Space Performance Standard that states that 15% of unconstrained and developable land must be preserved by developers as Open Space. Following is a

summary of data from the City data regarding the missing Open Space at Ponto (Local Facility Management Plan Zone 9, LFMP Zone 9) in the Coastal Zone pursuant to the City's Open Space Performance Standard. If it is desirable People for Ponto can provide the City GIS map and parcel-by-parcel data base on which the following summary is based:

City of Carlsbad GIS data calculations of Open Space at Ponto area of Coastal Zone:

472 Acres = Total land in LFMP Zone 9 [Ponto area] per City of Carlsbad GIS data

(197 Acres) = Constrained land/water/infrastructure that is excluded from the City's Open Space Standard

275 Acres = Unconstrained land in LFMP Zone 9 (Ponto) subject to the City's Open Space Standard

X 15% = Minimum unconstrained Open Space requirement per the City Open Space Standard

41 Acres = Minimum unconstrained Open Space required in LFMP Zone 9

(11 Acres) = Actual unconstrained Open Space provided & mapped by City in LFMP Zone 9

30 Acres = Missing unconstrained Open Space needed in LFMP Zone 9 [Ponto area of Coastal Zone] to meet the City's minimum GMP Open Space Standard. 73% of the required Open Space Standard is missing.

Thus the Ponto area of the Coastal Zone appears overdeveloped with 30 additional acres of "low-priority" residential land uses due to developers' non-compliance to the City's Open Space Public Facility Performance Standard's Minimum developer required Open Space requirement. As noted a citizens group has a pending lawsuit with the City over the City's current 'exempting' Ponto and future developers from meeting the Open Space Standard.

11. The prior pre-1996 LCP for Ponto – the Batiquitos Lagoon Educational Park Master Plan & LCP (BLEP MP/LCP) had significant Open Space and recreational areas. These significant Open Space and Recreational areas were removed with BLEP MP/LCP's replacement in 1996 by the currently existing Poinsettia Shores Master & LCP (PSMP/LCP) and its City Zoning and LCP LUP requirements that reserved Planning Area F with the current "Non-residential Reserve" Land Use designation. Since the BLEP MP/LCP it appears developers and the City of Carlsbad have worked to remove "High-Priority" Coastal land uses (i.e. Coastal Recreation and Park uses) out of the Ponto area and replaced them with more "low-priority" residential and general commercial land uses. For example:
 - a. Planning Area F used to be designated "Visitor Serving Commercial" as part of the original 1980's BLEP MP/LCP for Ponto.
 - b. In 1996 the BLEP MP LCP was changed by developer application to the now current PSMP LCP, and the LCP LUP designation changed from "Visitor Serving Commercial" to "Non-Residential Reserve" with the requirement to study and document the need for "High-Priority" Coastal Recreation (i.e. Public Park) and/or Low-cost visitor accommodations prior to any change to Planning Area F's "Non-residential Reserve" LCP land use.
 - c. In 2005 the City started to try to change Planning Area F to low-priority residential and general commercial land use in the City's Ponto Beachfront Village Vision Plan (PBVVP). At this time the City made its first documented Coastal 'planning mistake' by not disclosing to the public the existence of Planning Area F's LCP requirements and then also not following those LCP requirements. The City's planning process seemed focused on addressing developer's land use desires, and increasing land use intensity to boost "Tax-increment financing" as the City had established a Redevelopment Project Area at Ponto. A short time after the State of CA dissolved Redevelopment Agencies due in part to such abuses by cities. The CCC formally rejected the PBVVP in 2010, citing the City's failure to follow the LCP requirements for Planning Area F.
 - d. Five years later in 2015 the City again adopted a proposed General Plan Update to again change Planning Area F to low-priority residential and general commercial land use. The General Plan Update cited the City's PBVVP that was in fact rejected by the CCC only a few years before. The City again repeated their PBVVP's

Coastal land use ‘planning mistake’ by again not disclosing to the public the existence of Planning Area F’s LCP requirements and then not following those LCP requirements. It is unclear why the City did this only 5-years after the CCC specifically rejected the Ponto Beachfront Village Vision Plan for those same reasons.

- e. In 2017 citizens found and then confirmed these Ponto Coastal ‘planning mistakes’ by the City through multiple official Carlsbad Public Records Requests and CCC Staff confirmation. The CCC readily identified the mistakes, but the City’s 2019 proposed Draft LCP Land Use Plan and planning process still has yet fully disclose these prior Coastal ‘planning mistakes’ to ALL citizens of Carlsbad - the failure to disclose and follow the Planning Area F LCP LUP and City Zoning requirements. Full City disclosure is needed now to try to correct many years of City misrepresentation to citizens on LCP required Coastal land Use planning at Ponto. It is needed now so the public is aware at the start of the Public Comment Period. In 2017 citizens began asking the City fix the City’s over 12-years of misinformation and planning mistakes by ‘restarting’ Coastal land use planning at Ponto with an open and honest community-based Coastal planning process. These citizens’ requests have been rejected.
- f. In 2019 the City Staff proposed citywide Draft LCP land Use Plan Amendment that again proposed to change Planning Area F to “low-priority” residential and general commercial land use, without first disclosing the Planning Area F LCP requirements with corresponding analysis of the Need for Coastal Recreation (i.e. Public Park) and/or low-cost visitor accommodations at Planning Area F and providing that Documented analysis for public review/Consideration/comment. This seems like another 3rd repeat of the prior two Coastal planning mistakes by the City. In 2019, again citizens asked for a reset and a true community-based process for the last remaining significant vacant Coastal lands – including Ponto. Again the City rejected citizens’ requests.
- g. In 2020 thousands of public requests again asked, and are currently asking, for a reset and a true community-based process for the last remaining significant vacant Coastal lands – including Ponto. Again these requests are being rejected. Based on the significant citizen concern and the documented prior ‘planning mistakes’ at Ponto it appears reasonable and responsible for Ponto’s Planning Area F to either:
 - i. Retain its current Existing LCP LUP land Use of “Non-Residential Reserve” until such time as the City’s past Ponto Beachfront Village Vision Plan and General Plan Update planning mistakes and other issues subject to current planning lawsuits against the City are resolved with a true, honest and open community-based Coastal planning process asked for by citizens since 2017. Or
 - ii. Propose in the Draft LCP Land Use Plan Amendment to re-designated Planning Area F back to a Visitor Serving Commercial and Open Space (“i.e. Public Park”) to provide both “High-Priority” coastal uses v. low-priority residential/general commercial uses due to the documented Coastal Recreation and Low-cost visitor accommodation needs for both citizens and visitors at Ponto and South Carlsbad.

12. Questionable logic and inconsistency in proposed Draft land use map and policies: Chapter 2 Figure 2-2B & C on pages 2-19 & 20 proposes to Amend the existing LCP Land Use Plan Map, and policies LCP-2-P.19 and 20 on pages 2-27 to 2-29 propose Amendments to existing LCP policy and create a new added layer of policy referencing a Ponto/Southern Waterfront. The proposed Land Use Map and Policies serve to firmly plan for “low-priority” residential and general commercial land uses at Ponto with a clear regulatory Land Use Plan Map showing these land uses and by specific regulatory policy (LCP-2-20) that clearly requires (by using the words “shall”) these “low priority” uses. In contrast the “High-Priority” Coastal Recreation and Coastal Park land uses that would be designated as Open Space are not mapped at all in Figure 2-2B & C; and the proposed policy LCP-2-P.19 is both misleading and specifically does Not Require any “High-Priority” Coastal Recreation and Coastal Park land Use at Ponto and South Carlsbad. In fact page 2-22 specifically indicates two “may” criteria that would first need to occur

in the positive before any potential Coastal Recreation and Coastal Park Land could then theoretically even be possible. It is highly probable that it is already known by the City that the proposed relocation of Carlsbad Boulevard (Coast Highway) is not very feasible and not cost effective, and will not yield (due to environmental habitat constraints, narrowness of the roadway median, and other design constraints) any significant dimensions of land that could potentially be designated Open Space and realistically be used as a Park.

The blank outline map (Figure 2-2B & C) provides no mapped Open Space Land Use designation, other than for the currently existing State Campgrounds' low-cost visitor accommodations, so the proposed Land Use Plan Map is Not providing/mapping any new Open Space land use to address Coastal Recreation and Coastal Park needs. The Draft LCP Land Use Plan Amendment's proposed/projected/planned Sea Level Rise and associated coastal erosion appears to indicate that this "High-Priority" low-cost visitor accommodation (Campground) land use designated as Open Space will be reduced in the 'Buildout' condition due to coastal erosion. **So the Draft LCP Land Use Plan is actually planning for a Reduction in Open Space Land Use in South Carlsbad and Ponto.** Both the blank outline map and the proposed Land Use Map Figure 2-1 DO NOT clearly map and designate both South Carlsbad's Draft LCP Planned Loss of the Open Space Land Use and also any New or replacement unconstrained land as Open Space land use for Coastal Recreation and Coastal Park. This is an internal inconsistency in Land Use Mapping that should be corrected in two ways:

- 1) Showing on all the Land Use (Figure 2-1), Special Planning Area (Figure 2-2B & C), and other Draft LCP Maps the Draft LCP's planned loss of land area in those maps due to the Draft LCP's planned loss of land due to Sea Level Rise and Coastal Land Erosion. This is required to show how land use boundaries and Coastal Recourses are planned to change over time. or
- 2) Provide detailed Land Use Constraint Maps for the current Carlsbad Boulevard right-of-way that the City "may" or 'may not' choose (per the proposed "may" LCP-2-P.19 policy) use to explore to address the City's (Park Master Plan) documented Coastal Recreation and Coastal Park land use shortages in Coastal South Carlsbad and Ponto. Clearly showing the potential residual Unconstrained Land within a Carlsbad Boulevard relocation that have any potential possibility to add new Open Space Land Use Designations (for Coastal Recreation) is needed now to judge if the policy is even rational, or is it just a Trojan horse.

The proposed internal inconsistency in mapping and policy appears like a plan/policy 'shell game'. The proposed Land Use Plan Maps and Policies should be consistent and equality committed (mapped-shall v. unmapped-may) to be a feasible and actual Plan. If not then there is No real Plan.

There is no Regulatory Policy requirement in LCP-2-P.19 to even require the City to work on the two "may" criteria. The City could choose to bury the entire Carlsbad Boulevard relocation concept and be totally consistent with Policy LCP-2-P.19 and the LCP. As such the language on 2-22, Figure 2-2C (and the proposed Land Use Map), and policy LCP-2-P.19 and 20 appear conspire to create a shell game or bait-and-switch game in that only "low-priority" residential and general commercial uses are guaranteed (by "shall" policy) winners, and "high-priority" Coastal Recreation and Coastal Park Land Uses are at best a non-committal 'long-shot' ("may" policy) that the city is specifically not providing a way to ever define, or commit to implement. The proposed Draft LCP Land Use Plan Coastal Recreation and Coastal Park statements for Ponto are just words on paper that are designed to have no force, no commitment, no defined outcome, and no defined requirement to even have an outcome regarding the documented "High-Priority" Coastal Recreation and Coastal Park needs at Ponto, Coastal South Carlsbad and the regional 6-mile Coastal Park gap centered around Ponto.

Policy LCP-2-P.19 falsely says it “promotes development of recreational use” but does not in fact do that. How is development of ‘recreational use promoted’ when the Use is both unmapped and no regulatory policy requirement and commitment (no “shall” statement) to ‘promote’ that Use is provided? Policy LCP-2-19.19 appears a misleading sham that does not ‘promote’ or require in any way “High-Priority” Coastal Recreation and Park Land Use at Ponto. There should be open and honest public workshops before the Draft LCP Amendment goes to its first public hearing to clearly define the major environmental constraints and cost estimates involving possible relocation of Carlsbad Boulevard and constructing needed beach access parking, and sufficient and safe sidewalks and bike paths along Carlsbad Boulevard; and then map the amount and dimensions of potential ‘excess land’ that maybe available for possible designation as Open Space in the City General Plan and Local Coastal Program. The City should not repeat the mistakes at the Carlsbad Municipal Golf Course (resulting in the most expensive to construct municipal course in the USA) by not defining and vetting the concept first. A preliminary review of City GIS data appears the amount, dimensions and locations of any potential ‘excess’ land maybe modest at best. However before the City proposes a ‘Buildout’ Coastal Land Use Plan this critical information should be clearly provided and considered. It is likely the City’s Carlsbad Boulevard relocation concept is unfeasible, inefficient, too costly, and yields too little actual useable ‘excess land’ to ever approach the Coastal Recreation and Coastal Park needs for South Carlsbad. This may already be known by the City, but it surely should be publicly disclosed and discussed in the DLPCA.

The proposed Coastal Land Use Plan to address Carlsbad’s, San Diego County’s and California’s High-Priority Coastal Recreation Land Use and Coastal Park needs should NOT be vague “may” policy that appears to be purposely designed/worded to not commit to actually providing any “High-Priority” Coastal Recreation and Coastal Park land uses on the map or in policy commitments. The Land Use Plan and Policy for High-Priority Coastal Recreation and Coastal Park Land Use should be definitive with triggered “shall” policy statements requiring and assuring that the ‘Forever’ “High-Priority” Coastal Recreation and Coastal Park needs are properly and timely addressed in the City’s proposed ‘Buildout’ Coastal Land Use Plan. This “shall” policy commitment should be clearly and consistently mapped to show the basic feasibility of the planned outcomes and the resulting actual Land that could feasibly implement the planned outcome.

Providing safe and sufficient sidewalks, bike paths, and public parking along Carlsbad Boulevard: Providing safe and sufficient sidewalks, bike paths, and public parking along Carlsbad Boulevard are Coastal Access and Completes Streets issues. South Carlsbad Boulevard now and has for decades been a highly used Incomplete Street that is out of compliance with the City’s minimum Street Standards for pedestrian and bike access and safety. The Coastal Access portion of the Draft Land Use Plan should strongly address the Complete Street requirements for South Carlsbad Boulevard. Those policy commitments should be reference in Policy LCP-2-P.19 and 20 as Carlsbad Boulevard in **South Carlsbad is the most Complete Street deficient portion of Carlsbad Boulevard**. Forever Coastal Access parking demand and the proposed LCP Amendment’s Land Use Plan to supply parking for those demands should also be addressed as part of the Coastal Access and Complete Streets issues for South Carlsbad Boulevard. If much needed Coastal Access Parking is provided on South Carlsbad Boulevard as part of a “maybe” implemented realignment, most of the “maybe” realignment land left after constraints are accommodated for and buffered will likely be consumed with these parking spaces and parking drive aisles/buffer area needed to separate high-speed vehicular traffic from parking, a buffered bike path, and a sufficiently wide pedestrian sidewalk or Coastal Path. After accommodating these much needed Complete Street facilitates there will likely be little if any sufficiently dimensioned land available for a Coastal Recreation and a Coastal Park. The needed Coastal Access and Complete Street facilities on South Carlsbad Boulevard are very much needed, but they are NOT a Coastal Park.

As mentioned the proposed Draft Coastal Land Use Plan's Maps and Policies are very specific in providing for the City's proposed LCP Land Use changes to 'low-priority' Residential and General Commercial' on Planning Area F (proposed to be renamed to Area 1 and 2). It is curious as to why the proposed Draft LCP Land Use Plan Amendment has no Land Use Map and minor vague unaccountable Land Use Policy concerning 'High-priority Coastal Recreation Land Use' at Ponto, while the very same time proposing very clear Land Use Mapping and detailed unambiguous "shall" land use policy requirements for 'low-priority' Residential and General Commercial land use at Ponto. Why is the City Not committing and requiring (in a Land Use Map and Land Use Policy) to much needed 'High-priority' Coastal Recreation and Coastal Park Land Use' needs at Ponto the same detail and commitment as the City is providing for "low-priority" uses? This is backwards and inappropriate. It is all the more inappropriate given the 'Buildout' Coastal Land Use Plan the City is proposing at Ponto. These issues and plan/policy commitments and non-commitments will be 'forever' and should be fully and publicly evaluated as previously requested, or the Existing LCP Land Use Plan of "Non-residential Reserve" for Planning Area F should remain unchanged and until the forever-buildout Coastal Recreation and Coastal Park issues can be clearly, honestly and properly considered and accountably planned for. This is vitally important and seems to speak to the very heart of the CA Coastal Act, its founding and enduring principles, and its policies to maximize Coastal Recreation. People for Ponto and we believe many others, when they are aware of the issues, think the City and CA Coastal Commission should be taking a long-term perspective and be more careful, thorough, thoughtful, inclusive, and in the considerations of the City's proposal/request to permanently convert the last vacant unplanned (Non-residential Reserve) Coastal land at Ponto to "low-priority" land uses and forever eliminate any Coastal Recreation and Coastal Park opportunities.

13. Public Coastal View protection: Avenida Encinas is the only inland public access road and pedestrian sidewalk to access the Coast at Ponto for one mile in each direction north and south. It is also hosts the regional Coastal Rail Trail in 3' wide bike lanes. There exist now phenomenal coastal ocean views for the public along Avenida Encinas from the rail corridor bridge to Carlsbad Boulevard. It is assumed these existing expansive public views to the ocean will be mostly eliminated with any building development seaward or the Rail corridor. This is understandable, but an accountable ('shall') Land Use Plan/Policy addition to proposed Policy LCP-2-P.20 should be provided for a reasonable Public Coastal View corridor along both sides of Avenida Encinas and at the intersection with Carlsbad Boulevard. Public Coastal view analysis, building height-setback standards along Avenida Encinas, and building placement and site design and landscaping criteria in policy LCP-2-P.20 could also considered to reasonably provide for some residual public coastal view preservation.
14. Illogical landscape setback reductions proposed along Carlsbad Boulevard, and Undefined landscape setback along the Lagoon Bluff Top and rail corridor in Policy LCP-2-P.20: Logically setbacks are used in planning to provide a buffering separation of incompatible land uses/activities/habitats. The intent of the setback separation being to protect adjacent uses/activities/habitats from incompatibility, nuisance or harassment by providing a sufficient distance/area (i.e. setback) between uses/activities/habitats and for required urban design aesthetics – almost always a buffering landscaping. Policy LCP-2-P.20. A.4 and C.3 says the required 40' landscape setback along Carlsbad Boulevard "maybe reduced due to site constraints or protection of environmental resources." The ability to reduce the setback is illogical in that setbacks are intended to protect environmental resources and provide a buffer for constraints. In the Carlsbad Boulevard right-of-way there is documented sensitive environmental habitat, along with being a busy roadway. How could reducing the protective 40' setback in anyway better protect that habitat or provide a better landscaped compatibility or visual aesthesis buffer along Carlsbad Boulevard? It is illogical. If anything the minimum 40' landscaped setback should likely be expanded near "environmental resources". Regarding reducing the minimum 40' landscape setback for "site constraints" there is no definition of what a "site constraint" is or why it (whatever it may be) justifies a reduction of the minimum landscaped setback.

Is endangered species habitat, or a hazardous geologic feature, or a slope, or on-site infrastructure considered a “site constraint”? There should be some explanation of what a “site constraint” is and is not, and once defined if it warrants a landscape setback reduction to enhance the buffering purpose of a landscape setback. Or will a reduction only allow bringing the defined constraint closer to the adjacent uses/activities/habitats that the landscape setback is designed to buffer. It is good planning practice to not only be clear in the use of terms; but also, if a proposed reduction in a minimum standard is allowed, to define reasonably clear criteria for that reduction/modification and provide appropriate defined mitigation to assume the intended performance objectives of the minimum landscape setback are achieved.

Policy LCP-2-P.20.C.4 is missing a critical Bluff-Top landscape setback. It seems impossible that the DLCPA is proposing no Bluff-Top setback from the lagoon bluffs and sensitive habitat. The Batiqitos Lagoon’s adjoining steep sensitive habitat slopes directly connect along the Bluff-top. Batiqitos Lagoon’s and adjoining steep sensitive habitat is a sensitive habitat that requires significant setbacks as a buffer from development impacts. Setbacks similar to those required for the San Pacifico area inland of the rail corridor, should be provided unless updated information about habitat sensitivity or community aesthetics requires different setback requirements.

Policy LCP-2-P.20 does not include a landscape setback standard adjacent to the rail corridor. This is a significant national transportation corridor, part of the 2nd busiest rail corridor in the USA. Train travel along this corridor is planned to increase greatly in the years to come. Now there is significant noise, Diesel engine pollution, and extensive ground vibration due to train travel along the rail corridor. Long freight trains which currently run mostly at night and weekends are particularly noisy and heavy, and create significant ground vibration (underground noise). These issues are best mitigated by landscape setbacks and other buffers/barriers. A minimum setback standard for sufficient landscaping for a visual buffer and also factoring appropriate noise and ground vibration standards for a buildout situation should be used to establish an appropriate landscape setback that should be provided along the rail corridor. Carlsbad’s landscape aesthetics along the rail corridor should be factored into how wide the setback should be and how landscaping should be provided. An example for the landscape aesthetic portion of the setback standard could be landscape design dimensions of the San Pacifico community on the inland side of the rail corridor. However, noise and vibrational impacts at San Pacifico are felt much further inland and appear to justify increased setbacks for those impacts.

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: public input on Carlsbad Parkland Dedication Ordinance and City losses
Date: Sunday, September 11, 2022 11:38:53 AM
Attachments: [image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.emz](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image022.png](#)
[Example of Carlsbad Parkland Dedication Ordinance - Ponto Site 18 - 2022 Sep.pdf](#)

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

Please consider this data file and public input email/attachment in the CTGMC, Housing Element and Parks Master Plan Updates, Proposed Local Coastal Program Amendment, and the Ponto Site 18 proposed land use changes and development application.

'Example of Carlsbad's Park-in-lieu Fee failing to actually provide the required Parkland or improvements

The example is for Ponto Site 18 one of the City's proposed General Plan & Local Coastal Program land use changes to provide RHNA required housing sites for the years 2021-2029. Ponto Site 18 is the Ponto Storage site and surrounding lots. Ponto Site 18's map and City description is provided on pages 4-5 below.

The example shows Carlsbad loses significant amounts of money, and more critically loses precious and irreplaceable Parkland that developers are required to provide for free. These City losses are absorbed by current and future Carlsbad tax-payers. For the relatively small 5 acre and 86 dwelling unit Ponto Site 18 proposal the loss to Carlsbad is \$ 1.084 million in lost parkland value. Below is the spreadsheet calculation of that loss.

Beyond showing a typical over \$ 1 million loss per 86 dwellings, there is added concern for the CTGMC in that this example is a proposed Carlsbad General Plan & Local Coastal Program Land Use Change to try to accommodate the years 2021-2029 the RHNA requirement to add/increase Residential use. Every 8 years we are/will be changing our General Plan land use to add more high-density housing and increasing City Park demand particularly for areas developed more densely.

If these higher-density projects do not dedicate actual City Park within walking distance not only is Carlsbad losing over \$1 million per 86 dwellings, we are losing free and easy opportunities to get City Parkland dedicated for free per CMC 20.44, and will slowly be degrading our Quality of Life in these areas and also Citywide.

Calculation of Ponto Site 18 Parkland dedication requirement and City losses from the Park-in-lieu Fee:

Ponto Site 18 - Fenton proposed development's Park land dedication requirement	
Park land dedication requirement per CMC 20.44	https://library.qcode.us/lib/carlsbad_ca/pub/municipal_code/item/title_20-chapter_20_44
US Census data	https://www.census.gov/quickfacts/fact/table/carlsbadcitycalifornia/POP060210#POP060210
Carlsbad Park Dedication Requirement is 3 acres of land per 1,000 population of the proposed development. Population of proposed development is based on population per household based on latest US Census data 2020 US Census data is 2.64 people per household	
FYI, Carlsbad 3 acres /1,000 is comparatively very low both locally and nationally. And there is no 'walkably requirement'. 5 acres /1,000 population is what Encinitas and Oceanside require along with a 10-minute walk location requirement.	
Fenton owns almost 6 acres of land in Site 18, 4.64 acres of which they want to develop now, and the other 1+ acre part they want to develop later. on the 4.64 acre site change VC-Visitor Commercial/R-15 (15 dwellings per acre) General Plan land use and Zoning to 100% residential and develop at 19.125 dwellings per acre on 4.64 acres.	
On the 1+ acre site, instead of providing their required Park land dedication, Fenton is proposing to develop the remaining 1 acre area (between PCH & Ponto Drive) as General Commercial.	
Instead of providing the required Park land dedication, Fenton is proposing to develop the remaining 1 acre area (between Pecha and Ponto Drive) as General Commercial.	
Site 18 (Fenton) development proposal for the 4.64 acre portion is development of 86 household units (over 19 dwelling units per acre in higher occupancy units than typical) consisting of:	
8	2-bedroom homes = 9% of total units proposed
40	3-bedroom homes = 47% of total units proposed
38	4-bedroom homes = 44% of total units proposed
86	100%
Fenton is proposing 92% of the project with 3 or 4 bedrooms so the project will have higher occupancy, and likely more children, per housing unit than the Citywide average of 2.64 people per housing unit	
Fenton Park land dedication requirement per CMC 20.44	
calculation	86 DU of Fenton proposed development
X	2.64 average population per DU per 2020 US Census
=	227 estimated population of Fenton project
/	1,000 population that needs 3 acres of Park land per CMC 20.44
=	0.22704 percentage of 3 acres of Park land required for 227 people
X	3 acres of Park land required per 1,000 people
=	0.68112 acres of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
X	43,560 square feet per acre
=	29,670 square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
1 acre of Fenton's unused vacant 'Ice plant lots' between PCH & Ponto Drive that can provide Fenton's Park land requirement	
\$ 398,696	per City Master Fee Schedule. Consistent with what Fenton said was would be the 'Park-in-lieu Fee for their 86 DU project
\$ 50	Estimated 5F cost Fenton paid for Ponto Site 18 or \$ 2.18 million per acre
\$ 1,483,479	cost of 29,670 SF of Ponto Site 18 land to satisfy Fenton's Park land requirement
for the Ponto Site 18 5-acre 86 dwelling unit land use change and development proposal:	
\$ (1,084,783) Dollars the City is losing in Park land value and not receiving in its Park-in-lieu fee, so this is a gift to the developer	
- 73% % of lost Park land value City is losing and not receiving in its PIL Fee, so this is a City gift to the developer	
\$ 1,000,000	per acre cost to develop a Park like Buena Vista Reservoir Park
43,560	square feet per acre
\$ 22.96	Cost per sq. ft.
29,670	square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
\$ 681,120	Cost to develop Fenton's 29,670 sq. ft. of Park Land Dedication as a Park
\$ (282,431) Dollars City loses from Park-in-lieu Fees not even being adequate to cover Actual Minimal Park Development Costs	

Following this calculation:

- on page 3-4 are the relevant excerpts of Carlsbad's Dedication of Land for Recreational Purposes Ordinance 20.44, and
- on page 5-6 is the City's map and description of the proposed Ponto Site 18 land use change

https://library.qcode.us/lib/carlsbad_ca/pub/municipal_code/item/title_20-chapter_20_44
20.44 Dedication of Land for Recreational Facilities
20.44.010 Purpose.
This chapter is enacted pursuant to the authority granted by Section 66477 of the Government Code of

the State of California. The park and recreational facilities for which dedication of land and/or payment of a fee is required by this chapter are in accordance with the recreational element of the general plan of the City of Carlsbad. (Ord. 9614 § 1, 1982; Ord. 9190 § 2)

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20.44.040 Standards and formula for dedication of land.
If the decision-making authority for the tentative map or tentative parcel map determines that a park or recreational facility is to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall, at the time of the filing of the final or parcel map, dedicate land for such facility pursuant to the following standards and formula:

The formula for determining acreage to be dedicated shall be as follows:									
Average no. of persons per dwelling unit (based on most recent federal census)									
x									
3 park acres per 1,000 population									
x									
Total number of dwelling units									

The total number of dwelling units shall be the number permitted by the city on the property in the subdivision at the time the final map or parcel map is filed for approval, less any existing residential units in single-family detached or duplex dwellings. The park land dedication requirement will be reviewed annually effective July 1, and adjusted as necessary by resolution of the city council to reflect the latest federal census data. (Ord. CS-192 § 49, 2012; Ord. CS-162 § 1, 2011; Ord. NS-757 § 1, 2005; Ord. NS-588 § 1, 2001; Ord. 9831 § 1, 1987; Ord. 9770 § 1, 1985; Ord. 9724 § 1, 1984; Ord. 9644 § 1, 1982; Ord.

20.44.050 Standards for fees in lieu of land dedication.

A.	If the decision-making authority for the tentative map or tentative parcel map determines that there is no park or recreational facility to be located in whole or in part within the proposed subdivision, the subdivider shall, in lieu of dedicating land, pay a fee equal to the value of the land prescribed for dedication in Section 20.44.040 and in an amount determined in accordance with the provisions of Section 20.44.080.
B.	If the proposed subdivision contains 50 parcels or less, only the payment of fees shall be required except that when a condominium project, stock cooperative, or community apartment project exceeds 50 dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than 50.

20.44.060 Determination of land or fee.

A.	Whether the decision-making authority for the tentative map or tentative parcel map requires land dedication or elects to accept payment of a fee in lieu thereof, or a combination of both, shall be determined by the decision-making authority at the time of approval of the tentative map or tentative parcel map. In making that determination, the decision-making authority shall consider the following:
	1 Park and recreation element of the general plan;
	2 Topography, geology, access and location of land in the subdivision available for dedication;
	3 Size and shape of the subdivision and land available for dedication;
	4 The feasibility of dedication;
	5 Availability of previously acquired park property.
B.	The determination of the city council as to whether land shall be dedicated, or whether a fee shall be charged, or a combination thereof, shall be final and conclusive. (Ord. CS-192 § 49, 2012; Ord. 9614 § 1, 1982; Ord. 9190 § 6)

20.44.080	Amount of fee in lieu of land dedication.
A.	When a fee is required to be paid in lieu of land dedication, the amount of the fee shall be based upon the fair market value of the amount of land which would otherwise be required to be dedicated pursuant to Section 20.44.040. The fair market value shall be determined by the city council using the following method:
1	The city manager may from time to time survey the market value of undeveloped property within the city. This survey may be prepared through various means including, but not limited to, selection of several real estate professionals within Carlsbad to provide current estimates of undeveloped property values with each of the city's four quadrants.
2	The council shall adopt a resolution establishing the value of one acre of park land in each quadrant after considering the results of this survey and any other relevant information.
B.	Subdividers objecting to such valuation, may, at their own expense, obtain an appraisal of the property by a qualified real estate appraiser approved by the city, which appraisal may be accepted by the city council if found to be reasonable. If accepted, the fee shall be based on that appraisal. (Ord. NS-120 § 1, 1990; Ord. 9831 § 1, 1987; Ord. 9781 § 1, 1985; Ord. 9614 § 1, 1982; Ord. 9190 § 8)
20.44.090	Limitation on use of land and fees.
	The land and fees received under this chapter shall be used for the purpose of developing new or rehabilitating existing park and recreational facilities which serve the population within the park quadrant within which the subdivision for which the fees are received is located and the location of the land and amount of fees shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision. (Ord. NS-842 § 1, 2007; Ord. 9680 § 12, 1983; Ord. 9190 § 11)
20.44.100	Time of commencement of facilities.
	The city council shall develop a schedule specifying how, when and where it will use the land or fees or both to develop park or recreational facilities to serve the residents of the park quadrant in which the subdivisions are located. Any fees collected pursuant to this chapter shall be committed within five years after the payment of such fees or the issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later.

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



SITE DESCRIPTION

The site is a group of eight vacant and underutilized properties in the Ponto area, located south of the Cape Rey Carlsbad Beach hotel and east of Carlsbad Boulevard. The site is bisected by Ponto Drive. North of Ponto Drive are three underutilized parcels containing a mini storage, miscellaneous buildings and other storage uses on nearly five acres. To the south, across Ponto Drive, is a cluster of five small vacant properties total just over an acre.

Site topography is generally flat. Some of the parcels may be constrained due to environmentally sensitive habitat. One parcel is alongside the railroad corridor. All the parcels are located outside the McClellan-Palomar Airport flight path.

The site does not include a vacant 11-acre parcel along either side of Ponto Drive and fronting Avenida Encinas. The parcel is commonly referred to as "Planning Area F."

SITE FEATURES

- Vacant/underutilized
- Utilities accessible
- In the Coastal Zone
- Site constraints



SITE OPPORTUNITY

The site consists of a mix of residential and non-residential land use designations. Two of the eight parcels have a split land use designation of VC (Visitor Commercial) and R-15 (11.5 to 15 dwelling units per acre, or *du/ac*). The one parcel alongside the railroad corridor is designated R-15. The R-15 designation often applies to small lot single family or detached or attached condominium development. The cluster of five vacant parcels south of Ponto Drive is designated GC (General Commercial). General Commercial permits a broad range of commercial uses. It also permits properties to be developed in a mixed-use format, with limited residential above first floor commercial.

Staff has received a letter from one property owner expressing support for higher density.

Except for the VC-designated portion of the two parcels, which is not anticipated to change, the redesignation of all parcels to R-23 is contemplated. R-23 is a residential designation the state identifies as suitable for moderate income households. The R-23 designation would permit a density range of 19 to 23 dwelling units per acre (*du/ac*). This density is typical of two- and three-story apartment and condominium developments.

To change any designation, amendments to the General Plan, Local Coastal Program, zoning, Poinsettia Shores Master Plan, and the Ponto Beachfront Village Vision Plan would be required. These amendments would require City Council and California Coastal Commission approval.

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



Parcels Numbers	216-010-01, 216-010-02, 216-010-03, 216-010-04, 216-010-05, 214-160-25, 214-160-28, 214-171-11	GMP Quadrant	Southwest
Ownership	Private (separate ownership)	Parcel Size	Approximately 6 acres (all parcels)
Current General Plan Designations	R-15 (Residential 8-15 du/ac), VC (Visitor Commercial)/R-15, GC (General Commercial)	Proposed General Plan Designation	R-23 (Residential, 19 to 23 du/ac)* <i>*The VC designation, which applies to two properties, is not anticipated to change and would remain in the same location.</i>
Current Residential Opportunity	Approximately 44 units (based on the existing R-15 designation and limited residential permitted on GC-designated properties)	Proposed Residential Opportunity	Approximately 90 units (at 19 du/ac)* <i>*No yield is determined from portions of property designated VC.</i>
Income category of units (based on minimum density)	Moderate		

Please consider this email and attachments, and know P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

Sincerely and with Aloha Aina,
Lance Schulte

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

Example of Carlsbad's Park-in-lieu Fee failing to actually provide the required Parkland or improvements

The example is for Ponto Site 18 one of the City's proposed General Plan & Local Coastal Program land use changes to provide RHNA required housing sites for the years 2021-2029. Ponto Site 18 is the Ponto Storage site and surrounding lots. Ponto Site 18's map and City description is provided on pages 4-5 below.

The example shows Carlsbad loses significant amounts of money, and more critically loses precious and irreplaceable Parkland that developers are required to provide for free. These City losses are absorbed by current and future Carlsbad tax-payers. For the relatively small 5 acre and 86 dwelling unit Ponto Site 18 proposal the loss to Carlsbad is \$ 1.084 million in lost parkland value. Below is the spreadsheet calculation of that loss.

Beyond showing a typical over \$ 1 million loss per 86 dwellings, there is added concern for the CTGMC in that this example is a proposed Carlsbad General Plan & Local Coastal Program Land Use Change to try to accommodate the years 2021-2029 the RHNA requirement to add/increase Residential use. Every 8 years we are/will be changing our General Plan land use to add more high-density housing and increasing City Park demand particularly for areas developed more densely.

If these higher-density projects do not dedicate actual City Park within walking distance not only is Carlsbad losing over \$1 million per 86 dwellings, we are losing free and easy opportunities to get City Parkland dedicated for free per CMC 20.44, and will slowly be degrading our Quality of Life in these areas and also Citywide.

Calculation of Ponto Site 18 Parkland dedication requirement and City losses from the Park-in-lieu Fee:

Ponto Site 18 - Fenton proposed development's Park land dedication requirement			
Park land dedication requirement per CMC 20.44	https://library.qcode.us/lib/carlsbad_ca/pub/municipal_code/item/title_20-chapter_20_44		
US Census data	https://www.census.gov/quickfacts/fact/table/carlsbadcitycalifornia/POP060210#POP060210		
Carlsbad Park Dedication Requirement is 3 acres of land per 1,000 population of the proposed development.			
Population of proposed development is based on population per household based on latest US Census data			
2020 US Census data is 2.64 people per household			
FYI, Carlsbad 3 acres /1,000 is comparatively very low both locally and nationally. And there is no 'walkably requirement'.			
5 acres /1,000 population is what Encinitas and Oceanside require along with a 10-minute walk location requirement.			
Fenton owns almost 6 acres of land in Site 18, 4.64 acres of which they want to develop now, and the other 1+ acre part they want to develop later.			
on the 4.64 acre site change VC-Visitor Commercial/R-15 (15 dwellings per acre) General Plan land use and Zoning to 100% residential and develop at 19.125 dwellings per acre on 4.64 acres.			
On the 1+ acre site, instead of providing their required Park land dedication, Fenton is proposing to develop the remaining 1 acre area (between PCH & Ponto Drive) as General Commercial.			
Instead of providing the required Park Land dedication, Fenton is proposing to develop the remaining 1 acre area (between Pecha and Ponto Drive) as General Commercial.			
Site 18 (Fenton) development proposal for the 4.64 acre portion is development of 86 household units (over 19 dwelling units per acre in in higher occupancy units than typical) consisting of:			
8	2-bedroom homes =	9%	of total units proposed
40	3-bedroom homes =	47%	of total units proposed
38	4-bedroom homes =	44%	of total units proposed
86		100%	
Fenton is proposing 91% of the project with 3 or 4 bedrooms so the project will have higher occupancy, and likely more children, per housing unit than the Citywide average of 2.64 people per housing unit			
<u>Fenton Park land dedication requirement per CMC 20.44</u>			
<u>calculation</u>	86 DU of Fenton proposed development		
X	2.64	average population per DU per 2020 US Census	
=	227	estimated population of Fenton project	
/	1,000	population that needs 3 acres of Park land per CMC 20.44	
=	0.22704	percentage of 3 acres of Park land required for 227 people	
X	3	acres of Park land required per 1,000 people	
=	0.68112	acres of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU	
X	43,560	square feet per acre	
=	29,670	square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU	
1 acre of Fenton's unused vacant 'ice plant lots' between PCH & Ponto Drive that can provide Fenton's Park land requirement			
\$	398,696	per City Master Fee Schedule. Consistent with what Fenton said was would be the 'Park-in-lieu Fee for their 86 DU project	
\$	50	Estimated SF cost Fenton paid for Ponto Site 18 or \$ 2.18 million per acre	
\$	1,483,479	cost of 29,670 SF of Ponto Site 18 land to satisfy Fenton's Park land requirement	
for the Ponto Site 18 5-acre 86 dwelling unit land use change and development proposal:			
\$ (1,084,783) Dollars the City is loosing in Park land value and not receiving in its Park-in-lieu Fee, so this is a gift to the developer			
-73% % of lost Park land value City is loosing and not receiving in its PIL Fee, so this is a City gift to the developer			
\$	1,000,000	per acre cost to develop a Park like Buena Vista Reservoir Park	
	43,560	square feet per acre	
\$	22.96	Cost per sq. ft.	
	29,670	square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU	
\$	681,120	Cost to develop Fenton's 29,670 sq. ft. of Park Land Dedication as a Park	
\$ (282,424) Dollars City looses from Park-in-lieu Fees not even being adequate to cover Actual Minimal Park Development Costs			

Following this calculation:

- on page 3-4 are the relevant excerpts of Carlsbad's Dedication of Land for Recreational Purposes Ordinance 20.44, and
- on page 5-6 is the City's map and description of the proposed Ponto Site 18 land use change

20.44 Dedication of Land for Recreational Facilities

20.44.010 Purpose.

This chapter is enacted pursuant to the authority granted by Section 66477 of the Government Code of the State of California. The park and recreational facilities for which dedication of land and/or payment of a fee is required by this chapter are in accordance with the recreational element of the general plan of the City of Carlsbad. (Ord. 9614 § 1, 1982; Ord. 9190 § 2)

20.44.040 Standards and formula for dedication of land.

If the decision-making authority for the tentative map or tentative parcel map determines that a park or recreational facility is to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall, at the time of the filing of the final or parcel map, dedicate land for such facility pursuant to the following standards and formula:

The formula for determining acreage to be dedicated shall be as follows:

Average no. of persons per dwelling unit (based on most recent federal census)

x

3 park acres per 1,000 population

x

Total number of dwelling units

The total number of dwelling units shall be the number permitted by the city on the property in the subdivision at the time the final map or parcel map is filed for approval, less any existing residential units in single-family detached or duplex dwellings. The park land dedication requirement will be reviewed annually effective July 1, and adjusted as necessary by resolution of the city council to reflect the latest federal census data. (Ord. CS-192 § 49, 2012; Ord. CS-162 § 1, 2011; Ord. NS-757 § 1, 2005; Ord. NS-588 § 1, 2001; Ord. 9831 § 1, 1987; Ord. 9770 § 1, 1985; Ord. 9724 § 1, 1984; Ord. 9644 § 1, 1982; Ord.

20.44.050 Standards for fees in lieu of land dedication.

A. If the decision-making authority for the tentative map or tentative parcel map determines that there is no park or recreational facility to be located in whole or in part within the proposed subdivision, the subdivider shall, in lieu of dedicating land, pay a fee equal to the value of the land prescribed for dedication in Section 20.44.040 and in an amount determined in accordance with the provisions of Section 20.44.080.

B. If the proposed subdivision contains 50 parcels or less, only the payment of fees shall be required except that when a condominium project, stock cooperative, or community apartment project exceeds 50 dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than 50.

20.44.060 Determination of land or fee.

A. Whether the decision-making authority for the tentative map or tentative parcel map requires land dedication or elects to accept payment of a fee in lieu thereof, or a combination of both, shall be determined by the decision-making authority at the time of approval of the tentative map or tentative parcel map. In making that determination, the decision-making authority shall consider the following:

- 1 Park and recreation element of the general plan;
- 2 Topography, geology, access and location of land in the subdivision available for dedication;
- 3 Size and shape of the subdivision and land available for dedication;
- 4 The feasibility of dedication;

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



SITE DESCRIPTION

The site is a group of eight vacant and underutilized properties in the Ponto area, located south of the Cape Rey Carlsbad Beach hotel and east of Carlsbad Boulevard. The site is bisected by Ponto Drive. North of Ponto Drive are three underutilized parcels containing a mini storage, miscellaneous buildings and other storage uses on nearly five acres. To the south, across Ponto Drive, is a cluster of five small vacant properties total just over an acre.

Site topography is generally flat. Some of the parcels may be constrained due to environmentally sensitive habitat. One parcel is alongside the railroad corridor. All the parcels are located outside the McClellan-Palomar Airport flight path.

The site does not include a vacant 11-acre parcel along either side of Ponto Drive and fronting Avenida Encinas. The parcel is commonly referred to as "Planning Area F."

SITE FEATURES

- Vacant/underutilized
- Utilities accessible
- In the Coastal Zone
- Site constraints

SITE OPPORTUNITY

The site consists of a mix of residential and non-residential land use designations. Two of the eight parcels have a split land use designation of VC (Visitor Commercial) and R-15 (11.5 to 15 dwelling units per acre, or du/ac). The one parcel alongside the railroad corridor is designated R-15. The R-15 designation often applies to small lot single family or detached or attached condominium development. The cluster of five vacant parcels south of Ponto Drive is designated GC (General Commercial). General Commercial permits a broad range of commercial uses. It also permits properties to be developed in a mixed-use format, with limited residential above first floor commercial.

Staff has received a letter from one property owner expressing support for higher density.

Except for the VC-designated portion of the two parcels, which is not anticipated to change, the redesignation of all parcels to R-23 is contemplated. R-23 is a residential designation the state identifies as suitable for moderate income households. The R-23 designation would permit a density range of 19 to 23 dwelling units per acre (du/ac). This density is typical of two- and three-story apartment and condominium developments.

To change any designation, amendments to the General Plan, Local Coastal Program, zoning, Poinsettia Shores Master Plan, and the Ponto Beachfront Village Vision Plan would be required. These amendments would require City Council and California Coastal Commission approval.



Upper area proposed for land use change & higher density

Part of Lower area can (should) be dedicated to provided needed parkland

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



Parcels Numbers	216-010-01, 216-010-02, 216-010-03, 216-010-04, 216-010-05, 214-160-25, 214-160-28, 214-171-11	GMP Quadrant	Southwest
Ownership	Private (separate ownership)	Parcel Size	Approximately 6 acres (all parcels)
Current General Plan Designations	R-15 (Residential 8-15 du/ac), VC (Visitor Commercial)/R-15, GC (General Commercial)	Proposed General Plan Designation	R-23 (Residential, 19 to 23 du/ac)* <i>*The VC designation, which applies to two properties, is not anticipated to change and would remain in the same location.</i>
Current Residential Opportunity	Approximately 44 units (based on the existing R-15 designation and limited residential permitted on GC-designated properties)	Proposed Residential Opportunity	Approximately 90 units (at 19 du/ac)* <i>*No yield is determined from portions of property designated VC.</i>
Income category of units (based on minimum density)	Moderate		

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: public input on proper recording and consideration of July Public input to Carlsbad Tomorrow Growth Management Committee - General Plan Land Use Plan Imbalance - Parks & Traffic
Date: Sunday, September 11, 2022 7:58:42 AM
Attachments: [image003.png](#)
[San Diego County cities lose affordable housing lawsuit cbs8.com.pdf](#)

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

I was unable to attend the August meeting, but found my public input at the July meeting was not fully reflected/recorded in the minutes. I would like to request that my public comments submitted in July as evidenced on <https://carlsbadca.new.swagit.com/videos/178280> at 4:40 to 7:43 be more properly and accurately documented.

I also, saw in the August meeting what appeared to be the staff response to my July comments on the General Plan land use plan imbalances. But Staff ONLY replied to the Jobs/Housing Imbalance and did not include the Parks/Housing Imbalance that has been a critical concerns to may Carlsbad Citizens. Carlsbad's General Plan Land Use Element page 2-23 specifically discusses Job/Housing Balance. This should be reviewed and compared with Staff's August presentation to the CTGMC.

The Park/Housing Imbalance that I mentioned in July is clearly seen in the following Park Service Area Map from the City's Park Master Plan and in the US Census data that show Ponto and South Carlsbad currently developed at much higher densities that the Citywide average. Both these facts were presented to the City and CCC several times before, but appear to being ignored by in the City's consideration of the issues and public citizen input.

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away



See: Coastal Recreation data file

Housing density Imbalance – more housing density at Ponto and in South Carlsbad. No Parks in Ponto and large areas mapped UNSERVED by Parks in South Carlsbad :

Council District	Quad	ZIP Code	Miles	% of Square SM	City's population	% of City Pop.	Population Density (pop/SM)	Population Density relative to Citywide average
1,2	NW	92008	11	28%	27,429	24%	2,494	84%
2,1	NE	92010	8	21%	16,565	14%	2,071	70%
3,4,2	SW	92011	7	18%	24,405	21%	3,486	118%
4,3,2	SE	92009	13	33%	47,003	41%	3,616	122%
City total		39		100%	115,401	100%	2,959	100%
Ponto		0.397			1,632		4,111	139%

See: 9/27/2021 email resent to City and to you on 9/11/2022

The City and US Census data is very clear, and is the point we People for Ponto Carlsbad Citizens are trying to make to you that Carlsbad's General Plan is unfairly Imbalanced with regard to Park/Housing distribution. This Park/Housing Imbalance will harm Carlsbad in many ways if not corrected.

It is also Imbalanced in Jobs/Housing.

I also stated the fact that the concept of Carlsbad “Buildout” is a fallacy as every 8-years Carlsbad receives a new requirement to change the General Plan/Local Coastal Plan add more residential land use. See the attached article about existing ‘built-out’ cities in SD County that are being required to significantly add new residential land use to their existing ‘built-out’ cities. The article points to where Carlsbad is will be in 2029.

How the CTGMC assures the City will ADD new Parkland to fix the current Park/Housing Imbalance, and add new parks (due to conversion of developed land to Parks like what was done at Pine Park) for new Housing is a critical Quality of Life issue for current and future generations of Carlsbad Citizens and their families.

Our future housing develop will be higher-density that does not have backyards and significant grassy open space to play. Carlsbad’s City Parks will provide the open significant open green play and recreation places. Carlsbad’s Parks need to be fairly distributed so they are within walking distance to all current and future residents.

I will send you a important Data File on Carlsbad’s Parkland Dedication Ordinance that is an important means for new develop to provide their required Parkland if properly administrated.

I will also send you an important Draft Data File on relative VMT and logically appears to show how Carlsbad’s Park/Housing Imbalance increases Carlsbad’s VMT relative to the region.

Please know your fellow People for Ponto Citizens deeply care for Carlsbad and want to maintain and enhance Carlsbad’s Quality of Life. We hope you care, will listen to the facts and desires we present you, and will work address the clear and time sensitive need for Ponto Park.

Sincerely and with Aloha Alina for Carlsbad,
Lance

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Monday, August 8, 2022 10:07 AM
To: committee@carlsbadca.gov; 'Michele Hardy'; 'council@carlsbadca.gov'; 'City Clerk'; 'Kyle Lancaster'; 'Eric Lardy'; 'Smith, Darren@Parks'; Homer, Sean@Parks (Sean.Homer@parks.ca.gov); 'Moran, Gina@Parks'; Carrie Boyle (carrie.boyle@coastal.ca.gov); 'Prahler, Erin@Coastal'; Ross, Toni@Coastal (Toni.Ross@coastal.ca.gov)
Cc: 'info@peopleforponto.com'
Subject: Public input to Carlsbad Tomorrow Growth Management Committee, LCPA, Parks Master Plan Update - Parks & Open Space at Ponto-Coastal South Carlsbad

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

We ask you to please consider this email and attachments in the Upcoming Parks and Open Space discussions by the CTGMC, LCP Amendment, PCH Relocation project, Park Master Plan Update, and development proposals at Ponto.

As always, and as we have repeatedly asked for since our initial 2017 letter to the City Council, People for Ponto Carlsbad Citizens asks for and are willing able to work with you to find the solutions for:

- the documented Park Inequity at Ponto & Coastal South Carlsbad,
- the documented missing Unconstrained Open Space at Ponto,
- the future loss of 32+ acres of Coastal Open Space (State beach and Campground) due to sea level rise,
- the needed upgrades to Carlsbad's Growth Management Program and Standards (and developer required land dedications and mitigations) to account for an Unlimited population and the need for Unlimited increases in Carlsbad Parks and Open Space to address those Unlimited populations so as to assure we maintain our quality of life,
- beneficial collaborations and donations, and
- the wiser use of tax-payer dollars to address tax-payer needs

The attached PowerPoint file has important information and images for people not as familiar with Ponto, and the attached YouTube video helps show what a great park Ponto Park will be <https://youtu.be/bQulyLcuyEc>

Please consider this email and attachments, and know P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

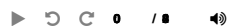
Sincerely and with Aloha Aina,
Lance Schulte

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INVESTIGATIONS

Coronado, Lemon Grove, Imperial Beach, and Solana Beach lose legal battle over affordable housing requirements

The San Diego County cities say SANDAG used an unfair vote that increased number of new housing required in their city. An appellate court rejected those claims.



Author: Dorian Hargrove

Published: 5:49 PM PDT June 22, 2022

Updated: 12:20 PM PDT June 27, 2022



SAN DIEGO COUNTY, Calif. — Coronado, Lemon Grove, Imperial Beach, and Solana Beach have lost a legal battle over new housing guidelines that were approved by the [San Diego Regional Association of Governments](#) (SANDAG).

On June 20, [an appellate court rejected the appeal](#) from the four cities, meaning the case is now dismissed.

The cities sued SANDAG in September 2020. In the lawsuit, the cities say the regional planning agency used a weighted vote to increase the requirements for new housing in each of the 18 cities in the county. Representatives from the cities say that as part of the weighted vote, larger cities get more say in regards to what happens in smaller cities where conditions are different.

RELATED: ['Using public land for public good' | County leaders announce plan to bring affordable housing to San Diego](#)

WATCH RELATED: *County leaders announce plan to bring affordable housing to San Diego*

'Using public land for public good' | County leaders announce plan to bring affor...



According to the September 2020 complaint, each city said the number of new housing units jumped drastically since the previous housing determination.

In Coronado, the previous Regional Housing Needs Assessment (RHNA) plan which was adopted in 2011 determined that the city needed to build 50 affordable housing units. For the 2020 revision, that number spiked to 912 units to be built by 2029.

In Imperial Beach, the number of new affordable housing units jumped from 254 new affordable units to 1,375 in the new plan. Attorneys for Imperial Beach called the new guidelines, "unreachable." Based upon the 1,375 units allocated, Imperial Beach would need approximately 172 housing units constructed each year," reads the 2020 lawsuit. "This yearly allocation is patently unrealistic given that Imperial Beach is a built-out city."

RELATED: ['The buck stops with me' | SANDAG CEO responds to credit card misuse, toll road mistake](#)

WATCH RELATED: *SANDAG CEO responds to credit card misuse*

Audit: SANDAG improperly used credit cards to spend taxpayer money



In Lemon Grove, the 2011's affordable housing plan determined that the city needed to build 309 new units. In the following plan, the number rose to 1,359.

And, for Solana Beach, the new affordable housing requirement went from 340 in 2011 to 875 in the 2020 plan.

Attorneys for the cities argued that SANDAG's board of directors approved the plan relying solely on the weighted vote for each city. That means smaller cities such as Coronado, Lemon Grove, Imperial Beach, and Solana Beach had little say compared to San Diego and other larger cities.

SANDAG ultimately won the legal dispute by arguing that the courts could not overturn the Regional Housing Needs Assessment and that only state lawmakers could change the law.

A San Diego Superior Court judge agreed.

And, on June 20 an appellate court also agreed, delivering the final blow to the lawsuit from the four municipalities.

"We conclude that the trial court properly sustained SANDAG's demurrer without leave to amend on the ground that judicial review of SANDAG's RHNA allocation is not permitted," reads the June 20 appellate ruling.

Attorneys for the four cities did not respond to CBS 8's request for comment.

"People become homeless here they don't come from other places. The only way to solve that is to provide enough housing so the people who live, work here and serve these communities are actually able to afford to live here," said Stephen Russell, president and CEO of the San Diego Housing Federation.

He said the housing assessment calculates the number of affordable housing units based on an array of factors including the types of jobs in the area.

"One of the things that has driven the calculations has been what we call job fit," he said.

"Communities actually provide housing for the folks who are working in those communities and that the housing should fit the wage profile of folks working there."

People who work on Coronado wouldn't have to commute each day to go to their lower-wage jobs if more housing was available on the island, he said.

EDITOR'S NOTE: A previous version of this article cited the lawsuit and included the draft RHNA number of 1,001 new units for Coronado. SANDAG says Coronado is required to build a total of 912 new units, with 481 units for very low and low-income housing.

LOADING NEXT ARTICLE...

From: [Madeleine Szabo](#)
To: [Council Internet Email](#); [Planning](#); [Growth Management Committee](#); eric.larson@carsbadca.gov; [Don Neu](#); [Eric Lardy](#)
Subject: Design standards for new developments
Date: Wednesday, September 14, 2022 9:25:51 AM

Dear Carlsbad City Council Members, Growth Management Citizens Committee, Carlsbad Planning Department,

In recent years, it appears that the City has abandoned design standards that developers must follow. Why is the City not following guidelines of setback, trees, and parklike amenities?

The original Bressi Ranch commercial center (with Trader Joe's and Stater Brothers) was built with attention to beautiful architecture with pleasant sidewalks, parks, tables and benches, flower gardens, and many trees. The shopping extension built a few years ago with Sprouts and CVS across the street from Bressi is "concrete city" with very few trees or gardens or community parklike structures or easy walkability. The new adjacent residential development is directly on the road and typifies urban sprawl, not in keeping with Envision Carlsbad standards.

Residents are concerned about the change in the character of Carlsbad. Carlsbad should promote guidelines that include architecture and landscaping that is aesthetically pleasing. Developers must follow the standards of our Envision Carlsbad values and not advance overdevelopment, crowded conditions, increased traffic, and humdrum impersonal architecture.

The City must preserve and enhance the small town feel and neighborhood identity, not urban sprawl and institutional sterile architecture. New developments must contribute to livability and feeling of a community neighborhood.

New developments must adhere to contemporary community design concepts that emphasize walkability with stores that are situated as individual buildings connected with wide sidewalks, with special paved pedestrian crossings and landscaped curb extensions. Developments should be built at a scale that is attractive and follows the small town feel and beach character of the community.

Specifically Marja Acres that is under development now needs scrutiny. City Planning must monitor the design and ensure that it is in keeping with Carlsbad's community character. Are setbacks so close to the road that feelings of choking urbanization and lack of community prevail? Will it follow the new Bressi Ranch development along Gateway Road (hopefully not the new urban standard)?

The Carlsbad Planning Department should always maintain the core value of small town, beach community character to the physical design of new developments. Special attention must be given to the attractiveness and charm of the community. Keep the Carlsbad standards of "Small Town Feel, Beach Community Character and Connectedness; Neighborhood Revitalization, Community Design and

Livability".

Respectfully submitted,

Madeleine Szabo
5338 Forecastle Court
Carlsbad, CA 92008
203-516-8857

bcc: Concerned Carlsbad Residents
Friends of Carlsbad Scenic Corridor

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

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: Public Input for 2022-9-2 CTGMC & to be provided to the Carlsbad City Council and Parks, Planning and Beach Preservation Commissions as citizen communications
Date: Thursday, September 22, 2022 9:04:40 AM
Attachments: [2022-9-22 CTGMC meeting - verbal public input on New Standards - Lance Schulte.pdf](#)
[2022-9-22 CTGMC meeting - public input on Zone 9 GMP Open Space.pdf](#)

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

Please review and consider this email & two attached information files as public input. The CTGMC, Carlsbad City Council and Parks, Planning & Beach Preservation Committees have a 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

Reference: Email comments to committee@carlsbadca.gov Comments received by 2:30 p.m. the day of the meeting will be shared with the committee prior to the meeting. When e-mailing comments, if the comment relates to a specific item on the agenda, please identify in the subject line the agenda item to which your comments relate. All comments received will be included as part of the official record.

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Page 2 of the Staff Report has a fundamental incomplete and misleading statement regarding New Standards and the work of the CTGMC, on all future Quality of Life Standards.

In the 'friends of H street ...' citation implies that City is prevented from applying 'new standards' to existing and future development. This is false. A City is NOT PREVENTED from applying new standards, and new standards for existing developed areas. Carlsbad and other cities do this all the time. It is just that the method of implementing New Standards to new or existing development varies – new development meets the new standard, and a program is created to help bring existing development up to the New Standard. In fact the City's 1986 Growth Management Plan (GMP) did exactly this - applying New Standards to all the existing development in the City. The GMP also created a GM Plan to bring older existing development up to those new standards. In 1986 New Library, Fire, City Hall, Street (LOS), and other New Standards were applied to existing development and made a requirement of new development to provide. The 1986 GMP was a Plan to bring the existing developed City up to the New GMP Standards. We had to create new fire stations, a new library, new parks and other facilities for the existing development in the City in a way that met the New GMP Standards. If you use page 2's false-logic/inference on New Standards then the 1986 GMP's New Standards should not have been done – they were not 'Required'. Recently the City applied New Standards to the City's already existing/developed streets – guiding City redesign/reconstruction to a New Standard of 'complete streets' and changing developed roadways to provide better bike, pedestrian, and transit facilities. The CTGMC has a Fundamental Choice - set New Standards to enhance and sustain our Quality of Life (including useable Open Space); or choose to give up and let our Quality of Life slowly erode (like our beaches and coastal Open Space land uses) as we are required to change our Land Use Plan to add more housing/population every 8-year's.

Like we did in 1986 with GMP, the CTGMC can create New Standards and apply them to existing development. The CTGMC can fix false exemptions and instead work to achieve our Quality of Life Standards. Fixing false exemptions is the right, just, smart, and sustainable thing to do. We can help you right the Open Space & Park wrongs at Ponto – we have very workable solutions. Please do the right thing, collaboratively work with your fellow citizens.

See the 7-page "CTGMC key issues and suggestions -6/25/2022" forwarded to you by staff on August 2nd.

Page 7 of the staff report is incomplete and fails to disclose some key facts. The report alludes to how the City and BLEP MP Developer colluded to exempt the BLEP MP from the GMP Open Space Standard to get the State Title to the Lagoon/bluffs so the State's Lagoon dredging could more easily advance. The City also allowed the BLEP developer to construct Phase 1 (Rosaleña) without providing a Coastal Commission required Bluff Top Trail. Ask Rosaleña about this.

In 1985 prior to BLEP being annexed all the Lagoon and Bluff areas were already General Planned and Zoned Open Space (constrained Open Space). The BLEP Master Plan simply noted these already 'pre-zoned constrained Open Spaces.

The 1986 BLEP Master Plan did include extensive GMP Open Space (i.e. unconstrained open space) – 30' wide landscaped setbacks, multiple private recreation facilities, and most critically a 12.8 acre Recreation Commercial land use area (with grassy fields, pool, tennis courts, etc.) - basically a quasi-park for expanded Ponto area. The BLEP Land Use Plan had significant GMP Open Space.

In 1994 the City made a mistake when it replaced the BLEP Land Use Plan and eliminated the 12.8 Recreation Commercial land use and other GMP Open Space and replace Open Space with Residential Land Use – the San Pacifico Community (SPC). The SPC Developer and City did an illegal 'shell game'. If BLEP's 12.8 Recreation Commercial land use and other GMP compliant Open Spaces were provided in the SPC Master Plan we would not see in the City's own mapping that shows 30-acres GMP Open Space is missing in Zone 9. The developer and City pulled a fast one to violate the GMP Open Space Standard and falsely count 'constrained Open Space' as required 'unconstrained GMP Open Space'. Our Quality of Life suffers and Citizens end-up paying the cost – ask Rosaleña Citizens.

Currently the last adopted LFMP for Zone 9 (Ponto) will need to be amended to account for the City's proposed 11.1 acre land use plan/zoning changes from Non-Residential Reserve to Residential/General Commercial, but only if the CA Coastal Commission approves this land use change in 2023. The Commission will decide if there is sufficient "Coastal Recreation (i.e. Pubic Park) and Low-cost Visitor

Accommodation” land uses at Ponto to justify the Developer’s (City’s) proposed 11.1 acre change.

The City made mistakes in Zone 9 that are clearly seen in City maps and is trying to cover them up. The GMP Open Space was NOT provided and in 1986 Zone 9 was not developed; and in fact Zone 9 land use was completely changed in 1994 without carrying over/providing the unconstrained GMP Open Space acreage that was in BLEP.

CTGMC please work with P4P to fix this mistake before it is too late.

From: [John](#)
To: [Growth Management Committee](#)
Subject: Improvements
Date: Wednesday, September 21, 2022 11:37:37 PM

The most beautiful part of Carlsbad is the drive down 101 overlooking the ocean. This view could be vastly improved by replacing the hideous white fence that blocks that view with a couple of horizontal strands of stainless steel cable that would not block the view or better still eliminate it entirely. I am old enough to remember how it used to be and it saddens me every time I take that drive. Other cities along our coast have retained their views. Why not investigate what they have done and make this improvement to restore Carlsbad to it's former glory.

Respectfully,

John M Walker

Sent from [Mail](#) for Windows

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

From: chrisr@batiquitoslagoon.org
To: [Growth Management Committee](#)
Subject: Growth Management Citizens Committee Meeting - Public Comment on Open Space and Parks
Date: Wednesday, September 21, 2022 11:33:17 PM

The Batiquitos Lagoon Foundation (BLF) is a 501(c)(3) non-profit public benefit corporation formed on January 7, 1983 with a mission to preserve, protect and enhance the Batiquitos Lagoon Ecological Reserve (BLER) and associated watershed. The Foundation has always believed that maximizing public access and awareness of the Batiquitos Lagoon will ensure its protection and viability as a natural resource. In 1996, the Foundation received a grant from the California Coastal Conservancy to develop a Trail Alignment and Visitor Center Feasibility Plan. The Plan was completed in June 1997. Since then it has served as BLF's conceptual blueprint for a public access pedestrian trail between El Camino Real and the ocean ("La Costa to the Coast") and has been incorporated into the City of Carlsbad Trails Master Plan.

Implementing this vision has been a long and arduous process. There are a great number of property owners, land features, easements, access points, development types and other relevant influences around the lagoon. The vision is far from complete, but much progress has been made. Today, BLF has title to 25 acres of open space bordering the Batiquitos Lagoon Ecological Reserve (BLER) and holds easements on an additional 103 acres.

The purpose of this public comment is to urge the City of Carlsbad act on a unique opportunity: to acquire the 14.3 acre site in southwest Carlsbad referred to as Planning Area G & H for use as a coastal park. The site is currently for sale. It is adjacent to the Batiquitos Lagoon Ecological Reserve. It includes Federally protected habitat. It sits at the western terminus of the La Costa to the Coast trail and could potentially accommodate a proposed Coastal Science and Cultural Center. This is a very special site that needs to be preserved for future generations of public use. Please give it serious consideration.

Sincerely,

Chris Ross

President and Board Member
Batiquitos Lagoon Foundation
www.batiquitoslagoon.org

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](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, September 21, 2022 10:41:49 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.

– 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.

Name

Raymond Hughes Hughes

Email

rayjay3@sbcglobal.net

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, September 21, 2022 11:01:25 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.

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- 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.

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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.

Name

MM Kent

Email

mmkent@gmail.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, September 21, 2022 1:52:08 PM

Protect Ponto Petition:

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

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Accordingly, I am making my position known and requesting that

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

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- 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.

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- 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

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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.

Name

Dennis Hoover

Email

hooverphoto@duck.com

City

Carlsbad

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 6:06:57 AM

Protect Ponto Petition:

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

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Name

Lauren Robertson

Email

lauren.petry@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 6:09:32 AM

Protect Ponto Petition:

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

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Additional Comments

Ponto Park is a must for our San Pacifico neighborhood! Please address all 11 issues to PROTECT PONTO

Name

Shirley Hudson

Email

skeatinghudson@yahoo.com

City

Carlsbad

State

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 6:12:37 AM

Protect Ponto Petition:

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

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Additional Comments

I have looked at this side of Carlsbad since 2000 and love it for the open natural space. The City needs space like this as it is priceless.

Name

Cherie Mclarty

Email

cherie.mclarty@yahoo.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 6:24:40 AM

Protect Ponto Petition:

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

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Name

Shawn Harrity-Phillips

Email

sharrityphillips@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 6:34:36 AM

Protect Ponto Petition:

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

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Name

Mary Dressel

Email

dressel.mary@gmail.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 7:04:45 AM

Protect Ponto Petition:

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

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- 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

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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

We need more pickle ball courts

Name

Tim Gagner

Email

timgagner15@gmail.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 7:11:36 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.

– 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”.

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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.

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Additional Comments

San Pacifico is a safe and friendly family neighborhood please keep it that way safe for our children to ride their bikes without visitors coming in and out that we do not know safe for us to go for a dog walk alone please think of the many families that live here and the effect this will have on their lives

Name

paulina miller

Email

pmillerca@cox.net

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 7:38:38 AM

Protect Ponto Petition:

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

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Additional Comments

Ponto is last open coastal land. Please let’s not ruin it with giant apartments. We have a lack of open space and a local park in SW Carlsbad. We have been asking for a local park close to 7 years. We use parks in Encinitas but have been paying fees to Carlsbad City for many years.

Name

Farhad Sharifi

Email

fhsharifi@gmail.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 7:50:15 AM

Protect Ponto Petition:

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

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Name

Julia Jansson

Email

julia@soilretention.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 7:50:42 AM

Protect Ponto Petition:

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

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Name

Nick Jansson

Email

julia@soilretention.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 8:18:16 AM

Protect Ponto Petition:

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

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Additional Comments

Please honor my support based upon this petition

Name

Diane Rivera

Email

dianariver@aol.com

City

Carlsbad

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 8:13:19 AM

Protect Ponto Petition:

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

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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 agree that Ponto needs a park instead of housing, however i do not believe in the current and future drought situation that putting grass down in any of it is wise.

Name

Lori hiers

Email

lahiers@me.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 8:12:46 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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– 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.
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- 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.

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Name

Dimitrios Tzachanis

Email

dtzachanis@hotmail.com

City

Carlsbad

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 8:45:29 AM

Protect Ponto Petition:

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Name

Todd K

Email

toddkeehan@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 8:45:56 AM

Protect Ponto Petition:

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

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Name

Lauren K

Email

l.keehan@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 9:04:14 AM

Protect Ponto Petition:

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

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Additional Comments

Ponto Park!!!!

Name

Ashlee Stapleton

Email

ashleestapleton@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 9:25:11 AM

Protect Ponto Petition:

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

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Name

Ryan Armstrong

Email

ryan.strong1999@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 9:29:27 AM

Protect Ponto Petition:

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

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Name

Andrew Sybrandy

Email

asybrandy@pacificgyre.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 9:35:21 AM

Protect Ponto Petition:

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- 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.
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Name

Jennifer Baer

Email

jenniferrose@roadrunner.com

City

Carlsbad

State

California

From: [LoLo D](#)
To: [Growth Management Committee](#)
Subject: Comments for Committee Business
Date: Thursday, September 22, 2022 2:16:12 PM

Dear Carlsbad Growth Management Citizens Committee,

I am writing to provide my input regarding the land located along Carlsbad Boulevard (PCH) between Avenida Encinas and Ponto Drive. I understand developers are seeking to build on much of this currently vacant land, creating hotel rooms, timeshares, retail space, restaurants, and other commercial uses. The last report I saw involved thousands of hotel rooms and timeshares, several restaurants, and hundreds of thousands square feet in retail space. While this may look stupendous on paper, such development would be a disaster for the immediate region and for Carlsbad overall.

Such development would harm Carlsbad by:

1. Substantially reducing or eliminating any of the area to be used as a park.

As noted in other documents, Carlsbad falls woefully below its own standard of needed park space per resident. Creating a park on this land will help preserve the beautiful coastline and will provide needed habitat for the many species that live there.

2. Creating far more car trips, traffic congestion, and pollution than the area can handle

Traffic during rush hour and high tourist season is already an issue. With no adequate mass transit in this area, how are users of all these hotel rooms, timeshares, restaurants, and shops supposed to get there? By car, of course! They are not going to use a bike - where would they park it securely? Why be all sweaty going to dinner? How would they carry home any purchases? There is no way Carlsbad Boulevard can absorb all the traffic a large scale development would create. In addition, there is already talk of reducing the traffic lanes to one in each direction. During the summer, cars will be backed up to Oceanside heading southbound and well into Leucadia going northbound. What a great way to "enjoy" the coast.

3. Substantially increasing the danger to cyclists and pedestrians along this stretch of Carlsbad Boulevard.

As traffic loads increase, the danger to other road users increases. Drivers going slow are more likely to text and drive. In addition, drivers perceive the road changes to have been "demanded" by cyclists and other users, and therefore, often take out their frustrations on those users by passing too closely and failing to yield when required.

I am strongly in favor of developing this currently vacant land into a park. A park will not generate the high volume of car trips that would be caused by other development. A park will serve all residents of Carlsbad and will make the coast accessible to all, not just those born rich or already earning well into the 6 figures.

Respectfully submitted,

Lorraine Daly
Carlsbad, CA 92011

--

"Failure is often just as illuminating as success"

From: [DeAnn Weimer](#)
To: [Growth Management Committee](#)
Cc: [Eric Lardy](#)
Subject: Re: The 5-Minute Fix: How DeSantis's migrant stunt is playing out
Date: Thursday, September 22, 2022 1:57:29 PM

Sept. 22, 2022

Carlsbad Tomorrow Growth Management Committee

1635 Faraday Avenue

Carlsbad, CA 92008

Re: Open Space and Parks

Dear Carlsbad Tomorrow Growth Management Committee Members,

Today you take up the issue of performance standards for parks and open space in Carlsbad – an issue that perhaps more than any other will most impact the quality of life in our community for decades. It is also an opportunity to learn from past mistakes, and provide the guardrails and accountability needed to avoid encumbering our future by repeating historical missteps.

First, we would like to thank you for the time you are spending privately and publicly understanding the challenges, while protecting and advancing the decades of work by Carlsbad citizens passionate about the quality of life for all of us – whether we are bipedal, four footed, winged, legless, aquatic or rooted.

Secondly, we would encourage you to be **laser focused** as you articulate both the vision and the best practices that will underpin that vision.

-- As with any business, responsibilities must be clearly understood. It is the task of a committee such as this to set the goals and objectives that will both define what success looks like for a community with Carlsbad's attributes, and the principles that must be in place to achieve that success. Separately, it will be the responsibility of operations, of the professional staff led by elected officials, to do the blocking and tackling around funding and expenses that will best achieve the goals you set. Your role is analogous to that of a board of directors, guiding, setting the tone. The c-suite executives, or their equivalents, have a different responsibility, i.e., meeting expectations. And just as with any business, it is important that the lines between these responsibilities are not blurred.

--Accordingly, Citizens For North County (CNC), a 501C4, supports the view expressed in Hosp Grove comments that this committee sets standards, and the people will vote for funding. In numerous elections, Carlsbad residents have shown they are overwhelmingly willing to pay for open space.

--Similarly, we support the passionate pleas to prioritize a park for Ponto. It is essential that this already densely populated southwest coastal area have a walkable park. Further, it is necessary that this park and trail system be part of the ring of trails that should connect all our neighborhoods with one another.

Most importantly, no piece of property in this city has been more contested than the area around the Agua Hedionda Lagoon and the Flower Fields. On multiple occasions over decades, Carlsbad residents have stepped into the voting booth to protect and preserve this open space, fighting off millions of dollars spent by special interests and non-residents. To do this, thousands of citizens have spent thousands of volunteer hours and money to preserve this space, knowing it is the geographical lynchpin to achieving walkable mobility goals, open space habitat protection, and parkland for residents from north to south, east to west. Its role as the corner stone of our future must be reiterated in your vision.

This brings us to ways to inform and improve accountability standards incorporated into the vision statement:

--Unfortunately for Carlsbad, when voters allocate money for open space, the funds are rat holed, instead of being used expediently for the intended land preservation acquisitions. The result is voter goals are not achieved within a generation, and the buying power of the funds is diminished. To discourage poor capital allocation decisions, Citizens For North County proposes including a standard that allocates half of all voter-approved funding for open space and parkland within five years of the election date.

--Carlsbad also needs improved tracking of infringement on existing open space and parkland allocations. As you are aware, Ponto's open space and parkland shortfall is due to a failure of the city to consistently require developers to meet Carlsbad requirements. Mistakes are made. Sometimes the mistakes are glaring, such as Ponto. More often the mistakes are smaller. They fall into two buckets: A. Miscalculations at the time of the initial development proposal for undeveloped land; and B. Miscalculations made after initial proposals have been abandoned (such as Ponto), or after properties come up for redevelopment. At a more granular level, particularly in residential situations, unapproved changes have occurred but not been caught for years. Or one city department, such as building, mistakenly approves changes impacting open space because they are not aware of incursions. CNC supports creation of a biennial audit of these errors, and a requirement that the lost square footage be replaced at a 3:1 ratio by the city within three years as part of its land acquisition program. Understandably, when the city makes a mistake, too often it cannot reverse it without risking legal liability with the

developer/owner. Unfortunately, the community loses protected areas, but is not notified of the losses whether incremental or large. Addressing these losses – within the Local Facility Management Zone – should be a basic accountability standard.

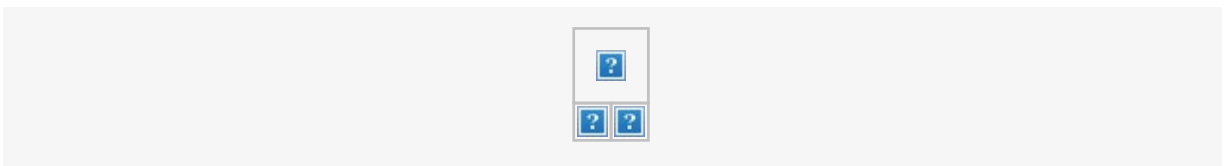
--Documenting commitments involving SDG&E cooperation also requires an accountability standard. Many of our parks, trails and open space areas include or touch property SDG&E holds via easement or ownership. Access to these areas for trail extensions, wildlife corridors, etc., is critical to the functionality of the mobility or open space objectives. When this access fails to materialize whether along a lagoon or elsewhere, these failures should be reported on a biennial basis to Carlsbad residents.

Thank you for your time and attention to these concerns.

Regards,

De'Ann Weimer on behalf of
Citizens For North County

On Thursday, September 22, 2022 at 01:43:03 PM PDT, The Washington Post <email@washingtonpost.com> wrote:



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The Washington Post

The 5-Minute Fix



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By [Amber Phillips](#)
with *Caroline Anders*

Email

When Ron DeSantis, Florida's Republican governor, chartered a flight sending migrants from San Antonio to Martha's Vineyard last week, it raised a lot of questions.

Who paid for it? (Florida.) Were the migrants lied to? (It depends whom

you ask, but many of the migrants say they were misled.) Can he do that? (That isn't clear yet, but the move has prompted a criminal investigation and several lawsuits.)

The first, most pressing question right now is whether he lied:

Some of the migrants say they were given misleading information to persuade them to take the flight, such as promises of jobs and housing that one lawsuit filed by the migrants called "boldfaced lies." (By contrast, some of the migrants controversially bused by Texas to D.C. [said](#) they were grateful for the ride.)

DeSantis hasn't directly rebutted accusations he lied. He defends himself by saying the program was "all voluntary" and ultimately got the migrants to a better place. "They're given a good ride," he said. "It's a humane thing to do."



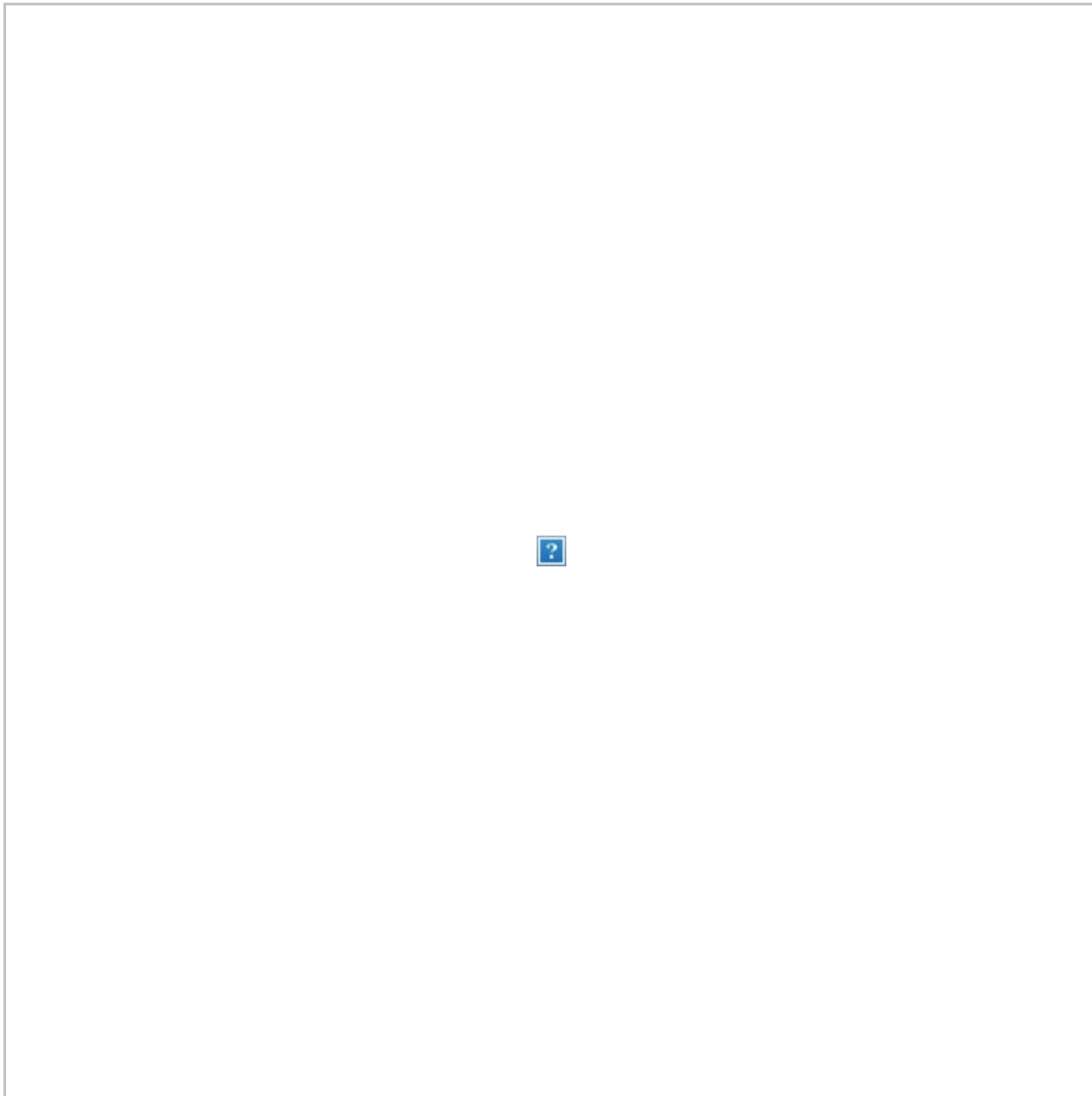
DeSantis in Bradenton, Fla., this week. (Thomas Simonetti for The Washington Post)

Another question is what laws, if any, he might have broken? Some experts said what DeSantis did bear a lot of resemblance to human trafficking. Others say that could be a hard case to make, because the migrants signed consent forms. The sheriff from San Antonio, where Florida officials traveled to find the migrants, opened a criminal investigation and said he thinks the travelers were lured under false pretenses. “If you think about what smugglers do, it’s not that different,” said Nelson Wolff, a local official in Texas. Also a question: Did DeSantis inappropriately use Florida taxpayer money for this?

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The politics of this are nothing but divisive: DeSantis promised more flights to liberal cities are to come. He [probably won't win over](#) any swing voters for his November reelection by doing this. But if you're trying

to out-Trump Donald Trump in, say, a Republican presidential primary, well, this could help.

Nationally, this could help his party on the margins to take back control of Congress. Immigration has the potential to be a troublesome issue for Democrats in the midterm elections. How to fix the U.S. immigration system has tripped up politicians on both sides for decades. Other than Trump's wall proposal, major overhauls just haven't been a priority on either side. And that could put Democrats campaigning in conservative areas this November on the defensive, since their party is the one in charge right now.

A quick Mar-a-Lago investigation update

For now, the government's investigation of whether Trump broke laws by taking government documents with him out of the White House has been allowed to continue. It's an investigation that has potentially serious legal consequences for Trump and/or his lawyers, since the government justified its raid of Mar-a-Lago by arguing there was probable cause crimes were committed.

Lately, Trump has been losing two legal battles on this front:

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1. Federal judges just said the investigation should go on: These judges, which included Trump appointees, temporarily reversed another judge's controversial decision to pause the investigation so that a special master could evaluate whether Trump can claim ownership over any of the documents. [The new decision thoroughly rebuked Judge Aileen Cannon's reasoning](#), writes The Post's Aaron Blake.

2. The ownership argument: Even if Trump took the appropriate

paperwork steps to declassify hundreds of government documents he took with him from the White House — and it’s looking as if he didn’t, given his latest defense is he could declassify them simply “**by thinking about it**” — that wouldn’t make these documents *his*, the special master recently argued. Potential nuclear secrets are still government secrets, whether a former president thinks so or not. The special master appears to be **putting pressure** on Trump to put evidence behind his defenses.

Reader question: What is the deal with the Justice Department’s rule on pausing investigations that could be political right before an election?

Trump lawyers in New York this week. (Brittainy Newman/AP)



Trump lawyers in New York this week. (Brittainy Newman/AP)

So there is no rule that the federal government has to stop politically

related investigations before an election. But the Justice Department believes it's good practice to avoid the appearance of influencing voters, so much so that it's been a norm for decades.

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Following it means that any big, public action in any kind of remotely political investigation would be a no-go in the 60-day period before an election. We're in that period now, fewer than 60 days out from the midterms.

This guideline probably applies to investigations of Trump and his allies' involvement in Jan. 6, Trump taking classified documents to Mar-a-Lago and anything that may still be ongoing regarding Hunter Biden. It doesn't mean those investigations will be put on pause, just that you probably won't see anyone charged in them or other big developments. All that said, the government can decide to ignore that custom if it thinks something is important enough.

And this is only a guideline for federal investigations. New York's attorney general, who announced a lawsuit against Trump yesterday, is under so such restriction.

[Ask me a political question any time.](#)

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From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, September 20, 2022 5:47:24 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”.

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Name

Frances Walters

Email

fatt3@aol.com

City

Encinitas

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, September 20, 2022 11:07:35 PM

Protect Ponto Petition:

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

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Additional Comments

I think it is time the City of Carlsbad City manager investigate why the Planning Department keeps hiding the 5000+ petitions from Residents of SW Carlsbad who need a Park for our kids that we paid for when we bought our houses

Name

Chas Wick

Email

chaswick@reagan.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, September 20, 2022 9:55:21 PM

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Name

Gail Norman

Email

gnorman_ca@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, September 20, 2022 9:20:51 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.

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Accordingly, I am making my position known and requesting that

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Name

Leigh Frazza

Email

leigh.frazza@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, September 20, 2022 9:20:13 PM

Protect Ponto Petition:

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Name

Kelley Frazza

Email

kafrazza@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, September 20, 2022 8:54:11 PM

Protect Ponto Petition:

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

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Additional Comments

We demand a park! Think of your stewardship’s impact on seven generations from now! Will they feel/care about the increase in tax base? No. Will they appreciate part of their community open to all? Yes!

Name

John Gabriel

Email

johnrgabriel@gmail.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, September 20, 2022 8:42:52 PM

Protect Ponto Petition:

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

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Name

Collin Schaefer

Email

collin.schaefer@ymail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, September 20, 2022 8:41:59 PM

Protect Ponto Petition:

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Name

Todd Schaefer

Email

toddschaefer@gmail.com

City

Carlsbad

State

ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, September 20, 2022 8:37:20 PM

Protect Ponto Petition:

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

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Name

Amy Schaefer

Email

amy.c.schaefer@sbcglobal.net

City

Carlsbad

State

Ca

From: phil@resourcerenewables.com
To: [Growth Management Committee](#); [Eric Lardy](#)
Cc: [Matthew Hall](#); [Priya Bhat-Patel](#); [Keith Blackburn](#); [Teresa Acosta](#); [Peder Norby](#); [Attorney](#); [City Clerk](#); [Jason Haber](#)
Subject: Recommendations for the City of Carlsbad
Date: Friday, October 28, 2022 3:56:08 PM
Attachments: [Carlsbad Committee Letter.pdf](#)
[Maerkle Reservoir Solar Project Summary.pdf](#)

October 28, 2022

Dear Committee Members,

This letter is mainly about finding several land sites for local 20-100 acre solar projects within Carlsbad, most notably the long anticipated Maerkle Reservoir solar project. This solar project is roughly 50 acres in size, will produce around 25 megawatts (MW) of power, and will supply more than 5,000 homes with year-long energy needs. The attached summary PDF file lists several city and community benefits. We are clean energy developers, and we propose a public-private partnership as a way for the City of Carlsbad to make money by turning its available land into performing assets. We can demonstrate that solar projects are the highest and best use of most flat, open land, especially when south-facing. In addition, as an environmental engineer with a PhD from Caltech, it's hard not to tie clean energy with related topics of concern, including housing, water, and climate change. We contend that a city that ignores these topics has a dismal future, whereas a city that masters these topics will thrive for decades to come. Let's ensure Carlsbad continues to thrive.

Suggested Recommendations to City

1. Examine in detail the roles that climate change will play in the uses and availability of water and electricity over the next two or three decades.
2. Establish safe and resilient sources of water and electricity for city residents and city businesses derived from sustainable local resources.
3. Develop, build, and own a nominally 25 MW solar power project at Maerkle Reservoir with a similar amount of power storage capacity.
4. Take an equity position to own the Maerkle Reservoir solar project, achieve market returns of 10% or more on that equity position, and collect a yearly land lease from the solar project.
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6. Seek other solar project locations within or around the City of Carlsbad, whether on 20-100 acres of city land, other public lands, or on private land, including locations at nearby cities that are part of the Clean Energy Alliance.
7. Realize the benefits of low-cost clean energy, local jobs, and local investment from solar projects in and around the City of Carlsbad.
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City Leadership

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Water, Energy, Housing

The sustainability of human beings and cities on this planet depends in decent measure on the confluence of water, energy, and housing. This is particularly true in Southern California, which is already facing long-term drought conditions, but is also one of the best solar power sites in the world. Let's address housing, water, and energy one at a time. These three subjects support the City of Carlsbad thriving far into the future.

Location, Location, Location

High-density housing is one of the better-known solutions to housing, including the often more challenging subject of affordable housing. Real estate development is often the second highest and best use of a given parcel of land (behind solar power). The main question would be where to place high-density housing in the City of Carlsbad? It would be a losing proposition to place such housing on prime solar power land — flat and south facing fields such as the land at Maerkle Reservoir. Placing high-density housing in and around Carlsbad Village is possible, but maybe not advisable. People coming home from work and tourists having a good time may or may not vibe well together. It's tricky at best; it's a delicate balance to strike. There is a better solution. Perhaps the largest and most enticing parcels of land for high density housing are near the shopping districts — of which there are a number of retail centers in Carlsbad (among The Shoppes at Carlsbad, College Plaza, Carlsbad Premium Outlets, Bressi Ranch Village Center, The Forum Carlsbad, La Costa Town Square, Plaza Paseo Real, etc.). These retail centers may require updated city zoning, design priorities focused on high-density housing, as well as new parking structures. What matters is high-density housing and retail go well together. They are great places to concentrate new building.

Always Thirsty

The City of Carlsbad benefits from a desalinization plant that provides fresh water to the community. While it may have been controversial some time ago, producing fresh water from sea water is becoming more valuable and prescient year by year. The current drought is forecast by climate change models to get worse and worse over the next several decades – today’s drought conditions are probably the tip of the iceberg. The existing sources of city water and the existing agreements over water rights are already under some stress. To that point, the Colorado River is in crisis, and its water can no longer be taken for granted, even in high priority regions such as the Imperial Valley or greater San Diego. The current planning time horizon for water is five years, whereas a planning time horizon of 20-30 years would make more sense these days. Two potential improvements can be suggested by the committee.

1. The desalinization plant can be run on locally generated, low-cost clean energy. This would be the ultimate sustainability goal, and it could lower the cost of the water as well.
2. Long term sources of water need to be sourced and secured in a manner that is consistent with climate change forecasts and a time horizon decades long.

Highest and Best Use

Local solar power can be shown to be the highest and best use of a large parcel of land with respect to city finances - providing yearly leasing revenue, long term equity returns, economic investment, and permanent jobs that (individually and collectively) meet or exceed traditional real estate development. The City of Carlsbad should find a reasonable balance between housing and clean energy across city lands. Clean energy is a valuable part of our sustainable future, and placing that clean energy within or near the community yields safe power, local resiliency, lower prices, and economic development. For example, Maerkle Reservoir is a prime location, because it is isolated, flat, and facing south. Turning Maerkle Reservoir into a large solar power project is in fact already part of the City of Carlsbad Climate Action Plan. Likewise, schools and similar public facilities are prime locations for installing both solar power and energy storage. In addition, three other improvements can be suggested by the Committee.

1. Other possible solar locations should be sought by the City of Carlsbad, whether on city land or private land. The benefits are too valuable: low cost clean energy, local jobs, local investment, lower energy bills, grid resiliency, fewer power disruptions, lower wildfire risk, and local management of community power.
2. Regional solar project locations in nearby cities can be sought by the City of Carlsbad as a negotiation to be carried out by the City of Carlsbad with other cities that are members of the Clean Energy Alliance.
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If the City of Carlsbad is going to place solar projects on its own land, it may want to own the project itself. There are three different financial models to choose from.

1. Spend the money outright
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The Committee is in a position to recommend market returns of 10% or more on solar power projects owned by the city. City land can and should become a performing asset that prints money for city coffers. This is a dependable and synergistic revenue source given the money originates from reliable Carlsbad energy consumers, who also benefit from lower energy bills and local economic development.

All In The Family

What are the benefits of doing a large solar project on city land?

- 1) The city gets paid a land lease every year, which turns the land into a performing asset. The land lease is higher than expected property tax revenue each year, and has a higher net present value than selling the land to a developer.
- 2) The owner of the solar project – which on city land can be the city itself, or a third party private equity group, or both at the city's discretion – gets the 10% or higher returns from the project equity investment. This asset is readily bought and sold among many interested players, and so remains relatively liquid.
- 3) A local Community Choice Aggregator (CCA) such as the Clean Energy Alliance would buy the low-cost clean energy from the solar project, which is basically the city selling the power to itself. The revenue stream is derived from the electricity customers of the city, so this revenue can be considered steady and reliable.
- 4) The residents of Carlsbad, as well as the businesses within Carlsbad, would benefit from lower electricity bills due to low cost power from such solar projects. That would increase disposable cash for both residents and businesses alike. The city would also be in a position to stabilize electricity rates against long term utility rate hikes, reducing both uncertainty and inflation.
- 5) The city at large would benefit from the economic development of such a large project (around \$75 million), along with dozens of prevailing wage construction jobs as well as long-term management jobs, among other similar benefits. These same dollars often circulate 2-3 times throughout the city, bringing additional multiples in economic benefits. That's the key to local community power.
- 6) The electricity supply within the city would become more resilient from ample energy storage on site. Because the energy storage is local, the entire city would be subject to fewer blackouts, energy disruptions, or summer price hikes. This is literally the city determining its own stable and resilient energy future.
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lower likelihood of wildfires from nearby transmission lines. This will shift the city fire services away from imminent risks and into a stronger preventative posture.

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3. Generate safe and resilient clean energy within the City of Carlsbad
4. Decentralize power generation away from distant, disconnected, and monstrous entities
5. Generate power close to the end user and avoid transmission costs, transmission losses, and reduce local wildfire risks
6. Identify and reserve public lands for large local solar projects in and around the greater Carlsbad and North County region
7. Create public-private partnerships to develop clean energy projects on public lands designated for solar projects
8. Maerkle Reservoir is a prime flat, south-facing, isolated field perfect for ground mounted solar and energy storage
9. Around 25 MW of power, roughly 5% of Carlsbad usage, and around 5000 homes will be powered year round by Maerkle Reservoir alone
10. A solar project land lease for the city is the highest and best use of city land, above and beyond traditional housing development or property tax revenue
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12. Turn city lands into performing assets that make yearly leasing revenue as well as project equity returns
13. The power sold to city customers through the Clean Energy Alliance will be at prices that beat the local utility with ease, stabilizing long term prices
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15. Garner financial benefits from \$75 million investment, including dozens of prevailing wage jobs and management jobs, as well as economic multiples thereof
16. Equity stake for the City of Carlsbad in this project would be 10% of the project total value, which is ($\$75 \text{ million} \times 10\% =$) \$7.5 million with 10% or more returns

What's the Real Point?

For the last few years, clean energy has been the least expensive form of energy bar none. Solar power is cheaper than coal-fired power plants. Battery storage is cheaper than natural gas peaker plants. The financial motivations for switching to clean energy are settled once and for all. This is especially true in SDG&E territory, where prices are among the highest in the nation. The question becomes: where do you put the clean energy? Do you put it far away out in the desert, or do you put it nearby the end user? If you put the clean energy nearby, then you no longer experience significant transmission losses (30-50% of power in California), transmission expenses (4-12 cents per kWh extra), or transmission hazards (blackouts and wildfires), while you gain the benefits of economic development, local jobs, along with safe and resilient power for the community. That's why finding land for solar

projects within the City of Carlsbad is so valuable. Land nearby in Vista or Oceanside would work as well, as long as those cities are part of the Clean Energy Alliance. A local renewable energy solution is therefore a regional solution. We need to point out this is not a microgrid, because everything and everybody remains connected to the existing electricity grid. This is simply local electricity to avoid blackouts and wildfires, while decreasing the cost of your electricity bills at the same time.

Climate Change

Climate change is already stressing some cities in ways they did not anticipate and were not prepared for. You see various disasters on the news — floods, wildfires, droughts, storms, heat waves, etc. — and they are only getting more frequent and more intense. This is a good time to revise and upgrade city plans. What used to be rare and unpredictable will become all too common. It's better to be prepared. However, saying something like the water allocation is acceptable for the next five years does nothing for housing or energy projects designed to last 30-50 years. The longer view looks different, and perhaps a bit scarier. You can be certain things will change. And every city is much more likely to experience at least one natural disaster over those 30-50 years. So the assets and operations of the city need to be protected long term to ensure the ongoing functions of daily life.

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2. Sea level rise will only accelerate in the next couple of decades due to record ice melting in Greenland and collapsing ice shelves in Antarctica, as well as hotter ocean temperatures that cause the oceans to swell in size. The rates of ice entering the oceans are currently exceeding predictions, and there is no known way to slow out of control melting. At the shoreline, one inch of sea level rise erodes away around 20 inches of beach, so the impact near the shoreline is surprisingly severe. Stronger ocean storms can then tear down beach structures and attack beach cliffs more easily. Shorelines are in peril and cliffs can be expected to crumble. Houses, train tracks, and roads will face new and increased hazards moving forward. Protective measures and new traffic patterns will be needed.
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4. The drought in California is predicted by climate change models to continue and only get worse. The current water situation is just the beginning. Having the highest priority on Colorado River water and being a city that is a “drop in the bucket” will mean nothing 10-20 years from now. If there is no water, there is no water. Water rights or city size won’t matter. A longer-term planning time horizon is needed to keep the water flowing for decades into the future. Water is life. The city needs to secure the sources of that water sooner rather than later, before scarcity sets in or prices climb too high. Ongoing drought will also increase all sorts of fire risks.

Contact

We welcome any questions or comments you may have. Please feel free to contact us and discuss any of these matters. We can also assemble public materials and scholarly references on any of the subjects above.

Sincerely,

Dr. Phil Watts

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Dr. Phil Watts
CEO, Chair Resource
Cell: 562-607-2132

[https://urldefense.com/v3/http://www.resourcerenewables.com/;!!E_4xU6-vwMWK-Q!s2FPrXUsCZ1zv4M-rHgSyzDA1ZEQ5fbeen4nyFW777F63qrRNL4Wn6V4yOs-iXAVTxiYQA0k0Ax1MFC-Jq_uqCoedIU\\$](https://urldefense.com/v3/http://www.resourcerenewables.com/;!!E_4xU6-vwMWK-Q!s2FPrXUsCZ1zv4M-rHgSyzDA1ZEQ5fbeen4nyFW777F63qrRNL4Wn6V4yOs-iXAVTxiYQA0k0Ax1MFC-Jq_uqCoedIU$)

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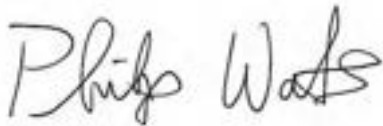
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4. The drought in California is predicted by climate change models to continue and only get worse. The current water situation is just the beginning. Having the highest priority on Colorado River water and being a city that is a “drop in the bucket” will mean nothing 10-20 years from now. If there is no water, there is no water. Water rights or city size won’t matter. A longer-term planning time horizon is needed to keep the water flowing for decades into the future. Water is life. The city needs to secure the sources of that water sooner rather than later, before scarcity sets in or prices climb too high. Ongoing drought will also increase all sorts of fire risks.

Contact

We welcome any questions or comments you may have. Please feel free to contact us and discuss any of these matters. We can also assemble public materials and scholarly references on any of the subjects above.

Sincerely,

A handwritten signature in black ink that reads "Phil Watts". The signature is written in a cursive, slightly slanted style.

Dr. Phil Watts, CEO
Resource Renewable Energy, Inc.
www.resourcerenewables.com
Cell: 562-607-2132

Maerkle Reservoir Solar Project

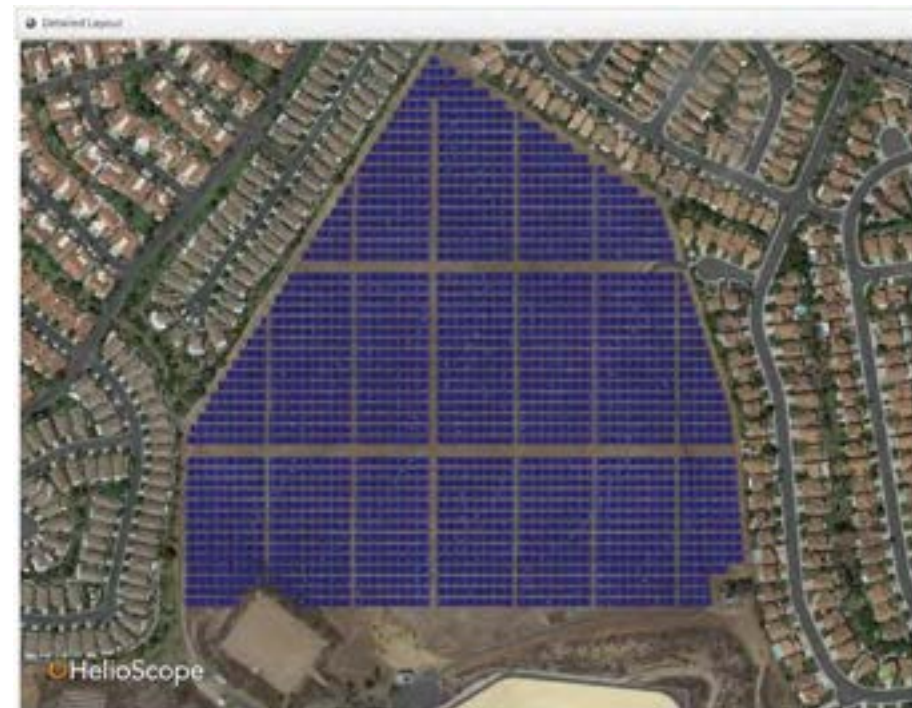
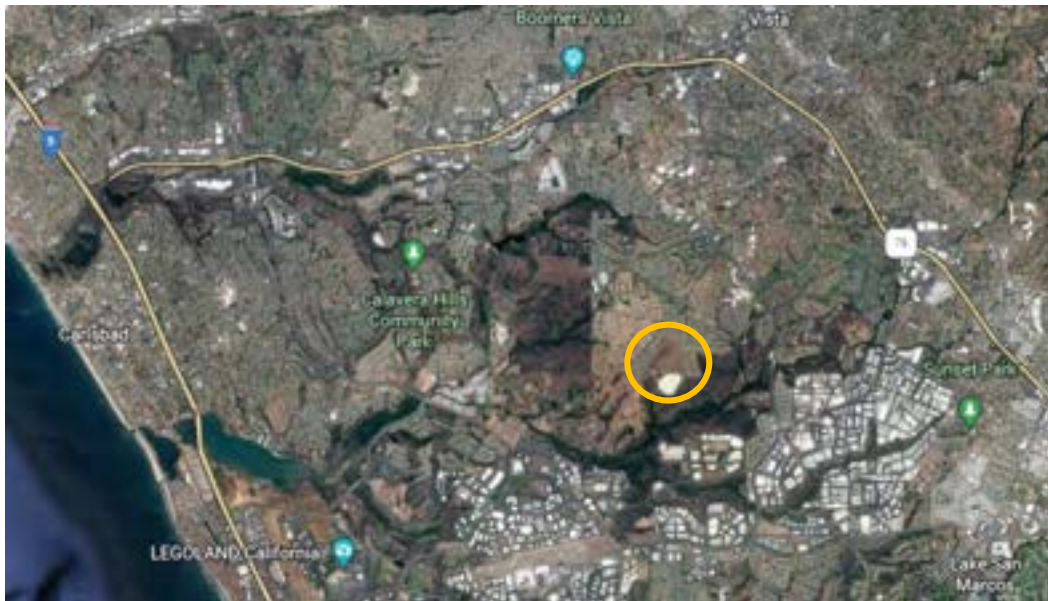


City Benefits:

- \$75 million in local economic development
- Prevailing wage construction and other jobs
- Climate Action Plan and leadership success
- Local resiliency for the Clean Energy Alliance
- Safer power grid with lower forest fire risks
- Yearly revenue from solar project land lease

Community Benefits:

- Clean energy to power 5000 homes all year
- Lower energy bills and stabilized energy prices
- Fewer blackouts and electricity disruptions
- Home grown solution being managed locally



Eric Lardy

From: Lance Schulte <meyers-schulte@sbcglobal.net>
Sent: Monday, October 10, 2022 7:07 AM
To: Council Internet Email; City Clerk; Kyle Lancaster; Rosanne Humphrey; Eric Lardy; Boyle, Carrie@Coastal; 'Prahler, Erin@Coastal'; Ross, Toni@Coastal; CCC; Growth Management Committee
Subject: A history of Batiquitos Lagoon dredging

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

As many of you may not have been living/working in Carlsbad in the 1980's I thought you would enjoy an interesting historical account of how Batiquitos Lagoon became a lagoon and the rich and diverse habitat is today. It is a short and interesting read. I send this to you as individual citizen and not as BLF Board member.

https://batiquitoslagoon.org/articles_dolores-welty.html

The above link is to an eye-witness history of BL Dredging and the environmental issues from a long-time resident involved. I was on Carlsbad City Planning at this time, but not directly involved in the BL Dredging.

As a BLF Board member I interview Dolores to get her history so BLF members (and BLF achieves) would have it and provide an example for present/future generations.

I hope enjoy Dolores' history, how Carlsbad Citizens fought and worked hard to create some very important habitat and features Carlsbad enjoys today. Her story is a story of how we all can leave a lasting legacy for future generations and our environment.

Lance Schulte

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

From: [Lance Schulte](#)
To: [Council Internet Email](#); [City Clerk](#); [Kyle Lancaster](#); [Rosanne Humphrey](#); [Eric Lardy](#); [Boyle, Carrie@Coastal](#); ["Prahler, Erin@Coastal"](#); [Ross, Toni@Coastal](#); [CCC](#); [Growth Management Committee](#)
Subject: A history of Batiquitos Lagoon dredging
Date: Monday, October 10, 2022 7:07:27 AM

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Lance Schulte

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](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Monday, October 10, 2022 9:06:37 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.

Name

Dee Forsberg

Email

dee@globalhire.org

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, October 12, 2022 7:59:15 AM

Protect Ponto Petition:

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

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Name

Wendy Sachs-Baker

Email

ws.baker4@gmail.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, October 12, 2022 7:59:35 AM

Protect Ponto Petition:

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

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Additional Comments

Thank you for your ideas

Name

Kisti Murray

Email

kistimurray@yahoo.com

City

Carlsbad

State

Ca.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Sunday, October 9, 2022 9:50:25 PM

Protect Ponto Petition:

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

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Additional Comments

I strongly encourage the Carlsbad City Council along with the Coastal Commission to purchase this property for both open space and parks for the use of citizens. This is indeed one of the last coastal areas to be preserved for this type of use, and it would put Carlsbad on the map as a city with environmental wisdom and foresight. It would be an area in south Carlsbad that children, parents, and grandparents could enjoy for years to come. We do NOT need another hotel, shopping area, or restaurant. We need open space to walk, sit...to enjoy.

Name

Jayna Regan

Email

jrgreyfox@gmail.com

City

Carlsbad

State

California

Sent from [People for Ponto](#)

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Monday, October 10, 2022 4:37:50 AM

Protect Ponto Petition:

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

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Additional Comments

The Veteran's Park numbers game should not affect a park in the southwest quadrant since Veteran's Park is not within walking distance of anywhere except the nearby large apartment community and a small portion of an industrial section of the city off the west end of Faraday.

Name

Jan Neff-Sinclair

Email

jan.neff@ymail.com

City

Carlsbad

State

California

Sent from [People for Ponto](#)

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Monday, October 10, 2022 9:06:30 PM

Protect Ponto Petition:

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

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Name

Dee Forsberg

Email

dee@globalhire.org

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Monday, October 10, 2022 10:16:07 PM

Protect Ponto Petition:

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Additional Comments

Thank you for your ideas

Name

Kisti Murray

Email

kistimurray@yahoo.com

City

Carlsbad

State

Ca.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, September 27, 2022 1:01:00 PM

Protect Ponto Petition:

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Name

Dolores Welty

Email

dwelty2076@earthlink.net

City

Encinitas

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, October 11, 2022 7:44:20 AM

Protect Ponto Petition:

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Name

Wendy Sachs-Baker

Email

ws.baker4@gmail.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Monday, October 10, 2022 10:16:07 PM

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Additional Comments

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Name

Kisti Murray

Email

kistimurray@yahoo.com

City

Carlsbad

State

Ca.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Monday, October 10, 2022 9:06:30 PM

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Name

Dee Forsberg

Email

dee@globalhire.org

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Monday, October 10, 2022 4:37:50 AM

Protect Ponto Petition:

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- 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

The Veteran's Park numbers game should not affect a park in the southwest quadrant since Veteran's Park is not within walking distance of anywhere except the nearby large apartment community and a small portion of an industrial section of the city off the west end of Faraday.

Name

Jan Neff-Sinclair

Email

jan.neff@ymail.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Sunday, October 9, 2022 9:50:25 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 strongly encourage the Carlsbad City Council along with the Coastal Commission to purchase this property for both open space and parks for the use of citizens. This is indeed one of the last coastal areas to be preserved for this type of use, and it would put Carlsbad on the map as a city with environmental wisdom and foresight. It would be an area in south Carlsbad that children, parents, and grandparents could enjoy for years to come. We do NOT need another hotel, shopping area, or restaurant. We need open space to walk, sit...to enjoy.

Name

Jayna Regan

Email

jrgreyfox@gmail.com

City

Carlsbad

State

California

Sent from [People for Ponto](#)

From: [Lance Schulte](#)
To: [Council Internet Email](#); [City Clerk](#); [Boyle, Carrie@Coastal](#); ["Prahler, Erin@Coastal"](#); ["Ross, Toni@Coastal"](#); [Kyle Lancaster](#); [Don Neu](#); [Eric Lardy](#); ["Smith, Darren@Parks"](#); ["Homer, Sean@Parks"](#); ["Moran, Gina@Parks"](#); [Michele Hardy](#); [Growth Management Committee](#); [Scott Donnell](#)
Cc: [info@peopleforponto.com](#)
Subject: CTGMC 2022-10-12 meeting Public Input follow-up & Public input to Carlsbad LCPA, Parks Master Plan Update, & Growth Management Program Update — 10 minute Park standard & images of Park need at Ponto
Date: Thursday, October 13, 2022 7:25:48 AM
Attachments: [image001.png](#)
[image003.emz](#)
[image006.png](#)
[Images of Park need at Ponto - 2022-10-13.pdf](#)
Importance: High

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

Please include this email/attached images as public input to the Council and Citizen Committees/Commissions regarding the 10/12/22 CTGMC meeting, the City's proposed Park Master Plan Update, City's proposed Housing Element Land Use changes at Ponto – Ponto Site 18, and City's and CA Coastal Commission's consideration of the City's proposed Local Coastal Program Land Use Plan Amendment.

Yesterday I made verbal public testimony on the fact that Carlsbad's children and their parents/grandparents at Ponto are forced to use the LOSAN Rail Corridor fight-of-way and City and private streets as their playground and Park. Attached is the updated file of more images showing that condition including the family having to play ball in a Carlsbad City Street because there is no Ponto Park and Ponto developers were falsely exempted from providing 15% Useable Open Space as required by the Growth Management Open Space Standard and Ordinance.

The City of Carlsbad has declared a Public Emergency regarding pedestrian/bike/vehicle safety on Carlsbad roadways. Yet here are examples of Carlsbad's Ponto children/families forced to play in City Streets or along high-speed rail corridors because the City failed to provide both Required 15% Useable Open Space and a Park at Ponto. What is the CTGMC and City of Carlsbad doing regarding this situation? Will it take a Ponto child to hit (killed) by a car or train to open your eyes, open your minds, and open your hearts, to what the City needs to provide – Ponto Park and LFMP Zone 9 compliance with the Growth Management Open Space Standard?

The City of Carlsbad created the problem BECAUSE the City falsely exempted Ponto developers (LFMP Zone 9) from providing the 15% Useable Open Space required by Growth Management Standards, and the City choose to abandon common sense Park planning principles to say that Ponto's Park needs will be met over 6-miles away at Veterans Park. The City has now acknowledged (in their traffic/visitor estimates) that Veterans Park 'in fact' will not provide Park resources to children and families at Ponto and most other areas of the City. This relates to issues and 1st set of images sent to you in the June 27th email below.

City Council, Planning-Parks-Housing Commissions and CA Coastal Commission we hope the images give you a visual reference/understanding of some of the Park and Useable Open Space needs that have been communicated to you by over 5,000 citizen/visitor petitions, many hours verbal public

input and many pages of documented data/facts. **Will it take a child getting killed by having to play in railroad corridors and streets to get your attention and get you to act for our future – our children and their children?**

Sincerely,
Lance Schulte

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Monday, June 27, 2022 12:27 PM
To: council@carlsbadca.gov; 'City Clerk'; 'Carrie Boyle'; 'Prahler, Erin@Coastal'; 'Ross, Toni@Coastal'; 'Kyle Lancaster'; Don Neu; Eric.lardy@carlsbadca.gov; 'Smith, Darren@Parks'; 'Homer, Sean@Parks'; 'Moran, Gina@Parks'
Cc: info@peopleforponto.com
Subject: Public input to Carlsbad LCPA, Parks Master Plan Update, & Growth Management Program Update — 10 minute Park standard & images of Park need at Ponto

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

We ask you to please consider this email, news article, images, and files and request this be distributed/documented as public input to the Carlsbad LCP Amendment, Park Master Plan Update, and Growth Management Program Update.

Please take a look at Coast News Article <https://thecoastnews.com/olympus-park-brings-encinitas-closer-to-ensuring-all-residents-live-within-a-10-minute-walk-to-a-park/> . The 10-minute walk to Park issue can be clearly seen in the attached images as Ponto citizens are forced to use narrow Railroad right-of-way or play in local streets as recreational space. Because Ponto is the last meaningful sized vacant Coastal land in South Carlsbad an informal Ponto Park has been created by citizens. Every day about 50-100 inland Carlsbad Citizens use now vacant Ponto land for dog walking and playing, and before the fences beach parking.

P4P has been documenting and communicating to the City that Carlsbad does not have a Park policy for 10-minute walk access to Parks like BOTH Encinitas & Oceanside; that Carlsbad's Park Acreage standard (3 parks acres per 1,000 population) is also 40% below the 5 park acres per 1,000 population BOTH Encinitas and Oceanside require of development and provide their Citizens; that Carlsbad's Park Master Plan maps Ponto as an area Unserved by City parks and an area the City should look at to provide City Parks sufficient in size for the population Unserved, and that Ponto is at the center of a 6-mile long gap with no Coastal Park (between Moonlight & Cannon parks).

The Trust for Public Land cited in the article has already sent the City & CCC a letter of support for Ponto Park. People for Ponto Carlsbad Citizens also sent you comparison Park research using the National Recreation & Park Association data base, and a Coastal Recreation data file with important comparative Coastal Park data – such as that many of Carlsbad's Park acres are unusable as Parks – the acres inaccurately counted as Parks are in fact protected habitat that cannot be used by people,

or are covered in parking lots. This makes Carlsbad's Actual Useable Park Acreage well below what the City accounts for as Park. We encourage the Citizens Carlsbad Tomorrow Growth Management Committee, Carlsbad Council, Carlsbad Parks and Planning Commission, and CCC read and consider the Citizen input and data provided.

Lance

[The Coast News Group](#) = link to 10-minute walk to Park article

The Coast News Group

Your community. Your newspaper. Covers Camp Pendleton, Oceanside, Carlsbad, Encinitas, Solana Beach, Del Mar, Carmel Valley, Rancho Santa Fe, Escondido, San Marcos & Vista.

Images of Park need at Ponto: Carlsbad Citizens forced to use vacant land & streets; and Ponto vacant land used as needed South Carlsbad Coastal Park for inland South Carlsbad citizens and families



Images of Park need at Ponto: Carlsbad Citizens forced to use vacant land & streets; and Ponto vacant land used as needed South Carlsbad Coastal Park for inland South Carlsbad citizens and families



Images of Park need at Ponto: Carlsbad Citizens forced to use vacant land & streets; and Ponto vacant land used as needed South Carlsbad Coastal Park for inland South Carlsbad citizens and families



Images of Park need at Ponto: Carlsbad Citizens forced to use vacant land & streets; and Ponto vacant land used as needed South Carlsbad Coastal Park for inland South Carlsbad citizens and families



From: [Lance Schulte](#)
To: [Growth Management Committee](#); [Council Internet Email](#); [City Clerk](#); [Eric Lardy](#); [Kyle Lancaster](#); [Boyle, Carrie@Coastal](#); ["Prahler, Erin@Coastal"](#); [Ross, Toni@Coastal](#); [Homer, Sean@Parks](#); ["Moran, Gina@Parks"](#)
Cc: info@peopleforponto.com
Subject: Public Input on Coastal Land Use Planning & Growth Management - Marketplace: A Southern California town reckons with its disappearing beaches - For the next public meetings
Date: Tuesday, November 22, 2022 11:43:35 AM

Dear Carlsbad City Council, Carlsbad Tomorrow Growth Management Committee, Planning-Parks-Beach Preservation Committees; and CA Coastal Commission:

Please consider this information in the Marketplace news article: **A Southern California town reckons with its disappearing beaches.**

<https://www.marketplace.org/2022/11/21/southern-california-town-reckons-with-its-disappearing-beaches/> for:

- The next CTGMC meeting on Growth Management Plan recommendations
- Carlsbad City Council and Planning-Parks-Beach Preservation Committees' consideration of Carlsbad's Proposed Local Coastal Program Land Use Plan Amendments – Citywide and Ponto Planning Area F & Site 18
- CA Coastal Commission consideration of Carlsbad's Proposed Local Coastal Program Land Use Plan Amendments – Citywide and Ponto Planning Area F & Site 18

The issues in the article are also what Carlsbad is facing but to some different land uses – our Campground and coastal access parking lots – Land Uses Carlsbad's 2015 General Plan did not provide a credible/accountable/reasonable Coastal Land Use & Growth Management Plan to address. The CA Coastal Act has specific Land Use Policies that to land use plan vacant "upland areas" to move "CA Coastal Act high-priority Coastal Land Uses" (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations) out of harms why due to coastal erosion and bluff failures that are being accelerated by climate change and sea level rise. The City's 1st sea level rise Impact assessment was only done in 2017 and well after the City designed on a Coastal Land Use & Growth Management Plans. The 2017 Sea Level Rise impact assessment and loss of 32+ acres of Coastal Land Uses critical to "Carlsbad's Community Vision" sadly is not being considered by the Carlsbad Tomorrow Growth Management Committee. Sea level rise impacts and the loss of these 32+ acres of CA Coastal Act high-priority land uses in South Carlsbad will be derogation of Carlsbad's Community Vision and a significant negative Citywide impact to Carlsbad's Tomorrow and future generations. Ignoring this not responsible.

Since 2017 People for Ponto Citizens have been asking the City Council to honestly, and in a comprehensive open 'Citizen-based planning process' to responsibly provide a New General Plan and Coastal Land Use Plan that provides for the forever growing population need for High-priority Coastal land uses and addresses:

1. the lack of a meaningful Coastal Park for South Carlsbad (62% of the City's population),
2. the loss of 32+ acres of high-priority Coastal Land Use (Coastal Recreation {Public Parks} & Low-cost visitor Accommodations),
3. the proper land use planning of the few remaining vacant Coastal acres in South Carlsbad – Ponto, and

4. importantly the tax-payer savings of simply buying vacant Coastal parcel at Ponto to add acreage for these high-priority uses v. an inefficient and very costly PCH Relocation that does not add any new acres but simply makes a few narrow fragments of existing roadway median possibly more useable by people.

We again ask the Carlsbad City Council, Carlsbad Tomorrow Growth Management Committee, Carlsbad City Commissions to as soon as possible provide that comprehensive Citizen-based Coastal land use and growth management plan process. This needs to be done now. Continuing the 'over-controlled, disconnected and siloed' possesses is detrimental and promotes inefficient, disconnected and sub-optimal decisions.

Lance

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

From: [Lance Schulte](#)
To: [Michele Hardy](#); [Growth Management Committee](#)
Cc: [Council Internet Email](#); [Shared City Clerk](#); [Boyle, Carrie@Coastal](#); ["Prahler, Erin@Coastal"](#); [Ross, Toni@Coastal](#); [info@peopleforponto.com](#)
Subject: Public input to Nov 2022 Carlsbad Tomorrow Growth Management Committee meeting - prior Public input submitted but not recorded by City regarding Coastal Parks & Open Space - RE: Committee Additional Material
Date: Tuesday, November 1, 2022 3:09:08 PM
Attachments: [Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
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Michele & Carlsbad Tomorrow Growth Management Committee:

The 3 files you included in your email below and posted on the city website did not include the 21 attached emails sent to the CTGMC from 10/17/22 to 10/23/22. Many of these emails also had personal notes documenting the need for a Coastal Park for South Carlsbad/Ponto.

We request you forward post this email and the attached emailed public input to the city website, forward them to the CTGMC, and account for them in as public input.

We continue to be concerned that the city seems to be not accounting for this public input, not sending the input via your emails, and not posting the input on the city website.

The main issues pointed out by the public input also seems to be ignored in the staff analysis of the issues – such as

- the lack of any Coastal Park for South Carlsbad (62% of the City’s population). This lack of a Coastal Park for South Carlsbad IS a Citywide issue! Failure to provide a significant Coastal Park for South Carlsbad will undermine the Quality of Life and retard the fiscal sustainability for 62% of the City.
- the significant (millions of dollars) tax-payer savings from purchasing Ponto Park v. a wasteful (\$65-80 million for a 2.3 mile) PCH Relocation that only rearranges the PCH roadway median area
- the city’s 2001 ERA PCH Relocation Financial Feasibility Analysis that shows only a few narrow and environmentally constrained (habitat & Storm water detention) sites are made available, and will be very expensive/difficult to fund
- the 900+ page results of the City spending \$50,000 to poll Carlsbad Citizens about the PCH Relocation showing no to limited Citizen support for PCH Relocation, but a strong Citizen

desire to keep historic PCH more as-is with its current natural habitat.

- Ignoring/dismissing Ponto Park's significant public support (over 5,000 petitions) as a far better solution
- Ignoring/dismissing the City's 'false exemption' of the Growth Management Open Space Standard and allowing developers to over develop Ponto (40% higher than the City) and not provide 30-acers of required useable Open Space
- Ignoring and not discussing the future loss of 32+ acres of Coastal South Carlsbad Open Space Land Use (Campground and beach) due to coastal erosion and sea level rise
- Ignoring failure to comply with Local Coastal Program Land Use Policies regarding 'Coastal Recreation (i.e. Public Park), Low-cost Visitor Accommodations, Campground expansion, and Regional Park needs' in the Mello II and Poinsettia Shores LCP Segments covering Ponto

Ponto Park is the most logical, most tax-payer efficient, and most beneficial solution to these issues.

Thank you,
Lance Schulte

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Friday, October 14, 2022 11:33:37 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.

– 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

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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

Anyone calling the proposed Carlsbad Blvd. relocation project as a "linear park" to avoid admitting the city has failed to address the real at least 6.5 acre park needs and requirements as originally set forth in the Growth Management Plan and the Coastal Commission mandate to the city in 2017 to modify the Ponto Vision Plan to consider low cost visitor serving uses, specifically a public park, is an insult to our collective intelligence. The fact that the city is currently in litigation over this failure to provide the park space at Ponto, among other issues, is yet another indication of the city's failure to properly address the open space and park needs of this completely neglected area of the city.

Name

Harry Peacock

Email

hrpeacock41@gmail.com

City

Carlsbad

State

CA

Sent from [People for Ponto](#)

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, October 18, 2022 3:39:52 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.

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Accordingly, I am making my position known and requesting that

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

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- 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.

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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.

Name

Kenny Langen

Email

kennylangen@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, October 19, 2022 8:11:36 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.

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Accordingly, I am making my position known and requesting that

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

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Name

Kenny Langen

Email

kennylangen@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, October 20, 2022 9:21:55 AM

Protect Ponto Petition:

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

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Additional Comments

Being a business owner in Carlsbad as well as resident for 25 years, the past 15 being in South Carlsbad I am very much in favor of Ponto Park and believe the city owes its residents a park and not another development that makes our coastline busier.

Name

Julia Jansson

Email

julia@soilretention.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, October 20, 2022 9:25:48 AM

Protect Ponto Petition:

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

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Name

Timothy Burke

Email

timothyburkesd@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, October 20, 2022 12:22:07 PM

Protect Ponto Petition:

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

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Name

Marisa Paluso

Email

marisa.paluso@gmail.com

City

San Diego

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, October 20, 2022 3:16:52 PM

Protect Ponto Petition:

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

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Name

Kelly Hendrickson

Email

khendric25@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, October 20, 2022 3:57:59 PM

Protect Ponto Petition:

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

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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.

Name

Peggy Frye

Email

anioakleig2@gmail.com

City

San Diego

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, October 20, 2022 4:37:57 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.

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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.
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- 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.
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- 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

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Additional Comments

I have lived here since 1984 and it deeply saddens me to see the out of control building that has gone on all over San Diego. I beg you to preserve some of the natural beauty that makes this such a wonderful place to live, open spaces that are truly open spaces where people can sit and relax and enjoy the amazing weathers. No more building, no more houses or townhomes or hotels. Enough is enough. We are not Los Angeles, though at this rate we will be there soon enough. Save these open spaces while you can, once they are destroyed and built upon you will never be able to go back from that

Email

ke.swann@yahoo.com

City

San Marcos

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, October 20, 2022 5:46:50 PM

Protect Ponto Petition:

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

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Additional Comments

We live in Oceanside and the family visits Ponto Beach and Park very often.
Please protect this beautiful area.

Name

Maria Scholz

Email

mariascholz@msn.com

City

Oceanside

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, October 20, 2022 6:40:26 PM

Protect Ponto Petition:

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

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Name

Paulette Gramse

Email

paulettegramse@me.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, October 20, 2022 6:58:52 PM

Protect Ponto Petition:

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

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Name

Alison Wellman

Email

alison21480@aol.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, October 20, 2022 7:41:45 PM

Protect Ponto Petition:

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

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Additional Comments

Please do the right thing for the citizens of our community and not just greed! Build our park. We pay taxes for this and deserve to use our tax money for the benefit of our community.

Name

Michelle Altenhoff

Email

michellea@roadrunner.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, October 20, 2022 9:49:37 PM

Protect Ponto Petition:

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

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Name

Michelle Altenhoff

Email

michellea@roadrunner.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Friday, October 21, 2022 7:02:59 AM

Protect Ponto Petition:

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

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- 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.
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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".

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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

We need open space for kids to play that are NOT part of organized sports. Also, the citizens of Carlsbad deserve an open space to enjoy our beautiful ocean views that is managed by the city- not State Parks with expensive parking lots. Oh and a walkway on existing road is not a "linear park."

Name

Nicole Tessieri

Email

andersennicole@gmail.com

City

CARLSBAD

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Friday, October 21, 2022 10:42:19 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.

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Additional Comments

We need coastal open space in south Carlsbad for all to enjoy and to protect from coastal erosion and flooding. Let's not overbuild.

Name

Dara Pastor

Email

daraelana@gmail.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Friday, October 21, 2022 10:51:44 AM

Protect Ponto Petition:

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

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Name

Grace Soelberg

Email

gracesoelberg@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Saturday, October 22, 2022 5:53:39 PM

Protect Ponto Petition:

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

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Name

Pam Ferraro

Email

pamferraro06@aol.com

City

Tucson

State

AZ

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Sunday, October 23, 2022 6:01:05 AM

Protect Ponto Petition:

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

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Additional Comments

please protect our family friendly neighborhood and open space/wildlife and water prone areas...flood zones.
thank you

Name

paulina miller

Email

pmillerca@cox.net

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Sunday, October 23, 2022 4:58:34 PM

Protect Ponto Petition:

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

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Name

N Adams

Email

buckeye@roadrunner.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Sunday, October 23, 2022 6:13:28 PM

Protect Ponto Petition:

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

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- 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.

Name

Pam Ferraro

Email

pamferraro06@aol.com

City

Tucson

State

AZ

From: [Lance Schulte](#)
To: [Growth Management Committee](#); [City Clerk](#); [Council Internet Email](#); [Michele Hardy](#); [Eric Lardy](#)
Cc: [Boyle_Carrie@Coastal](#); ["Prahler_Erin@Coastal"](#); [Ross_Toni@Coastal](#); ["Moran_Gina@Parks"](#); [Homer_Sean@Parks](#); ["Smith_Darren@Parks"](#); [info@peopleforponto.com](#)
Subject: Public input for next Carlsbad Tomorrow Growth Management Committee meeting - Lawsuit over Carlsbad's growth management plan will proceed - The San Diego Union-Tribune
Date: Monday, December 5, 2022 10:48:51 AM

Dear Carlsbad Tomorrow Growth Management Committee & City Council:

In advance of the next Carlsbad Tomorrow Growth Management Committee (CTGMC) meeting please read the San Diego Union-Tribune article (see link below) regarding another citizens' group that has identified problems with the how the City has implemented voter approved Growth Management in Carlsbad.

People for Ponto Carlsbad citizens (P4P) in conducting multiple official Public Records Requests found the City falsely chose not to require Ponto developers to comply with the Growth Management Open Space Standard like adjacent Aviara and Poinsettia developers (LFMP Zones 19 & 22) were required to provide. P4P has provided the CTGMC the City's own maps and data that clearly show the City falsely 'exempted' Ponto developers from providing the minimum 15% Unconstrained or Useable Open Space as required by Growth Management. The false exemption was/is a clear violation of the Carlsbad Growth Management Ordinance and Growth Management Open Space Standard. If Ponto developers were required – like the adjacent developers of Aviara and Poinsettia – to provide the required 15% Unconstrained or Useable Open Space the significant Ponto Park and South Carlsbad Coastal Park needs and issues would be substantially moderated. 'Unconstrained or Useable' Growth Management Open Space land use would also provide land that likely would meet the CA Coastal Act and Carlsbad's Local Coastal Program land use needs at Ponto for "Coastal Recreation (i.e. Public Park)" and maybe "Low-cost Visitor Accommodations (i.e. Campground)" relocation/expansion.

<https://www.sandiegouniontribune.com/communities/north-county/carlsbad/story/2022-01-02/lawsuit-over-carlsbads-growth-management-plan-will-proceed>

Although the story above is old, and not a P4P effort or Ponto specific effort, it shows that other groups have found similar "problems" like at Ponto with how the City did not and still does not provide Growth Management required Park and Useable Open Space. Hopefully the Citizens Carlsbad Tomorrow Growth management Committee will correct these errors and make recommendations to acquire Ponto Park and for the City to provide the missing 30-acres of Useable GM Open Space at Ponto.

P4P Carlsbad Citizens are not aware that the CTGMC has ever discussed the past (settled) or current (active) citizens lawsuits regarding City implementation compliance with voter approved Growth Management. But it seems like the facts/issues of both Growth

Management lawsuits are important to for the CTGMC to be aware of, discuss, and provide data to support Growth Management recommendations to the Council. The CTGMC has a duty, as noted in its mission (on CTGMC website), to understand and honestly consider these issues as it makes its recommendations.

Thank you. You are responsible for Carlsbad Tomorrow!

Ponto vacant land is the best, and last viable and cost-effective opportunity we all get to address the clearly documented South Carlsbad and Ponto Coastal Park needs and Ponto's false exemption of Growth Management required Unconstrained/Useable Coastal Open Space. Your fellow citizens ask you to care about Carlsbad's future and responsibly address the Coastal Park and Open Space shortfalls at Ponto/South Carlsbad.

Thank you and Aloha Aina,

Lance

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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](#); [melanie@melanieforcarlsbad.com](#)
Cc: [info@peopleforponto.com](#)
Subject: Public input to the next upcoming meetings of Carlsbad Tomorrow Growth Management Committee, Carlsbad City Council and Parks and Planning Commissions - LCPA and Growth Management-Parks Master Plan Updates - Parks & Open Space
Date: Tuesday, December 13, 2022 11:37:02 AM
Attachments: [CTGMC key issues and suggestions -2022-12-6.pdf](#)

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

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's 12/15/22 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, Ponto Planning Area F and Site 18 land use changes, and Local Coastal Program Amendments, and
4. as public input to the CCC on Carlsbad proposed Local Coastal Program, and
5. as public input to Carlsbad's proposed Local Coastal Program Amendment.

The initial version of attached file was sent to you 8/8/22. The attached updated file should replace that older file as there is new data on significant tax-payer cost savings from Pronto Park relative to PCH Relocation, and updated examples of how Coastal Open Space can be cost-effectively persevered and increased. Both Coastal Parks and Open Space are important Carlsbad and State of CA issues.

- Parks: Updated data shows that a 11.1 acre Ponto Park would now cost less \$20 million to buy and build. This is less than a City Pool Renovation. Carlsbad's Old City Council planned to spend \$65 to \$80 million in Carlsbad tax-payer dollars to address the Citywide need for a significant Coastal Park in South Carlsbad with a 2.3 mile PCH Relocation. The City identified in 2001 other pay-payer funds were highly unlikely. \$65 to \$80 million would only 'free-up' 15.8 acres of narrow PCH Median (City documented "Surplus Land Area #4 & #5"). As People for Ponto Citizens have been saying for years that Ponto Park is the better Park solution to the documented Coastal South Carlsbad Park needs – a citywide need. The CTGMC should include that citywide Park need and the logical, better and tax-payer responsible Ponto Park solution to that citywide Park need in your CTGMC recommendations to City Council.
- Open Space: Updated data shows how documented GM Open Space shortfalls can be properly and responsibly address in a collaborative citizen-based "Local Facilities Zone Useable Open Space Correction Plan" approached. Also the need to maintain the 15% GM (Useable) Open Space Standard will be critical in the future to maintain Open Space and prevent future conversion of Open Space to residential land use as part of Housing Plan updates.

For the CTGMC; Parks and Open Space are the 2 most critical/special of 6 Key Growth Management Program Update Issues and Suggestions the CTGMC should take to properly address these 6 key Growth Management Issues.

- Please read the Updated data and Suggestions.
- Please responsibly address the Growth Management issues of a citywide Park need for Coastal South Carlsbad as listed in the attached Suggestions. Include a South Carlsbad Coastal Park in your recommendations to the City Council. Acknowledge Ponto Park as the best and most tax-payer efficient solution to address that documented citywide park need.
- Please in your recommendations to City Council retain and enforce the Open Space Standard, and fix past errors made in falsely exempting certain developers in certain areas in the City from complying with the Growth Management Open Space Standard that other developers in other areas are required to provide.

Please consider this email and attachments, and know P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

Happy holidays and with Aloha Aina,
Lance Schulte

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Following are 6 key major Growth Management Standards issues of citywide relevance that the Carlsbad Tomorrow Growth Management Committee (CTGMC) needs to act on, and citizen “Suggestions to CTGMC” on how to honestly and responsibly act on these 6 key issues in the CTGMC’s recommendations to the New City Council. This Update includes new information (pp 5-6) on the improved affordability of Ponto Park, and on how GM Open Space shortfall can be repaired. We hope the CTGMC will act honestly to make recommendations that truly and responsibly address known documented shortfalls in both Parks and GM Open Space. Responsible recommendations by the CTGMC can provide a sustainable Quality of Life to future Carlsbad generations and visitors. Only you own your recommendations.

1. The State of CA is forcing Carlsbad and all cities/counties in CA to provide for unlimited or Infinite Population and Visitor growth. So there will be an Infinite population & visitor demands for Parks, Open Space, water, and demands on our roads/transportation systems, and other Growth Management (GM) Quality of Life facilities. These infinite increases in population and visitor demand will come from high density development that requires more public Parks and Open Space to balance the high-densities. **Carlsbad’s new GM Standards will have to provide for a system of Infinite proportional increases in the supply of Parklands, Open Spaces, water, transportation facility capacity, etc. or our Quality of Life will diminish.**
 - a. Suggestions to CTGMC:
 - i. Completely restructure the General Plan, Local Coastal Program and GM Program to clearly recognize these facts and State requirements to proportionately provide public facilities to maintain/improve Carlsbad GM Quality of Life Standards for this Infinite growth of Population and Visitor demands.
 - ii. **Being a Coastal city Carlsbad has an added responsibility to proportionately maintain/improve providing High-Priority Coastal land uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations) needed at a regional and statewide level to address visitor needs for Coastal Recreation, access, and affordable accommodations.** Carlsbad needs to work with the State of CA Coastal Commission to completely restructure Carlsbad’s Coastal Land Use Plan to addresses the State’s requirement to provide an Infinite amount high-priority Coastal land uses for those Infinite Population and Visitor demands.
 - iii. **Trying to ignore these Infinite demands for Carlsbad’s Quality of Life facilities – like Parks and Open Spaces is a path to disaster and the ultimate degradation of Carlsbad’s Quality of Life.**
2. **Carlsbad has a huge Jobs v. Housing supply imbalance – far too many jobs around the airport for our amount of housing. This creates negative and costly land use and transportation planning distortions that radiate from the Airport Central Jobs through Carlsbad in all directions.** CA Housing law penalizes unbalanced cities like Carlsbad by requiring more housing in Carlsbad to bring jobs/housing ratio into balance. Carlsbad can correct this imbalance by 1 of 2 ways: 1) greatly increase housing supply (and thus increase the need and City expense for more GM Quality of Life facilities), or 2) more logically and cost effectively greatly decrease the amount of Jobs land use, so Carlsbad’s housing supply is in balance with jobs. These jobs will move to surrounding Cities that have more housing than jobs. **Rebalancing by reducing jobs land use creates added benefits for Carlsbad and our region by reducing Carlsbad’s peak-hour job commute traffic volumes and**

vehicle miles traveled (VMT), and by reducing the costs Carlsbad (and other cities and the region) have to pay to accommodate inter-city commute traffic. If Carlsbad reduces jobs land use will also reduce the amount of housing the State of California and SANDAG requires Carlsbad provide in its Housing Element thus reducing forcing incompatible high-density development into established neighborhoods and pressure to convert useable GM Open Space lands to housing land use.

a. Suggestions to CTGMC:

- i. **Carlsbad can logically and cost effectively balance Jobs/housing supply by updating Growth Management Policy to reduce jobs to be in balance with housing by changing some of Carlsbad's General Plan land use around the airport into several high-density residential mixed-use Villages.** The City has started some of this, but can expand this effort but has not planned creating mixed-use village environments. These high-density villages will reduce jobs and provide both high-quality and high-density (affordable) housing within walking/biking distance to the major job center and new neighborhood commercial and Park uses in the Villages.
- ii. Prioritize transportation investments in safe bike paths, walking paths between Carlsbad's Central Jobs Core around the airport and Carlsbad's housing, particularly strongly connecting these new high-density mixed-use villages with the Central Jobs Core.
- iii. Update General Plan land use and housing policy to reduce concentrations of higher-density housing except around the airport jobs core.
- iv. Recognize the central Airport jobs core is 'Carlsbad's New Urban Downtown and "Transect Plan" accordingly toward lower densities on the City periphery.

3. Although some very critical areas (such as the Coastal lands at Ponto) are still vacant and can be wisely used for critical GM Quality of Life needs, much of Carlsbad is largely developed.

Redevelopment of developed land will require creating increased supplies of Parkland, Open Spaces, transportation capacity, and other Quality of Life facilities.

a. Suggestions to CTGMC:

- i. **Completely rethink all City planning on existing vacant lands to assure that remaining vacant land is planned and being used wisely and fairly distributed to address critical Quality of Life needs in those areas, and not squandered on redundant land use.** The location of vacant land to address critical Park & Open Space needs should be preserved with land use planning.
- ii. Work with the State and CA Coastal Commission to preserve our Finite vacant Coastal lands for High-Priority Coastal Land Uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations and services) for the Infinite population and visitor demands both internal and external to Carlsbad that are/will be placed on them.
- iii. Fully and at the very beginning of any Carlsbad General Plan, Local Coastal Program and Growth Management Program actions going forward fully disclose, map and require consideration of the impact of future sea level rise and coastal erosion on Coastal land acres and land uses. Carlsbad has lost and will accelerate losing acres of Coastal land and High-priority Coastal Land Uses. Carlsbad must know, see, and discuss these losses BEFORE making any land use decisions in Carlsbad's Coastal Zone and any vacant Coastal Land.

4. **Carlsbad General Plan & Growth Management Plan do not provide a fair distribution of adequately sized City Parks for all Carlsbad families.** Veterans Park is a classic example. What will

be the City's largest park is only about 1-mile away from three other major City Parks (Zone 5, and the future Robinson Ranch and Hub Parks). This is a poor and unfair distribution and a misallocation City Park land resources. Saying Veterans Park is 'the park to serve SW, SE, and NE Carlsbad families' (the overwhelming major/majority funders of veterans Park) when those families are upwards of 6-miles away on major commercial arterials that kids can't logically/safely use is false and unfair. Most all the funding (developer fees) to build Veterans Park come from the SW, SE and NW Carlsbad but those areas are denied the Park the paid for. Veterans Park is inaccessible by almost all its intended users except by driving their cars and then storing their cars in parking lots on Parkland thus making less park land available for actual park use – this makes little common sense and is a great waste of tax-payer funds. This is dysfunctional along with being very unfair to families in SW, SE and NE Quadrats that are denied park acres near their homes which they funded. **Carlsbad's Park Master Plan maps 'Park Service' areas of existing known Park Inequity or Unfairness (dysfunction), to show where new City Park investments should be made (See City map image with notes below).**

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

The Trust for Public Land provides a Park-Score to compare both a City's amount of park acres and the 'fairness' of access (within a 10-minute walk) to parks. **Carlsbad is below national averages in both park acres and fair access to parks. Carlsbad is also well below what our adjacent Coastal cities of Encinitas and Oceanside provide. Carlsbad only requires 3 acres of Park land per 1,000 population, while Encinitas and Oceans require 5 acres - 67% more than Carlsbad – of parkland. Also, Encinitas and Oceanside require parks to be within a 10-minute walk to their citizens and families. Carlsbad has no such requirement.**

- a. Suggestions to CTGMC:

Carlsbad should change its General Plan, Parks and Growth Management Standards and CMC 20.44 to:

- i. **Be Above Average Nationally in both providing park acreage and in locating adequate park acreage to be within a 10-minute walk to all neighborhoods.**
 - ii. **Raise its minimum park acreage standard to 5 acres per 1,000 population, versus the current low 3 acres per 1,000. Carlsbad should be at least as good as Encinitas and Oceanside in requiring 5 acres, not 40% below what our adjacent Cities require/provide.**
 - iii. **Raise its park location standard to require an adequately sized park be provided to serve the neighborhood population within a 10-minute walk for all neighborhoods.**
 - iv. **Prioritize City Policy and Park Budgets and investments to achieve park fairness in 'Park Unserved areas' identified by Carlsbad's Park Master Plan.**
 - v. **Per Carlsbad's Municipal Code Chapter 20.44- DEDICATION OF LAND FOR RECREATIONAL FACILITIES to require developers in 'Park Unserved areas' and in areas that do not have an adequately sized (5 acres per 1,000 population) park within a 10-minute walk to provide their developments required Park land acre dedication in actual Park land within a 10-minute walk to their development.**
 - vi. **Update the City's Park-in-lieu fee to assure the fee is adequate to actually buy the amount of park land a developer is to provide within a 10-minute walk of their development. The City's current 'Park-in-lieu-fee' is far too low and inadequate to actually buy land in area surrounding the proposed development.**
 - vii. **Only allow developers to pay a Park-in-lieu-fee where there is an adequately sized park (provide 5 acres per 1,000 population) within a 10-minute walk of their development, and growth management planned future development in that area will not require more park land to provide 5 acres per 1,000 population) within a 10-minute walk.**
 - viii. Consider updating Park policy to provide more multi-use flexibility in park land acres and development on Parks. Many Carlsbad Park acres are developed/dedicated to a single-purpose use, and unavailable for other park uses.
 - ix. Consider eliminating car parking lots from land that can be counted as parkland; or by significantly limiting park land used for parking to around 5%.
 - x. **Eliminate the counting of 'GM Constrained and Unusable land' and Protected Endangered Species Habitat land as Park land. GM Constrained/Unusable lands are undevelopable. Protected Habitat lands are by definition not useable for development by people. Habitat is dedicated for plants and animals. Parks are open spaces dedicated intended for people. Parkland calculations should exclude Unusable lands and Protected Habitat lands and only count 100% people Useable land as Park land. Where Park land abuts Habitat land a sufficient buffer space shall be provided to prevent people mixing with animals (ex. Rattlesnakes, etc.) and animals from people (habitat disturbance or destruction). This buffer area should not be counted as Park or Habitat acres, but as natural/developed buffer open space acres, and can be counted as part of the City's 15% Growth Management 'Aesthetic open Space'.**
5. Carlsbad's Coast is the most, if not the most, important feature of Carlsbad; and is consistently identified by citizens and businesses and our Community Vision. **Carlsbad's Coastal Parks (west of the I-5 corridor) are grossly unfairly distributed. Carlsbad's Coastal Parks do not fairly match the**

locational needs of the population. North Carlsbad that is 38% of Carlsbad's population and has 10 Coastal Parks totaling 37+ acres in size. South Carlsbad that is 62% of Carlsbad's population has 0 [ZERO] Coastal Parks totaling 0 [ZERO] acres. Again, Carlsbad's Park Master Plan maps this citywide unfairness (dots show park locations and circles show the area served by each park) and says that the City should look at buying and building New Parks in these areas that are unserved by City Parks (are not covered by a circle). The GM Update should correct this citywide unfair distribution of City Parks by making plans for new Park purchases to create City Parks in these unserved areas of Park Inequity.

To address citywide Coastal Park unfairness the current City Council wants to spend \$60-85 million in Carlsbad tax-payer funds to Relocate 2.3 miles of constrained Pacific Coast Highway median to try to make some of the narrow PCH median 'useable' by people. 2001 and 2013 City PCH Relocation studies identified only a small amount of 'people-useable acres' would be created next to PCH. The \$60-85 million tax-payer cost (\$26-37 million per mile) does NOT add one single square foot of new City land, it only inefficiently rearranges a small amount PCH median. The City can most tax-payer cost effectively provide needed sidewalks and bike improvements along the outside edges of PCH without PCH Relocation. The City's 2001 PCH Relocation Financial Study and 2013 PCH Relocation Design both indicated minimal useable land could be achieved by Relocation, and that the very high tax-payer cost to do so would be very difficult to fund. The City has known for well over 20-years that PCH Relocation is a high-cost and a poor solution to address the Citywide Coastal Park unfairness in South Carlsbad.

However, a **better and far less costly solution to correct Citywide Coastal Park unfairness and provide a much needed South Carlsbad Coastal Park is to simply buy currently vacant land that is for sale.** The City did this (although the City actually bought existing homes) when it expanded Pine Park. **Carlsbad tax-payers have used the City's own data to compare the tax-payer Cost/Benefits of simply purchasing vacant land v. trying to rearrange existing City owned land at PCH. Simply buying vacant land saves tax-payers saves tax-payers over \$32.7 to \$7.7 million.** Please read the following data files:

- 2022-June General Comparative tax-payer Costs/Benefits of Completing PCH, 2.3 miles of PCH Modification (Island Way to La Costa Ave.), and 14.3 acre Ponto Park (Kam Sang) to address planned loss of 30+ acres of Coastal Open Space Land Use at Ponto in South Carlsbad: Part 1 of 2.
- City's PCH Modification Proposal Area Map with notes on usability Constraints and Issues: P4P Input: Part 2 of 2
- The most recent (9/19/22) land sale of 11.1 acre Ponto Planning Area F was less than \$8 million (less than \$706,000 per acre).
- **Buying and developing this 11.1 acre Ponto Park would cost less than \$20 million assuming a 10% profit to the new land-owner, and \$1 million per acre park construction cost like our newest Buena Vista Reservoir Park.** The cost to help correct a Citywide Coastal Park unfairness by simply buying & building a much needed **11.1 acre Ponto Coastal Park would cost tax-payers less than the recently approved Measure J City Monroe Street Pool Renovation.** Investing less than \$20 million (\$1.8 million per acre) to buy and build an 11.1 acre Ponto Coastal Park is a great tax-payer value v. \$65-80 million in tax-payer funds to rearrange 15.8 acres of narrow strips of constrained PCH median (City documented "Surplus Land Area #4 &5") for some minimal people use at a tax-payer cost of \$4-5 million per acre. **The overall and per acre costs of buying/building Ponto Park are over 2 to 3 times better value for tax-payers than PCH Relocation/rearrangement.**

- The City Council could/can buy land for Open Space (Parks are the most useable of the City's 4 Open Space categories) under voter approved Prop C Open Space land acquisition authority. **The City has been advised to buy Ponto Park under Prop C per the City's settlement of a Growth Management law suit.**

The Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is clearly a citywide issue. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad as it is unfair to the vast majority of Carlsbad citizens and their families as 62% of Carlsbad is in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is unfair to our major Visitor serving industries (and tax generators) in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad are clearly inconsistent with the CA Coastal Act, Carlsbad's Community Vision, and common sense. The Coastal South Carlsbad Park Inequity is also unfair to North Carlsbad because South Carlsbad's Coastal Park demand is being forced into Coastal North Carlsbad and congesting those parks, and adding to Coastal North Carlsbad traffic and parking impacts. It also increases greenhouse gases and VMT as it forces longer vehicle trips.

a. Suggestions to CTGMC:

- i. 11.1 acre Ponto Planning Area F has a specific Local Coastal Program Land Use Policy that says The City of Carlsbad must for the Ponto Area LCP 'Consider and Document the need for Coastal Recreation (i.e. Public Park) and or Low-Cost Visitor Accommodations west of the railroad tracks (at Ponto) prior to any Land Use change. **The discussion of Parks by the CTGMC is such a situation that requires the CTGMC to consider this adopted LCP Land Use Policies. Official public records requests have shown the City never followed this LCP Land Use Policy Requirement during the 2005 Ponto Vision Plan and 2015 General Plan Update, and in 2010 the CA Coastal Commission rejected the Ponto Vision Plan and told the City in 2017 that that land uses at Ponto could change based on the need for Coastal Recreation and/or Low Cost Visitor Accommodations.** The Mello II LCP that covers most of Carlsbad's Coastal Zone also has Land Use Policy 6.2 for the City to consider a major park in the Batiquitos (Ponto/South Carlsbad) area. The City has only implemented 1/6 to 1/3 of this policy. **The CTGMC should fully evaluate the citywide/South Carlsbad and local Ponto need for Coastal Parks as required by the City's adopted LCPs and CA Coastal Act.**
- ii. Carlsbad's 2015 General Plan Update and Growth Management Plan (GMP) did not, and was not updated to, consider the 2017 Sea Level Rise (SLR) Impact report showing the loss/impact on 32+ acres of Carlsbad's Coastal Land Use acreage in South Carlsbad – primarily Open Space Land Use (beach and Campground). **Both the General Plan (and Local Coastal Program Land Use Plan) and GMP should be updated to account for the loss and replacement of these 32+ acres of high-priority Coastal Open Space Land Use due to SLR.** The updates and the CTGMC should use the newest CA Coastal Commission SLR Guidelines/science, not the old guidelines used in 2017. Carlsbad's LCP and CA Coastal Act Land Use Polies call for 'upland relocation' to replace the SLR loss of high-priority Coastal Land Uses.
- iii. **The availability over the past several years of the last two sufficiently sized vacant lands suitable for a Ponto/South Carlsbad Coastal Park is a citywide issue. If these last two vacant lands are lost to development forever future generations will have lost the last opportunity for the needed South Carlsbad Coastal Park.** The 5/3/22 Citizen requests for the City to jointly study acquisition of one or both these last vacant lands for a needed (and only possible) true and meaningful Coastal Park for

South Carlsbad should be recommended by the CTGMC. **The CTGMC should recommend Carlsbad’s GMP be updated to incorporate Parkland acquisition of these last opportunities to provide the needed Coastal Park for South Carlsbad.**

6. Carlsbad Growth Management Open Space Standard is that 15% of all the Useable (unconstrained and fully buildable) areas is to be preserved as Useable Open Space, and that all the 25 Local Facility Management Plans (LFMP) show how that 15% is provided. The City says:

OPEN SPACE

A. Performance Standard

Fifteen percent of the total land area in the Local Facility Management Zone (LFMZ) exclusive of environmentally constrained non-developable land must be set aside for permanent open space and must be available concurrent with development.

Yet the City has mapped and documented that this 15% Useable Open Space Performance Standard was not complied with. The City also acknowledges that without changes to current City planning the 15% Useable Open Space Performance Standard will never be complied with. The City acknowledges that only 13% has/will under current plans ever be provided. This missing 2% equals 501 acers of lost GM Open Space the GMP promised citizens. **Carlsbad law the Growth Management Ordinance 21.90, and section ‘21.90.130 Implementation of facilities and improvements requirements’; provide guidance on how non-compliance with a Performance Standards is to be handled.**

- a. Suggestions to CTGMC:
 - i. Retain the GM Open Space Standard of 15% of all unconstrained and developable land is maintained as Open Space. If the City removes the Open Space Standard, it will allow and encourage land use changes to remove GM Open Space and replace with development.
 - ii. **The CTGMC should make a recommendation that an inventory of all 25 LFMP Zones be conducted and an inventory of each LFMP Zones provision of at least 15% Useable Open Space shall be compiled. No LFMP Zone shall be allowed to be “exempt” from this inventory.** The City’s computerized GIS mapping system makes it easy and clear as shown in the following City GIS map for LFMP Zone 9 (aka Ponto).



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara includes the same lagoon.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were not required to comply with the 15% Useable Open Space Standard is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the Growth Management Standard of 15% Useable Open Space at Ponto

472 Acres	Total land in LFMP Zone 9 [Ponto]
<u>(197 Acres)</u>	Constrained land excluded from Growth Management (GMP) Open Space
275 Acres	Unconstrained land in LFMP Zone 9 [Ponto]
<u>X 15%</u>	GMP Minimum Unconstrained Open Space requirement
41 Acres	GMP Minimum Unconstrained Open Space required
<u>(11 Acres)</u>	GMP Open Space provided & mapped per City GIS data
30 Acres	Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

- iii. In instances like LFMP Zone 9 (above image) that clearly did not provide at least 15% Useable Open Space and/or were falsely “exempted” the CTGMC should recommend that a **Local Facilities Zone Useable Open Space Correction Plan** shall be developed that explores the GM Open Space use/reuse of City land, land use planning requirements, and/or possible acquisitions of remaining vacant land acres to make up for any shortfall in meeting the 15% Useable Open Space in that a Zone. An example of this in LFMP Zone 9 is that the City’s regional Rail Trail will convert 2-lanes of almost all of Avenida Encinas to wider buffered bike lanes and an adequate portion of the converted 2 vehicle lanes can be landscaped (v. just painting strips as a buffer) to provide a safer/better bike lane buffer within a GM compliant Open Space. 2 vehicle lanes in Windrose Circle could also be similarly landscaped and converted to GM complaint Open Space. This is just one example of a cost-effective means to add GM Open Space that developers were falsely allowed to remove.
- iv. A **Local Facilities Zone Useable Open Space Correction Plan** should involve a Citizens Advisory Committee composed of citizens within the impacted Zone and appointed by the Council Members representing the Zone, and a representative of each vacant land owner over of over 1-acre in size.
- v. Consistent with the Growth Management Ordinance land use changes and development applications within a **Local Facilities Zone Useable Open Space Correction Plan** Zone shall be deferred until the applications can considered with (or after adoption of) a **Local Facilities Zone Useable Open Space Correction Plan**.

From: [Teri Swette](#)
To: [Growth Management Committee](#)
Subject: Carlsbad Parks and Open Space meeting held on January 11
Date: Sunday, January 15, 2023 4:33:53 PM

Hello Carlsbad Citizens' Committee,

As a long time Carlsbad citizen (28 years) I have of watched this city grow. The openness of the community is what makes this city so attractive. It's quite misleading to call school yards and parking lots "open space". Therefore, please seriously consider the following suggestions. Any mistakes cannot be undone.

- Keep the 15% per LFMZ, but eliminate exemptions so all zones are treated the same
- Inventory all vacant/underutilized land for potential open space
- Remove the exemption on the 11 LFMZ's and develop transition plans to gradually increase open space so that each part of the city has an equitable share of open space- as was promised in 1986.

As for the parks

- add a standard for accessible, neighborhood parks. Other cities have .5 acres /1,000 residents —often above the 3 acre minimum requirement per state law.
- do not expand what gets counted towards the standard —instead only count school yards at 1/2 their acres to reflect restrictions on use.
- require a transition plan to accommodate these changes over time to allow time for park impact fees to be adjusted and other revenues sources developed.

Thank you,

Teri Swette
6810 Vianda Court
Carlsbad, CA 92009

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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"](#); [melanie@melanieforcarlsbad.com](#)
Cc: [info@peopleforponto.com](#)
Subject: Public input to the 1-16-22 Carlsbad Tomorrow Growth Management Committee, and upcoming Carlsbad City Council and Parks and Planning Commissions - LCPA and Growth Management-Parks Master Plan Updates - Parks & Open Space
Date: Monday, January 23, 2023 12:40:29 PM
Attachments: [History of Open Space at Ponto - 2022-1-26.pdf](#)

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

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's 1/26/22 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, Ponto Planning Area F and Site 18 land use changes, and Local Coastal Program Amendments, and
4. as public input to the CCC on Carlsbad proposed Local Coastal Program, and
5. as public input to Carlsbad's proposed Local Coastal Program Amendment.

At the 1-11-22 CTGMC meeting questions logically arouse about how Ponto/LFMP-9 was falsely exempted from the Growth Management Open Space Standards in 1986 when the two adopted reasons for that exemption were not true per the City's Open Space map/data base, air-photos and development records, and the requirements of the Growth Management Ordinance and Open Space Standard. People for Ponto Carlsbad Citizens have been bringing this up to the City since 2017 when we first had City data that showed the GM Open Space Standard exemption was incorrect. Attached is some more detailed data that provides a History of Open Space at Ponto – 2022-1-26. There are more details and interesting bits of information, but the attached provides the basics on the History and also offers some critical historical context for the CTGMC, Carlsbad Commissions, City Council and Carlsbad Citizens to consider. I hope this is helpful.

The History of Ponto Open Space and historical context fits into the 'CTGMP Key Issues and Suggestions – 2022-12-6' file and email to you on 8/8/22 and 12/13/22 that provides a time-tested, logical, legal, tax-payer saving approach to dealing with the missing Ponto Open Space and need for a significant Coastal Park at Ponto to serve Ponto and South Carlsbad and relieve Coastal Park pressures on North Carlsbad.

Please know People for Ponto Carlsbad Citizens deeply care and love Carlsbad. We bring the data and requests to you because we care. You have received well over 5,000 People for Ponto petitions regarding Ponto Park and Open Space. During the CTGMC meetings many have spoken and summited in favor of the issues identified in the People for Ponto petitions. I may have missed it but do not recall any Carlsbad citizen speak/submit to the CTGMC in opposition to what People for Ponto Carlsbad Citizens have provided you. As representative of the Citizens of Carlsbad we ask you honestly represent the Carlsbad Citizen desires so overwhelming expressed to you.

Thank you, and with Aloha Aina for Carlsbad,
Lance

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

History of the false exemption of the Growth Management Open Space Standard provided Ponto developers in Local Facility Management Plan Zone 9 (LFMP-9):

The history of how required Growth Management Open Space (i.e. unconstrained/developable land) that should have been dedicated Open Space was, and is now being proposed to be, inappropriately converted to Residential land use by a Perpetuating a False Exemption of the Open Space Standard provided Ponto Developers. This False Exemption needs correction and restitution. Ponto's False Exemption of the Open Space Standard and the 'amendment shell-game' GM Open Space history is a critical warning sign to the **Carlsbad Tomorrow** Growth Management Committee, Planning Commission and City Council. Ponto is a critical warning that a strong, accountable and accurate Open Space Standard needs to be established for **Carlsbad Tomorrow**, AND a Growth Management Open Space restitution plan needs to be established and funded that corrects the False Exemption for Ponto Developers. If Ponto Developers were required like other similar developers at the time (Aviara and Poinsettia Shores, "urbanizing La Costa Zones 11 & 12, etc.) to provide the required Growth Management Open Space some of the critical Coastal Recreation and Coastal Park issues and extensive Carlsbad Citizen needs/demands/desires at Ponto could likely have already been addressed.

How citizens found out about the False Exemption provided Ponto Developers:

In 2017 for the 1st time the city provided the GIS maps/data base accounting of Open Space in the City. The City did this a part of settlement to a North County Advocates citizens' lawsuit. The City Open Space maps/data base allowed Carlsbad Citizens for the 1st time the ability to see and confirm what Open Space was produced by Growth Management (GM). The City's Open Space map/data based for Ponto (LFMP-9) documented that about 30-acres of GM Open Space was missing (see; Carlsbad Official Public Records Request - PRR 2017-164). As required by GM, and as Staff has said, to count as GM Open Space it must be dedicated and 'unconstrained/developable land' to meet the GM Open Space Standard. Being able to see for the 1st time the missing GM Open Space was one of the key awakenings that started People for Ponto Carlsbad Citizens. Below is the City's Open Space Map for LFMP-9, with notes. We have the City's parcel-based Open Space data base that confirms all the numerical data in the notes.



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara had the same lagoon waters.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were never required to comply with the 15% Standard Open Space is subject to current litigation
- Below is City GIS data from this map

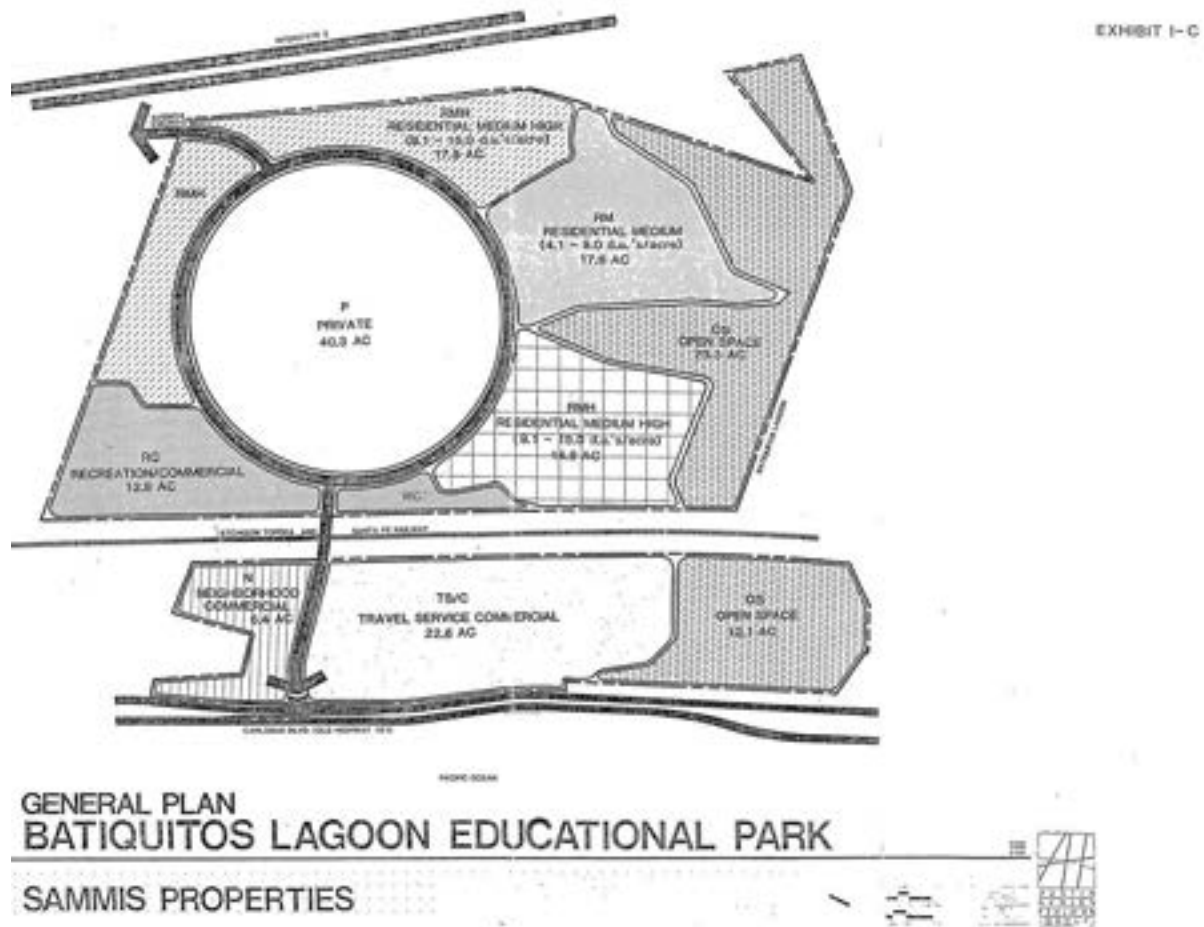
City GIS map data summary of the 15% Growth Management Standard Open Space at Ponto

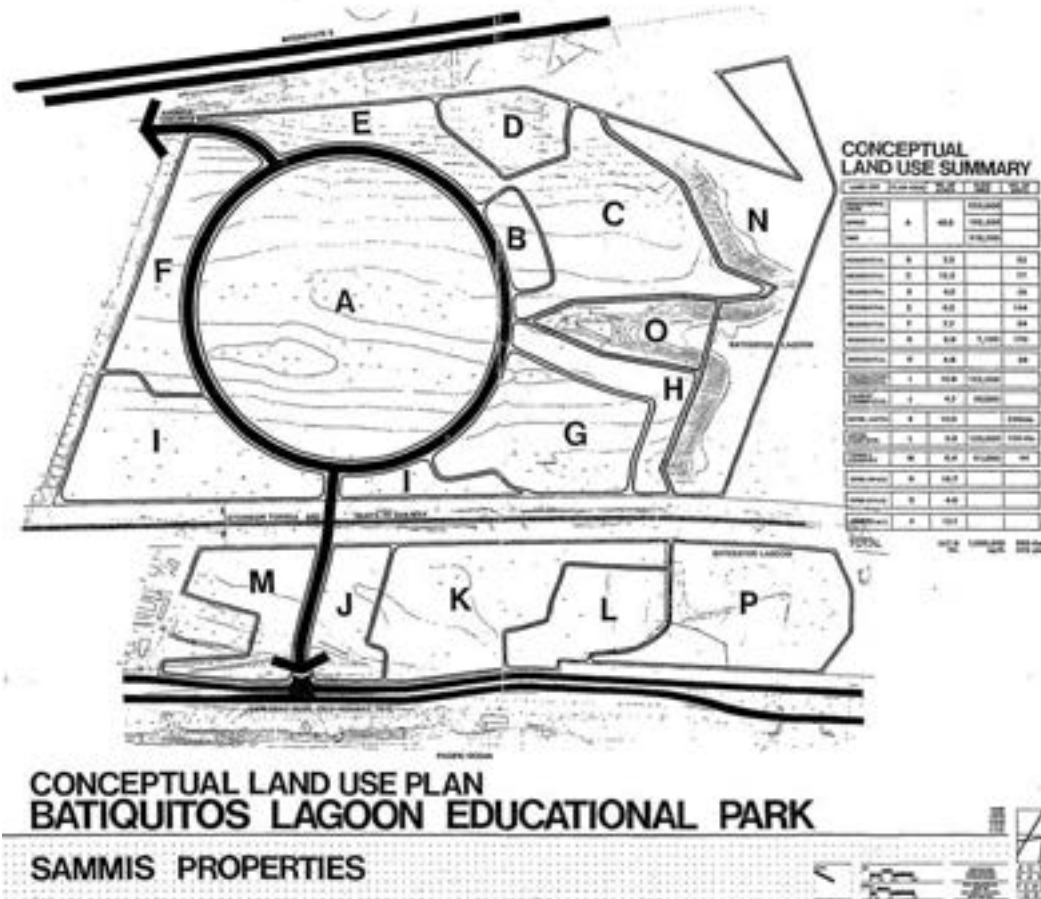
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So were did the missing GM Open Space go?

In early 1985 prior to the Ponto's developer (SAMMIS) annexing Ponto into the City of Carlsbad, San Diego County's LAFCO (local agency formation commission) General Planned and pre-zoned, Ponto's Batiqitos Lagoon waters and the lagoon bluff slopes as Open Space. This Open Space was "Constrained Open Space" – State jurisdictional waters, and steep slopes with Coastal Sage Scrub (CSS) habitat. These already pre-zoned constrained/non-developable Open Spaces were accounted for as part of the City's 25% pre-Growth Management Plan Open Space, and per Growth Management can't be counted in meeting the 15% Growth Management Open Space Standard. The pre-zoned Open Space is shown in the City's Open Space map and properly marked as "Preservation of Natural Resources" Open Space land. This already pre-zoned Constrained (non-developable, aka 'Preservation of Natural Resources') Open Space land at Ponto was documented in the proposed SAMMIS Batiqitos Lagoon Educational Park (BLEP) Master Plan MP-175 as Areas N, O, and P in the Land Use Summary below.

On Oct, 1 1985 Carlsbad approved SAMIS's Master Plan and EIR to develop Ponto. SAMIS's BLEP Master Plan MP-175. Following are BLEP MP-175's General Plan & Land Use Summary maps:





The BLEP MP-175 did include a variety of GM compliant Open Space.

- 12.8 acre Recreation Commercial land use that was playfields and Coastal Recreation site for MP-175 and South Carlsbad. This is a Critical GM Open Space that was never dedicated.
- A minimum 30' wide landscaped Open Space on both sides of Windrose Circle that circled the Area P. Windrose Circle was bordered on each side by 30' of landscaped Open Space.
- Additional minimum 30' wide landscaped setbacks between buildings in Area A
- 2.8 acres of private recreation open space for the maximum amount of residential units
- 45' to 50' landscaped setbacks from the Batiquitos Lagoon Bluff edge (this was later developed with Residential land use in some areas of Ponto).
- 75' landscaped separation between Areas C and D
- 70' landscaped separation between Areas D and E
- 25' landscaped setback along Avenida Encinas for Area E
- 30' to 80' landscape setback between Lakeshore Gardens and Area F
- 25' landscaped setback along Avenida Encinas for Area F
- 50' landscaped setback between Areas F and I
- 75' landscaped separation between Areas G and H
- 50' to 80' landscape setback for Area I between Lakeshore Gardens and between Area F

So, prior to Ponto being annexed into the City of Carlsbad in the mid-1980's and prior to Growth Management the Batiquitos Lagoon and lagoons bluff slopes (constrained and unusable due to habitat and slope constraints) were already pre-zoned Open Space and General Planned as Constrained Habitat Open Space. This constrained Open Space did not and cannot meet the 15% GM Open Space Standard.

In 1986 Citizens voted for the City's version of Growth Management that included a New Standard for Useable Open Space. The new standard was that 15% of all unconstrained useable/developable land within a Local Facility Management Zone was to be dedicated as Open Space. Once the vote was in the City adopted the Growth Management Ordinance 21.90 of Carlsbad's Municipal Code (City Council Ordinance No. 9791. (Ord. 9829 § 1, 1987; Ord. 9808 § 1, 1986)).

In adopting the Growth Management Ordinance 21.90.010 the Council Clearly stated:

(b) The city council of the city has determined **despite previous city council actions**, including but not limited to, amendments to the land use, housing, and parks and recreation elements of the general plan, amendments to city council Policy No. 17, adoption of traffic impact fees, and modification of park dedication and improvement requirements, that the demand for facilities and improvements has outpaced the supply resulting in shortages in public facilities and improvements, including, but not limited to, streets, **parks, open space**, schools, libraries, drainage facilities and general governmental facilities. **The city council has further determined that these shortages are detrimental to the public health, safety and welfare of the citizens of Carlsbad.**

(c) This chapter is adopted to ensure the implementation of the policies stated in subsection (a), to eliminate the shortages identified in subsection (b), **to ensure that no development occurs without providing for adequate facilities and improvements, ..."**

The Citizens and Council recognized that prior City plans were not adequate to address the current (and future) needs for facilities. Upon adoption of the New Growth Management Standards certain facilities were already below-Standard simply based on the existing development and population. Growth Management required additional facilities simply to bring the then current development/population up to the New Minimum Standards. I am personally familiar with 3 GM Standards in LFMP-6 (old La Costa) that I worked on – Library, Fire, and Park where already below-Standard i.e. existing development/population in Old La Costa required more facilities to meet the new Growth Management Standards. We worked to provide these new facilities for the existing development/population (i.e. fix the Standard deficits) and then to also plan even more additional facilities at a ratio that met the New Standards for the additional future development in Old La Costa. I can provide you some interesting stories on that.

I also recall working on the surrounding La Costa LRMP Zones 11 & 12 that Like Ponto/FMP-9 were considered "Cat II: Urbanizing" yet Unlike Ponto/LFMP-9 LFMP Zone 11 & 12 were not falsely exempted

for the GMP Open Space Standard and had to provide the GM Open Space Standard of 15% of the unconstrained/developable lands as dedicated Useable Open Space.

The Citizens vote on Proposition E and the subsequent Growth Management Ordinance 21.90 are the rules on which the Growth Management Plans (both Citywide and 25 Local Facility Plans) are required to follow.

To create the Citywide and the Local plans (Zones 1-6) for the largely developed areas the City needed to temporarily pause development activity to allow time for city staff to Draft the Growth Management Plan (my work as a city planner at the time was re-directed to draft growth management plans). So the Growth Management Ordinance 21.90.030, established a Temporary Development Moratorium to pause development processing activity while the Growth Management Plan was being Drafted. Following is that language of 21.90.030. Notes are shown as italicized text within *[example]*:

“21.90.030 General prohibition—Exceptions.

(a) Unless exempted by the provisions of this chapter, **no application for any building permit or development permit shall be accepted, processed or approved until a city-wide facilities and improvements plan has been adopted and a local facilities management plan for the applicable local facilities management zone has been submitted and approved according to this chapter.** *[Clearly indicates the exemptions in 21.90.030 are only from the temporary development moratorium created by 21.90.]*

(b) No zone change, general plan amendment, master plan amendment or specific plan amendment which would increase the residential density or development intensity established by the general plan in effect on the effective date of this chapter shall be approved unless an amendment to the citywide facilities management plan and the applicable local facilities management plan has first been approved. *[FYI, this provision of 21.90.030 has direct implications with respect of currently City/developer proposed General Plan/Zoning code/Local Coastal Program Amendments now being pursued by the City at Ponto Planning Area F and Ponto Site 18. The City did not and has not yet amended the CFMP and LFMP-9 to increase the City/developer proposed residential density or development intensity at Ponto]*

(c) The classes of projects or permits listed in this subsection shall be exempt from the provisions of subsection (a). Development permits and building permits for these projects shall be subject to any fees established pursuant to the city-wide facilities and improvement plan and any applicable local facilities management plan. *[Then lists various exemptions from the temporary development processing/building permit moratorium in 21.90. The BLEP MP’s exemption from the temporary moratorium is (g)]*

(g) The city council may authorize the processing of and decision making on building permits and development permits for a project with a master plan approved before July 20, 1986, subject to the following restrictions *[this only applies to the “approved before July 20, 1986” BLEP MP, and NOT to any subsequent Master Plan Amendment]:*

- (1) The city council finds that the **facilities and improvements required by the master plan are sufficient to meet the needs created by the project and that the master plan developer has agreed to install those facilities and improvements to the satisfaction of the city council.** *[The Ponto developer needed to provide the 12.8 acre Recreation Commercial land use and install the GM compliant Open Space required in the 1986 MP175 but did not]*
- (2) The master plan developer shall agree in writing that all facilities and improvement requirements, including, but not limited to, the payment of fees established by the city-wide facilities and management plan and the applicable local facilities management plan shall be applicable to development within the master plan area and that the master plan developer shall comply with those plans. *[this required the LFMP-9/BLEP MP to have 1) already been fully developed or 2) have already have dedicated 15% of the LFMP-9 as Growth Management compliant Open Space (i.e. Unconstrained and developable) to qualify for the Open Space exemption later falsely noted in the city-wide facilities and management plan. As clearly documented the BLEP MP did not meet the requirements to qualify for Open Space Standard Exemption in the city-wide facilities and management plan. The section also requires “all facilities” (including Open Space) requirements in the Citywide Growth Management Standard to apply to BLEP MP, not provide a means for a false exemption of the Open Space Standard]*
- (3) The master plan establishes an educational park and **all uses within the park comprise an integral part of the educational facility.** *[“all uses” including the 12.8 acre Recreation Commercial land use and all the other GM compliant Open Spaces are an integral part. However the 12.8 acre open space land use was never built and the BLEP MP GM compliant Open Space never dedicated.]*
- (4) **Building permits for the one hundred twenty-nine [129] unit residential portion of Phase I of the project may be approved provided the applicant has provided written evidence that an educational entity will occupy Phase I of the project** which the city council finds is satisfactory and consistent with the goals and intent of the approved master plan. *[Clearly indicates the 21.90.030 exemption is only for building permits for Phase I of the BLEP MP. Of the 129 units only the 75 unit Rosalena development applied for and received building permits under this exemption. There are some very interesting issues related to this Rosalena Phase I development relative to GM complaint Open Space along the bluff edge that can be expanded on later if the CTGMC has questions.]*
- (5) Prior to the approval of the final map for Phase I the master plan developer shall have agreed to participate in the restoration of a significant lagoon and wetland resource area and made any dedications of property necessary to accomplish the restoration. *[Again clearly notes the exemption only allows a final map for Phase I to be processed. The “lagoon and wetland resource area” are part of the same constrained/undevelopable lands already pre-zoned prior to the BLEP MP being incorporated into the City of Carlsbad]*

The Aviara Master Plan (directly adjacent and east of Ponto) and was also being developed at the same time as Ponto/BLEP MP. 21.90.030 also provided the Aviara Master Plan a similar exemption (h) and similar lagoon related quid-pro-quo for that exemption. But Aviara did not receive a GM Open Space Standard Exemption. :

“(iv) Prior to any processing on the [Aviara] master plan the applicant shall grant an easement over the property necessary for the lagoon restoration and the right-of-way necessary for the widening of La Costa Avenue and its intersection with El Camino Real. (Ord. NS-63 § 1, 1989; Ord. 9837 § 1, 1987; Ord. 9808 § 1, 1986)”

Some City staff have incorrectly stated to the City Council that they believe 21.90.030 exempts Ponto/LFMP-9 from the Growth Management Ordinance/Program or Growth Management Open Space Standard. RESOLUTION NO. 8666- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA APPROVING TWO AGREEMENTS FOR BATIQUITOS LAGOON EDUCATIONAL PARK also shows the 21.90.030 exemption was only for development permits during the temporary building moratorium.

In 1986 the City falsely exempted in the Citywide Facilities Plan all Ponto developers from providing 15% of their useable/developable land as GM required Open Space. The City’s documented/adopted rationale in the Citywide Plan was that Ponto/LFMP-9 was 1) in 1986 already developed, or 2) in 1986 the developer had already met the GM Open Space Standard by having already dedicated 15% of the useable land as Open Space. Both situations were/are false. Any air photo map or even the 1986 LFMP-9 clearly states Ponto was NOT developed in 1986, as only the Lakeshore Gardens existed and the Ralphs Center was just starting construction. Also the City’s GIS Open Space mapping (see above) shows that SAMMIS the Ponto developer (BLEP Master Plan MP-175) in 1986 had Not dedicated as Open Space 15% of the useable land as Growth Management compliant Open Space as shown/described in the BLEP MP (i.e. the 12.8 Acre Recreation Commercial site and all the landscaped open space setbacks required in the BLEP MP-175. If that 15% was dedicated in 1986 it would show-up on the City’s inventory of Dedicated Open Space now. So how did this occur?

How Ponto’s planned GM Open Space was eliminated and replaced with Residential land use:

In late 1980’s SAMMIS the BLEP MP-175 developer started building the 75-home Rosalena Development as the first part of Phase I of the BLEP MP. The City (based on my recollection was very desirous to develop the BLEP MP) and required special time limits on the BLEP MP to actually advance building the ‘Educational Park’ with all the “initiated” land uses (including GM compliant Open Space) within a certain period of time. SAMMIS was having financial issues and difficulty delivering the BLEP MP land uses. Amendments (A, B, and C) to BLEP MP reflected on these difficulties:

- MP 175(A) to allow minor accessory structures within the rear yards of all Phase I single family lots located in Planning Area “C”. *[This is the Rosalena development that was part of Phase I for BLEP MP. This amendment has implications on the landscaped Open Space setback along the Batiquitos Lagoon bluff top, and the required Coastal access trail required by the Coastal*

Development Permit for Rosalena. This is an interesting history that can be explained later if the CTGMC would like.]

- MP 175(B) to realign Carlsbad Blvd., between North Batiquitos Lagoon and west of I-5 to accommodate the Sammis Development was WITHDRAWN January 12, 1990, and
- MP 175(C) a request for 5-year extension of time for Master Plan approval related to educational uses on this project was Approved Planning Commission Resolution No. 2841, April 19, 1989 and approved City Council Ordinance No. NS-83, September 5, 1990.

SAMMIS went bankrupt around 1990 and Kaiza Development purchased the BLEP MP. Kaiza completed the Rosalena development started by SAMMIS. Kaiza then sought to completely change the planned land uses on all the remaining unconstrained/developable land in the BLEP MP.

General Plan and Master Plan Amendments eliminated/reduced BLEP's Growth Management compliant Open Space and replace with Residential uses in the "amended" Poinsettia Shores Master Plan:

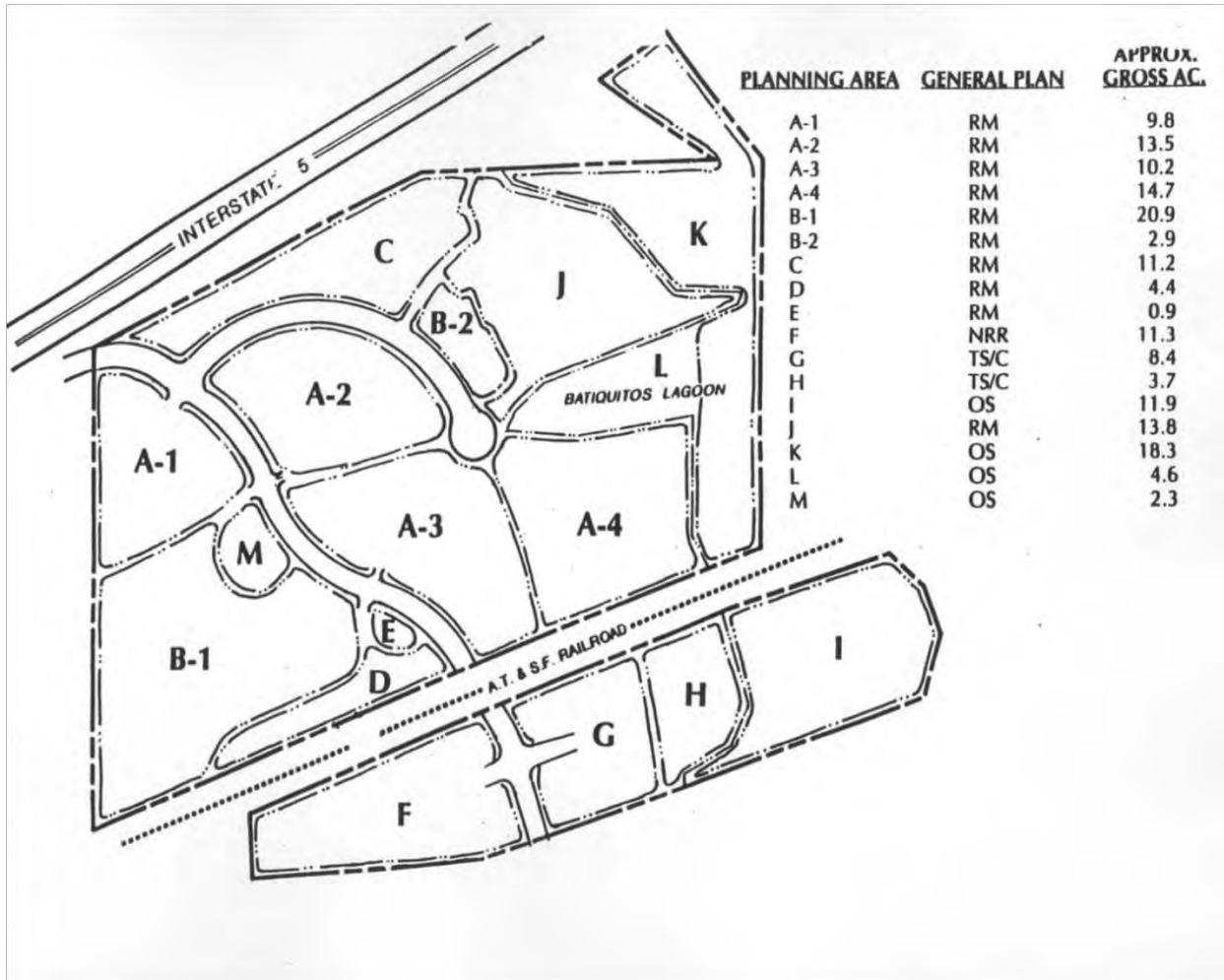
When Kaiza acquired the BLEP MP-175 and its vacant land only the State Campground, Lakeshore Gardens, Ralphs Center, and now Rosalena were approved/existing developments at Ponto. Kaiza proposed a Master Plan Amendment to delete the BLEP MP-175 and all its developable land uses, except for the only portion of Phase I developed – the 75 unit Rosalena subdivision. The pre-BLEP MP pre-zoned (and General Planned) constrained/undevelopable Lagoon waters and lagoon bluff Open Spaces and the CA Coastal Act (LCP) required bluff top setbacks were the only Open Spaces retained in Kaiza's proposed General Plan land use and Master Plan Amendments.

Most all of the BLEP MP-175 (and Ponto/LFMP-9) land area was still undeveloped at the time Kaiza proposed changing all the General Plan land uses at Ponto and eliminating the usable Open Space in BLEP MP.

Kaiza's General Plan land use and Master Plan 'Amendments' made radical land use changes that converted some critical Useable GM Open Space to residential land use and also reduced some GM Open Space provided in BLEP MP. Following is Kaiza's Amended General Plan land use map and bullet summary of the major Open Space changes without getting into a very detailed forensic analysis:

- Eliminated the 12.8 acre Recreation Commercial land use.
- Eliminated the minimum 30' wide landscaped Open Space on both sides of Windrose Circle for the large unbuilt portions of Windrose Circle
- Reduced by 10' the landscaped Open Space on the smaller built portion of Windrose Circle
- Eliminated on 40.3 acres the additional minimum 30' wide landscaped setbacks between buildings
- Reduced BLEP's 2.8 acres of private recreation open space to 2.3 acres
- Except for the Rosalena (BLEP Area C) and (PSMP Area J), maintained the 45' to 50' landscaped setbacks from the Batiquitos Lagoon Bluff edge
- Eliminated the 75' landscaped separation between BLEP MP Areas C and D

- Eliminated the 70' landscaped separation between BLEP MP Areas D and E
- Maintained the 25' landscaped setback along Avenida Encinas. [However new Master Plan Amendments MP-175L propose reducing the setback to 10' on the undeveloped frontage of Avenida between PCH and the railroad tracks]
- Placed a road in most of the 80' landscape setback between Lakeshore Gardens
- Eliminated the 50' landscaped setback between BLEP MP Areas F and I
- Eliminated the 75' landscaped separation between BLEP MP Areas G and H
- Added a 20' wide by 1,000' long landscaped strip for an HOA trail



Kaiza's Master Plan Amendment MP 175 (D) eliminated the 12.8 acre Open Space land use (with an associated General Plan Amendment to add more residential land use) and reduced the other useable Open Spaces required in the BLEP MP. When the 1994 Kaiza MP 175 (D) General Plan Amendments were proposed, it seemed they voided the '1986 GM Open Space exemption' that was clearly specific only to the 1986 BLEP MP land uses and regulation. Although this was a false exemption, the exemption only applied to the complete/integrated land use and open space provided in the 1986 BLEP MP. The 1986 exemption specific to BLEP MP could not apply to a different and later 1994 General Plan land use plan that eliminated the 12.8 acre Recreation Commercial (Open Space) site to add residential land use

and that also reduced the GM compliant Open Space provided in the 1986 BLEP MP. 21.90.030(b) notes that:

“(b) No zone change, general plan amendment, master plan amendment or specific plan amendment which would increase the residential density or development intensity established by the general plan in effect on the effective date of this chapter shall be approved unless an amendment to the citywide facilities management plan and the applicable local facilities management plan has first been approved.”

The 1994 Kaiza General Plan land use and Master Plan (MP 175(D)) Amendments removed 12.8 acres of Recreation Commercial (GM compliant Open Space) to add residential land use. This violated 21.90.030(b) by doing so without a first providing a Citywide Facilities Plan Amendment that analyzed the actual amount of GM compliant Open Space being proposed in the 1994 Kaiza MP 175(D) relative to the 1986 BLEP MP on which the 1986 GM Open Space exemption for LFMP-9 was based. MP 175(D) is noted in the MP as follows:

- “MP 175 (D) Kaiza Poinsettia Master Plan To **replace educational uses with residential land uses** And rename to Poinsettia Shores Master Plan (was) Approved Planning Commission Resolution No. 3552, November 3, 1993, Approved City Council Ordinance No. NS-266, January 18, 1994.”

Kaiza’s MP 175(D) inaccurately and bizarrely claimed BLEP MP’s prior false exemption from the GM Open Space Standard as the justification that Kaiza’s new 1994 Open Space land use changes that seem to reduce the amount of GM complaint Open Space in the 1986 BLEP MP are also exempt from the GM Open Space Standard. **Kaiza’s MP 175(D) claims the pre-Growth Management and pre-BLEP MP Constrained/Undevelopable lagoon waters and bluff habitat that per the 15% Growth Management Open Space Standard CAN NOT be counted as meeting the 15% GM Open Space Standard can be magically counted as meeting the 15% GM Open Space Standard. The GM Open Space Standard specifically states that only Unconstrained/Developable lands CAN BE counted as meeting the GM Open Space Standard.** The stated principles of Growth Management, the Growth Management Ordinance 21.90 and the Growth Management Open Space Standard DO NOT allow a developer or the City to count already documented Constrained and unbuildable habitat (and water) as Unconstrained and developable land. You can’t just turn ‘an apple into a banana by saying it’, or turn ‘Constrained/Undevelopable land into Unconstrained/Developable land by just saying it.

Compliance with the law in this Open Space issue is a part of a current lawsuit by North County Advocates a group of Citizens watchdogs. The City has unsuccessfully tried to diminish this lawsuit. A judge/jury will determine the outcome.

Additional MP 175 Amendments have been proposed by and approved to further modify land use and regulatory limitations at Ponto. These include:

- MP 175(E) Poinsettia Shores Master Plan, Redefinition of minor amendment to provide a flexible regulatory procedure to encourage creative and imaginative planning of coordinated communities, WITHDRAWN November 1, 1994

- MP 175(F) Poinsettia Shores Master Plan minor amendment to actualize off-site option for provision of 90 affordable housing dwelling units, Approved Planning Commission Resolution No. 3774, April 19, 1995
- MP 175(G) Poinsettia Shores Master Plan minor amendment to adopt Coastal Commission Suggested modifications, Approved Planning Commission Resolution No. 3922, June 5, 1996 Approved City Council July 16, 1996, NS-367
- MP 175(H) Poinsettia Shores Master Plan - major amendment FOR HOTEL AND TIMESHARE USES, WITHDRAWN January 16, 2003
- MP 175(I) Poinsettia Shores Master Plan – Rosalena Trail Amendment, WITHDRAWN January 8, 2002
- MP 175(J) Poinsettia Shores Master Plan – major amendment for Carlsbad Coast Residential project to allow RM land use on Poinsettia Shores, WITHDRAWN January 8, 2002
- MP 175 (K) Poinsettia Shores Master Plan – Ponto Area Specific Plan Mixed use consisting of residential, commercial and retail uses, WITHDRAWN August 19, 2004
- MP 175(L) Poinsettia Shores Master Plan – Major amendment for commercial and residential development on Planning Area F, Still being proposed by developers and being processed by the City.

The false exemption for the BLEP MP based LFMP-9 should never have occurred. However, completely eliminating BLEP MP’s OpenSpace land use (12.8 acre Recreation Commercial) and reducing BLEP MP’s required Open Space while at the same time claiming the false BLEP MP Open Space Exemption is a violation of common sense, 21.90, and the very founding principles Growth Management.

The CA Coastal Commission in MP 175 (G) in part recognized the elimination of the 12.8 acre Recreation Commercial land use and maybe some of the Open Space land use changes and added the following land use regulations for 11.1 acre Planning Area F in the Carlsbad’s Local Coastal Program LCP). The LCP as per State Law and referenced in Carlsbad’s General Plan is the controlling land use regulation over the General Plan, Poinsettia Shores Master Plan and in the Coastal Zone:

“PLANNING AREA F: Planning Area F is located at the far northwest corner of the Master Plan area west of the AT&SF Railway right-of-way. This Planning Area has a gross area of 11 acres and a net developable area of 10.7 acres. Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an “unplanned” area, for which land uses will be determined at a later date when more specific planning is carried out for areas west of the railroad right-of-way. A future Major Master Plan Amendment will be required prior to further development approvals for Planning Area F, and shall include an LCP Amendment with associated environmental review, if determined necessary.

The intent of the NRR designation is not to limit the range of potential future uses entirely to nonresidential, however, since the City's current general plan does not contain an “unplanned” designation, NRR was determined to be appropriate at this time. In the future, if the Local Coastal Program Amendment has not been processed, and the City develops an “unplanned”

General Plan designation, then this site would likely be redesignated as “unplanned.” Future uses could include, but are not limited to: commercial, residential, office, and other uses, subject to future review and approval.

As part of any future planning effort, the City and Developer must 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.”

In 2010 the CA Coastal Commission in 2010 rejected the Ponto Beachfront Village Vision Plan on which MP 175(K) was based. MP 175(K) was withdrawn.

On July 3, 2017 the CA Coastal Commission provided direction to the City of Carlsbad regarding MP 175(G), Carlsbad’s 2015 General Plan Update, Carlsbad proposed Local Coastal Program Amendment Land Use Plan (LUP) . CA Coastal Commission wrote to the City the following. Notes on the context of communication are in bracketed italics *[example]*:

“The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto ... 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 study should be undertaken as a part of the visitor serving use inventory analysis described above. *[the discussion of the need for the City to conduct a citywide analysis of the location and amount of these uses in the Coastal Zone to assure the City General Plan within the Coastal Zone is providing the adequate amounts and locations of these land uses to fulfill the long-term population/visitor needs for these uses according to the CA Coastal Act]* **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.”**

In 2017 the City conducted the first Sea Level Rise (SLR) Vulnerability Assessment <https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=33958> . That first initial analysis, shows significant SLR impacts that will reduce existing Ponto Open Space - the State beach and Campground and along the Batiquitos Lagoon. The City identified SLR impacts on Ponto Open Space are summarized in the next section of this history.

In 2023 the CA Coastal Commission will consider the data and public input and decide the appropriate land use for 11.1 acre Planning Area F based the CA Coastal Act and Coastal Act land use policies.

You can determine the Open Space and Park Quality of Life Standards that will be applied to this and other future land uses.

[City assessment of Sea Level Rise impacts on reducing Ponto Open Space](#)

The City's 2017 SLR assessment shows SLR will significantly reduce or eliminate only existing Open Space land at Ponto. The City's assessment quantifies the sporadic/episodic loss of Ponto/Coastal South Carlsbad Open Space land and land uses being at the State Campground, Beaches, and Batiquitos Lagoon shoreline – about 32 acres by the year 2100, this would be an average loss of 17,000 square feet of Open Space per year. Following (within quotation marks) is a description, quantification and images of the City's projected loss of Ponto/Coastal South Carlsbad Open Space land and land use due to SLR. *[Italicized text within brackets]* is added data based on review of aerial photo maps in the Assessment.

“Planning Zone 3 consists of the Southern Shoreline Planning Area and the Batiquitos Lagoon. Assets within this zone are vulnerable to inundation, coastal flooding and bluff erosion in both planning horizons (2050 and 2100). A summary of the vulnerability assessment rating is provided in Table 5. A discussion of the vulnerability and risk assessment is also provided for each asset category.

5.3.1. Beaches

Approximately 14 acres of beach area is projected to be impacted by inundation/erosion in 2050. ... Beaches in this planning area are backed by unarmored coastal bluffs. Sand derived from the natural erosion of the bluff as sea levels rise may be adequate to sustain beach widths, thus, beaches in this reach were assumed to have a moderate adaptive capacity. The overall vulnerability rating for beaches is moderate for 2050.

Vulnerability is rated moderate for the 2100 horizon due to the significant amount of erosion expected as the beaches are squeezed between rising sea levels and bluffs. Assuming the bluffs are unarmored in the future, sand derived from bluff erosion may sustain some level of beaches in this planning area. A complete loss of beaches poses a high risk to the city as the natural barrier from storm waves is lost as well as a reduction in beach access, recreation and the economic benefits the beaches provide.

5.3.3. State Parks

A majority of the South Carlsbad State Beach day-use facilities and campgrounds (separated into four parcels) were determined to be exposed to bluff erosion by the 2050 sea level rise scenario (moderate exposure). This resource is considered to have a high sensitivity since bluff erosion could significantly impair usage of the facilities. Though economic impacts to the physical structures within South Carlsbad State Beach would be relatively low, the loss of this park would be significant since adequate space for the park to move inland is not available (low adaptive capacity). State parks was assigned a high vulnerability in the 2050 planning horizon. State park facilities are recognized as important assets to the city in terms of economic and recreation value as well as providing low-cost visitor serving amenities. This vulnerability poses a high risk to coastal access, recreation, and tourism opportunities in this planning area.

In 2100, bluff erosion of South Carlsbad State Beach day-use facilities and campgrounds become more severe and the South Ponto State Beach day-use area becomes exposed to coastal flooding during extreme events. The sensitivity of the South Ponto day-use area is low because impacts to usage will be temporary and no major damage to facilities would be anticipated. Vulnerability and risk to State

Parks remains high by 2100 due to the impacts to South Carlsbad State Beach in combination with flooding impacts to South Ponto.

Table 5: Planning Zone 3 Vulnerability Assessment Summary [condensed & notated]:

Asset	Horizon			Vulnerability
<u>Category</u>	<u>[time]</u>	<u>Hazard Type</u>	<u>Impacted Assets</u>	<u>Rating</u>
Beaches	2050	Inundation/Erosion, Flooding	14 acres (erosion)	Moderate
	2100	Inundation/Erosion, Flooding	54 acres (erosion)	Moderate
Public Access	2050	Inundation, Flooding	6 access points 4,791 feet of trails	Moderate
	2100	Inundation, Flooding	10 access points 14,049 feet of trails	Moderate
State Parks	2050	Flooding, Bluff Erosion	4 parcels [<18 Acres]	High
[Campground - Low-cost Visitor Accommodations]	2100	Flooding, Bluff Erosion	4 parcels [>18 Acres] <i>[loss of over 50% of the campground & its Low-cost Visitor Accommodations,</i>	High
<i>See Figure 5.]</i>				
Transportation (Road, Bike, Pedestrian)	2050	Bluff Erosion	1,383 linear feet	Moderate
	2100	Flooding, Bluff Erosion	11,280 linear feet	High

Environmentally Sensitive Lands	2050	Inundation, Flooding	572 acres	Moderate
	2100	Inundation, Flooding	606 acres	High



Figure 7: Southern Shoreline Planning Area – Year 2050



Figure 5: CoSMoS Bluff Erosion Projections by 2100
(CoSMoS-COAST 2015)

[Figure 5 show the loss of over 50% of the campground and campground sites with a minimal .2 meter Sea Level Rise (SLR), and potentially the entire campground (due to loss of access road) in 2 meter SLF.]”

This 2017 SLR data and quantified losses of Ponto/Coastal South Carlsbad Open Space land and land uses was not considered in the City’s rejected (by CCC) Ponto Beachfront Village Vision Plan. The Ponto Vision Plan is the basis for the City’s 2015 General Plan Update that is now being proposed in the City’s Local Coastal Program Amendment now before the CA Coastal Commission.

Summary:

LFPM-9 was clearly not developed in 1986, and did not then or now dedicate 15% of the unconstrained/developable land as Open Space as required by the Growth Management Open Space Standard. These two reasons for the City to “exempt” LFMP-9 from Open Space Standard were/are False. Saying Constrained/undevelopable land can be counted as Unconstrained/developable land is also false and clearly not allowed according to the Growth Management Ordinance, Standards, principles, and common-sense honesty to Carlsbad Citizens. LFMP-9, as the City’s own maps/data base show is clearly missing 30-acres of GM Open Space. In addition in 2017 we learned that Ponto/Coastal South Carlsbad will lose about 32 acres of existing Open Space due to SLF.

Closing thoughts:

Growth Management is based on the type/amount/location of General Plan land use designations, the development potential of those land use designations in creating the demand for the type/amount/location of facilities, and supply of the type/amount/distribution of facilities – like Open Space and Parks. If the type/amount/location of supply of facilities does not meet the demand for those facilities then growth management fails and Quality of Life is reduced.

Quality of Life Standards are used to assure supply and demand for facilities is properly balanced with respect to type/amount/location.

Ponto is clearly unbalanced. The Ponto Census Tract is at a 40% higher population density than the rest of Carlsbad, yet is Ponto is NOT meeting the Open Space Standard and has NO Park (see City Open Space maps and Park Master Plan). Ponto and all South Carlsbad have higher population demand for Parks and Open Space facilities yet Ponto (that is the only place to provide Coastal Park and Open Space needs for South Carlsbad) has lower or none of those two most critical GM Facilities needed to balance and mitigate the 40% higher population density at Ponto and also the higher residential density in South Carlsbad.

Ponto and Coastal South Carlsbad also have additional State and regional responsibilities to provide Coastal Recreation and Open Space for populations of people and visitors from outside of Ponto and Carlsbad.

This failure to honestly and adequately balance the type/amount/location higher population density by providing higher levels of Parks and Open Space in those areas will lead to a slow and but eventual reduction of the Quality of Life for those areas.

Common sense and the Carlsbad's Growth Management law say if you change the land use (like what was done and is still being proposed at Ponto) you change the type/amount/location of potential development and population and the Growth Management impacts. Land use changes require and honest/accurate/balanced update to Citywide and Local Growth Management Plans to accurately reflect those changes and provide an updated plan to provide facilities that meet the Standards for those land use changes. This is the fundamental heart of any Growth Management.

The Carlsbad Tomorrow Growth Management Committee, and City Commissions and Council are all now facing the same issues and responsibility that we faced in the 1980's at the beginning of Growth Management. We established New Quality of Life Standards – for Open Space and Parks – that required New investments in Parks and Open Space by both the City and developers.

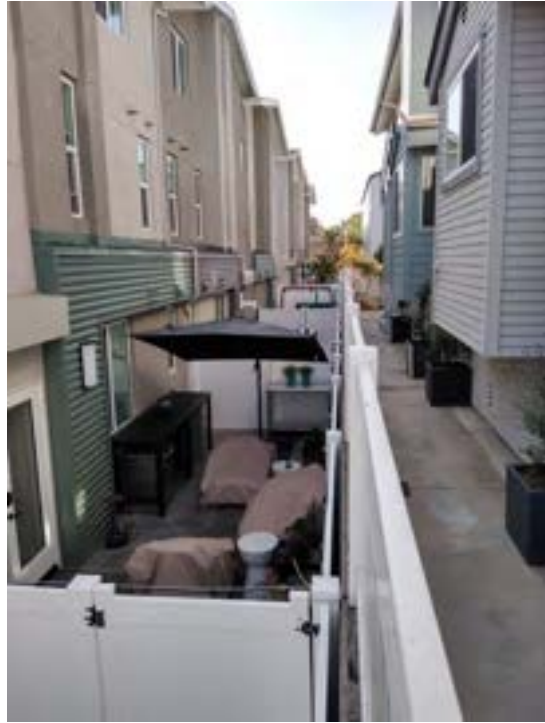
Open Space and Parks have always been identified as most critical for Carlsbad's quality of life. The Carlsbad Tomorrow Growth Management Committee, and City Commissions and Council, and Carlsbad Citizens are all at a critical crossroad.

- Do we, or don't we, enforce and set new standards that achieve the quality of life we desire?
- Do we or don't we, fix existing past errors and below desired standard situations?
- Do we or don't we, roll-up our sleeves a work together to a better Quality of Life?

As a long-time Carlsbad Citizen I am extremely disappointed by some who say we can't fulfill our Community Vision, we can't fix things, can't make things better, and can't add more Parks and Useable Open Space. This can't attitude is not out Community Vision. We can and we did before, and we can do it again and better.

Great cities for hundreds of years have Upgraded their Quality of Life Facility Standards, made and implemented/funded facilities to fix things up to those Standards. A City is just like a business or person - If you don't improve you decline. Examples of Upgrading and funding to New Parks and Open Space are many but include – Carlsbad's Buena Vista Reservoir Park, additions to Pine Park, Village H Park, and Aura Circle Open Space acquisition; and SDSU's major new Park at the redeveloped Qualcomm Stadium site.

Now like at the beginning of Carlsbad Growth Management the City can “despite previous city council actions” make improvements to its Growth Management and Quality of Life Standards to address past and future needs. Following illustrates existing R-23 (up to 23 dwellings per acre) development in Carlsbad – most of our future residential development will be required to be like this or more dense.



High-density housing can be great, but it requires MORE Parks and MORE useable Open Space within walking distance to balance the density and provide large places for families and kids to really play. In Carlsbad's high-density residential future with no backyards and stacked flat multi-family homes the need for both more Parks and Useable Open Space is much greater than in 1980's.

The time to fix the Parks and Useable Open Space problems at Ponto (LFMP-9) is now. Already Ponto is developed at a density that is 40% great than the rest of Carlsbad. New proposed and even higher-density developments (developer driven Amendments) propose to make Ponto even more dense, yet there are not Parks at Ponto and Ponto is missing 30-acres of Useable Open Space past developers should have provided.

A doable, time-tested, accountable, tax-payer saving, strongly citizen desired, accountable, and honest way to fix this was presented to you in 8/8/22 and 12/27/22 emails with attached "CTGMP Key Issues and Suggestions – 2022-12-6". Over 5,000 petitions expressing the need to fix the Park and Open Space problems at Ponto have been sent to the City and the City should have provided these to you in considering Park and Open Space issues.

Ponto Park and Open Space needs your help fixing NOW. If not Carlsbad Tomorrow will be less than it is today, and tragically will have failed our Community Vision.

Jan 11, 2023

To: Carlsbad Growth Management Citizens Committee

From: Howard Krausz, North County Advocates board member

Re: Agenda Item #1, Parks and Open Space Performance Standards

Honorable Chair and Committee Members

Parks and Open Space are critical to the quality of life in Carlsbad and are of the highest priority to our citizens as demonstrated in public surveys and comments time and time again. Since the State of California has mandated a large increase in housing to accommodate a massive increase in population the use of existing parks and open space will increase greatly requiring even more space, not less. Some, but by no means all, of the measures that must be taken now to manage all this future growth include:

1. Maintain or preferably increase the existing open space standard of 15% of the unconstrained land in each LFMZ. Define exactly what "unconstrained land" is and accurately inventory where such land exists in each LFMZ.
2. Clarify the definition of open space and the categories of open space. Give preference to natural open space that preserves habitat. Ensure that no acres are counted as open space that do not meet the definition and that no acres are double counted.
3. Do not allow any further exemptions to the open space standard. In zones 1-10 and 16 that were already exempted, whatever percent open space now exists must never be decreased further. Plans should be made to increase that percentage as much as possible towards 15%.
4. When a new development is approved, 15% of its developable acreage must be set aside as open space. If not on site, then an equal amount of open space needs to be aside in the same or possibly an adjacent LFMZ. Do not allow developers to pay an in-lieu of fee to avoid this requirement.
5. Maintain or increase the existing Parks standard of 3 acres per 1000 residents in each quadrant. Use an accurate method of determining population, current and expected. Residents should have parks that are readily accessible by walking and/or biking.

Thank you for your attention and for your efforts to protect the environment and quality of life in Carlsbad from the negative effects of overdevelopment.

H. Krausz, MD

From: [Mary Hassing](#)
To: [Growth Management Committee](#)
Subject: Agenda #1, Open Space Standard
Date: Wednesday, January 11, 2023 11:09:21 AM

Dear Committee Members,

I am writing to thank you for considering future plans for our precious open space in Carlsbad. I am concerned that we have not kept faith with the promise in 1986 that 40% of our city would continue as open space.

I understand that 11 of the 25 LFMZ's are exempted from the standard requiring 15% of unconstrained open space. Please remove that exemption and require the standard for all management zones. Please find a way to give every area of Carlsbad open areas -- for the health and enjoyment of residents and the unrestricted movement of wildlife that has lost so much habitat.

My hope is that Carlsbad is not already so thoroughly built out, with plans in place for further development, that we cannot take this moment to ensure protected open space far into the future.

Thank you for your work,

Mary Hassing
Regent Road, Carlsbad

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

From: [Enchanted Seashells](#)
To: [Growth Management Committee](#)
Subject: RE: Open Space
Date: Wednesday, January 11, 2023 11:20:23 AM

For the past almost forty years, I've petitioned and spoken out in favor of MORE open space, citing other comparable cities.

At this point, elected and appointed officials have all but ignored the importance of maintaining and creating a beautiful landscape for Carlsbad.

Once again, this is your chance to do the right thing for the community and the environment.

Rosanne Bentley

See below:

Open Space

Staff recommendation is to leave the standard as is—ie: 15% of unconstrained open space for each LFMZ (Local Facility Management Zone), but 11 of 25 LFMZ's are exempted from the standard.

***Furthermore, that ignores the **promise** made in **1986 that 40% of the city would remain in open space**. They now estimate being about 750 acres short at buildout and ignore that over half of the city, in effect, has no standard in place.

THIS IS, ONCE AGAIN, UNACCEPTABLE.

DO THIS:

- Keep the 15% per LFMZ, but eliminate exemptions so all zones are treated the same
- Inventory all vacant/underutilized land for potential open space
- Remove the exemption on the 11 LFMZ's and develop transition plans to gradually increase open space so that each part of the city has an equitable share of open space- as was promised in 1986.

Parks

Staff recommendation is to leave the standard as is— ie: 3 acres parkland/quadrant/1,000 residents. But they offered an alternative— increase it to 4 acres overall, but include many new items in computing park acres (things like beaches and golf courses) that **do not address community concerns**.

Community concerns are:

- no requirement for easily accessible neighborhood parks
- no consideration of differential impact on disadvantaged neighborhoods
- giving full credit for joint use school yards- even though these are locked/gated most of the time
- no provisions for a coastal access park for the entire southern half of the city (which could be addressed at Ponto)

DO THIS:

- add a standard for accessible, neighborhood parks. Other cities have .5 acres /1,000 residents —often above the 3 acre minimum requirement per state law.
- do not expand what gets counted towards the standard —instead only count school yards at 1/2 their acres to reflect restrictions on use.
- require a transition plan to accommodate these changes over time to allow time for park impact fees to be adjusted and other revenues sources developed.

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From: [DeAnn Weimer](#)
To: [Growth Management Committee](#); [Eric Lardy](#)
Subject: CNC comments Carlsbad Tomorrow proposals for Jan. 11th meeting at 5 p.m.
Date: Wednesday, January 11, 2023 1:45:46 PM

Jan. 11, 2023

Carlsbad Tomorrow Growth Management Citizens Committee

1635 Faraday Ave

Carlsbad, CA 92008

Re: CNC Comments on Open Space and Parks

Dear Carlsbad Tomorrow Growth Management Citizens Committee members,

Last month, there was a “feel good” story that garnered national attention for Los Angeles County. The Animal Control Department for the County issued a permit to an 11-year-old girl who wants to keep a unicorn in her backyard when and if she finds one.

We with Citizens for North County (CNC) and no doubt our fellow citizens- all- appreciate the kindness shown this child and respect for her belief in this mythical creature.

In Carlsbad, open space is our unicorn. For decades, it has been trumpeted to long-standing and potential citizens as Carlsbad’s greatest asset. Or at least since 1986, when the city committed itself to remaining 40% open space.

But the reality is very different. Every year, the land officially counted as open space has been chipped away, and much of the erosion has been undocumented. The city makes a mistake in calculating the open space allocations on a new development, and the mistakes always seem to reduce open space and not expand it. Ponto, of course, is the most talked about example of that – a macro mistake if you will.

Then there are the micro events. Residents – knowingly or unknowingly – infringe on designated open space on a house-by-house basis. And this infringement is allowed due to mistakes made by city officials, or because officials are willing to look the other way to avoid

litigation. Interestingly, these “mistakes” are not reported on a case-by-case basis annually. And more importantly, there is no effort to atone for these incremental mistakes by adding open space to replace that which has vanished, sliver by sliver, on a yearly basis.

Mistakes like these have consequences for the community, and for the very health of our residents, which the pandemic made abundantly clear. Are these mistakes malicious? Some think so. Or do they reflect a lack of accountability to Carlsbad citizens? The rejection of accountability, of fair play, of good governance, of trustworthiness, are all underpinned by a simple lack of respect for residents, including those who give their time and patience in serving on important committees, like the one involved here or Envision Carlsbad, etc.

Let us look at some of the shortcomings of this report:

Problem: The staff estimates, the city will be 750 acres short of the 40% goal at buildout.

CNC’s Requested Action: The number is unacceptable as it is, but does it even capture the true shortfall? Carlsbad needs a reality check in the form of an inventory of all vacant and underutilized land for potential open space, as well as an inventory of all “mistakes” or “errors” that have resulted in diminishment of the property historically counted towards open space citywide.

Problem: The staff recommendation is to leave the standard for the Local Facilities Management Plan Zones (LFMZ) at 15% of unconstrained open space for each LFMZ.

CNC’s Requested Action: The devil is in the details here. That may sound consistent but is made irrelevant by exempting 11 of the city’s 25 LFMZs from the standard, which means 44% of the LFMZ’s lack an open space standard. Or put another way about half of Carlsbad has a shot at living in a community with about 30% open space, and the other half gets the open space unicorn. Carlsbad needs to drop the exemption on the 11 LFMZs, and develop a strategy to gradually increase open space so that open space is distributed equitably, i.e., keep its commitments to ALL residents.

Problem: The staff recommendation on parkland gives the city two options: leave the standard at three (3) acres of parkland per 1,000 residents (which is the bare minimum under state law and below the requirements of other San Diego communities), or alternatively, increase the requirement to four (4) acres.

CNC’s Requested Action: Simply put, the staff recommendation achieves four (4) acres/1,000 by redefining parkland so just about anything existing can be counted, without actually making “park” experiences available to all residents. To compute “park” acreage, the city would count beaches and golf courses, while continuing to count locked school yards as part of the parkland. This is analogous to putting flooring in your home on which the children and pets can’t walk. This is not the same as providing the type of park experience the community

needs. Additionally, there are no standards for accessible neighborhood parks; and no attempt to address the lack of parkland in older or disadvantaged neighborhoods. Furthermore, there is no coastal access park for the entire southern half of the city --- the same area the Ponto community has been championing for years.

To address these deficiencies, Carlsbad should adopt a 5 acre/1,000 resident standard; create a standard for neighborhood parks prioritizing accessibility; adjust the contribution of school yards to the overall park space calculation so that only half of the acreage is included (which would still be generous) due to restricted access; and mandate creation of a transition plan to manage these changes, allow for park impact fees to be adjusted and to develop other park revenue sources.

Problem: Staff asserts a variety of CEQA exemptions and fails to meet required public notice standards.

CNC's Requested Action: Regarding noticing the public after the 10-day CEQA appeal period had passed, the re-notice as implemented may, or may not, meet state requirements. However that issue is resolved, the deficiencies in the report referenced above challenge staff's assertion that their recommendations do not merit CEQA review because there are no CEQA impacts. In fact, once a true inventory of what is and is not open space and parkland eligible is completed, those locations must be reviewed in relation to the impact of existing and proposed plans, which will stress the environment and community via increased utilization. The CEQA related concerns include:

- air quality, particularly in neighborhoods impacted by expansion and increased utilization of the train tracks;
- the impact on water resources and threatened species by increased density and nearby commercialization;
- land use plans, particularly those impacting Carlsbad's three lagoons;
- increased exposure to hazardous materials caused by increased density, and lack of sufficient open space corridors and parkland;
- and of course, traffic impacts.

CNC requests the inclusion of the changes outlined above in your recommendations. Thank you for your consideration and for your commitment to Carlsbad.

Regards,

De'Ann Weimer on behalf of Citizens For North County

From: [Diane Nygaard](#)
To: [Growth Management Committee](#)
Subject: Agenda item # 1- Parks and Open Space Performance Standards
Date: Tuesday, January 10, 2023 9:29:27 PM

Honorable Chair and Committee Members

There are three critical performance standards that will have the greatest impact on the future residents of Carlsbad- traffic,parks and open space.

These are the three areas that are most directly connected with everyone's sense of place, connectedness and health. They truly will define the character of this community.

At your last meeting you raised some concerns about the traffic standards and directed staff to do some more work on them- thank you!

At your next meeting you will be addressing parks and open space. The issues with these standards can't be addressed in a sentence or two. Nor can changes to the standards be implemented overnight. Your charge is to make recommendations. Not every detail needs to be defined in order to do that. You need to establish the direction, and a process.

We ask you to consider the following as you make your recommendations:

Open Space Standard

- Has there been an effort to ensure equitable distribution of open space- the 15% for each area of the city?

11 of 25 Local Facility Management Zones were "exempted" from the standards,failed to meet them in 1986 when they were adopted, and fail to meet them today.

- Was the promise from 1986 kept- vote yes on the growth management plan and ensure that Carlsbad will always be a city with 40% open space?

Staff acknowledges that at full buildout the city will not keep this promise and in fact has no commitment to even try to do so.

- Is there a need for more open space?

Years of conservation planning have documented the need to preserve more of our natural and working lands.

- Are there any opportunities left to add open space?

Of course there are. Look at the recent conversion of the old Buena Vista Reservoir to a park. That was city owned land that sat unused for years in a neighborhood that was short open space.

- Will open space be lost as a result of Sea Level Rise(SLR) ?

Yes- that is already well documented. The time to plan to replace those future lost lands is now.

Recommendation

Keep the staff recommended performance standard of 15% unconstrained open space for each LFMZ. But remove the exemption from the 11 zones and plan now to replace the open space land that will be lost to SLR and what is needed to enhance biodiversity. Establish a process for gradually bringing the zones that were short changed up to par with the rest of the city . Allow some flexibility in how this is applied. Things like adjacent zones may need to share open space or boundaries may need to be adjusted to account for the coastal areas that will be inundated by SLR or improvements to things like wildlife movement corridors. This would ensure equitable distribution of open space and meet the promise for 40% open space that was made in 1986.

Park Standard

- Was the community adequately informed that the majority of future parks for all quadrants would be at one park- Veteran's Memorial Park ?

This was one of the least known and understood, but most consequential decisions that hid in plain sight for years.

- Does the current standard of 3 acres of parkland/1,000 residents/quadrant address the needs of today and for decades to come?

Consider the 100's of people in dense, new multi- family dwelling units, with no back yards, and no parks within easy walking or biking distance.

- Shouldn't there be a coastal access park serving the southern half of the city?

The residents of Ponto have well documented the need for this. The two southern quadrants of the city were the most impacted by putting what should have been their park at Veteran's park, in the northern half of the city. The time to address this is now.

Recommendation

Keep the performance standard for 3 acres of parkland /1,000 residents /quadrant. But add to it two new requirements. First, an additional requirement for up to an additional .5 acres of parkland /1,000 residents /quadrant to address the need for accessible neighborhood parks. This is typically done through evaluating the 10 minute walk or 15 min bike ride distance from each residential neighborhood. If that neighborhood is a master planned development that includes parks that serve those residents that could be counted for those residents. But it is most important to ensure that those existing residents without such private parks and future new residents also have accessible neighborhood parks.

Secondly, add a requirement to develop a coastal access park serving the southern half of the city, preferably at Ponto. The mechanics to make this happen will take some time- but the result will benefit the entire community for decades to come.

Thank you for considering these comments. The current and future residents of Carlsbad are counting on you.

Diane Nygaard
On behalf of Preserve Calavera

PS. It is very disappointing that the notice of this important meeting - at a non standard time, and

not on the regular meeting schedule was sent out less than 48 hours in advance.

----- Forwarded message -----

From: **City of Carlsbad** <planning@carlsbadca.gov>

Date: Mon, Jan 9, 2023 at 5:46 PM

Subject: Carlsbad Growth Management Committee meets 1/11

To: <dnygaard3@gmail.com>



The [Carlsbad Tomorrow Growth Management Citizens Committee](#) will meet Wednesday evening to continue the next phase of its work to help the city develop a new plan for how to manage growth. Specific topics up for discussion on Wednesday will include:

- Open space
- Parks
- Climate Action Plan

- Environmental sustainability - renewable energy and local electric power generation
- Water quality and stormwater

Background

- Since last March, the resident-led committee has been learning about and discussing 11 existing [“performance standards.”](#) Performance standards refer to the level of service that needs to be maintained to ensure Carlsbad’s excellent quality of life.
- Developers either pay fees toward or build the infrastructure and amenities needed to maintain these standards based on the new residents who will live in their housing.
- The current standards were first put in place in the 80s.
- The committee is helping to update the standards to reflect the community’s current needs and priorities.
- Now that the group has discussed the existing standards, they are discussing and developing recommendations for future standards.

The full agenda and staff report are posted on the city's [website](#). The meeting starts at 5 p.m. at the Faraday Administration Center (1635 Faraday Ave.), but you can also [watch live online](#) or see a recording after the fact. Details on how you can participate can be found on the [meeting agenda](#).

The committee is expected to meet through early spring to look at different options and ideas. Their recommendations about what a new plan should consider will then be presented to the City Council for its consideration.

More information

- [Growth Management in Carlsbad](#)
- [Growth Management Committee webpage](#)

Quick Links

- [Meeting Calendar](#)
- [Laws & Policies](#)
- [Public Records](#)
- [City Charter](#)
- [Boards & Commissions](#)



Contact Us

City of Carlsbad
planning@carlsbadca.gov
442-339-2600
1635 Faraday Ave.
Carlsbad, CA 92008

From: [Lynne](#)
To: [Growth Management Committee](#)
Subject: Park and Open Space Performance Standards Comments
Date: Wednesday, January 11, 2023 5:57:04 AM

Carlsbad Committee Members,

I am concerned regarding the City of Carlsbad's workarounds to meet open space and park requirements. In particular I would like the City to:

- Keep the 15% per LFMZ, but eliminate exemptions so all zones are treated the same;
- Inventory all vacant/underutilized land for potential open space;
- Remove the exemption on the 11 LFMZ's and develop transition plans to gradually increase open space so that each part of the city has an equitable share of open space- as was promised in 1986.

Additionally, I don't feel that golf courses, the beach and school yards should count as accessible park or open space areas.

I feel confident that the City has its citizen's wellbeing in mind when trying to make Carlsbad a liveable, comfortable as well as profitable city. I'm looking forward to further improvements in citizen access to hiking, biking and walking trails in natural settings in our beautiful city. I also want to see growth in neighborhood parks that are easily accessed throughout our city.

Thank you in advance for your attention to my concerns.

Sincerely,
Lynne

Lynne Seabloom
2750 Windsor Court
Carlsbad, CA 92010
760-801-1222
4thesea@gmail.com

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From: [Barbara Diamond](#)
To: [Growth Management Committee](#)
Subject: OPEN SPACE AND PARKS
Date: Monday, January 9, 2023 7:28:59 PM

Staff:

regarding open space: Keep 15% of LFMZ but eliminate exemptions

- inventory all vacant/underutilized land for potential space

-remove the exemption on all 11 LFMZ's

-develop transition plans

Parks:

add standards for accessible neighborhood park

-do not expand what gets counted toward the stand amount- school yards

should only count 50% or less than the acreage of school yards

-require a transition plan for transition and fee structure.

Barbara C, Diamond

3808 Skyline Rd, Carlsbad, CA 92008

--

~Barbara Diamond~

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From: [Mike McMahon](#)
To: [Growth Management Committee](#)
Subject: Parks and Open Space for Carlsbad
Date: Tuesday, January 10, 2023 10:16:37 AM

Getting outdoors and enjoying our parks and open space is essential for our individual and community well being. Carlsbad needs to provide leadership in its vision for our current and future demands and not be satisfied with median levels of performance.

Open Space:

1. Maintain the standard of 15% for each Local Facility Management Zone
2. Review any vacant or underused land for open space or park designation
3. Currently, 11 of the 25 Local Facility Management Zones are exempt from standard and need to be included with a transition plan so each quadrant has equal open space.

Park Standards:

1. Put in place a new standard for accessible neighborhood parks to be above 3 acre minimum/1000 residents. Our neighborhoods need be served by walkable neighborhood parks without the need for excessive car travel. Special consideration should be made for underserved or low income communities.
2. Tighten standards on what gets counted as a neighborhood park. Locked school yards should have a lower value.
3. Develop a transition plan to the new standards as funding is developed.

Thank you for your consideration,

Michael McMahon
2645 Sutter St
Carlsbad 92010

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From: [maryoren](#)
To: [Growth Management Committee](#)
Subject: City of Carlsbad re: Park and Open Space Performance Standard
Date: Tuesday, January 10, 2023 3:15:20 PM

January 10, 2023

Mary Oren
7842 Sitio Coco
Carlsbad, CA 92009

City of Carlsbad re: Park and Open Space Performance Standards

Thank you for the work you are doing to provide park and open space to generations of Carlsbad citizens and visitors to come. As things change with development in our community, it's surely something we all share - the pride and sense of protection we have for our native space and species. So, after much work reviewing standards set almost 40 years ago, it's an important time to renew our commitment to preserving that which we love here in Carlsbad.

Quite simply, it's time to keep the 15% per LFMZ and eliminate exemptions so all zones are recognized. Inventory all vacant/underutilized land for potential open space. Move the exemption on the 11 LFMZ's and develop transition plans to gradually increase open space so that each part of the city has an equitable share of open space - as was promised in 1986.

Furthermore - a standard for accessible neighborhood parks must be included. Other cities have .5 acres/1,000 residents - often above the 3 acre minimum requirement per state law. Do not expand what gets counted toward the standard - only count school yards at 1/2 their acres to reflect restrictions on use. Require a transition plan to accommodate these changes over time to allow for park impact fees to be adjusted and other revenue sources developed.

These are clear points of action and concern that will make good on the vision set under leadership and citizenry who cared about our future some 40 years ago. It's our turn to lead and protect and provide all the beauty and uniqueness that is our beloved Carlsbad.

Please take these points to heart and act accordingly as more citizens reach out identifying these common views, concerns and solutions. We walk this planet and our community at an important time where every action has huge consequences. Turn on social media, the radio or tv for a half hour and the list grows. We here - in Carlsbad can do the important work as leaders and citizens voicing concern and shared, deep values. Please protect our open space and parks as expressed by me and others speaking up, identifying these points with you today.

Thank you for your work, leadership and community vision and the responsibility you have taken on - on behalf of all of us. We are counting on you and future generations are too.

With gratitude,

Mary Oren
760.271.3059

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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"](#); [melanie@melanieforcarlsbad.com](#)
Cc: [info@peopleforponto.com](#)
Subject: 2022 Jan 11 Public input to the Carlsbad Tomorrow Growth Management Committee, Carlsbad City Council and Parks and Planning Commissions - LCPA and Growth Management-Parks Master Plan Updates - Parks & Open Space
Date: Tuesday, January 10, 2023 5:39:15 AM
Attachments: [CTGMC key issues and suggestions -2022-12-6.pdf](#)

Dear Carlsbad Tomorrow Growth Management Committee & City Council:

Staff is presenting to you a few limited ideas on how the CTGMC can address the documented Park and Useable Open Space inequities that lower the Quality of Life for a large majority of Carlsbad's families and important businesses. Many of your fellow People for Ponto Carlsbad citizens have spoken to you about the critical need to correct these Park and Open Space inequities. Your fellow citizens submitted over 5,000 petitions to the City, and presented you facts and data, and provided you the following/attached fully doable suggestions that save tax-payers millions of dollars and produce better and honest solutions. One member of the CTGC rails against "Paper Plans" that use unsupported statements to 'paper over or cover-up' on-the-ground realities. Realities that impact the Quality of Life of your fellow Citizens and Carlsbad visitors. Your fellow People for Ponto Citizens are asking you NOT to create "Paper Plans" to cover-up documented Park and Open Space inequities with "Paper Plan" excuses. We ask you to be true and honest to yourself and future Carlsbad families. We ask you to do what is right, true and honest and follow the practical-doable-tax-payer saving Park and Open Space suggestions below/attached. You own and will be remembered by your decisions.

Sincerely,
Lance Schulte

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Tuesday, December 13, 2022 11:17 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'; melanie@melanieforcarlsbad.com
Cc: info@peopleforponto.com
Subject: Public input to the next upcoming meetings of Carlsbad Tomorrow Growth Management Committee, Carlsbad City Council and Parks and Planning Commissions - LCPA and Growth Management-Parks Master Plan Updates - Parks & Open Space

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

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's 12/15/22 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, Ponto Planning Area F and Site 18 land use changes,

and Local Coastal Program Amendments, and

4. as public input to the CCC on Carlsbad proposed Local Coastal Program, and
5. as public input to Carlsbad's proposed Local Coastal Program Amendment.

The initial version of attached file was sent to you 8/8/22. The attached updated file should replace that older file as there is new data on significant tax-payer cost savings from Pronto Park relative to PCH Relocation, and updated examples of how Coastal Open Space can be cost-effectively persevered and increased. Both Coastal Parks and Open Space are important Carlsbad and State of CA issues.

- Parks: Updated data shows that a 11.1 acre Ponto Park would now cost less \$20 million to buy and build. This is less than a City Pool Renovation. Carlsbad's Old City Council planned to spend \$65 to \$80 million in Carlsbad tax-payer dollars to address the Citywide need for a significant Coastal Park in South Carlsbad with a 2.3 mile PCH Relocation. The City identified in 2001 other pay-payer funds were highly unlikely. \$65 to \$80 million would only 'free-up' 15.8 acres of narrow PCH Median (City documented "Surplus Land Area #4 & #5"). As People for Ponto Citizens have been saying for years that Ponto Park is the better Park solution to the documented Coastal South Carlsbad Park needs – a citywide need. The CTGMC should include that citywide Park need and the logical, better and tax-payer responsible Ponto Park solution to that citywide Park need in your CTGMC recommendations to City Council.
- Open Space: Updated data shows how documented GM Open Space shortfalls can be properly and responsibly address in a collaborative citizen-based "Local Facilities Zone Useable Open Space Correction Plan" approached. Also the need to maintain the 15% GM (Useable) Open Space Standard will be critical in the future to maintain Open Space and prevent future conversion of Open Space to residential land use as part of Housing Plan updates.

For the CTGMC; Parks and Open Space are the 2 most critical/special of 6 Key Growth Management Program Update Issues and Suggestions the CTGMC should take to properly address these 6 key Growth Management Issues.

- Please read the Updated data and Suggestions.
- Please responsibly address the Growth Management issues of a citywide Park need for Coastal South Carlsbad as listed in the attached Suggestions. Include a South Carlsbad Coastal Park in your recommendations to the City Council. Acknowledge Ponto Park as the best and most tax-payer efficient solution to address that documented citywide park need.
- Please in your recommendations to City Council retain and enforce the Open Space Standard, and fix past errors made in falsely exempting certain developers in certain areas in the City from complying with the Growth Management Open Space Standard that other developers in other areas are required to provide.

Please consider this email and attachments, and know P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

Happy holidays and with Aloha Aina,
Lance Schulte

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Following are 6 key major Growth Management Standards issues of citywide relevance that the Carlsbad Tomorrow Growth Management Committee (CTGMC) needs to act on, and citizen “Suggestions to CTGMC” on how to honestly and responsibly act on these 6 key issues in the CTGMC’s recommendations to the New City Council. This Update includes new information (pp 5-6) on the improved affordability of Ponto Park, and on how GM Open Space shortfall can be repaired. We hope the CTGMC will act honestly to make recommendations that truly and responsibly address known documented shortfalls in both Parks and GM Open Space. Responsible recommendations by the CTGMC can provide a sustainable Quality of Life to future Carlsbad generations and visitors. Only you own your recommendations.

1. The State of CA is forcing Carlsbad and all cities/counties in CA to provide for unlimited or Infinite Population and Visitor growth. So there will be an Infinite population & visitor demands for Parks, Open Space, water, and demands on our roads/transportation systems, and other Growth Management (GM) Quality of Life facilities. These infinite increases in population and visitor demand will come from high density development that requires more public Parks and Open Space to balance the high-densities. **Carlsbad’s new GM Standards will have to provide for a system of Infinite proportional increases in the supply of Parklands, Open Spaces, water, transportation facility capacity, etc. or our Quality of Life will diminish.**
 - a. Suggestions to CTGMC:
 - i. Completely restructure the General Plan, Local Coastal Program and GM Program to clearly recognize these facts and State requirements to proportionately provide public facilities to maintain/improve Carlsbad GM Quality of Life Standards for this Infinite growth of Population and Visitor demands.
 - ii. **Being a Coastal city Carlsbad has an added responsibility to proportionately maintain/improve providing High-Priority Coastal land uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations) needed at a regional and statewide level to address visitor needs for Coastal Recreation, access, and affordable accommodations.** Carlsbad needs to work with the State of CA Coastal Commission to completely restructure Carlsbad’s Coastal Land Use Plan to addresses the State’s requirement to provide an Infinite amount high-priority Coastal land uses for those Infinite Population and Visitor demands.
 - iii. **Trying to ignore these Infinite demands for Carlsbad’s Quality of Life facilities – like Parks and Open Spaces is a path to disaster and the ultimate degradation of Carlsbad’s Quality of Life.**
2. **Carlsbad has a huge Jobs v. Housing supply imbalance – far too many jobs around the airport for our amount of housing. This creates negative and costly land use and transportation planning distortions that radiate from the Airport Central Jobs through Carlsbad in all directions.** CA Housing law penalizes unbalanced cities like Carlsbad by requiring more housing in Carlsbad to bring jobs/housing ratio into balance. Carlsbad can correct this imbalance by 1 of 2 ways: 1) greatly increase housing supply (and thus increase the need and City expense for more GM Quality of Life facilities), or 2) more logically and cost effectively greatly decrease the amount of Jobs land use, so Carlsbad’s housing supply is in balance with jobs. These jobs will move to surrounding Cities that have more housing than jobs. **Rebalancing by reducing jobs land use creates added benefits for Carlsbad and our region by reducing Carlsbad’s peak-hour job commute traffic volumes and**

vehicle miles traveled (VMT), and by reducing the costs Carlsbad (and other cities and the region) have to pay to accommodate inter-city commute traffic. If Carlsbad reduces jobs land use will also reduce the amount of housing the State of California and SANDAG requires Carlsbad provide in its Housing Element thus reducing forcing incompatible high-density development into established neighborhoods and pressure to convert useable GM Open Space lands to housing land use.

a. Suggestions to CTGMC:

- i. **Carlsbad can logically and cost effectively balance Jobs/housing supply by updating Growth Management Policy to reduce jobs to be in balance with housing by changing some of Carlsbad's General Plan land use around the airport into several high-density residential mixed-use Villages.** The City has started some of this, but can expand this effort but has not planned creating mixed-use village environments. These high-density villages will reduce jobs and provide both high-quality and high-density (affordable) housing within walking/biking distance to the major job center and new neighborhood commercial and Park uses in the Villages.
- ii. Prioritize transportation investments in safe bike paths, walking paths between Carlsbad's Central Jobs Core around the airport and Carlsbad's housing, particularly strongly connecting these new high-density mixed-use villages with the Central Jobs Core.
- iii. Update General Plan land use and housing policy to reduce concentrations of higher-density housing except around the airport jobs core.
- iv. Recognize the central Airport jobs core is 'Carlsbad's New Urban Downtown and "Transect Plan" accordingly toward lower densities on the City periphery.

3. Although some very critical areas (such as the Coastal lands at Ponto) are still vacant and can be wisely used for critical GM Quality of Life needs, much of Carlsbad is largely developed.

Redevelopment of developed land will require creating increased supplies of Parkland, Open Spaces, transportation capacity, and other Quality of Life facilities.

a. Suggestions to CTGMC:

- i. **Completely rethink all City planning on existing vacant lands to assure that remaining vacant land is planned and being used wisely and fairly distributed to address critical Quality of Life needs in those areas, and not squandered on redundant land use.** The location of vacant land to address critical Park & Open Space needs should be preserved with land use planning.
- ii. Work with the State and CA Coastal Commission to preserve our Finite vacant Coastal lands for High-Priority Coastal Land Uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations and services) for the Infinite population and visitor demands both internal and external to Carlsbad that are/will be placed on them.
- iii. Fully and at the very beginning of any Carlsbad General Plan, Local Coastal Program and Growth Management Program actions going forward fully disclose, map and require consideration of the impact of future sea level rise and coastal erosion on Coastal land acres and land uses. Carlsbad has lost and will accelerate losing acres of Coastal land and High-priority Coastal Land Uses. Carlsbad must know, see, and discuss these losses BEFORE making any land use decisions in Carlsbad's Coastal Zone and any vacant Coastal Land.

4. **Carlsbad General Plan & Growth Management Plan do not provide a fair distribution of adequately sized City Parks for all Carlsbad families.** Veterans Park is a classic example. What will

be the City's largest park is only about 1-mile away from three other major City Parks (Zone 5, and the future Robinson Ranch and Hub Parks). This is a poor and unfair distribution and a misallocation City Park land resources. Saying Veterans Park is 'the park to serve SW, SE, and NE Carlsbad families' (the overwhelming major/majority funders of veterans Park) when those families are upwards of 6-miles away on major commercial arterials that kids can't logically/safely use is false and unfair. Most all the funding (developer fees) to build Veterans Park come from the SW, SE and NW Carlsbad but those areas are denied the Park the paid for. Veterans Park is inaccessible by almost all its intended users except by driving their cars and then storing their cars in parking lots on Parkland thus making less park land available for actual park use – this makes little common sense and is a great waste of tax-payer funds. This is dysfunctional along with being very unfair to families in SW, SE and NE Quadrats that are denied park acres near their homes which they funded. **Carlsbad's Park Master Plan maps 'Park Service' areas of existing known Park Inequity or Unfairness (dysfunction), to show where new City Park investments should be made (See City map image with notes below).**

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

The Trust for Public Land provides a Park-Score to compare both a City's amount of park acres and the 'fairness' of access (within a 10-minute walk) to parks. **Carlsbad is below national averages in both park acres and fair access to parks. Carlsbad is also well below what our adjacent Coastal cities of Encinitas and Oceanside provide. Carlsbad only requires 3 acres of Park land per 1,000 population, while Encinitas and Oceans require 5 acres - 67% more than Carlsbad – of parkland. Also, Encinitas and Oceanside require parks to be within a 10-minute walk to their citizens and families. Carlsbad has no such requirement.**

a. Suggestions to CTGMC:

Carlsbad should change its General Plan, Parks and Growth Management Standards and CMC 20.44 to:

- i. **Be Above Average Nationally in both providing park acreage and in locating adequate park acreage to be within a 10-minute walk to all neighborhoods.**
 - ii. **Raise its minimum park acreage standard to 5 acres per 1,000 population, versus the current low 3 acres per 1,000. Carlsbad should be at least as good as Encinitas and Oceanside in requiring 5 acres, not 40% below what our adjacent Cities require/provide.**
 - iii. **Raise its park location standard to require an adequately sized park be provided to serve the neighborhood population within a 10-minute walk for all neighborhoods.**
 - iv. **Prioritize City Policy and Park Budgets and investments to achieve park fairness in 'Park Unserved areas' identified by Carlsbad's Park Master Plan.**
 - v. **Per Carlsbad's Municipal Code Chapter 20.44- DEDICATION OF LAND FOR RECREATIONAL FACILITIES to require developers in 'Park Unserved areas' and in areas that do not have an adequately sized (5 acres per 1,000 population) park within a 10-minute walk to provide their developments required Park land acre dedication in actual Park land within a 10-minute walk to their development.**
 - vi. **Update the City's Park-in-lieu fee to assure the fee is adequate to actually buy the amount of park land a developer is to provide within a 10-minute walk of their development. The City's current 'Park-in-lieu-fee' is far too low and inadequate to actually buy land in area surrounding the proposed development.**
 - vii. **Only allow developers to pay a Park-in-lieu-fee where there is an adequately sized park (provide 5 acres per 1,000 population) within a 10-minute walk of their development, and growth management planned future development in that area will not require more park land to provide 5 acres per 1,000 population) within a 10-minute walk.**
 - viii. Consider updating Park policy to provide more multi-use flexibility in park land acres and development on Parks. Many Carlsbad Park acres are developed/dedicated to a single-purpose use, and unavailable for other park uses.
 - ix. Consider eliminating car parking lots from land that can be counted as parkland; or by significantly limiting park land used for parking to around 5%.
 - x. **Eliminate the counting of 'GM Constrained and Unusable land' and Protected Endangered Species Habitat land as Park land. GM Constrained/Unusable lands are undevelopable. Protected Habitat lands are by definition not useable for development by people. Habitat is dedicated for plants and animals. Parks are open spaces dedicated intended for people. Parkland calculations should exclude Unusable lands and Protected Habitat lands and only count 100% people Useable land as Park land. Where Park land abuts Habitat land a sufficient buffer space shall be provided to prevent people mixing with animals (ex. Rattlesnakes, etc.) and animals from people (habitat disturbance or destruction). This buffer area should not be counted as Park or Habitat acres, but as natural/developed buffer open space acres, and can be counted as part of the City's 15% Growth Management 'Aesthetic open Space'.**
5. Carlsbad's Coast is the most, if not the most, important feature of Carlsbad; and is consistently identified by citizens and businesses and our Community Vision. **Carlsbad's Coastal Parks (west of the I-5 corridor) are grossly unfairly distributed. Carlsbad's Coastal Parks do not fairly match the**

locational needs of the population. North Carlsbad that is 38% of Carlsbad's population and has 10 Coastal Parks totaling 37+ acres in size. South Carlsbad that is 62% of Carlsbad's population has 0 [ZERO] Coastal Parks totaling 0 [ZERO] acres. Again, Carlsbad's Park Master Plan maps this citywide unfairness (dots show park locations and circles show the area served by each park) and says that the City should look at buying and building New Parks in these areas that are unserved by City Parks (are not covered by a circle). The GM Update should correct this citywide unfair distribution of City Parks by making plans for new Park purchases to create City Parks in these unserved areas of Park Inequity.

To address citywide Coastal Park unfairness the current City Council wants to spend \$60-85 million in Carlsbad tax-payer funds to Relocate 2.3 miles of constrained Pacific Coast Highway median to try to make some of the narrow PCH median 'useable' by people. 2001 and 2013 City PCH Relocation studies identified only a small amount of 'people-useable acres' would be created next to PCH. The \$60-85 million tax-payer cost (\$26-37 million per mile) does NOT add one single square foot of new City land, it only inefficiently rearranges a small amount PCH median. The City can most tax-payer cost effectively provide needed sidewalks and bike improvements along the outside edges of PCH without PCH Relocation. The City's 2001 PCH Relocation Financial Study and 2013 PCH Relocation Design both indicated minimal useable land could be achieved by Relocation, and that the very high tax-payer cost to do so would be very difficult to fund. The City has known for well over 20-years that PCH Relocation is a high-cost and a poor solution to address the Citywide Coastal Park unfairness in South Carlsbad.

However, a **better and far less costly solution to correct Citywide Coastal Park unfairness and provide a much needed South Carlsbad Coastal Park is to simply buy currently vacant land that is for sale.** The City did this (although the City actually bought existing homes) when it expanded Pine Park. **Carlsbad tax-payers have used the City's own data to compare the tax-payer Cost/Benefits of simply purchasing vacant land v. trying to rearrange existing City owned land at PCH. Simply buying vacant land saves tax-payers saves tax-payers over \$32.7 to \$7.7 million.** Please read the following data files:

- 2022-June General Comparative tax-payer Costs/Benefits of Completing PCH, 2.3 miles of PCH Modification (Island Way to La Costa Ave.), and 14.3 acre Ponto Park (Kam Sang) to address planned loss of 30+ acres of Coastal Open Space Land Use at Ponto in South Carlsbad: Part 1 of 2.
- City's PCH Modification Proposal Area Map with notes on usability Constraints and Issues: P4P Input: Part 2 of 2
- The most recent (9/19/22) land sale of 11.1 acre Ponto Planning Area F was less than \$8 million (less than \$706,000 per acre).
- **Buying and developing this 11.1 acre Ponto Park would cost less than \$20 million assuming a 10% profit to the new land-owner, and \$1 million per acre park construction cost like our newest Buena Vista Reservoir Park.** The cost to help correct a Citywide Coastal Park unfairness by simply buying & building a much needed **11.1 acre Ponto Coastal Park would cost tax-payers less than the recently approved Measure J City Monroe Street Pool Renovation.** Investing less than \$20 million (\$1.8 million per acre) to buy and build an 11.1 acre Ponto Coastal Park is a great tax-payer value v. \$65-80 million in tax-payer funds to rearrange 15.8 acres of narrow strips of constrained PCH median (City documented "Surplus Land Area #4 &5") for some minimal people use at a tax-payer cost of \$4-5 million per acre. **The overall and per acre costs of buying/building Ponto Park are over 2 to 3 times better value for tax-payers than PCH Relocation/rearrangement.**

- The City Council could/can buy land for Open Space (Parks are the most useable of the City's 4 Open Space categories) under voter approved Prop C Open Space land acquisition authority. **The City has been advised to buy Ponto Park under Prop C per the City's settlement of a Growth Management law suit.**

The Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is clearly a citywide issue. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad as it is unfair to the vast majority of Carlsbad citizens and their families as 62% of Carlsbad is in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is unfair to our major Visitor serving industries (and tax generators) in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad are clearly inconsistent with the CA Coastal Act, Carlsbad's Community Vision, and common sense. The Coastal South Carlsbad Park Inequity is also unfair to North Carlsbad because South Carlsbad's Coastal Park demand is being forced into Coastal North Carlsbad and congesting those parks, and adding to Coastal North Carlsbad traffic and parking impacts. It also increases greenhouse gases and VMT as it forces longer vehicle trips.

a. Suggestions to CTGMC:

- i. 11.1 acre Ponto Planning Area F has a specific Local Coastal Program Land Use Policy that says The City of Carlsbad must for the Ponto Area LCP 'Consider and Document the need for Coastal Recreation (i.e. Public Park) and or Low-Cost Visitor Accommodations west of the railroad tracks (at Ponto) prior to any Land Use change. **The discussion of Parks by the CTGMC is such a situation that requires the CTGMC to consider this adopted LCP Land Use Policies. Official public records requests have shown the City never followed this LCP Land Use Policy Requirement during the 2005 Ponto Vision Plan and 2015 General Plan Update, and in 2010 the CA Coastal Commission rejected the Ponto Vision Plan and told the City in 2017 that that land uses at Ponto could change based on the need for Coastal Recreation and/or Low Cost Visitor Accommodations.** The Mello II LCP that covers most of Carlsbad's Coastal Zone also has Land Use Policy 6.2 for the City to consider a major park in the Batiquitos (Ponto/South Carlsbad) area. The City has only implemented 1/6 to 1/3 of this policy. **The CTGMC should fully evaluate the citywide/South Carlsbad and local Ponto need for Coastal Parks as required by the City's adopted LCPs and CA Coastal Act.**
- ii. Carlsbad's 2015 General Plan Update and Growth Management Plan (GMP) did not, and was not updated to, consider the 2017 Sea Level Rise (SLR) Impact report showing the loss/impact on 32+ acres of Carlsbad's Coastal Land Use acreage in South Carlsbad – primarily Open Space Land Use (beach and Campground). **Both the General Plan (and Local Coastal Program Land Use Plan) and GMP should be updated to account for the loss and replacement of these 32+ acres of high-priority Coastal Open Space Land Use due to SLR.** The updates and the CTGMC should use the newest CA Coastal Commission SLR Guidelines/science, not the old guidelines used in 2017. Carlsbad's LCP and CA Coastal Act Land Use Polies call for 'upland relocation' to replace the SLR loss of high-priority Coastal Land Uses.
- iii. **The availability over the past several years of the last two sufficiently sized vacant lands suitable for a Ponto/South Carlsbad Coastal Park is a citywide issue. If these last two vacant lands are lost to development forever future generations will have lost the last opportunity for the needed South Carlsbad Coastal Park.** The 5/3/22 Citizen requests for the City to jointly study acquisition of one or both these last vacant lands for a needed (and only possible) true and meaningful Coastal Park for

South Carlsbad should be recommended by the CTGMC. **The CTGMC should recommend Carlsbad’s GMP be updated to incorporate Parkland acquisition of these last opportunities to provide the needed Coastal Park for South Carlsbad.**

6. Carlsbad Growth Management Open Space Standard is that 15% of all the Useable (unconstrained and fully buildable) areas is to be preserved as Useable Open Space, and that all the 25 Local Facility Management Plans (LFMP) show how that 15% is provided. The City says:

OPEN SPACE

A. Performance Standard

Fifteen percent of the total land area in the Local Facility Management Zone (LFMZ) exclusive of environmentally constrained non-developable land must be set aside for permanent open space and must be available concurrent with development.

Yet the City has mapped and documented that this 15% Useable Open Space Performance Standard was not complied with. The City also acknowledges that without changes to current City planning the 15% Useable Open Space Performance Standard will never be complied with. The City acknowledges that only 13% has/will under current plans ever be provided. This missing 2% equals 501 acers of lost GM Open Space the GMP promised citizens. **Carlsbad law the Growth Management Ordinance 21.90, and section ‘21.90.130 Implementation of facilities and improvements requirements’; provide guidance on how non-compliance with a Performance Standards is to be handled.**

a. Suggestions to CTGMC:

- i. Retain the GM Open Space Standard of 15% of all unconstrained and developable land is maintained as Open Space. If the City removes the Open Space Standard, it will allow and encourage land use changes to remove GM Open Space and replace with development.
- ii. **The CTGMC should make a recommendation that an inventory of all 25 LFMP Zones be conducted and an inventory of each LFMP Zones provision of at least 15% Useable Open Space shall be compiled. No LFMP Zone shall be allowed to be “exempt” from this inventory.** The City’s computerized GIS mapping system makes it easy and clear as shown in the following City GIS map for LFMP Zone 9 (aka Ponto).



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara includes the same lagoon.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were not required to comply with the 15% Useable Open Space Standard is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the Growth Management Standard of 15% Useable Open Space at Ponto

472 Acres	Total land in LFMP Zone 9 [Ponto]
<u>(197 Acres)</u>	Constrained land excluded from Growth Management (GMP) Open Space
275 Acres	Unconstrained land in LFMP Zone 9 [Ponto]
<u>X 15%</u>	GMP Minimum Unconstrained Open Space requirement
41 Acres	GMP Minimum Unconstrained Open Space required
<u>(11 Acres)</u>	GMP Open Space provided & mapped per City GIS data
30 Acres	Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

- iii. In instances like LFMP Zone 9 (above image) that clearly did not provide at least 15% Useable Open Space and/or were falsely “exempted” the CTGMC should recommend that a **Local Facilities Zone Useable Open Space Correction Plan** shall be developed that explores the GM Open Space use/reuse of City land, land use planning requirements, and/or possible acquisitions of remaining vacant land acres to make up for any shortfall in meeting the 15% Useable Open Space in that a Zone. An example of this in LFMP Zone 9 is that the City’s regional Rail Trail will convert 2-lanes of almost all of Avenida Encinas to wider buffered bike lanes and an adequate portion of the converted 2 vehicle lanes can be landscaped (v. just painting strips as a buffer) to provide a safer/better bike lane buffer within a GM compliant Open Space. 2 vehicle lanes in Windrose Circle could also be similarly landscaped and converted to GM complaint Open Space. This is just one example of a cost-effective means to add GM Open Space that developers were falsely allowed to remove.
- iv. A **Local Facilities Zone Useable Open Space Correction Plan** should involve a Citizens Advisory Committee composed of citizens within the impacted Zone and appointed by the Council Members representing the Zone, and a representative of each vacant land owner over of over 1-acre in size.
- v. Consistent with the Growth Management Ordinance land use changes and development applications within a **Local Facilities Zone Useable Open Space Correction Plan** Zone shall be deferred until the applications can considered with (or after adoption of) a **Local Facilities Zone Useable Open Space Correction Plan**.

CARLSBAD GROWTH MANAGEMENT MEETING

My name is Robert Gilleskie, P.E., and I'm retired from SDG&E where I managed the Energy Auditors group among other positions. Later I was the Director of Engineering at the then California Center for Sustainable Energy, and then the Energy Manager at Naval Base Point Loma, and finally, the Energy Manager at Marine Corps Installation West (MCIWEST), from which I retired in 2016.

At MCIWEST I was responsible for coordinating energy projects among the eight Marine Corps bases in California with Marine Corps headquarters in Washington, DC. These projects included energy efficiency and renewable energy projects, primarily solar photovoltaic, but also included possible geothermal projects in the Imperial Valley near MCAS Yuma. Among the energy projects was a microgrid project at Camp Pendleton Area 53, consisting of a ground installed solar PV system with tracking panels, battery storage, and controls which enabled various components of the Area to rely on each other in the event of failure of any one. Major advantages of the project were energy security, the use of renewable energy from the solar installation, and energy efficiency.

In 2012 the San Diego region experienced a massive power failure which prompted DOD to evaluate the risk of losing the base's ability to launch aircraft and control those already airborne. The result was DOD suggesting and funding a microgrid project at MCAS Miramar, which already had a significant amount of solar PV installed. As far as I know, that project has been completed, and the base is able to operate for 14 days isolated from SDG&E's power grid.

During my service as the MCIWEST Energy Manager I began and continued to advocate to Marine Corps headquarters for the expansion of microgrids at MCB Camp Pendleton and MCAS Pendleton, as well as the other seven Marine Corps bases of MCIWEST. This advocacy included presentations to various Department of the Navy units and the California Energy Commission. With regard to the CEC, the eight Marine Corps bases in MCIWEST could very well be eight cities in California which could eventually install their own microgrids. Just as the eight MCIWEST bases could benefit from diversity of demand and relieve each other (MCB Ridgecrest to MCAS Yuma is about 334 miles), cities in California could support each other and enjoy the same benefits as the microgrids at MCB Camp Pendleton and MCAS Miramar.

Prior to retiring as Energy Manager at MCIWEST I wrote its Strategic Energy Plan and specified the installation of microgrids at all the bases of MCIWEST.

Robert Gilleskie, P.E.

From: [Larry Peifer](#)
To: [Growth Management Committee](#)
Cc: [Larry Peifer](#)
Subject: Park and Open Space Performance Standards
Date: Saturday, January 7, 2023 12:31:25 PM

To: committee@carlsbadca.gov
Fr: Larry Peifer, 2610 Valewood Ave., Carlsbad, CA, 92010
760-720-9009

Comments regarding **Park and Open Space Performance Standards.**
Please consider my comments on this subject at reverent meetings and public comment opportunities.

Regarding **Open Space**

- Keep the 15% per LFMZ, but eliminate exemptions so all zones are treated the same
- Inventory all vacant/underutilized land for potential open space
- Remove the exemption on the 11 LFMZ's and develop transition plans to gradually increase open space so that each part of the city has an equitable share of open space- as was promised in 1986.

Regarding **Parks**

- add a standard for accessible, neighborhood parks. Other cities have .5 acres /1,000 residents —often above the 3 acre minimum requirement per state law.
- do not expand what gets counted towards the standard —instead only count school yards at 1/2 their acres to reflect restrictions on use.
- require a transition plan to accommodate these changes over time to allow time for park impact fees to be adjusted and other revenues sources developed.

Thank you for your time and consideration of these issues

Sent from my iPad

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From: [Nadine](#)
To: [Growth Management Committee](#)
Subject: Standards Open Space and Parks
Date: Saturday, January 7, 2023 6:13:55 PM

To whom it may concern:

Open Space: I urge you to keep the 15% LFMZ with NO exemptions. Remove existing exemptions. The city is already short on acreage that was promised in 1986. It is to be 40% not the current, quite inadequate 750 acres short of that.

It would also be very helpful if you did an inventory of vacant land/underutilized land that has potential for this program as well in order to fulfill the agreed to percentage.

Parks Standard: I urge you to review this entire program before keeping it in place or removing it. Communities thrive when there are more park space, open to the public unlike school yards that are often locked. Those should not be counted in park acreage or perhaps counted at 1/2 value since they are not actually accessible like regular parkland is.

Special attention should be paid to disadvantaged/lower income neighborhoods with the thought to create MORE parkland there in order to improve quality of life and opportunities. These communities are in need of more parkland.

Last, don't keep the standard at state's minimum of 3 acres. You should increase opportunities by using a much lower figure perhaps .5 or even 1 acre for the program.

Carlsbadians are lucky they have a quality city but you can do much better in these areas that benefit all.

Thank you for accepting my comments and addressing my concerns.

Nadine Scott, Attorney
Friends of Loma Alta Creek
550 Hoover St.
Oceanside CA 92054



This email has been checked for viruses by Avast antivirus software.

www.avast.com

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From: [Lynda Daniels](#)
To: [Growth Management Committee](#)
Subject: Parks in Carlsbad
Date: Saturday, January 7, 2023 9:21:45 PM

I am a ten year plus resident of Carlsbad and one of the reasons I moved to Carlsbad was its parks and open space. I am concerned about plans for our open spaces.

I ask you to consider eliminating exceptions to the 11 of the 25 LFMZ's. Also to look at other open spaces up to five acres per 1000 residents as many other cities do.

Please do not count what gets counted towards the standard. I.e. count school yards at one half their acres to reflect restrictions to their use.

A transition plan will be necessary to accommodate these changes.

There also seem to be no provisions for a coastal access park for the entire southern half of the city.

Thank you for your attention.

Lynda Daniels
4547 Piccadilly Ct
Carlsbad 92010

Sent from my iPad

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

From: [Mike Guerreiro](#)
To: [Growth Management Committee](#)
Subject: Carlsbad Parks and Open Space Performance Standards
Date: Saturday, January 7, 2023 10:30:56 PM

Dear CBad Citizen's Committee,

As a resident of Southwest Carlsbad, I've seen our open space shrink over the past 20 years. It seems like the developer mafia has a stranglehold our development decisions made within Carlsbad. We need to protect what open space we have and increase the number of community parks. The creation of Ponto Park is a must.

I urge you to support the following when considering recommendations on new Parks and Open Space Performance Standards:

Open Space:

- Keep the 15% per LFMZ, but eliminate exemptions so all zones are treated equally
- Inventory all vacant/underutilized land for potential open space
- Remove the exemption on the 11 LFMZ's and develop transition plans to gradually increase open space so that each part of the city has an equitable share of open space - as was promised in 1986.

Parks:

- Add a standard for accessible, neighborhood parks above the 3 acre minimum requirement per state law
- Do not expand what gets counted towards the standard, only count school yards at ½ their acres to reflect restrictions on use.
- Require a transition plan to accommodate these changes over time to allow time for park impact fees to be adjusted and other revenue sources developed.

Encouragingly yours,

Mike Guerreiro

902 Caminito Madrigal, Unit J

Carlsbad, CA 92011

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From: [Harry Peacock](#)
To: [Growth Management Committee](#)
Subject: Fwd: FW: Planning Update - Environmental Notices
Date: Sunday, January 8, 2023 11:44:24 AM
Attachments: [2022-12-21 Staff proposed CEQA Exemption for SDP 20220003 CDP 20220023 \(1\).pdf](#)
[2022 Oct - Public Input of Environmental Impacts of Ponto Site 18 for SEIR on proposed Coastal Land Use changes in 2021-2029 Housing Element Update.pdf](#)
[Public input and data on Ponto Site 18 within the CA Coastal Zone - Reminder Give input on environmental study for future housing sites.eml.msg](#)
[Site 18 - North Ponto Parcels - City information comparing existing v proposed lu.pdf](#)

Please see the attachments to this email sent to me by Lance Shulte as they relate specifically to the parks issue we will be discussing at next week's meeting.

----- Forwarded message -----

From: **Lance Schulte** <meyers-schulte@sbcglobal.net>
Date: Fri, Jan 6, 2023 at 1:43 PM
Subject: FW: Planning Update - Environmental Notices
To: Harry & Bobbi Peacock <hrpeacock41@gmail.com>

Harry:

Below is 1/5/23 notice on 12/21/22 Eric Lardy proposed CEQA Exemption (attached) for Ponto Site 18 proposed development. Look at how the City says increasing density automatically decreases traffic impact regardless of any rational justification.

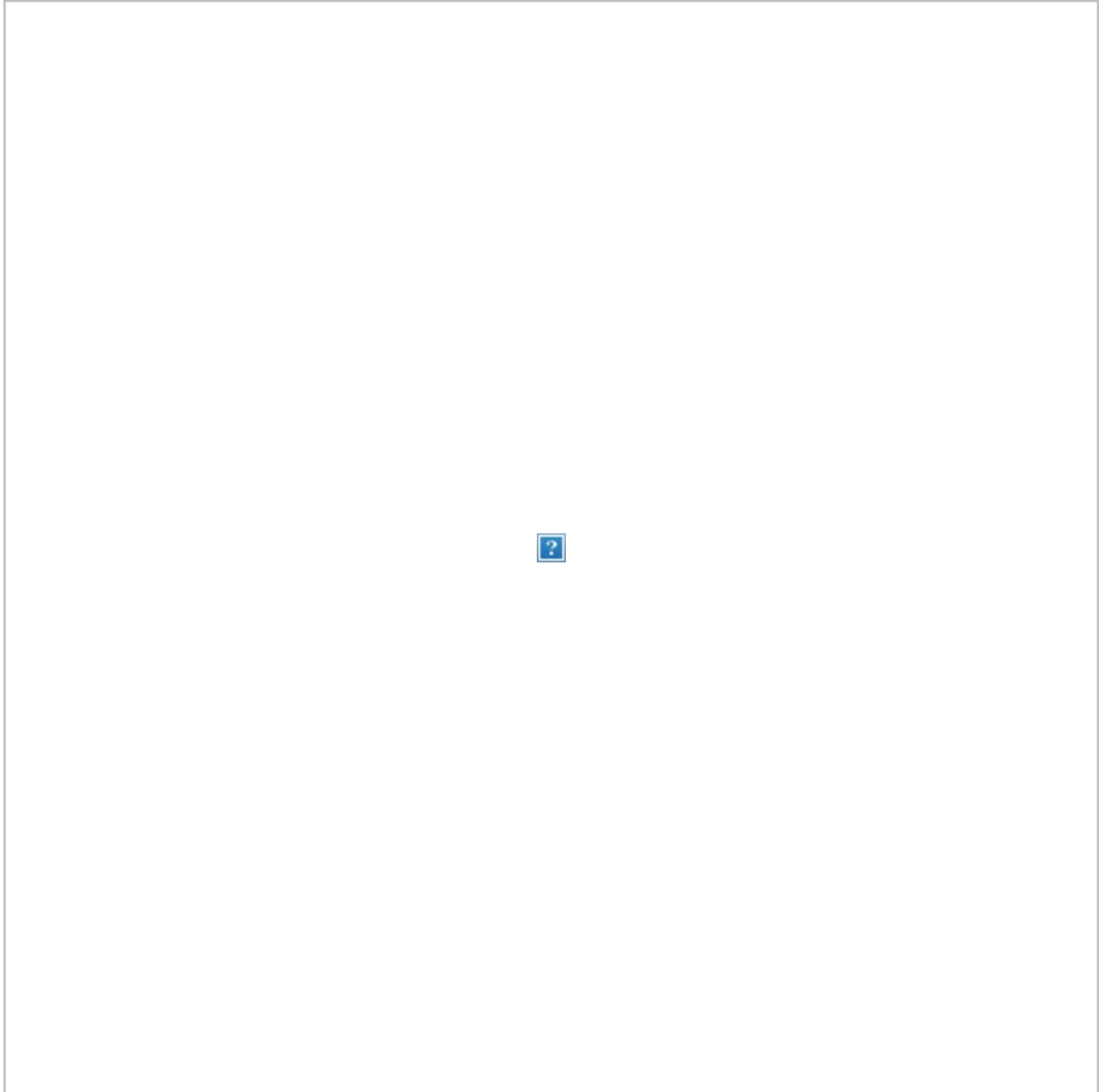
Attached is also my CEQA issues and input I sent to the City & CCC in Oct 2022 that appeared ignored. Attached is my full email to the City & CCC.

Lastly, attached is City's discussion of Ponto Site 18 (aka 'FPC Residential SDP20220003 & CDP20220023') that notes the GPA/ZC/LCPA issues that are missing in Eric's 12/21/22 proposed CEQA exemption along with the CEQA issues I raised in Oct 2022 Public Input as requested by the City.

Lance

From: City of Carlsbad [mailto:communications@carlsbadca.ccsend.com] **On Behalf Of** City of Carlsbad
Sent: Thursday, January 5, 2023 3:39 PM
To: meyers-schulte@sbcglobal.net
Subject: Planning Update - Environmental Notices





Planning Update

The most recent Environmental Notices are now available on the city's [website](#).

CEQA Determination of Exemption:

[City Planner Determination - Pressure Reducing Station Replacements Project](#)

[City Planner Determination - Public Parking Lots and ADA Improvements Project](#)

[SDP 2022-0003 CDP 2022-0023 - FPC RESIDENTIAL](#)

[V2022-0008 - 3606 LAREDO STREET RV](#)

For more information please visit the [city's website](#), email planning@carlsbadca.gov or call 442-339-2600.

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City of Carlsbad

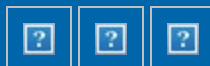
planning@carlsbadca.gov

442-339-2600

1635 Faraday Ave.

Carlsbad, CA 92008

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City of Carlsbad | 1200 Carlsbad Village Drive, Carlsbad, CA 92008

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CEQA DETERMINATION OF EXEMPTION

Subject: This California Environmental Quality Act (CEQA) Determination of Exemption is in compliance with Carlsbad Municipal Code Section 19.04.060. An appeal to this determination must be filed in writing with the required fee within ten (10) calendar days of the City Planner's decision consistent with Carlsbad Municipal Code Section 21.54.140.

City Planner Decision Date: December 21, 2022

Project Number and Title: SDP 2022-0003 / CDP 2022-0023 (DEV2022-0048) – FPC RESIDENTIAL

Project Location - Specific: 7200, 7290 and 7294 Ponto Drive, Carlsbad, CA. Generally, the project site is located at the eastern corner of Ponto Road and Ponto Drive in the western portion of the city. It is bounded by Ponto Drive to the south, the Cape Rey Carlsbad Beach Hotel parking lot to the north, Ponto Road to the west, and the Burlington, Northern, Santa Fe ("BNSF") Railroad tracks to the east; and consists of three parcels (Assessor Parcel Numbers 214-160-25-00; 214-160-28-00; and 214-171-11-00) totaling approximately 4.64 acres.

Project Location - City: Carlsbad

Project Location - County: San Diego

Description of Project: The project consists of a Site Development Plan (SDP 2022-0003) and Coastal Development Permit (CDP 2022-0023) for the construction and development of 86 multi-family residential units at a residential density of 18.5 dwelling units per acre. The proposed residential buildings consist of a mix of two- and three-story townhome style apartment units (for rent). The proposed project includes a 27.5 percent density bonus request and is providing 13 on-site affordable units to lower-income households. The site is currently developed with a self-storage facility, a junkyard/storage yard, and two vacant office buildings. The project includes the following off-site improvements: street, curb, gutter, sidewalk along Ponto Drive and Ponto Road and a sewer line connection through the railroad right-of-way.

Name of Public Agency Approving Project: City of Carlsbad

Name of Person or Agency Carrying Out Project: City of Carlsbad

Name of Applicant: H.G. Fenton Property Company

Applicant's Address: 7577 Mission Valley Road, San Diego, CA 92108

Applicant's Telephone Number: 619-400-0120

Name of Applicant/Identity of person undertaking the project (if different from the applicant above):
N/A

Exempt Status: (Check One)

- Ministerial (Section 21080(b)(1); 15268);
- Declared Emergency (Section 21080(b)(3); 15269(a));
- Emergency Project (Section 21080(b)(4); 15269 (b)(c));

Categorical Exemption - State type and section number: Class 32, Section 15332 (In-Fill Development Projects)

Statutory Exemptions - State code number: _____

Common Sense Exemption (Section 15061(b)(3))

Reasons why project is exempt:

Sections 15300 to 15333 of the California Environmental Quality Act ("CEQA") Guidelines provide classes of projects that have been determined not to have a significant effect on the environment and are exempt from further CEQA review. As provided below, the Project is consistent with CEQA Guidelines Section 15332, In-Fill Development Projects, and would therefore be exempt from CEQA.

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designations and regulations.

The Project Site is designated by the City's General Plan as R-15, Residential (R-15) and R-15, Residential/Visitor Commercial (R-15/VC) and is zoned Residential Density-Multiple (RD-M) and Residential Density-Multiple/Commercial Tourist (RD-M/CT). According to the General Plan Land Use Element, the residential designations provide for a range of housing types and densities. Densities are stated as number of dwelling units per acre of developable land. Residential development is required to be within the development range as identified in the city's Land Use Map. Properties within a R-15 residential land use designation must have a density of housing between eight and 15 dwelling units per acre (stated as a minimum to maximum density range), unless otherwise stated in the General Plan or preempted by State law. The gross acreage of the Project Site is 4.64 acres. The maximum density allowed is 70 units (4.64-acres multiplied by 15 dwelling units to the acre = 69.6 or 70 units with rounding).

State law encourages cities to provide affordable housing through incentives to developers (i.e., State Density Bonus Law, Government Code Section 65915). State Density Bonus Law allows a developer to increase density on a property above the maximum density, set under the General Plan. In this instant the applicant is requesting a density of 86 units, which includes 13 units reserved for lower-income households (refer to the supplemental application material for the details of the request). Density Bonus Law stipulates that a request for a density bonus does not constitute a valid basis on which to find a proposed housing development project is not compliant with a general plan. In addition, State Density Bonus Law explicitly requires the city to consider "the density allowed under the land use element of the general plan" in determining maximum allowable residential density. Therefore, the proposed density of the Project is deemed compliant with the land use density designation of the General Plan.

The General Plan consists of other elements that provide applicable goals and policies. One objective of the Housing Element is to promote an equitable distribution of affordable housing opportunities throughout the city by providing incentives to include affordable housing in residential development. The proposed Project would bring a mix of housing types and affordability levels and help the city accommodate housing for various household formations. Providing additional residential uses in the Ponto Beach area would increase the residential base, providing housing near employment and recreational opportunities, which will shorten and lessen the need for vehicle trips and vehicle miles traveled, advancing several policies related to circulation (Mobility Element portion of the General Plan).

The Project Site is located within an area with existing residential and commercial uses. The Project, which includes the redevelopment of an approximately 4.64-acre site with 86 townhomes and associated improvements is consistent with the Residential designation.

In terms of zoning consistency, according to Section 21.24.010 of the Carlsbad Municipal Code ("CMC"), the purpose of the RD-M zone is to: 1. "Implement the residential medium density, residential medium-high density, and residential high density land use designation" and 2. "Provide regulations and standards for development of residential dwellings and other permitted or and conditionally permitted uses". Pursuant to Section 21.24.020 of the CMC, the development of multiple-family dwellings is a permitted use within the RD-M zone. Thus, the Project is consistent with the RD-M zoning. The zoning on the property is adopted as part of the Local Coastal Program and was approved by the Coastal Commission when the designations were applied after the 2015 General Plan Update.

The General Plan includes three policies in the Land Use Element related to the Ponto/Southern Waterfront area, as follows:

- Policy 2-P.89: Allow development of the Ponto area with land uses that are consistent with those envisioned in the Ponto Beachfront Village Vision Plan.
 - The Ponto Beach area is an approximately 130-acre narrow strip of land, approximately 1/8 mile wide and 1-1/2 miles long, located between Carlsbad Boulevard and the LOSSAN Corridor (San Diego Northern) railroad tracks. Portions of the plan area extended north to Poinsettia Lane and south to La Costa Avenue. The southern boundary includes coastal bluffs that transition to the waters of Batiquitos Lagoon at the southern end. The intent of the Ponto Beachfront Village Vision Plan was to create a mixed use, active pedestrian, and bicycle-oriented area with a strong sense of place, village atmosphere, and unique character of design. Although the Vision Plan called for a future LCP amendment to define permitted uses, the Vision Plan proposed to break up the Ponto area into three sections and sets forth a vision of what land uses could occur; presents goals and objectives that support the vision; and provides an implementation strategy and design guidelines for the projects that will implement the vision. The northern-most section was to be comprised of two hotels and a live-work neighborhood. The central portion of the area was to be comprised of a townhouse neighborhood and a mixed-use center with a public recreation component. The southern portion of the area included a large-scale resort hotel.
 - The Ponto Beachfront Village Vision Plan was adopted by the City Council on Dec. 4, 2007 and was to be effective only after the Local Coastal Program Amendment was approved by the California Coastal Commission and their approval becomes effective. The Vision Plan was submitted to the California Coastal Commission for approval but was denied by the California Coastal Commission on July 22, 2010. The city was directed to first process a Local Coastal Program Amendment certifying the land use and zoning for the Ponto Beach area, and then certify the Vision Plan as part of the city's Local Coastal Program. Because the Vision Plan is not effective, General Plan consistency analysis on this matter must be limited. However, for informational purposes only, the Project would develop residential uses, which are contemplated as part of the uncertified Ponto Beachfront Village Vision Plan. Therefore, the Project would not conflict with the land uses envisioned in the uncertified Ponto Beachfront Village Vision Plan.
- Policy 2-P.90: Promote development of recreation uses and improved public access to the beach, as well as activity centers with restaurants, cafes, and shopping along Carlsbad Boulevard, as opportunities arise in appropriate locations.

- The Project is not located along Carlsbad Boulevard, but it would nonetheless include on- and off-site street system improvements, which would provide for pedestrian access and improve connectivity to the beach. Therefore, the Project would not conflict with Policy P-2.90.
- Policy 2-P.91: Allow the property's overall residential development capacity, as indicated by the land use designations on the Land Use Map, to be clustered toward the northern portion of the site to create an open space buffer and recreational trail on the southerly third of the site.
 - The Project Site is located on the northern portion of the plan area and proposes residential development consistent with Policy P-2.91. Please refer to the Project Site Plan.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The Project Site is located along Ponto Road and Ponto Drive, firmly within the existing boundaries of the city. The Project Site is approximately 4.64 acres and is surrounded by existing urbanized development consisting of Ponto Drive to the south, the Cape Rey Carlsbad Beach Hotel parking lot to the north, Ponto Road and single-family residential development to the west, and the Burlington, Northern, Santa Fe ("BNSF") Railroad tracks to the east. Thus, the Project Site is surrounded by urban uses, is less than 5-acres, and is located within an urbanized area.

(c) The project site has no value as habitat for endangered, rare, or threatened species.

The Project Site is located in a developed part of the city and is surrounded by residential and commercial land uses. The Project Site features the existing Ponto Storage facility and a junkyard, which would be demolished and removed during Project construction. A Biological Resources Letter Report (Alden Environmental Inc., September 2022) was prepared for the Project Site. Two field surveys were conducted (in May 2019 and September 2022) to review and document existing vegetation communities, plant and animal species, and potential jurisdictional features including vernal pool resources. The results of the surveys are documented within the Biological Resources Letter Report and summarized below.

Aerial imagery as far back as 1947, reviewed as part of preparation of the Biological Resources Letter Report, shows visible ground disturbance on site, and aerial imagery from 1978 shows the existing Ponto Storage facility (Nationwide Environmental Title Research, LLC 2021). During the site surveys, the property was found to support Disturbed Land (2.02 acres) and Developed Land (2.62 acres). Disturbed land is a City Habitat Group F land cover type and typically includes land cleared of vegetation, land containing a preponderance of non-native plant species, or land showing signs of past or present usage that no longer provides viable wildlife habitat. Developed land includes nursery/landscape service yard (i.e., junkyard), the Ponto Storage facility and its outbuildings, concrete foundations, and some associated non-native landscaping plants such as Mexican fan palm and coppery mesembryanthemum (*Malephora crocea*).

All Project impacts would occur to either Developed Land (2.62-acres on-site and 0.51 acres off-site) or Disturbed Land (Group F) (2.02 acres). Neither is considered a sensitive biological resource; therefore, impacts are considered less than significant. Impacts to Group F land cover do nonetheless require

payment into the City's Habitat Mitigation Fee Program per the Habitat Conservation Plan. As such, the Project will be conditioned to pay this fee for the 2.02 acres of impact to Disturbed Land.

There was no evidence of vernal pool or wetland features present on the site or in the adjacent mapped buffer area. Small patches of coyote brush (*Baccharis pilularis*) do occur in the adjacent buffer area; however, they do not constitute a sensitive habitat type. This species, while native, is a disturbance associated species, which commonly forms monospecific patches in developed and disturbed areas. No special status plant or animal species were observed or detected on-site.

Lastly, the Project Site is not located within any Focused Planning Area (FPA) or any corresponding Habitat Management Plan (HMP) Core, Linkage, or Special Resource Area, and is not located within the City's Preserve System.

In summary, as a result of this existing development, vegetation communities on the Project Site are limited to Developed Land and Disturbed Habitat. There are no sensitive vegetation communities present within or adjacent to the Project Site; no special status plant or animal species were observed/detected; and none are considered to have potential to occur based on the existing conditions of the Project Site. Additionally, the Project Site does not support any jurisdictional wetland/riparian features. Based on specific habitat requirements, no significant biological resources can reasonably be expected to occur on the property; therefore, the Project Site is not considered to have value as habitat for endangered, rare, or threatened species.

Because the site is within the coastal zone, the Coastal Act places limits on what can be developed on the Project Site, which must be analyzed as part of this section. The Coastal Act specifies that environmentally sensitive habitat areas (ESHA) "shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas." (Public Resources Code Section 30240(a).) ESHA is defined as an area in which plant or animal life or their habitats are either are or especially vulnerable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities or developments. (Public Resources Code Section 30107.5.) The foregoing summary and analysis provided in the Biological Resources Letter Report does not identify potential for any ESHA on the Project Site and there is no evidence that the proposed Project violates the ESHA requirements of the Coastal Act.

(d) Approval of the project would not result in any significant effects relating to air quality, noise, traffic, or water quality as discussed below:

Air Quality

An Air Quality Impact Analysis ("AQIA") (Dudek, June 2022) evaluated the potential for adverse impacts to air quality due to construction and operational emissions resulting from the Project. Impacts were evaluated for their significance based on the San Diego Air Pollution Control District (SDAPCD) mass daily criteria air pollutant thresholds of significance. Criteria air pollutants are defined as pollutants for which the federal and state governments have established ambient air quality standards (criteria) for outdoor concentrations to protect public health. Criteria air pollutants include ozone (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM₁₀), particulate matter with an aerodynamic diameter less than or equal to 2.5 microns (PM_{2.5}), and lead. Pollutants that are evaluated include volatile organic compounds (VOCs) (also referred to as reactive organic gases), oxides of nitrogen (NO_x), CO, sulfur oxides (SO_x), PM₁₀, and PM_{2.5}. VOCs and NO_x are important because they are precursors to O₃.

- Air Quality Plan Consistency

If a project proposes development that is greater than that anticipated in the local plan and the growth projections set by the San Diego Association of Governments (SANDAG), the project might be in conflict with the State Implementation Plan and Regional Air Quality Strategy, and therefore may contribute to a potentially significant cumulative impact on air quality. The Project is consistent with the current air quality plan, because the anticipated growth associated with the Project does not exceed that the growth projected by SANDAG. In addition, the Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations. Based on these considerations, impacts related to the Project's potential to conflict with or obstruct implementation of the applicable air quality plan would be less than significant.

- Construction Criteria Air Pollutant Emissions

Construction of the Project would result in the temporary addition of pollutants to the local airshed caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and VOC off-gassing) and off-site sources (i.e., on-road haul trucks, vendor trucks, and worker vehicle trips). As shown in the AQIA, maximum daily construction emissions would not exceed the SDAPCD significance thresholds for VOCs, NO_x, CO, SO_x, PM₁₀, or PM_{2.5} during construction. Therefore, the Project would have a less than significant impact.

- Operational Criteria Air Pollutant Emissions

The AQIA assumed an operational year of 2025. Operation of the Project would generate operational criteria air pollutants from mobile sources (vehicles), area sources (consumer product use, architectural coatings, and landscape maintenance equipment), and energy (natural gas). The AQIA concluded that maximum operational emissions would not exceed the SDAPCD operational significance thresholds for VOCs, NO_x, CO, SO_x, PM₁₀, or PM_{2.5}.

- Cumulative Impacts

The potential for a project to result in a cumulatively considerable impact, per the SDAPCD guidance and thresholds, is based on the project's potential to exceed the project-specific daily thresholds. The AQIA showed that because maximum construction and operational emissions would not exceed the SDAPCD significance thresholds for VOCs, NO_x, CO, SO_x, PM₁₀, or PM_{2.5}, the Project would not result in a cumulatively considerable increase in criteria air pollutants.

- Exposure of Sensitive Receptors

Construction activities would not generate emissions in excess of the SDAPCD site-specific mass daily thresholds; therefore, site-specific construction impacts during construction of the Project would be less than significant. The AQIA determined that the results of the project-specific Health Risk Assessment (HRA) demonstrate that the toxic air contaminants (TAC) exposure from construction diesel exhaust emissions would not result in cancer risk on site above the 10 in 1 million threshold, nor a Chronic Hazard Index greater than 1.0. Therefore, TAC emissions from construction of the Project would not expose sensitive receptors to substantial pollutant concentrations. Therefore, impacts to sensitive receptors would be less than significant.

The Project includes 86 residential units and based on CalEEMod modeling is expected to generate a maximum of 700 daily vehicle trips on Saturday and 630 daily trips on weekdays. The associated peak-hour trips from the Project would be 40 and 48 for AM and PM peak hour trips, respectively. Therefore, the AQIA concluded that the Project would not cause a measurable impact to any nearby intersections in the study area. In addition, the nearest signalized intersection to the Project is located at Ponto Road and Carlsbad Boulevard and is over 800 feet from the Project site. Therefore, the AQIA determined that no hotspot analysis would be required based on the location of the Project in relation to nearby intersections. As such, Project-generated impacts associated with CO hotspots would be less than significant.

- Other Emissions

Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment, architectural coatings, and asphalt pavement application, which would disperse rapidly from the Project site and generally occur at magnitudes that would not affect substantial numbers of people as explained in the AQIA. Impacts associated with odors during construction would be less than significant. The Project is a residential development that would not include land uses with sources that have the potential to generate substantial odors, and impacts associated with odors during operation would be less than significant.

Noise

A Noise Technical Letter (Helix Environmental Planning, October 2022) was prepared for the Project. The Noise Technical Letter analyzed noise impacts related to the construction and operation associated with the Project. A Vibration Technical Letter (Helix Environmental Planning, September 2022) was also prepared for the Project to analyze vibration impacts associated with the North County Transit District railroad tracks, which are located adjacent to the Project site.

- Construction Noise Levels

Construction of the Project would involve demolition of the existing structures and construction of 86 multi-family residential units. The magnitude of the impact would depend on the type of construction activity, equipment, duration of each construction phase, distance between the noise source and receiver, and intervening structures. Construction would generate elevated noise levels that may be audible at nearby residential uses. Construction equipment would not all operate at the same time or location, and would not be in constant use during a typical 8-hour operating day.

The closest noise-sensitive land uses (NSLUs) are residential homes approximately 60 feet west of the Project Site boundary; however, because construction noise is mobile and would occur throughout the Project Site, an average distance of 150 feet was used to assess noise levels. Construction Equipment Noise Levels are modeled in the Noise Technical Letter. The loudest piece of individual equipment operated during construction would be the grader. Additionally, an excavator, loader, and dump truck were analyzed together for construction noise impacts due to their likelihood of being used in conjunction with one another.

The city does not provide a numerical threshold for construction noise levels, and construction would occur within the hours allowed by the CMC. Given the nature of construction noise and the distance to the nearest NSLU, while construction may result in temporary noise levels that exceed the existing ambient noise level of 55.2 dBA, the Project will result in a less than significant construction noise impact.

- Construction Vibration

Construction of the Project would occur near single-family residences, with the nearest houses occurring as close as 60 feet from the edge of the Project Site. A possible source of vibration during general construction activities would be a vibratory roller, which may be used for compaction of soil beneath building foundations and would be used within 60 feet of off-site residences. A vibratory roller would create approximately 0.210 inch per second peak-particle velocity (PPV) at a distance of 25 feet (Caltrans 2013b). A 0.210 inch per second PPV vibration level would equal 0.069 inch per second PPV at a distance of 60 feet. This would be lower than the structural damage impact to older structures of 0.5 inches per second PPV and the "strongly perceptible" impact for humans of 0.1 inches per second PPV. Therefore, even though vibration may be perceptible at nearby residences, the Noise Technical letter concluded that temporary impacts associated with the roller (and other potential equipment) would be less than significant.

- Operational Noise Levels

On-site Noise Generation. Noise modeling assumed that the Heating, Ventilation, and Air Conditioning (HVAC) units would be Carrier 38HDR060 split system condenser units, and that one unit would be mounted on the rooftop of each unit, resulting in a total of 86 HVAC units included in the Project. According to the CadnaA modeling, operation of the proposed HVAC units would generate a noise level of 33.3 dBA L_{eq} (equivalent noise level) at the property line of the single-family residence to the west. Therefore, the Project would not exceed the City's non-transportation nighttime operational noise limit of 45 dBA L_{eq} . The Noise Technical Letter determined that impacts would be less than significant.

Off-site Transportation Noise. CadnaA software was used to calculate the noise levels for Existing and Existing Plus Project conditions. The off-site roadway modeling represents a conservative analysis that does not consider topography or attenuation provided by structures such as existing noise walls. With implementation of the Project, the Noise Technical Letter concluded that noise levels at the nearest NSLUs to the impacted roadways would minimally increase (1.2 dBA), which would not exceed the city's noise level threshold of 60 dBA. Therefore, impacts from Project-generated traffic would be less than significant.

- Operation Vibration Levels

As a residential development, the Project would not generate excessive ground-borne vibration during operation. Additionally, the Project site would not be subject to excessive vibration due to the proximity

to the North County Transit District railroad tracks (Vibration Technical Letter). Therefore, the Technical Letters showed that no impacts would occur.

- Land Use Compatibility

Exterior Use Areas. The noise levels associated with traffic (including Project-added trips) were modeled in the Noise Technical Letter using CadnaA at the Project Site's western boundary, which would be the portion of the Project closest to local roadways. The western boundary would be located as close as 35 feet from the centerline of Ponto Road and 230 feet from the northbound lane centerline of Carlsbad Boulevard. The modeled roadway noise level at exterior use areas, assuming no topographic attenuation, was modeled at 56.1 dBA, which would not exceed the City's 65 dBA CNEL standard.

Interior Spaces. Traditional architectural materials are conservatively estimated in the Technical Letter to attenuate noise levels by 15 dBA; therefore, if noise levels exceed 60 dBA, interior noise levels may exceed the Title 24 interior noise standard of 45 dBA (California Building Standards Commission 2010). As described above, noise levels from Carlsbad Boulevard and Ponto Road would not exceed 60 dBA; therefore, the proposed Project would not generate noise that would increase noise levels at the nearest NSLUs that would result in an exceedance of exterior or interior noise standards and impacts would be less than significant.

- Airport Noise

The Project site is not within 2-miles of an airport or airfield. The nearest airport is the Carlsbad McClellan-Palomar Airport, which is approximately 2.5 miles northeast of the Project site. Further, the Project site is outside all CNEL noise contours from the McClellan-Palomar Airport as depicted on Exhibit III-1, Compatibility Policy Map: Noise, of the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP).

Traffic

The Vehicle Miles Traveled ("VMT") Report prepared for the Project showed that the Project does not meet any of the screening criteria; therefore, a detailed analysis (LLG, November 2022, Attachment D) was conducted. Consistent with the City guidelines, the Project was evaluated using efficiency metrics (VMT/resident). The Project trip generation is 637 average daily trips (ADT), which is less than 2,400 ADT, therefore the Project VMT/resident was calculated using the City's VMT/resident analysis maps and the applicable traffic analysis zone (TAZ).

The unadjusted Project VMT/resident would be 24.0, which is 100% of the Citywide average; therefore, the Project is required to demonstrate a reduction of 15% to have a less than significant impact with respect to VMT. Per City VMT Analysis Guidelines, the maximum feasible overall VMT reduction within Carlsbad is 20%; therefore, model assumptions, project design features, and Transportation Demand Management (TDM) measures were reviewed to achieve one or both of the following results:

- Reduce the number of daily vehicle trips (especially single-occupant vehicle trips), and/or
- Reduce the length of trips.

The City VMT Analysis Guidelines contain Appendix D – Vehicle Miles Traveled Reduction Strategies and Effectiveness Calculations, which present several quantifiable TDM strategies that can be used to mitigate

a project's VMT impacts. TDM strategies are quantified using methodologies described in the Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity published by the California Air Pollution Control Offices Association (CAPCOA) in 2021.

Two strategies were determined to apply to the Project's design as explained in the VMT Report. First, CAPCOA Land Use Measure T-1: Increase Residential Density, applies as the net residential of the Project Site is 18.3 dwelling units per acre (du/acre). As explained in the VMT Report, using the formulas in CAPCOA, the relative residential densities of the Project compared to the underlying TAZ is calculated to result in a 17.4% Project VMT reduction due to the increased density of the Project.

The second applicable strategy is T-4: Integrating Affordable and Below Market Rate Housing. The Project would include 11 affordable income units, which would reduce Project VMT by 4.3% using the CAPCOA formula as shown in the VMT Report.

As calculated in the VMT Report, the TDM Strategies are calculated to result in a 21.0% Project VMT reduction. Thus, the final Project VMT/resident would be 80% of the Citywide average.

Further, the Project would be designed in conformance with City Engineering Standards and would not result in a hazardous geometric design, nor would it interfere with emergency vehicle responses. Thus, the Project would have less than significant impacts with respect to transportation and traffic.

Water Quality

Project construction would incorporate standard best management practices (BMPs) to reduce potential wind and water erosion during grading activities and to prevent the potential discharge of pollutants into receiving waters. All development is subject to design review by the city to ensure that the Project would comply with performance standards and design guidelines.

Moreover, the Project would include a stormwater drainage system to prevent water quality impacts to downstream receiving waters. This system will be designed in accordance with all applicable requirements, including those set forth in the Water Quality Management Plan prepared for the Project. The city will review and approve the Water Quality Management Plan prior to the issuance of building permits to ensure that the Project's storm water drainage system will comply with the Multiple Separate Storm Sewer System Permit requirements. As a result, the Project's water quality impacts would be less than significant.

(e) The site can be adequately served by all required utilities and public services.

The Project Site is located within a developed portion of the city served by utilities and public services. The Project would include connections to existing utilities and would not require the construction or expansion of facilities to adequately serve the Project. In addition, the Project Site is already within the service area of the City of Carlsbad Fire Department and City of Carlsbad Police Department. The Project is anticipated to house approximately 221 residents, assuming 2.56 persons per household (per SANDAG). Applicable developmental fees would help ensure funding continues to be provided to the City of Carlsbad Police Department and Fire Department. The Project would pay all applicable fees required by the city, including utility connection fees and, public service fees.

Exceptions to the Use of Categorical Exemptions:

Planning staff evaluated all the potential exceptions to the use of Categorical Exemptions for the proposed "Project" (in accordance with CEQA Guidelines Section 15300.2) and determined that none of these exceptions apply as explained below:

- Location – "Classes 3, 4, 5, 6, and 11 are qualified by consideration of where a project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies." The Project qualifies for a Class 32 exemption; Classes 3, 4, 5, 6, and 11 do not apply to the Project. Thus, this exception does not apply.
- Cumulative Impact - "All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant." Project construction and operation may result in incremental environmental effects that are not considered significant; however, as with any environmental impact, when combined with impacts related to the implementation of other related projects located throughout the broader geographic area, there is always potential for a project to contribute to cumulative impacts.

Notwithstanding, due to the developed/disturbed nature of the Project Site, and mandatory adherence with all applicable federal, state, and local laws, regulations and guidelines, any incremental, individual-level impact resulting from Project construction and operation would remain less than significant and would not constitute a considerable contribution to potential regional cumulative impacts in the greater Project region. Additionally, all other related projects would be required to comply with all applicable federal, state, and local regulatory requirements and incorporate all feasible mitigation measures to ensure that their potentially cumulative impacts would remain at less-than-significant levels.

Lastly, the Project is consistent with the underlying land use and zoning designations anticipated by the General Plan, and the cumulative effects of the Project along with buildout of the City have already been analyzed and disclosed in the Program Environmental Impact Report prepared for the General Plan. Thus, this exception does not apply.

- Significant Effect - "A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." Operation of the Project does not represent a new or unique use or activity that does not already occur in the city and/or throughout the broader Project area. There is no evidence of unique conditions (e.g., unique geotechnical characteristics that would result in impacts to either the Project or adjacent land uses), either on site or within the Project area, and no unusual circumstances have been identified by the City, other agencies, or local stakeholders. The Project is not expected to be affected by unusual circumstances or otherwise unforeseen conditions. Thus, this exception does not apply.
- Scenic Highway - "A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic

highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR." The Project Site does not contain scenic resources, include any trees, historic resources, or rock outcroppings, rather, it is an existing self-storage facility and previously graded pad with disturbed habitat.

According to the California Department of Transportation, the nearest "Officially Designated State Scenic Highway" to the Project Site is the segment of State Route (SR)-52 located between Santo Road and Mast Boulevard, approximately 21.9 miles southeast of the Project Site.¹ Additionally, the nearest "Eligible State Scenic Highway" to the Project Site is the segment of Interstate (I)-5 located between Coronado to SR 74 (near San Juan Capistrano), approximately 0.43 miles east of the Project Site.² Due to natural topographical variations and intervening development, the Project Site is not visible from I-5. Therefore, this exception does not apply.

- Hazardous Waste Site - "A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code." The provisions in California Government Code Section 65962.5 are commonly referred to as the "Cortese List" (after the legislator who authored the legislation that enacted it). The list, or a site's presence on the list, has bearing on the local permitting process as well as on compliance with CEQA. The California Department of Toxic Substances Control's EnviroStor and the State Water Resources Control Board's GeoTracker online databases are commonly searched to determine the presence or absence of hazardous materials sites included on the Cortese List.

A review of both GeoTracker² and EnviroStor³ concluded that no hazardous material sites with an "open" cleanup case are located within the immediate vicinity of the Project Site. Additionally, the Project Site itself has no open or historical cases and is not expected to be affected by potential contamination. Thus, this exception does not apply.

- Historical Resources - "A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource". A California Historical Resources Information System (CHRIS) records search was completed by staff at the South Coastal Information Center (SCIC) on January 31, 2022. Previous investigations overlap the Project Site, but the Project Site was not mentioned in any reports; and no resources were identified within the Project Site as a result of the overlapping studies.

The built environment survey was conducted by Dudek on February 4, 2022. The foot survey involved surveying properties within or immediately adjacent to the Project Site and recording all buildings and structures with notes and photographs. Eight (8) total buildings over 45 years of age are located on the Project Site (two vacant office buildings and six storage buildings) and all were evaluated for historical and architectural significance as a single property

¹ California Department of Transportation. 2022. "Officially Designated State Scenic Highways and Historic Parkways." Accessed August 2022.

<https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1a9caa>

² GeoTracker. 2022. GeoTracker Database. Accessed August 2022.

<https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Search+GeoTracker>

³ EnviroStor. 2022. EnviroStor Database. Accessed August 2022.

<https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Search>.

due to the Project Site's shared history first as a concrete mixing plant and later as a storage facility.

After research and evaluation, the Project Site does not appear eligible under any National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or City cultural resource designation criteria due to a lack of significant historical associations and architectural merit as further described in a Negative Cultural Resources Inventory Report, (Dudek, November 2022) and a Historic Resources Technical Report (Dudek, November 2022) prepared for the project. Therefore, the Project Site is not considered an historical resource for the purposes of CEQA.

As a result of archival research, field survey, record search, and property significance evaluations, no historical resources were identified within the Project Site, nor were any adjacent cultural resources identified that could be indirectly impacted by proposed Project activities. As the proposed Project would have no impact on historical resources, no further study is required. Thus, this exception does not apply.

Planning staff also evaluated the potential exceptions to the use of Categorical Exemptions as defined by Section 19.04.070 of the Carlsbad Municipal Code and determined that none of these exceptions apply as explained below:

- Grading and clearing activities affecting sensitive plant or animal habitats – A categorical exemption shall not apply when there is earth moving activities “which disturb, fragment or remove such areas as defined by either the California Endangered Species Act (Fish and Game Code Sections 2050 et seq.), or the Federal Endangered Species Act (16 U.S.C. Section 15131 et seq.); sensitive, rare, candidate species of special concern; endangered or threatened biological species or their habitat (specifically including sage scrub habitat for the California Gnatcatcher)“.

The Project Site is located in a developed part of the city and is surrounded by residential and commercial land uses. The Project Site features the existing Ponto Storage facility and a junkyard, which would be demolished and removed during Project construction. A Biological Resources Letter Report (Alden Environmental, Inc., September 2022) was prepared for the Project Site. Two field surveys were conducted (in May 2019 and September 2022) to review and document existing vegetation communities, plant and animal species, and potential jurisdictional features including vernal pool resources. The results of the surveys are documented within the Biological Resources Letter Report and summarized below.

Aerial imagery as far back as 1947, reviewed as part of preparation of the Biological Resources Letter Report, shows visible ground disturbance on site, and aerial imagery from 1978 shows the existing Ponto Storage facility (Nationwide Environmental Title Research, LLC 2021). During the site surveys, the property was found to support Disturbed Land (2.02 acres) and Developed Land (2.62 acres). Disturbed land is a City Habitat Group F land cover type and typically includes land cleared of vegetation, land containing a preponderance of non-native plant species, or land showing signs of past or present usage that no longer provides viable wildlife habitat. Developed land includes nursery/landscape service yard (i.e., junkyard), the Ponto Storage facility and its outbuildings, concrete foundations, and some associated non-native landscaping plants such as Mexican fan palm and coppery mesembryanthemum (*Malephora crocea*).

All Project impacts would occur to either Developed Land (2.62-acres on-site and 0.51 acres off-site) or Disturbed Land (Group F) (2.02 acres). Neither is considered a sensitive biological resource; therefore, impacts are considered less than significant. Impacts to Group F land cover do nonetheless require payment into the City's Habitat Mitigation Fee Program per the Habitat Conservation Plan. As such, the Project will be conditioned to pay this fee for the 2.02 acres of impact to Disturbed Land.

There was no evidence of vernal pool or wetland features present on the site or in the adjacent mapped buffer area. Small patches of coyote brush (*Baccharis pilularis*) do occur in the adjacent buffer area; however, they do not constitute a sensitive habitat type. This species, while native, is a disturbance associated species, which commonly forms monospecific patches in developed and disturbed areas. No special status plant or animal species were observed or detected on-site.

Lastly, the Project Site is not located within any Focused Planning Area (FPA) or any corresponding Habitat Management Plan (HMP) Core, Linkage, or Special Resource Area, and is not located within the City's Preserve System.

In summary, as a result of this existing development, vegetation communities on the Project Site are limited to Developed Land and Disturbed Habitat. There are no sensitive vegetation communities present within or adjacent to the Project Site; no special status plant or animal species were observed/detected; and none are considered to have potential to occur based on the existing conditions of the Project Site. Additionally, the Project Site does not support any jurisdictional wetland/riparian features. Based on specific habitat requirements, no significant biological resources can reasonably be expected to occur on the property; therefore, the Project Site is not considered to have value as habitat for endangered, rare, or threatened species. Thus, this exception does not apply.

- Grading and clearing activities affecting archaeological or cultural resources from either historic or prehistoric periods – A categorical exemption shall not apply when there is earth moving activities affecting "archaeological or cultural resources from either historic or prehistoric periods".

A California Historical Resources Information System (CHRIS) records search was completed by staff at the South Coastal Information Center (SCIC) on January 31, 2022. Previous investigations overlap the Project Site, but the Project Site was not mentioned in any reports; and no resources were identified within the Project Site as a result of the overlapping studies.

The built environment survey was conducted by Dudek on February 4, 2022. The foot survey involved surveying properties within or immediately adjacent to the Project Site and recording all buildings and structures with notes and photographs. Eight (8) total buildings over 45 years of age are located on the Project Site (two vacant office buildings and six storage buildings) and all were evaluated for historical and architectural significance as a single property due to the Project Site's shared history first as a concrete mixing plant and later as a storage facility.

After research and evaluation, the Project Site does not appear eligible under any National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or City cultural resource designation criteria due to a lack of significant historical associations and

architectural merit as further described in the Negative Cultural Resources Inventory Report, (Dudek, November 2022) and Historic Resources Technical Report (Dudek, November 2022) prepared for the project. Therefore, the Project Site is not considered an historical resource for the purposes of CEQA.

As a result of archival research, field survey, record search, and property significance evaluations, no historical resources were identified within the Project Site, nor were any adjacent cultural resources identified that could be indirectly impacted by proposed Project activities. As the proposed Project would have no impact on archaeological or cultural resources from either historic or prehistoric periods, no further study is required. Thus, this exception does not apply.

- "Parcel maps, plot plans and all discretionary development projects otherwise exempt but which affect sensitive, threatened or endangered biological species or their habitat (as defined above), archaeological or cultural resources from either historic or prehistoric periods, wetlands, stream courses designated on U.S. Geological Survey maps, hazardous materials, unstable soils or other factors requiring special review, on all or a portion of the site." This exception applies when a project may result in damage to biological species or their habitats or archeological or cultural resources.

- *Biological Resources*

As discussed above, the proposed Project would not affect sensitive, threatened, or endangered biological species or their habitat. This exception does not apply.

- *Cultural Resources*

As discussed above, the proposed Project would not affect archaeological or cultural resources from either historic or prehistoric periods. This exception does not apply.

- *Wetlands and Streams*

As discussed above, the biological analysis conducted for the Project concluded that there was no evidence of vernal pool or wetland features present on the site or in the adjacent mapped buffer area. A review of the U.S. Geological Survey's Streamer⁴ application concluded that no streams are located within the immediate vicinity of the Project site. Thus, this exception does not apply.

- *Hazardous Materials*

A review of both GeoTracker⁵ and EnviroStor⁶ concluded that no hazardous material sites with an "open" cleanup case are located within the immediate vicinity of the Project Site. Additionally, the Project Site itself has no open or historical cases and is not expected to be affected by potential contamination. Thus, this exception does not apply.

⁴ U.S. Geological Survey. 2022. Streamer. Accessed November 2022. <https://txpub.usgs.gov/DSS/streamer/web/>.

⁵ GeoTracker. 2022. GeoTracker Database. Accessed August 2022. <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Search+GeoTracker>.

⁶ EnviroStor. 2022. EnviroStor Database. Accessed August 2022. <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Search>.

- *Unstable Soils*

Review of both the City of Carlsbad's General Plan Public Safety Element⁷ and the California Geological Survey's Earthquake Zones of Required Investigation Viewer⁸ conclude that the Project site is not located in an area with potential for seismic hazards.

Lead Agency Contact Person: Jason Goff, Senior Planner Telephone: 442-339-2643



ERIC LARDY, City Planner

1/5/23

Date

⁷ City of Carlsbad. 2015. Chapter 6, Public Safety Element. Accessed November 2022.
<https://www.carlsbadca.gov/home/showpublisheddocument/3428/637434861106370000>.

⁸ California Geological Survey. 2016. Earthquake Zones of Required Investigation. Accessed November 2022.
<https://maps.conservation.ca.gov/cgs/EQZApp/>.

2022 Oct 12 – Public Input on Ponto Site 18 environmental impacts to be studied/mitigated by City/Developer

The public input is based on the City of Carlsbad's description of Ponto Site 18 proposed land use changes (see pages 8-9 below) and the Developer's proposed land use change & approach to pay Park-in-lieu-fees to avoid providing much need Coastal and neighborhood Parks at Ponto (see page 10 below). Please see the 3 attached data files regarding Coastal Recreation, Low-cost Visitor Accommodations and unmitigated high-priority Coastal land use losses at Ponto from Coastal erosion and Sea Level Rise listed on page 11 below.

Public Input Questions as to the legality of using tax-payer funds to pay for the CEQA analysis/costs of private developers:

- Who is paying for the CEQA analysis of private property and private developer proposals?
- Are Carlsbad tax-payer dollars being used to subsidize Developers' CEQA analysis costs?
- Is the City being reimbursed by each developer to cover the costs of their site-specific CEQA analysis?
- Is the City violating the State Law prohibition of a 'Gift of Public Funds to a private parties' by paying for the CEQA processing for developers?

The following Public Input on environmental impacts are taken from CA CEQA Guidelines Appendix G (2019):

AIR QUALITY: Expose sensitive receptors to substantial pollutant concentrations? – Site 18 proposes land use changes to high-density (DU/Acre) residential development next to the LOSSAN rail corridor (that is planned to be double tracked to significantly increase train traffic and train pollution). Proposed Site 18 will expose much higher population densities to diesel and particulate emissions from the increased rail traffic on the LOSSAN Corridor. 91% of Ponto Site 18's dwelling units are 3 & 4 bedroom and thus the population proposed is both high occupancy and high density - mean increased population exposure. The likelihood that most of the 91% of the proposed 3 & 4 bedroom units will be occupied by children (who are more sensitive/impacted by air pollution) further adds to pollution exposure impacts from proposed land use changes at Site 18.

BIOLOGICAL RESOURCES: a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? & c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? – There have been endangered species Fairy Shrimp and CCS Habitat identified in the area and along poperies adjacent to the LOSSAN corridor. There endangered species such as Fairy Shrimp and CCS Habitat on the Site 18. Also there appears to maybe federal jurisdictional waters of Site 18 which should be addressed.

HAZARDS AND HAZARDOUS MATERIALS: b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous

materials into the environment? – There is a regional SoCal Gas high-pressure Natural Gas transmission pipeline and easement that runs through Ponto Site 18 & Planning Area F. This pipeline recently had a leak that was repaired. However future gas leaks are likely to occur over time. Constructing high-density & high-occupancy housing likely with significant child population over/adjacent this major natural gas transmission line exposes larger amounts of future populations (with an estimated higher percentage of children) to hazards from gas leaks. Providing a sufficient open space/hazard setback adjacent to the pipeline easement should be explored as a means to provide a safety buffer between the gas pipeline hazard and proposed higher-density and higher occupancy residential land use. An expanded open space setback can also serve as repair staging space for gas pipeline repairs and inspections. Carlsbad’s Ponto Beachfront Village Vision Plan indicated this Gas Pipeline and easement would be moved/relocated to a safer location.

LAND USE AND PLANNING: b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? – Site 18 proposes to change Carlsbad’s General Plan & Local Coastal Program Land Use Plan & Zoning by removing VC-Visitor Serving Coastal land use and replacing it with R-23 high-density Residential land use. VC-Visitor Commercial is a high-priority Coastal Land Use per the CA Coastal Act. In 2016-2017 the CA Coastal Commission has informed the City of the need to ensure an adequate amount and distribution of VC land use is forever provided in the City’s currently proposed (that does not include the proposed Site 18 land use changes eliminating VC Land Use) Local Coastal Program Land Use Plan (LCP) changes. This issue is reflected in the City’s description of Ponto Site 18 on pages 8-9 in which the City indicates that the VC-Visitor Serving land use will likely not be changed by City & CA Coastal Commission. Ponto Site 18 is within Carlsbad’s existing Mello II LCP Segment with specific LCP Policies that relate to VC land uses – particularly CA Coastal Act high-priority “Low Cost Visitor Accommodations” land use. Specifically LCP Policies 6-2, 6-4 and 6-10 that read:

*POLICY 6-2 REGIONAL PARK: If the population of Carlsbad increases in accordance with SANDAG’s projected Series V Population Forecasts, it is estimated that Carlsbad will need to develop a new regional park containing 200 to 300 acres in order to adequately serve the public. **A location for a new regional park must, therefore, be established.** Consideration should be given to a facility within the Aqua Hedionda Specific Plan Area, or adjacent lands. **The Batiquitos Lagoon area should also be considered.***

*POLICY 6-4 NEED FOR ADDITIONAL OVERNIGHT CAMPING: Additional overnight camping facilities, the main source of lower cost visitor and recreational facilities are needed throughout the San Diego coastal region. Additional facilities of this kind should be provided in a regional park within the Carlsbad area. **This can be accomplished in conjunction with an eventual Batiquitos Park**, within the Aqua Hedionda Specific Plan Area, and/or along with the development of private recreational facilities.*

*POLICY 6-10 LOWER COST VISITOR-SERVING RECREATIONAL USES: **Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided.** Encourage a range of affordability for overnight visitor accommodations. Evaluate the affordability of any new or redeveloped overnight visitor accommodations, including amenities that reduce the cost of stay. Mitigation may be applied to protect and encourage affordable overnight accommodations”*

Official Carlsbad Public Records Request # R002393-092121 confirmed the City did not implement Policy 6-2 and reduced the 200-300 acres to only a 49-acre useable Veterans Park that City now acknowledges is only a neighborhood park and will not serve as a ‘regional park’. The City has never implemented existing Mello II LCP Policy 6-4. The City incorrectly (and potentially dishonestly) implemented Policy 6-

10 as all the 'new visitor accommodations (hotels and resorts) that the City approved as 'affordable' were later documented by the City as "Unaffordable" in "Table 3-1: Carlsbad Coastal Zone Hotel Inventory" the City's currently proposed LCP Land Use Plan changes (excluding Ponto Site 18). And no lower-cost recreational facilities have been provided or approved by the City as called out in Policy 6-10. The vacant lands at Ponto – Site 18, Planning Area F, and Planning Area G and H, are the only remaining vacant lands west of the LOSSAN corridor in South Carlsbad that can practically provide for those 'Lower cost visitor and recreational facilities' and "(i.e. Public Park) as noted in the current Ponto Planning Area F LCP Land Use Policy.

The ONLY Low-cost Visitor Accommodation in Carlsbad is the (overcrowded) State Campground as documented by the City's "Table 3-1: Carlsbad Coastal Zone Hotel Inventory" in the City's currently proposed LCP Land Use Plan changes. hat the City knows will be 'impacted' (eliminated) in the future due sea level rise and bluff erosion. City proposes to eliminate opportunities for upland relocation of the Campground (or similar private accommodations) in the City's currently proposed LCP Land Use Plan Amendment & in the Developer's/City proposed elimination of VC land use at Site 18.

Please see and reference the two (2) People for Ponto Public Comments and documented data files on Carlsbad's proposed Local Coastal Program Amendment regarding 1) 'Coastal Recreation Land Use', and 2) 'Low Cost Visitor Accommodations' both dated 10/12/21 for more documented details and data that relate to the Coastal Land Use issues, Park Inequities at Ponto, lack of Coastal Park in and for South Carlsbad inland populations, and lack of low-cost visitor accommodations and recreation facilities at Ponto/South Carlsbad. Please also see and reference the documented data in the '2022 Sea Level Rise and Carlsbad's DLCP-LUPA's projected/planned Loss of Open Space at Ponto' also submitted as People for Ponto Public Comments on Carlsbad's proposed Local Coastal Program Amendment showing the City's failure to provide Useable Coastal Open Space for Coastal Recreation as required by the City's Growth Management Ordinance and the City's planned and unmitigated loss of Carlsbad's only Low-cost Visitor Accommodation land use – State Campground – due to accelerated coastal erosion and Sea Level Rise.

Site 18 is designated as VC and appears was intended as an affordable visitor site in the City's Ponto Beachfront Village Vision Plan (PBVVP). The PBVVP was rejected by the CA Coastal Commission for its inadequacy in disclosing-considering-documenting "the need for Coastal Recreation (i.e. Public Park) and Low-cost Visitor Accommodations" in the adjacent and directly abutting Poinsettia Shores Master Plan/LCP area of Ponto. Ponto Site 18's proposed elimination of VC Coastal Land Use impacts both the Existing LCP and City proposed LCP changes regarding CA Coastal Act high-priority Coastal Land Use.

Also, all CA cities are being required by the State of CA to each 8-years change General Plan Land Use (and in some instances Coastal Land Use Plans) to increase residential land use with higher-densities that by definition provide less recreational open space for their population, and thus need City/State Parks for their outdoor recreation needs. Yet every 8-years each City's Parkland and Coastal Recreation land uses are not required by the State of CA to increase/grow in proportion to those State required increases in residential population and higher densities with minimal recreation space. So every 8-years there is more crowding on exiting City Public Parks, City/State Coastal Parks, and low-cost visitor accommodations at the Coast. There is a finite amount of Coastal Land for all of Carlsbad and CA to use for Coastal Recreation and it is imperative that the small amounts of remaining vacant Coastal Land be preserved for CA Coastal Act high-priority Coastal Recreation land use to meet the increasing population/visitor demands required to be produced every 8-years.

Also, it should be noted that the City of Carlsbad's Park Master Plan already identifies the Ponto Area as an area 'unserved by City parks' and an area the City should require/provide new City Parks. Ponto Site 18 should be required to provide its proportionate share of needed City Park land at Ponto by dedicating unused portions of Site 18 to the City for Park land per the City's Parkland Dedication Ordinance 20.44. This is double important give that 91% of Site 18's proposed housing units are 3 & 4 bedroom and will likely have either 1) a high percentage of children per unit, or 2) have a larger per unity adult population of multiple adult families living as roommates and also increasing parking demand beyond a single-family home. In either case there is a clear need Park land within walking distance to be useable/accessible to these proposed larger child and/or adult populations. The private recreation space (required to offset reduced/eliminated yards and open space by higher density development) is not a substitute for larger multi-use Park lands for children and adults to run around and play.

NOISE: CEQA does not appear to require consideration of noise/vibration impacts on proposed Ponto Site 18 populations from the LOSSAN corridor train traffic. Living some distance from the LOSSAN Corridor and buffered by both landscaped setbacks an 8-10' concrete block wall outside of the Rail corridor we can still hear/feel the trains and the vibration impacts should be considered.

POPULATION AND HOUSING: a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? – Ponto Site 18 was/is in part planned for VC-Visitor Commercial land use, thus it is inducing unplanned population growth at Ponto. The .397 square mile Ponto area Census Tract, even with its significant currently vacant land, is already developed at 4,111 people per square mile that is a density that is about 40% more dense than the Citywide average of 2,959 people per square mile. As noted above in 'Land Use & Planning impacts' Site 18's proposed 91% 3-4 bedroom development will create higher occupancy per unit (either high numbers of Children or high numbers of adults per unit) and with a proposed high number of dwelling units per acre, Site 18 will create additional residential population without providing needed Parkland at Ponto. The City Park Inequity (unfairness) at Ponto has been documented by the City's Park Master Plan's map of areas "unserved by Parks".

PUBLIC SERVICES: a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- Fire protection? – the City has said areas west of I-5/LOSSAN Corridor are falling out of desired Fire/Emergency service levels and new Fire/Emergency/Lifeguard facilities are needed west of I-5/LOSSAN Corridor. Proposed Ponto 18 land use change and development will add new and more impacts to that situation and should be mitigated.
- Parks? – As noted in LAND USE AND PLANNING and POPULATION AND HOUSING above, the proposed change in land use to Residential, higher-density residential, and proposed high-occupancy (many children in a family unit or many multi-family adult roommates) per unit development will add a larger population needing Park land and access within walking distance. Carlsbad's Park Master Plan documents that the Ponto Area is 'Unserved by Parks' and an "Area the City should add Parks'. Also the Local Coastal Program for the directly adjacent Ponto

Planning Area F specifically requires the City and/or developer to address Park needs at Ponto. On July 3, 2017 the CA Coastal Commission provided the following direction to Carlsbad:

- “The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto ... 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 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.”**

This study has yet to be done, and was not done by the City with the 2010 Ponto Vision Plan (rejected by the CCC) nor with the 2015 General Plan Update (currently being evaluated by the CCC for the Coastal portions of Carlsbad). The newly proposed Ponto Site 18 Coastal land use change from visitor accommodation land use to residential land use and proposed high population occupancy/density will impact on the CCC’s 2017 direction to Carlsbad regarding both “(i.e. Public Park) and low-cost visitor accommodations”; the impacts of this should be evaluated with CCC consultation.

As noted in LAND USE AND PLANNING, the Mello II LCP for Ponto Site 18 has documented that City has not followed/implemented the Mello II LCP Land Use Policies 6-2, 6-4 and 6-10. Site 18’s proposed Coastal Land Use Plan changes and added population will compound the impacts and problems of the City not complying with these 3 existing Local Coastal Program Land Use Policies. The impacts of this should be evaluated with CCC consultation.

People for Ponto Carlsbad Citizens have provided a “Coastal Recreation data file” on 10/12/21 to the City and CCC that documents both local Ponto/South Carlsbad and Regional Coastal Park inadequacy, inequity, and unfairness; along with the relatively poor provision/distribution of Parks in Carlsbad relative to adjacent Coastal cities. Because there are no Ponto Parks to informally play ball games and other larger open areas to play within a safe/short walk or bike ride Ponto children and families are forced to play in the LOSSAN Corridor and in Ponto streets as has been documented to the City and CCC in several photos and in numerous petitions/emails. Children and adults playing in streets and along high-speed railroad tracks are not safe, and the City by not providing an adequate Park at Ponto is creating this unsafe situation. These safety impacts should be evaluated and with CCC consultation.

Over 5,000 petitions have been sent to the City of Carlsbad and CA Coastal Commission documenting the need and desire for a meaningful Ponto Park. Ponto Site 18 is in the CA Coastal Zone and very close to the ocean. Ponto Site 18 should at the very barest of minimums be required to dedicate the appropriate portion of the Ponto Site 18 land to fulfill the relatively low 3 acres per 1,000 population park land dedication for a Ponto Site 18 development proposal and assure Site 18’s bare minimum Ponto park needs are met with a Park actually at Ponto. Ponto Site 18 should NOT be allowed to buy land outside Ponto or pay an ‘in-lieu-fee’ as a means to avoid providing Park land at Ponto Site 18 as Site 18 has sufficient vacant land to provide the City Parkland dedication. The impacts to both local Park and the State/Regional Coastal Recreation (i.e. Public Park) needs to provide actual Park land at Ponto should be evaluated and with CCC consultation.

The VMT & GHG and ADT impacts of not providing Parks within a safe and short walking/biking distance from the Park need (i.e. Ponto) should also be fully evaluated. The impacts to children’s health and

safety from not providing Parks within a safe and short walking/biking distance from the Park need (i.e. Ponto) should also be fully evaluated and with CCC and LOSSAN Corridor agency consultations.

RECREATION: a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? – Ponto Site 18 will increase Recreation needs. However there are no Parks at Ponto. The only City Parks reasonably accessible (and only safely accessible for children) to Ponto Site 18 populations require driving and parking at Parks over 2-6 miles away. The added impacts to City Streets, City Park land and City Park parking facilities should be evaluated. Also, will additional Park parking spaces be required and thus reduce the ‘actual people useable portion’ of the Parks that will be used by proposed Ponto Site 18?

TRANSPORTATION/TRAFFIC: a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system ...? – As noted 91% of the units are 3-4 bedrooms that will have the potential for a relative high occupancy per unit. That high-occupancy will either be a high child (i.e. larger single-family) or high adult (several unrelated adults living as roommates). If a high child occupancy the impacts will be child related and the need for abundant safe walking/biking facilities. If high adult occupancy there will be then need to provide much more parking space than the standard 2-car parking space and guest space requirement for a ‘single-family unit. It is very common for most garages along the coast to not be used for parking but used for non-vehicle storage, and for unit occupants to use streets as their primary parking spaces. If there are more adults (beyond a typical single-family) then there will be more cars and parking demand per unit and even more cars will use surrounding public streets as their primary parking spaces. In fact the proposed Ponto Site 18 design and front door locations encourages each unit fronting on a public street to use the public street as their private parking space. At Ponto there is currently a high demand for public on-street parking to access the beach. The City has failed to provide public beach parking in the abandoned (and still paved) PCH Right-of-Way both north and south of Poinsettia Lane at the Campground entrance. Ponto Site 18 will increase parking demand and that demand will still over onto the public Ponto Road and thus remove/decrease the limited amount of public beach parking at Ponto. The CA Coastal Commission has already identified the current public beach parking needs at Ponto and also the need to provide more public beach parking to accommodate future population growth and demand to access the Coast. The current/future needs for public beach parking should be studied and determined, proposed Ponto Site 18’s high-occupancy and parking demand and spillover impact onto public streets be determined and a 100% accountable/enforceable system established to assure Ponto Site 18 has no impact to public beach parking.

e) Result in inadequate emergency access? – As noted earlier, Carlsbad already as indicated areas west of I-5/LOSSAN Corridor have inadequate fire/Emergency access/service levels. Ponto Site 18 will increase those inadequacies by adding a high-occupancy population. This impact should be studied and mitigated.

MANDATORY FINDINGS OF SIGNIFICANCE: b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? – Ponto Site 18 is one of the last

meaningful vacant Coastal lands in San Diego County that can serve the documented need to provide land for the increasing population/visitor demands for Low-Cost Visitor Accommodation uses and for the no-cost City and regional Coastal Park needs (no Coastal Park in a 6-mile length of Coast centered around Ponto) and provide a needed neighborhood park for the local Ponto Community. The Coastal Recreation and Low-Cost Visitor Accommodation data files document these situations/impacts.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? – Ponto Site 18 is one of the last meaningful vacant Coastal lands in San Diego County that can serve the documented need to provide land for the increasing population/visitor demands for Low-Cost Visitor Accommodation uses and for the no-cost City and regional Coastal Park needs (no Coastal Park in a 6-mile length of Coast centered around Ponto) and provide a needed neighborhood park for the local Ponto Community. For instance Ponto Children and their parents are forced to play in the Streets or along the LOSSAN Corridor as these areas are the only larger open space areas to play. Many of the Ponto homes and manufactured homes have very narrow yards or zero-side yards, and common open space are only narrow paths or smaller single function spaces (pool/spa) that can't be used for play. So there is minimal outdoor play area at Ponto that impacts children and their families. Per the City of Carlsbad's minimal Park Standard of 3 acres per 1,000 population the existing Ponto area population the Ponto Area should have about a minimum 6.5 acre City Park. The City only provides parks for Ponto that are 2 to 6 miles away via unsafe arterial roadways so inaccessible by children, and the City has recently said Ponto's Park needs are to be fulfilled by Veterans Park that is over 6-miles away and practically inaccessible and unusable by Ponto residents and children. The City also acknowledges that Veterans Park will not be used by Ponto and other more distant residents. The proposed Ponto Site 18 land use change/development would add about .7 acres more of Park Demand at Ponto to add to the current about 6.5 acre Park Demand at Ponto (see page 10). This lack of Park land for Ponto Children and their families has a substantial adverse effect on human beings – particularly children. Proposed Ponto Site 18 adds to that effect.

The Ponto area is also the last vacant land that can provide a much needed Coastal Park for Carlsbad & other inland populations (and 62% of Carlsbad Citizens living in South Carlsbad that have NO Coastal Park) along the 6-mile length of that has no Coastal Park. This lack of Coastal Park impacts all of South Carlsbad and also is a Regional Coastal Park and Coastal Recreation impact. Coastal Recreation (i.e. Public Park) is a high-priority land use under the CA Coastal Act, and is even more critical to provide Coastal Parks for California's growing resident and visitor populations. There are very limited vacant lands on which to provide Coastal Parks and preserving those vacant lands for Coastal Recreation (i.e. Public Parks) is critical to avoid adverse effects on human beings – particularly children.

The Ponto area (Planning Area F, and G and H) and Ponto Site 18 are also the last vacant lands that can provide a much needed Coastal Low Cost Visitor Accommodation Land Uses that are high-priority land uses under that CA Coastal Act. The need for new Low Cost Visitor Accommodation Land Uses and acreage has been well documented by the CA Coastal Commission and in Carlsbad's Mello II LCP and Poinsettia Shores LCP. The Ponto Site 18 proposal is to eliminate the VC-Visitor Commercial land use that could provide Low-cost Visitor Accommodations. Recent Sea Level Rise (SLR) and Coastal Erosion data document that 32+ acres of Carlsbad State Beach & Campground will continue to erode away and that that erosion will accelerate due to SLR (see attached "Sea Level Rise and Carlsbad's DLCP-LUPA's projected/planned Loss of Open Space at Ponto - 2022" data file). Carlsbad State Campground provides Carlsbad's ONLY Low-cost Visitor Accommodations. So Carlsbad will have no Low-cost Visitor Accommodation land use in the future, and there is no City plan to address this loss and the increased

need for this land use from both current and future population and visitor demands. This lack of Low-Cost Visitor Accommodation land is an adverse effect on human beings – particularly children.

City of Carlsbad’s description of Ponto Site 18 and Coastal land use issues:

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



SITE DESCRIPTION

The site is a group of eight vacant and underutilized properties in the Ponto area, located south of the Cape Rey Carlsbad Beach hotel and east of Carlsbad Boulevard. The site is bisected by Ponto Drive. North of Ponto Drive are three underutilized parcels containing a mini storage, miscellaneous buildings and other storage uses on nearly five acres. To the south, across Ponto Drive, is a cluster of five small vacant properties total just over an acre.

Site topography is generally flat. Some of the parcels may be constrained due to environmentally sensitive habitat. One parcel is alongside the railroad corridor. All the parcels are located outside the McClellan-Palomar Airport flight path.

The site does not include a vacant 11-acre parcel along either side of Ponto Drive and fronting Avenida Encinas. The parcel is commonly referred to as “Planning Area F.”

SITE FEATURES

- Vacant/underutilized
- Utilities accessible
- In the Coastal Zone
- Site constraints

SITE OPPORTUNITY

The site consists of a mix of residential and non-residential land use designations. Two of the eight parcels have a split land use designation of VC (Visitor Commercial) and R-15 (11.5 to 15 dwelling units per acre, or du/ac). The one parcel alongside the railroad corridor is designated R-15. The R-15 designation often applies to small lot single family or detached or attached condominium development. The cluster of five vacant parcels south of Ponto Drive is designated GC (General Commercial). General Commercial permits a broad range of commercial uses. It also permits properties to be developed in a mixed-use format, with limited residential above first floor commercial.

Staff has received a letter from one property owner expressing support for higher density.

Except for the VC-designated portion of the two parcels, which is not anticipated to change, the redesignation of all parcels to R-23 is contemplated. R-23 is a residential designation the state identifies as suitable for moderate income households. The R-23 designation would permit a density range of 19 to 23 dwelling units per acre (du/ac). This density is typical of two- and three-story apartment and condominium developments.

To change any designation, amendments to the General Plan, Local Coastal Program, zoning, Poinsettia Shores Master Plan, and the Ponto Beachfront Village Vision Plan would be required. These amendments would require City Council and California Coastal Commission approval.



Upper area proposed for land use change & higher density

Part of Lower area can (should) be dedicated to provided needed parkland

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



Parcels Numbers	216-010-01, 216-010-02, 216-010-03, 216-010-04, 216-010-05, 214-160-25, 214-160-28, 214-171-11	GMP Quadrant	Southwest
Ownership	Private (separate ownership)	Parcel Size	Approximately 6 acres (all parcels)
Current General Plan Designations	R-15 (Residential 8-15 du/ac), VC (Visitor Commercial)/R-15, GC (General Commercial)	Proposed General Plan Designation	R-23 (Residential, 19 to 23 du/ac)* <i>*The VC designation, which applies to two properties, is not anticipated to change and would remain in the same location.</i>
Current Residential Opportunity	Approximately 44 units (based on the existing R-15 designation and limited residential permitted on GC-designated properties)	Proposed Residential Opportunity	Approximately 90 units (at 19 du/ac)* <i>*No yield is determined from portions of property designated VC.</i>
Income category of units (based on minimum density)	Moderate		

Calculation of Ponto Site 18 Parkland dedication requirement and City losses from the Park-in-lieu Fee:

Ponto Site 18 - Fenton proposed development's Park land dedication requirement	
Park Land dedication requirement per CMC 20.44	https://library.qcode.us/lib/carlsbad_ca/pub/municipal_code/item/title_20-chapter_20_44
US Census data	https://www.census.gov/quickfacts/fact/table/carlsbadcitycalifornia/POP060210#POP060210
Carlsbad Park Dedication Requirement is 3 acres of land per 1,000 population of the proposed development. Population of proposed development is based on population per household based on latest US Census data 2020 US Census data is 2.64 people per household	
FYI, Carlsbad 3 acres /1,000 is comparatively very low both locally and nationally. And there is no 'walkably requirement'. 5 acres /1,000 population is what Encinitas and Oceanside require along with a 10-minute walk location requirement.	
Fenton owns almost 6 acres of land in Site 18, 4.64 acres of which they want to develop now, and the other 1+ acre part they want to develop later. on the 4.64 acre site change VC-Visitor Commercial/R-15 (15 dwellings per acre) General Plan land use and Zoning to 100% residential and develop at 19.125 dwellings per acre on 4.64 acres.	
On the 1+ acre site, instead of providing their required Park land dedication, Fenton is proposing to develop the remaining 1 acre area (between PCH & Ponto Drive) as General Commercial.	
Instead of providing the required Park Land dedication, Fenton is proposing to develop the remaining 1 acre area (between Pecha and Ponto Drive) as General Commercial.	
Site 18 (Fenton) development proposal for the 4.64 acre portion is development of 86 household units (over 19 dwelling units per acre in in higher occupancy units than typical) consisting of:	
8	2-bedroom homes = 9% of total units proposed
40	3-bedroom homes = 47% of total units proposed
38	4-bedroom homes = 44% of total units proposed
86	100%
Fenton is proposing 91% of the project with 3 or 4 bedrooms so the project will have higher occupancy, and likely more children, per housing unit than the Citywide average of 2.64 people per housing unit	
Fenton Park land dedication requirement per CMC 20.44	
calculation	86 DU of Fenton proposed development
X	2.64 average population per DU per 2020 US Census
=	227 estimated population of Fenton project
/	1,000 population that needs 3 acres of Park land per CMC 20.44
=	0.22704 percentage of 3 acres of Park land required for 227 people
X	3 acres of Park land required per 1,000 people
=	0.68112 acres of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
X	43,560 square feet per acre
=	29,670 square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
1 acre of Fenton's unused vacant 'ice plant lots' between PCH & Ponto Drive that can provide Fenton's Park land requirement	
\$ 398,696	per City Master Fee Schedule. Consistent with what Fenton said was would be the 'Park-in-lieu Fee for their 86 DU project
\$ 50	Estimated SF cost Fenton paid for Ponto Site 18 or \$ 2.18 million per acre
\$ 1,483,479	cost of 29,670 SF of Ponto Site 18 land to satisfy Fenton's Park land requirement
for the Ponto Site 18 5-acre 86 dwelling unit land use cahnge and development proposal:	
\$ (1,084,783) Dollars the City is loosing in Park land value and not receiving in its Park-in-lieu Fee, so this is a gift to the developer	
-73% % of lost Park land value City is loosing and not receiving in its PIL Fee, so this is a City gift to the developer	
\$ 1,000,000	per acre cost to develop a Park like Buena Vista Reservoir Park
43,560	square feet per acre
\$ 22.96	Cost per sq. ft.
29,670	square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
\$ 681,120	Cost to develop Fenton's 29,670 sq. ft. of Park Land Dedication as a Park
\$ (282,424) Dollars City looses from Park-in-lieu Fees not even being adequate to cover Actual Minimal Park Development Costs	

Included attached supporting data files:

1. Carlsbad 2019 proposed Draft LCP Amendment – People for Ponto 2021 Oct Updated Public Comments - Coastal Recreation
2. Carlsbad 2019 proposed Draft LCP Amendment –Public Comments – Low-Cost Visitor Accommodations updated 2021-10-12
3. Sea Level Rise and Carlsbad’s DLCP-LUPA’s projected/planned Loss of Open Space at Ponto - 2022

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels

SITE DESCRIPTION

The site is a group of eight vacant and underutilized properties in the Ponto area, located south of the Cape Rey Carlsbad Beach hotel and east of Carlsbad Boulevard. The site is bisected by Ponto Drive. North of Ponto Drive are three underutilized parcels containing a mini storage, miscellaneous buildings and other storage uses on nearly five acres. To the south, across Ponto Drive, is a cluster of five small vacant properties total just over an acre.

Site topography is generally flat. Some of the parcels may be constrained due to environmentally sensitive habitat. One parcel is alongside the railroad corridor. All the parcels are located outside the McClellan-Palomar Airport flight path.

The site does not include a vacant 11-acre parcel along either side of Ponto Drive and fronting Avenida Encinas. The parcel is commonly referred to as "Planning Area F."

SITE FEATURES

- Vacant/underutilized
- Utilities accessible
- In the Coastal Zone
- Site constraints

SITE OPPORTUNITY

The site consists of a mix of residential and non-residential land use designations. Two of the eight parcels have a split land use designation of VC (Visitor Commercial) and R-15 (11.5 to 15 dwelling units per acre, or du/ac). The one parcel alongside the railroad corridor is designated R-15. The R-15 designation often applies to small lot single family or detached or attached condominium development. The cluster of five vacant parcels south of Ponto Drive is designated GC (General Commercial). General Commercial permits a broad range of commercial uses. It also permits properties to be developed in a mixed-use format, with limited residential above first floor commercial.

Staff has received a letter from one property owner expressing support for higher density.

Except for the VC-designated portion of the two parcels, which is not anticipated to change, the redesignation of all parcels to R-23 is contemplated. R-23 is a residential designation the state identifies as suitable for moderate income households. The R-23 designation would permit a density range of 19 to 23 dwelling units per acre (du/ac). This density is typical of two- and three-story apartment and condominium developments.

To change any designation, amendments to the General Plan, Local Coastal Program, zoning, Poinsettia Shores Master Plan, and the Ponto Beachfront Village Vision Plan would be required. These amendments would require City Council and California Coastal Commission approval.



POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



Parcels Numbers	216-010-01, 216-010-02, 216-010-03, 216-010-04, 216-010-05, 214-160-25, 214-160-28, 214-171-11	GMP Quadrant	Southwest
Ownership	Private (separate ownership)	Parcel Size	Approximately 6 acres (all parcels)
Current General Plan Designations	R-15 (Residential 8-15 du/ac), VC (Visitor Commercial)/R-15, GC (General Commercial)	Proposed General Plan Designation	R-23 (Residential, 19 to 23 du/ac)* <i>*The VC designation, which applies to two properties, is not anticipated to change and would remain in the same location.</i>
Current Residential Opportunity	Approximately 44 units (based on the existing R-15 designation and limited residential permitted on GC-designated properties)	Proposed Residential Opportunity	Approximately 90 units (at 19 du/ac)* <i>*No yield is determined from portions of property designated VC.</i>
Income category of units (based on minimum density)	Moderate		

From: [Lance Schulte](#)
To: [Scott Donnell](#); [Boyle, Carrie@Coastal](mailto:Boyle_Carrie@Coastal); ["Prahler, Erin@Coastal"](mailto:Prahler_Erin@Coastal); [Ross, Toni@Coastal](mailto:Ross_Toni@Coastal)
Subject: Public input and data on Ponto Site 18 within the CA Coastal Zone - Reminder: Give input on environmental study for future housing sites
Attachments: [2022_Oct_-_Public_Input_of_Environmental_Impacts_of_Ponto_Site_18_for_SEIR_on_proposed_Coastal_Land_Use_changes_in_2021-2029_Housing_Element_Update.pdf](#)
[Carlsbad_2019_proposed_Draft_LCP_Amendment_-_People_for_Ponto_2021-Oct_Updated_Public_Comments_-_Coastal_Recreation.pdf](#)
[Carlsbad_2019_proposed_Draft_LCP_Amendment_-_Public_Comments_-_Low-cost_Visitor_Accmodations_-_updated_2021-10-12.pdf](#)
[Sea_Level_Rise_and_Carlsbad_DLCP-LUPA_planned_loss_of_OS_at_Ponto_-_2022_\(2\).pdf](#)

Dear Scott, Carrie, Erin and Toni:

Attached is public input to the Carlsbad's environmental study for the Developer/City proposed Coastal Land Use changes on Ponto Site 18 – elimination of the VC-Visitor Commercial land use and change to increase the Residential density range on the entire site. There are 4 components of public input:

1. Public input on the items from the CEQA Checklist, and
2. Backup data to that public input regarding key Coastal environmental issues associated with the proposed Coastal land use changes on Ponto Site 18 of:
 - a. Coastal Recreation needs
 - b. VC-Visitor Commercial land Use Designation/zoning and Low-Cost Visitor Accommodation needs, and
 - c. At Ponto the planned unmitigated loss of 32+ acres of State Beach and Campground (Carlsbad's only Low-Cost Visitor Accommodations) due to accelerated Coastal Erosion and Sea Level Rise.

The Ponto area is an area the City has documented as being 'unserved by Parks'. Ponto is the last vacant Coastal Land on which to cost effectively and much better address the Coastal Recreation, Low-cost Visitor Accommodation, and the currently known yet unmitigated 32+acres of Coastal Erosion/Sea Level Rise impacts to at Ponto. Ponto Site 18 is one of those currently vacant Coastal lands.

Thank you.
Lance Schulte

From: City of Carlsbad [mailto:communications@carlsbadca.ccsend.com] **On Behalf Of** City of Carlsbad
Sent: Wednesday, October 12, 2022 8:04 AM
To: meyers-schulte@sbcglobal.net
Subject: Reminder: Give input on environmental study for future housing sites





Reminder: Third meeting added to give input on environmental study for future housing sites

Remember to mark your calendar for Monday, Oct. 17, to give input on what environmental impacts should be evaluated in a study on [potential properties](#) that could be rezoned to accommodate future housing. A reminder that the city also extended the deadline to provide comments from Oct. 14 to Oct. 26.

Environmental Scoping Meeting
Oct. 17, 6 to 7:30 p.m.
City of Carlsbad
Faraday Administration Center
1635 Faraday Ave.

You can provide input via mail or email through Oct. 26 to:

Scott Donnell, Senior Planner
City of Carlsbad
Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008
Scott.Donnell@carlsbadca.gov

Next steps

After helping identify what environmental impacts should be evaluated, residents will have an opportunity to review and provide input on the draft report once it is developed. The supplemental environmental impact report will be presented to the City Council for consideration in 2023.

Background

The city is preparing a supplemental environmental impact report for its [General Plan](#), approved in 2015. The report is required as part of the city's [Housing Element Update](#), a state-required plan approved in July 2021 for how Carlsbad will accommodate projected housing needs through 2029.

As part of a Housing Element Update, the state also requires all cities analyze and update portions of their [Public Safety Element](#), a separate chapter of the General Plan that focuses on citywide topics including climate resiliency, wildfire hazards and evacuation routes. Updates proposed will respond to requirements of new state legislation related to these topics.

The city worked with the community last year to choose the potential sites, and the next step is to perform environmental studies. This analysis will help inform the final selection of sites.

Zoning changes

The city's housing plan includes proposed changes to zoning that would allow more housing units on certain properties. This study will evaluate the environmental impacts of those changes, including how it might affect things like transportation, aesthetics and greenhouse gas emissions.

Housing program implementation

The housing plan also includes programs that require the city to make changes to housing standards, such as allowing additional types of housing and higher densities to meet state requirements. The environmental review will analyze the impacts of implementing some of these programs.

Learn more

- [Housing Plan Update](#)
- [General Plan](#)
- Scott Donnell, Senior Planner, scott.donnell@carlsbadca.gov



Visit the Website



City of Carlsbad | 1200 Carlsbad Village Drive, Carlsbad, CA 92008

[Unsubscribe meyers-schulte@sbcglobal.net](mailto:meyers-schulte@sbcglobal.net)

[Update Profile](#) | [Constant Contact Data Notice](#)

Sent by planning@carlsbadca.gov

2022 Oct 12 – Public Input on Ponto Site 18 environmental impacts to be studied/mitigated by City/Developer

The public input is based on the City of Carlsbad's description of Ponto Site 18 proposed land use changes (see pages 8-9 below) and the Developer's proposed land use change & approach to pay Park-in-lieu-fees to avoid providing much need Coastal and neighborhood Parks at Ponto (see page 10 below). Please see the 3 attached data files regarding Coastal Recreation, Low-cost Visitor Accommodations and unmitigated high-priority Coastal land use losses at Ponto from Coastal erosion and Sea Level Rise listed on page 11 below.

Public Input Questions as to the legality of using tax-payer funds to pay for the CEQA analysis/costs of private developers:

- Who is paying for the CEQA analysis of private property and private developer proposals?
- Are Carlsbad tax-payer dollars being used to subsidize Developers' CEQA analysis costs?
- Is the City being reimbursed by each developer to cover the costs of their site-specific CEQA analysis?
- Is the City violating the State Law prohibition of a 'Gift of Public Funds to a private parties' by paying for the CEQA processing for developers?

The following Public Input on environmental impacts are taken from CA CEQA Guidelines Appendix G (2019):

AIR QUALITY: Expose sensitive receptors to substantial pollutant concentrations? – Site 18 proposes land use changes to high-density (DU/Acre) residential development next to the LOSSAN rail corridor (that is planned to be double tracked to significantly increase train traffic and train pollution). Proposed Site 18 will expose much higher population densities to diesel and particulate emissions from the increased rail traffic on the LOSSAN Corridor. 91% of Ponto Site 18's dwelling units are 3 & 4 bedroom and thus the population proposed is both high occupancy and high density - mean increased population exposure. The likelihood that most of the 91% of the proposed 3 & 4 bedroom units will be occupied by children (who are more sensitive/impacted by air pollution) further adds to pollution exposure impacts from proposed land use changes at Site 18.

BIOLOGICAL RESOURCES: a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? & c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? – There have been endangered species Fairy Shrimp and CCS Habitat identified in the area and along poperies adjacent to the LOSSAN corridor. There endangered species such as Fairy Shrimp and CCS Habitat on the Site 18. Also there appears to maybe federal jurisdictional waters of Site 18 which should be addressed.

HAZARDS AND HAZARDOUS MATERIALS: b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous

materials into the environment? – There is a regional SoCal Gas high-pressure Natural Gas transmission pipeline and easement that runs through Ponto Site 18 & Planning Area F. This pipeline recently had a leak that was repaired. However future gas leaks are likely to occur over time. Constructing high-density & high-occupancy housing likely with significant child population over/adjacent this major natural gas transmission line exposes larger amounts of future populations (with an estimated higher percentage of children) to hazards from gas leaks. Providing a sufficient open space/hazard setback adjacent to the pipeline easement should be explored as a means to provide a safety buffer between the gas pipeline hazard and proposed higher-density and higher occupancy residential land use. An expanded open space setback can also serve as repair staging space for gas pipeline repairs and inspections. Carlsbad’s Ponto Beachfront Village Vision Plan indicated this Gas Pipeline and easement would be moved/relocated to a safer location.

LAND USE AND PLANNING: b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? – Site 18 proposes to change Carlsbad’s General Plan & Local Coastal Program Land Use Plan & Zoning by removing VC-Visitor Serving Coastal land use and replacing it with R-23 high-density Residential land use. VC-Visitor Commercial is a high-priority Coastal Land Use per the CA Coastal Act. In 2016-2017 the CA Coastal Commission has informed the City of the need to ensure an adequate amount and distribution of VC land use is forever provided in the City’s currently proposed (that does not include the proposed Site 18 land use changes eliminating VC Land Use) Local Coastal Program Land Use Plan (LCP) changes. This issue is reflected in the City’s description of Ponto Site 18 on pages 8-9 in which the City indicates that the VC-Visitor Serving land use will likely not be changed by City & CA Coastal Commission. Ponto Site 18 is within Carlsbad’s existing Mello II LCP Segment with specific LCP Policies that relate to VC land uses – particularly CA Coastal Act high-priority “Low Cost Visitor Accommodations” land use. Specifically LCP Policies 6-2, 6-4 and 6-10 that read:

*POLICY 6-2 REGIONAL PARK: If the population of Carlsbad increases in accordance with SANDAG’s projected Series V Population Forecasts, it is estimated that Carlsbad will need to develop a new regional park containing 200 to 300 acres in order to adequately serve the public. **A location for a new regional park must, therefore, be established.** Consideration should be given to a facility within the Aqua Hedionda Specific Plan Area, or adjacent lands. **The Batiquitos Lagoon area should also be considered.***

*POLICY 6-4 NEED FOR ADDITIONAL OVERNIGHT CAMPING: Additional overnight camping facilities, the main source of lower cost visitor and recreational facilities are needed throughout the San Diego coastal region. Additional facilities of this kind should be provided in a regional park within the Carlsbad area. **This can be accomplished in conjunction with an eventual Batiquitos Park**, within the Aqua Hedionda Specific Plan Area, and/or along with the development of private recreational facilities.*

*POLICY 6-10 LOWER COST VISITOR-SERVING RECREATIONAL USES: **Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided.** Encourage a range of affordability for overnight visitor accommodations. Evaluate the affordability of any new or redeveloped overnight visitor accommodations, including amenities that reduce the cost of stay. Mitigation may be applied to protect and encourage affordable overnight accommodations”*

Official Carlsbad Public Records Request # R002393-092121 confirmed the City did not implement Policy 6-2 and reduced the 200-300 acres to only a 49-acre useable Veterans Park that City now acknowledges is only a neighborhood park and will not serve as a ‘regional park’. The City has never implemented existing Mello II LCP Policy 6-4. The City incorrectly (and potentially dishonestly) implemented Policy 6-

10 as all the 'new visitor accommodations (hotels and resorts) that the City approved as 'affordable' were later documented by the City as "Unaffordable" in "Table 3-1: Carlsbad Coastal Zone Hotel Inventory" the City's currently proposed LCP Land Use Plan changes (excluding Ponto Site 18). And no lower-cost recreational facilities have been provided or approved by the City as called out in Policy 6-10. The vacant lands at Ponto – Site 18, Planning Area F, and Planning Area G and H, are the only remaining vacant lands west of the LOSSAN corridor in South Carlsbad that can practically provide for those 'Lower cost visitor and recreational facilities' and "(i.e. Public Park) as noted in the current Ponto Planning Area F LCP Land Use Policy.

The ONLY Low-cost Visitor Accommodation in Carlsbad is the (overcrowded) State Campground as documented by the City's "Table 3-1: Carlsbad Coastal Zone Hotel Inventory" in the City's currently proposed LCP Land Use Plan changes. hat the City knows will be 'impacted' (eliminated) in the future due sea level rise and bluff erosion. City proposes to eliminate opportunities for upland relocation of the Campground (or similar private accommodations) in the City's currently proposed LCP Land Use Plan Amendment & in the Developer's/City proposed elimination of VC land use at Site 18.

Please see and reference the two (2) People for Ponto Public Comments and documented data files on Carlsbad's proposed Local Coastal Program Amendment regarding 1) 'Coastal Recreation Land Use', and 2) 'Low Cost Visitor Accommodations' both dated 10/12/21 for more documented details and data that relate to the Coastal Land Use issues, Park Inequities at Ponto, lack of Coastal Park in and for South Carlsbad inland populations, and lack of low-cost visitor accommodations and recreation facilities at Ponto/South Carlsbad. Please also see and reference the documented data in the '2022 Sea Level Rise and Carlsbad's DLCP-LUPA's projected/planned Loss of Open Space at Ponto' also submitted as People for Ponto Public Comments on Carlsbad's proposed Local Coastal Program Amendment showing the City's failure to provide Useable Coastal Open Space for Coastal Recreation as required by the City's Growth Management Ordinance and the City's planned and unmitigated loss of Carlsbad's only Low-cost Visitor Accommodation land use – State Campground – due to accelerated coastal erosion and Sea Level Rise.

Site 18 is designated as VC and appears was intended as an affordable visitor site in the City's Ponto Beachfront Village Vision Plan (PBVVP). The PBVVP was rejected by the CA Coastal Commission for its inadequacy in disclosing-considering-documenting "the need for Coastal Recreation (i.e. Public Park) and Low-cost Visitor Accommodations" in the adjacent and directly abutting Poinsettia Shores Master Plan/LCP area of Ponto. Ponto Site 18's proposed elimination of VC Coastal Land Use impacts both the Existing LCP and City proposed LCP changes regarding CA Coastal Act high-priority Coastal Land Use.

Also, all CA cities are being required by the State of CA to each 8-years change General Plan Land Use (and in some instances Coastal Land Use Plans) to increase residential land use with higher-densities that by definition provide less recreational open space for their population, and thus need City/State Parks for their outdoor recreation needs. Yet every 8-years each City's Parkland and Coastal Recreation land uses are not required by the State of CA to increase/grow in proportion to those State required increases in residential population and higher densities with minimal recreation space. So every 8-years there is more crowding on exiting City Public Parks, City/State Coastal Parks, and low-cost visitor accommodations at the Coast. There is a finite amount of Coastal Land for all of Carlsbad and CA to use for Coastal Recreation and it is imperative that the small amounts of remaining vacant Coastal Land be preserved for CA Coastal Act high-priority Coastal Recreation land use to meet the increasing population/visitor demands required to be produced every 8-years.

Also, it should be noted that the City of Carlsbad's Park Master Plan already identifies the Ponto Area as an area 'unserved by City parks' and an area the City should require/provide new City Parks. Ponto Site 18 should be required to provide its proportionate share of needed City Park land at Ponto by dedicating unused portions of Site 18 to the City for Park land per the City's Parkland Dedication Ordinance 20.44. This is double important give that 91% of Site 18's proposed housing units are 3 & 4 bedroom and will likely have either 1) a high percentage of children per unit, or 2) have a larger per unity adult population of multiple adult families living as roommates and also increasing parking demand beyond a single-family home. In either case there is a clear need Park land within walking distance to be useable/accessible to these proposed larger child and/or adult populations. The private recreation space (required to offset reduced/eliminated yards and open space by higher density development) is not a substitute for larger multi-use Park lands for children and adults to run around and play.

NOISE: CEQA does not appear to require consideration of noise/vibration impacts on proposed Ponto Site 18 populations from the LOSSAN corridor train traffic. Living some distance from the LOSSAN Corridor and buffered by both landscaped setbacks an 8-10' concrete block wall outside of the Rail corridor we can still hear/feel the trains and the vibration impacts should be considered.

POPULATION AND HOUSING: a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? – Ponto Site 18 was/is in part planned for VC-Visitor Commercial land use, thus it is inducing unplanned population growth at Ponto. The .397 square mile Ponto area Census Tract, even with its significant currently vacant land, is already developed at 4,111 people per square mile that is a density that is about 40% more dense than the Citywide average of 2,959 people per square mile. As noted above in 'Land Use & Planning impacts' Site 18's proposed 91% 3-4 bedroom development will create higher occupancy per unit (either high numbers of Children or high numbers of adults per unit) and with a proposed high number of dwelling units per acre, Site 18 will create additional residential population without providing needed Parkland at Ponto. The City Park Inequity (unfairness) at Ponto has been documented by the City's Park Master Plan's map of areas "unserved by Parks".

PUBLIC SERVICES: a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- Fire protection? – the City has said areas west of I-5/LOSSAN Corridor are falling out of desired Fire/Emergency service levels and new Fire/Emergency/Lifeguard facilities are needed west of I-5/LOSSAN Corridor. Proposed Ponto 18 land use change and development will add new and more impacts to that situation and should be mitigated.
- Parks? – As noted in LAND USE AND PLANNING and POPULATION AND HOUSING above, the proposed change in land use to Residential, higher-density residential, and proposed high-occupancy (many children in a family unit or many multi-family adult roommates) per unit development will add a larger population needing Park land and access within walking distance. Carlsbad's Park Master Plan documents that the Ponto Area is 'Unserved by Parks' and an "Area the City should add Parks'. Also the Local Coastal Program for the directly adjacent Ponto

Planning Area F specifically requires the City and/or developer to address Park needs at Ponto. On July 3, 2017 the CA Coastal Commission provided the following direction to Carlsbad:

- “The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto ... 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 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.”**

This study has yet to be done, and was not done by the City with the 2010 Ponto Vision Plan (rejected by the CCC) nor with the 2015 General Plan Update (currently being evaluated by the CCC for the Coastal portions of Carlsbad). The newly proposed Ponto Site 18 Coastal land use change from visitor accommodation land use to residential land use and proposed high population occupancy/density will impact on the CCC’s 2017 direction to Carlsbad regarding both “(i.e. Public Park) and low-cost visitor accommodations”; the impacts of this should be evaluated with CCC consultation.

As noted in LAND USE AND PLANNING, the Mello II LCP for Ponto Site 18 has documented that City has not followed/implemented the Mello II LCP Land Use Policies 6-2, 6-4 and 6-10. Site 18’s proposed Coastal Land Use Plan changes and added population will compound the impacts and problems of the City not complying with these 3 existing Local Coastal Program Land Use Policies. The impacts of this should be evaluated with CCC consultation.

People for Ponto Carlsbad Citizens have provided a “Coastal Recreation data file” on 10/12/21 to the City and CCC that documents both local Ponto/South Carlsbad and Regional Coastal Park inadequacy, inequity, and unfairness; along with the relatively poor provision/distribution of Parks in Carlsbad relative to adjacent Coastal cities. Because there are no Ponto Parks to informally play ball games and other larger open areas to play within a safe/short walk or bike ride Ponto children and families are forced to play in the LOSSAN Corridor and in Ponto streets as has been documented to the City and CCC in several photos and in numerous petitions/emails. Children and adults playing in streets and along high-speed railroad tracks are not safe, and the City by not providing an adequate Park at Ponto is creating this unsafe situation. These safety impacts should be evaluated and with CCC consultation.

Over 5,000 petitions have been sent to the City of Carlsbad and CA Coastal Commission documenting the need and desire for a meaningful Ponto Park. Ponto Site 18 is in the CA Coastal Zone and very close to the ocean. Ponto Site 18 should at the very barest of minimums be required to dedicate the appropriate portion of the Ponto Site 18 land to fulfill the relatively low 3 acres per 1,000 population park land dedication for a Ponto Site 18 development proposal and assure Site 18’s bare minimum Ponto park needs are met with a Park actually at Ponto. Ponto Site 18 should NOT be allowed to buy land outside Ponto or pay an ‘in-lieu-fee’ as a means to avoid providing Park land at Ponto Site 18 as Site 18 has sufficient vacant land to provide the City Parkland dedication. The impacts to both local Park and the State/Regional Coastal Recreation (i.e. Public Park) needs to provide actual Park land at Ponto should be evaluated and with CCC consultation.

The VMT & GHG and ADT impacts of not providing Parks within a safe and short walking/biking distance from the Park need (i.e. Ponto) should also be fully evaluated. The impacts to children’s health and

safety from not providing Parks within a safe and short walking/biking distance from the Park need (i.e. Ponto) should also be fully evaluated and with CCC and LOSSAN Corridor agency consultations.

RECREATION: a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? – Ponto Site 18 will increase Recreation needs. However there are no Parks at Ponto. The only City Parks reasonably accessible (and only safely accessible for children) to Ponto Site 18 populations require driving and parking at Parks over 2-6 miles away. The added impacts to City Streets, City Park land and City Park parking facilities should be evaluated. Also, will additional Park parking spaces be required and thus reduce the ‘actual people useable portion’ of the Parks that will be used by proposed Ponto Site 18?

TRANSPORTATION/TRAFFIC: a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system ...? – As noted 91% of the units are 3-4 bedrooms that will have the potential for a relative high occupancy per unit. That high-occupancy will either be a high child (i.e. larger single-family) or high adult (several unrelated adults living as roommates). If a high child occupancy the impacts will be child related and the need for abundant safe walking/biking facilities. If high adult occupancy there will be then need to provide much more parking space than the standard 2-car parking space and guest space requirement for a ‘single-family unit. It is very common for most garages along the coast to not be used for parking but used for non-vehicle storage, and for unit occupants to use streets as their primary parking spaces. If there are more adults (beyond a typical single-family) then there will be more cars and parking demand per unit and even more cars will use surrounding public streets as their primary parking spaces. In fact the proposed Ponto Site 18 design and front door locations encourages each unit fronting on a public street to use the public street as their private parking space. At Ponto there is currently a high demand for public on-street parking to access the beach. The City has failed to provide public beach parking in the abandoned (and still paved) PCH Right-of-Way both north and south of Poinsettia Lane at the Campground entrance. Ponto Site 18 will increase parking demand and that demand will still over onto the public Ponto Road and thus remove/decrease the limited amount of public beach parking at Ponto. The CA Coastal Commission has already identified the current public beach parking needs at Ponto and also the need to provide more public beach parking to accommodate future population growth and demand to access the Coast. The current/future needs for public beach parking should be studied and determined, proposed Ponto Site 18’s high-occupancy and parking demand and spillover impact onto public streets be determined and a 100% accountable/enforceable system established to assure Ponto Site 18 has no impact to public beach parking.

e) Result in inadequate emergency access? – As noted earlier, Carlsbad already as indicated areas west of I-5/LOSSAN Corridor have inadequate fire/Emergency access/service levels. Ponto Site 18 will increase those inadequacies by adding a high-occupancy population. This impact should be studied and mitigated.

MANDATORY FINDINGS OF SIGNIFICANCE: b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? – Ponto Site 18 is one of the last

meaningful vacant Coastal lands in San Diego County that can serve the documented need to provide land for the increasing population/visitor demands for Low-Cost Visitor Accommodation uses and for the no-cost City and regional Coastal Park needs (no Coastal Park in a 6-mile length of Coast centered around Ponto) and provide a needed neighborhood park for the local Ponto Community. The Coastal Recreation and Low-Cost Visitor Accommodation data files document these situations/impacts.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? – Ponto Site 18 is one of the last meaningful vacant Coastal lands in San Diego County that can serve the documented need to provide land for the increasing population/visitor demands for Low-Cost Visitor Accommodation uses and for the no-cost City and regional Coastal Park needs (no Coastal Park in a 6-mile length of Coast centered around Ponto) and provide a needed neighborhood park for the local Ponto Community. For instance Ponto Children and their parents are forced to play in the Streets or along the LOSSAN Corridor as these areas are the only larger open space areas to play. Many of the Ponto homes and manufactured homes have very narrow yards or zero-side yards, and common open space are only narrow paths or smaller single function spaces (pool/spa) that can't be used for play. So there is minimal outdoor play area at Ponto that impacts children and their families. Per the City of Carlsbad's minimal Park Standard of 3 acres per 1,000 population the existing Ponto area population the Ponto Area should have about a minimum 6.5 acre City Park. The City only provides parks for Ponto that are 2 to 6 miles away via unsafe arterial roadways so inaccessible by children, and the City has recently said Ponto's Park needs are to be fulfilled by Veterans Park that is over 6-miles away and practically inaccessible and unusable by Ponto residents and children. The City also acknowledges that Veterans Park will not be used by Ponto and other more distant residents. The proposed Ponto Site 18 land use change/development would add about .7 acres more of Park Demand at Ponto to add to the current about 6.5 acre Park Demand at Ponto (see page 10). This lack of Park land for Ponto Children and their families has a substantial adverse effect on human beings – particularly children. Proposed Ponto Site 18 adds to that effect.

The Ponto area is also the last vacant land that can provide a much needed Coastal Park for Carlsbad & other inland populations (and 62% of Carlsbad Citizens living in South Carlsbad that have NO Coastal Park) along the 6-mile length of that has no Coastal Park. This lack of Coastal Park impacts all of South Carlsbad and also is a Regional Coastal Park and Coastal Recreation impact. Coastal Recreation (i.e. Public Park) is a high-priority land use under the CA Coastal Act, and is even more critical to provide Coastal Parks for California's growing resident and visitor populations. There are very limited vacant lands on which to provide Coastal Parks and preserving those vacant lands for Coastal Recreation (i.e. Public Parks) is critical to avoid adverse effects on human beings – particularly children.

The Ponto area (Planning Area F, and G and H) and Ponto Site 18 are also the last vacant lands that can provide a much needed Coastal Low Cost Visitor Accommodation Land Uses that are high-priority land uses under that CA Coastal Act. The need for new Low Cost Visitor Accommodation Land Uses and acreage has been well documented by the CA Coastal Commission and in Carlsbad's Mello II LCP and Poinsettia Shores LCP. The Ponto Site 18 proposal is to eliminate the VC-Visitor Commercial land use that could provide Low-cost Visitor Accommodations. Recent Sea Level Rise (SLR) and Coastal Erosion data document that 32+ acres of Carlsbad State Beach & Campground will continue to erode away and that that erosion will accelerate due to SLR (see attached "Sea Level Rise and Carlsbad's DLCP-LUPA's projected/planned Loss of Open Space at Ponto - 2022" data file). Carlsbad State Campground provides Carlsbad's ONLY Low-cost Visitor Accommodations. So Carlsbad will have no Low-cost Visitor Accommodation land use in the future, and there is no City plan to address this loss and the increased

need for this land use from both current and future population and visitor demands. This lack of Low-Cost Visitor Accommodation land is an adverse effect on human beings – particularly children.

City of Carlsbad’s description of Ponto Site 18 and Coastal land use issues:

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



SITE DESCRIPTION

The site is a group of eight vacant and underutilized properties in the Ponto area, located south of the Cape Rey Carlsbad Beach hotel and east of Carlsbad Boulevard. The site is bisected by Ponto Drive. North of Ponto Drive are three underutilized parcels containing a mini storage, miscellaneous buildings and other storage uses on nearly five acres. To the south, across Ponto Drive, is a cluster of five small vacant properties total just over an acre.

Site topography is generally flat. Some of the parcels may be constrained due to environmentally sensitive habitat. One parcel is alongside the railroad corridor. All the parcels are located outside the McClellan-Palomar Airport flight path.

The site does not include a vacant 11-acre parcel along either side of Ponto Drive and fronting Avenida Encinas. The parcel is commonly referred to as “Planning Area F.”

SITE FEATURES

- Vacant/underutilized
- Utilities accessible
- In the Coastal Zone
- Site constraints

SITE OPPORTUNITY

The site consists of a mix of residential and non-residential land use designations. Two of the eight parcels have a split land use designation of VC (Visitor Commercial) and R-15 (11.5 to 15 dwelling units per acre, or du/ac). The one parcel alongside the railroad corridor is designated R-15. The R-15 designation often applies to small lot single family or detached or attached condominium development. The cluster of five vacant parcels south of Ponto Drive is designated GC (General Commercial). General Commercial permits a broad range of commercial uses. It also permits properties to be developed in a mixed-use format, with limited residential above first floor commercial.

Staff has received a letter from one property owner expressing support for higher density.

Except for the VC-designated portion of the two parcels, which is not anticipated to change, the redesignation of all parcels to R-23 is contemplated. R-23 is a residential designation the state identifies as suitable for moderate income households. The R-23 designation would permit a density range of 19 to 23 dwelling units per acre (du/ac). This density is typical of two- and three-story apartment and condominium developments.

To change any designation, amendments to the General Plan, Local Coastal Program, zoning, Poinsettia Shores Master Plan, and the Ponto Beachfront Village Vision Plan would be required. These amendments would require City Council and California Coastal Commission approval.



Upper area proposed for land use change & higher density

Part of Lower area can (should) be dedicated to provided needed parkland

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



Parcels Numbers	216-010-01, 216-010-02, 216-010-03, 216-010-04, 216-010-05, 214-160-25, 214-160-28, 214-171-11	GMP Quadrant	Southwest
Ownership	Private (separate ownership)	Parcel Size	Approximately 6 acres (all parcels)
Current General Plan Designations	R-15 (Residential 8-15 du/ac), VC (Visitor Commercial)/R-15, GC (General Commercial)	Proposed General Plan Designation	R-23 (Residential, 19 to 23 du/ac)* <i>*The VC designation, which applies to two properties, is not anticipated to change and would remain in the same location.</i>
Current Residential Opportunity	Approximately 44 units (based on the existing R-15 designation and limited residential permitted on GC-designated properties)	Proposed Residential Opportunity	Approximately 90 units (at 19 du/ac)* <i>*No yield is determined from portions of property designated VC.</i>
Income category of units (based on minimum density)	Moderate		

Calculation of Ponto Site 18 Parkland dedication requirement and City losses from the Park-in-lieu Fee:

Ponto Site 18 - Fenton proposed development's Park land dedication requirement	
Park land dedication requirement per CMC 20.44	https://library.qcode.us/lib/carlsbad_ca/pub/municipal_code/item/title_20-chapter_20_44
US Census data	https://www.census.gov/quickfacts/fact/table/carlsbadcitycalifornia/POP060210#POP060210
Carlsbad Park Dedication Requirement is 3 acres of land per 1,000 population of the proposed development. Population of proposed development is based on population per household based on latest US Census data 2020 US Census data is 2.64 people per household	
FYI, Carlsbad 3 acres /1,000 is comparatively very low both locally and nationally. And there is no 'walkably requirement'. 5 acres /1,000 population is what Encinitas and Oceanside require along with a 10-minute walk location requirement.	
Fenton owns almost 6 acres of land in Site 18, 4.64 acres of which they want to develop now, and the other 1+ acre part they want to develop later. on the 4.64 acre site change VC-Visitor Commercial/R-15 (15 dwellings per acre) General Plan land use and Zoning to 100% residential and develop at 19.125 dwellings per acre on 4.64 acres. On the 1+ acre site, instead of providing their required Park land dedication, Fenton is proposing to develop the remaining 1 acre area (between PCH & Ponto Drive) as General Commercial. Instead of providing the required Park Land dedication, Fenton is proposing to develop the remaining 1 acre area (between Pecha and Ponto Drive) as General Commercial.	
Site 18 (Fenton) development proposal for the 4.64 acre portion is development of 86 household units (over 19 dwelling units per acre in in higher occupancy units than typical) consisting of:	
8	2-bedroom homes = 9% of total units proposed
40	3-bedroom homes = 47% of total units proposed
38	4-bedroom homes = 44% of total units proposed
86	100%
Fenton is proposing 91% of the project with 3 or 4 bedrooms so the project will have higher occupancy, and likely more children, per housing unit than the Citywide average of 2.64 people per housing unit	
<u>Fenton Park land dedication requirement per CMC 20.44</u>	
<u>calculation</u>	86 DU of Fenton proposed development
X	2.64 average population per DU per 2020 US Census
=	227 estimated population of Fenton project
/	1,000 population that needs 3 acres of Park land per CMC 20.44
=	0.22704 percentage of 3 acres of Park land required for 227 people
X	3 acres of Park land required per 1,000 people
=	0.68112 acres of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
X	43,560 square feet per acre
=	29,670 square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
	1 acre of Fenton's unused vacant 'ice plant lots' between PCH & Ponto Drive that can provide Fenton's Park land requirement
\$ 398,696	per City Master Fee Schedule. Consistent with what Fenton said was would be the 'Park-in-lieu Fee for their 86 DU project
\$ 50	Estimated SF cost Fenton paid for Ponto Site 18 or \$ 2.18 million per acre
\$ 1,483,479	cost of 29,670 SF of Ponto Site 18 land to satisfy Fenton's Park land requirement
for the Ponto Site 18 5-acre 86 dwelling unit land use cahnge and development proposal:	
\$ (1,084,783) Dollars the City is loosing in Park land value and not receiving in its Park-in-lieu Fee, so this is a gift to the developer	
-73% % of lost Park land value City is loosing and not receiving in its PIL Fee, so this is a City gift to the developer	
\$ 1,000,000	per acre cost to develop a Park like Buena Vista Reservoir Park
43,560	square feet per acre
\$ 22.96	Cost per sq. ft.
29,670	square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
\$ 681,120	Cost to develop Fenton's 29,670 sq. ft. of Park Land Dedication as a Park
\$ (282,424) Dollars City looses from Park-in-lieu Fees not even being adequate to cover Actual Minimal Park Development Costs	

Included attached supporting data files:

1. Carlsbad 2019 proposed Draft LCP Amendment – People for Ponto 2021 Oct Updated Public Comments - Coastal Recreation
2. Carlsbad 2019 proposed Draft LCP Amendment –Public Comments – Low-Cost Visitor Accommodations updated 2021-10-12
3. Sea Level Rise and Carlsbad’s DLCP-LUPA’s projected/planned Loss of Open Space at Ponto - 2022

Low Cost Visitor Accommodations:

1. On 10/8/21 the Carlsbad City Council and CA Coastal Commission were emailed data from an Official Carlsbad Public Records Request (# R002393-092121) on the City of Carlsbad's past compliance/noncompliance with the currently exiting Mello II LCP Land Use Policies # 6-2, 6-4 & 6-10 Certified in the mid-1980s. The City's documents show:
 - a. For Policy 6-2 the 200-300 acre Park called out in Policy 6-2 has been reduced to Veterans Park's 91.5 acres, of which only 54% or 49.5 acres is even useable as a Park. The City provided no documents on how a 200-300 acre park called for in Policy 6-4 is now only 49.5 useable acres.
 - b. For Policy 6-4 there were no City documents were provided. There was no City Public discussion, consideration, or City compliance with Policy 6-4 since the mid-1980's.
 - c. For Policy 6-10 documents were provided that stated that 3 hotels – Flower Fields Westin, Legoland Hotel, and Timeshare Expansion were all considered Low Cost Accommodations by the Developer's Report to City. Table 3-1 below from the Draft Proposed LCP Amendment however shows these Accommodations are NOT Low-Cost Accommodations but "Upper Upscale", "Luxury", and "Upscale". Is this right? Has Policy 6-10 seems to have been circumvented in the City's Coastal Development Permit process. The Draft LCP Amendment should address an accountable approach to compliance with Policy 6-10.

Table 3-1, Carlsbad Coastal Zone Hotel Inventory

Property	Smith Travel Research Cost Scale	Rooms
Days Inn Carlsbad	Economy	45
Scandia Motel	Economy	20
Motel 6 Carlsbad East	Economy	140
Motel 6 Carlsbad South	Economy	162
Ramada Carlsbad	Midscale	121
La Quinta Inns & Suites Carlsbad Legoland Area	Midscale	110
Best Western Plus Beach View Lodge	Upper Midscale	41
Carlsbad by the Sea Resort	Upper Midscale	145
Holiday Inn Express & Suites Carlsbad Beach	Upper Midscale	120
Carlsbad Inn Beach Resort	Upper Upscale	62
Westin Carlsbad Resort & Spa	Upper Upscale	208
Sheraton Hotel Carlsbad Resort & Spa	Upper Upscale	169
West Inn & Suites @ Carlsbad	Upper Upscale	86
Cape Rey Carlsbad, a Hilton Resort	Upper Upscale	215
Legoland Castle Hotel	Upscale	250
Grand Pacific Palisades Resort	Upscale	90
Hyatt House San Diego Carlsbad	Upscale	98
Hilton Garden Inn Carlsbad Beach	Upscale	161
Ocean Palms Beach Resort	Upscale	56
Tamarack Beach Resort	Luxury	23
Legoland California Resort Hotel	Luxury	250
Beach Terrace Inn	Luxury	48
Four Seasons Residence Club Aviara	Luxury	42
Park Hyatt Aviara Resort	Luxury	327
Total Hotel Rooms		2,989
South Carlsbad State Beach Campground	Lower-Cost (per the average daily rate for "Economy" hotels)	222
Total Accommodations		3,211

Source: Smith Travel Research, October 2018

The 3 existing LCP Land Use Policies are important for Carlsbad, and California’s, Coastal land use resources. There appears little to no discussion of the City’s past apparent failure to implementation of these 3 LCP LUPs in the current City consideration of changes to the LCP.

Following is a copy of Public Records Request # R002393-092121: “Carlsbad’s Local Coastal Program (LCP) for the Mello II Segment of Carlsbad’s Coastal Zone has long established land use Policies 6-2, 6-4 & 6-10 that were adopted by Carlsbad and Certified by the CA Coastal Commission in the early/mid-1980’s. Mello II LCP Policies 6-2, 6-4 & 6-10 are shown on page 86-87 of Carlsbad’s 2016 compiled LCP and are:

- “POLICY 6-2 REGIONAL PARK: If the population of Carlsbad increases in accordance with SANDAG's projected Series V Population Forecasts, it is estimated that Carlsbad will need to develop a new regional park containing 200 to 300 acres in order to adequately serve the public. A location for a new regional park must, therefore, be established. Consideration should be given to a facility within the Aqua Hedionda Specific Plan Area, or adjacent lands. The Batiquitos Lagoon area should also be considered.

- POLICY 6-4 NEED FOR ADDITIONAL OVERNIGHT CAMPING: Additional overnight camping facilities, the main source of lower cost visitor and recreational facilities, are needed throughout the San Diego coastal region. Additional facilities of this kind should be provided in a regional park within the Carlsbad area. This can be accomplished in conjunction with an eventual Batiquitos Park, within the Aqua Hedionda Specific Plan Area, and/or along with the development of private recreational facilities.
 - POLICY 6-10 LOWER COST VISITOR-SERVING RECREATIONAL USES: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Encourage a range of affordability for overnight visitor accommodations. Evaluate the affordability of any new or redeveloped overnight visitor accommodations, including amenities that reduce the cost of stay. Mitigation may be applied to protect and encourage affordable overnight accommodations”
2. The public record request is to see documents of:
 - a. City Staff reports, presentations and communications to the Carlsbad Planning and Parks Commissions, and City Council regarding the City’s consideration and implementation of these 3 specific (6-2, 6-4, and 6-10) Mello II LCP land use policies; and
 - b. Carlsbad Planning and Parks Commissions, and City Council minutes, resolutions and ordinances documenting City of Carlsbad consideration and implementation of these 3 specific (6-2, 6-4, and 6-10) Mello II LCP land use policies.”
 3. P. 3-3 cites CA Coastal Act (CCA) Polices. But the City’s proposed Local Coastal Program (LCP) Land Use Plan (LUP) in the Ponto Area, particularly for Planning Area F, appears inconsistent with these CCA policies:
 - a. Section 30213 – protect, encourage and provide Lower-Cost Visitor & Recreation Facilities.
 - b. Section 30221 – Visitor serving & Recreation uses have priority over Residential & General Commercial uses.
 - c. Section 30223 – Upland areas reserved to support Coastal Recreation uses
 - d. Section 30252(6) – correlate development with Local Park acquisition & on-site recreation
 4. Planning Area F used to be designated “Visitor Serving Commercial” as part of the original 1980’s LUP and LCP Samis Master Plan for Ponto. In the 1996 this LUP was changed to the now current LCP and LUP designation of “Non-Residential Reserve” with a specific LCP requirement to reconsider a high-priority recreation or visitor serving Coastal land use while other Ponto land uses were changed to low-priority residential uses (see Poinsettia Shores Master Plan/LCP). It seems appropriated that the LUP should re-designated Planning Area F back to a Visitor Serving Commercial and Open Space (“i.e. Public Park” in the existing LCP) to provide high-priority coastal uses v. low-priority residential/general commercial uses: in part for the following reasons:
 - a. Planning Area F’s existing LCP requirement requires this consideration, but the City has never disclosed this requirement to Citizens nor followed this requirement during the Cities two prior ‘planning efforts’ in 2010 and 2015 as documented by official Carlsbad Public Records Requests 2017-260, 261, 262.
 - b. Ponto developers (both Samis and Kaisza) were both allowed to overdevelop Ponto, by not providing the minimum Open Space required by Carlsbad’s and Citizen approved Growth Management Open Space Standard. Over 30-acres of land that should have been dedicated to Growth Management Open Space (a high-priority land use) was instead allowed to be developed with low-priority residential development. If the City’s Growth Management Open Space Standard was properly applied at Ponto there would be 30-acres more open space at Ponto then there is now. This is a significant impact to CCA policies that can be corrected by changes in the Ponto LUP to properly implement City Open Space Standards and CCA policies.

- c. The LCPA acknowledges that past (2005-17) and near-term (2019-23) growth in Carlsbad visitor demand for coastal recreation and accommodations, and indicate high past hotel occupancy rates that implies current hotel supply is just meeting current demand. Although the LCPA does not discuss the high occupancy rates at the Low-Cost Accommodation campground facilities, It is assumed the campground occupancy rate (understood to be around 80% or more) and demand is higher than that of hotels. This should be documented/defined. Based on current and near term demand for visitor accommodations the LCPA states on page 3-12 "... the City should identify and designate land where new hotels and other visitor-serving uses can be developed." It is clear where the 'City should identify and designate [this] land'? What new land(s) should be so identified and designated? However, the LCPA does not disclose longer-term visitor accommodation needs beyond 2023, nor provide a long-term plan for meeting this long-term need. The LCPA should publicly disclose, analyze and provide for the longer-term "Coastal Zone Buildout needs" (beyond present and well beyond 2023) for visitor Coastal accommodations, particularly Low-Cost Accommodations and Recreation needs because the LCPA's LUP is a long-term plan for Carlsbad's buildout estimated to extend beyond 2035. Also, given the fact that there are very few vacant Coastal sites (like Ponto) that are still available to address these long-term high priority Coastal land uses – recreation and visitor serving – reserving these vacant lands for high priority coastal land uses is consistent with many CCA Polices. Following are some longer-term projections of resident demand for Coastal park and recreation needs. It seems logical that long-term visitor demand will increase at a similar rate as the general population increase rate, unless our coast becomes too overcrowded and unattractive vis-à-vis other visitor destinations. A long-term visitor demand (to go with the below long-term resident demand long-term Sea Level Rise impacts) for Coastal recreation resources should be a part of the proposed LCPA and part of the long-term LUP to provide resources for those long-term needs and to mitigate for those long-term Sea Level Rise impacts.

Increasing demand for Coastal recreational land

San Diego County Population

1980	1,861,846
1990	2,498,016
2000	2,813,833
2010	3,095,313
2020	3,535,000 = 46,500 people per mile of coast
2030	3,870,000
2040	4,163,688
2050	4,384,867 = 57,700 people per mile of coast

2010 - 2050 % Change = 42% increase in population

SANDAG Preliminary 2050 Regional Growth Forecast

Increasing demand for Coastal recreational land

Yearly Visitors to San Diego County

2016	34,900,000
2017	34,900,000
2018	35,300,000
2019	35,900,000
2020	36,500,000 = average 100,000 visitors per day
2021	37,100,000 or 2.83% of Population per day
2022	37,700,000 or 1,316 Visitors/coastal mile/day

Typically around 1.6% annual increase in visitors

San Diego Tourism Authority, San Diego Travel Forecast, December 2017

d. City in the LCPA inaccurately analyzes and misrepresents how much Visitor Serving Accommodations, particularly Low-Cost Accommodations, Carlsbad currently provides on a relative or comparative basis. The LCPA’s inaccurate and simplistic analysis does not adjust for the different sizes of the Coastal Zone in the 3 cities (Carlsbad, Oceanside and Encinitas) used in the analysis. Carlsbad’s Coastal Zone is significantly larger than both the other cities, so it has more land and accommodations, just like San Diego’s Coastal Zone is larger than Carlsbad’s and San Diego is larger than its smaller adjacent neighbors Del Mar and National City. A simplistic how many accommodations are in your adjacent cities is an inappropriate analytical method for Carlsbad-Oceanside-Encinitas; just as it is inappropriate to compare the number of San Diego’s hotels with the number hotels in San Diego’s smaller neighbors Del Mar and National City. The accurate method to do a comparative analysis is based on a common denominator, such as the amount of accommodations per 1,000 acres of Coastal Zone land along with comparing each city’s relative percentages. This is a more accurate and appropriate analysis that the LCPA should provide, and not that provided on page 3-13. The LCPA analysis also does not fully discuss and compare “Low-Cost” accommodations that are part of the CCA policies; nor provide a mitigation approach for “Low-Cost” accommodations lost, just ‘Economy hotel rooms’. Below is data from the LCPA and other LCPs that shows the proper and more accurate comparison of existing Visitor Serving Accommodations in Carlsbad-Oceanside-Encinitas and includes Low-Cost Accommodation numbers/comparisons that are totally missing in the LCPA analysis. As the data shows, Carlsbad does not perform as well in Visitor Accommodations, and most particularly in “Low-Cost Visitor Accommodations”, as the LCPA states and proposes in the LUP relative to Oceanside and Encinitas. An honest analysis like below should be provided in the LCPA LUP, particularly given the very limited amount of vacant Coastal land left to provide for high-priority Coastal Uses. Ponto is one of the last remaining vacant Coastal areas.

Carlsbad's proposed 2019 LCPA uses comparative 3-city data to address how Carlsbad's 2019 LCPA addresses Visitor Serving Accommodation needs. “Low-Cost” Accommodations are an important CA Coastal Act issue

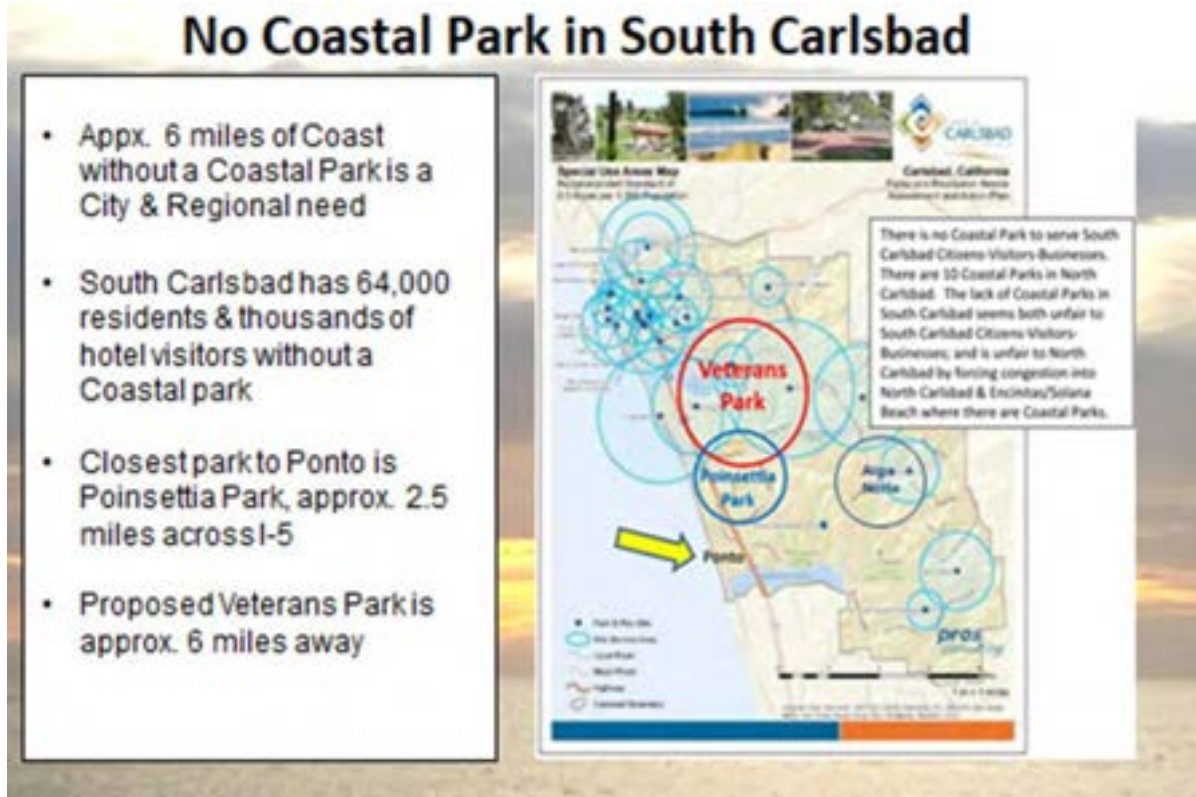
<u>Visitor Serving Accommodations (VSA) data</u>	<u>Carlsbad</u>	<u>Oceanside</u>	<u>Encinitas</u>	<u>Data source</u>	
Coastal Acres (i.e. in Coastal Zone)	9,216	1,460	7,845	Carlsbad Draft LCPA 2019 & Oceanside & Encinitas LCPs	
VSA rooms: total	3,211	975	634	Carlsbad Draft LCPA 2019, pp 3-12 - 15	
VSA rooms: Economy	589	346	346	Carlsbad Draft LCPA 2019, pp 3-12 - 15	
VSA rooms: Low-Cost (campsites)	220	413	171	Carlsbad Draft LCPA 2019, State Parks, Oceanside Harbor, Paradise-by-the-Sea and Oceanside RV Park data. Carlsbad Draft LCPA 2019 does not evaluate other City’s Low-Cost Accommodations	
<u>Data analysis</u>	<u>Carlsbad</u>	<u>Oceanside</u>	<u>Encinitas</u>	<u>3-city Average</u>	<u>Key Findings</u>

VSA rooms/1,000 Coastal acres	348	668	81	366	Carlsbad provides overall Visitor Accommodations at slightly below the 3-city average
% of VSA rooms that are Economy	18%	35%	55%	36%	Carlsbad provides a percentage of Economy Accommodations about 50% below the 3-city average
Economy VSA rooms/1,000 Coastal acres	64	237	44	115	Carlsbad provides Economy Accommodations about 50% below the 3-city average
% VSA rooms that are Low-Cost	7%	42%	27%	25%	Carlsbad provides a percentage of Low-Cost Accommodations about 72% below the 3-city average Carlsbad LCPA also does not provide protection for loss of "Low-Cost" campground rooms, only "Economy hotel rooms"
Low-Cost VSA rooms/1,000 Coastal acres	24	283	22	110	Carlsbad provides Low-Cost Accommodations about 78% below the 3-city average

e. The LCPA is not providing for any new "Low Cost Visitor Accommodation" land uses in the proposed LUP for current/long-range needs, even though page 3-12 points out the current demand for accommodations, and the current Existing LCP has polices to increase "Low Cost Visitor Accommodation" land uses. We understand that "Low-cost Visitor Accommodation" occupancy rates at CA State Campground at Carlsbad are near 90%. This occupancy rate is much higher [signifying higher demand] than the occupancy rates of both the hotels, and "Economy Visitor Accommodations" which the LCPA seeks to protect. The Proposed LCPA LUP should provide historic and current "Low-cost Visitor Accommodation" occupancy rate data at CA State Campground at Carlsbad and compare to occupancy demand for other accommodations to determine the highest occupancy demands and therefore needs. Why is the Proposed LCPA LUP not protecting AND EXPANDING (for future CA & Carlsbad population growth and visitor demand growth) the supply of this higher demand for "Low-cost Visitor Accommodations" at the State Campground? Why is the Proposed LCPA LUP protecting and expanding this high-priority Coastal Land Use particularly given the Current Existing Carlsbad LCP policies on this issue, long history of this issue documented in the Current Existing Carlsbad LCP Mello II Segment, and the fact that "Low-cost Visitor Accommodations" are a Statewide 'high-Coastal-priority' land use in CA Coastal Act Goals and Policies? Why is the proposed LUP not recognizing and incorporating these issues? The Current Existing Carlsbad LCP policies [see Existing Carlsbad LCP Mello II Segment polies 2.3, 4.1, 6.1, 6.4, 6.5, 6.9, 6.10, 7.5, and 7.15 for example] are not referenced and discussed in the Proposed LUP nor is a comprehensive long-term analysis of the impact of the proposed LCPA LUP's elimination of theses Current Existing Carlsbad LCP policies vis-à-vis the CA Coastal Act Goals and Policies? How and why is the City proposing changes to these Existing Carlsbad LCP policies in the Mellow II Segment, particularly given the improved knowledge about Sea Level Rise, and Sea Level Rise and Coastal Bluff erosion

impacts on the State Campground's "Low-cost Visitor Accommodations" - High-Coastal-Priority land use under the CA Coastal Act?

- f. At Ponto there is no low-cost/no-cost Recreational use as shown by the City of Carlsbad's adopted Parks Master Plan (pp 87-89) that show the City's adopted Park Service Areas in the following image. The image's blue dots are park locations and blue circle(s) show the City's adopted service areas:



Per the current Existing LCP requirements for Planning Area F at Ponto "Coastal Recreation (i.e. Public Park)" must be considered. How is the Proposed LCPA LUP not reserving Upland Areas at Ponto for recreational uses given Sea Level Rise and Coastal Bluff erosion impacts as shown in Proposed LCPA LUP Attachment B, and Exhibits B6 and B7? There is very limited amount of vacant Upland Coastal land at Ponto and South Coastal Carlsbad to accommodate low-cost/no-cost Recreational use "(i.e. Public Park)", so why is this last remaining vacant Coastal land at Ponto not being reserved for "high-Coastal Priority Land Uses"? Why is the Proposed LCPA LUP proposing this last remaining vacant Coastal land at Ponto be converted from "Non-residential Reserve" to 'low-coastal-priority residential and general commercial land uses'?

5. The proposed LCPA approach to protect existing 'economy hotels' but not 'Low-cost Visitor Accommodations' appears inappropriate. Existing hotel owners providing 'Economy' rooms are penalized while all other more expensive 'non-economy hotel' owners are not required to mitigate for their not providing more affordable accommodations. It seems like a fairer and rational approach is to use the same framework as the City's inclusionary affordable housing requirements and have the requirement and burden of providing affordable accommodations required by all visitor accommodation providers, including short-term rentals of residential homes. Use of any per accommodation "in-lieu fee" should be SUFFICIENT TO FULLY MITIGATE for not providing a required affordable accommodation by being sufficient to fully fund a new 'affordable accommodation' on a one-for one basis. City Transit Occupancy Tax revenues could also potentially be used to provide a catch-up method for existing

“non-low-cost and/or non-economy accommodation providers” to address what would nominally be their inclusionary contribution. It seems like the LCPA approach needs significant rethinking to provide a fair and rational program to include reasonable long-term and sustainable affordability in visitor accommodation’s, particularly give the Sea Level Rise and Coastal Bluff Erosion impacts on Carlsbad’s Only “Low-cost Visitor Accommodations” and the State Campground and beaches and Carlsbad’s Coastal access roadways.

6. The Proposed LCPA LUP does not provide a means for citizens to understand the proposed changes to the current Existing LCP goals and policies. There are numerous current Existing LCP LUP goals and policies regarding “Low-cost Visitor Accommodations”. All these should be listed in the Proposed LCPA LUP along with a description on how and why these current Existing LCP Goals and policies are being modified or removed in the Proposed LCPA LUP.
7. Carlsbad has only a Finite amount of vacant Coastal land to provide for an Infinite amount of future Carlsbad/CA residents and visitors to Carlsbad’s Coastal Zone. How these Finite Coastal Land resources are used to supply high-priority Coastal Recreation and Low-cost Visitor Accommodation land uses to address the Infinite demand from future population and visitor growth will be critical in determining the desirability and sustainability of our Carlsbad and CA Coastal Resources. Expanding Coastal Open Space Land use to accommodate the growing population/visitor demand for Coastal Open Space is a critical City and CA policy issue.
8. Carlsbad’s 2015 General Plan Update (2015 GPU) could not consider data in the December 2017 Sea Level Rise Vulnerability Assessment (2017 SLRVA). The Citizens of Carlsbad, City of Carlsbad and the CA Coastal Commission did not have the ability to know about and consider the projected significant loss of ‘high-priority’ Coastal Open Space Land Use at Ponto and South Carlsbad. The projected loss of these Coastal Open Space Land Uses at Ponto – beach and State Campground – will within the ‘lifetime of Carlsbad’s LCP and General Plan’, basically eliminate all of Carlsbad’s existing and planned Low-cost Visitor Accommodations and the only public Coastal Recreation land in Ponto and South Carlsbad. Please see the attached Public Comments data file for Carlsbad’s Proposed Draft LCPA-LUPA and all things Ponto regarding Sea Level Rise titled: “Sea Level Rise and Carlsbad’s DLCP-LUPA’s projected/planned Loss of Open Space at Ponto” that summarizes the projected/planned loss of almost all the high-priority Coastal Open Space at Ponto due to sea level rise. This data should be considered with both the public comments on Low-cost Visitor Accommodations and Coastal Recreation in submitted earlier.
9. A Coastal Park provides the lowest-cost (i.e. no-cost) visitor access to the Coast. Although Coastal Parks do not provide over-night sleeping access, they do provide no-cost Coastal Recreation day-use.

Updated Pubic Comments Coastal Recreation submitted on Oct 12th 2021:

On 10/8/21 the Carlsbad City Council and CA Coastal Commission were emailed data from an Official Carlsbad Public Records Request (# R002393-092121) on the City of Carlsbad's past compliance/noncompliance with the currently exiting Mello II LCP Land Use Policies # 6-2, 6-4 & 6-10 Certified in the mid-1980s. The City's documents show:

- For Policy 6-2 the 200-300 acre Park called out in Policy 6-2 has been reduced to Veterans Park's 91.5 acres, of which only 54% or 49.5 acres is even useable as a Park. The City provided no documents on how a 200-300 acre park called for in Policy 6-4 is now only 49.5 useable acres.
- For Policy 6-4 there were no City documents were provided. There was no City Public discussion, consideration, or City compliance with Policy 6-4 since the mid-1980's.
- For Policy 6-10 concerns providing Low Cost Visitor Accommodations. Public Parks are the lowest cost (free) Visitor accommodating land use there is.

The 3 existing LCP Land Use Policies are important for Carlsbad, and California's, Coastal land use resources. There appears little to no discussion of the City's past apparent failure to implementation of these 3 LCP LUPs in the current City consideration of changes to the LCP.

Following is a copy of Public Records Request # R002393-092121: "Carlsbad's Local Coastal Program (LCP) for the Mello II Segment of Carlsbad's Coastal Zone has long established land use Policies 6-2, 6-4 & 6-10 that were adopted by Carlsbad and Certified by the CA Coastal Commission in the early/mid-1980's. Mello II LCP Policies 6-2, 6-4 & 6-10 are shown on page 86-87 of Carlsbad's 2016 compiled LCP and are:

- "POLICY 6-2 REGIONAL PARK: If the population of Carlsbad increases in accordance with SANDAG's projected Series V Population Forecasts, it is estimated that Carlsbad will need to develop a new regional park containing 200 to 300 acres in order to adequately serve the public. A location for a new regional park must, therefore, be established. Consideration should be given to a facility within the Aqua Hedionda Specific Plan Area, or adjacent lands. The Batiquitos Lagoon area should also be considered.
- POLICY 6-4 NEED FOR ADDITIONAL OVERNIGHT CAMPING: Additional overnight camping facilities, the main source of lower cost visitor and recreational facilities, are needed throughout the San Diego coastal region. Additional facilities of this kind should be provided in a regional park within the Carlsbad area. This can be accomplished in conjunction with an eventual Batiquitos Park, within the Aqua Hedionda Specific Plan Area, and/or along with the development of private recreational facilities.
- POLICY 6-10 LOWER COST VISITOR-SERVING RECREATIONAL USES: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Encourage a range of affordability for overnight visitor accommodations. Evaluate the affordability of any new or redeveloped overnight visitor accommodations, including amenities that reduce the cost of stay. Mitigation may be applied to protect and encourage affordable overnight accommodations"

The public record request is to see documents of:

- City Staff reports, presentations and communications to the Carlsbad Planning and Parks Commissions, and City Council regarding the City’s consideration and implementation of these 3 specific (6-2, 6-4, and 6-10) Mello II LCP land use policies; and
- Carlsbad Planning and Parks Commissions, and City Council minutes, resolutions and ordinances documenting City of Carlsbad consideration and implementation of these 3 specific (6-2, 6-4, and 6-10) Mello II LCP land use policies.”

Updated Pubic Comments on Coastal Recreation submitted on January 2021:

Over 11-months ago in a 1/29/20 1:56PM email People for Ponto Carlsbad citizens first provided the City of Carlsbad both data and comments on **14 critical Coastal Recreation issues (see pages 5-30 below)**. The data and the 14 critical issues do not seem to be receiving appropriate disclosure/presentation/discussion/consideration in the Dec 2, 2020 Staff Report to the Planning Commission. To assure the 26-pages of citizen data and requests in the 1/29/20 email was received by the Planning Commission the file was re-emailed on 12/22/20 12:24pm and specifically addressed to City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD. As citizens we request each of these 14 data points (with supporting data) be honestly considered.

In reading the Dec 2 Staff Report citizens conducted additional analysis of City Park data. That research further reinforces and documents the 14 Critical Coastal Recreation issues and highlights the relatively poor amount of City Park and Coastal Recreation planned by Carlsbad’s Staff proposed Draft LCP-LUPA. We hope the City Council and City Commissions, and CA Coastal Commission & HCD will consider this additional analysis of City data and citizen input:

<u>Coastal Zone data</u>	<u>Carlsbad</u>	<u>Oceanside</u>	<u>Encinitas</u>	<u>note or source</u>
Coastline miles	6.4	3.9	6.0	Carlsbad Draft LCPA 201, Google Maps
Coastal Zone Acres	9,219	1,460	7,845	& Oceanside & Encinitas LCPs
Coastal Zone Acres	100%	16%	85%	% relative to Carlsbad

City Park Standard data

City Park Standard	3	5	5	required park acres / 1,000 population
Park Standard %	100%	167%	167%	% is relative to Carlsbad

- Oceanside & Encinitas 'require' and plan for 67% MORE Parkland than Carlsbad
- Carlsbad 'requires' and plans for ONLY 60% as much Parkland as Oceanside & Encinitas
- Carlsbad only requires developers provide 60% of the parkland (or in-lieu fees) as Oceanside & Encinitas require
- Encinitas has a 'Goal' to provide 15 acres of Park land per 1,000 population

Developed City Park	2.47	3.65	5.5	acres / 1,000 population
Developed Park	100%	148%	223%	% is relative to Carlsbad

- Oceanside provides 48% MORE developed park land than Carlsbad
- Encinitas provide 123% MORE developed park land than Carlsbad
- Carlsbad ONLY provides 68% and 45% as much Parks as Oceanside & Encinitas respectively

National Recreation & Park Asso. Metric: a typical City provides 1 park / 2,281 pop. & 9.9 Park acres / 1,000 population

- Carlsbad (3 acre) Park Standard is ONLY 30% of what a typical City provides nationally
- Carlsbad requires developers to provide, 70% LESS Park acres than typical City provides nationally

National Recreation & Park Asso., Trust for Public Land, et. al.: 10 minute (1/2 mile) Walk to a Park Planning Goal

- Both Oceanside and Encinitas plan parks to be within a 10-minute (1/2 mile) walk to homes.
- Carlsbad DOES NOT plan Parks within walking distance to homes
- Carlsbad is NOT providing equitable and walking/biking access to Parks

Some Carlsbad Parks that are not fully useable as Parks:

<u>Existing Parks with Unusable Open Space acreage</u>	<u>total park acres</u>	<u>Unusable park acres</u>	<u>% of park unusable</u>	<u>reason unusable</u>
Alga Norte - SE quadrant	32.1	10.7	33%	1/3 of park is a Parking lot not a park In many other Carlsbad Parks a significant percentage of those Parks are consumed by paved parking lots and unusable as a Park.
Hidden Hills - NE quadrant	22.0	12.7	58%	city identified unusable habitat open space
La Costa Canyon SE quadrant	14.7	8.9	61%	city identified unusable habitat open space
Leo Carrillo - SE quadrant	27.4	16.5	60%	city identified unusable habitat open space
Poinsettia - SW quadrant	<u>41.2</u>	<u>11.1</u>	<u>27%</u>	city identified unusable habitat open space
Existing Park subtotal	137.4	59.9	44%	44% of these Parks are unusable as Parkland

Anticipated Future Park development projects

Park - quadrant

Veterans - NW	91.5	49.5	54%	estimated unusable habitat open space
Cannon Lake - NW	6.8	3.4	50%	estimated unusable water open space
Zone 5 Park expansion - NW	9.3	0	0	appears 100% useable as a Park
Robertson Ranch - NE	<u>11.2</u>	<u>0</u>	<u>0</u>	appears 100% useable as a Park
Future park subtotal	118.8	52.9	45%	45% of Future Parks are unusable as Parks

Unusable Open Space acres

in Existing & Future Parks 256.2 112.8 44% **112.8 acres or 44% is unusable as Parks**

- 112.8 acres or 44% of the Existing & Future Parks are unusable Open Space and can't be used as Parkland
- **Based on City's minimum 3-acres/1,000 population Park Standard, 112.8 acres of Unusable Parkland means 37,600 Carlsbad Citizens (or 32.5% of Carlsbad's current population of 112,877) will be denied the minimum amount of Parkland that they can actually use as a Park.**
- **59.9 acres of Existing unusable 'park' / 3 acre park standard x 1,000 population = 19,967 Carlsbad citizens and their children are currently being denied useable park land. 19,967 is 17.7% of Carlsbad's current population.**
- In addition to these 19,967 existing citizens and their children denied park land, the City needs to develop additional Park acreage in the NE, SW and SE quadrants to cover current shortfalls in meeting in the minimal 3 acre/1,000 population park standard for the current populations in the NE, SW and SE quadrants.
- **The current NE, SW and SE quadrants park acreage shortfalls are in addition to the 19,967 Carlsbad citizens and their children that do not have the minimum 3 acres of parkland per 1,000 population**
- **Current FY 2018-19 MINIMUM park acreage shortfalls are listed in the table below. They are:**
 - **4.3 acres for 1,433 people in NE quadrant,**
 - **6.8 acres for 2,266 people in SW quadrant, and**
 - **2.3 acres for 767 people in SE quadrant**

Shortfall (excess) in
Current Quadrant
Min. Park standard by
population Future Park

	<u>acres</u>	<u>need</u>	<u>acres</u>	<u>%</u>	<u>existing Park shortfalls are for NE, SW & SE quadrants</u>
NW quadrant	(-14.2)	(-4,733)	107.6	91%	Current NW parks are 14.2 acres over min. standard & capacity for 4,733 more people at min. park standard. 91% of all Future City Parks are in NW quadrant
NE quadrant	4.3	1,433	11.2	9%	Future Park will exceed minimum NE park standard
SW quadrant	6.8	2,266	0	0%	No min. parks for 2,266 people in SW quad. Park deficit
SE quadrant	2.3	767	0	0%	No min. parks for 767 SE quadrant Park deficit

A Park Standard minimum is just a “Minimum”. City policy allows the City to buy/create parks above the City’s current 3 acre/1,000 pop. MINIMUM (and lowest) Park Standard of surrounding Coastal cities. Carlsbad already did this in the NW quadrant. It then added 3.1 more NW quadrant Park acres as part of the Poinsettia 61 Agreement. Poinsettia 61:

- converted 3.1 acres of NW City land planned/zoned for Residential use to Open Space Park land use/zoning,
- facilitated a developer building condos (increasing park demand) in the SW quadrant,
- required the SW Quadrant developer pay \$3 million to build the 3.1 acre NW quadrant park, and
- required the SW Quadrant developer pay to convert 3.1 acres of NW Quadrant & 5.7 acres of SW Quadrant City Park land to habitat that will be unusable as a City Park.

So Poinsettia 61 increased SW Quadrant development (that both increased SW Park Demand and expanded the current SW Quadrant Park deficit) while simultaneously using SW Quadrant development to pay for the conversion of 3.1 acres of residential land in the NW Quadrant to City Park (the NW Quadrant already has surplus park land per the City’s minimum standard).

People for Ponto strongly supports creating City Parks above the City’s current low 3-acre per 1,000 population minimum, as the City’s minimum standard is relatively low and substandard relative to other cities; many Carlsbad parks have significant acreage that is in fact ‘unusable’ as a park. Most importantly People for Ponto Citizens think it is very important to prioritize providing City Parks in areas of Park Inequity that are unserved by City Parks. However it seems very unfair to the SW Quadrant citizens to be so unserved and starved of the bare minimum of City Parks while at the same time funding City Parks in excess of City standard in other Quadrants.

The Poinsettia 61 illustrates a larger unfair (and dysfunctional) distribution of Quadrant based City Park demand and supply that is keenly evident in the demands/supply funding and location disparity of Veterans Park. Most all the development impact and park demand that paid Veterans Park fees came from the SW, SE and NE Quadrants yet the Veterans Park (supply) is not in those SW, SE and NE Quadrants. This inequity is counter to the implicit City requirement that City Parks be provided within the Quadrant of their Park demand. It is logical and proper that City Parks be provided and equitably distributed to be close to the development and population that generated the Park demand.

The City Park inequity at Ponto and in other Coastal areas of the City is counter to several CA Coastal Act policies; counter to good city planning and good CA Coastal planning. Park Inequity is highly detrimental to the City, and City and CA citizens in the long-term; fails to properly distribute and match the location supply with the location of demand for Parks; and is counter to basic fundamental issues of fairness. Since 2017 People for Ponto has tried to get the City Council and Staff to address this inequity, specifically at Ponto, and to do so in a way that embraces a true and honest Citizen-based planning process.

Coastal Recreation:

2. Request that the City as part of its Draft LCP Public Review process broadly-publicly disclose to all Carlsbad Citizens the City's acknowledged prior LCPA processing and planning "mistakes" regarding the requirement that the Ponto area be considered as a public park: This disclosure is needed to correct about 20 years of City misrepresentation to the public on the since 1996 and currently Existing LCP requirements at Ponto, and the City's prior planning mistakes at Ponto. Citizens have been falsely told by the City that all the Coastal planning at Ponto was done already and that the City followed its Existing LCP regarding the need for a park at Ponto, and that this is already decided and could not be reversed. This misinformation has fundamentally stifled public review and public participation regarding the Coastal Zone. City failure to provide such a broad-public disclosure on the documented prior, and apparently current proposed, "planning mistakes" would appear to violate the principles of Ca Coastal Act Section 30006. A broad-public disclosure would for the first time allow citizens to be accurately informed on the Existing LCP requirements at Ponto so they can provide informed public review and comment regarding the need for a Coastal Park in in this last vacant 'unplanned' area. The requested broad-public disclosure by the City of the City past mistakes and the Existing LCP requirements at Ponto is consistent with CA Coastal Act (CCA) "Section 30006 Legislative findings and declarations; public participation - The Legislature further finds and declares that **the public has a right to fully participate in decisions affecting coastal planning**, conservation and development; that achievement of **sound coastal conservation and development is dependent upon public understanding and support**; and that the continuing planning and implementation of **programs for coastal conservation and development should include the widest opportunity for public participation.**" The public cannot participate as outlined in CCA Section 30006 if past City 'mistakes' and misrepresentations on Coastal planning at Ponto go undisclosed to the public. If the public isn't fully informed about the 20-years of LCP planning mistakes at Ponto how could the public in the past (and now in the present) participate in the proposed LCP Amendment – **Public Participation as noted in Section 30006 above is the means to sound coastal conservation and development and is "... dependent upon public understanding ..."**. The City's past mistakes at Ponto need to be corrected by slightly different a Draft LCP Amendment process than currently outlined by the City; a new process is needed that clearly, opening and honestly informs and engages the public on the Existing LCP Ponto issues. The City's current Draft LCP Amendment process fails to follow CCA Section 30006 in that most all the citizens we encounter are as yet unaware of the City's Ponto mistakes and how they can participate in in the DLCPA process without that information. We see this daily in conversations we have with our fellow citizens. We even saw at the Oct 20, 2019 Carlsbad Planning Commission meeting that the Planning Commission was unaware of the planning mistakes at Ponto. How can a decision body of the City make a decision without knowing about these prior 'planning mistakes' facts that surround what they are being asked to decide on? Repeatedly since 2017 Carlsbad citizens and People for Ponto have asked the City to fully acknowledge the City's prior flawed planning at Ponto, and to correct that with ether maintaining the Existing LCP Non-residential Reserve Land Use or restarting the Coastal Planning at Ponto with a true and accurately informed Community-based Coastal Planning process consistent with Section 30006.

We request the City during the DLCPA Public Review period broadly and publicly disclose to all Carlsbad Citizens the City's acknowledged prior LCP and other "planning efforts" public participation processing and planning "mistakes" regarding the requirement that the Ponto area be considered as a public park, and 1) provide a truly honest public participation process on that disclosure consistent with CCA Section 30006 as part of the Draft LCP Amendment process or 2) retain the Existing LCP Non-residential Reserve Land Use and require a comprehensive and honest community-based redo of Coastal Resource planning at Ponto.

3. City fully and publicly reply to and the City Council consider the 11-20-19 citizen concerns/requests regarding the City's proposed LCP Amendment process: Lance Schulte on 1/23/20 received an email reply by the City to his follow-up email regarding the status of the 11/20/19 citizen concerns/requests public comments and letters presented to the Planning Commission. This is appreciated, however it is request that the City fully publicly reply to the 11-20-19 citizen concerns/requests regarding the City's proposed LCP Amendment process and present the to the City Council 11/20/19 citizen concerns/requests so the City Council can consider them and provide any direction to City Staff. City Staff first presented a summary presentation of the proposed Draft LCP Amendment to the Carlsbad Planning Commission on November 20, 2019, and indicated the public comment period would close on November in less than 2-weeks. Citizens and citizen groups provided public testimony to the Planning Commission, both verbally and in two written letters. The CCC was copied on those letters. The testimony and letters noted significant concerns about the City's proposed LCP Amendment process and made three requests:
- Disclose and provide a publically accessible 'Redline Version' of the Existing 2016/Proposed LCP land use Plan and Policies so everyone can see the proposed changes to the Existing LCP.
 - Provide true Citizen Workshops on the major remaining vacant Coastal land that still have outstanding Citizen Concern or objections. Citizen Workshops, when done right, are valuable means to openly educate, discuss and work to consensus options. These areas, including Ponto, were/are subject to multiple lawsuits, so true open and honest public workshops would provide an opportunity to openly and honestly discuss the issues and hopefully build public consensus/support for solutions. This approach seems consistent with CCA Section 30006, and common sense.
 - Extend the public comment period 6-months to allow Citizen Review of the Redline Version of the LCPA and allow time for Citizen Workshops.

The City did extend the Public Review period 2-months over the holidays to January 31, 2020. This is appreciated although many think this is inadequate given the significance of the Proposed Land Use Plan Amendments, and lack of Redline Version to compare. The City and their consultants required several extra years beyond schedule prepare the proposed LCP Amendments. The extra years of City Staff work reflects on the volume of the over 500-pages in the documents and the time needed to understand the Existing LCP and then create an Amended LCP. Citizens need sufficient time, proper comparative tools (redline) and a process (workshops) to understand the proposed LCP Amendments that is reflective of extensive extra time needed by City Staff and consultants needed. Truncation of lay public review to a few months for an Amendment that took paid professionals many years to produce seems a more than a bit inappropriate. The City appears to be rejecting citizens' request to be provided a 'Redline Version' of the Existing 2016/Proposed LCP land use Plan. So public review comments will tainted or will miss many issues due having to manually cross-reference a 150-page Existing LCP LUP with a Proposed 350-page Proposed LCP LUP. There will be unknown and unconsidered changes in the Draft LCP Amendment that the public and city and CCC decision makers will not know about due to the lack of 'Redline Version'.

The City also appears to reject citizen requests for true Citizen Workshops on the major remaining vacant Coastal land that still have outstanding Citizen Concern – such as Ponto. Like Coastal Recreation issue #1 above the following citizen requests appear consistent with CA Coastal Act (CCA) Section 30006, and the City's rejection of that requests seem counter to the CA Coastal Act.

We again request of the City to provide: 1) a 'Redline Version' to the public and decision makers, along with sufficient time to review and comment on the 'Redline Version'; and 2) true Citizen Workshops for Ponto and the

other last remaining significant vacant Coastal lands in Carlsbad as part of the Draft LCP Amendment process, or as part of deferred LCP Amendment process for those areas.

4. Coastal Zoned land is precious: the very small amount of remaining vacant Coastal land should be reserved for “High-Priority” Coastal Recreation Land Uses under the CA Coastal Act to provide for the growing and forever ‘Buildout’ needs of Carlsbad and CA Citizens, and our visitors.
 - Less than 1.8% (76 square miles) of San Diego County’s 4,207 square miles is in Coastal Zone. This small area needs to provide for all the forever Coastal needs of the County, State of CA, and Visitors. Upland Coastal Recreation (Coastal Park) land use is needed to provide land to migrate the projected/planned loss of “High-Priority” Coastal Recreation land uses due to Sea Level Rise impacts. There is only 76 miles of total coastline in San Diego County; a significant amount is publicly inaccessible military/industrial land. So how the last few portions of Coastal Land within Carlsbad (which is about 8% of San Diego County’s Coastline) is planned for the forever needs for High-Coastal-Priority Recreation Land Use is critical for Carlsbad, San Diego, and California Statewide needs into the future.
 - Most all the developable Coastal land in Carlsbad is already developed with Low-Coastal-Priority residential uses. Only a very small percentage of Carlsbad’s developable Coastal land, maybe 1-2%, is still vacant. This last tiny portion of fragment of vacant developable Coastal Land should be documented in the Draft LCP and reserved for “High-Priority” Coastal Land uses – most critically Coastal Recreation – to address the growing Coastal Recreation needs from a growing population and visitors. These growing needs are all the more critical in that existing Coastal Recreation lands will be decreasing due to inundation and erosion due to DLCPA planned Sea Level Rise.
 - This image of the western half of San Diego County graphically shows (in the blue line) the very small Coastal Zone Area that needs to provide the Carlsbad’s and California’s Coastal Recreational needs for all San Diego County residents and Visitors:



We request that 1) the amount and location of remaining vacant Coastal land in Carlsbad be documented and mapped and be reserved for high-priority Coastal Land Uses consistent with CCA Goals in Section 30001.5 “... (c) ... **maximize public recreational opportunities in the coastal zone** consistent with sound resources conservation principles and constitutionally protected rights of private property owners. (d) **Assure priority for coastal-dependent and coastal-related development over other development on the coast.** ...”; 2). This data be used in the City’s analysis and the public’s review and discussion about the City’s proposed Draft ‘Buildout’ Land Use Plan. The City’s proposed Draft ‘Buildout’ Land Use Plan will forever lock in the amount “maximum public recreational opportunities in the coastal zone” and will be the final Coastal Land Use Plan that is supposed to “assure priority for coastal-dependent and coastal-related development over other development on the coast”. Most of Carlsbad’s Coastal Zone is already developed or committed to low-priority land uses contrary to these CCA Goals, so how we finally and forever plan to use of the last small remaining vacant Coastal Land is very important.

5. The proposed Draft LCP Amendment in Chapter 3 makes unfounded statements regarding the proposed Amendment to the LCP Land Use Plan provision of “High-Priority” Coastal Recreation land use: On page 3-3, at the beginning of the Chapter 3 – Recreation and Visitor Serving Uses the City correctly states that the CA Coastal Act (CCA) places a high priority on maximizing Recreation uses, and cites multiple CCA Sections to that effect. The City’s proposed Coastal Land Use Plan then states on page 3-5 that a high proportion of land in the City is dedicated open

space available for passive and active use, yet provides no justification or accurate metric to support this statement. This is a critical unsubstantiated and speculative statement that is not supported by any comparative data (justifying the “high proportion” statement). The City later in Chapter 3 compared the adjoining cities of Oceanside and Encinitas to try to show how the proposed Draft LCP LUP Amendment provides higher levels of Visitor Serving Accommodations. That ‘non-common denominator’ comparison was fundamentally flawed, as noted in a prior separate Draft LCPA public review comment from People for Ponto regarding another high-priority Coastal land use (visitor accommodations) planned for in Chapter 3, but at least it was an attempt to compare. However, for the Coastal Recreation portion of Chapter 3, the City does not even attempt to provide any comparative data to support (or justify) the proposed Coastal Recreation Land Use Plan and statements. The Coastal Recreation Chapter also fails to disclose Carlsbad’s adopted City Park Master Plan (Park Service Area and Equity map) data that shows a clear conflict between the CA Coastal Act Policy Sections noted at the beginning of Chapter 3 and Chapter 3’s proposed Draft Coastal Recreation Land Use Plan.

Comparative Coastal Recreation: Comparing the Land Use Plan and policies of Oceanside, Carlsbad and Encinitas, one finds Carlsbad’s proposed Coastal Recreational Plan and Policies are not “high”, but very low compared with Oceanside and Encinitas. Carlsbad has a General Plan Park Standard of 3 acres of City Park per 1,000 Population. Oceanside has a 5 acres of City Park Standard per 1,000 population, and Encinitas has a 15 acres per 1,000 population standard, and an in-lieu park fee requirement of 5 acres per 1,000 population. Carlsbad’s proposed Coastal Recreation Land Use Plan is in fact not ‘high’ but is in fact the lowest of the three cities, with Carlsbad providing only 40% of Oceanside’s park standard, and only 20% of Encinitas’s Park Standard. Citywide Carlsbad currently has 2.47 acres of developed park per 1,000 population, Oceanside currently has 3.6 acres of developed park per 1,000 population, and Encinitas currently has 5.5 acres of developed park per 1,000 population. Although this data is citywide, it shows Carlsbad’s current amount of developed parkland is less than 70% of what Oceanside currently provides, and less than 45% of what Encinitas currently provides. Carlsbad is not currently providing, nor proposing a Coastal Land Use Plan to provide, a ‘high’ proportion of Coastal Recreation Land Use compared to Oceanside and Encinitas.

On page 3-5 Carlsbad may be misrepresenting city open space that is needed and used for the preservation of federally endangered species habitats and lagoon water bodies. This open space Land cannot be Used for Coastal Recreation purposes; and in fact Land Use regulations prohibit public access and Recreational Use on these Lands and water bodies to protect those endangered land and water habitats. 78% of Carlsbad’s open space is “open space for the preservation of natural resources” and cannot be used for Coastal Parks and Recreational use. Although “open space for the preservation of natural resources” does provide scenic or visual amenity, and this amenity is addressed as a different coastal resource. Visual open space is not Coastal Recreation Land Use. It appears Carlsbad is proposing in the Draft LCP Amendment to continue to, providing a ‘low’ percentage of Coastal Park Land Use and Coastal Recreation Land Use compared to adjoining cities.

In addition to the comparatively low amount of Coastal Park land Carlsbad plans for, Carlsbad scores very poorly regarding the equitable and fair distribution and accessibility of Coastal Parks and Coastal Recreation Land Uses. Both the City of Oceanside and Encinitas have very robust and detailed Park and Land Use plans to promote an equitable distribution of, and good non-vehicular accessibility, to their Coastal Parks. By comparison, Carlsbad’s park land use plan scores poorly, as exemplified in Ponto and South Carlsbad. Ponto’s existing population requires about 6.6 acres of City Parkland per Carlsbad’s low 3 acres per 1,000 population standard. Yet the nearest City Park is several miles away and takes over 50 minutes to walk along major arterial roadways and across Interstate 5 to access. As such this nearest park is not an accessible park for Ponto children, and thus Ponto children have to play in

however it more accurately illustrated in the following data/image from the adopted Carlsbad Park Master Plan's "Service Area Maps (Equity Maps)". The image below titled 'No Coastal Park in South Carlsbad' shows Carlsbad's adopted "Park Service Area Maps (Equity Maps)" from the City's Park Master Plan that says it maps "the population being served by that park type/facility." The added text to the image is data regarding park inequity and disparity in South Carlsbad. The image compiles Carlsbad's adopted Park "Park Service Area Maps (Equity Maps)" for Community Parks and Special Use Area Parks that are the City's two park acreage types produced by the City's comparatively low standard of 3 acre of City Park per 1,000 population. The City's Park Service Area Maps (Equity Maps) shows areas and populations served by parks within the blue and red circles. City data clearly shows large areas of overlapping Park Service (areas/populations served by multiple parks) in North Carlsbad and also shows large areas in South Carlsbad with No Park Service (areas/populations unserved by any parks) and Park Inequity in South Carlsbad. It clearly shows the City's Documented Park Need and Park inequity at Ponto. The Existing LCP LUP for Ponto's Planning Area F in is required to "consider" and "document" the need for a "Public Park". The City's adopted Park Service Area Maps (Equity Maps) clearly shows the inequity of Coastal City Park between North and South Carlsbad, and the need for Coastal Parks in South Carlsbad – particularly at Ponto. The City's proposed Draft 'Buildout' Coastal Recreation Land Use Plan instead proposes to lock-in documented City Public Coastal Park inequity and unserved Coastal Park demand at Ponto and South Carlsbad forever. It does so by proposing the last vacant undeveloped/unplanned Coastal land – Ponto Planning Area F - in the unserved Ponto and South Carlsbad coastline areas instead of being planned for much needed City Park and Coastal Recreation use be converted to even more low-priority residential and general commercial land uses. These 'low-priority' residential uses, by the way, further increase City Park and Coastal Recreation demand and inequity in Coastal South Carlsbad. This is wrong, and a proposed 'forever-buildout' wrong at the most basic and fundamental levels. The proposed Draft Coastal Recreation Land Use Plan by NOT providing documented needed City parks for vast areas of Coastal South Carlsbad is inconsistent with the CA Coastal Act policies and Existing LCP LUP requirements for Ponto Planning Area F; and also inconsistent with fair/equitable/commonsense land use and park planning principles, inconsistent with CA Coastal Commission social justice goals, inconsistent with social equity, inconsistent with VMT reduction requirements, and inconsistent with common fairness. A different Coastal Recreation Land Use Plan should be provided that provides for a socially equitable distribution of Coastal Park resources so as to would allow children, the elderly and those without cars to access Coastal Parks. The proposed Draft 'Buildout' Coastal Recreation Land Use Plan forever locking in the unfair distribution of City Parks appears a violation of the not only CCA Sections 30213, 30222, 30223, and 30252(6) but also the fundamental values and principles of the CA Coastal Act. The Draft also appears a violation of Carlsbad's Community Vision.

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away



A different Coastal Recreation Land Use Plan is required to provide a more equitable distribution of City Parks with non-vehicular accessibility. Such a different plan would advance State and City requirements to reduce vehicle Miles Traveled (VMT) and greenhouse gas emissions that contribute to climate change and sea level rise impacts. Please note that the data for the above basic comparison comes from City of Carlsbad, Oceanside and Encinitas General Plan and Park Master Plan documents.

Data shows the proposed Coastal Recreation Plan conflicts with the CA Coastal Act policy Sections. As mentioned page 3-3 correctly states that the CA Coastal Act (CCA) places a high priority on maximizing Recreation Land Uses, and pages 3-5 list multiple CA Coastal Act (CCA) policy Sections that confirm this. However, given the significant statewide importance of Coastal Recreation Land Use, the City proposed 'Buildout' Coastal Recreation Land Use Plan does not appear to adequately address and implement these CCA Policies, and most noticeably in the Ponto area of South Carlsbad. Coastal Recreation is a significant Statewide High-Priority Land Use under the CCA. For a substantially developed non-coastal-industry city like Carlsbad Coastal Recreation is likely the biggest land use issue. This issue is even more elevated due to the fact that there are only a few small areas left of undeveloped Coastal land on which to provide Coastal Recreation, and Carlsbad is proposing a Coastal 'Buildout' Land Use Plan on those areas. The use of the last few remaining vacant portions of Coastal land for Coastal Recreation Land Use is the most important land use consideration in the proposed Draft LCP Land Use Plan Amendment as population and visitor growth will increase demands for Coastal Recreation. It is thus very surprising, and disturbing that the proposed Coastal Recreation Land Use Plan is so short, lacks any comparative and demand projection data, lacks any resource demand/distribution and social equity data, and lacks any rational and clear connection with CCA Policy and the proposed 'Buildout' Coastal Land Use plan. This is all the more troubling given that:

- The Ponto area represents the last significant vacant undeveloped/unplanned land near the coast in South Carlsbad that can provide a meaningful Coastal Park.
- The fact that the City's Existing LCP requires the city consider and document the need for a "i.e. Public Park" on Ponto's Planning Area F prior to the City proposing a change of Planning Area F's "Non-residential

Reserve” land use designation. The City has repeatedly failed to comply with this LCP LUP requirement, and worse has repeatedly failed to honestly inform citizens of this LCP LUP requirement at planning Area F before it granted any land use. The City, apparently implementing speculative developer wishes, has repeatedly proposed changing Planning Area F’s Coastal Land Use designation to “low-priority” residential and general commercial land uses without publically disclosing and following the Existing LCP LUP.

- The City’s currently developed parks in the southern portion of the City do not meet the city’s comparatively low public park standard of only 3 acres per 1,000 population. Since 2012 there has been City park acreage shortfall in both SW and SE Carlsbad.
- The Existing population of Ponto (west of I-5 and south of Poinsettia Lane) requires about 6.6 acres of Public Park based on the City’s comparatively low public park standard of 3 acres per 1,000 population. There is no Public Park in Ponto. Adding more population at Ponto will increase this current park demand/supply disparity.
- Carlsbad and other citizens have since 2017 expressed to the City the strong need for a Coastal Park at Ponto, and requested the City to provide a true citizen-based planning process to consider the Public Park need at Ponto. The Citizens’ requested process is fully in-line with CCA Goals, Public Participation Policy, Land Use Policies, and the Existing LCP Land Use Plan/requirements for Planning Area F and is the most appropriate means to consider and document the need for a Public Park at Ponto as required by the Existing LCP Land Use Plan.
- Planning Area F is for sale, and a non-profit citizens group has made an offer to purchase Planning Area F for a much needed Coastal Park for both Ponto and inland South Carlsbad residents and visitors. How should these facts be considered by the City and CCC?
- Carlsbad has no Coastal Parks west of I-5 and the railroad corridor for the entire southern half of Carlsbad’s 7-mile coastline.
- The southern half of Carlsbad’s coastline is 5.7% of the entire San Diego County coastline and represents a significant portion of regional coastline without a meaningful Coastal Park west of I-5 and the Railroad corridor.
- The City’s proposed Coastal Recreation Land Use Plan provides No Documentation, No Rational, and No Supporting or Comparative Data to show the proposed Coastal Recreation Land Use Plan in fact complies with the CA Coastal Act.

6. There is no Coastal Recreation/Park west of interstate 5 for all South Carlsbad, or half of the entire City. This is an obviously unfair and inequitable distribution of Coastal Recreation/Park resources that should be corrected by changes to the Draft LCP Land Use Amendment: The following image (which was sent to the City and CCC on several prior communications) was first requested by former Carlsbad Councilman Michael Schumacher during a People for Ponto presentation/request at the Oct 23, 2018 City Council meeting. The data compiled in the image shows how the South Coastal Carlsbad (Ponto) is not served by a Park per the City’s adopted Parks Master Plan. The blue dots on the map are park locations and blue circle(s) show the City’s Park Master Plan adopted Park Service Areas and Park Equity. This data, from pages 87-88 of the City of Carlsbad Parks Master Plan, shows all City Parks (both Community Parks and Special Use Areas in Coastal Carlsbad (except Aviara Park east of Poinsettia Park and west of Alga Norte Park). The text on the left margin identifies the South Carlsbad Coastal Park (west of I-5) gap along with the number of South Carlsbad Citizens (over half the City’s population) without a Coastal Park. The left margin also identifies more local issues for the over 2,000 Ponto area adults and children. For Ponto residents the nearest Public Park and City proposed ‘solution’ to the South Carlsbad and Ponto Public Park deficit are miles away over high-speed/traffic roadways and thus somewhat hazardous to access and effectively unusable by children/the elderly or

those without cars. Having been a 20-year resident of Ponto I regularly see our children have to play in the street as there are no Public Park with large open fields to play at within a safe and under 1-hour walk away. Ponto citizens have submitted public comments regarding this condition and the lack of a Park at Ponto

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

Special Use Area Map
Approved by the Board of
South Carlsbad City Council

Carlsbad, California
Parks and Recreation
Department's jurisdiction

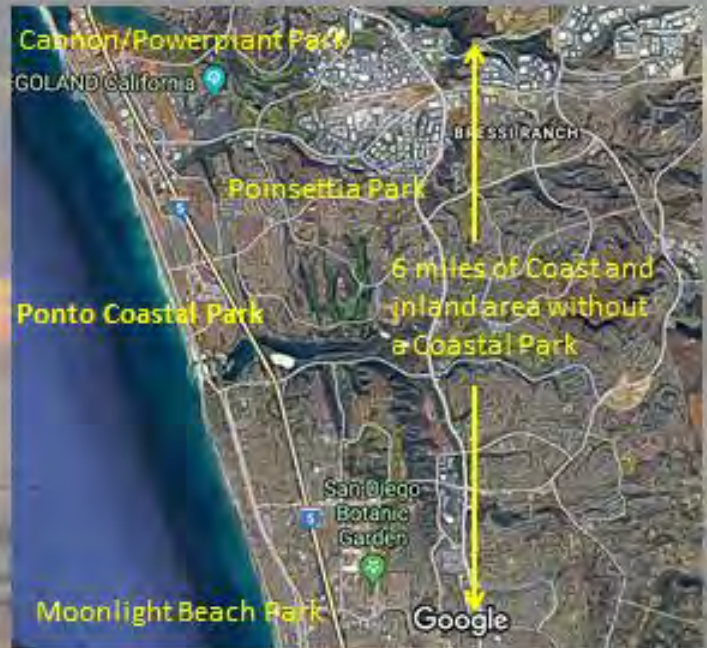
There is no Coastal Park to serve South Carlsbad Citizens-Visitors-Businesses. There are 10 Coastal Parks in North Carlsbad. The lack of Coastal Parks in South Carlsbad seems both unfair to South Carlsbad Citizens-Visitors-Businesses; and is unfair to North Carlsbad by forcing competition into North Carlsbad & Encinitas/Solana Beach where there are Coastal Parks.

Ponto is at the center of regional 6-mile Coastal Park Gap. A Coastal Park in this instance being a Public Park with practical green play space and a reasonable connection with the Coast (i.e. located west of the regional rail and Interstate-5 corridors). The following image shows this larger regional Coastal Park Gap centered on the Ponto Area, and the nearest Coastal Parks – Cannon Park to the north, and Moonlight Park to the south.

Regionally this image shows Ponto is the last remaining significant vacant Coastal land that could accommodate a Coastal Park to serve the Coastal Park current needs of over existing 2,000 Ponto residents, 64,000 existing South Carlsbad residents, and a larger regional population. It is also the only area to serve the Coastal Park needs for the thousands of hotel rooms in Upland Visitor Accommodations in South Carlsbad.

How Ponto Serves Region

- Ponto is in the middle of the regional Coastal Park Gap
- A Ponto Coastal Park fills a critical 6 mile gap of coastline without a Coastal Park - 8.6% of SD County coastline
- A Ponto Coastal Park Serves over 26,000 homes & 64,000 citizens just in South Carlsbad without a Coastal Park
- Serves many more people outside Carlsbad

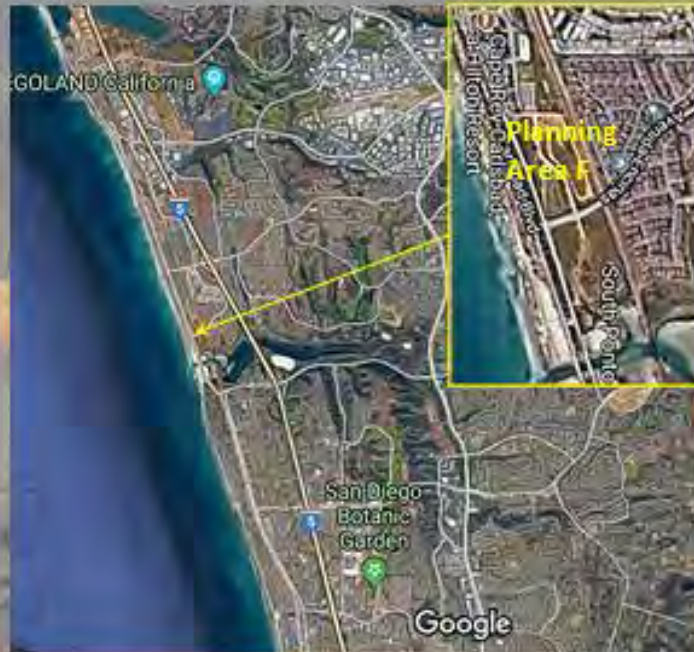


As People for Ponto first uncovered and then communicated in 2017 to the City and CCC; Carlsbad’s Existing (since 1994) Local Coastal Program LUP currently states (on page 101) that Ponto’s Planning Area F: carries a Non-Residential Reserve (NRR) General Plan designation. Carlsbad’s Existing Local Coastal Program Land Use Plan states: “Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an “unplanned” area ...” and requires that: “... **As part of any future planning effort, the City and Developer must 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.**” CA Coastal Commission actions, Carlsbad Public Records Requests 2017-260, 261, and 262, and 11/20/19 City Planner statements confirm the City never fully communicated to Carlsbad Citizens the existence of this LCP requirement nor did the City comply with the requirements. Of deep concern is that the City is now (as several times in the past) still not honestly disclosing to citizens and implementing this Existing LCP requirement as a true and authentic ‘planning effort’. The lack of open public disclosure and apparent fear of true public workshops and Public Comment about the Existing Planning Area F LCP requirements are troubling. The point of a ‘planning effort’ is to openly and publically present data, publically discuss and explore possibilities/opportunities, and help build consensus on the best planning options. Citizens are concerned the city has already made up its mind and there is no real “planning effort” in the proposed Draft LCP Amendment process, just a brief Staff Report and at the end provide citizens 3-minutes to comment on the proposal. This is not the proper way to treat the last remaining significant vacant land in South Carlsbad that will forever determine the Coastal Recreation environment for generations of Carlsbad and California citizens and visitors to come.

The following data/images show how Ponto is in the center of the 6-mile (west of I-5 and Railroad corridor) regional Coastal Park gap. Ponto is the last remaining vacant and currently “unplanned” Coastal land that is available to address this regional Coastal Park Gap.

How Ponto Serves Region cont.

- **Relieves Coastal Park congestion** in North Carlsbad, Encinitas and Solana Beach
- Area currently needs Coastal Park as seen by:
 - Ponto Beach parking congestion
 - current trespass use of Planning Area F as a Park
- **6.6 acre portion of Planning Area F** addresses SW Quad City Park deficit



How Ponto Serves Region cont.

- A Ponto Park helps address 2050 and beyond Regional Population and Visitor Growth demands for Coastal Parks
- A Ponto Park provides the lowest-cost coastal access and recreation opportunities for CA citizens and visitors



How Ponto Serves Region cont.

- Vital park and open space amenity for Visitor serving businesses and accommodations
- 6.6 acre unique City Coastal Park venue to stage special events: Runs, bike rides, triathlons, sports, coastal festivals, etc.



How Ponto Serves Region cont.

- Critical Park space for So. Carlsbad State Beach Campground
- Provides a big training and staging space for Junior lifeguards
- Dog walk trail

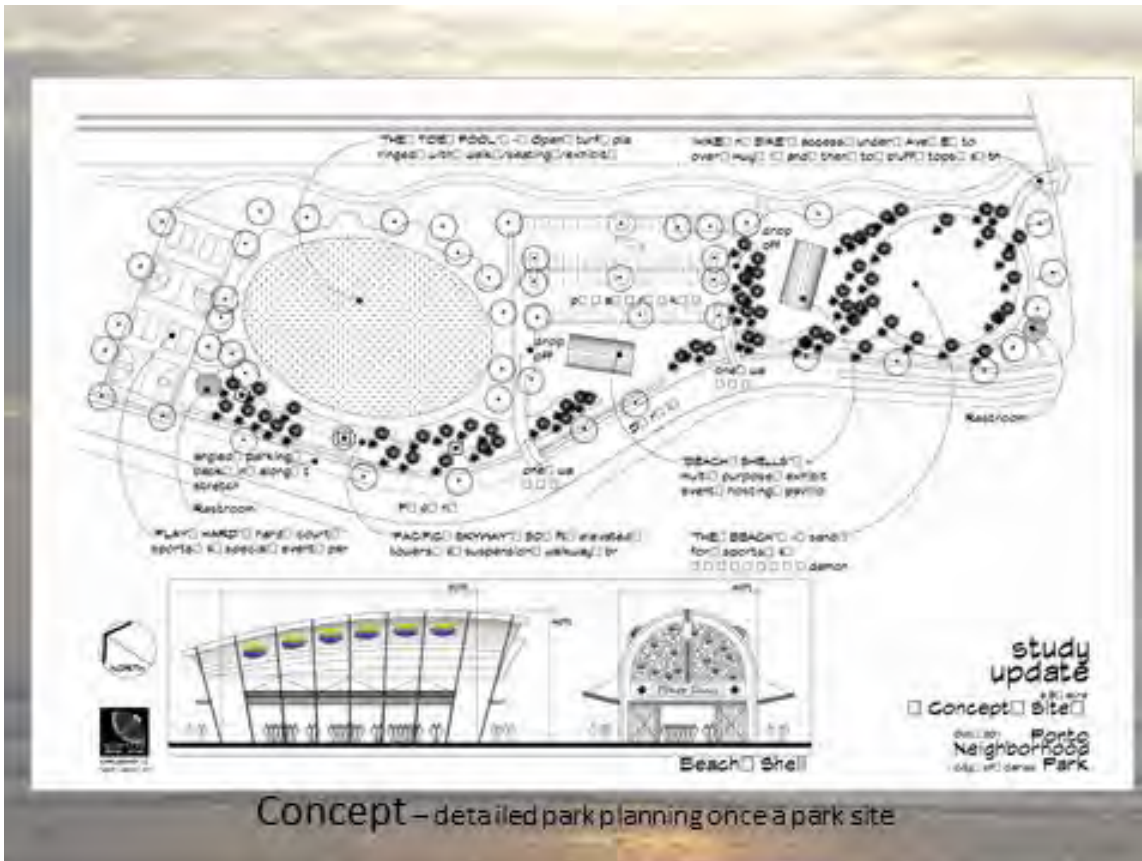


Ponto Coastal Park Concept

- A concept – but shows potential recreational opportunities
- Provides **vital parkland support for beach & open play fields**
- Concept plan a gift from San Pacifico Community Association



One possible Concept image of a potential Ponto Coastal Park at Planning Area F is illustrated below. The potential for a Ponto Coastal Park is real. The speculative land investment fund (Lone Star Fund #5 USA L.P. and Bermuda L.P.) that currently owns Planning Area F is selling the property, and is available for the City of Carlsbad to acquire to address the documented demand/need for a City Park and City Park inequity at Ponto and in Coastal South Carlsbad. A Ponto Beachfront Park 501c3 is working to acquire donations to help purchase the site for a Park. These situations and opportunities should be publicly discussed as part of the City Staff's proposed Local Coastal Program Land Use Plan Amendment.



7. Projected increases in California, San Diego County and Carlsbad population and visitor growth increases the demand for High-Priority-Coastal Recreation land use:

- Increasing Citizen demand for Coastal Recreational land needs to be addressed with increased Coastal Recreation land:

San Diego County Citizen Population - Source: SANDAG Preliminary 2050 Regional Growth Forecast

1980	1,861,846
1990	2,498,016
2000	2,813,833
2010	3,095,313
2020	3,535,000 = 46,500 Citizens per mile of San Diego County coastline
2030	3,870,000
2040	4,163,688
2050	4,384,867 = 57,700 Citizens per mile of San Diego County coastline

2020 to 2050 = 24% increase in San Diego County population.

Citizen Population will continue beyond 2050. Carlsbad may plan for 'Buildout' in 2050, but what is San Diego County's 'Buildout'? There is a common-sense need to increase the amount of Coastal Recreation Land Use in the Proposed LCP Amendment to the Land Use Plan for this growing population. If we do not increase our supply of Coastal Recreational Resources for these increased demands our Coastal Recreation Resources will become more overcrowded, deteriorated and ultimately diminish the Coastal Recreation quality of life for Citizens of Carlsbad and California. Ponto sits in the middle of an existing 6-mile regional Coastal Park Gap (no Coastal Park west of Interstate 5) and there is No Coastal Park in all of South Carlsbad to address the Coastal Recreation needs of the 64,000 South Carlsbad Citizens.

- Increasing Visitor demand for Coastal Recreational land needs to be addressed with increased Coastal Recreation land:

Yearly Visitors to San Diego County – source: *San Diego Tourism Authority; San Diego Travel Forecast, Dec, 2017*

2016	34,900,000
2017	34,900,000
2018	35,300,000
2019	35,900,000
2020	36,500,000 = average 100,000 visitors per day, or 2.83% of County’s Population per day, or 1,316 Visitors/coastal mile/day in 2020
2021	37,100,000
2022	37,700,000

This is growth at about a 1.6% per year increase in visitors. Projecting this Visitor growth rate from 2020 to 2050 results in a 61% or 22,265,000 increase in Visitors in 2050 to:

2050	58,765,000 = average 161,000 visitors per day, or 3.67% of the County’s projected 2050 Population per day, or 2,120 Visitors/coastal mile/day in 2050.
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The number of Visitors is likely to increase beyond the year 2050. There is a common-sense need to increase the amount of Coastal Recreation Land Use in the Proposed LCP Amendment to the Land Use Plan for these projected 2050 61% increase, and beyond 2050, increases in Visitor demand for Coastal Recreational Resources. Increasing Coastal Recreation land is a vital and critically supporting Land Use and vital amenity for California’s, the San Diego Region’s and Carlsbad’s Visitor Serving Industry. Ponto sits in the middle of an existing 6-mile regional Coastal Park Gap (no Coastal Park west of Interstate 5). There are thousands of hotel rooms in South Carlsbad that have NO Coastal Park to go to in South Carlsbad. This needs correcting as both a Coastal Act and also a City economic sustainability imperative.

- We request that the as part of the public’s review, the City Staff proposed Draft LCP Amendment to the Land Use Plan clearly document if and/or how future forever ‘Buildout’ City, Regional and Statewide population and visitor population demand for Coastal Recreation and City Coastal Parks are adequately provided for both in amount and locational distribution in the Carlsbad proposed Amendment of the LCP Land Use Plan.

8. Carlsbad’s Draft Local Coastal Program Land Use Plan Amendment says it plans to a year 2050 buildout of the Coastal Zone. The Draft Local Coastal Program Land Use Plan Amendment then is the last opportunity to create a Coastal Land Use Plan to provide “High-Priority” Coastal Recreation Land Use, and will forever impact future generations of California, San Diego County, and Carlsbad Citizens and Visitors:

- The Draft LCPA indicates in 2008 only 9% of All Carlsbad was vacant land. Less is vacant now in 2019. Carlsbad’s Coastal Zone is 37% of the City, so vacant unconstrained land suitable for providing Coastal Recreation is likely only 3-4%. The prior request for a full documentation of the remaining vacant Coastal lands will provide a better understanding needed to begin to make the final ‘buildout’ Coastal Land Use Plan for Carlsbad. The Draft LCPA does not indicate the amount and locations of currently vacant unconstrained Coastal Land in Carlsbad. This final limited vacant land resource should be clearly documented and mapped in the DLCPA as it represents the real focus of the DLCPA – the Coastal Plan for these remaingn undeveloped

lands. These last remaining vacant lands should be primarily used to provide for and equitably distribute “High-Priority” Coastal Recreation Land Uses consistent with CCA Sections:

- i. Section 30212.5 “... Wherever appropriate and feasible, public facilities, including parking areas or facilities, **shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.**”;
- ii. Section 30213 “... **Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...**”;
- iii. Section 30222 “**The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development,** but not over agriculture or coastal-dependent industry.”
- iv. Section 30223 “**Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible**” ,
- v. Section 30251 ... The location and amount of new development should maintain and enhance public access to the coast by ... 6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by **correlating the amount of development with local park acquisition** and development plans with the provision of onsite recreational facilities to serve the new development”

Adopted City Park Service Area and Park Equity maps discussed earlier document the proposed Draft LCP Amendment’s inconstancy with the above CCA Policy Sections. The locations and small amounts remaining vacant Coastal lands provide the last opportunities to correct the inconsistencies of City proposed Draft “buildout” LCP Land Use Plan Amendment with these Coastal Act Policies.

Currently and since 1996 there has been LCP LUP Policy/regulations for Ponto Planning Area F that require consideration of a “Public Park” prior to changing the existing “unplanned Non-residential Reserve” Land Use designation. A map and data base of vacant developable Coastal land should be provided as part of the Draft LCPA and the Draft LCPA. This map and data base should document the projected/planned loss of Coastal land use due to Sea Level Rise. Draft LCPA projects Sea Level Rise will eliminate several beaches and High-Priority Coastal Land Uses like Coastal Lagoon Trails and the Campground.

- The LCP Land Use Plan should plan and reserve the very limited vacant developable Coastal land for the long-term ‘Buildout’ needs of “High-Priority” Coastal Recreation Land Use. Vacant developable Coastal land is too scarce to be squandered for “low-priority” uses. Sea Level Rise will reduce “High-Priority” Coastal Uses. So how vacant developable Upland area should be preserved for “High-Priority” Coastal Uses is a key requirement to be fully documented and discussed in the Draft LCPA. If not one of two things will eventually happen 1) any new Coastal Park land will require very expensive purchase and demolition of buildings or public facilities to create any new Coastal Park land to meet existing and growing demand; or 2) Coastal Recreation will be hemmed-in by “low-priority” uses and thus force Coastal Recreation to decrease and become increasingly concentrated and overcrowded in its current locations; and thus will promote the eventual deterioration of our current Coastal Recreation resources. A plan that fails to fix Coastal Park deficits and then increase Coastal Parks in pace with increased population/visitor demand is a plan that can

only result in degradation. How the Draft LCPA documents and addresses the land use planning of the last small portions of vacant developable Coastal land is critical for the future and future generations.

9. Citizens of South Carlsbad are concerned about the City's multiple prior flawed Ponto planning processes or 'mistakes' the City has made yet is basing the City Staff's proposed Draft LCP LUP. The concerns being the City is not openly and honestly communicating information to citizens and the public, and not allowing a reasonable and appropriate community-based planning process to address the documented Park, Coastal Recreation and unconstrained open space needs in South Carlsbad. One of these groups of citizens has created a www.peopleforponto.com website to try to research and compile information and hopefully provide a better means for citizens to understand facts and then express their concerns/desires to the City of Carlsbad (City) and CA Coastal Commission (CCC). Over 2,000 emails have sent to the City and CCC regarding Coastal Land Use Planning Issues at Ponto. The San Pacifico Planned Community (i.e. San Pacifico Community Association) has also, since 2015, sent numerous emailed letters to the City and CCC noting the significant concerns about changes in Coastal planning the City is proposing for our Planned Community.

Repeatedly over 90% of surveyed citizens (results emailed prior to both the City and CCC) have expressed the vital need and desire for a Coastal Park at Ponto to serve the current and future Coastal Recreation needs for all both Ponto and South Carlsbad and for larger regional and State Coastal Recreational needs. This desire is supported by data, CA Coastal Act Policy, and also Carlsbad's Community Vision – the foundation for the City's General Plan. Ponto is the last remaining vacant Coastal area available to provide for those needs in South Carlsbad and for a regional 6-mile stretch of coastline. Citizens have expressed deep concern about the City's flawed prior Coastal planning efforts for Coastal Recreation at Ponto, including two repeated LCP Amendment "mistakes" (Ponto Beachfront Village Vision Plan in 2010 and General Plan Update in 2015) when the City twice failed to publicly disclose/discuss and then follow the Existing LCP requirements at Ponto – specifically for Planning Area F. People for Ponto had to use multiple Carlsbad Public Records Requests in 2017 to find these "mistakes". CCC Staff was helpful in both confirming the City "mistakes" and communicating back to the City. As citizens we are still unclear as to how/why these two repeated "mistakes" happened. There is citizen concern that the City is again repeating these two prior "mistakes" by not at the beginning of the Public Comment Period clearly and publicly disclosing the Planning Area F LCP requirements to citizens as part of the current LCP Amendment process, and also by not implementing the existing LCP requirement PRIOR to proposing an Amended Coastal Land Use Plan for Ponto. The City in its proposed LCP Amendment process is putting-the-cart-before-the-horse with respect to honest and open consideration, documentation and public discussion of the need for high-priority Coastal Recreation land use required of Planning Area F at Ponto. The City is also not clearly letting all Carlsbad citizens know about the Existing LCP requirements for Ponto's Planning Area F so they can be informed to reasonably participate in public review and comment regarding amending that LCP requirement, and the need for Coastal Recreation land uses in South Carlsbad. Since 2017 there has been repeated citizen requests to the City (copies were provided to the CCC) to fix these multiple fundamental/foundational flaws by in the City's prior Coastal Recreation and Public Parks and Open Space at planning, and the currently Proposed Draft LCP Land Use Plan Amendment. Since 2017 there have also been repeated citizen requests to the City to provide a truly open, honest, inclusive community-based planning process and workshops with the accurate and honest information, prior to forming a proposed Draft LCP Land Use Plan Amendment. As citizens we believe we can constructively work with the City and CCC towards a consensus or viable options on these important Coastal Recreation issues if the City allows and encourages such an open, honest and inclusive process. We request the City respond to the requests submitted to the City since 2017, and again request such a process from the City before any LCP Amendment is first considered by the Planning Commission and City Council. Such a requested process benefits all.

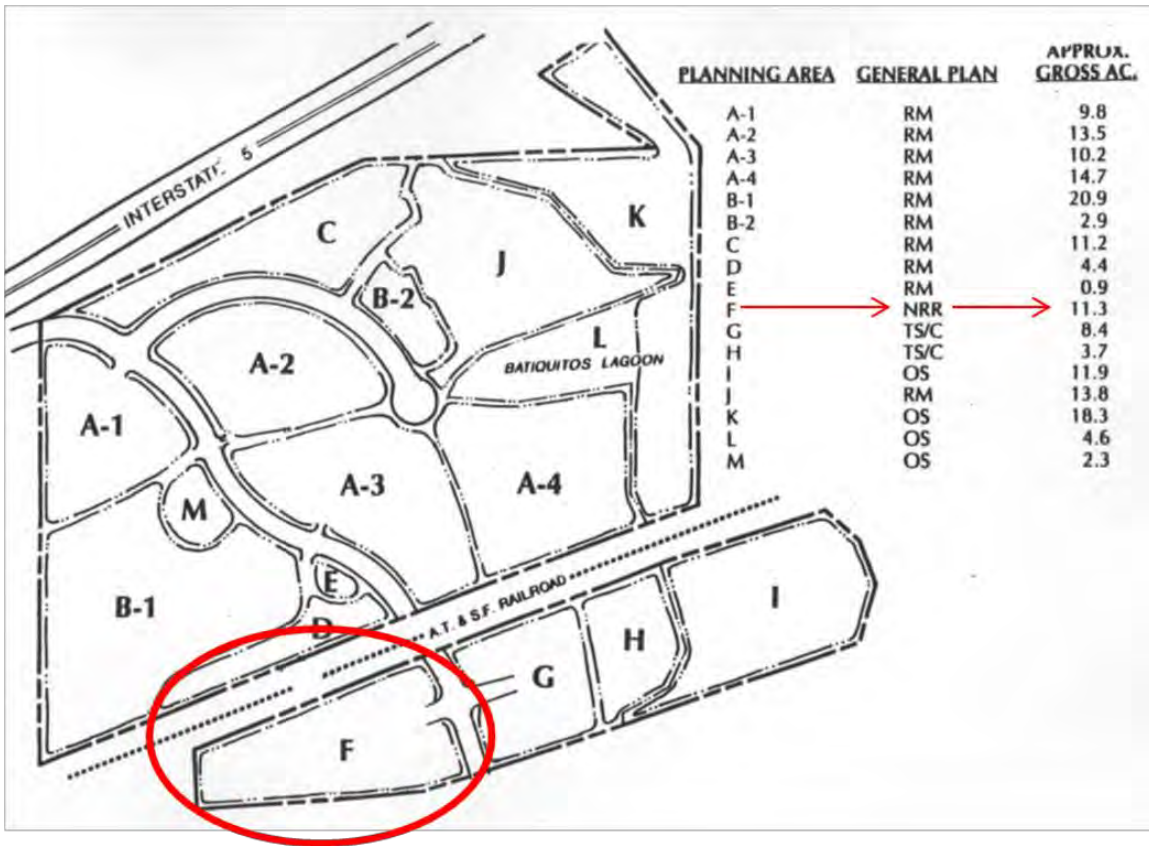
10. Why the Draft LCPA Land Use Plan for Ponto should provide for the current and future Coastal Park and Recreation needs for South Carlsbad, the San Diego Region and California.

- Ponto, is one of last remaining vacant and undeveloped Coastal lands in North County
- Ponto is the last remaining undeveloped Coastal land in South Carlsbad
- Ponto has the last unplanned Planning Area of the Existing Poinsettia Shores Planned Community & Local Coastal Program that can be planned for high-priority Coastal Recreation land use. This Existing LCP requires Planning Area F be considered for a “Public Park”.
- Following is a map of the Ponto area in South Carlsbad:



Following is the LCP Land Use map from the Existing Poinsettia Shores Master Plan & Local Coastal Program adopted in 1996. This is the Land Use map that the City is proposing to change in the proposed LCP Amendment to the Land Use Plan. As the Existing LCP Land Use map shows most all the land is ‘low-priority’ residential use at an RM Residential medium density, a small portion is ‘high-priority’ Visitor Serving TC/C Tourist Commercial. Most all the

Open Space is constrained and undevelopable land (the steep CSS habitat bluffs above Batiquitos Lagoon) or water (the lagoon water). This land/water is owned by the State of California, like the inner lagoon east of I-5. Only Planning Area M at 2.3 acres is unconstrained Open Space and it provides a small private internal recreation facility for the approximately 450 homes and 1,000 people in the Planned Community. This small recreation area is a City requirement for ‘planned developments’ to off-set loss open space from planned development impacts on housing quality. Planned developments can propose designs that reduce normal setback and open space areas – they bunch together buildings to increase development – such as the smaller lot sizes, and extensive use of “zero-setbacks” to reduce typical lot sizes that occurs at Poinsettia Shores. A private recreation facility in any of the City’s planned developments is never considered a replacement for required City Parks. Planned Developments, like unplanned developments, are required to dedicate Park land to the City, or pay a Park In-Lieu fee to the City so the City provide the developer’s obligation to provide City Park acreage to address the population increase of their proposed planned development. For Poinsettia Shores’ population the City’s minimum City Park Standard would require developers set aside 3 acres of City Park land for local park needs. For the larger Ponto area population about 6.6 acres of City Park Land is required. The Existing LCP reserves Planning Area F as an unplanned “Non-residential Reserve” Land Use until the Public Park needs for Ponto are considered and documented. Only then can the NRR land use be changed.



11. Developers have overbuilt in the Ponto area of the Coastal Zone. The City of Carlsbad has under questionable circumstances is currently choosing to ‘exempted’ Ponto developers from providing the minimum amount of unconstrained Open Space according to the City’s developer required Open Space Public Facilities Standard. The legality of these confusing circumstances is subject to a lawsuit against the City. However the City’s computerize mapping system has documented that the Ponto area of the Coastal Zone is missing about 30-acres of Unconstrained Open Space that can be used to fulfill the City’s Open Space Performance Standard that states that

15% of unconstrained and developable land must be preserved by developers as Open Space. Following is a summary of data from the City data regarding the missing Open Space at Ponto (Local Facility Management Plan Zone 9, LFMP Zone 9) in the Coastal Zone pursuant to the City's Open Space Performance Standard. If it is desirable People for Ponto can provide the City GIS map and parcel-by-parcel data base on which the following summary is based:

City of Carlsbad GIS data calculations of Open Space at Ponto area of Coastal Zone:

472 Acres = Total land in LFMP Zone 9 [Ponto area] per City of Carlsbad GIS data

(197 Acres) = Constrained land/water/infrastructure that is excluded from the City's Open Space Standard

275 Acres = Unconstrained land in LFMP Zone 9 (Ponto) subject to the City's Open Space Standard

X 15% = Minimum unconstrained Open Space requirement per the City Open Space Standard

41 Acres = Minimum unconstrained Open Space required in LFMP Zone 9

(11 Acres) = Actual unconstrained Open Space provided & mapped by City in LFMP Zone 9

30 Acres = Missing unconstrained Open Space needed in LFMP Zone 9 [Ponto area of Coastal Zone] to meet the City's minimum GMP Open Space Standard. 73% of the required Open Space Standard is missing.

Thus the Ponto area of the Coastal Zone appears overdeveloped with 30 additional acres of "low-priority" residential land uses due to developers' non-compliance to the City's Open Space Public Facility Performance Standard's Minimum developer required Open Space requirement. As noted a citizens group has a pending lawsuit with the City over the City's current 'exempting' Ponto and future developers from meeting the Open Space Standard.

12. The prior pre-1996 LCP for Ponto – the Batiquitos Lagoon Educational Park Master Plan & LCP (BLEP MP/LCP) had significant Open Space and recreational areas. These significant Open Space and Recreational areas were removed with BLEP MP/LCP's replacement in 1996 by the currently existing Poinsettia Shores Master & LCP (PSMP/LCP) and its City Zoning and LCP LUP requirements that reserved Planning Area F with the current "Non-residential Reserve" Land Use designation. Since the BLEP MP/LCP it appears developers and the City of Carlsbad have worked to remove "High-Priority" Coastal land uses (i.e. Coastal Recreation and Park uses) out of the Ponto area and replaced them with more "low-priority" residential and general commercial land uses. For example:

- Planning Area F used to be designated "Visitor Serving Commercial" as part of the original 1980's BLEP MP/LCP for Ponto.
- In 1996 the BLEP MP LCP was changed by developer application to the now current PSMP LCP, and the LCP LUP designation changed from "Visitor Serving Commercial" to "Non-Residential Reserve" with the requirement to study and document the need for "High-Priority" Coastal Recreation (i.e. Public Park) and/or Low-cost visitor accommodations prior to any change to Planning Area F's "Non-residential Reserve" LCP land use.
- In 2005 the City started to try to change Planning Area F to low-priority residential and general commercial land use in the City's Ponto Beachfront Village Vision Plan (PBVVP). At this time the City made its first documented Coastal 'planning mistake' by not disclosing to the public the existence of Planning Area F's LCP requirements and then also not following those LCP requirements. The City's planning process seemed focused on addressing developer's land use desires, and increasing land use intensity to boost "Tax-increment financing" as the City had established a Redevelopment Project Area at Ponto. A short time after the State of CA dissolved Redevelopment Agencies due in part to such abuses by cities. The CCC formally rejected the PBVVP in 2010, citing the City's failure to follow the LCP requirements for Planning Area F.

- Five years later in 2015 the City again adopted a proposed General Plan Update to again change Planning Area F to low-priority residential and general commercial land use. The General Plan Update cited the City's PBVVP that was in fact rejected by the CCC only a few years before. The City again repeated their PBVVP's Coastal land use 'planning mistake' by again not disclosing to the public the existence of Planning Area F's LCP requirements and then not following those LCP requirements. It is unclear why the City did this only 5-years after the CCC specifically rejected the Ponto Beachfront Village Vision Plan for those same reasons.
- In 2017 citizens found and then confirmed these Ponto Coastal 'planning mistakes' by the City through multiple official Carlsbad Public Records Requests and CCC Staff confirmation. The CCC readily identified the mistakes, but the City's 2019 proposed Draft LCP Land Use Plan and planning process still has yet fully disclose these prior Coastal 'planning mistakes' to ALL citizens of Carlsbad - the failure to disclose and follow the Planning Area F LCP LUP and City Zoning requirements. Full City disclosure is needed now to try to correct many years of City misrepresentation to citizens on LCP required Coastal land Use planning at Ponto. It is needed now so the public is aware at the start of the Public Comment Period. In 2017 citizens began asking the City fix the City's over 12-years of misinformation and planning mistakes by 'restarting' Coastal land use planning at Ponto with an open and honest community-based Coastal planning process. These citizens' requests have been rejected.
- In 2019 the City Staff proposed citywide Draft LCP land Use Plan Amendment that again proposed to change Planning Area F to "low-priority" residential and general commercial land use, without First disclosing the Planning Area F LCP requirements with corresponding analysis of the Need for Coastal Recreation (i.e. Public Park) and/or low-cost visitor accommodations at Planning Area F and providing that Documented analysis for public review/Consideration/comment. This seems like another 3rd repeat of the prior two Coastal planning mistakes by the City. In 2019, again citizens asked for a reset and a true community-based process for the last remaining significant vacant Coastal lands – including Ponto. Again the City rejected citizens' requests.
- In 2020 thousands of public requests again asked, and are currently asking, for a reset and a true community-based process for the last remaining significant vacant Coastal lands – including Ponto. Again these requests are being rejected. Based on the significant citizen concern and the documented prior 'planning mistakes' at Ponto it appears reasonable and responsible for Ponto's Planning Area F to ether:
 - i. Retain its current Existing LCP LUP land Use of "Non-Residential Reserve" until such time as the City's past Ponto Beachfront Village Vision Plan and General Plan Update planning mistakes and other issues subject to current planning lawsuits against the City are resolved with a true, honest and open community-based Coastal planning process asked for by citizens since 2017. Or
 - ii. Propose in the Draft LCP Land Use Plan Amendment to re-designated Planning Area F back to a Visitor Serving Commercial and Open Space ("i.e. Public Park") to provide both "High-Priory" coastal uses v. low-priority residential/general commercial uses due to the documented Coastal Recreation and Low-cost visitor accommodation needs for both citizens and visitors at Ponto and South Carlsbad.

13. Questionable logic and inconsistency in proposed Draft land use map and policies: Chapter 2 Figure 2-2B & C on pages 2-19 & 20 proposes to Amend the existing LCP Land Use Plan Map, and policies LCP-2-P.19 and 20 on pages 2-27 to 2-29 propose Amendments to existing LCP policy and create a new added layer of policy referencing a Ponto/Southern Waterfront. The proposed Land Use Map and Policies serve to firmly plan for "low-priority" residential and general commercial land uses at Ponto with a clear regulatory Land Use Plan Map showing these land uses and by specific regulatory policy (LCP-2-20) that clearly requires (by using the words "shall") these "low

priority” uses. In contrast the “High-Priority” Coastal Recreation and Coastal Park land uses that would be designated as Open Space are not mapped at all in Figure 2-2B & C; and the proposed policy LCP-2-P.19 is both misleading and specifically does Not Require any “High-Priority” Coastal Recreation and Coastal Park land Use at Ponto and South Carlsbad. In fact page 2-22 specifically indicates two “may” criteria that would first need to occur in the positive before any potential Coastal Recreation and Coastal Park Land could then theoretically even be possible. It is highly probable that it is already known by the City that the proposed relocation of Carlsbad Boulevard (Coast Highway) is not very feasible and not cost effective, and will not yield (due to environmental habitat constraints, narrowness of the roadway median, and other design constraints) any significant dimensions of land that could potentially be designated Open Space and realistically be used as a Park.

The blank outline map (Figure 2-2B & C) provides no mapped Open Space Land Use designation, other than for the currently existing State Campgrounds’ low-cost visitor accommodations, so the proposed Land Use Plan Map is Not providing/mapping any new Open Space land use to address Coastal Recreation and Coastal Park needs. The Draft LCP Land Use Plan Amendment’s proposed/projected/planned Sea Level Rise and associated coastal erosion appears to indicate that this “High-Priority” low-cost visitor accommodation (Campground) land use designated as Open Space will be reduced in the ‘Buildout’ condition due to coastal erosion. So **the Draft LCP Land Use Plan is actually planning for a Reduction in Open Space Land Use in South Carlsbad and Ponto.** Both the blank outline map and the proposed Land Use Map Figure 2-1 DO NOT clearly map and designate both South Carlsbad’s Draft LCP Planned Loss of the Open Space Land Use and also any New or replacement unconstrained land as Open Space land use for Coastal Recreation and Coastal Park. This is an internal inconsistency in Land Use Mapping that should be corrected in two ways:

- 1) Showing on all the Land Use (Figure 2-1), Special Planning Area (Figure 2-2B & C), and other Draft LCP Maps the Draft LCP’s planned loss of land area in those maps due to the Draft LCP’s planned loss of land due to Sea Level Rise and Coastal Land Erosion. This is required to show how land use boundaries and Coastal Recourses are planned to change over time. or
- 2) Provide detailed Land Use Constraint Maps for the current Carlsbad Boulevard right-of-way that the City “may” or ‘may not’ choose (per the proposed “may” LCP-2-P.19 policy) use to explore to address the City’s (Park Master Plan) documented Coastal Recreation and Coastal Park land use shortages in Coastal South Carlsbad and Ponto. Clearly showing the potential residual Unconstrained Land within a Carlsbad Boulevard relocation that have any potential possibility to add new Open Space Land Use Designations (for Coastal Recreation) is needed now to judge if the policy is even rational, or is it just a Trojan horse.

The proposed internal inconsistency in mapping and policy appears like a plan/policy ‘shell game’. The proposed Land Use Plan Maps and Policies should be consistent and equality committed (mapped-shall v. unmapped-may) to a feasible and actual Plan. If not then there is No real Plan.

There is no Regulatory Policy requirement in LCP-2-P.19 to even require the City to work on the two “may” criteria. The City could choose to bury the entire Carlsbad Boulevard relocation concept and be totally consistent with Policy LCP-2-P.19 and the LCP. As such the language on 2-22, Figure 2-2C (and the proposed Land Use Map), and policy LCP-2-P.19 and 20 appear conspire to create a shell game or bait-and-switch game in that only “low-priority” residential and general commercial uses are guaranteed (by “shall” policy) winners, and “high-priority” Coastal Recreation and Coastal Park Land Uses are at best a non-committal ‘long-shot’ (“may” policy) that the city is specifically not providing a way to ever define, or commit to implement. The proposed Draft LCP Land Use Plan Coastal Recreation and Coastal Park statements for Ponto are just words on paper that are designed to have no force, no commitment, no defined outcome, and no defined requirement to even have an outcome regarding the

documented “High-Priority” Coastal Recreation and Coastal Park needs at Ponto, Coastal South Carlsbad and the regional 6-mile Coastal Park gap centered around Ponto.

Policy LCP-2-P.19 falsely says it “promotes development of recreational use” but does not in fact do that. How is development of ‘recreational use promoted’ when the Use is both unmapped and no regulatory policy requirement and commitment (no “shall” statement) to ‘promote’ that Use is provided? Policy LCP-2-19.19 appears a misleading sham that does not ‘promote’ or require in any way “High-Priority” Coastal Recreation and Park Land Use at Ponto. There should be open and honest public workshops before the Draft LCP Amendment goes to its first public hearing to clearly define the major environmental constraints and cost estimates involving possible relocation of Carlsbad Boulevard and constructing needed beach access parking, and sufficient and safe sidewalks and bike paths along Carlsbad Boulevard; and then map the amount and dimensions of potential ‘excess land’ that maybe available for possible designation as Open Space in the City General Plan and Local Coastal Program. The City should not repeat the mistakes at the Carlsbad Municipal Golf Course (resulting in the most expensive to construct maniple course in the USA) by not defining and vetting the concept first. A preliminary review of City GIS data appears the amount, dimensions and locations of any potential ‘excess’ land maybe modest at best. However before the City proposes a ‘Buildout’ Coastal Land Use Plan this critical information should be clearly provided and considered. It is likely the City’s Carlsbad Boulevard relocation concept is unfeasible, inefficient, too costly, and yields too little actual useable ‘excess land’ to ever approach the Coastal Recreation and Coastal Park needs for South Carlsbad. This may already be known by the City, but it surely should be publicly disclosed and discussed in the DLPCA.

The proposed Coastal Land Use Plan to address Carlsbad’s, San Diego County’s and California’s High-Priority Coastal Recreation Land Use and Coastal Park needs should NOT be vague “may” policy that appears to be purposely designed/worded to not commit to actually providing any “High-Priority” Coastal Recreation and Coastal Park land uses on the map or in policy commitments. The Land Use Plan and Policy for High-Priority Coastal Recreation and Coastal Park Land Use should be definitive with triggered “shall” policy statements requiring and assuring that the ‘Forever’ “High-Priority” Coastal Recreation and Coastal Park needs are properly and timely addressed in the City’s proposed ‘Buildout’ Coastal Land Use Plan. This “shall” policy commitment should be clearly and consistently mapped to show the basic feasibility of the planned outcomes and the resulting actual Land that could feasibly implement the planned outcome.

Providing safe and sufficient sidewalks, bike paths, and public parking along Carlsbad Boulevard: Providing safe and sufficient sidewalks, bike paths, and public parking along Carlsbad Boulevard are Coastal Access and Completes Streets issues. South Carlsbad Boulevard now and has for decades been a highly used Incomplete Street that is out of compliance with the City’s minimum Street Standards for pedestrian and bike access and safety. The Coastal Access portion of the Draft Land Use Plan should strongly address the Complete Street requirements for South Carlsbad Boulevard. Those policy commitments should be reference in Policy LCP-2-P.19 and 20 as Carlsbad Boulevard in **South Carlsbad is the most Complete Street deficient portion of Carlsbad Boulevard**. Forever Coastal Access parking demand and the proposed LCP Amendment’s Land Use Plan to supply parking for those demands should also be addressed as part of the Coastal Access and Complete Streets issues for South Carlsbad Boulevard. If much needed Coastal Access Parking is provided on South Carlsbad Boulevard as part of a “maybe” implemented realignment, most of the “maybe” realignment land left after constraints are accommodated for and buffered will likely be consumed with these parking spaces and parking drive aisles/buffer area needed to separate high-speed vehicular traffic from parking, a buffered bike path, and a sufficiently wide pedestrian sidewalk or Coastal Path. After accommodating these much needed Complete Street facilitates there will likely be little if any sufficiently

dimensioned land available for a Coastal Recreation and a Coastal Park. The needed Coastal Access and Complete Street facilities on South Carlsbad Boulevard are very much needed, but they are NOT a Coastal Park.

As mentioned the proposed Draft Coastal Land Use Plan's Maps and Policies are very specific in providing for the City's proposed LCP Land Use changes to 'low-priority' Residential and General Commercial' on Planning Area F (proposed to be renamed to Area 1 and 2). It is curious as to why the proposed Draft LCP Land Use Plan Amendment has no Land Use Map and minor vague unaccountable Land Use Policy concerning 'High-priority Coastal Recreation Land Use' at Ponto, while the very same time proposing very clear Land Use Mapping and detailed unambiguous "shall" land use policy requirements for 'low-priority' Residential and General Commercial land use at Ponto. Why is the City Not committing and requiring (in a Land Use Map and Land Use Policy) to much needed 'High-priority' Coastal Recreation and Coastal Park Land Use' needs at Ponto the same detail and commitment as the City is providing for "low-priority" uses? This is backwards and inappropriate. It is all the more inappropriate given the 'Buildout' Coastal Land Use Plan the City is proposing at Ponto. These issues and plan/policy commitments and non-commitments will be 'forever' and should be fully and publicly evaluated as previously requested, or the Existing LCP Land Use Plan of "Non-residential Reserve" for Planning Area F should remain unchanged and until the forever-buildout Coastal Recreation and Coastal Park issues can be clearly, honestly and properly considered and accountably planned for. This is vitally important and seems to speak to the very heart of the CA Coastal Act, its founding and enduring principles, and its policies to maximize Coastal Recreation. People for Ponto and we believe many others, when they are aware of the issues, think the City and CA Coastal Commission should be taking a long-term perspective and be more careful, thorough, thoughtful, inclusive, and in the considerations of the City's proposal/request to permanently convert the last vacant unplanned (Non-residential Reserve) Coastal land at Ponto to "low-priority" land uses and forever eliminate any Coastal Recreation and Coastal Park opportunities.

14. Public Coastal View protection: Avenida Encinas is the only inland public access road and pedestrian sidewalk to access the Coast at Ponto for one mile in each direction north and south. It is also hosts the regional Coastal Rail Trail in 3' wide bike lanes. There exist now phenomenal coastal ocean views for the public along Avenida Encinas from the rail corridor bridge to Carlsbad Boulevard. It is assumed these existing expansive public views to the ocean will be mostly eliminated with any building development seaward or the Rail corridor. This is understandable, but an accountable ('shall') Land Use Plan/Policy addition to proposed Policy LCP-2-P.20 should be provided for a reasonable Public Coastal View corridor along both sides of Avenida Encinas and at the intersection with Carlsbad Boulevard. Public Coastal view analysis, building height-setback standards along Avenida Encinas, and building placement and site design and landscaping criteria in policy LCP-2-P.20 could also considered to reasonably provide for some residual public coastal view preservation.

15. Illogical landscape setback reductions proposed along Carlsbad Boulevard, and Undefined landscape setback along the Lagoon Bluff Top and rail corridor in Policy LCP-2-P.20: Logically setbacks are used in planning to provide a buffering separation of incompatible land uses/activities/habitats. The intent of the setback separation being to protect adjacent uses/activities/habitats from incompatibility, nuisance or harassment by providing a sufficient distance/area (i.e. setback) between uses/activities/habitats and for required urban design aesthetics – almost always a buffering landscaping. Policy LCP-2-P.20. A.4 and C.3 says the required 40' landscape setback along Carlsbad Boulevard "maybe reduced due to site constraints or protection of environmental resources." The ability to reduce the setback is illogical in that setbacks are intended to protect environmental resources and provide a buffer for constraints. In the Carlsbad Boulevard right-of-way there is documented sensitive environmental habitat, along with being a busy roadway. How could reducing the protective 40' setback in anyway better protect that habitat or provide a better landscaped compatibility or visual aesthesis buffer along Carlsbad Boulevard? It is

illogical. If anything the minimum 40' landscaped setback should likely be expanded near "environmental resources". Regarding reducing the minimum 40' landscape setback for "site constraints" there is no definition of what a "site constraint" is or why it (whatever it may be) justifies a reduction of the minimum landscaped setback. Is endangered species habitat, or a hazardous geologic feature, or a slope, or on-site infrastructure considered a "site constraint"? There should be some explanation of what a "site constraint" is and is not, and once defined if it warrants a landscape setback reduction to enhance the buffering purpose of a landscape setback. Or will a reduction only allow bringing the defined constraint closer to the adjacent uses/activities/habitats that the landscape setback is designed to buffer. It is good planning practice to not only be clear in the use of terms; but also, if a proposed reduction in a minimum standard is allowed, to define reasonably clear criteria for that reduction/modification and provide appropriate defined mitigation to assume the intended performance objectives of the minimum landscape setback are achieved.

Policy LCP-2-P.20.C.4 is missing a critical Bluff-Top landscape setback. It seems impossible that the DLCPA is proposing no Bluff-Top setback from the lagoon bluffs and sensitive habitat. The Batiqitos Lagoon's adjoining steep sensitive habitat slopes directly connect along the Bluff-top. Batiqitos Lagoon's and adjoining steep sensitive habitat is a sensitive habitat that requires significant setbacks as a buffer from development impacts. Setbacks similar to those required for the San Pacifico area inland of the rail corridor, should be provided unless updated information about habitat sensitivity or community aesthetics requires different setback requirements.

Policy LCP-2-P.20 does not include a landscape setback standard adjacent to the rail corridor. This is a significant national transportation corridor, part of the 2nd busiest rail corridor in the USA. Train travel along this corridor is planned to increase greatly in the years to come. Now there is significant noise, Diesel engine pollution, and extensive ground vibration due to train travel along the rail corridor. Long freight trains which currently run mostly at night and weekends are particularly noisy and heavy, and create significant ground vibration (underground noise). These issues are best mitigated by landscape setbacks and other buffers/barriers. A minimum setback standard for sufficient landscaping for a visual buffer and also factoring appropriate noise and ground vibration standards for a buildout situation should be used to establish an appropriate landscape setback that should be provided along the rail corridor. Carlsbad's landscape aesthetics along the rail corridor should be factored into how wide the setback should be and how landscaping should be provided. An example for the landscape aesthetic portion of the setback standard could be landscape design dimensions of the San Pacifico community on the inland side of the rail corridor. However, noise and vibrational impacts at San Pacifico are felt much further inland and appear to justify increased setbacks for those impacts.

Sea Level Rise and Carlsbad's DLCP-LUPA's projected/planned Loss of Open Space at Ponto

Introduction:

Carlsbad first documented Sea Level Rise (SLR) and associated increases in coastal erosion in a December 2017 Sea Level Rise Vulnerability Assessment (2017 SLR Assessment). Prior planning activities (2010 Ponto Vision Plan – rejected by CA Coastal Commission, and 2015 General Plan Update) did not consider SLR and how SLR would impact Coastal Open Space Land Use & CA Coastal Act 'High-Priority' Coastal Open Space Land Uses at Ponto. The 2017 SLR Assessment shows Open Space land and Open Space Land Uses are almost exclusively impacted by SLR at Ponto & South Coastal Carlsbad. The 2017 SLF Assessment also shows significant LOSS of Open Space land acreage and Land Uses. Most all impacted Open Space Land Uses are CA Coastal Act "High-Priority Coastal Land Uses" – Coastal Recreation (i.e. Public Park) and Low-Cost Visitor Accommodations. Existing Ponto Open Space Land Uses are already very congested (non-existent/narrow beach) and have very high, almost exclusionary, occupancy rates (Campground) due to existing population/visitor demands. Future population/visitor increases will make this demand situation worst. The significant permanent LOSS of existing Coastal Open Space land and Coastal Open Space Land Use (and land) due to SLR reduces existing supply and compounds Open Space congestion elsewhere. Prior Ponto planning did not consider, nor plan, for significant SLR and current/future "High-Priority" Coastal Open Space Land Use demands.

Open Space and City Park demand at Ponto:

Open Space at Ponto is primarily 'Constrained' as defined by the City's Growth Management Program (GMP), and cannot be counted in meeting the City's minimal 15% 'Unconstrained' GMP Open Space Standard. Per the GMP Open Space Standard, the developers of Ponto should have provided in their developments at least 30-acres of additional 'Unconstrained' GMP Open Space at Ponto. City GIS mapping data confirm 30-acres of GMP Standard Open Space is missing at Ponto (Local Facilities Management Plan Zone 9).

The City of Carlsbad GIS Map on page 2 shows locations of Open Spaces at Ponto. This map and its corresponding tax parcel-based data file document Ponto's non-compliance with the GMP Open Space Standard. A summary of that City GIS data file is also on page 2. The City said Ponto's non-compliance with the GMP Open Space Standard was 'justified' by the City 'exempting' compliance with the Standard. The City 'justified' this 'exemption' for reasons that do not appear correct based on the City's GIS map and data on page 2, and by a review of 1986 aerial photography that shows most of Ponto as vacant land. The City in the Citywide Facilities Improvement Plan (CFIP) said 1) Ponto was already developed in 1986, or 2) Ponto in 1986 already provided 15% of the 'Unconstrained' land as GMP Standard Open Space. Both these 'justifications' for Ponto 'exemption' in the CFIP were not correct. The legality of the City 'exempting' Ponto developers from the GMP Open Space Standard is subject to current litigation.

The City proposes to continue to exempt future Ponto developers from providing the missing 30-acres of minimally required GMP Open Space, even though a change in Ponto Planning Area F land use from the current 'Non-Residential Reserve' Land Use requires comprehensive Amendment of the Local Facilities Management Plan Zone 9 to account for a land use change. City exemption is subject of litigation.

Ponto (west of I-5 and South of Poinsettia Lane) currently has 1,025 homes that per Carlsbad's minimal Park Standard demand an 8-acre City Park. There is no City Park at Ponto. Coastal Southwest Carlsbad has an over 6.5 acre Park deficit that is being met 6-miles away in NW Carlsbad. Ponto is in the middle of 6-miles of Coastline without a City Coastal Park west of the rail corridor.



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara had the same lagoon waters.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were never required to comply with the 15% Standard Open Space is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the 15% Growth Management Standard Open Space at Ponto

472 Acres
(197 Acres)
 275 Acres
X 15%
 41 Acres
(11 Acres)
30 Acres

Total land in LFMP Zone 9 [Ponto]
 Constrained land excluded from GMP Open Space
 Unconstrained land in LFMP Zone 9 [Ponto]
 GMP Minimum Unconstrained Open Space requirement
 GMP Minimum Unconstrained Open Space required
 GMP Open Space provided & mapped per City GIS data
Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

Sea Level Rise impacts on Open Space and Open Space Land Use Planning at Ponto:

The City's 2015 General Plan Update did not factor in the impacts of Sea Level Rise (SLR) on Ponto's Open Space land. In December 2017 the City conducted the first Sea Level Rise Vulnerability Assessment <https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=33958>. The 2017 SLR Assessment is an initial baseline analysis, but it shows significant SLR impacts on Ponto Open Space. More follow-up analysis is being conducted to incorporate newer knowledge on SLR projections and coastal land erosion accelerated by SLR. Follow-up analysis may likely show SLR impacts occurring sooner and more extreme.

Troublingly the 2017 SLR Assessment shows SLR actually significantly reducing or eliminating Open Space land at Ponto. SLR is projected to only impact and eliminate Open Space lands and Open Space Land Use at Ponto. The loss of Ponto Open Space land and Land Use being at the State Campground, Beaches, and Batiquitos Lagoon shoreline. The losses of these Open Space lands and land uses would progress over time, and be a permanent loss. The 2017 SLR Assessment provides two time frames near-term 2050 that match with the Carlsbad General Plan, and the longer-term 'the next General Plan Update' time frame of 2100. One can think of these timeframes as the lifetimes of our children and their children (2050), and the lifetimes of our Grandchildren and their children (2100). SLR impact on Coastal Land Use and Coastal Land Use planning is a perpetual (permanent) impact that carries over from one Local Coastal Program (LCP) and City General Plan (GP) to the next Updated LCP and GP.

Following (within quotation marks) are excerpts from Carlsbad's 2017 Sea Level Rise Vulnerability Assessment:

[Italicized text within brackets] is added data based on review of aerial photo maps in the Assessment.

"Planning Zone 3 consists of the Southern Shoreline Planning Area and the Batiquitos Lagoon. Assets within this zone are vulnerable to inundation, coastal flooding and bluff erosion in both planning horizons (2050 and 2100). A summary of the vulnerability assessment rating is provided in Table 5. A discussion of the vulnerability and risk assessment is also provided for each asset category.

5.3.1. Beaches

Approximately 14 acres of beach area is projected to be impacted by inundation/erosion in 2050. ... Beaches in this planning area are backed by unarmored coastal bluffs. Sand derived from the natural erosion of the bluff as sea levels rise may be adequate to sustain beach widths, thus, beaches in this reach were assumed to have a moderate adaptive capacity. The overall vulnerability rating for beaches is moderate for 2050.

Vulnerability is rated moderate for the 2100 horizon due to the significant amount of erosion expected as the beaches are squeezed between rising sea levels and bluffs. Assuming the bluffs are unarmored in the future, sand derived from bluff erosion may sustain some level of beaches in this planning area. A complete loss of beaches poses a high risk to the city as the natural barrier from storm waves is lost as well as a reduction in beach access, recreation and the economic benefits the beaches provide.

5.3.3. State Parks

A majority of the South Carlsbad State Beach day-use facilities and campgrounds (separated into four parcels) were determined to be exposed to bluff erosion by the 2050 sea level rise scenario (moderate exposure). This resource is considered to have a high sensitivity since bluff erosion could significantly impair usage of the facilities. Though economic impacts to the physical structures within South Carlsbad State Beach would be relatively low, the loss of this park would be significant

since adequate space for the park to move inland is not available (low adaptive capacity). State parks was assigned a high vulnerability in the 2050 planning horizon. State park facilities are recognized as important assets to the city in terms of economic and recreation value as well as providing low-cost visitor serving amenities. This vulnerability poses a high risk to coastal access, recreation, and tourism opportunities in this planning area.

In 2100, bluff erosion of South Carlsbad State Beach day-use facilities and campgrounds become more severe and the South Ponto State Beach day-use area becomes exposed to coastal flooding during extreme events. The sensitivity of the South Ponto day-use area is low because impacts to usage will be temporary and no major damage to facilities would be anticipated. Vulnerability and risk to State Parks remains high by 2100 due to the impacts to South Carlsbad State Beach in combination with flooding impacts to South Ponto.

Table 5: Planning Zone 3 Vulnerability Assessment Summary [condensed & notated]:

<u>Asset Category</u>	<u>Horizon [time]</u>	<u>Hazard Type</u>	<u>Impacted Assets</u>	<u>Vulnerability Rating</u>
Beaches	2050	Inundation/Erosion, Flooding	14 acres (erosion)	Moderate
	2100	Inundation/Erosion, Flooding	54 acres (erosion)	Moderate
Public Access	2050	Inundation, Flooding	6 access points 4,791 feet of trails	Moderate
	2100	Inundation, Flooding	10 access points 14,049 feet of trails	Moderate
State Parks <i>[Campground - Low-cost Visitor Accommodations]</i>	2050	Flooding, Bluff Erosion	4 parcels [<18 Acres]	High
	2100	Flooding, Bluff Erosion	4 parcels [>18 Acres] <i>[loss of over 50% of the campground & its Low-cost Visitor Accommodations, See Figure 5.]</i>	High
Transportation (Road, Bike, Pedestrian)	2050	Bluff Erosion	1,383 linear feet	Moderate
	2100	Flooding, Bluff Erosion	11,280 linear feet	High
Environmentally Sensitive Lands	2050	Inundation, Flooding	572 acres	Moderate
	2100	Inundation, Flooding	606 acres	High



Figure 7: Southern Shoreline Planning Area – Year 2050





Figure 5: CoSMoS Bluff Erosion Projections by 2100
(CoSMoS-COAST 2015)

[Figure 5 show the loss of over 50% of the campground and campground sites with a minimal .2 meter Sea Level Rise (SLR), and potentially the entire campground (due to loss of access road) in 2 meter SLF.]”

Directions to analyze and correct current and future LOSS of Coastal Open Space Land Use at Ponto

On July 3, 2017 the CA Coastal Commission provided direction to Carlsbad stating:

“The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto ... 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 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.”

Official Carlsbad Public Records Requests (PRR 2017-260, et. al.) confirmed Carlsbad’s Existing LCP and its Ponto specific existing LUP polices and Zoning regulations were never followed in the City’s prior Ponto planning activities (i.e. 2010 Ponto Vision Plan & 2015 General Plan Update). The projected SLR loss of recreation (beach) and low-cost visitor accommodations (campground) at Ponto should factor in this Existing LCP required analysis, and a LCP-LUP for Ponto and Ponto Planning Area F.

In a February 11, 2020 City Council Staff Report City Staff stated:

“On March 14, 2017, the City Council approved the General Plan Lawsuit Settlement Agreement (Agreement) between City of Carlsbad and North County Advocates (NCA). Section 4.3.15 of the Agreement requires the city to continue to consider and evaluate properties for potential acquisition of open space and use good faith efforts to acquire those properties.”

In 2020 NCA recommended the City acquire Ponto Planning Area F as Open Space. The status of City processing that recommendation is unclear. However the Lawsuit Settlement Agreement and NCA's recommendation to the City should also be considered in the required Existing LCP analysis.

Summary:

Tragically Carlsbad's Draft Local Coastal Program – Land Use Plan Amendment (DLCP-LUPA) is actually planning to both SIGNIFICANTLY REDUCE Coastal Open Space acreage, and to eliminate 'High-Priority Coastal Open Space Land Uses at Ponto due to SLR.

The Existing LCP requirements for Ponto Planning Area F to analyze the deficit of Coastal Open Space Land Use should factor in the currently planned LOSS of both Coastal Open Space acreage and Coastal Open Space Land Uses at Ponto due to SLR. As a long-range Coastal Land Use Plan this required LCP analysis needs to also consider the concurrent future increases in both population and visitor demand for those LOST Coastal Open Space acres and Coastal Open Space Land Uses.

It is very troubling that demand for these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses is increasing at the same time the current (near/at capacity) supply of these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses is significantly decreasing due to SLR. Instead of planning for long-term sustainability of these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses for future generations there appears to be a plan to use SLR and inappropriate (lower-priority residential) Coastal Land Use planning to forever remove those CA Coastal Act 'High-Priority' Coastal Open Space Land Uses from Ponto. CA Coastal Act Policies to address these issues should be thoroughly considered.

2021-2 proposed Draft Local Coastal Program – Land Use Plan Amendment (DLCP-LUPA) will likely result in City and CA Coastal Commission making updates to the 2015 General Plan, based on the existing Ponto Planning Area F LCP – LUP Policy requirements, Ponto Open Space issues, high-priority Coastal Land Use needs, and SLR issues not addressed in the 2015 General Plan.

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"](#); [melanie@melanieforcarlsbad.com](#)
Cc: [info@peopleforponto.com](#)
Subject: Public input for Carlsbad LCPA-Parks Master Plan & Growth Management Plan Updates - Parkland losses not considered in minimal 3 acre Parkland dedication for new unlimited development
Date: Monday, February 6, 2023 9:21:24 AM
Attachments: [City losses from only requiring developers dedicate 3 acres of free City Parkland per 1,000 population.pdf](#)

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

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1. the CTGMC's February 2023 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, and
4. as public input to the CA Coastal Commission on Carlsbad's proposed Local Coastal Program Amendment.

Apparently on 1/26/23 the CTGMC did not have a discussion considering the impacts of a 3 or 4 or 5 acre per 1,000 population Parkland Dedication requirements as recommend Updates to the City Council.

Since there was no comparative discussion of the 3 to 4 to 5 acre Parkland dedication requirement for new developers the CTGMC did not compare/consider the relative impacts to City finances from the lost Parkland and/or Park-in-lieu-fees new developers would be giving to the City. Not considering the impacts to City finances and to the Quality of Life for the future seems somewhat irresponsible.

Following is a base calculation of the Parkland and/or Park money lost by the City by not Updating new developer Parkland dedication requirements to be consistent with the 5 acre per 1,000 population requirements of Encinitas and Oceanside. Carlsbad not matching and keeping up with new Parklands created by Encinitas and Oceanside will over time, and a several Housing Element (and required land use changes to higher-density) Updates, retard Carlsbad's desirability and Quality of Life. Remember CA law prevents any city from being 'Buildout', and future land use changes to create more new housing units will be required of Carlsbad (and every other city) at every eight year Housing Element Cycle.

It is folly to not consider these growth/Parkland impacts of more unlimited new high-density housing and lower relative new developer required Parkland dedication vis-à-vis adjoining Cities. Not considering the significant loss of free Parkland and/or free Park-in-lieu-fees from new development and the impact on City finances and Quality of Life is folly and mismanagement of Carlsbad Tomorrow.

[2021-29 Housing Element \(and required land use changes\) Update for ONLY to 2029 or next 7-years](#)

HCD required new Housing Units to be accommodated to 2029 = 3,900
Average population per housing unit in Carlsbad (2020 Census) = 2.64
Required new population to be accommodated until 2029 = 10,296 (8.9% City pop. increase)
For simplicity of comparison reasonably assume Carlsbad Land costs \$1 million per acre, so:

New developer Parkland Dedication and/or Park-in-lieu-fee (free to City) for 2021-29 period:
3 acres per 1,000 = 30.9 free to City Park acres or \$30.9 million in free Park-in-lieu-fees to add parks
4 acres per 1,000 = 41.2 free to City Park acres or \$41.2 million in free Park-in-lieu-fees to add parks
5 acres per 1,000 = 51.5 free to City Park acres or \$51.5 million in free Park-in-lieu-fees to add parks

Free to City Park acres or free Park-in-lieu-fees LOST to City by only requiring new developers provide 3 acres of Parkland per 1,000 in only 8-years (2021-29) Housing Element Cycle:

City loses 10.3 acres of free Parkland or \$10.3 million in Park-in-lieu-fees by not using 4 acres/1,000

City loses 20.6 acres of free Parkland or \$20.6 million in Park-in-lieu-fees by not using 5 acres/1,000

For an 8-year period losing 10.3 to 20.6 acres of free City Parkland or \$10.3 to \$20.6 million in free Park-in-lieu-fees are significant developer giveaways and impacts to City finances and future Quality of Life.

This loss of free Parkland and/or Park fees will repeat every 8-year Housing Element Update Cycle as CA HCD requires more land use changes to add more high-density housing units. These high-density housing units are most in need of City Parks to balance their high-density. Every 8 years there will be more increases City population and high-density development Parkland demands. City staff has indicated to the CTGMC that in the next 2030-38 Housing Element (and required land use changes) Update for that 8-year period that HCD will likely require be similar or more units to be provided in the 2030-2038 period as required in the 2021-29 period.

The CTGMC should have fully considered these issues and had a fair comparative consideration of the 3, 4, or 5 acre Parkland dedication issues.

The CTGMC and City Council should now require new development to dedicate 5 or 4 acres of free Parkland. This is common sense, wise land use/Park planning and prudent City fiscal policy.

Thanks you,
Lance Schulte

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

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These are significant developer giveaways and impacts to City finances and future Quality of Life. The lost free Parkland and/or Park fess will repeat every 8-year Housing Element Update Cycle as more land use changes are required to add more high-density housing units (that most need City Parks to balance the high-density) increases City population and Parkland demands. City staff has indicated to the CTGMC that in the next 2030-38 Housing Element (and required land use changes) Update for that 8-year period that HCD will likely require be similar or more units to be provided in the 2030-2038 period as required in the 2021-29 period. CTGMC and City Council should now require new development to dedicate 5 or 4 acres of free Parkland. This is common sense, wise land use/Park planning and prudent City fiscal policy.

Carlsbad losses from not requiring new developers dedicate 4 or 5 acres of Parkland

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"](#); [melanie@melanieforcarlsbad.com](#)
Cc: [info@peopleforponto.com](#)
Subject: Public input for Carlsbad LCPA-Parks Master Plan & Growth Management Plan Updates - Carlsbad below national average and lowest So CA Coastal city in providing Parks within 10-minute walk
Date: Sunday, February 5, 2023 3:58:47 PM
Attachments: [Carlsbad is below National Average & worst of 24 SoCal Coastal cities in providing Parks in a 10-minute walk to residents.pdf](#)
[TPL Support for Ponto Park - 2022-3-11.pdf](#)
[CTGMC key issues and suggestions -2022-12-6.pdf](#)

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As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's February 2023 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, and Carlsbad's Ponto Planning Area F and Site 18 planning and development applications, and
4. as public input to the CA Coastal Commission on Carlsbad's proposed Local Coastal Program Amendment.

For years Carlsbad Citizens have told the City that there is a need for a Park at Ponto:

- to provide for documented Coastal Recreation (i.e. Public Park) land use at Ponto,
- to correct for the conversion of a 12.8 acre Recreation Commercial land use to Residential use and the elimination of planned Coastal Open Space at Ponto,
- to correct the Carlsbad's Park Master Plan documented lack of Park Service at Ponto,
- to provide South Carlsbad (62% of Carlsbad's total population and the City's major Coastal visitor and transit occupancy tax generator) with their ONLY Coastal Park west of I-5. The City unfairly, and contrary to CA Coastal Act Policy disproportionately provides 10 parks totaling 37 acres west of I-5 in Coastal North Carlsbad for 38% of the population but 0 (zero) Coastal Parks and 0 (zero) Coastal park acres west of I-5 in Coastal South Carlsbad for 62% of the population,
- to provide for an existing 6.5 acre local Neighborhood (i.e. Special use area) Park need at Ponto, and
- to provide a City Park within a 10-minute walk for Ponto residents.

Failure to correct this documented City Park unfairness is very damaging to the citizens, City finances, South Carlsbad's and California's visitor industry. The Coastal Recreation data file sent to you earlier documents some of the key facts.

However, we conducted some additional Trust for Public Land 10-minute walk data collection that the City Council, CTGMC, Parks and Planning Commissions and CA Coastal Commission need to also consider. That data is below and in the attached file, and again with last year's Trust for Public Land Ponto Park support letter (again attached) that reflects on Carlsbad poor performance relative to the 24 So Cal Coastal Cities (165 miles of coastline) from Malibu to the Mexican border in providing

Parks within a 10-minute walk. The data and links to the data source is:

Carlsbad is 10% below the national average for cities & the worst of 24 Coastal So California cities - 165 miles of coastline - in providing Parks within a 10-minute walk to residents

The Trust for Public Land documents a city's 10-minute walk to Park at

<https://www.tpl.org/parkserve>

The Average USA City provides Parks within 10-minute walk to 55% of residents [10% above Carlsbad].

Carlsbad provides Parks within 10-minute walk to **49.9% of residents [10% below National Average]**.

New York City provides Parks within 10-minute walk to 99% of residents.

The Trust of Public Land submitted a letter to the City of Carlsbad, CA Coastal Commission, and CA State Park supporting Ponto Park

-
Carlsbad is the worst of 24 Southern CA Coastal cities (from Malibu south to Imperial Beach along 165 miles of coastline) in providing Parks within 10-minute walk to residents:

1. Palos Verdes Estates provides Parks within 10-minute walk to 100% of residents
2. El Segundo provides Parks within 10-minute walk to 100% of residents
3. Hermosa Beach provides Parks within 10-minute walk to 100% of residents
4. Redondo Beach provides Parks within 10-minute walk to 98% of residents
5. Manhattan Beach provides Parks within 10-minute walk to 95% of residents
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24. **Carlsbad** provides Parks within 10-minute walk to **49.9% of residents.**

Carlsbad is the lowest & most unfair to citizens of the 24 Southern California Coastal cities along 165 miles of coast from Malibu to Imperial Beach.

Source of data: Trust for Public land parkscores

-

Trust for Public Land's 10-minute walk to Park Maps/data:

Carlsbad = <https://parkserve.tpl.org/mapping/index.html?CityID=0611194#reportTop>

Encinitas = <https://parkserve.tpl.org/mapping/index.html?CityID=0622678>

Irvine = <https://parkserve.tpl.org/mapping/index.html?CityID=0636770>

Please, Please, please, consider and discuss this data, and

1. Create a 10-minute walk to City Park Standard in the
 - a. Parks Master Plan,
 - b. Growth Management Plan Update, and
 - c. Local Coastal Program Update.
 2. Create a Park Policy that requires developers to dedicate Park Land (not pay Park-in-lieu-fees) in areas that do not a minimum of 3 acers of City Park for each in 1,000 population within a 10-minute walk of the developer's proposed development (see attached CTGMC Key Issues & Suggestions file for details and Open Space suggestions)
 3. Fix Coastal South Carlsbad's documented City Park inequity/unfairness with a significant and real Ponto Park
 4. Save tax-payers tens of millions in dollars by cost effectively purchasing vacant land at Ponto for a Park, v. trying to maybe make a few bits of narrow PCH roadway median as a pseudo-park
- Do you want Carlsbad to be the worst city in Coastal Southern California in providing accessible Parks within a 10-minute walk to residents?
 - Do you want Carlsbad to fail to upgrade its park standards while other cities updated their park Standards and make their cities more desirable?

- Do you want to undermine the quality of life for Carlsbad citizens and their children by not providing a park within a 10-minute walk to their home?
- Do you want to force Carlsbad families to have to drive to park?
- Do you want to slowly undermine a key visitor serving industry in South Carlsbad by not providing a significant and true and meaningful Coastal Park in South Carlsbad?
- Do you want tax-payers to pay tens of millions more to try to maybe try to make a few narrow portions of PCH median useable to people?

Please take responsibility and full ownership of your decisions on these important issues and questions. The individual decisions you make will likely be the last ones made. Once vacant land like at Ponto is developed it will be forever lost to address the critical, well documented Park and Coastal Park needs at Ponto as overwhelmingly communicated by Carlsbad Citizens and visitor businesses, and other citizens.

Please be wise and think about the future your decisions will bring.

Thank you,
Lance Schulte

PS: The initial version of the “CTGMC key issues and Suggestions 2022-12-6” file (attached) sent to you 8/8/22. The attached updated file should replace that older file as there is new data on significant tax-payer cost savings from Pronto Park relative to PCH Relocation, and updated examples of how Coastal Open Space can be cost-effectively persevered and increased. Both Coastal Parks and Open Space are important Carlsbad and State of CA issues.

- Parks: Updated data shows that a 11.1 acre Ponto Park would now cost less \$20 million to buy and build. This is less than a City Pool Renovation. Carlsbad’s Old City Council planned to spend \$65 to \$80 million in Carlsbad tax-payer dollars to address the Citywide need for a significant Coastal Park in South Carlsbad with a 2.3 mile PCH Relocation. The City identified in 2001 other pay-payer funds were highly unlikely. \$65 to \$80 million would only ‘free-up’ 15.8 acres of narrow PCH Median (City documented “Surplus Land Area #4 & #5”). As People for Ponto Citizens have been saying for years that Ponto Park is the better Park solution to the documented Coastal South Carlsbad Park needs – a citywide need. The CTGMC should include that citywide Park need and the logical, better and tax-payer responsible Ponto Park solution to that citywide Park need in your CTGMC recommendations to City Council.
- Open Space: Updated data shows how documented GM Open Space shortfalls can be properly and responsibly address in a collaborative citizen-based “Local Facilities Zone Useable Open Space Correction Plan” approached. Also the need to maintain the 15% GM (Useable) Open Space Standard will be critical in the future to maintain Open Space and prevent future conversion of Open Space to residential land use as part of Housing Plan updates.

For the CTGMC; Parks and Open Space are the 2 most critical/special of 6 Key Growth Management Program Update Issues and Suggestions the CTGMC should take to properly address these 6 key Growth Management Issues.

- Please read the Updated data and Suggestions.
- Please responsibly address the Growth Management issues of a citywide Park need for Coastal South Carlsbad as listed in the attached Suggestions. Include a South Carlsbad Coastal Park in your recommendations to the City Council. Acknowledge Ponto Park as the best and most tax-payer efficient solution to address that documented citywide park need.
- Please in your recommendations to City Council retain and enforce the Open Space Standard, and fix past errors made in falsely exempting certain developers in certain areas in the City from complying with the Growth Management Open Space Standard that other developers in other areas are required to provide.

Please consider this email and attachments, and know P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

Happy holidays and with Aloha Aina,
Lance Schulte

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Irvine = <https://parkserve.tpl.org/mapping/index.html?CityID=0636770>



March 11th, 2022

Carlsbad City Council
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Re: Support creation of Ponto Park – a needed park for South Carlsbad

Dear Mayor Hall,

The Trust for Public Land (TPL) is strongly supporting the efforts of ‘People for Ponto’ and thousands of Carlsbad residents to build Ponto Park in the 11-acre coastal parcel known as ‘Planning Area F’ in South Carlsbad. For over 40-years TPL has been designing and building parks in California and although we have world-class parks and beaches, the fact remains 3.2 million Californians don’t have access to a park, and some of those Californians are residents of South Carlsbad. While the National Recreation and Park Association calls for 10-acres of park lands per 1000 residents as standard metric for healthy and vibrant cities, Carlsbad has a comparatively and relatively low park standard of only 3-acres/1,000 population and no requirement to provide accessible parks within walking distance.

And according to our own Trust for Public Land 2020-21 ‘City Parkscore’, Carlsbad is also below national averages both providing park land acreage and in providing residents a park within a 10-minute walk.

The City of Carlsbad’s Park Master Plan on pages 86-89 documents park service and park equity/inequity. Carlsbad’s Park Master Plan documents that Ponto area has no park and all of South Carlsbad (over 61% of the entire city population) has no Coastal Park while . Carlsbad provides 10 City Coastal Parks (totaling over 35-acres) in North Carlsbad, while South Carlsbad has no coastal parks to serve the 64,000 residents, many of which are children. Ponto Park at 11-acre Planning Area F is the last remaining reasonable bit of vacant and currently unplanned Coastal land to provide a Coastal Park for South Carlsbad. Ponto Park would also be in the middle of a 6-mile long section of North San Diego County coastline without Coastal Park, and would help address a regional need for a Coastal Park for these 6-miles of coastline.

The CA Coastal Act has numerous policies that support the creation of Ponto Park and Coastal Recreation land use. The City of Carlsbad’s history of following these CA Coastal Act polies now and over the past 40-years in its Local Coastal Program should be considered now in the City’s proposed Local Coastal Program Amendment. Over the past 40-years Carlsbad and California residents have forever

lost numerous opportunities to create vital Coastal Parks and Coastal Recreation for our growing population.

In addition to the clear need for coastal parks in South Carlsbad, the citizens are overwhelmingly supporting the creation of Ponto Park in Planning area F. As you know during the past 2-years during the City Budget and Local Coastal Program Amendment processes, residents strongly demonstrated their desire that the City Council purchase and build Ponto Park. In 2019, 2020 and 2021 over 90% of citizen input expressed need was for Ponto Park, along with extensive verbal and written citizen testimony.

As COVID-19 vividly pointed out, parks are not an amenity, but a key component to human physical and mental health. Parks also provide environmental benefits and contribute to cleaner air and water, climate adaptation and social cohesion. TPL think you have a great opportunity to address equity and access to park space and improving the lives of thousands of Carlsbad residents and strongly urge you to support the building of Ponto Park for families and community.

Sincerely,

Rico Mastrodonato
Government Relations Director

Following are 6 key major Growth Management Standards issues of citywide relevance that the Carlsbad Tomorrow Growth Management Committee (CTGMC) needs to act on, and citizen “Suggestions to CTGMC” on how to honestly and responsibly act on these 6 key issues in the CTGMC’s recommendations to the New City Council. This Update includes new information (pp 5-6) on the improved affordability of Ponto Park, and on how GM Open Space shortfall can be repaired. We hope the CTGMC will act honestly to make recommendations that truly and responsibly address known documented shortfalls in both Parks and GM Open Space. Responsible recommendations by the CTGMC can provide a sustainable Quality of Life to future Carlsbad generations and visitors. Only you own your recommendations.

1. The State of CA is forcing Carlsbad and all cities/counties in CA to provide for unlimited or Infinite Population and Visitor growth. So there will be an Infinite population & visitor demands for Parks, Open Space, water, and demands on our roads/transportation systems, and other Growth Management (GM) Quality of Life facilities. These infinite increases in population and visitor demand will come from high density development that requires more public Parks and Open Space to balance the high-densities. **Carlsbad’s new GM Standards will have to provide for a system of Infinite proportional increases in the supply of Parklands, Open Spaces, water, transportation facility capacity, etc. or our Quality of Life will diminish.**
 - a. Suggestions to CTGMC:
 - i. Completely restructure the General Plan, Local Coastal Program and GM Program to clearly recognize these facts and State requirements to proportionately provide public facilities to maintain/improve Carlsbad GM Quality of Life Standards for this Infinite growth of Population and Visitor demands.
 - ii. **Being a Coastal city Carlsbad has an added responsibility to proportionately maintain/improve providing High-Priority Coastal land uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations) needed at a regional and statewide level to address visitor needs for Coastal Recreation, access, and affordable accommodations.** Carlsbad needs to work with the State of CA Coastal Commission to completely restructure Carlsbad’s Coastal Land Use Plan to addresses the State’s requirement to provide an Infinite amount high-priority Coastal land uses for those Infinite Population and Visitor demands.
 - iii. **Trying to ignore these Infinite demands for Carlsbad’s Quality of Life facilities – like Parks and Open Spaces is a path to disaster and the ultimate degradation of Carlsbad’s Quality of Life.**
2. **Carlsbad has a huge Jobs v. Housing supply imbalance – far too many jobs around the airport for our amount of housing. This creates negative and costly land use and transportation planning distortions that radiate from the Airport Central Jobs through Carlsbad in all directions.** CA Housing law penalizes unbalanced cities like Carlsbad by requiring more housing in Carlsbad to bring jobs/housing ratio into balance. Carlsbad can correct this imbalance by 1 of 2 ways: 1) greatly increase housing supply (and thus increase the need and City expense for more GM Quality of Life facilities), or 2) more logically and cost effectively greatly decrease the amount of Jobs land use, so Carlsbad’s housing supply is in balance with jobs. These jobs will move to surrounding Cities that have more housing than jobs. **Rebalancing by reducing jobs land use creates added benefits for Carlsbad and our region by reducing Carlsbad’s peak-hour job commute traffic volumes and**

vehicle miles traveled (VMT), and by reducing the costs Carlsbad (and other cities and the region) have to pay to accommodate inter-city commute traffic. If Carlsbad reduces jobs land use will also reduce the amount of housing the State of California and SANDAG requires Carlsbad provide in its Housing Element thus reducing forcing incompatible high-density development into established neighborhoods and pressure to convert useable GM Open Space lands to housing land use.

a. Suggestions to CTGMC:

- i. **Carlsbad can logically and cost effectively balance Jobs/housing supply by updating Growth Management Policy to reduce jobs to be in balance with housing by changing some of Carlsbad's General Plan land use around the airport into several high-density residential mixed-use Villages.** The City has started some of this, but can expand this effort but has not planned creating mixed-use village environments. These high-density villages will reduce jobs and provide both high-quality and high-density (affordable) housing within walking/biking distance to the major job center and new neighborhood commercial and Park uses in the Villages.
- ii. Prioritize transportation investments in safe bike paths, walking paths between Carlsbad's Central Jobs Core around the airport and Carlsbad's housing, particularly strongly connecting these new high-density mixed-use villages with the Central Jobs Core.
- iii. Update General Plan land use and housing policy to reduce concentrations of higher-density housing except around the airport jobs core.
- iv. Recognize the central Airport jobs core is 'Carlsbad's New Urban Downtown and "Transect Plan" accordingly toward lower densities on the City periphery.

3. Although some very critical areas (such as the Coastal lands at Ponto) are still vacant and can be wisely used for critical GM Quality of Life needs, much of Carlsbad is largely developed.

Redevelopment of developed land will require creating increased supplies of Parkland, Open Spaces, transportation capacity, and other Quality of Life facilities.

a. Suggestions to CTGMC:

- i. **Completely rethink all City planning on existing vacant lands to assure that remaining vacant land is planned and being used wisely and fairly distributed to address critical Quality of Life needs in those areas, and not squandered on redundant land use.** The location of vacant land to address critical Park & Open Space needs should be preserved with land use planning.
- ii. Work with the State and CA Coastal Commission to preserve our Finite vacant Coastal lands for High-Priority Coastal Land Uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations and services) for the Infinite population and visitor demands both internal and external to Carlsbad that are/will be placed on them.
- iii. Fully and at the very beginning of any Carlsbad General Plan, Local Coastal Program and Growth Management Program actions going forward fully disclose, map and require consideration of the impact of future sea level rise and coastal erosion on Coastal land acres and land uses. Carlsbad has lost and will accelerate losing acres of Coastal land and High-priority Coastal Land Uses. Carlsbad must know, see, and discuss these losses BEFORE making any land use decisions in Carlsbad's Coastal Zone and any vacant Coastal Land.

4. **Carlsbad General Plan & Growth Management Plan do not provide a fair distribution of adequately sized City Parks for all Carlsbad families.** Veterans Park is a classic example. What will

be the City's largest park is only about 1-mile away from three other major City Parks (Zone 5, and the future Robinson Ranch and Hub Parks). This is a poor and unfair distribution and a misallocation City Park land resources. Saying Veterans Park is 'the park to serve SW, SE, and NE Carlsbad families' (the overwhelming major/majority funders of veterans Park) when those families are upwards of 6-miles away on major commercial arterials that kids can't logically/safely use is false and unfair. Most all the funding (developer fees) to build Veterans Park come from the SW, SE and NW Carlsbad but those areas are denied the Park the paid for. Veterans Park is inaccessible by almost all its intended users except by driving their cars and then storing their cars in parking lots on Parkland thus making less park land available for actual park use – this makes little common sense and is a great waste of tax-payer funds. This is dysfunctional along with being very unfair to families in SW, SE and NE Quadrats that are denied park acres near their homes which they funded. **Carlsbad's Park Master Plan maps 'Park Service' areas of existing known Park Inequity or Unfairness (dysfunction), to show where new City Park investments should be made (See City map image with notes below).**

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

The Trust for Public Land provides a Park-Score to compare both a City's amount of park acres and the 'fairness' of access (within a 10-minute walk) to parks. **Carlsbad is below national averages in both park acres and fair access to parks. Carlsbad is also well below what our adjacent Coastal cities of Encinitas and Oceanside provide. Carlsbad only requires 3 acres of Park land per 1,000 population, while Encinitas and Oceans require 5 acres - 67% more than Carlsbad – of parkland. Also, Encinitas and Oceanside require parks to be within a 10-minute walk to their citizens and families. Carlsbad has no such requirement.**

a. Suggestions to CTGMC:

Carlsbad should change its General Plan, Parks and Growth Management Standards and CMC 20.44 to:

- i. **Be Above Average Nationally in both providing park acreage and in locating adequate park acreage to be within a 10-minute walk to all neighborhoods.**
 - ii. **Raise its minimum park acreage standard to 5 acres per 1,000 population, versus the current low 3 acres per 1,000. Carlsbad should be at least as good as Encinitas and Oceanside in requiring 5 acres, not 40% below what our adjacent Cities require/provide.**
 - iii. **Raise its park location standard to require an adequately sized park be provided to serve the neighborhood population within a 10-minute walk for all neighborhoods.**
 - iv. **Prioritize City Policy and Park Budgets and investments to achieve park fairness in 'Park Unserved areas' identified by Carlsbad's Park Master Plan.**
 - v. **Per Carlsbad's Municipal Code Chapter 20.44- DEDICATION OF LAND FOR RECREATIONAL FACILITIES to require developers in 'Park Unserved areas' and in areas that do not have an adequately sized (5 acres per 1,000 population) park within a 10-minute walk to provide their developments required Park land acre dedication in actual Park land within a 10-minute walk to their development.**
 - vi. **Update the City's Park-in-lieu fee to assure the fee is adequate to actually buy the amount of park land a developer is to provide within a 10-minute walk of their development. The City's current 'Park-in-lieu-fee' is far too low and inadequate to actually buy land in area surrounding the proposed development.**
 - vii. **Only allow developers to pay a Park-in-lieu-fee where there is an adequately sized park (provide 5 acres per 1,000 population) within a 10-minute walk of their development, and growth management planned future development in that area will not require more park land to provide 5 acres per 1,000 population) within a 10-minute walk.**
 - viii. Consider updating Park policy to provide more multi-use flexibility in park land acres and development on Parks. Many Carlsbad Park acres are developed/dedicated to a single-purpose use, and unavailable for other park uses.
 - ix. Consider eliminating car parking lots from land that can be counted as parkland; or by significantly limiting park land used for parking to around 5%.
 - x. **Eliminate the counting of 'GM Constrained and Unusable land' and Protected Endangered Species Habitat land as Park land. GM Constrained/Unusable lands are undevelopable. Protected Habitat lands are by definition not useable for development by people. Habitat is dedicated for plants and animals. Parks are open spaces dedicated intended for people. Parkland calculations should exclude Unusable lands and Protected Habitat lands and only count 100% people Useable land as Park land. Where Park land abuts Habitat land a sufficient buffer space shall be provided to prevent people mixing with animals (ex. Rattlesnakes, etc.) and animals from people (habitat disturbance or destruction). This buffer area should not be counted as Park or Habitat acres, but as natural/developed buffer open space acres, and can be counted as part of the City's 15% Growth Management 'Aesthetic open Space'.**
5. Carlsbad's Coast is the most, if not the most, important feature of Carlsbad; and is consistently identified by citizens and businesses and our Community Vision. **Carlsbad's Coastal Parks (west of the I-5 corridor) are grossly unfairly distributed. Carlsbad's Coastal Parks do not fairly match the**

locational needs of the population. North Carlsbad that is 38% of Carlsbad's population and has 10 Coastal Parks totaling 37+ acres in size. South Carlsbad that is 62% of Carlsbad's population has 0 [ZERO] Coastal Parks totaling 0 [ZERO] acres. Again, Carlsbad's Park Master Plan maps this citywide unfairness (dots show park locations and circles show the area served by each park) and says that the City should look at buying and building New Parks in these areas that are unserved by City Parks (are not covered by a circle). The GM Update should correct this citywide unfair distribution of City Parks by making plans for new Park purchases to create City Parks in these unserved areas of Park Inequity.

To address citywide Coastal Park unfairness the current City Council wants to spend \$60-85 million in Carlsbad tax-payer funds to Relocate 2.3 miles of constrained Pacific Coast Highway median to try to make some of the narrow PCH median 'useable' by people. 2001 and 2013 City PCH Relocation studies identified only a small amount of 'people-useable acres' would be created next to PCH. The \$60-85 million tax-payer cost (\$26-37 million per mile) does NOT add one single square foot of new City land, it only inefficiently rearranges a small amount PCH median. The City can most tax-payer cost effectively provide needed sidewalks and bike improvements along the outside edges of PCH without PCH Relocation. The City's 2001 PCH Relocation Financial Study and 2013 PCH Relocation Design both indicated minimal useable land could be achieved by Relocation, and that the very high tax-payer cost to do so would be very difficult to fund. The City has known for well over 20-years that PCH Relocation is a high-cost and a poor solution to address the Citywide Coastal Park unfairness in South Carlsbad.

However, a **better and far less costly solution to correct Citywide Coastal Park unfairness and provide a much needed South Carlsbad Coastal Park is to simply buy currently vacant land that is for sale.** The City did this (although the City actually bought existing homes) when it expanded Pine Park. **Carlsbad tax-payers have used the City's own data to compare the tax-payer Cost/Benefits of simply purchasing vacant land v. trying to rearrange existing City owned land at PCH. Simply buying vacant land saves tax-payers saves tax-payers over \$32.7 to \$7.7 million.** Please read the following data files:

- 2022-June General Comparative tax-payer Costs/Benefits of Completing PCH, 2.3 miles of PCH Modification (Island Way to La Costa Ave.), and 14.3 acre Ponto Park (Kam Sang) to address planned loss of 30+ acres of Coastal Open Space Land Use at Ponto in South Carlsbad: Part 1 of 2.
- City's PCH Modification Proposal Area Map with notes on usability Constraints and Issues: P4P Input: Part 2 of 2
- The most recent (9/19/22) land sale of 11.1 acre Ponto Planning Area F was less than \$8 million (less than \$706,000 per acre).
- **Buying and developing this 11.1 acre Ponto Park would cost less than \$20 million assuming a 10% profit to the new land-owner, and \$1 million per acre park construction cost like our newest Buena Vista Reservoir Park.** The cost to help correct a Citywide Coastal Park unfairness by simply buying & building a much needed **11.1 acre Ponto Coastal Park would cost tax-payers less than the recently approved Measure J City Monroe Street Pool Renovation.** Investing less than \$20 million (\$1.8 million per acre) to buy and build an 11.1 acre Ponto Coastal Park is a great tax-payer value v. \$65-80 million in tax-payer funds to rearrange 15.8 acres of narrow strips of constrained PCH median (City documented "Surplus Land Area #4 &5") for some minimal people use at a tax-payer cost of \$4-5 million per acre. **The overall and per acre costs of buying/building Ponto Park are over 2 to 3 times better value for tax-payers than PCH Relocation/rearrangement.**

- The City Council could/can buy land for Open Space (Parks are the most useable of the City's 4 Open Space categories) under voter approved Prop C Open Space land acquisition authority. **The City has been advised to buy Ponto Park under Prop C per the City's settlement of a Growth Management law suit.**

The Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is clearly a citywide issue. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad as it is unfair to the vast majority of Carlsbad citizens and their families as 62% of Carlsbad is in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is unfair to our major Visitor serving industries (and tax generators) in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad are clearly inconsistent with the CA Coastal Act, Carlsbad's Community Vision, and common sense. The Coastal South Carlsbad Park Inequity is also unfair to North Carlsbad because South Carlsbad's Coastal Park demand is being forced into Coastal North Carlsbad and congesting those parks, and adding to Coastal North Carlsbad traffic and parking impacts. It also increases greenhouse gases and VMT as it forces longer vehicle trips.

a. Suggestions to CTGMC:

- i. 11.1 acre Ponto Planning Area F has a specific Local Coastal Program Land Use Policy that says The City of Carlsbad must for the Ponto Area LCP 'Consider and Document the need for Coastal Recreation (i.e. Public Park) and or Low-Cost Visitor Accommodations west of the railroad tracks (at Ponto) prior to any Land Use change. **The discussion of Parks by the CTGMC is such a situation that requires the CTGMC to consider this adopted LCP Land Use Policies. Official public records requests have shown the City never followed this LCP Land Use Policy Requirement during the 2005 Ponto Vision Plan and 2015 General Plan Update, and in 2010 the CA Coastal Commission rejected the Ponto Vision Plan and told the City in 2017 that that land uses at Ponto could change based on the need for Coastal Recreation and/or Low Cost Visitor Accommodations.** The Mello II LCP that covers most of Carlsbad's Coastal Zone also has Land Use Policy 6.2 for the City to consider a major park in the Batiquitos (Ponto/South Carlsbad) area. The City has only implemented 1/6 to 1/3 of this policy. **The CTGMC should fully evaluate the citywide/South Carlsbad and local Ponto need for Coastal Parks as required by the City's adopted LCPs and CA Coastal Act.**
- ii. Carlsbad's 2015 General Plan Update and Growth Management Plan (GMP) did not, and was not updated to, consider the 2017 Sea Level Rise (SLR) Impact report showing the loss/impact on 32+ acres of Carlsbad's Coastal Land Use acreage in South Carlsbad – primarily Open Space Land Use (beach and Campground). **Both the General Plan (and Local Coastal Program Land Use Plan) and GMP should be updated to account for the loss and replacement of these 32+ acres of high-priority Coastal Open Space Land Use due to SLR.** The updates and the CTGMC should use the newest CA Coastal Commission SLR Guidelines/science, not the old guidelines used in 2017. Carlsbad's LCP and CA Coastal Act Land Use Polies call for 'upland relocation' to replace the SLR loss of high-priority Coastal Land Uses.
- iii. **The availability over the past several years of the last two sufficiently sized vacant lands suitable for a Ponto/South Carlsbad Coastal Park is a citywide issue. If these last two vacant lands are lost to development forever future generations will have lost the last opportunity for the needed South Carlsbad Coastal Park.** The 5/3/22 Citizen requests for the City to jointly study acquisition of one or both these last vacant lands for a needed (and only possible) true and meaningful Coastal Park for

South Carlsbad should be recommended by the CTGMC. **The CTGMC should recommend Carlsbad’s GMP be updated to incorporate Parkland acquisition of these last opportunities to provide the needed Coastal Park for South Carlsbad.**

6. Carlsbad Growth Management Open Space Standard is that 15% of all the Useable (unconstrained and fully buildable) areas is to be preserved as Useable Open Space, and that all the 25 Local Facility Management Plans (LFMP) show how that 15% is provided. The City says:

OPEN SPACE

A. Performance Standard

Fifteen percent of the total land area in the Local Facility Management Zone (LFMZ) exclusive of environmentally constrained non-developable land must be set aside for permanent open space and must be available concurrent with development.

Yet the City has mapped and documented that this 15% Useable Open Space Performance Standard was not complied with. The City also acknowledges that without changes to current City planning the 15% Useable Open Space Performance Standard will never be complied with. The City acknowledges that only 13% has/will under current plans ever be provided. This missing 2% equals 501 acers of lost GM Open Space the GMP promised citizens. **Carlsbad law the Growth Management Ordinance 21.90, and section ‘21.90.130 Implementation of facilities and improvements requirements’; provide guidance on how non-compliance with a Performance Standards is to be handled.**

a. Suggestions to CTGMC:

- i. Retain the GM Open Space Standard of 15% of all unconstrained and developable land is maintained as Open Space. If the City removes the Open Space Standard, it will allow and encourage land use changes to remove GM Open Space and replace with development.
- ii. **The CTGMC should make a recommendation that an inventory of all 25 LFMP Zones be conducted and an inventory of each LFMP Zones provision of at least 15% Useable Open Space shall be compiled. No LFMP Zone shall be allowed to be “exempt” from this inventory.** The City’s computerized GIS mapping system makes it easy and clear as shown in the following City GIS map for LFMP Zone 9 (aka Ponto).



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara includes the same lagoon.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were not required to comply with the 15% Useable Open Space Standard is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the Growth Management Standard of 15% Useable Open Space at Ponto

472 Acres	Total land in LFMP Zone 9 [Ponto]
<u>(197 Acres)</u>	Constrained land excluded from Growth Management (GMP) Open Space
275 Acres	Unconstrained land in LFMP Zone 9 [Ponto]
<u>X 15%</u>	GMP Minimum Unconstrained Open Space requirement
41 Acres	GMP Minimum Unconstrained Open Space required
<u>(11 Acres)</u>	GMP Open Space provided & mapped per City GIS data
30 Acres	Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

- iii. In instances like LFMP Zone 9 (above image) that clearly did not provide at least 15% Useable Open Space and/or were falsely “exempted” the CTGMC should recommend that a **Local Facilities Zone Useable Open Space Correction Plan** shall be developed that explores the GM Open Space use/reuse of City land, land use planning requirements, and/or possible acquisitions of remaining vacant land acres to make up for any shortfall in meeting the 15% Useable Open Space in that a Zone. An example of this in LFMP Zone 9 is that the City’s regional Rail Trail will convert 2-lanes of almost all of Avenida Encinas to wider buffered bike lanes and an adequate portion of the converted 2 vehicle lanes can be landscaped (v. just painting strips as a buffer) to provide a safer/better bike lane buffer within a GM compliant Open Space. 2 vehicle lanes in Windrose Circle could also be similarly landscaped and converted to GM complaint Open Space. This is just one example of a cost-effective means to add GM Open Space that developers were falsely allowed to remove.
- iv. A **Local Facilities Zone Useable Open Space Correction Plan** should involve a Citizens Advisory Committee composed of citizens within the impacted Zone and appointed by the Council Members representing the Zone, and a representative of each vacant land owner over of over 1-acre in size.
- v. Consistent with the Growth Management Ordinance land use changes and development applications within a **Local Facilities Zone Useable Open Space Correction Plan** Zone shall be deferred until the applications can considered with (or after adoption of) a **Local Facilities Zone Useable Open Space Correction Plan**.

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: Public input for February 2023 Carlsbad Tomorrow Growth Management Committee mtg & et.al. for LCPA - 11 points & personal comments - 5 - 3
Date: Sunday, January 29, 2023 3:20:58 PM
Attachments: [Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)

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

Dear City of Carlsbad please deliver these 5th batch of 3 more (running total of 100) petitions and personal insights and comments for the February 2023 CTGMC meeting; and please distribute to the City Council, Parks-Housing-Planning Commissions as public communications so they area also aware of this public input.

Thank you.

Lance Schulte

For the many
People for Ponto

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](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Saturday, January 28, 2023 2:27:57 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.

Name

Christy Johnson

Email

ntgworldtour2@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, January 26, 2023 8:12:55 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

Dear Carlsbad Tomorrow Growth Management Committee ,
Carlsbad City Council, and CA Coastal Commission

The last remaining open space in SW Carlsbad must be protected and kept for Ponto Park! I’ve lived here for 25 and love the open space, nature and natural habitats about the Ponto area- the only thing that can make it better is having a usable coastal park for all to enjoy!

Thank you,

Nicole Kapan

Name

Nicole Kapan

Email

nicolemkapan@gmail.com

City

Carlsbad

State

Ca

Sent from [People for Ponto](#)

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, January 26, 2023 3:21:45 PM

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

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Name

Jason Bishop

Email

jasonbishopdds@yahoo.com

City

Carlsbad

State

CA

From: [Ioni Tcholakova](#)
To: [Growth Management Committee](#)
Subject: Growth Committee Meeting Discussion Item 1, Circulation Standard
Date: Thursday, January 26, 2023 4:57:16 PM

Dear Carlsbad Growth Management Committee,

Regarding the Proposed Circulation Standard,

Transitioning from the Traffic Impact Fee to the Multimodal Transportation Fee and utilizing person miles traveled is an important push towards holistic mobility planning.

My recommendations and things to consider are as follows:

1. Often, the costs of the development process can become a barrier to the development of affordable housing. Equitable and just growth management should ensure that the recommendation for the multimodal transportation fee does not disproportionately deter the development of greater affordable housing units. In addition, as high density housing is likely to bring a greater count of PMT, the fees required will likely be larger. I suggest adding the relevant bolded language, "Development of standards and a fee structure for private development to provide a fair share to partially fund the buildout of the city's multimodal transportation network. **This fee structure shall provide flexible cost requirements for projects that maximize the number of affordable housing units beyond the required standard.**"
2. In order to have just growth, it is important that the MTIF goes both towards general community projects as well as localized developments. When assessing community benefits of projects, these should be done with intentional planning to undo injustice in the region. This can be added to the language in bold: "Utilize the SMP and MTIF to implement future multimodal transportation impacts that provide the greatest **and most just benefit to the community through both localized and general community projects,**"
3. Consideration of mobility patterns should be sensitive to all modes of mobility outside of vehicular travel, in particular the importance of public transportation in the region. This can be supported by adding the following bolded language: "Relationship between traffic operations, changing commute patterns, regional traffic volume growth, traffic safety and new disruptive trends in mobility technologies, and the **importance and prioritization of high density affordable mobility options such as public transportation,**"
4. Clarify what outcomes result from conducting the LOS and MMLOS analysis to ensure coordination with the Sustainable Mobility Plan goals. To what extent will the developer have to mitigate the impacts? This should be defined in the recommended language.

Thank you!

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From: [Patricia Bleha](#)
To: [Growth Management Committee](#)
Cc: pcb@sbcglobal.net
Subject: comments on Agenda Jan. 26
Date: Thursday, January 26, 2023 3:58:41 PM

1. Committee Business Parks Standards

Staff recommendation should be to keep existing standard 3 acres per 1,000 and do not count other city owned or controlled recreational acreage as part of parks. The former are in addition to and should not be changed.

Staff should evaluate the accessibility of parks based on 10 min. travel time to any publicly accessible park.

Access is the key issue and needs to be addressed. Better yet .5 acres city wide for all neighborhoods that do not have a park within ½ mile. (The 11 zones exempted for open space in many cases are the ones that also need accessible parks. Let's get with this issue once and for all.

Patricia Bleha, president North County Advocates

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From: [J Cannon](#)
To: [Growth Management Committee](#); [Council Internet Email](#); [City Clerk](#); [Kyle Lancaster](#); [Eric Lardy](#); [Darren@Parks](#)"; [Sean@Parks](#); [Michele Hardy](#); [Gina@Parks](#)"; [Boyle, Carrie@Coastal](#); [Toni@Coastal](#); [Erin@Coastal](#)"; [melanie@melanieforcarlsbad.com](#)
Subject: Public Input re: Park at Ponto
Date: Wednesday, January 25, 2023 1:57:07 PM

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

As the City has requested specific reference regarding public input, I am delivering to the above addresses this email and attachment as public input for:

1. CTGMC's 1/26/23 meeting
2. The next Carlsbad Council meeting
3. The next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, Ponto Planning Area F and Site 18 land use changes, and Local Coastal Program Amendments
4. Public input to the CCC on Carlsbad proposed Local Coastal Program
5. Public input to Carlsbad's proposed Local Coastal Program Amendment.

Having just done a photo survey of the latest King Tides in Carlsbad--which is a preview of what our coast will look like as sea level rises in the near future--we won't have any beaches. This means that ANY coastal public open space will be crucial in maintaining Carlsbad's reputation as a great place to live, and as a destination for visitors. Ponto Park will be one of the last open spaces left in our 7-mile coastline where the public can enjoy seaside activities.

Our next generations will thank you for planning wisely for the future,

J Cannon

Carlsbad beach, 1/22/23, northernmost Ocean Street access.



Further north, same day, South Oceanside





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

From: [Howard Krausz](#)
To: [Growth Management Committee](#)
Subject: NCA comments regarding proposed parks performance standards
Date: Wednesday, January 25, 2023 10:08:50 PM

Jan 25, 2023

To: Carlsbad Growth Management Citizens Committee

From: Howard Krausz on behalf of North County Advocates

Re: Agenda Item - Parks Performance Standards

Honorable Chair and Committee Members

At the Jan. 11th meeting there was discussion of changing the parks performance standard from 3 to 4 acres/1000 residents citywide but considering beaches and lagoons as parks. That is a terrible idea that will in fact reduce required park acreage greatly. Here is why:

The Annual Open Space Status Report for fiscal year 2021-22 lists 1186 acres of park land. Let's just assume that amounts to about 3 acres/1000 residents. Carlsbad's 3 lagoons total 1299 acres. Including the lagoons (and not even the beaches) as parks would mean that Carlsbad currently has more than 6 acres/1000 residents since lagoon acres are more than the total of all the current parks. Therefore changing the standard to 4 acres/1000 residents would actually reduce the required acreage by at least a third, from the current standard.

Lagoons and beaches are Category 1 open space and are not parks, which are Category 3.

Regarding accessibility, we fully support implementation of a standard based on ½ mile distance to any publicly accessible park.

Howard Krausz, MD

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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: Public input for 1-26-23 Carlsbad Tomorrow Growth Management Committee mtg - 11 points & personal comments - 1 - 29
Date: Tuesday, January 24, 2023 10:36:47 PM
Attachments: [Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
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Dear Carlsbad Tomorrow Growth Management Committee, Carlsbad City Council, Parks, Housing and Planning Commissions, , CA Coastal Commission and CA State Parks:

Dear City of Carlsbad please deliver these 29 petitions and personal insights and comments for the 1/26/23 CTGMC meeting on Parks & Open Space; and please distribute to the City Council, Parks-Housing-Planning Commissions as public communications so they area also aware of this public input.

Thank you.

Lance Schulte

For the many
People for Ponto

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

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: Public input for 1-26-23 Carlsbad Tomorrow Growth Management Committee mtg - 11 points & personal comments - 2 - 36
Date: Wednesday, January 25, 2023 8:09:24 AM
Attachments: [Protect Ponto Petition Letter.msg](#)
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Dear Carlsbad Tomorrow Growth Management Committee, Carlsbad City Council, Parks, Housing and Planning Commissions, , CA Coastal Commission and CA State Parks:

Dear City of Carlsbad please deliver these 2nd batch of 36 more (running total of 65) petitions and personal insights and comments for the 1/26/23 CTGMC meeting on Parks & Open Space; and please distribute to the City Council, Parks-Housing-Planning Commissions as public communications so they area also aware of this public input.

Thank you.

Lance Schulte

For the many
People for Ponto

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

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: Public input for 1-26-23 Carlsbad Tomorrow Growth Management Committee mtg - 11 points & personal comments - 3 - 26
Date: Wednesday, January 25, 2023 12:31:01 PM
Attachments: [Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
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Dear Carlsbad Tomorrow Growth Management Committee, Carlsbad City Council, Parks, Housing and Planning Commissions, , CA Coastal Commission and CA State Parks:

Dear City of Carlsbad please deliver these 3rd batch of 26 more (running total of 91) petitions and personal insights and comments for the 1/26/23 CTGMC meeting on Parks & Open Space; and please distribute to the City Council, Parks-Housing-Planning Commissions as public communications so they area also aware of this public input.

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Lance Schulte

For the many
People for Ponto

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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: Public input for 1-26-23 Carlsbad Tomorrow Growth Management Committee mtg - 11 points & personal comments - 4 - 6
Date: Wednesday, January 25, 2023 4:30:20 PM
Attachments: [Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)
[Protect Ponto Petition Letter.msg](#)

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

Dear City of Carlsbad please deliver these 4th batch of 6 more (running total of 97) petitions and personal insights and comments for the 1/26/23 CTGMC meeting on Parks & Open Space; and please distribute to the City Council, Parks-Housing-Planning Commissions as public communications so they area also aware of this public input.

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For the many
People for Ponto

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From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 6:48:06 PM

Protect Ponto Petition:

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Name

Mary Held-Manley

Email

mhmanley@cox.net

City

Oceanside

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 9:59:36 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.

Name

Leandro Festino

Email

lfestino@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 9:59:12 PM

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Additional Comments

Please use the space for a public park to preserve open space.

Name

Lauren Brown

Email

lgranvil@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 9:55:27 PM

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Name

Kristine Wright

Email

kriswrt222@gmail.com

City

CARLSBAD

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 9:31:34 PM

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Additional Comments

Open space at ponto please!

Name

Roger Davy

Email

roger.davy@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 9:21:53 PM

Protect Ponto Petition:

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Additional Comments

I am writing to express my deep concern and disappointment about the proposed development the open space in our community. This land is a precious resource that should be preserved for the enjoyment and benefit of all residents, not just a select few who can afford to live in luxury condos.

As you may know, this open space is a vital part of our community. It provides a place for families to gather, children to play, and neighbors to connect.

I urge you to consider the long-term consequences of allowing this development to proceed. Once this land is developed, it will be lost forever. Instead, I implore you to consider turning the open space into a community park. This would provide a much-needed green space for our community, and would be a source of pride and joy for generations to come.

I understand the need for economic development, but I believe that this can be achieved without sacrificing our natural heritage. I urge you to take

a stand for our community and vote against this development.

Name

Andrew Eads

Email

andreweads@gmail.com

City

Carlsbad

State

CA

Sent from [People for Ponto](#)

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:59:51 PM

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Name

Ron Ranson

Email

rranson@ucsd.edu

City

Leucadia

State

Ca

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- 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".

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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

Please consider purchasing the land directly north of the Batiquitos Lagoon (Avenida Encinas and Coast Hwy) to preserve the natural beauty of our coastline. And please - ZERO development along this last piece of natural coastline from La Costa Ave to just south of Tamarack. NO LINEAR PARK.

Name

Vickey Syage

Email

vickey.syage@gmail.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:58:21 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.

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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.

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Additional Comments

keeping our family freindly neighborhood safe includes all over development on our ponto area coastline.

Name

paulina miller

Email

pmillerca@cox.net

City

Carlsbad

State

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:47:00 PM

Protect Ponto Petition:

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

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Additional Comments

Southwest Carlsbad has a long history of being ignored by the Carlsbad city council. It is time we have a dedicated park here.

Name

Michael Supancich

Email

msupancich@gmail.com

City

Carlsbad

State

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:46:03 PM

Protect Ponto Petition:

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

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Name

Teri Fitzgibbons

Email

teribail@yahoo.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:44:05 PM

Protect Ponto Petition:

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

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Name

Regina King

Email

rking404@aol.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:44:04 PM

Protect Ponto Petition:

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

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Name

Nancee Foglesong

Email

2ncaye@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:41:42 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.

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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.

Name

Joseph Barrion

Email

jbarrion@yahoo.com

City

Carlsbad

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:41:03 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”.

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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.
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- 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.
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Additional Comments

Please give our community what we pay for in Carlsbad

Name

Michelle Altenhoff

Email

michellea@roadrunner.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:39:08 PM

Protect Ponto Petition:

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

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Additional Comments

Having just done a photo survey of the latest King Tides in Carlsbad--which is a preview of what our coast will look like in the near future--we won't have any beaches. This means that ANY coastal public open space will be crucial in maintaining Carlsbad's reputation as a great place to live, and as a destination for visitors. Ponto Park will be one of the last open spaces left in our 7-mile coastline where the public can enjoy seaside activities.

Name

Janell Cannon

Email

blancofelis@earthlink.net

City

Carlsbad

State

CA

Sent from [People for Ponto](#)

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:36:10 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.

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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

Please protect our open space and make room for a park. It could be so inviting!

Name

NANCY BALTO

Email

nbalto@comcast.net

City

Carlsbad

State

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:31:01 PM

Protect Ponto Petition:

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

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Name

Merrilee Morgan

Email

mamx54@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:30:10 PM

Protect Ponto Petition:

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

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Additional Comments

We, your constituents, are asking you, to respectfully consider the these 11 issues regarding the Carlsbad Growth plan and prioritize the concerns of your citizens ahead of developer interests.

Name

Chris Galindo

Email

cfgalindo@roadrunner.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:23:51 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.

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Name

Victor Cavataio

Email

vicandvan@verizon.net

City

carlsbad

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:21:48 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.

Name

Ray Hughes

Email

rayjay3@sbcglobal.net

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 8:18:37 PM

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Additional Comments

Give us Ponto Park already! How many times do we have to say it, write it, stand up and ask for it??? LISTEN TO THE PEOPLE!

Name

Jodi Jones

Email

jodimariejones@hotmail.com

City

carlsbad

State

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To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 7:18:49 PM

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Additional Comments

Homeowners in SanPacifco and Rosalena -530 homes paid their park fees when they bought their homes. They play in the streets . No park to walk to in their area .

Name

Chas Wick

Email

chaswick@reagan.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 5:53:03 PM

Protect Ponto Petition:

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Name

Richard Anglin

Email

rlanglin01@yahoo.com

City

Donnelly

State

ID

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 5:46:37 PM

Protect Ponto Petition:

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Name

Justin Taylor

Email

j_athletics04@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 5:32:17 PM

Protect Ponto Petition:

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Additional Comments

Address train vibration and noise issues with potential projected increase in track usage in this limited coastal space Address comparative impact of infrastructure issues internet, utilities, schools etc. of park vs development

Name

Patricia Greely

Email

beachbums760@gmail.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 4:33:10 PM

Protect Ponto Petition:

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- 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

To Second the Request: I 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.!!!
Thank you

Name

Diane Rivera

Email

dianariver@aol.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 12:08:53 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.
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Name

Susan Igoe

Email

ncountylocal@yahoo.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 11:46:07 AM

Protect Ponto Petition:

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

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Name

Jan Neff-Sinclair

Email

jan.neff@ymail.com

City

Carlsbad

State

ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:58:32 AM

Protect Ponto Petition:

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

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Additional Comments

Thanks you to People for Ponto for their hard work and informing the community. I stand with People for Ponto. Open space must be addressed so that irreplaceable open space is not lost forever. We must retain these spaces for Carlsbad.

Name

hope nelson

Email

hopen51@att.net

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:18:40 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.

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Additional Comments

Please provide the park here at Ponto, so that people in SW Carlsbad can walk to a usable park (i.e., one large enough to allow people to play sports) and children don't have to play in the streets and along the railroad right-of-way.

Name

Kathy Schulte

Email

kmsresearch@sbcglobal.net

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:20:47 PM

Protect Ponto Petition:

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

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Additional Comments

Dear Carlsbad Tomorrow Growth Management Committee ,
Carlsbad City Council, and CA Coastal Commission

As you probably know the last remaining open space in South West Carlsbad should be protected and designated for a beautiful Ponto Park! I've lived here for 22 years and love South Carlsbad State Beach which a beach bluff of camp sites adjacent West to the Ponto area. A usable coastal park at Ponto for all to enjoy, with play areas for all ages, and due to the adjacency a walking bridge to South Carlsbad State Beach over Coast Highway so visitors can walk from Ponto Park through the camp ground to the camp store, attend ranger programs, and enjoy the park, will make Carlsbad an even greater premium destination to live, visit and a model for other beach communities to aspire to .. that said, there's nothing more wonderful than kids playing in a park near the beach ..

I recommend calling something like "Ponto Beach Campside Park" or "South Carlsbad Beach Park" or ??

Thank You and Best Regards,

David T Johnson

Name

David Johnson

Email

davidj_sd@yahoo.com

City

CARLSBAD

State

CA

Sent from [People for Ponto](#)

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:24:11 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.

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- 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.
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- 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

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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".

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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

As a long-time visitor to Carlsbad, I've always felt that the south west portion of Carlsbad has been missing an important element to a healthy and happy life ... and that is a park! The Ponto area is a perfect location for such a wonderful amenity for locals and visitors. Please don't squander that last open space in the area. Build a park for all to enjoy and benefit from.

Email

meyersray15@gmail.com

City

Englewood

State

FL

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:27:08 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.
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Name

Ron King

Email

ron@kingcontractglass.com

City

Carlsbad

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:28:01 PM

Protect Ponto Petition:

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

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Additional Comments

Make ponto a park. Don’t want more buildings.

Name

Ray Pili

Email

rpili2001@gmail.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:30:04 PM

Protect Ponto Petition:

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

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Name

Tamara Kapan

Email

tamara@kapankent.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:30:46 PM

Protect Ponto Petition:

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

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Name

Diane Bedrosian

Email

drdianeb@aol.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:32:33 PM

Protect Ponto Petition:

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

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Name

Barbara Campbell

Email

lost79vw@aol.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:42:55 PM

Protect Ponto Petition:

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

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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.

Name

John Frazza

Email

frazzajf@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:43:29 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.

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– 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.
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- 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

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Name

Kelley Frazza

Email

frazzaka@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:44:01 PM

Protect Ponto Petition:

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

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Name

Pamela Parkinson

Email

pamparkinsonrealtor@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:44:13 PM

Protect Ponto Petition:

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

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Name

Leigh Frazza

Email

leigh.frazza@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 11:32:53 PM

Protect Ponto Petition:

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

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Name

Beverly Moss

Email

chezmoss@gmail.com

City

Encinitas

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 12:17:04 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.

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Additional Comments

Our last open land in the south Ponto Beach area, must be saved and protected. There is already too much commercialization of the coastal areas of Carlsbad and as they say, “they aren’t making anymore land.” Once the last vestiges of open land are gone, it will be gone forever.

Name

Richard Nucci

Email

rnucci1@san.rr.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 3:06:09 AM

Protect Ponto Petition:

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

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Name

Gail Norman

Email

gnorman_ca@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 4:33:30 AM

Protect Ponto Petition:

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

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Accordingly, I am making my position known and requesting that

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- 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.

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- 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.

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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.

Name

Kelsey Lundy

Email

jklundy1@sbcglobal.net

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 4:54:22 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.

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Name

Chris Kapan

Email

chrisk@kapankent.com

City

Carlsbad

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 5:28:20 AM

Protect Ponto Petition:

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Additional Comments

Please preserve open spaces.

Name

Lisa Johnson

Email

lgjohns@duck.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 5:51:15 AM

Protect Ponto Petition:

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

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Name

karen crosby

Email

kcrosby10@sbcglobal.net

City

carlsbad

State

c a

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:05:18 AM

Protect Ponto Petition:

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

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Additional Comments

I’m not sure how many signatures you received but please don’t think for a minute that anyone wants more condos over public park space (excluding those who would profit from the condos). Please help keep Carlsbad the desirable community it has always been. Thank you

Name

Steve Tannenbaum

Email

stannenbau@msn.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:09:19 AM

Protect Ponto Petition:

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

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Additional Comments

Dear Carlsbad Tomorrow Growth Management Committee ,
Carlsbad City Council, and CA Coastal Commission

The last remaining open space in SW Carlsbad must be protected and kept for Ponto Park! I've lived here for 25 and love the open space, nature and natural habitats about the Ponto area- the only thing that can make it better is having a usable coastal park for all to enjoy!

Thank you,

Nicole Kapan

Name

Nicole Kapan

Email

nicolemkapan@gmail.com

City

Carlsbad

State

Ca

Sent from [People for Ponto](#)

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:19:06 AM

Protect Ponto Petition:

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

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- 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

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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".

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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.

Name

Richard Gallagher

Email

friar1990@yahoo.com

City

Carlsbad

State

Select One

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:23:27 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.

– 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.

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Name

Don Burton

Email

djb83@netzero.net

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:20:52 AM

Protect Ponto Petition:

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

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Name

Annie Gallagher

Email

zorknzeek@yahoo.com

City

Carlsbad

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:24:01 AM

Protect Ponto Petition:

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

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Name

Atsuko Suzuki

Email

atsukoburton@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:24:36 AM

Protect Ponto Petition:

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

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Name

Lowell Burton

Email

lowell1230@comcast.net

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:33:03 AM

Protect Ponto Petition:

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

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Name

Kathleen Marre

Email

jkmarre@gmail.com

City

Encinitas

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:38:46 AM

Protect Ponto Petition:

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

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Name

Risa Sybrandy

Email

rlsybrandy@yahoo.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:39:42 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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– 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.

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- 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".

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Name

Lauren Robertson

Email

lauren.petry@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:40:11 AM

Protect Ponto Petition:

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

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Name

Kate Munhall

Email

katemunhall@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 6:54:23 AM

Protect Ponto Petition:

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

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Additional Comments

Dear Carlsbad Tomorrow Growth Management Committee ,
Carlsbad City Council, and CA Coastal Commission

The last remaining open space in SW Carlsbad must be protected and kept for Ponto Park! I've lived here for 22 yrs and love old fashioned feel of the Ponto area- the only thing that can make it better is having a usable coastal park for all to enjoy!

Thank you,
Alicia

Name

Alicia Armstrong

Email

dallas214@icloud.com

City

Carlsbad

State

CA

Sent from [People for Ponto](#)

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 7:03:10 AM

Protect Ponto Petition:

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

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Name

Barbara Tronowsky

Email

dodobugs1950@yahoo.com

City

Carlsbad

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 7:15:35 AM

Protect Ponto Petition:

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

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Name

Yvonne Sinnen

Email

ysinn@aol.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 7:22:36 AM

Protect Ponto Petition:

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

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Name

Renee Wagner

Email

rwagpeg77@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 7:27:41 AM

Protect Ponto Petition:

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

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- 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.

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Email

tessaroberts08@gmail.com

City

Cardiff

State

CA

Sent from [People for Ponto](#)

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 7:28:39 AM

Protect Ponto Petition:

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

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Name

Susan Stockdale

Email

sandiegosu@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 7:28:59 AM

Protect Ponto Petition:

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Name

Pamela Carson

Email

carsononcall@gmail.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 7:54:52 AM

Protect Ponto Petition:

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

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Name

Regina King

Email

rking404@aol.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 8:04:51 AM

Protect Ponto Petition:

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Name

DAVID ZERFING

Email

dzerfing1@comcast.net

City

carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 8:12:27 AM

Protect Ponto Petition:

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Name

Andy Palmer

Email

andrewpalmer@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 8:18:26 AM

Protect Ponto Petition:

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

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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 have enjoyed Ponto Beach and surrounding park areas for many years and hope to continue for many more. Please take these issues seriously into account. Thank you!

Name

SAMUEL DAME

Email

sam@damebeachliving.com

City

San Diego

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 8:20:49 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.

– 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.

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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.

Name

James Zemel

Email

jzlacosta@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 8:24:58 AM

Protect Ponto Petition:

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

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Name

Steven Kesten

Email

skesten01@gmail.com

City

Carlsbad

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 8:30:00 AM

Protect Ponto Petition:

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

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- 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.
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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

Ponto is the last remaining open space to be protected for all to use now in the future. A park or nature preserve is needed in the south coastal area of Carlsbad. Please save this precious piece of land from unnecessary development.

Name

Valerie Cowan

Email

dvcowan54@gmail.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 8:50:13 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.

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- 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.

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Additional Comments

Include the elimination and replacement of non-native plants, areas for rain water retention and contiguous open areas of land for animals to move through the area and brush. Keep the concrete at a minimum and make this a neighborhood use area.

Name

Lori Hiers

Email

lahiers@me.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 9:03:18 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.

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Name

Renee Bryan

Email

rbryan444@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 9:15:54 AM

Protect Ponto Petition:

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

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Name

Tanya Brooking

Email

tanyabrooking@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 9:16:22 AM

Protect Ponto Petition:

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

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- 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.
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Name

Dan Brooking

Email

danbrooking@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 9:31:33 AM

Protect Ponto Petition:

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

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Name

cathleen cramer

Email

cathleen.cramer90@gmail.com

City

carlsbad

State

california

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 9:53:49 AM

Protect Ponto Petition:

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

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Name

Gary McGrath

Email

gmcgrath@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 10:03:16 AM

Protect Ponto Petition:

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

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Name

Samantha Collier

Email

samleemd@comcast.net

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 10:03:56 AM

Protect Ponto Petition:

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Name

Michael Fetsko

Email

fetskom@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 10:09:40 AM

Protect Ponto Petition:

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

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Name

Elaine Mitchell

Email

catdoc@aol.com

City

Cardiff

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 10:17:30 AM

Protect Ponto Petition:

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

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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

Save our open spaces for generations to come!

Name

Donna Cowan

Email

donnaposkitt@cox.net

City

San Marcos

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 10:21:54 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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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.

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- 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.

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Name

Michael Fetsko

Email

fetskom@yahoo.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 10:28:22 AM

Protect Ponto Petition:

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

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Additional Comments

Having lived in North county for almost 20 years, the Ponto area is my absolute favorite place and the only thing that could make it better is to have an actual park there. It's Very Important for the city to purchase the lot that is NOW as it will also provide the Best way to mitigate sea level rise. Everyone benefits as a result of building a Ponto Park, including future generations. I can't wait to be able to meet friends there and enjoy being out in nature by the beach. The rocks (or cobbles as you call them) at Ponto beach are getting very hard to navigate and there just isn't enough beach left for all the residents to enjoy. An adequate sized Ponto Park is long over due...20 years overdue...PLEASE make it happen quickly!

Name

Jane Naskiewicz

Email

fabsdhomes@gmail.com

City

Oceanside

State

CA

Sent from [People for Ponto](#)

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 10:35:56 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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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 have lived in Leucadia and Carlsbad my whole 57 years! The SW corner is the last open coastal space and I think it is imperative that we protect it and keep it open.

Name

Leesa Gressitt

Email

leesagressitt@yahoo.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 10:42:44 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.

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Additional Comments

It is rather easy to develop our open spaces but difficult, if not impossible to restore previously overdeveloped areas to their once pristine conditions. Please work to assure that the scarce open coastal areas remain as such and available to those who desire to witness the beauty of nature.

Name

Robert Haines

Email

hainesrf@aol.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 11:15:46 AM

Protect Ponto Petition:

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

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Name

Chris Durrand

Email

cdurrand@cox.net

City

San Diego

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 11:32:13 AM

Protect Ponto Petition:

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

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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've been visiting Carlsbad for years and the beach is nice but Ponto Park would be so much better!

Name

Dorothy Fritz

Email

dorothy.fritz@aol.com

City

Waco

State

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 11:35:52 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.

– 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”.

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– 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

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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.

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Additional Comments

Build Ponto Park!

Name

Ron Fritz

Email

rondoefritz@att.net

City

Waco

State

TX

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 11:51:54 AM

Protect Ponto Petition:

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

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Name

steven Goddard

Email

steven.goddard@att.net

City

carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 12:13:46 PM

Protect Ponto Petition:

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

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Additional Comments

Perfect place for a park. We don't want to become Orange County

Name

Michael Johnson

Email

mjcarlsbad@yahoo.com

City

Carlsbad

State

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 12:33:19 PM

Protect Ponto Petition:

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

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Name

Mark Martinez

Email

martinezm53@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 12:53:57 PM

Protect Ponto Petition:

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

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Additional Comments

Please give our community what we pay for in Carlsbad

Name

Michelle Altenhoff

Email

michellea@roadrunner.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 1:27:04 PM

Protect Ponto Petition:

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

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Name

Kate Munhall

Email

katemunhall@gmail.com

City

Carlsbad

State

CA

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 3:40:48 PM

Protect Ponto Petition:

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

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- 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

Protect Ponto! We are taxpayers and residents in the Ponto community. We want the neighborhood park and responsible development!

Name

Shirley Hudson

Email

skeatinghudson@yahoo.com

City

Carlsbad

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 3:44:33 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.
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Name

Connor KeatingHudson

Email

connor_hudson@yahoo.com

City

Carlsbad

State

California

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, January 25, 2023 3:46:19 PM

Protect Ponto Petition:

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

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Name

Drew Keating-Hudson

Email

drewkeatinghudson@yahoo.com

City

Carlsbad

State

Ca

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: 1-26-23 CTGMC mtg - public input on Carlsbad Parkland Dedication Ordinance and City losses
Date: Tuesday, January 24, 2023 1:39:33 PM
Attachments: [image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image022.png](#)
[image001.emz](#)
[image002.png](#)
[Example of Carlsbad Parkland Dedication Ordinance - Ponto Site 18 - 2022 Sep.pdf](#)

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

Please again consider this email and attachment on 1/26/23.

This may clear up some what appeared to be a miscommunication by staff on 1/11/23 that appeared to say that the developer can decide how to comply with the Park Dedication Ordinance (Dedicate land or pay an in-lieu-of-dedication fee). This is not correct. Per 21.44 a developer may propose, but it is the City that decides how and where the Park land required is to be provided. Per 21.44.040 & 21.44.050 of the City's Park Dedication Ordinance

Clearly states it is the City "decision making body" for the development proposal, i.e. Planning Commission or City Council, that decides if Park land is required or a commensurate Park in lieu fee will be required from the developer. In almost all instances Park land in the area (aka 10-minutewalk) of the development is better as that is where the development's Park land demand is created and where additional Park land supply should be created.

I hope this email and data helps the CTGMC in address the critical Park Land needs in various areas of Carlsbad, and this Ponto Site 18 example provides actual data using a currently proposed project in an area Carlsbad's Park Master Plan (current but soon to be changed) indicates is 'unserved by parks' and should be an area where new parks should be provided.

Please note in this Ponto Site 18 example there IS vacant land (about 1 acre) left-over after the development that the developer could dedicate to the City for the developer's Park Land dedication requirement. The CTGMC would be thoughtful to include in your Standard recommendations to include strong policy requirements to get Park land v. fees in areas needing Parks.

Thank you,
Lance

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Sunday, September 11, 2022 11:39 AM
To: committee@carlsbadca.gov; 'Michele Hardy'; council@carlsbadca.gov; 'City Clerk'; 'Kyle Lancaster'; 'Eric Lardy'; 'Smith, Darren@Parks'; Homer, Sean@Parks (Sean.Homer@parks.ca.gov); 'Moran, Gina@Parks'; Carrie Boyle (carrie.boyle@coastal.ca.gov); 'Prahler, Erin@Coastal'; Ross, Toni@Coastal (Toni.Ross@coastal.ca.gov)
Cc: 'info@peopleforponto.com'
Subject: public input on Carlsbad Parkland Dedication Ordinance and City losses

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

Please consider this data file and public input email/attachment in the CTGMC, Housing Element and Parks Master Plan Updates, Proposed Local Coastal Program Amendment, and the Ponto Site 18 proposed land use changes and development application.

'Example of Carlsbad's Park-in-lieu Fee failing to actually provide the required Parkland or improvements

The example is for Ponto Site 18 one of the City's proposed General Plan & Local Coastal Program land use changes to provide RHNA required housing sites for the years 2021-2029. Ponto Site 18 is the Ponto Storage site and surrounding lots. Ponto Site 18's map and City description is provided on pages 4-5 below.

The example shows Carlsbad loses significant amounts of money, and more critically loses precious and irreplaceable Parkland that developers are required to provide for free. These City losses are absorbed by current and future Carlsbad tax-payers. For the relatively small 5 acre and 86 dwelling unit Ponto Site 18 proposal the loss to Carlsbad is \$ 1.084 million in lost parkland value. Below is the spreadsheet calculation of that loss.

Beyond showing a typical over \$ 1 million loss per 86 dwellings, there is added concern for the CTGMC in that this example is a proposed Carlsbad General Plan & Local Coastal Program Land Use Change to try to accommodate the years 2021-2029 the RHNA requirement to add/increase Residential use. Every 8 years we are/will be changing our General Plan land use to add more high-density housing and increasing City Park demand particularly for areas developed more densely.

If these higher-density projects do not dedicate actual City Park within walking distance not only is Carlsbad loosing over \$1 million per 86 dwellings, we are losing free and easy opportunities to get City Parkland dedicated for free per CMC 20.44, and will slowly be degrading our Quality of Life in these areas and also Citywide.

Calculation of Ponto Site 18 Parkland dedication requirement and City losses from the Park-in-lieu Fee:

Ponto Site 18 - Fenton proposed development's Park land dedication requirement	
Park land dedication requirement per CMC 20.44	https://library.qcode.us/lib/carlsbad_ca/pub/municipal_code/item/title_20-chapter_20_44
US Census data	https://www.census.gov/quickfacts/fact/table/carlsbadcitycalifornia/POP060210#POP060210
Carlsbad Park Dedication Requirement is 3 acres of land per 1,000 population of the proposed development. Population of proposed development is based on population per household based on latest US Census data 2020 US Census data is 2.64 people per household	
FYI, Carlsbad 3 acres /1,000 is comparatively very low both locally and nationally. And there is no 'walkably requirement'. 5 acres /1,000 population is what Encinitas and Ocean side require along with a 10-minute walk location requirement.	
Fenton owns almost 6 acres of land in Site 18, 4.64 acres of which they want to develop now, and the other 1+ acre part they want to develop later. on the 4.64 acre site change VC-Visitor Commercial/R-15 (15 dwellings per acre) General Plan land use and Zoning to 100% residential and develop at 19.125 dwellings per acre on 4.64 acres.	
On the 1+ acre site, instead of providing their required Park land dedication, Fenton is proposing to develop the remaining 1 acre area (between PCH & Ponto Drive) as General Commercial.	
Instead of providing the required Park land dedication, Fenton is proposing to develop the remaining 1 acre area (between Pecha and Ponto Drive) as General Commercial.	
Site 18 (Fenton) development proposal for the 4.64 acre portion is development of 86 household units (over 19 dwelling units per acre in higher occupancy units than typical) consisting of:	
8	2-bedroom homes = 9% of total units proposed
40	3-bedroom homes = 47% of total units proposed
38	4-bedroom homes = 44% of total units proposed
86	100%
Fenton is proposing 92% of the project with 3 or 4 bedrooms so the project will have higher occupancy, and likely more children, per housing unit than the Citywide average of 2.64 people per housing unit	
Fenton Park land dedication requirement per CMC 20.44	
calculation	86 DU of Fenton proposed development
X	2.64 average population per DU per 2020 US Census
=	227 estimated population of Fenton project
/	1,000 population that needs 3 acres of Park land per CMC 20.44
=	0.22704 percentage of 3 acres of Park land required for 227 people
X	3 acres of Park land required per 1,000 people
=	0.68112 acres of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
X	43,560 square feet per acre
=	29,670 square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
1 acre of Fenton's unused vacant 'Ice plant lots' between PCH & Ponto Drive that can provide Fenton's Park land requirement	
\$	398,696 per City Master Fee Schedule. Consistent with what Fenton said was would be the 'Park-in-lieu Fee for their 86 DU project
\$	50 Estimated 5F cost Fenton paid for Ponto Site 18 or \$ 2.18 million per acre
\$	1,483,479 cost of 29,670 SF of Ponto Site 18 land to satisfy Fenton's Park land requirement
for the Ponto Site 18 5-acre 86 dwelling unit land use change and development proposal:	
\$	(1,064,783) Dollars the City is losing in Park land value and not receiving in its Park-in-lieu fee, so this is a gift to the developer
- 73% % of lost Park land value City is losing and not receiving in its PIL Fee, so this is a City gift to the developer	
\$	1,000,000 per acre cost to develop a Park like Buena Vista Reservoir Park
\$	43,560 square feet per acre
\$	22.96 Cost per sq. ft.
\$	29,670 square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
\$	681,120 Cost to develop Fenton's 29,670 sq. ft. of Park Land Dedication as a Park
\$	(282,431) Dollars City loses from Park-in-lieu Fees not even being adequate to cover Actual Minimal Park Development Costs

Following this calculation:

- on page 3-4 are the relevant excerpts of Carlsbad's Dedication of Land for Recreational Purposes Ordinance 20.44, and
- on page 5-6 is the City's map and description of the proposed Ponto Site 18 land use change

https://library.qcode.us/lib/carlsbad_ca/pub/municipal_code/item/title_20-chapter_20_44
20.44 Dedication of Land for Recreational Facilities
20.44.010 Purpose.
This chapter is enacted pursuant to the authority granted by Section 66477 of the Government Code of

the State of California. The park and recreational facilities for which dedication of land and/or payment of a fee is required by this chapter are in accordance with the recreational element of the general plan of the City of Carlsbad. (Ord. 9614 § 1, 1982; Ord. 9190 § 2)

20.44.040 Standards and formula for dedication of land.

If the decision-making authority for the tentative map or tentative parcel map determines that a park or recreational facility is to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall, at the time of the filing of the final or parcel map, dedicate land for such facility pursuant to the following standards and formula:

The formula for determining acreage to be dedicated shall be as follows:									
Average no. of persons per dwelling unit (based on most recent federal census)									
x									
3 park acres per 1,000 population									
x									
Total number of dwelling units									

The total number of dwelling units shall be the number permitted by the city on the property in the subdivision at the time the final map or parcel map is filed for approval, less any existing residential units in single-family detached or duplex dwellings. The park land dedication requirement will be reviewed annually effective July 1, and adjusted as necessary by resolution of the city council to reflect the latest federal census data. (Ord. CS-192 § 49, 2012; Ord. CS-162 § 1, 2011; Ord. NS-757 § 1, 2005; Ord. NS-588 § 1, 2001; Ord. 9831 § 1, 1987; Ord. 9770 § 1, 1985; Ord. 9724 § 1, 1984; Ord. 9644 § 1, 1982; Ord.

20.44.050 Standards for fees in lieu of land dedication.

- A. If the decision-making authority for the tentative map or tentative parcel map determines that there is no park or recreational facility to be located in whole or in part within the proposed subdivision, the subdivider shall, in lieu of dedicating land, pay a fee equal to the value of the land prescribed for dedication in Section 20.44.040 and in an amount determined in accordance with the provisions of Section 20.44.080.
- B. If the proposed subdivision contains 50 parcels or less, only the payment of fees shall be required except that when a condominium project, stock cooperative, or community apartment project exceeds 50 dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than 50.

20.44.060 Determination of land or fee.

- A. Whether the decision-making authority for the tentative map or tentative parcel map requires land dedication or elects to accept payment of a fee in lieu thereof, or a combination of both, shall be determined by the decision-making authority at the time of approval of the tentative map or tentative parcel map. In making that determination, the decision-making authority shall consider the following:
 - 1 Park and recreation element of the general plan;
 - 2 Topography, geology, access and location of land in the subdivision available for dedication;
 - 3 Size and shape of the subdivision and land available for dedication;
 - 4 The feasibility of dedication;
 - 5 Availability of previously acquired park property.
- B. The determination of the city council as to whether land shall be dedicated, or whether a fee shall be charged, or a combination thereof, shall be final and conclusive. (Ord. CS-192 § 49, 2012; Ord. 9614 § 1, 1982; Ord. 9190 § 6)

20.44.080	Amount of fee in lieu of land dedication.
A.	When a fee is required to be paid in lieu of land dedication, the amount of the fee shall be based upon the fair market value of the amount of land which would otherwise be required to be dedicated pursuant to Section 20.44.040. The fair market value shall be determined by the city council using the following method:
1	The city manager may from time to time survey the market value of undeveloped property within the city. This survey may be prepared through various means including, but not limited to, selection of several real estate professionals within Carlsbad to provide current estimates of undeveloped property values with each of the city's four quadrants.
2	The council shall adopt a resolution establishing the value of one acre of park land in each quadrant after considering the results of this survey and any other relevant information.
B.	Subdividers objecting to such valuation, may, at their own expense, obtain an appraisal of the property by a qualified real estate appraiser approved by the city, which appraisal may be accepted by the city council if found to be reasonable. If accepted, the fee shall be based on that appraisal. (Ord. NS-120 § 1, 1990; Ord. 9831 § 1, 1987; Ord. 9781 § 1, 1985; Ord. 9614 § 1, 1982; Ord. 9190 § 8)
20.44.090	Limitation on use of land and fees.
	The land and fees received under this chapter shall be used for the purpose of developing new or rehabilitating existing park and recreational facilities which serve the population within the park quadrant within which the subdivision for which the fees are received is located and the location of the land and amount of fees shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision. (Ord. NS-842 § 1, 2007; Ord. 9680 § 12, 1983; Ord. 9190 § 11)
20.44.100	Time of commencement of facilities.
	The city council shall develop a schedule specifying how, when and where it will use the land or fees or both to develop park or recreational facilities to serve the residents of the park quadrant in which the subdivisions are located. Any fees collected pursuant to this chapter shall be committed within five years after the payment of such fees or the issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later.

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



SITE DESCRIPTION

The site is a group of eight vacant and underutilized properties in the Ponto area, located south of the Cape Rey Carlsbad Beach hotel and east of Carlsbad Boulevard. The site is bisected by Ponto Drive. North of Ponto Drive are three underutilized parcels containing a mini storage, miscellaneous buildings and other storage uses on nearly five acres. To the south, across Ponto Drive, is a cluster of five small vacant properties total just over an acre.

Site topography is generally flat. Some of the parcels may be constrained due to environmentally sensitive habitat. One parcel is alongside the railroad corridor. All the parcels are located outside the McClellan-Palomar Airport flight path.

The site does not include a vacant 11-acre parcel along either side of Ponto Drive and fronting Avenida Encinas. The parcel is commonly referred to as "Planning Area F."

SITE FEATURES

- Vacant/underutilized
- Utilities accessible
- In the Coastal Zone
- Site constraints



SITE OPPORTUNITY

The site consists of a mix of residential and non-residential land use designations. Two of the eight parcels have a split land use designation of VC (Visitor Commercial) and R-15 (11.5 to 15 dwelling units per acre, or du/ac). The one parcel alongside the railroad corridor is designated R-15. The R-15 designation often applies to small lot single family or detached or attached condominium development. The cluster of five vacant parcels south of Ponto Drive is designated GC (General Commercial). General Commercial permits a broad range of commercial uses. It also permits properties to be developed in a mixed-use format, with limited residential above first floor commercial.

Staff has received a letter from one property owner expressing support for higher density.

Except for the VC-designated portion of the two parcels, which is not anticipated to change, the redesignation of all parcels to R-23 is contemplated. R-23 is a residential designation the state identifies as suitable for moderate income households. The R-23 designation would permit a density range of 19 to 23 dwelling units per acre (du/ac). This density is typical of two- and three-story apartment and condominium developments.

To change any designation, amendments to the General Plan, Local Coastal Program, zoning, Poinsettia Shores Master Plan, and the Ponto Beachfront Village Vision Plan would be required. These amendments would require City Council and California Coastal Commission approval.

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



Parcels Numbers	216-010-01, 216-010-02, 216-010-03, 216-010-04, 216-010-05, 214-160-25, 214-160-28, 214-171-11	GMP Quadrant	Southwest
Ownership	Private (separate ownership)	Parcel Size	Approximately 6 acres (all parcels)
Current General Plan Designations	R-15 (Residential 8-15 du/ac), VC (Visitor Commercial)/R-15, GC (General Commercial)	Proposed General Plan Designation	R-23 (Residential, 19 to 23 du/ac)* <i>*The VC designation, which applies to two properties, is not anticipated to change and would remain in the same location.</i>
Current Residential Opportunity	Approximately 44 units (based on the existing R-15 designation and limited residential permitted on GC-designated properties)	Proposed Residential Opportunity	Approximately 90 units (at 19 du/ac)* <i>*No yield is determined from portions of property designated VC.</i>
Income category of units (based on minimum density)	Moderate		

Please consider this email and attachments, and know P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

Sincerely and with Aloha Aina,
Lance Schulte

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

Example of Carlsbad's Park-in-lieu Fee failing to actually provide the required Parkland or improvements

The example is for Ponto Site 18 one of the City's proposed General Plan & Local Coastal Program land use changes to provide RHNA required housing sites for the years 2021-2029. Ponto Site 18 is the Ponto Storage site and surrounding lots. Ponto Site 18's map and City description is provided on pages 4-5 below.

The example shows Carlsbad loses significant amounts of money, and more critically loses precious and irreplaceable Parkland that developers are required to provide for free. These City losses are absorbed by current and future Carlsbad tax-payers. For the relatively small 5 acre and 86 dwelling unit Ponto Site 18 proposal the loss to Carlsbad is \$ 1.084 million in lost parkland value. Below is the spreadsheet calculation of that loss.

Beyond showing a typical over \$ 1 million loss per 86 dwellings, there is added concern for the CTGMC in that this example is a proposed Carlsbad General Plan & Local Coastal Program Land Use Change to try to accommodate the years 2021-2029 the RHNA requirement to add/increase Residential use. Every 8 years we are/will be changing our General Plan land use to add more high-density housing and increasing City Park demand particularly for areas developed more densely.

If these higher-density projects do not dedicate actual City Park within walking distance not only is Carlsbad losing over \$1 million per 86 dwellings, we are losing free and easy opportunities to get City Parkland dedicated for free per CMC 20.44, and will slowly be degrading our Quality of Life in these areas and also Citywide.

Calculation of Ponto Site 18 Parkland dedication requirement and City losses from the Park-in-lieu Fee:

Ponto Site 18 - Fenton proposed development's Park land dedication requirement	
Park land dedication requirement per CMC 20.44	https://library.qcode.us/lib/carlsbad_ca/pub/municipal_code/item/title_20-chapter_20_44
US Census data	https://www.census.gov/quickfacts/fact/table/carlsbadcitycalifornia/POP060210#POP060210
Carlsbad Park Dedication Requirement is 3 acres of land per 1,000 population of the proposed development.	
Population of proposed development is based on population per household based on latest US Census data	
2020 US Census data is 2.64 people per household	
FYI, Carlsbad 3 acres /1,000 is comparatively very low both locally and nationally. And there is no 'walkably requirement'.	
5 acres /1,000 population is what Encinitas and Oceanside require along with a 10-minute walk location requirement.	
Fenton owns almost 6 acres of land in Site 18, 4.64 acres of which they want to develop now, and the other 1+ acre part they want to develop later.	
on the 4.64 acre site change VC-Visitor Commercial/R-15 (15 dwellings per acre) General Plan land use and Zoning to 100% residential and develop at 19.125 dwellings per acre on 4.64 acres.	
On the 1+ acre site, instead of providing their required Park land dedication, Fenton is proposing to develop the remaining 1 acre area (between PCH & Ponto Drive) as General Commercial.	
Instead of providing the required Park Land dedication, Fenton is proposing to develop the remaining 1 acre area (between Pecha and Ponto Drive) as General Commercial.	
Site 18 (Fenton) development proposal for the 4.64 acre portion is development of 86 household units (over 19 dwelling units per acre in in higher occupancy units than typical) consisting of:	
8	2-bedroom homes = 9% of total units proposed
40	3-bedroom homes = 47% of total units proposed
38	4-bedroom homes = 44% of total units proposed
86	100%
Fenton is proposing 91% of the project with 3 or 4 bedrooms so the project will have higher occupancy, and likely more children, per housing unit than the Citywide average of 2.64 people per housing unit	
<u>Fenton Park land dedication requirement per CMC 20.44</u>	
<u>calculation</u>	86 DU of Fenton proposed development
X	2.64 average population per DU per 2020 US Census
=	227 estimated population of Fenton project
/	1,000 population that needs 3 acres of Park land per CMC 20.44
=	0.22704 percentage of 3 acres of Park land required for 227 people
X	3 acres of Park land required per 1,000 people
=	0.68112 acres of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
X	43,560 square feet per acre
=	29,670 square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
1 acre of Fenton's unused vacant 'ice plant lots' between PCH & Ponto Drive that can provide Fenton's Park land requirement	
\$ 398,696	per City Master Fee Schedule. Consistent with what Fenton said was would be the 'Park-in-lieu Fee for their 86 DU project
\$ 50	Estimated SF cost Fenton paid for Ponto Site 18 or \$ 2.18 million per acre
\$ 1,483,479	cost of 29,670 SF of Ponto Site 18 land to satisfy Fenton's Park land requirement
for the Ponto Site 18 5-acre 86 dwelling unit land use change and development proposal:	
\$ (1,084,783) Dollars the City is loosing in Park land value and not receiving in its Park-in-lieu Fee, so this is a gift to the developer	
-73% % of lost Park land value City is loosing and not receiving in its PIL Fee, so this is a City gift to the developer	
\$ 1,000,000	per acre cost to develop a Park like Buena Vista Reservoir Park
43,560	square feet per acre
\$ 22.96	Cost per sq. ft.
29,670	square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
\$ 681,120	Cost to develop Fenton's 29,670 sq. ft. of Park Land Dedication as a Park
\$ (282,424) Dollars City looses from Park-in-lieu Fees not even being adequate to cover Actual Minimal Park Development Costs	

Following this calculation:

- on page 3-4 are the relevant excerpts of Carlsbad's Dedication of Land for Recreational Purposes Ordinance 20.44, and
- on page 5-6 is the City's map and description of the proposed Ponto Site 18 land use change

20.44 Dedication of Land for Recreational Facilities

20.44.010 Purpose.

This chapter is enacted pursuant to the authority granted by Section 66477 of the Government Code of the State of California. The park and recreational facilities for which dedication of land and/or payment of a fee is required by this chapter are in accordance with the recreational element of the general plan of the City of Carlsbad. (Ord. 9614 § 1, 1982; Ord. 9190 § 2)

20.44.040 Standards and formula for dedication of land.

If the decision-making authority for the tentative map or tentative parcel map determines that a park or recreational facility is to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall, at the time of the filing of the final or parcel map, dedicate land for such facility pursuant to the following standards and formula:

The formula for determining acreage to be dedicated shall be as follows:

Average no. of persons per dwelling unit (based on most recent federal census)

x

3 park acres per 1,000 population

x

Total number of dwelling units

The total number of dwelling units shall be the number permitted by the city on the property in the subdivision at the time the final map or parcel map is filed for approval, less any existing residential units in single-family detached or duplex dwellings. The park land dedication requirement will be reviewed annually effective July 1, and adjusted as necessary by resolution of the city council to reflect the latest federal census data. (Ord. CS-192 § 49, 2012; Ord. CS-162 § 1, 2011; Ord. NS-757 § 1, 2005; Ord. NS-588 § 1, 2001; Ord. 9831 § 1, 1987; Ord. 9770 § 1, 1985; Ord. 9724 § 1, 1984; Ord. 9644 § 1, 1982; Ord.

20.44.050 Standards for fees in lieu of land dedication.

A. If the decision-making authority for the tentative map or tentative parcel map determines that there is no park or recreational facility to be located in whole or in part within the proposed subdivision, the subdivider shall, in lieu of dedicating land, pay a fee equal to the value of the land prescribed for dedication in Section 20.44.040 and in an amount determined in accordance with the provisions of Section 20.44.080.

B. If the proposed subdivision contains 50 parcels or less, only the payment of fees shall be required except that when a condominium project, stock cooperative, or community apartment project exceeds 50 dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than 50.

20.44.060 Determination of land or fee.

A. Whether the decision-making authority for the tentative map or tentative parcel map requires land dedication or elects to accept payment of a fee in lieu thereof, or a combination of both, shall be determined by the decision-making authority at the time of approval of the tentative map or tentative parcel map. In making that determination, the decision-making authority shall consider the following:

- 1 Park and recreation element of the general plan;
- 2 Topography, geology, access and location of land in the subdivision available for dedication;
- 3 Size and shape of the subdivision and land available for dedication;
- 4 The feasibility of dedication;

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



SITE DESCRIPTION

The site is a group of eight vacant and underutilized properties in the Ponto area, located south of the Cape Rey Carlsbad Beach hotel and east of Carlsbad Boulevard. The site is bisected by Ponto Drive. North of Ponto Drive are three underutilized parcels containing a mini storage, miscellaneous buildings and other storage uses on nearly five acres. To the south, across Ponto Drive, is a cluster of five small vacant properties total just over an acre.

Site topography is generally flat. Some of the parcels may be constrained due to environmentally sensitive habitat. One parcel is alongside the railroad corridor. All the parcels are located outside the McClellan-Palomar Airport flight path.

The site does not include a vacant 11-acre parcel along either side of Ponto Drive and fronting Avenida Encinas. The parcel is commonly referred to as "Planning Area F."

SITE FEATURES

- Vacant/underutilized
- Utilities accessible
- In the Coastal Zone
- Site constraints

SITE OPPORTUNITY

The site consists of a mix of residential and non-residential land use designations. Two of the eight parcels have a split land use designation of VC (Visitor Commercial) and R-15 (11.5 to 15 dwelling units per acre, or du/ac). The one parcel alongside the railroad corridor is designated R-15. The R-15 designation often applies to small lot single family or detached or attached condominium development. The cluster of five vacant parcels south of Ponto Drive is designated GC (General Commercial). General Commercial permits a broad range of commercial uses. It also permits properties to be developed in a mixed-use format, with limited residential above first floor commercial.

Staff has received a letter from one property owner expressing support for higher density.

Except for the VC-designated portion of the two parcels, which is not anticipated to change, the redesignation of all parcels to R-23 is contemplated. R-23 is a residential designation the state identifies as suitable for moderate income households. The R-23 designation would permit a density range of 19 to 23 dwelling units per acre (du/ac). This density is typical of two- and three-story apartment and condominium developments.

To change any designation, amendments to the General Plan, Local Coastal Program, zoning, Poinsettia Shores Master Plan, and the Ponto Beachfront Village Vision Plan would be required. These amendments would require City Council and California Coastal Commission approval.



Upper area proposed for land use change & higher density

Part of Lower area can (should) be dedicated to provided needed parkland

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



Parcels Numbers	216-010-01, 216-010-02, 216-010-03, 216-010-04, 216-010-05, 214-160-25, 214-160-28, 214-171-11	GMP Quadrant	Southwest
Ownership	Private (separate ownership)	Parcel Size	Approximately 6 acres (all parcels)
Current General Plan Designations	R-15 (Residential 8-15 du/ac), VC (Visitor Commercial)/R-15, GC (General Commercial)	Proposed General Plan Designation	R-23 (Residential, 19 to 23 du/ac)* <i>*The VC designation, which applies to two properties, is not anticipated to change and would remain in the same location.</i>
Current Residential Opportunity	Approximately 44 units (based on the existing R-15 designation and limited residential permitted on GC-designated properties)	Proposed Residential Opportunity	Approximately 90 units (at 19 du/ac)* <i>*No yield is determined from portions of property designated VC.</i>
Income category of units (based on minimum density)	Moderate		

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"](#); [melanie@melanieforcarlsbad.com](#)
Cc: [info@peopleforponto.com](#)
Subject: 1-26-23 CTGMC mtg - CA State law on Park land dedication and fees - 5 acre per 1,000 population
Date: Tuesday, January 24, 2023 2:22:54 PM
Attachments: [image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image022.png](#)
[image003.emz](#)
[image004.png](#)

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

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's 1/26/22 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, Ponto Planning Area F and Site 18 land use changes, and Local Coastal Program Amendments, and
4. as public input to the CCC on Carlsbad proposed Local Coastal Program, and
5. as public input to Carlsbad's proposed Local Coastal Program Amendment.

At the 1-11-22 CTGMC meeting comments are what is the State Park Land Dedication Standard. This Standard (the Qumby Act) defines under that Ca Subdivision code how much land a city in the State of CA can require or developers to provide a city for park land. I recall the It was apparently incorrectly mentioned as 3 acres of Park land per 1,000 population was the State Standard, where as it is up to 5 acres per 1,000 population. Following is a link to the CA Qumby Act and the citation that 5 acres per 1,000 population can be required of new development.

https://codelibrary.amlegal.com/codes/taftca/latest/taft_ca/0-0-0-12312

"10-11-6: LAND DEDICATION AND FEE DETERMINATIONS: (C) The amount of land to be dedicated shall be based on the number of units in the subdivision multiplied by the number of persons per dwelling (as determined pursuant to subsection (B) of this section) **multiplied by five (5) acres per one thousand (1,000) city inhabitants (section 66477 of the subdivision map act)**"

I hope this data clears up confusion on how many acres of Park land Carlsbad can require of new development. It seems prudent to require developers provide the maximum amount of Park land per State law and not less, and most particularly in areas of Carlsbad that have no accessible Park within a 10-minute walk.

Thank you, and with Aloha Aina for Carlsbad,
Lance

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Tuesday, January 24, 2023 1:39 PM

To: committee@carlsbadca.gov; 'Michele Hardy'; 'council@carlsbadca.gov'; 'City Clerk'; 'Kyle Lancaster'; 'Eric Lardy'; 'Smith, Darren@Parks'; Homer, Sean@Parks (Sean.Homer@parks.ca.gov); 'Moran, Gina@Parks'; Carrie Boyle (carrie.boyle@coastal.ca.gov); 'Prahler, Erin@Coastal'; Ross, Toni@Coastal (Toni.Ross@coastal.ca.gov)
Cc: 'info@peopleforponto.com'
Subject: 1-26-23 CTGMC mtg - public input on Carlsbad Parkland Dedication Ordinance and City losses

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

Please again consider this email and attachment on 1/26/23.

This may clear up some what appeared to be a miscommunication by staff on 1/11/23 that appeared to say that the developer can decide how to comply with the Park Dedication Ordinance (Dedicate land or pay an in-lieu-of-dedication fee). This is not correct. Per 21.44 a developer may propose, but it is the City that decides how and where the Park land required is to be provided. Per 21.44.040 & 21.44.050 of the City's Park Dedication Ordinance

Clearly states it is the City "decision making body" for the development proposal, i.e. Planning Commission or City Council, that decides if Park land is required or a commensurate Park in lieu fee will be required from the developer. In almost all instances Park land in the area (aka 10-minutewalk) of the development is better as that is where the development's Park land demand is created and where additional Park land supply should be created.

I hope this email and data helps the CTGMC in address the critical Park Land needs in various areas of Carlsbad, and this Ponto Site 18 example provides actual data using a currently proposed project in an area Carlsbad's Park Master Plan (current but soon to be changed) indicates is 'unserved by parks' and should be an area where new parks should be provided.

Please note in this Ponto Site 18 example there IS vacant land (about 1 acre) left-over after the development that the developer could dedicate to the City for the developer's Park Land dedication requirement. The CTGMC would be thoughtful to include in your Standard recommendations to include strong policy requirements to get Park land v. fees in areas needing Parks.

Thank you,
Lance

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Sunday, September 11, 2022 11:39 AM
To: committee@carlsbadca.gov; 'Michele Hardy'; 'council@carlsbadca.gov'; 'City Clerk'; 'Kyle Lancaster'; 'Eric Lardy'; 'Smith, Darren@Parks'; Homer, Sean@Parks (Sean.Homer@parks.ca.gov); 'Moran, Gina@Parks'; Carrie Boyle (carrie.boyle@coastal.ca.gov); 'Prahler, Erin@Coastal'; Ross, Toni@Coastal (Toni.Ross@coastal.ca.gov)
Cc: 'info@peopleforponto.com'
Subject: public input on Carlsbad Parkland Dedication Ordinance and City losses

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

Please consider this data file and public input email/attachment in the CTGMC, Housing Element and Parks Master Plan Updates, Proposed Local Coastal Program Amendment, and the Ponto Site 18 proposed land use changes and development application.

Example of Carlsbad's Park-in-lieu Fee failing to actually provide the required Parkland or improvements

The example is for Ponto Site 18 one of the City's proposed General Plan & Local Coastal Program land use changes to provide RHNA required housing sites for the years 2021-2029. Ponto Site 18 is the Ponto Storage site and surrounding lots. Ponto Site 18's map and City description is provided on pages 4-5 below.

The example shows Carlsbad loses significant amounts of money, and more critically loses precious and irreplaceable Parkland that developers are required to provide for free. These City losses are absorbed by current and future Carlsbad tax-payers. For the relatively small 5 acre and 86 dwelling unit Ponto Site 18 proposal the loss to Carlsbad is \$ 1.084 million in lost parkland value. Below is the spreadsheet calculation of that loss.

Beyond showing a typical over \$ 1 million loss per 86 dwellings, there is added concern for the CTGMC in that this example is a proposed Carlsbad General Plan & Local Coastal Program Land Use Change to try to accommodate the years 2021-2029 the RHNA requirement to add/increase Residential use. Every 8 years we are/will be changing our General Plan land use to add more high-density housing and increasing City Park demand particularly for areas developed more densely.

If these higher-density projects do not dedicate actual City Park within walking distance not only is Carlsbad loosing over \$1 million per 86 dwellings, we are losing free and easy opportunities to get City Parkland dedicated for free per CMC 20.44, and will slowly be degrading our Quality of Life in these areas and also Citywide.

Calculation of Ponto Site 18 Parkland dedication requirement and City losses from the Park-in-lieu Fee:

Ponto Site 18 - Fenton proposed development's Park land dedication requirement	
Park land dedication requirement per CMC 20.44	https://library.qcode.us/lib/carlsbad_ca/pub/municipal_code/item/title_20-chapter_20_44
US Census data	https://www.census.gov/quickfacts/fact/table/carlsbadcitycalifornia/POP060210#POP060210
Carlsbad Park Dedication Requirement is 3 acres of land per 1,000 population of the proposed development. Population of proposed development is based on population per household based on latest US Census data 2020 US Census data is 2.64 people per household	
FYI, Carlsbad 3 acres /1,000 is comparatively very low both locally and nationally. And there is no 'walkably requirement'. 5 acres /1,000 population is what Encinitas and Oceanside require along with a 10-minute walk location requirement.	
Fenton owns almost 6 acres of land in Site 18, 4.64 acres of which they want to develop now, and the other 1+ acre part they want to develop later. on the 4.64 acre site change VC-Visitor Commercial/R-15 (15 dwellings per acre) General Plan land use and Zoning to 100% residential and develop at 19.125 dwellings per acre on 4.64 acres.	
On the 1+ acre site, instead of providing their required Park land dedication, Fenton is proposing to develop the remaining 1 acre area (between PCH & Ponto Drive) as General Commercial.	
Instead of providing the required Park land dedication, Fenton is proposing to develop the remaining 1 acre area (between Pecha and Ponto Drive) as General Commercial.	
Site 18 (Fenton) development proposal for the 4.64 acre portion is development of 86 household units (over 19 dwelling units per acre in higher occupancy units than typical) consisting of:	
8	2-bedroom homes = 9% of total units proposed
40	3-bedroom homes = 47% of total units proposed
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86	100%
Fenton is proposing 92% of the project with 3 or 4 bedrooms so the project will have higher occupancy, and likely more children, per housing unit than the Citywide average of 2.64 people per housing unit	
Fenton Park land dedication requirement per CMC 20.44	
calculation	86 DU of Fenton proposed development
X	2.64 average population per DU per 2020 US Census
=	227 estimated population of Fenton project
/	1,000 population that needs 3 acres of Park land per CMC 20.44
=	0.22704 percentage of 3 acres of Park land required for 227 people
X	3 acres of Park land required per 1,000 people
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1 acre of Fenton's unused vacant 'Ice plant lots' between PCH & Ponto Drive that can provide Fenton's Park land requirement	
\$ 398,696	per City Master Fee Schedule. Consistent with what Fenton said was would be the 'Park-In-lieu Fee for their 86 DU project
\$ 50	Estimated SF cost Fenton paid for Ponto Site 18 or \$ 2.18 million per acre
\$ 1,483,479	cost of 29,670 SF of Ponto Site 18 land to satisfy Fenton's Park land requirement
for the Ponto Site 18 5-acre 86 dwelling unit land use change and development proposal:	
\$ (1,084,783) Dollars the City is losing in Park land value and not receiving in its Park-In-lieu fee, so this is a gift to the developer	
- 73% % of lost Park land value City is losing and not receiving in its PIL Fee, so this is a City gift to the developer	
\$ 1,000,000	per acre cost to develop a Park like Buena Vista Reservoir Park
43,560	square feet per acre
\$ 22.96	Cost per sq. ft.
29,670	square feet of Park land required for Fenton's proposed 86 DU project based on Citywide average population per DU
\$ 681,120	Cost to develop Fenton's 29,670 sq. ft. of Park Land Dedication as a Park
\$ (282,431) Dollars City loses from Park-In-lieu Fees not even being adequate to cover Actual Minimal Park Development Costs	

Following this calculation:

- on page 3-4 are the relevant excerpts of Carlsbad's Dedication of Land for Recreational Purposes Ordinance 20.44, and
- on page 5-6 is the City's map and description of the proposed Ponto Site 18 land use change

https://library.qcode.us/lib/carlsbad_ca/pub/municipal_code/item/title_20-chapter_20_44
20.44 Dedication of Land for Recreational Facilities
20.44.010 Purpose.
This chapter is enacted pursuant to the authority granted by Section 66477 of the Government Code of

the State of California. The park and recreational facilities for which dedication of land and/or payment of a fee is required by this chapter are in accordance with the recreational element of the general plan of the City of Carlsbad. (Ord. 9614 § 1, 1982; Ord. 9190 § 2)

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20.44.040 Standards and formula for dedication of land.
If the decision-making authority for the tentative map or tentative parcel map determines that a park or recreational facility is to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall, at the time of the filing of the final or parcel map, dedicate land for such facility pursuant to the following standards and formula:

The formula for determining acreage to be dedicated shall be as follows:										
Average no. of persons per dwelling unit (based on most recent federal census)										
x										
3 park acres per 1,000 population										
x										
Total number of dwelling units										

The total number of dwelling units shall be the number permitted by the city on the property in the subdivision at the time the final map or parcel map is filed for approval, less any existing residential units in single-family detached or duplex dwellings. The park land dedication requirement will be reviewed annually effective July 1, and adjusted as necessary by resolution of the city council to reflect the latest federal census data. (Ord. CS-192 § 49, 2012; Ord. CS-162 § 1, 2011; Ord. NS-757 § 1, 2005; Ord. NS-588 § 1, 2001; Ord. 9831 § 1, 1987; Ord. 9770 § 1, 1985; Ord. 9724 § 1, 1984; Ord. 9644 § 1, 1982; Ord.

20.44.050 Standards for fees in lieu of land dedication.

A.	If the decision-making authority for the tentative map or tentative parcel map determines that there is no park or recreational facility to be located in whole or in part within the proposed subdivision, the subdivider shall, in lieu of dedicating land, pay a fee equal to the value of the land prescribed for dedication in Section 20.44.040 and in an amount determined in accordance with the provisions of Section 20.44.080.
B.	If the proposed subdivision contains 50 parcels or less, only the payment of fees shall be required except that when a condominium project, stock cooperative, or community apartment project exceeds 50 dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than 50.

20.44.060 Determination of land or fee.

A.	Whether the decision-making authority for the tentative map or tentative parcel map requires land dedication or elects to accept payment of a fee in lieu thereof, or a combination of both, shall be determined by the decision-making authority at the time of approval of the tentative map or tentative parcel map. In making that determination, the decision-making authority shall consider the following:
	1 Park and recreation element of the general plan;
	2 Topography, geology, access and location of land in the subdivision available for dedication;
	3 Size and shape of the subdivision and land available for dedication;
	4 The feasibility of dedication;
	5 Availability of previously acquired park property.
B.	The determination of the city council as to whether land shall be dedicated, or whether a fee shall be charged, or a combination thereof, shall be final and conclusive. (Ord. CS-192 § 49, 2012; Ord. 9614 § 1, 1982; Ord. 9190 § 6)

20.44.080	Amount of fee in lieu of land dedication.
A.	When a fee is required to be paid in lieu of land dedication, the amount of the fee shall be based upon the fair market value of the amount of land which would otherwise be required to be dedicated pursuant to Section 20.44.040. The fair market value shall be determined by the city council using the following method:
1	The city manager may from time to time survey the market value of undeveloped property within the city. This survey may be prepared through various means including, but not limited to, selection of several real estate professionals within Carlsbad to provide current estimates of undeveloped property values with each of the city's four quadrants.
2	The council shall adopt a resolution establishing the value of one acre of park land in each quadrant after considering the results of this survey and any other relevant information.
B.	Subdividers objecting to such valuation, may, at their own expense, obtain an appraisal of the property by a qualified real estate appraiser approved by the city, which appraisal may be accepted by the city council if found to be reasonable. If accepted, the fee shall be based on that appraisal. (Ord. NS-120 § 1, 1990; Ord. 9831 § 1, 1987; Ord. 9781 § 1, 1985; Ord. 9614 § 1, 1982; Ord. 9190 § 8)
20.44.090	Limitation on use of land and fees.
	The land and fees received under this chapter shall be used for the purpose of developing new or rehabilitating existing park and recreational facilities which serve the population within the park quadrant within which the subdivision for which the fees are received is located and the location of the land and amount of fees shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision. (Ord. NS-842 § 1, 2007; Ord. 9680 § 12, 1983; Ord. 9190 § 11)
20.44.100	Time of commencement of facilities.
	The city council shall develop a schedule specifying how, when and where it will use the land or fees or both to develop park or recreational facilities to serve the residents of the park quadrant in which the subdivisions are located. Any fees collected pursuant to this chapter shall be committed within five years after the payment of such fees or the issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later.

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



SITE DESCRIPTION

The site is a group of eight vacant and underutilized properties in the Ponto area, located south of the Cape Rey Carlsbad Beach hotel and east of Carlsbad Boulevard. The site is bisected by Ponto Drive. North of Ponto Drive are three underutilized parcels containing a mini storage, miscellaneous buildings and other storage uses on nearly five acres. To the south, across Ponto Drive, is a cluster of five small vacant properties total just over an acre.

Site topography is generally flat. Some of the parcels may be constrained due to environmentally sensitive habitat. One parcel is alongside the railroad corridor. All the parcels are located outside the McClellan-Palomar Airport flight path.

The site does not include a vacant 11-acre parcel along either side of Ponto Drive and fronting Avenida Encinas. The parcel is commonly referred to as "Planning Area F."

SITE FEATURES

- Vacant/underutilized
- Utilities accessible
- In the Coastal Zone
- Site constraints



SITE OPPORTUNITY

The site consists of a mix of residential and non-residential land use designations. Two of the eight parcels have a split land use designation of VC (Visitor Commercial) and R-15 (11.5 to 15 dwelling units per acre, or du/ac). The one parcel alongside the railroad corridor is designated R-15. The R-15 designation often applies to small lot single family or detached or attached condominium development. The cluster of five vacant parcels south of Ponto Drive is designated GC (General Commercial). General Commercial permits a broad range of commercial uses. It also permits properties to be developed in a mixed-use format, with limited residential above first floor commercial.

Staff has received a letter from one property owner expressing support for higher density.

Except for the VC-designated portion of the two parcels, which is not anticipated to change, the redesignation of all parcels to R-23 is contemplated. R-23 is a residential designation the state identifies as suitable for moderate income households. The R-23 designation would permit a density range of 19 to 23 dwelling units per acre (du/ac). This density is typical of two- and three-story apartment and condominium developments.

To change any designation, amendments to the General Plan, Local Coastal Program, zoning, Poinsettia Shores Master Plan, and the Ponto Beachfront Village Vision Plan would be required. These amendments would require City Council and California Coastal Commission approval.

POTENTIAL HOUSING SITES

Site Number: 18 – North Ponto Parcels



Parcels Numbers	216-010-01, 216-010-02, 216-010-03, 216-010-04, 216-010-05, 214-160-25, 214-160-28, 214-171-11	GMP Quadrant	Southwest
Ownership	Private (separate ownership)	Parcel Size	Approximately 6 acres (all parcels)
Current General Plan Designations	R-15 (Residential 8-15 du/ac), VC (Visitor Commercial)/R-15, GC (General Commercial)	Proposed General Plan Designation	R-23 (Residential, 19 to 23 du/ac)* <i>*The VC designation, which applies to two properties, is not anticipated to change and would remain in the same location.</i>
Current Residential Opportunity	Approximately 44 units (based on the existing R-15 designation and limited residential permitted on GC-designated properties)	Proposed Residential Opportunity	Approximately 90 units (at 19 du/ac)* <i>*No yield is determined from portions of property designated VC.</i>
Income category of units (based on minimum density)	Moderate		

Please consider this email and attachments, and know P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

Sincerely and with Aloha Aina,
Lance Schulte

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To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 10:58:41 AM

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- 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.

Name

Susan Igoe

Email

ncountylocal@yahoo.com

City

Carlsbad

State

Ca

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Tuesday, January 24, 2023 4:33:18 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

To Second the Request: I 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.!!!
Thank you

Name

Diane Rivera

Email

dianariver@aol.com

City

Carlsbad

State

California

Sent from [People for Ponto](#)

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

From: [Mike McMahon](#)
To: [Growth Management Committee](#)
Subject: Feb 23, 2023 - Local Electric Generation Carlsbad Tomorrow Growth Management Committee
Date: Saturday, February 18, 2023 11:01:56 AM

Comment on environmental sustainability and power generation:

The city of Carlsbad through the Climate Action Plan is committed to winding down its fossil fuel usage and move to a clean energy future. Right now we can see much progress in the way our Clean Energy Alliance alternative to our monopoly utility is delivering cleaner electricity at a better cost.

Carlsbad needs to step up and actually be that "leader in green development and sustainability" it says it is in our Vision Statement by making initial steps to create a ***local energy microgrid*** system. Unpredictable wildfires and pacific storms are becoming more fierce and threaten our aging grid systems and external power transmission lines.

Let's think forward and begin to lay the groundwork to make our community resilient in local electricity production which in turn will also bring jobs and business opportunities.

Thank you for your consideration,
Mike McMahon
2645 Sutter Street
Carlsbad, CA 92010

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

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"](#); [melanie@melanieforcarlsbad.com](#)
Cc: [info@peopleforponto.com](#)
Subject: Public input for Carlsbad LCPA-Parks Master Plan & Growth Management Plan Updates - Example of how City of Encinitas provides accessible Parks within 10-minute walk
Date: Saturday, February 18, 2023 8:10:42 AM

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

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's February 23, 2023 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, and Carlsbad's Ponto Planning Area F and Site 18 planning and development applications, and
4. as public input to the CA Coastal Commission on Carlsbad's proposed Local Coastal Program Amendment.

The City of Encinitas, a fairly 'buildout' city, provides a very clear and documented Park Master Plan that addresses City Park accessibility – see <https://www.encinitasca.gov/government/departments/parks-recreation-cultural-arts/parks-beaches-trails> .

The CTGMC, Parks and Planning Commissions and City Council should read what the City of Encinitas has done to plan to provide accessible Parks for its citizens. Carlsbad can do this too. Why not?

As noted in Feb 5 email below Carlsbad is the worst of the 24 Coastal Cities from Malibu to the Mexican border in providing accessible City parks.

Carlsbad can do better, Encinitas is doing this, why not Carlsbad?

Please care about Carlsbad Tomorrow and provide accessible Parks.

Lance Schulte

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Sunday, February 5, 2023 3:53 PM
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'; 'melanie@melanieforcarlsbad.com'
Cc: 'info@peopleforponto.com'
Subject: Public input for Carlsbad LCPA-Parks Master Plan & Growth Management Plan Updates - Carlsbad below national average and lowest So CA Coastal city in providing Parks within 10-minute walk

Dear Carlsbad City Council, Carlsbad Tomorrow Growth Management Committee, Parks and

Planning Commissions, and CA Coastal Commission and CA State Parks:

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's February 2023 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, and Carlsbad's Ponto Planning Area F and Site 18 planning and development applications, and
4. as public input to the CA Coastal Commission on Carlsbad's proposed Local Coastal Program Amendment.

For years Carlsbad Citizens have told the City that there is a need for a Park at Ponto:

- to provide for documented Coastal Recreation (i.e. Public Park) land use at Ponto,
- to correct for the conversion of a 12.8 acre Recreation Commercial land use to Residential use and the elimination of planned Coastal Open Space at Ponto,
- to correct the Carlsbad's Park Master Plan documented lack of Park Service at Ponto,
- to provide South Carlsbad (62% of Carlsbad's total population and the City's major Coastal visitor and transit occupancy tax generator) with their ONLY Coastal Park west of I-5. The City unfairly, and contrary to CA Coastal Act Policy disproportionately provides 10 parks totaling 37 acres west of I-5 in Coastal North Carlsbad for 38% of the population but 0 (zero) Coastal Parks and 0 (zero) Coastal park acres west of I-5 in Coastal South Carlsbad for 62% of the population,
- to provide for an existing 6.5 acre local Neighborhood (i.e. Special use area) Park need at Ponto, and
- to provide a City Park within a 10-minute walk for Ponto residents.

Failure to correct this documented City Park unfairness is very damaging to the citizens, City finances, South Carlsbad's and California's visitor industry. The Coastal Recreation data file sent to you earlier documents some of the key facts.

However, we conducted some additional Trust for Public Land 10-minute walk data collection that the City Council, CTGMC, Parks and Planning Commissions and CA Coastal Commission need to also consider. That data is below and in the attached file, and again with last year's Trust for Public Land Ponto Park support letter (again attached) that reflects on Carlsbad poor performance relative to the 24 So Cal Coastal Cities (165 miles of coastline) from Malibu to the Mexican border in providing Parks within a 10-minute walk. The data and links to the data source is:

Carlsbad is 10% below the national average for cities & the worst of 24 Coastal So California cities - 165 miles of coastline - in providing Parks within a 10-minute walk to residents

The Trust for Public Land documents a city's 10-minute walk to Park at <https://www.tpl.org/parkserve>

The Average USA City provides Parks within 10-minute walk to 55% of residents [10% above

Carlsbad].

Carlsbad provides Parks within 10-minute walk to **49.9% of residents [10% below National Average]**.

New York City provides Parks within 10-minute walk to 99% of residents.

The Trust of Public Land submitted a letter to the City of Carlsbad, CA Coastal Commission, and CA State Park supporting Ponto Park

Carlsbad is the worst of 24 Southern CA Coastal cities (from Malibu south to Imperial Beach along 165 miles of coastline) in providing Parks within 10-minute walk to residents:

1. Palos Verdes Estates provides Parks within 10-minute walk to 100% of residents
2. El Segundo provides Parks within 10-minute walk to 100% of residents
3. Hermosa Beach provides Parks within 10-minute walk to 100% of residents
4. Redondo Beach provides Parks within 10-minute walk to 98% of residents
5. Manhattan Beach provides Parks within 10-minute walk to 95% of residents
6. Del Mar provides Parks within 10-minute walk to 93% of residents
7. Dana Point provides Parks within 10-minute walk to 89% of residents
8. Huntington Beach provides Parks within 10-minute walk to 85% of residents
9. Long Beach provides Parks within 10-minute walk to 84% of residents
10. Laguna Beach provides Parks within 10-minute walk to 82% of residents
11. Santa Monica provides Parks within 10-minute walk to 82% of residents
12. San Diego provides Parks within 10-minute walk to 81% of residents
13. Coronado provides Parks within 10-minute walk to 76% of residents
14. Newport Beach provides Parks within 10-minute walk to 76% of residents
15. Imperial Beach provides Parks within 10-minute walk to 74% of residents
16. Encinitas provides Parks within 10-minute walk to 68% of residents
17. Los Angeles provides Parks within 10-minute walk to 63% of residents
18. Solana Beach provides Parks within 10-minute walk to 63% of residents
19. Oceanside provides Parks within 10-minute walk to 58% of residents
20. Seal Beach provides Parks within 10-minute walk to 57% of residents
21. Malibu provides Parks within 10-minute walk to 53% of residents

22. San Clemente provides Parks within 10-minute walk to 52% of residents
23. Rancho Palos Verdes provides Parks within 10-minute walk to 50% of residents
24. **Carlsbad** provides Parks within 10-minute walk to **49.9% of residents.**

Carlsbad is the lowest & most unfair to citizens of the 24 Southern California Coastal cities along 165 miles of coast from Malibu to Imperial Beach.

Source of data: Trust for Public land parkscores

-

Trust for Public Land's 10-minute walk to Park Maps/data:

Carlsbad = <https://parkserve.tpl.org/mapping/index.html?CityID=0611194#reportTop>

Encinitas = <https://parkserve.tpl.org/mapping/index.html?CityID=0622678>

Irvine = <https://parkserve.tpl.org/mapping/index.html?CityID=0636770>

Please, Please, please, consider and discuss this data, and

1. Create a 10-minute walk to City Park Standard in the
 - a. Parks Master Plan,
 - b. Growth Management Plan Update, and
 - c. Local Coastal Program Update.
 2. Create a Park Policy that requires developers to dedicate Park Land (not pay Park-in-lieu-fees) in areas that do not a minimum of 3 acers of City Park for each in 1,000 population within a 10-minute walk of the developer's proposed development (see attached CTGMC Key Issues & Suggestions file for details and Open Space suggestions)
 3. Fix Coastal South Carlsbad's documented City Park inequity/unfairness with a significant and real Ponto Park
 4. Save tax-payers tens of millions in dollars by cost effectively purchasing vacant land at Ponto for a Park, v. trying to maybe make a few bits of narrow PCH roadway median as a pseudo-park
- Do you want Carlsbad to be the worst city in Coastal Southern California in providing accessible Parks within a 10-minute walk to residents?
 - Do you want Carlsbad to fail to upgrade its park standards while other cities updated their park Standards and make their cities more desirable?
 - Do you want to undermine the quality of life for Carlsbad citizens and their children by not providing a park within a 10-minute walk to their home?
 - Do you want to force Carlsbad families to have to drive to park?
 - Do you want to slowly undermine a key visitor serving industry in South Carlsbad by not providing a significant and true and meaningful Coastal Park in South Carlsbad?
 - Do you want tax-payers to pay tens of millions more to try to maybe try to make a few narrow portions of PCH median useable to people?

Please take responsibility and full ownership of your decisions on these important issues and questions. The individual decisions you make will likely be the last ones made. Once vacant land like

at Ponto is developed it will be forever lost to address the critical, well documented Park and Coastal Park needs at Ponto as overwhelmingly communicated by Carlsbad Citizens and visitor businesses, and other citizens.

Please be wise and think about the future your decisions will bring.

Thank you,
Lance Schulte

PS: The initial version of the “CTGMC key issues and Suggestions 2022-12-6” file (attached) sent to you 8/8/22. The attached updated file should replace that older file as there is new data on significant tax-payer cost savings from Pronto Park relative to PCH Relocation, and updated examples of how Coastal Open Space can be cost-effectively persevered and increased. Both Coastal Parks and Open Space are important Carlsbad and State of CA issues.

- Parks: Updated data shows that a 11.1 acre Ponto Park would now cost less \$20 million to buy and build. This is less than a City Pool Renovation. Carlsbad’s Old City Council planned to spend \$65 to \$80 million in Carlsbad tax-payer dollars to address the Citywide need for a significant Coastal Park in South Carlsbad with a 2.3 mile PCH Relocation. The City identified in 2001 other pay-payer funds were highly unlikely. \$65 to \$80 million would only ‘free-up’ 15.8 acres of narrow PCH Median (City documented “Surplus Land Area #4 & #5”). As People for Ponto Citizens have been saying for years that Ponto Park is the better Park solution to the documented Coastal South Carlsbad Park needs – a citywide need. The CTGMC should include that citywide Park need and the logical, better and tax-payer responsible Ponto Park solution to that citywide Park need in your CTGMC recommendations to City Council.
- Open Space: Updated data shows how documented GM Open Space shortfalls can be properly and responsibly address in a collaborative citizen-based “Local Facilities Zone Useable Open Space Correction Plan” approached. Also the need to maintain the 15% GM (Useable) Open Space Standard will be critical in the future to maintain Open Space and prevent future conversion of Open Space to residential land use as part of Housing Plan updates.

For the CTGMC; Parks and Open Space are the 2 most critical/special of 6 Key Growth Management Program Update Issues and Suggestions the CTGMC should take to properly address these 6 key Growth Management Issues.

- Please read the Updated data and Suggestions.
- Please responsibly address the Growth Management issues of a citywide Park need for Coastal South Carlsbad as listed in the attached Suggestions. Include a South Carlsbad Coastal Park in your recommendations to the City Council. Acknowledge

Ponto Park as the best and most tax-payer efficient solution to address that documented citywide park need.

- Please in your recommendations to City Council retain and enforce the Open Space Standard, and fix past errors made in falsely exempting certain developers in certain areas in the City from complying with the Growth Management Open Space Standard that other developers in other areas are required to provide.

Please consider this email and attachments, and know P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

Happy holidays and with Aloha Aina,
Lance Schulte

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

Jennifer Jesser

From: Lance Schulte <meyers-schulte@sbcglobal.net>
Sent: Saturday, February 18, 2023 9:11 AM
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: Public input to the 2-26-23 Carlsbad Tomorrow Growth Management Committee, and upcoming Carlsbad City Council and Parks and Planning Commissions - LCPA and Growth Management-Parks Master Plan Updates - Parks & Open Space
Attachments: History of Open Space at Ponto - 2022-1-26.pdf; CTGMC key issues and suggestions -2022-12-6.pdf

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

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's 2/26/23 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, Ponto Planning Area F and Site 18 land use changes, and Local Coastal Program Amendments, and
4. as public input to the CCC on Carlsbad proposed Local Coastal Program, and
5. as public input to Carlsbad's proposed Local Coastal Program Amendment.

In reading through the 2/26/23 staff report and attachments to CTGMC on Open Space, the staff report did not include the attached data, like it included data from Mike Howes. Mike and I worked together at the City of Carlsbad at that time so have comparable knowledge, that I documented and shared in the attached files. This data should be presented just as Mike's information was presented.

Also, there are a few omissions in the staff report regarding Open Space in LFMP Zone 9 (BLEP MP that was never built) and relative to LFMP Zone 19 (Aviara Master Plan) in that both Zone 9 & 19 were about the same in terms of planning process in 1986 and in fact the 1986 Growth Management Ordinance 21.90.030(g) identifies both BLEP MP and Aviara MP as being exempt from the building permit moratorium. But Zone 19 the Aviara MP was required to provide 15% of Growth Management Open Space and Zone 9 the BLEP was NOT Required (aka exempted) from providing the required 15% GM Open Space. In 1996 developers and the City deleted/removed BLEP MP Open Space and replaced it with residential land use. But the 'GM Open Space exemption' was specifically only based on the BLEP MP land uses. Even though most of the Public Input to the CTGMC has been about Ponto Park and Open Space needs these critical Open Space facts were never discussed in the staff report, even though the documented evidence was provided to the City a month ago.

Ponto (LFMP Zone 9) developers were/are clearly falsely exempted from providing the required 15% GM Open Space, and the extensive Carlsbad Citizen outcry and petitions reflect this false exemption, that needs correction by the CTGMC and City Council. The facts on the ground, the City's Open Space maps, Parks Master Plan service area maps, the attached data all point to fact that Ponto is missing the 15% GM Open Space that the City should have required and provided. The impacts to current and future Carlsbad Citizens of this missing GM Open Space are real and will get worse as Carlsbad's population is required to increase. The CTGMC and City Council can fix this past mistake (as clearly documented in the attached 'History of Open Space at Ponto') and as outlined in the attached 'CTGMC key issues and suggestions' file. We can fix this and provide a fair Carlsbad Tomorrow.

Please care. Don't cover-up past mistakes. Do what is right and honest. Please work with your fellow citizens and acknowledge and fix the past Growth Management Open Space mistakes at Ponto, and also provide a much needed meaningful Ponto Park for South Carlsbad.

Thank you,
Lance Schulte

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Monday, January 23, 2023 12:39 PM
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'; 'melanie@melanieforcarlsbad.com'
Cc: 'info@peopleforponto.com'
Subject: Public input to the 1-16-22 Carlsbad Tomorrow Growth Management Committee, and upcoming Carlsbad City Council and Parks and Planning Commissions - LCPA and Growth Management-Parks Master Plan Updates - Parks & Open Space

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

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's 1/26/22 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, Ponto Planning Area F and Site 18 land use changes, and Local Coastal Program Amendments, and
4. as public input to the CCC on Carlsbad proposed Local Coastal Program, and
5. as public input to Carlsbad's proposed Local Coastal Program Amendment.

At the 1-11-22 CTGMC meeting questions logically arouse about how Ponto/LFMP-9 was falsely exempted from the Growth Management Open Space Standards in 1986 when the two adopted reasons for that exemption were not true per the City's Open Space map/data base, air-photos and development records, and the requirements of the Growth Management Ordinance and Open Space Standard. People for Ponto Carlsbad Citizens have been bringing this up to the City since 2017 when we first had City data that showed the GM Open Space Standard exemption was incorrect. Attached is some more detailed data that provides a History of Open Space at Ponto – 2022-1-26. There are more details and interesting bits of information, but the attached provides the basics on the History and also offers some critical historical context for the CTGMC, Carlsbad Commissions, City Council and Carlsbad Citizens to consider. I hope this is helpful.

The History of Ponto Open Space and historical context fits into the 'CTGMP Key Issues and Suggestions – 2022-12-6' file and email to you on 8/8/22 and 12/13/22 that provides a time-tested, logical, legal, tax-payer saving approach to dealing with the missing Ponto Open Space and need for a significant Coastal Park at Ponto to serve Ponto and South Carlsbad and relieve Coastal Park pressures on North Carlsbad.

Please know People for Ponto Carlsbad Citizens deeply care and love Carlsbad. We bring the data and requests to you because we care. You have received well over 5,000 People for Ponto petitions regarding Ponto Park and Open Space. During the CTGMC meetings many have spoken and summited in favor of the issues identified in the People for Ponto petitions. I may have missed it but do not recall any Carlsbad citizen speak/submit to the CTGMC in opposition to

what People for Ponto Carlsbad Citizens have provided you. As representative of the Citizens of Carlsbad we ask you honestly represent the Carlsbad Citizen desires so overwhelming expressed to you.

Thank you, and with Aloha Aina for Carlsbad,
Lance

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History of the false exemption of the Growth Management Open Space Standard provided Ponto developers in Local Facility Management Plan Zone 9 (LFMP-9):

The history of how required Growth Management Open Space (i.e. unconstrained/developable land) that should have been dedicated Open Space was, and is now being proposed to be, inappropriately converted to Residential land use by a Perpetuating a False Exemption of the Open Space Standard provided Ponto Developers. This False Exemption needs correction and restitution. Ponto's False Exemption of the Open Space Standard and the 'amendment shell-game' GM Open Space history is a critical warning sign to the **Carlsbad Tomorrow** Growth Management Committee, Planning Commission and City Council. Ponto is a critical warning that a strong, accountable and accurate Open Space Standard needs to be established for **Carlsbad Tomorrow**, AND a Growth Management Open Space restitution plan needs to be established and funded that corrects the False Exemption for Ponto Developers. If Ponto Developers were required like other similar developers at the time (Aviara and Poinsettia Shores, "urbanizing La Costa Zones 11 & 12, etc.) to provide the required Growth Management Open Space some of the critical Coastal Recreation and Coastal Park issues and extensive Carlsbad Citizen needs/demands/desires at Ponto could likely have already been addressed.

How citizens found out about the False Exemption provided Ponto Developers:

In 2017 for the 1st time the city provided the GIS maps/data base accounting of Open Space in the City. The City did this a part of settlement to a North County Advocates citizens' lawsuit. The City Open Space maps/data base allowed Carlsbad Citizens for the 1st time the ability to see and confirm what Open Space was produced by Growth Management (GM). The City's Open Space map/data based for Ponto (LFMP-9) documented that about 30-acres of GM Open Space was missing (see; Carlsbad Official Public Records Request - PRR 2017-164). As required by GM, and as Staff has said, to count as GM Open Space it must be dedicated and 'unconstrained/developable land' to meet the GM Open Space Standard. Being able to see for the 1st time the missing GM Open Space was one of the key awakenings that started People for Ponto Carlsbad Citizens. Below is the City's Open Space Map for LFMP-9, with notes. We have the City's parcel-based Open Space data base that confirms all the numerical data in the notes.



**City GIS map of Ponto's (LFMP Zone 9)
Open Space:**

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara had the same lagoon waters.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were never required to comply with the 15% Standard Open Space is subject to current litigation
- Below is City GIS data from this map

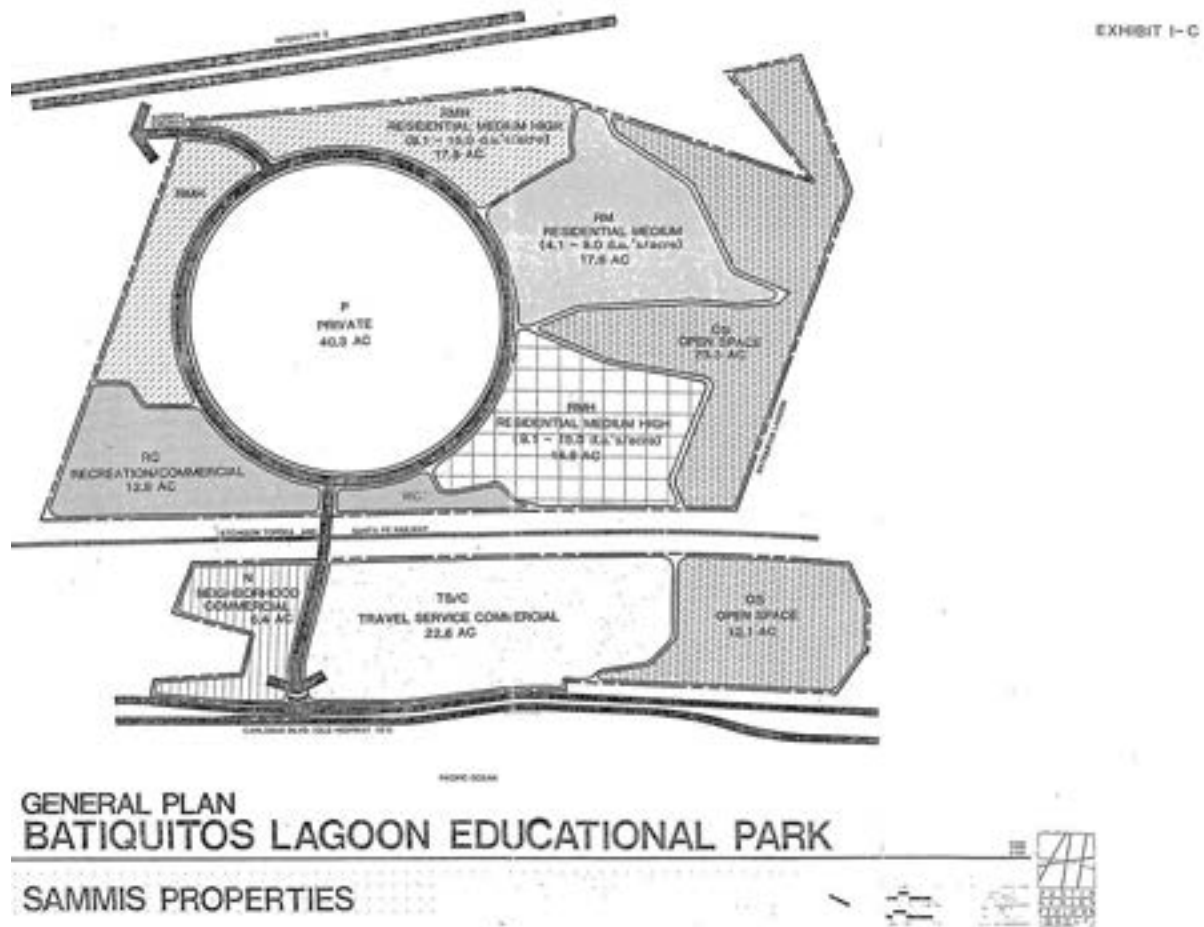
City GIS map data summary of the 15% Growth Management Standard Open Space at Ponto

472 Acres	Total land in LFMP Zone 9 [Ponto]
<u>(197 Acres)</u>	Constrained land excluded from GMP Open Space
275 Acres	Unconstrained land in LFMP Zone 9 [Ponto]
<u>X 15%</u>	GMP Minimum Unconstrained Open Space requirement
41 Acres	GMP Minimum Unconstrained Open Space required
<u>(11 Acres)</u>	GMP Open Space provided & mapped per City GIS data
30 Acres	Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data
	73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

So were did the missing GM Open Space go?

In early 1985 prior to the Ponto's developer (SAMMIS) annexing Ponto into the City of Carlsbad, San Diego County's LAFCO (local agency formation commission) General Planned and pre-zoned, Ponto's Batiqitos Lagoon waters and the lagoon bluff slopes as Open Space. This Open Space was "Constrained Open Space" – State jurisdictional waters, and steep slopes with Coastal Sage Scrub (CSS) habitat. These already pre-zoned constrained/non-developable Open Spaces were accounted for as part of the City's 25% pre-Growth Management Plan Open Space, and per Growth Management can't be counted in meeting the 15% Growth Management Open Space Standard. The pre-zoned Open Space is shown in the City's Open Space map and properly marked as "Preservation of Natural Resources" Open Space land. This already pre-zoned Constrained (non-developable, aka 'Preservation of Natural Resources') Open Space land at Ponto was documented in the proposed SAMMIS Batiqitos Lagoon Educational Park (BLEP) Master Plan MP-175 as Areas N, O, and P in the Land Use Summary below.

On Oct, 1 1985 Carlsbad approved SAMIS's Master Plan and EIR to develop Ponto. SAMIS's BLEP Master Plan MP-175. Following are BLEP MP-175's General Plan & Land Use Summary maps:





The BLEP MP-175 did include a variety of GM compliant Open Space.

- 12.8 acre Recreation Commercial land use that was playfields and Coastal Recreation site for MP-175 and South Carlsbad. This is a Critical GM Open Space that was never dedicated.
- A minimum 30' wide landscaped Open Space on both sides of Windrose Circle that circled the Area P. Windrose Circle was bordered on each side by 30' of landscaped Open Space.
- Additional minimum 30' wide landscaped setbacks between buildings in Area A
- 2.8 acres of private recreation open space for the maximum amount of residential units
- 45' to 50' landscaped setbacks from the Batiquitos Lagoon Bluff edge (this was later developed with Residential land use in some areas of Ponto).
- 75' landscaped separation between Areas C and D
- 70' landscaped separation between Areas D and E
- 25' landscaped setback along Avenida Encinas for Area E
- 30' to 80' landscape setback between Lakeshore Gardens and Area F
- 25' landscaped setback along Avenida Encinas for Area F
- 50' landscaped setback between Areas F and I
- 75' landscaped separation between Areas G and H
- 50' to 80' landscape setback for Area I between Lakeshore Gardens and between Area F

So, prior to Ponto being annexed into the City of Carlsbad in the mid-1980's and prior to Growth Management the Batiquitos Lagoon and lagoons bluff slopes (constrained and unusable due to habitat and slope constraints) were already pre-zoned Open Space and General Planned as Constrained Habitat Open Space. This constrained Open Space did not and cannot meet the 15% GM Open Space Standard.

In 1986 Citizens voted for the City's version of Growth Management that included a New Standard for Useable Open Space. The new standard was that 15% of all unconstrained useable/developable land within a Local Facility Management Zone was to be dedicated as Open Space. Once the vote was in the City adopted the Growth Management Ordinance 21.90 of Carlsbad's Municipal Code (City Council Ordinance No. 9791. (Ord. 9829 § 1, 1987; Ord. 9808 § 1, 1986)).

In adopting the Growth Management Ordinance 21.90.010 the Council Clearly stated:

(b) The city council of the city has determined **despite previous city council actions**, including but not limited to, amendments to the land use, housing, and parks and recreation elements of the general plan, amendments to city council Policy No. 17, adoption of traffic impact fees, and modification of park dedication and improvement requirements, that the demand for facilities and improvements has outpaced the supply resulting in shortages in public facilities and improvements, including, but not limited to, streets, **parks, open space**, schools, libraries, drainage facilities and general governmental facilities. **The city council has further determined that these shortages are detrimental to the public health, safety and welfare of the citizens of Carlsbad.**

(c) This chapter is adopted to ensure the implementation of the policies stated in subsection (a), to eliminate the shortages identified in subsection (b), **to ensure that no development occurs without providing for adequate facilities and improvements, ..."**

The Citizens and Council recognized that prior City plans were not adequate to address the current (and future) needs for facilities. Upon adoption of the New Growth Management Standards certain facilities were already below-Standard simply based on the existing development and population. Growth Management required additional facilities simply to bring the then current development/population up to the New Minimum Standards. I am personally familiar with 3 GM Standards in LFMP-6 (old La Costa) that I worked on – Library, Fire, and Park where already below-Standard i.e. existing development/population in Old La Costa required more facilities to meet the new Growth Management Standards. We worked to provide these new facilities for the existing development/population (i.e. fix the Standard deficits) and then to also plan even more additional facilities at a ratio that met the New Standards for the additional future development in Old La Costa. I can provide you some interesting stories on that.

I also recall working on the surrounding La Costa LRMP Zones 11 & 12 that Like Ponto/FMP-9 were considered "Cat II: Urbanizing" yet Unlike Ponto/LFMP-9 LFMP Zone 11 & 12 were not falsely exempted

for the GMP Open Space Standard and had to provide the GM Open Space Standard of 15% of the unconstrained/developable lands as dedicated Useable Open Space.

The Citizens vote on Proposition E and the subsequent Growth Management Ordinance 21.90 are the rules on which the Growth Management Plans (both Citywide and 25 Local Facility Plans) are required to follow.

To create the Citywide and the Local plans (Zones 1-6) for the largely developed areas the City needed to temporarily pause development activity to allow time for city staff to Draft the Growth Management Plan (my work as a city planner at the time was re-directed to draft growth management plans). So the Growth Management Ordinance 21.90.030, established a Temporary Development Moratorium to pause development processing activity while the Growth Management Plan was being Drafted. Following is that language of 21.90.030. Notes are shown as italicized text within *[example]*:

“21.90.030 General prohibition—Exceptions.

(a) Unless exempted by the provisions of this chapter, **no application for any building permit or development permit shall be accepted, processed or approved until a city-wide facilities and improvements plan has been adopted and a local facilities management plan for the applicable local facilities management zone has been submitted and approved according to this chapter.** *[Clearly indicates the exemptions in 21.90.030 are only from the temporary development moratorium created by 21.90.]*

(b) No zone change, general plan amendment, master plan amendment or specific plan amendment which would increase the residential density or development intensity established by the general plan in effect on the effective date of this chapter shall be approved unless an amendment to the citywide facilities management plan and the applicable local facilities management plan has first been approved. *[FYI, this provision of 21.90.030 has direct implications with respect of currently City/developer proposed General Plan/Zoning code/Local Coastal Program Amendments now being pursued by the City at Ponto Planning Area F and Ponto Site 18. The City did not and has not yet amended the CFMP and LFMP-9 to increase the City/developer proposed residential density or development intensity at Ponto]*

(c) The classes of projects or permits listed in this subsection shall be exempt from the provisions of subsection (a). Development permits and building permits for these projects shall be subject to any fees established pursuant to the city-wide facilities and improvement plan and any applicable local facilities management plan. *[Then lists various exemptions from the temporary development processing/building permit moratorium in 21.90. The BLEP MP's exemption from the temporary moratorium is (g)]*

(g) The city council may authorize the processing of and decision making on building permits and development permits for a project with a master plan approved before July 20, 1986, subject to the following restrictions *[this only applies to the “approved before July 20, 1986” BLEP MP, and NOT to any subsequent Master Plan Amendment]:*

- (1) The city council finds that the **facilities and improvements required by the master plan are sufficient to meet the needs created by the project and that the master plan developer has agreed to install those facilities and improvements to the satisfaction of the city council.** *[The Ponto developer needed to provide the 12.8 acre Recreation Commercial land use and install the GM compliant Open Space required in the 1986 MP175 but did not]*
- (2) The master plan developer shall agree in writing that all facilities and improvement requirements, including, but not limited to, the payment of fees established by the city-wide facilities and management plan and the applicable local facilities management plan shall be applicable to development within the master plan area and that the master plan developer shall comply with those plans. *[this required the LFMP-9/BLEP MP to have 1) already been fully developed or 2) have already have dedicated 15% of the LFMP-9 as Growth Management compliant Open Space (i.e. Unconstrained and developable) to qualify for the Open Space exemption later falsely noted in the city-wide facilities and management plan. As clearly documented the BLEP MP did not meet the requirements to qualify for Open Space Standard Exemption in the city-wide facilities and management plan. The section also requires “all facilities” (including Open Space) requirements in the Citywide Growth Management Standard to apply to BLEP MP, not provide a means for a false exemption of the Open Space Standard]*
- (3) The master plan establishes an educational park and **all uses within the park comprise an integral part of the educational facility.** *[“all uses” including the 12.8 acre Recreation Commercial land use and all the other GM compliant Open Spaces are an integral part. However the 12.8 acre open space land use was never built and the BLEP MP GM compliant Open Space never dedicated.]*
- (4) **Building permits for the one hundred twenty-nine [129] unit residential portion of Phase I of the project may be approved provided the applicant has provided written evidence that an educational entity will occupy Phase I of the project** which the city council finds is satisfactory and consistent with the goals and intent of the approved master plan. *[Clearly indicates the 21.90.030 exemption is only for building permits for Phase I of the BLEP MP. Of the 129 units only the 75 unit Rosalena development applied for and received building permits under this exemption. There are some very interesting issues related to this Rosalena Phase I development relative to GM complaint Open Space along the bluff edge that can be expanded on later if the CTGMC has questions.]*
- (5) Prior to the approval of the final map for Phase I the master plan developer shall have agreed to participate in the restoration of a significant lagoon and wetland resource area and made any dedications of property necessary to accomplish the restoration. *[Again clearly notes the exemption only allows a final map for Phase I to be processed. The “lagoon and wetland resource area” are part of the same constrained/undevelopable lands already pre-zoned prior to the BLEP MP being incorporated into the City of Carlsbad]*

The Aviara Master Plan (directly adjacent and east of Ponto) and was also being developed at the same time as Ponto/BLEP MP. 21.90.030 also provided the Aviara Master Plan a similar exemption (h) and similar lagoon related quid-pro-quo for that exemption. But Aviara did not receive a GM Open Space Standard Exemption. :

“(iv) Prior to any processing on the [Aviara] master plan the applicant shall grant an easement over the property necessary for the lagoon restoration and the right-of-way necessary for the widening of La Costa Avenue and its intersection with El Camino Real. (Ord. NS-63 § 1, 1989; Ord. 9837 § 1, 1987; Ord. 9808 § 1, 1986)”

Some City staff have incorrectly stated to the City Council that they believe 21.90.030 exempts Ponto/LFMP-9 from the Growth Management Ordinance/Program or Growth Management Open Space Standard. RESOLUTION NO. 8666- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA APPROVING TWO AGREEMENTS FOR BATIQUITOS LAGOON EDUCATIONAL PARK also shows the 21.90.030 exemption was only for development permits during the temporary building moratorium.

In 1986 the City falsely exempted in the Citywide Facilities Plan all Ponto developers from providing 15% of their useable/developable land as GM required Open Space. The City’s documented/adopted rationale in the Citywide Plan was that Ponto/LFMP-9 was 1) in 1986 already developed, or 2) in 1986 the developer had already met the GM Open Space Standard by having already dedicated 15% of the useable land as Open Space. Both situations were/are false. Any air photo map or even the 1986 LFMP-9 clearly states Ponto was NOT developed in 1986, as only the Lakeshore Gardens existed and the Ralphs Center was just starting construction. Also the City’s GIS Open Space mapping (see above) shows that SAMMIS the Ponto developer (BLEP Master Plan MP-175) in 1986 had Not dedicated as Open Space 15% of the useable land as Growth Management compliant Open Space as shown/described in the BLEP MP (i.e. the 12.8 Acre Recreation Commercial site and all the landscaped open space setbacks required in the BLEP MP-175. If that 15% was dedicated in 1986 it would show-up on the City’s inventory of Dedicated Open Space now. So how did this occur?

How Ponto’s planned GM Open Space was eliminated and replaced with Residential land use:

In late 1980’s SAMMIS the BLEP MP-175 developer started building the 75-home Rosalena Development as the first part of Phase I of the BLEP MP. The City (based on my recollection was very desirous to develop the BLEP MP) and required special time limits on the BLEP MP to actually advance building the ‘Educational Park’ with all the “initiated” land uses (including GM compliant Open Space) within a certain period of time. SAMMIS was having financial issues and difficulty delivering the BLEP MP land uses. Amendments (A, B, and C) to BLEP MP reflected on these difficulties:

- MP 175(A) to allow minor accessory structures within the rear yards of all Phase I single family lots located in Planning Area “C”. *[This is the Rosalena development that was part of Phase I for BLEP MP. This amendment has implications on the landscaped Open Space setback along the Batiquitos Lagoon bluff top, and the required Coastal access trail required by the Coastal*

Development Permit for Rosalena. This is an interesting history that can be explained later if the CTGMC would like.]

- MP 175(B) to realign Carlsbad Blvd., between North Batiquitos Lagoon and west of I-5 to accommodate the Sammis Development was WITHDRAWN January 12, 1990, and
- MP 175(C) a request for 5-year extension of time for Master Plan approval related to educational uses on this project was Approved Planning Commission Resolution No. 2841, April 19, 1989 and approved City Council Ordinance No. NS-83, September 5, 1990.

SAMMIS went bankrupt around 1990 and Kaiza Development purchased the BLEP MP. Kaiza completed the Rosalena development started by SAMMIS. Kaiza then sought to completely change the planned land uses on all the remaining unconstrained/developable land in the BLEP MP.

General Plan and Master Plan Amendments eliminated/reduced BLEP's Growth Management compliant Open Space and replace with Residential uses in the "amended" Poinsettia Shores Master Plan:

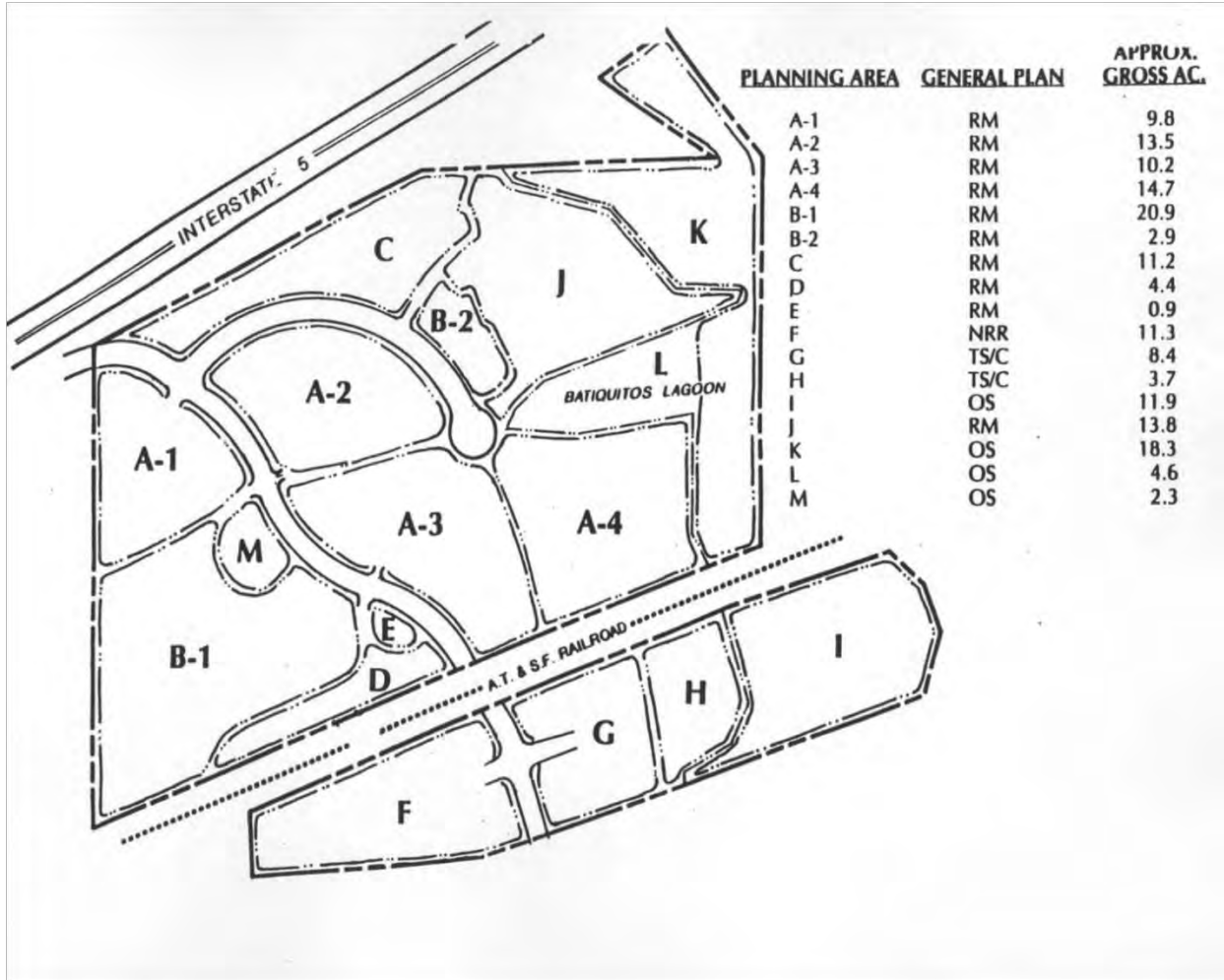
When Kaiza acquired the BLEP MP-175 and its vacant land only the State Campground, Lakeshore Gardens, Ralphs Center, and now Rosalena were approved/existing developments at Ponto. Kaiza proposed a Master Plan Amendment to delete the BLEP MP-175 and all its developable land uses, except for the only portion of Phase I developed – the 75 unit Rosalena subdivision. The pre-BLEP MP pre-zoned (and General Planned) constrained/undevelopable Lagoon waters and lagoon bluff Open Spaces and the CA Coastal Act (LCP) required bluff top setbacks were the only Open Spaces retained in Kaiza's proposed General Plan land use and Master Plan Amendments.

Most all of the BLEP MP-175 (and Ponto/LFMP-9) land area was still undeveloped at the time Kaiza proposed changing all the General Plan land uses at Ponto and eliminating the usable Open Space in BLEP MP.

Kaiza's General Plan land use and Master Plan 'Amendments' made radical land use changes that converted some critical Useable GM Open Space to residential land use and also reduced some GM Open Space provided in BLEP MP. Following is Kaiza's Amended General Plan land use map and bullet summary of the major Open Space changes without getting into a very detailed forensic analysis:

- Eliminated the 12.8 acre Recreation Commercial land use.
- Eliminated the minimum 30' wide landscaped Open Space on both sides of Windrose Circle for the large unbuilt portions of Windrose Circle
- Reduced by 10' the landscaped Open Space on the smaller built portion of Windrose Circle
- Eliminated on 40.3 acres the additional minimum 30' wide landscaped setbacks between buildings
- Reduced BLEP's 2.8 acres of private recreation open space to 2.3 acres
- Except for the Rosalena (BLEP Area C) and (PSMP Area J), maintained the 45' to 50' landscaped setbacks from the Batiquitos Lagoon Bluff edge
- Eliminated the 75' landscaped separation between BLEP MP Areas C and D

- Eliminated the 70' landscaped separation between BLEP MP Areas D and E
- Maintained the 25' landscaped setback along Avenida Encinas. [However new Master Plan Amendments MP-175L propose reducing the setback to 10' on the undeveloped frontage of Avenida between PCH and the railroad tracks]
- Placed a road in most of the 80' landscape setback between Lakeshore Gardens
- Eliminated the 50' landscaped setback between BLEP MP Areas F and I
- Eliminated the 75' landscaped separation between BLEP MP Areas G and H
- Added a 20' wide by 1,000' long landscaped strip for an HOA trail



Kaiza's Master Plan Amendment MP 175 (D) eliminated the 12.8 acre Open Space land use (with an associated General Plan Amendment to add more residential land use) and reduced the other useable Open Spaces required in the BLEP MP. When the 1994 Kaiza MP 175 (D) General Plan Amendments were proposed, it seemed they voided the '1986 GM Open Space exemption' that was clearly specific only to the 1986 BLEP MP land uses and regulation. Although this was a false exemption, the exemption only applied to the complete/integrated land use and open space provided in the 1986 BLEP MP. The 1986 exemption specific to BLEP MP could not apply to a different and later 1994 General Plan land use plan that eliminated the 12.8 acre Recreation Commercial (Open Space) site to add residential land use

and that also reduced the GM compliant Open Space provided in the 1986 BLEP MP. 21.90.030(b) notes that:

“(b) No zone change, general plan amendment, master plan amendment or specific plan amendment which would increase the residential density or development intensity established by the general plan in effect on the effective date of this chapter shall be approved unless an amendment to the citywide facilities management plan and the applicable local facilities management plan has first been approved.”

The 1994 Kaiza General Plan land use and Master Plan (MP 175(D)) Amendments removed 12.8 acres of Recreation Commercial (GM compliant Open Space) to add residential land use. This violated 21.90.030(b) by doing so without a first providing a Citywide Facilities Plan Amendment that analyzed the actual amount of GM compliant Open Space being proposed in the 1994 Kaiza MP 175(D) relative to the 1986 BLEP MP on which the 1986 GM Open Space exemption for LFMP-9 was based. MP 175(D) is noted in the MP as follows:

- “MP 175 (D) Kaiza Poinsettia Master Plan To **replace educational uses with residential land uses** And rename to Poinsettia Shores Master Plan (was) Approved Planning Commission Resolution No. 3552, November 3, 1993, Approved City Council Ordinance No. NS-266, January 18, 1994.”

Kaiza’s MP 175(D) inaccurately and bizarrely claimed BLEP MP’s prior false exemption from the GM Open Space Standard as the justification that Kaiza’s new 1994 Open Space land use changes that seem to reduce the amount of GM complaint Open Space in the 1986 BLEP MP are also exempt from the GM Open Space Standard. **Kaiza’s MP 175(D) claims the pre-Growth Management and pre-BLEP MP Constrained/Undevelopable lagoon waters and bluff habitat that per the 15% Growth Management Open Space Standard CAN NOT be counted as meeting the 15% GM Open Space Standard can be magically counted as meeting the 15% GM Open Space Standard. The GM Open Space Standard specifically states that only Unconstrained/Developable lands CAN BE counted as meeting the GM Open Space Standard.** The stated principles of Growth Management, the Growth Management Ordinance 21.90 and the Growth Management Open Space Standard DO NOT allow a developer or the City to count already documented Constrained and unbuildable habitat (and water) as Unconstrained and developable land. You can’t just turn ‘an apple into a banana by saying it’, or turn ‘Constrained/Undevelopable land into Unconstrained/Developable land by just saying it.

Compliance with the law in this Open Space issue is a part of a current lawsuit by North County Advocates a group of Citizens watchdogs. The City has unsuccessfully tried to diminish this lawsuit. A judge/jury will determine the outcome.

Additional MP 175 Amendments have been proposed by and approved to further modify land use and regulatory limitations at Ponto. These include:

- MP 175(E) Poinsettia Shores Master Plan, Redefinition of minor amendment to provide a flexible regulatory procedure to encourage creative and imaginative planning of coordinated communities, WITHDRAWN November 1, 1994

- MP 175(F) Poinsettia Shores Master Plan minor amendment to actualize off-site option for provision of 90 affordable housing dwelling units, Approved Planning Commission Resolution No. 3774, April 19, 1995
- MP 175(G) Poinsettia Shores Master Plan minor amendment to adopt Coastal Commission Suggested modifications, Approved Planning Commission Resolution No. 3922, June 5, 1996 Approved City Council July 16, 1996, NS-367
- MP 175(H) Poinsettia Shores Master Plan - major amendment FOR HOTEL AND TIMESHARE USES, WITHDRAWN January 16, 2003
- MP 175(I) Poinsettia Shores Master Plan – Rosalena Trail Amendment, WITHDRAWN January 8, 2002
- MP 175(J) Poinsettia Shores Master Plan – major amendment for Carlsbad Coast Residential project to allow RM land use on Poinsettia Shores, WITHDRAWN January 8, 2002
- MP 175 (K) Poinsettia Shores Master Plan – Ponto Area Specific Plan Mixed use consisting of residential, commercial and retail uses, WITHDRAWN August 19, 2004
- MP 175(L) Poinsettia Shores Master Plan – Major amendment for commercial and residential development on Planning Area F, Still being proposed by developers and being processed by the City.

The false exemption for the BLEP MP based LFMP-9 should never have occurred. However, completely eliminating BLEP MP’s OpenSpace land use (12.8 acre Recreation Commercial) and reducing BLEP MP’s required Open Space while at the same time claiming the false BLEP MP Open Space Exemption is a violation of common sense, 21.90, and the very founding principles Growth Management.

The CA Coastal Commission in MP 175 (G) in part recognized the elimination of the 12.8 acre Recreation Commercial land use and maybe some of the Open Space land use changes and added the following land use regulations for 11.1 acre Planning Area F in the Carlsbad’s Local Coastal Program LCP). The LCP as per State Law and referenced in Carlsbad’s General Plan is the controlling land use regulation over the General Plan, Poinsettia Shores Master Plan and in the Coastal Zone:

“PLANNING AREA F: Planning Area F is located at the far northwest corner of the Master Plan area west of the AT&SF Railway right-of-way. This Planning Area has a gross area of 11 acres and a net developable area of 10.7 acres. Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an “unplanned” area, for which land uses will be determined at a later date when more specific planning is carried out for areas west of the railroad right-of-way. A future Major Master Plan Amendment will be required prior to further development approvals for Planning Area F, and shall include an LCP Amendment with associated environmental review, if determined necessary.

The intent of the NRR designation is not to limit the range of potential future uses entirely to nonresidential, however, since the City's current general plan does not contain an “unplanned” designation, NRR was determined to be appropriate at this time. In the future, if the Local Coastal Program Amendment has not been processed, and the City develops an “unplanned”

General Plan designation, then this site would likely be redesignated as “unplanned.” Future uses could include, but are not limited to: commercial, residential, office, and other uses, subject to future review and approval.

As part of any future planning effort, the City and Developer must 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.”

In 2010 the CA Coastal Commission in 2010 rejected the Ponto Beachfront Village Vision Plan on which MP 175(K) was based. MP 175(K) was withdrawn.

On July 3, 2017 the CA Coastal Commission provided direction to the City of Carlsbad regarding MP 175(G), Carlsbad’s 2015 General Plan Update, Carlsbad proposed Local Coastal Program Amendment Land Use Plan (LUP) . CA Coastal Commission wrote to the City the following. Notes on the context of communication are in bracketed italics *[example]*:

“The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto ... 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 study should be undertaken as a part of the visitor serving use inventory analysis described above. *[the discussion of the need for the City to conduct a citywide analysis of the location and amount of these uses in the Coastal Zone to assure the City General Plan within the Coastal Zone is providing the adequate amounts and locations of these land uses to fulfill the long-term population/visitor needs for these uses according to the CA Coastal Act]* **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.”**

In 2017 the City conducted the first Sea Level Rise (SLR) Vulnerability Assessment <https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=33958> . That first initial analysis, shows significant SLR impacts that will reduce existing Ponto Open Space - the State beach and Campground and along the Batiquitos Lagoon. The City identified SLR impacts on Ponto Open Space are summarized in the next section of this history.

In 2023 the CA Coastal Commission will consider the data and public input and decide the appropriate land use for 11.1 acre Planning Area F based the CA Coastal Act and Coastal Act land use policies.

You can determine the Open Space and Park Quality of Life Standards that will be applied to this and other future land uses.

[City assessment of Sea Level Rise impacts on reducing Ponto Open Space](#)

The City's 2017 SLR assessment shows SLR will significantly reduce or eliminate only existing Open Space land at Ponto. The City's assessment quantifies the sporadic/episodic loss of Ponto/Coastal South Carlsbad Open Space land and land uses being at the State Campground, Beaches, and Batiquitos Lagoon shoreline – about 32 acres by the year 2100, this would be an average loss of 17,000 square feet of Open Space per year. Following (within quotation marks) is a description, quantification and images of the City's projected loss of Ponto/Coastal South Carlsbad Open Space land and land use due to SLR. *[Italicized text within brackets]* is added data based on review of aerial photo maps in the Assessment.

“Planning Zone 3 consists of the Southern Shoreline Planning Area and the Batiquitos Lagoon. Assets within this zone are vulnerable to inundation, coastal flooding and bluff erosion in both planning horizons (2050 and 2100). A summary of the vulnerability assessment rating is provided in Table 5. A discussion of the vulnerability and risk assessment is also provided for each asset category.

5.3.1. Beaches

Approximately 14 acres of beach area is projected to be impacted by inundation/erosion in 2050. ... Beaches in this planning area are backed by unarmored coastal bluffs. Sand derived from the natural erosion of the bluff as sea levels rise may be adequate to sustain beach widths, thus, beaches in this reach were assumed to have a moderate adaptive capacity. The overall vulnerability rating for beaches is moderate for 2050.

Vulnerability is rated moderate for the 2100 horizon due to the significant amount of erosion expected as the beaches are squeezed between rising sea levels and bluffs. Assuming the bluffs are unarmored in the future, sand derived from bluff erosion may sustain some level of beaches in this planning area. A complete loss of beaches poses a high risk to the city as the natural barrier from storm waves is lost as well as a reduction in beach access, recreation and the economic benefits the beaches provide.

5.3.3. State Parks

A majority of the South Carlsbad State Beach day-use facilities and campgrounds (separated into four parcels) were determined to be exposed to bluff erosion by the 2050 sea level rise scenario (moderate exposure). This resource is considered to have a high sensitivity since bluff erosion could significantly impair usage of the facilities. Though economic impacts to the physical structures within South Carlsbad State Beach would be relatively low, the loss of this park would be significant since adequate space for the park to move inland is not available (low adaptive capacity). State parks was assigned a high vulnerability in the 2050 planning horizon. State park facilities are recognized as important assets to the city in terms of economic and recreation value as well as providing low-cost visitor serving amenities. This vulnerability poses a high risk to coastal access, recreation, and tourism opportunities in this planning area.

In 2100, bluff erosion of South Carlsbad State Beach day-use facilities and campgrounds become more severe and the South Ponto State Beach day-use area becomes exposed to coastal flooding during extreme events. The sensitivity of the South Ponto day-use area is low because impacts to usage will be temporary and no major damage to facilities would be anticipated. Vulnerability and risk to State

Parks remains high by 2100 due to the impacts to South Carlsbad State Beach in combination with flooding impacts to South Ponto.

Table 5: Planning Zone 3 Vulnerability Assessment Summary [condensed & notated]:

Asset	Horizon			Vulnerability
<u>Category</u>	<u>[time]</u>	<u>Hazard Type</u>	<u>Impacted Assets</u>	<u>Rating</u>
Beaches	2050	Inundation/Erosion, Flooding	14 acres (erosion)	Moderate
	2100	Inundation/Erosion, Flooding	54 acres (erosion)	Moderate
Public Access	2050	Inundation, Flooding	6 access points 4,791 feet of trails	Moderate
	2100	Inundation, Flooding	10 access points 14,049 feet of trails	Moderate
State Parks	2050	Flooding, Bluff Erosion	4 parcels [<18 Acres]	High
<i>[Campground - Low-cost Visitor Accommodations]</i>	2100	Flooding, Bluff Erosion	4 parcels [>18 Acres] <i>[loss of over 50% of the campground & its Low-cost Visitor Accommodations,</i>	High
<i>See Figure 5.]</i>				
Transportation (Road, Bike, Pedestrian)	2050	Bluff Erosion	1,383 linear feet	Moderate
	2100	Flooding, Bluff Erosion	11,280 linear feet	High

Environmentally Sensitive Lands	2050	Inundation, Flooding	572 acres	Moderate
	2100	Inundation, Flooding	606 acres	High



Figure 7: Southern Shoreline Planning Area – Year 2050



Figure 5: CoSMoS Bluff Erosion Projections by 2100
(CoSMoS-COAST 2015)

[Figure 5 show the loss of over 50% of the campground and campground sites with a minimal .2 meter Sea Level Rise (SLR), and potentially the entire campground (due to loss of access road) in 2 meter SLF.]”

This 2017 SLR data and quantified losses of Ponto/Coastal South Carlsbad Open Space land and land uses was not considered in the City’s rejected (by CCC) Ponto Beachfront Village Vision Plan. The Ponto Vision Plan is the basis for the City’s 2015 General Plan Update that is now being proposed in the City’s Local Coastal Program Amendment now before the CA Coastal Commission.

Summary:

LFPM-9 was clearly not developed in 1986, and did not then or now dedicate 15% of the unconstrained/developable land as Open Space as required by the Growth Management Open Space Standard. These two reasons for the City to “exempt” LFMP-9 from Open Space Standard were/are False. Saying Constrained/undevelopable land can be counted as Unconstrained/developable land is also false and clearly not allowed according to the Growth Management Ordinance, Standards, principles, and common-sense honesty to Carlsbad Citizens. LFMP-9, as the City’s own maps/data base show is clearly missing 30-acres of GM Open Space. In addition in 2017 we learned that Ponto/Coastal South Carlsbad will lose about 32 acres of existing Open Space due to SLF.

Closing thoughts:

Growth Management is based on the type/amount/location of General Plan land use designations, the development potential of those land use designations in creating the demand for the type/amount/location of facilities, and supply of the type/amount/distribution of facilities – like Open Space and Parks. If the type/amount/location of supply of facilities does not meet the demand for those facilities then growth management fails and Quality of Life is reduced.

Quality of Life Standards are used to assure supply and demand for facilities is properly balanced with respect to type/amount/location.

Ponto is clearly unbalanced. The Ponto Census Tract is at a 40% higher population density than the rest of Carlsbad, yet is Ponto is NOT meeting the Open Space Standard and has NO Park (see City Open Space maps and Park Master Plan). Ponto and all South Carlsbad have higher population demand for Parks and Open Space facilities yet Ponto (that is the only place to provide Coastal Park and Open Space needs for South Carlsbad) has lower or none of those two most critical GM Facilities needed to balance and mitigate the 40% higher population density at Ponto and also the higher residential density in South Carlsbad.

Ponto and Coastal South Carlsbad also have additional State and regional responsibilities to provide Coastal Recreation and Open Space for populations of people and visitors from outside of Ponto and Carlsbad.

This failure to honestly and adequately balance the type/amount/location higher population density by providing higher levels of Parks and Open Space in those areas will lead to a slow and but eventual reduction of the Quality of Life for those areas.

Common sense and the Carlsbad's Growth Management law say if you change the land use (like what was done and is still being proposed at Ponto) you change the type/amount/location of potential development and population and the Growth Management impacts. Land use changes require and honest/accurate/balanced update to Citywide and Local Growth Management Plans to accurately reflect those changes and provide an updated plan to provide facilities that meet the Standards for those land use changes. This is the fundamental heart of any Growth Management.

The Carlsbad Tomorrow Growth Management Committee, and City Commissions and Council are all now facing the same issues and responsibility that we faced in the 1980's at the beginning of Growth Management. We established New Quality of Life Standards – for Open Space and Parks – that required New investments in Parks and Open Space by both the City and developers.

Open Space and Parks have always been identified as most critical for Carlsbad's quality of life. The Carlsbad Tomorrow Growth Management Committee, and City Commissions and Council, and Carlsbad Citizens are all at a critical crossroad.

- Do we, or don't we, enforce and set new standards that achieve the quality of life we desire?
- Do we or don't we, fix existing past errors and below desired standard situations?
- Do we or don't we, roll-up our sleeves a work together to a better Quality of Life?

As a long-time Carlsbad Citizen I am extremely disappointed by some who say we can't fulfill our Community Vision, we can't fix things, can't make things better, and can't add more Parks and Useable Open Space. This can't attitude is not out Community Vision. We can and we did before, and we can do it again and better.

Great cities for hundreds of years have Upgraded their Quality of Life Facility Standards, made and implemented/funded facilities to fix things up to those Standards. A City is just like a business or person - If you don't improve you decline. Examples of Upgrading and funding to New Parks and Open Space are many but include – Carlsbad's Buena Vista Reservoir Park, additions to Pine Park, Village H Park, and Aura Circle Open Space acquisition; and SDSU's major new Park at the redeveloped Qualcomm Stadium site.

Now like at the beginning of Carlsbad Growth Management the City can “despite previous city council actions” make improvements to its Growth Management and Quality of Life Standards to address past and future needs. Following illustrates existing R-23 (up to 23 dwellings per acre) development in Carlsbad – most of our future residential development will be required to be like this or more dense.



High-density housing can be great, but it requires MORE Parks and MORE useable Open Space within walking distance to balance the density and provide large places for families and kids to really play. In Carlsbad's high-density residential future with no backyards and stacked flat multi-family homes the need for both more Parks and Useable Open Space is much greater than in 1980's.

The time to fix the Parks and Useable Open Space problems at Ponto (LFMP-9) is now. Already Ponto is developed at a density that is 40% great than the rest of Carlsbad. New proposed and even higher-density developments (developer driven Amendments) propose to make Ponto even more dense, yet there are not Parks at Ponto and Ponto is missing 30-acres of Useable Open Space past developers should have provided.

A doable, time-tested, accountable, tax-payer saving, strongly citizen desired, accountable, and honest way to fix this was presented to you in 8/8/22 and 12/27/22 emails with attached "CTGMP Key Issues and Suggestions – 2022-12-6". Over 5,000 petitions expressing the need to fix the Park and Open Space problems at Ponto have been sent to the City and the City should have provided these to you in considering Park and Open Space issues.

Ponto Park and Open Space needs your help fixing NOW. If not Carlsbad Tomorrow will be less than it is today, and tragically will have failed our Community Vision.

Following are 6 key major Growth Management Standards issues of citywide relevance that the Carlsbad Tomorrow Growth Management Committee (CTGMC) needs to act on, and citizen “Suggestions to CTGMC” on how to honestly and responsibly act on these 6 key issues in the CTGMC’s recommendations to the New City Council. This Update includes new information (pp 5-6) on the improved affordability of Ponto Park, and on how GM Open Space shortfall can be repaired. We hope the CTGMC will act honestly to make recommendations that truly and responsibly address known documented shortfalls in both Parks and GM Open Space. Responsible recommendations by the CTGMC can provide a sustainable Quality of Life to future Carlsbad generations and visitors. Only you own your recommendations.

1. The State of CA is forcing Carlsbad and all cities/counties in CA to provide for unlimited or Infinite Population and Visitor growth. So there will be an Infinite population & visitor demands for Parks, Open Space, water, and demands on our roads/transportation systems, and other Growth Management (GM) Quality of Life facilities. These infinite increases in population and visitor demand will come from high density development that requires more public Parks and Open Space to balance the high-densities. **Carlsbad’s new GM Standards will have to provide for a system of Infinite proportional increases in the supply of Parklands, Open Spaces, water, transportation facility capacity, etc. or our Quality of Life will diminish.**
 - a. Suggestions to CTGMC:
 - i. Completely restructure the General Plan, Local Coastal Program and GM Program to clearly recognize these facts and State requirements to proportionately provide public facilities to maintain/improve Carlsbad GM Quality of Life Standards for this Infinite growth of Population and Visitor demands.
 - ii. **Being a Coastal city Carlsbad has an added responsibility to proportionately maintain/improve providing High-Priority Coastal land uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations) needed at a regional and statewide level to address visitor needs for Coastal Recreation, access, and affordable accommodations.** Carlsbad needs to work with the State of CA Coastal Commission to completely restructure Carlsbad’s Coastal Land Use Plan to addresses the State’s requirement to provide an Infinite amount high-priority Coastal land uses for those Infinite Population and Visitor demands.
 - iii. **Trying to ignore these Infinite demands for Carlsbad’s Quality of Life facilities – like Parks and Open Spaces is a path to disaster and the ultimate degradation of Carlsbad’s Quality of Life.**
2. **Carlsbad has a huge Jobs v. Housing supply imbalance – far too many jobs around the airport for our amount of housing. This creates negative and costly land use and transportation planning distortions that radiate from the Airport Central Jobs through Carlsbad in all directions.** CA Housing law penalizes unbalanced cities like Carlsbad by requiring more housing in Carlsbad to bring jobs/housing ratio into balance. Carlsbad can correct this imbalance by 1 of 2 ways: 1) greatly increase housing supply (and thus increase the need and City expense for more GM Quality of Life facilities), or 2) more logically and cost effectively greatly decrease the amount of Jobs land use, so Carlsbad’s housing supply is in balance with jobs. These jobs will move to surrounding Cities that have more housing than jobs. **Rebalancing by reducing jobs land use creates added benefits for Carlsbad and our region by reducing Carlsbad’s peak-hour job commute traffic volumes and**

vehicle miles traveled (VMT), and by reducing the costs Carlsbad (and other cities and the region) have to pay to accommodate inter-city commute traffic. If Carlsbad reduces jobs land use will also reduce the amount of housing the State of California and SANDAG requires Carlsbad provide in its Housing Element thus reducing forcing incompatible high-density development into established neighborhoods and pressure to convert useable GM Open Space lands to housing land use.

a. Suggestions to CTGMC:

- i. **Carlsbad can logically and cost effectively balance Jobs/housing supply by updating Growth Management Policy to reduce jobs to be in balance with housing by changing some of Carlsbad's General Plan land use around the airport into several high-density residential mixed-use Villages.** The City has started some of this, but can expand this effort but has not planned creating mixed-use village environments. These high-density villages will reduce jobs and provide both high-quality and high-density (affordable) housing within walking/biking distance to the major job center and new neighborhood commercial and Park uses in the Villages.
- ii. Prioritize transportation investments in safe bike paths, walking paths between Carlsbad's Central Jobs Core around the airport and Carlsbad's housing, particularly strongly connecting these new high-density mixed-use villages with the Central Jobs Core.
- iii. Update General Plan land use and housing policy to reduce concentrations of higher-density housing except around the airport jobs core.
- iv. Recognize the central Airport jobs core is 'Carlsbad's New Urban Downtown and "Transect Plan" accordingly toward lower densities on the City periphery.

3. Although some very critical areas (such as the Coastal lands at Ponto) are still vacant and can be wisely used for critical GM Quality of Life needs, much of Carlsbad is largely developed.

Redevelopment of developed land will require creating increased supplies of Parkland, Open Spaces, transportation capacity, and other Quality of Life facilities.

a. Suggestions to CTGMC:

- i. **Completely rethink all City planning on existing vacant lands to assure that remaining vacant land is planned and being used wisely and fairly distributed to address critical Quality of Life needs in those areas, and not squandered on redundant land use.** The location of vacant land to address critical Park & Open Space needs should be preserved with land use planning.
- ii. Work with the State and CA Coastal Commission to preserve our Finite vacant Coastal lands for High-Priority Coastal Land Uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations and services) for the Infinite population and visitor demands both internal and external to Carlsbad that are/will be placed on them.
- iii. Fully and at the very beginning of any Carlsbad General Plan, Local Coastal Program and Growth Management Program actions going forward fully disclose, map and require consideration of the impact of future sea level rise and coastal erosion on Coastal land acres and land uses. Carlsbad has lost and will accelerate losing acres of Coastal land and High-priority Coastal Land Uses. Carlsbad must know, see, and discuss these losses BEFORE making any land use decisions in Carlsbad's Coastal Zone and any vacant Coastal Land.

4. **Carlsbad General Plan & Growth Management Plan do not provide a fair distribution of adequately sized City Parks for all Carlsbad families.** Veterans Park is a classic example. What will

be the City's largest park is only about 1-mile away from three other major City Parks (Zone 5, and the future Robinson Ranch and Hub Parks). This is a poor and unfair distribution and a misallocation City Park land resources. Saying Veterans Park is 'the park to serve SW, SE, and NE Carlsbad families' (the overwhelming major/majority funders of veterans Park) when those families are upwards of 6-miles away on major commercial arterials that kids can't logically/safely use is false and unfair. Most all the funding (developer fees) to build Veterans Park come from the SW, SE and NW Carlsbad but those areas are denied the Park the paid for. Veterans Park is inaccessible by almost all its intended users except by driving their cars and then storing their cars in parking lots on Parkland thus making less park land available for actual park use – this makes little common sense and is a great waste of tax-payer funds. This is dysfunctional along with being very unfair to families in SW, SE and NE Quadrats that are denied park acres near their homes which they funded. **Carlsbad's Park Master Plan maps 'Park Service' areas of existing known Park Inequity or Unfairness (dysfunction), to show where new City Park investments should be made (See City map image with notes below).**

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

The Trust for Public Land provides a Park-Score to compare both a City's amount of park acres and the 'fairness' of access (within a 10-minute walk) to parks. **Carlsbad is below national averages in both park acres and fair access to parks. Carlsbad is also well below what our adjacent Coastal cities of Encinitas and Oceanside provide. Carlsbad only requires 3 acres of Park land per 1,000 population, while Encinitas and Oceans require 5 acres - 67% more than Carlsbad – of parkland. Also, Encinitas and Oceanside require parks to be within a 10-minute walk to their citizens and families. Carlsbad has no such requirement.**

a. Suggestions to CTGMC:

Carlsbad should change its General Plan, Parks and Growth Management Standards and CMC 20.44 to:

- i. **Be Above Average Nationally in both providing park acreage and in locating adequate park acreage to be within a 10-minute walk to all neighborhoods.**
 - ii. **Raise its minimum park acreage standard to 5 acres per 1,000 population, versus the current low 3 acres per 1,000. Carlsbad should be at least as good as Encinitas and Oceanside in requiring 5 acres, not 40% below what our adjacent Cities require/provide.**
 - iii. **Raise its park location standard to require an adequately sized park be provided to serve the neighborhood population within a 10-minute walk for all neighborhoods.**
 - iv. **Prioritize City Policy and Park Budgets and investments to achieve park fairness in 'Park Unserved areas' identified by Carlsbad's Park Master Plan.**
 - v. **Per Carlsbad's Municipal Code Chapter 20.44- DEDICATION OF LAND FOR RECREATIONAL FACILITIES to require developers in 'Park Unserved areas' and in areas that do not have an adequately sized (5 acres per 1,000 population) park within a 10-minute walk to provide their developments required Park land acre dedication in actual Park land within a 10-minute walk to their development.**
 - vi. **Update the City's Park-in-lieu fee to assure the fee is adequate to actually buy the amount of park land a developer is to provide within a 10-minute walk of their development. The City's current 'Park-in-lieu-fee' is far too low and inadequate to actually buy land in area surrounding the proposed development.**
 - vii. **Only allow developers to pay a Park-in-lieu-fee where there is an adequately sized park (provide 5 acres per 1,000 population) within a 10-minute walk of their development, and growth management planned future development in that area will not require more park land to provide 5 acres per 1,000 population) within a 10-minute walk.**
 - viii. Consider updating Park policy to provide more multi-use flexibility in park land acres and development on Parks. Many Carlsbad Park acres are developed/dedicated to a single-purpose use, and unavailable for other park uses.
 - ix. Consider eliminating car parking lots from land that can be counted as parkland; or by significantly limiting park land used for parking to around 5%.
 - x. **Eliminate the counting of 'GM Constrained and Unusable land' and Protected Endangered Species Habitat land as Park land. GM Constrained/Unusable lands are undevelopable. Protected Habitat lands are by definition not useable for development by people. Habitat is dedicated for plants and animals. Parks are open spaces dedicated intended for people. Parkland calculations should exclude Unusable lands and Protected Habitat lands and only count 100% people Useable land as Park land. Where Park land abuts Habitat land a sufficient buffer space shall be provided to prevent people mixing with animals (ex. Rattlesnakes, etc.) and animals from people (habitat disturbance or destruction). This buffer area should not be counted as Park or Habitat acres, but as natural/developed buffer open space acres, and can be counted as part of the City's 15% Growth Management 'Aesthetic open Space'.**
5. Carlsbad's Coast is the most, if not the most, important feature of Carlsbad; and is consistently identified by citizens and businesses and our Community Vision. **Carlsbad's Coastal Parks (west of the I-5 corridor) are grossly unfairly distributed. Carlsbad's Coastal Parks do not fairly match the**

locational needs of the population. North Carlsbad that is 38% of Carlsbad's population and has 10 Coastal Parks totaling 37+ acres in size. South Carlsbad that is 62% of Carlsbad's population has 0 [ZERO] Coastal Parks totaling 0 [ZERO] acres. Again, Carlsbad's Park Master Plan maps this citywide unfairness (dots show park locations and circles show the area served by each park) and says that the City should look at buying and building New Parks in these areas that are unserved by City Parks (are not covered by a circle). The GM Update should correct this citywide unfair distribution of City Parks by making plans for new Park purchases to create City Parks in these unserved areas of Park Inequity.

To address citywide Coastal Park unfairness the current City Council wants to spend \$60-85 million in Carlsbad tax-payer funds to Relocate 2.3 miles of constrained Pacific Coast Highway median to try to make some of the narrow PCH median 'useable' by people. 2001 and 2013 City PCH Relocation studies identified only a small amount of 'people-useable acres' would be created next to PCH. The \$60-85 million tax-payer cost (\$26-37 million per mile) does NOT add one single square foot of new City land, it only inefficiently rearranges a small amount PCH median. The City can most tax-payer cost effectively provide needed sidewalks and bike improvements along the outside edges of PCH without PCH Relocation. The City's 2001 PCH Relocation Financial Study and 2013 PCH Relocation Design both indicated minimal useable land could be achieved by Relocation, and that the very high tax-payer cost to do so would be very difficult to fund. The City has known for well over 20-years that PCH Relocation is a high-cost and a poor solution to address the Citywide Coastal Park unfairness in South Carlsbad.

However, a **better and far less costly solution to correct Citywide Coastal Park unfairness and provide a much needed South Carlsbad Coastal Park is to simply buy currently vacant land that is for sale.** The City did this (although the City actually bought existing homes) when it expanded Pine Park. **Carlsbad tax-payers have used the City's own data to compare the tax-payer Cost/Benefits of simply purchasing vacant land v. trying to rearrange existing City owned land at PCH. Simply buying vacant land saves tax-payers saves tax-payers over \$32.7 to \$7.7 million.** Please read the following data files:

- 2022-June General Comparative tax-payer Costs/Benefits of Completing PCH, 2.3 miles of PCH Modification (Island Way to La Costa Ave.), and 14.3 acre Ponto Park (Kam Sang) to address planned loss of 30+ acres of Coastal Open Space Land Use at Ponto in South Carlsbad: Part 1 of 2.
- City's PCH Modification Proposal Area Map with notes on usability Constraints and Issues: P4P Input: Part 2 of 2
- The most recent (9/19/22) land sale of 11.1 acre Ponto Planning Area F was less than \$8 million (less than \$706,000 per acre).
- **Buying and developing this 11.1 acre Ponto Park would cost less than \$20 million assuming a 10% profit to the new land-owner, and \$1 million per acre park construction cost like our newest Buena Vista Reservoir Park.** The cost to help correct a Citywide Coastal Park unfairness by simply buying & building a much needed **11.1 acre Ponto Coastal Park would cost tax-payers less than the recently approved Measure J City Monroe Street Pool Renovation.** Investing less than \$20 million (\$1.8 million per acre) to buy and build an 11.1 acre Ponto Coastal Park is a great tax-payer value v. \$65-80 million in tax-payer funds to rearrange 15.8 acres of narrow strips of constrained PCH median (City documented "Surplus Land Area #4 &5") for some minimal people use at a tax-payer cost of \$4-5 million per acre. **The overall and per acre costs of buying/building Ponto Park are over 2 to 3 times better value for tax-payers than PCH Relocation/rearrangement.**

- The City Council could/can buy land for Open Space (Parks are the most useable of the City's 4 Open Space categories) under voter approved Prop C Open Space land acquisition authority. **The City has been advised to buy Ponto Park under Prop C per the City's settlement of a Growth Management law suit.**

The Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is clearly a citywide issue. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad as it is unfair to the vast majority of Carlsbad citizens and their families as 62% of Carlsbad is in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is unfair to our major Visitor serving industries (and tax generators) in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad are clearly inconsistent with the CA Coastal Act, Carlsbad's Community Vision, and common sense. The Coastal South Carlsbad Park Inequity is also unfair to North Carlsbad because South Carlsbad's Coastal Park demand is being forced into Coastal North Carlsbad and congesting those parks, and adding to Coastal North Carlsbad traffic and parking impacts. It also increases greenhouse gases and VMT as it forces longer vehicle trips.

a. Suggestions to CTGMC:

- i. 11.1 acre Ponto Planning Area F has a specific Local Coastal Program Land Use Policy that says The City of Carlsbad must for the Ponto Area LCP 'Consider and Document the need for Coastal Recreation (i.e. Public Park) and or Low-Cost Visitor Accommodations west of the railroad tracks (at Ponto) prior to any Land Use change. **The discussion of Parks by the CTGMC is such a situation that requires the CTGMC to consider this adopted LCP Land Use Policies. Official public records requests have shown the City never followed this LCP Land Use Policy Requirement during the 2005 Ponto Vision Plan and 2015 General Plan Update, and in 2010 the CA Coastal Commission rejected the Ponto Vision Plan and told the City in 2017 that that land uses at Ponto could change based on the need for Coastal Recreation and/or Low Cost Visitor Accommodations.** The Mello II LCP that covers most of Carlsbad's Coastal Zone also has Land Use Policy 6.2 for the City to consider a major park in the Batiquitos (Ponto/South Carlsbad) area. The City has only implemented 1/6 to 1/3 of this policy. **The CTGMC should fully evaluate the citywide/South Carlsbad and local Ponto need for Coastal Parks as required by the City's adopted LCPs and CA Coastal Act.**
- ii. Carlsbad's 2015 General Plan Update and Growth Management Plan (GMP) did not, and was not updated to, consider the 2017 Sea Level Rise (SLR) Impact report showing the loss/impact on 32+ acres of Carlsbad's Coastal Land Use acreage in South Carlsbad – primarily Open Space Land Use (beach and Campground). **Both the General Plan (and Local Coastal Program Land Use Plan) and GMP should be updated to account for the loss and replacement of these 32+ acres of high-priority Coastal Open Space Land Use due to SLR.** The updates and the CTGMC should use the newest CA Coastal Commission SLR Guidelines/science, not the old guidelines used in 2017. Carlsbad's LCP and CA Coastal Act Land Use Polies call for 'upland relocation' to replace the SLR loss of high-priority Coastal Land Uses.
- iii. **The availability over the past several years of the last two sufficiently sized vacant lands suitable for a Ponto/South Carlsbad Coastal Park is a citywide issue. If these last two vacant lands are lost to development forever future generations will have lost the last opportunity for the needed South Carlsbad Coastal Park.** The 5/3/22 Citizen requests for the City to jointly study acquisition of one or both these last vacant lands for a needed (and only possible) true and meaningful Coastal Park for

South Carlsbad should be recommended by the CTGMC. **The CTGMC should recommend Carlsbad’s GMP be updated to incorporate Parkland acquisition of these last opportunities to provide the needed Coastal Park for South Carlsbad.**

6. Carlsbad Growth Management Open Space Standard is that 15% of all the Useable (unconstrained and fully buildable) areas is to be preserved as Useable Open Space, and that all the 25 Local Facility Management Plans (LFMP) show how that 15% is provided. The City says:

OPEN SPACE

A. Performance Standard

Fifteen percent of the total land area in the Local Facility Management Zone (LFMZ) exclusive of environmentally constrained non-developable land must be set aside for permanent open space and must be available concurrent with development.

Yet the City has mapped and documented that this 15% Useable Open Space Performance Standard was not complied with. The City also acknowledges that without changes to current City planning the 15% Useable Open Space Performance Standard will never be complied with. The City acknowledges that only 13% has/will under current plans ever be provided. This missing 2% equals 501 acers of lost GM Open Space the GMP promised citizens. **Carlsbad law the Growth Management Ordinance 21.90, and section ‘21.90.130 Implementation of facilities and improvements requirements’; provide guidance on how non-compliance with a Performance Standards is to be handled.**

- a. Suggestions to CTGMC:
 - i. Retain the GM Open Space Standard of 15% of all unconstrained and developable land is maintained as Open Space. If the City removes the Open Space Standard, it will allow and encourage land use changes to remove GM Open Space and replace with development.
 - ii. **The CTGMC should make a recommendation that an inventory of all 25 LFMP Zones be conducted and an inventory of each LFMP Zones provision of at least 15% Useable Open Space shall be compiled. No LFMP Zone shall be allowed to be “exempt” from this inventory.** The City’s computerized GIS mapping system makes it easy and clear as shown in the following City GIS map for LFMP Zone 9 (aka Ponto).



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara includes the same lagoon.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were not required to comply with the 15% Useable Open Space Standard is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the Growth Management Standard of 15% Useable Open Space at Ponto

472 Acres
(197 Acres)
 275 Acres
 X 15%
 41 Acres
(11 Acres)
30 Acres

Total land in LFMP Zone 9 [Ponto]
 Constrained land excluded from Growth Management (GMP) Open Space
 Unconstrained land in LFMP Zone 9 [Ponto]
 GMP Minimum Unconstrained Open Space requirement
 GMP Minimum Unconstrained Open Space required
 GMP Open Space provided & mapped per City GIS data
Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

- iii. In instances like LFMP Zone 9 (above image) that clearly did not provide at least 15% Useable Open Space and/or were falsely “exempted” the CTGMC should recommend that a **Local Facilities Zone Useable Open Space Correction Plan** shall be developed that explores the GM Open Space use/reuse of City land, land use planning requirements, and/or possible acquisitions of remaining vacant land acres to make up for any shortfall in meeting the 15% Useable Open Space in that a Zone. An example of this in LFMP Zone 9 is that the City’s regional Rail Trail will convert 2-lanes of almost all of Avenida Encinas to wider buffered bike lanes and an adequate portion of the converted 2 vehicle lanes can be landscaped (v. just painting strips as a buffer) to provide a safer/better bike lane buffer within a GM compliant Open Space. 2 vehicle lanes in Windrose Circle could also be similarly landscaped and converted to GM complaint Open Space. This is just one example of a cost-effective means to add GM Open Space that developers were falsely allowed to remove.
- iv. A **Local Facilities Zone Useable Open Space Correction Plan** should involve a Citizens Advisory Committee composed of citizens within the impacted Zone and appointed by the Council Members representing the Zone, and a representative of each vacant land owner over of over 1-acre in size.
- v. Consistent with the Growth Management Ordinance land use changes and development applications within a **Local Facilities Zone Useable Open Space Correction Plan** Zone shall be deferred until the applications can considered with (or after adoption of) a **Local Facilities Zone Useable Open Space Correction Plan**.

Jennifer Jesser

From: Lance Schulte <meyers-schulte@sbcglobal.net>
Sent: Sunday, February 19, 2023 3:32 PM
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'; melanie@melanieforcarlsbad.com
Cc: info@peopleforponto.com
Subject: RE: Public input for Carlsbad LCPA-Parks Master Plan & Growth Management Plan Updates - number of hotel rooms per mile of coastline for Carlsbad and comparable cities
Attachments: SAG-Tourism-Industry-Study-Report-FINAL-012815.pdf

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

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's February 2023 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, and Carlsbad's Ponto Planning Area F and Site 18 planning and development applications, and
4. as public input to the CA Coastal Commission on Carlsbad's proposed Local Coastal Program Amendment.

The CTGMC discussed the need to consider the impacts that Carlsbad visitors (i.e. hotel guests) have on City Parks and how that relates to the length of coastline. Staff did not provide the CTGMC that data so using data from the City's January 2015 Tourism Industry Study of 'comparable cities' the following data table below provides that information as of January 2015. Also included in the Parkserve Park Accessibility data from Trust for Public Land.

The 'comparable city' data show Carlsbad provides (in 2015) the 2nd highest amount of hotel rooms per mile of coastline, and the lowest park accessibility (for residents). The hotel room data could be updated to 2023, and GIS mapping could include park accessibility data for all land in a city so as to include non-residential hotel land uses.

Further research to address the CTGMC questions would be done to compare the amount of City Parkland each of the 'Carlsbad comparable cities' provide as their developer required acre of parkland (3 to 5 acres) relative to hotel rooms.

All this data has important relevance to Carlsbad's proposed Local Coastal Program Land Use Plan Amendment, Park Master Plan Update, Parkland Dedication 'In-lieu-fee' Update, and Carlsbad's Park amenity offering for hotel guests. Attached is Carlsbad's 2015 Tourism Industry Study for reference. The Study also documents Accommodation costs and key amenities desired by guests.

I hope the data is helpful.

Lance Schulte

2019 City of Carlsbad data on 'comparable city' hotel rooms - number of rooms per mile of coastline - Park accessibility						
	Carlsbad		San Diego		San Marcos	
	Rooms	Miles of Coastline	Rooms	Miles of Coastline	Rooms	Miles of Coastline
Carlsbad	4,377	6	758	2	47,314	4
San Diego	576	2	217	2	754	2
San Marcos	1,107	7	188	7	354	4
North County	2,001	10	200	4	754	7
South County	3,070	21	508	7	354	2
North County	2,107	8	1,107	2	354	4
South County	2,264	6	800	2	754	7
North County	2,114	7	85	2	354	2

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Sunday, February 5, 2023 3:53 PM
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'; 'melanie@melanieforcarlsbad.com'
Cc: 'info@peopleforponto.com'
Subject: Public input for Carlsbad LCPA-Parks Master Plan & Growth Management Plan Updates - Carlsbad below national average and lowest So CA Coastal city in providing Parks within 10-minute walk

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

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC’s February 2023 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, and Carlsbad’s Ponto Planning Area F and Site 18 planning and development applications, and
4. as public input to the CA Coastal Commission on Carlsbad’s proposed Local Coastal Program Amendment.

- For years Carlsbad Citizens have told the City that there is a need for a Park at Ponto:
- to provide for documented Coastal Recreation (i.e. Public Park) land use at Ponto,
 - to correct for the conversion of a 12.8 acre Recreation Commercial land use to Residential use and the elimination of planned Coastal Open Space at Ponto,
 - to correct the Carlsbad’s Park Master Plan documented lack of Park Service at Ponto,
 - to provide South Carlsbad (62% of Carlsbad’s total population and the City’s major Coastal visitor and transit occupancy tax generator) with their ONLY Coastal Park west of I-5. The City unfairly, and contrary to CA Coastal Act Policy disproportionately provides 10 parks totaling 37 acres west of I-5 in Coastal North Carlsbad for 38% of the population but 0 (zero) Coastal Parks and 0 (zero) Coastal park acres west of I-5 in Coastal South Carlsbad for 62% of the population,
 - to provide for an existing 6.5 acre local Neighborhood (i.e. Special use area) Park need at Ponto, and
 - to provide a City Park within a 10-minute walk for Ponto residents.

Failure to correct this documented City Park unfairness is very damaging to the citizens, City finances, South Carlsbad’s and California’s visitor industry. The Coastal Recreation data file sent to you earlier documents some of the key facts.

However, we conducted some additional Trust for Public Land 10-minute walk data collection that the City Council, CTGMC, Parks and Planning Commissions and CA Coastal Commission need to also consider. That data is below and in the attached file, and again with last year's Trust for Public Land Ponto Park support letter (again attached) that reflects on Carlsbad poor performance relative to the 24 So Cal Coastal Cities (165 miles of coastline) from Malibu to the Mexican border in providing Parks within a 10-minute walk. The data and links to the data source is:

Carlsbad is 10% below the national average for cities & the worst of 24 Coastal So California cities - 165 miles of coastline - in providing Parks within a 10-minute walk to residents

The Trust for Public Land documents a city's 10-minute walk to Park at <https://www.tpl.org/parkserve>. The Average USA City provides Parks within 10-minute walk to 55% of residents [10% above Carlsbad]. **Carlsbad provides Parks within 10-minute walk to 49.9% of residents [10% below National Average].** New York City provides Parks within 10-minute walk to 99% of residents.

The Trust of Public Land submitted a letter to the City of Carlsbad, CA Coastal Commission, and CA State Park supporting Ponto Park

Carlsbad is the worst of 24 Southern CA Coastal cities (from Malibu south to Imperial Beach along 165 miles of coastline) in providing Parks within 10-minute walk to residents:

1. Palos Verdes Estates provides Parks within 10-minute walk to 100% of residents
2. El Segundo provides Parks within 10-minute walk to 100% of residents
3. Hermosa Beach provides Parks within 10-minute walk to 100% of residents
4. Redondo Beach provides Parks within 10-minute walk to 98% of residents
5. Manhattan Beach provides Parks within 10-minute walk to 95% of residents
6. Del Mar provides Parks within 10-minute walk to 93% of residents
7. Dana Point provides Parks within 10-minute walk to 89% of residents
8. Huntington Beach provides Parks within 10-minute walk to 85% of residents
9. Long Beach provides Parks within 10-minute walk to 84% of residents
10. Laguna Beach provides Parks within 10-minute walk to 82% of residents
11. Santa Monica provides Parks within 10-minute walk to 82% of residents
12. San Diego provides Parks within 10-minute walk to 81% of residents
13. Coronado provides Parks within 10-minute walk to 76% of residents
14. Newport Beach provides Parks within 10-minute walk to 76% of residents
15. Imperial Beach provides Parks within 10-minute walk to 74% of residents
16. Encinitas provides Parks within 10-minute walk to 68% of residents
17. Los Angeles provides Parks within 10-minute walk to 63% of residents
18. Solana Beach provides Parks within 10-minute walk to 63% of residents
19. Oceanside provides Parks within 10-minute walk to 58% of residents
20. Seal Beach provides Parks within 10-minute walk to 57% of residents
21. Malibu provides Parks within 10-minute walk to 53% of residents
22. San Clemente provides Parks within 10-minute walk to 52% of residents
23. Rancho Palos Verdes provides Parks within 10-minute walk to 50% of residents
24. **Carlsbad provides Parks within 10-minute walk to 49.9% of residents.**

Carlsbad is the lowest & most unfair to citizens of the 24 Southern California Coastal cities along 165 miles of coast from Malibu to Imperial Beach.

Source of data: Trust for Public land parkscores

Trust for Public Land's 10-minute walk to Park Maps/data:

Carlsbad = <https://parkserve.tpl.org/mapping/index.html?CityID=0611194#reportTop>

Encinitas = <https://parkserve.tpl.org/mapping/index.html?CityID=0622678>

Irvine = <https://parkserve.tpl.org/mapping/index.html?CityID=0636770>

Please, Please, please, consider and discuss this data, and

1. Create a 10-minute walk to City Park Standard in the
 - a. Parks Master Plan,
 - b. Growth Management Plan Update, and
 - c. Local Coastal Program Update.
 2. Create a Park Policy that requires developers to dedicate Park Land (not pay Park-in-lieu-fees) in areas that do not a minimum of 3 acres of City Park for each in 1,000 population within a 10-minute walk of the developer's proposed development (see attached CTGMC Key Issues & Suggestions file for details and Open Space suggestions)
 3. Fix Coastal South Carlsbad's documented City Park inequity/unfairness with a significant and real Ponto Park
 4. Save tax-payers tens of millions in dollars by cost effectively purchasing vacant land at Ponto for a Park, v. trying to maybe make a few bits of narrow PCH roadway median as a pseudo-park
- Do you want Carlsbad to be the worst city in Coastal Southern California in providing accessible Parks within a 10-minute walk to residents?
 - Do you want Carlsbad to fail to upgrade its park standards while other cities updated their park Standards and make their cities more desirable?
 - Do you want to undermine the quality of life for Carlsbad citizens and their children by not providing a park within a 10-minute walk to their home?
 - Do you want to force Carlsbad families to have to drive to park?
 - Do you want to slowly undermine a key visitor serving industry in South Carlsbad by not providing a significant and true and meaningful Coastal Park in South Carlsbad?
 - Do you want tax-payers to pay tens of millions more to try to maybe try to make a few narrow portions of PCH median useable to people?

Please take responsibility and full ownership of your decisions on these important issues and questions. The individual decisions you make will likely be the last ones made. Once vacant land like at Ponto is developed it will be forever lost to address the critical, well documented Park and Coastal Park needs at Ponto as overwhelmingly communicated by Carlsbad Citizens and visitor businesses, and other citizens.

Please be wise and think about the future your decisions will bring.

Thank you,
Lance Schulte

PS: The initial version of the "CTGMC key issues and Suggestions 2022-12-6" file (attached) sent to you 8/8/22. The attached updated file should replace that older file as there is new data on significant tax-payer cost savings from Pronto Park relative to PCH Relocation, and updated examples of how Coastal Open Space can be cost-effectively persevered and increased. Both Coastal Parks and Open Space are important Carlsbad and State of CA issues.

- Parks: Updated data shows that a 11.1 acre Ponto Park would now cost less \$20 million to buy and build. This is less than a City Pool Renovation. Carlsbad's Old City Council planned to spend \$65 to \$80 million in Carlsbad tax-payer dollars to address the Citywide need for a significant Coastal Park in South Carlsbad with a 2.3 mile PCH Relocation. The City identified in 2001 other pay-payer funds were highly unlikely. \$65 to \$80 million

would only 'free-up' 15.8 acres of narrow PCH Median (City documented "Surplus Land Area #4 & #5"). As People for Ponto Citizens have been saying for years that Ponto Park is the better Park solution to the documented Coastal South Carlsbad Park needs – a citywide need. The CTGMC should include that citywide Park need and the logical, better and tax-payer responsible Ponto Park solution to that citywide Park need in your CTGMC recommendations to City Council.

- Open Space: Updated data shows how documented GM Open Space shortfalls can be properly and responsibly address in a collaborative citizen-based "Local Facilities Zone Useable Open Space Correction Plan" approached. Also the need to maintain the 15% GM (Useable) Open Space Standard will be critical in the future to maintain Open Space and prevent future conversion of Open Space to residential land use as part of Housing Plan updates.

For the CTGMC; Parks and Open Space are the 2 most critical/special of 6 Key Growth Management Program Update Issues and Suggestions the CTGMC should take to properly address these 6 key Growth Management Issues.

- Please read the Updated data and Suggestions.
- Please responsibly address the Growth Management issues of a citywide Park need for Coastal South Carlsbad as listed in the attached Suggestions. Include a South Carlsbad Coastal Park in your recommendations to the City Council. Acknowledge Ponto Park as the best and most tax-payer efficient solution to address that documented citywide park need.
- Please in your recommendations to City Council retain and enforce the Open Space Standard, and fix past errors made in falsely exempting certain developers in certain areas in the City from complying with the Growth Management Open Space Standard that other developers in other areas are required to provide.

Please consider this email and attachments, and know P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

Happy holidays and with Aloha Aina,
Lance Schulte

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

Tourism Industry Study Prepared for the City of Carlsbad



*In collaboration with Carlsbad Tourism Business Improvement District
January 2015*

StrategicAdvisoryGroup

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Introduction

Strategic Advisory Group (SAG) in conjunction with the City of Carlsbad, Carlsbad Tourism Business Improvement District (CTBID) and tourism industry stakeholders has completed an eight-month collaborative process that has included extensive research, ongoing input and collaboration, and a review of current practices. We have created a series of recommendations that have been developed from competitive destination research, collaboration with Carlsbad stakeholders, consumer research, Industry best practices and SAG's overall experience. SAG has presented draft recommendations to key tourism stakeholders and the CTBID Board of Directors to gain additional insight prior to drafting this report.

Stakeholder Communication and Involvement

SAG would like to thank all of the participants in this study. The input and support that has been shown throughout this process has demonstrated a high degree of interest and willingness to be involved going forward. In particular, SAG would like to thank Christina Vincent (City of Carlsbad) and Sam Ross (Visit Carlsbad) for their involvement. A steering committee was formed to monitor the overall progress of the study and SAG would like to thank Hector Becerra, Nancy Nayudu, and Vikram Sood who participated with Ms. Vincent and Mr. Ross in over 25 weekly calls during the past eight months.

SAG also spoke to current contracted vendors of Visit Carlsbad to understand their approach and gain their insight. SAG would like to thank Mindgruve, DCI Group and Resonate for their time and insight.



Sample Monthly Stakeholder Update
Eight monthly updates were sent to a broad spectrum of stakeholders.



SAG produced monthly progress updates that were circulated to over 75 stakeholders through email correspondence. The purpose of this communication was to provide information on the progress of the study and gain additional feedback throughout. The email updates were opened and read by nearly 50% of the targeted audience on a consistent basis. There were follow up comments and input from stakeholders throughout the study process, which provided important insight and feedback.

The overall communication plan was successfully completed and proved to be very beneficial in maintaining contact and gaining insight throughout the process.

Ongoing Communication must continue

The ongoing dialogue and reporting to the tourism industry and broader business community must continue as part of the successful implementation of the recommendations. SAG encountered many stakeholders who were not well informed about current activities and results. SAG recommends that electronic updates with newly recommended metrics for results continue to be distributed monthly. The communication should also include brief updates on the implementation of the approved recommendations. The monthly communication should be formatted to be reviewed in three to five minutes by the recipient.

In total, the study process included over 175 “points of contact” between focus groups, surveys, one-on-one interviews, group meetings, and draft presentations. This process has ensured that all interested parties have had the opportunity to give input and share perspectives. This input has been valuable and has helped craft the overall recommendations.

Opportunity for Transformation

The recommendations in this report create a foundation for the transformation of the tourism sales and marketing efforts as well as an approach to future tourism product development. The process has uncovered opportunities to focus future efforts and monitor results. This approach will create an ongoing platform to continue to refine, monitor and evolve tourism efforts in the future. Recommendations are throughout the document and consolidated in the conclusion of this report.

Executive Summary

SAG has completed an extensive analysis that has included internal and external research and input from the City of Carlsbad, CTBID, Visit Carlsbad, and numerous tourism stakeholders. This process has uncovered many recommendations that are detailed in the full report and summarized in the Executive Summary.

SAG would like to thank everyone who has been involved in the collaborative process throughout the past eight months. The level of interest and support for the future of tourism in Carlsbad is outstanding. This creates a solid foundation for the effective implementation of the approved recommendations.

Overall, SAG recommends a significant transformation in the direction of tourism for Carlsbad. There is an opportunity to focus future tourism efforts in a manner that will impact results and utilize resources in areas where there is a clear need to drive demand. In conjunction with this, SAG has recommended items to be considered to enhance the Carlsbad tourism experience in the future.

A successful tourism sales and marketing effort must have accountability and measurement built in as a fundamental practice. SAG has recommended a plan to ensure these characteristics begin immediately upon adoption of the recommendations. Initial goals have been presented in collaboration with industry stakeholders, CTBID and Visit Carlsbad. An effective measurement plan involves the tourism industry as well as Visit Carlsbad and will require ongoing collaboration.

The following list is an overview of the recommendations contained in this report. The subsequent sections in the report will describe these recommendations in more detail as well as describe implementation strategies.

Re-Focus a Majority of the Tourism Resources on Impacting the Shoulder Season

Carlsbad enjoys strong tourist demand over the summer months. June, July, and August consistently produce hotel occupancies over 80% and the average daily hotel rate continues to grow over this period. SAG recommends shifting sales and marketing resources to measurable group and leisure efforts focused on increasing demand from September through March.

Reallocate Marketing Resources – Group vs. Leisure Transient

The current funding allocation of sales and marketing resources from Visit Carlsbad focuses 90% of the overall resources on increasing awareness in the individual travel leisure market. The recommended approach will include the development of an effective group sales and marketing effort, as well as developing a more targeted approach with individual leisure travel.

Develop a Highly Targeted Approach for Leisure Sales and Marketing

The combination of available research coupled with the outcome of the Nielsen lifestyle research creates an opportunity to focus on market segments that have shown interest in Carlsbad during the shoulder periods (September through March). SAG recommends utilizing a direct marketing approach to increase awareness and drive conversion of overnight stays from these markets.

Institute a New Approach to Measurement and Reporting

It is recommended that there is a new approach to tracking and reporting tourism results in the future. This includes a broader stakeholder report that will track quantitative results on a monthly basis and how the overall performance compares to annually approved goals.

Refocus Target Markets for Leisure travel

SAG has evaluated current online data, past visitor profile studies, as well as completed an analysis of over 50,000 hotel guest records to determine the market segments that present the highest potential for Carlsbad's future leisure sales and marketing efforts. The research has indicated that there is a significant difference in who has shown interest in Carlsbad during the shoulder periods (September through March) and the highly occupied summer months. This underscores the need to focus on those segments where Carlsbad can build increased visitor activity during the times of year that warrant proactive efforts.

In summary, the segment (called "Uppercrust" by Nielsen) that surfaced in the analysis can be characterized as higher income (over \$100,000), over 55 years old, and without kids in the house. The top three Shoulder Season markets are outlined in this report. This research and data creates an opportunity to target this segment with specific offers as recommended earlier.

Create and Implement a new Group Sales and Marketing Effort

With 287,000 square feet of meeting space in Carlsbad and after receiving consistent stakeholder feedback, SAG has conducted an analysis of a national meetings database and determined that there is an opportunity to develop a group sales and marketing plan to increase awareness and develop new business for Carlsbad.

Create a Unified Approach to Governance

The current governance model that encompasses two governing boards of directors for the CTBID and Visit Carlsbad can be more efficient and effective. The recommendation is to create a singular governing board that will provide the oversight and guidance for both CTBID and Visit Carlsbad. In conjunction with this, the formation of active committees to oversee the group sales and leisure sales and marketing efforts will help support the implementation of the recommendations in these areas.

Funding

The benchmarking data indicated Carlsbad ranked very low in amount of tourism dollars expended based on the overall size of the tourism industry in comparison with cities of similar size and quality. The opportunity exists to bring additional industry partners into the funding model over time. The restaurant industry is a natural partner due to the direct benefit it receives from successful tourism marketing.

SAG recommends a performance-based approach to expending future transient occupancy tax (TOT) dollars for use on tourism marketing efforts. The other recommended opportunity is to increase the current fees that are paid for the CTBID in conjunction with industry support of the future direction.

The overall approach of the report recommendations creates an effective platform for determining the return on investment for future expenditures.

The Carlsbad Experience

The quantitative and qualitative research reinforced the challenge of increasing awareness and interest in the balance of tourism opportunities in Carlsbad beyond LEGOLAND and the beach. The current and proposed retail development will greatly improve the Carlsbad shopping experience. SAG has evaluated other potential investments to enhance the Carlsbad experience. Investments in the Carlsbad Aqua Hedionda Lagoon, transportation, a new approach to beach camping, and a conference/event center are

highlighted in this report. An increased collaboration with the Carlsbad Village is recommended. This will highlight current events as well as maximize the opportunities to leverage marketing efforts and support future funding and capital plans.

Conclusion

The collaborative and research-based approach that we have employed in this process has uncovered many exciting opportunities for the future of tourism in Carlsbad. The recommendations that are contained in this report can be achieved within the current resources that are available. This does not include the resources needed to impact the tourism assets outlined in the report. The need for additional funding will increase awareness of the destination and the conversion of new business for Carlsbad.

The key stakeholders including the City of Carlsbad, CTBID, Visit Carlsbad and the tourism industry have demonstrated interest in transforming the future approach to tourism. The recommendations contained in this report create the roadmap to increasing the overall effectiveness of future efforts.

SAG recommends the approval and adoption of the recommendations contained in this report.

The State of the Carlsbad Tourism Economy

SAG has reviewed the current tourism economy to understand current trends and determine opportunities for future growth. Tourism is a major economic driver for the City of Carlsbad and benefits multiple industries and attractions within the City. In 2013, Carlsbad saw nearly 3 million tourists, according to an annual survey of visitors to San Diego County completed by CIC Research Inc. This is a 10% increase over 2011 generating millions of dollars in spending and revenue for the City.

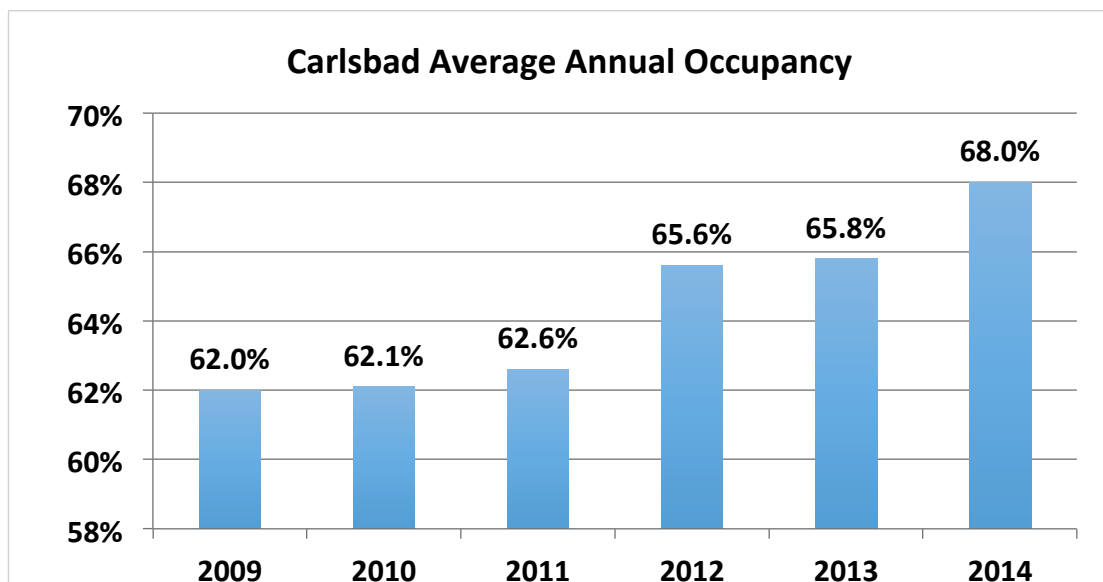
The following is an overview of key indicators of the Carlsbad Tourism Economy:

Current Target Market:

Families with children under 12 years old with a median household income of \$79,800. This determination was made based on the results of past visitor profile studies. These were findings based on a year round aggregate of Carlsbad visitors. SAG has conducted research to distinguish future target markets for different times of year. This will be reviewed later in this report.

Occupancy

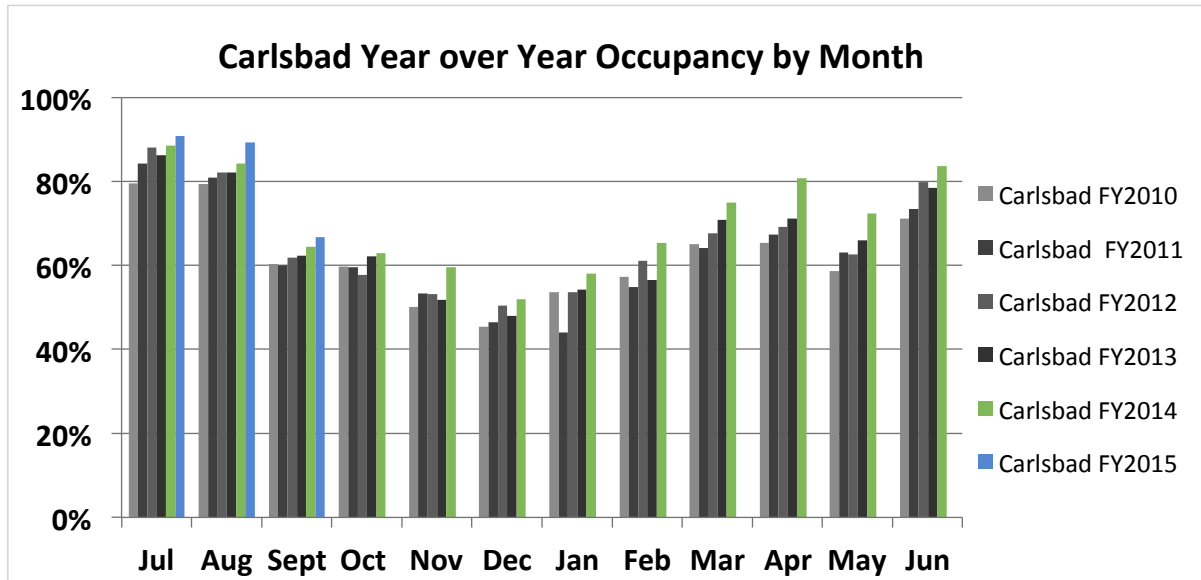
Carlsbad is seeing an increase in annual occupancy. The chart below shows the trends of occupancy growth over the past five years. The year-to-date occupancy for Carlsbad is 68%. While the trends are positive, this demonstrates that there is opportunity to improve year-round occupancy. The occupancy during summer months is 87% and only 62% in the shoulder season according to 2014 occupancy reports tracked by Visit Carlsbad. This indicates an opportunity for growth. The focus of recommendations contained in this report is on increasing visitation during non-summer periods.



Source: Visit Carlsbad

*Data for 2014 only through September

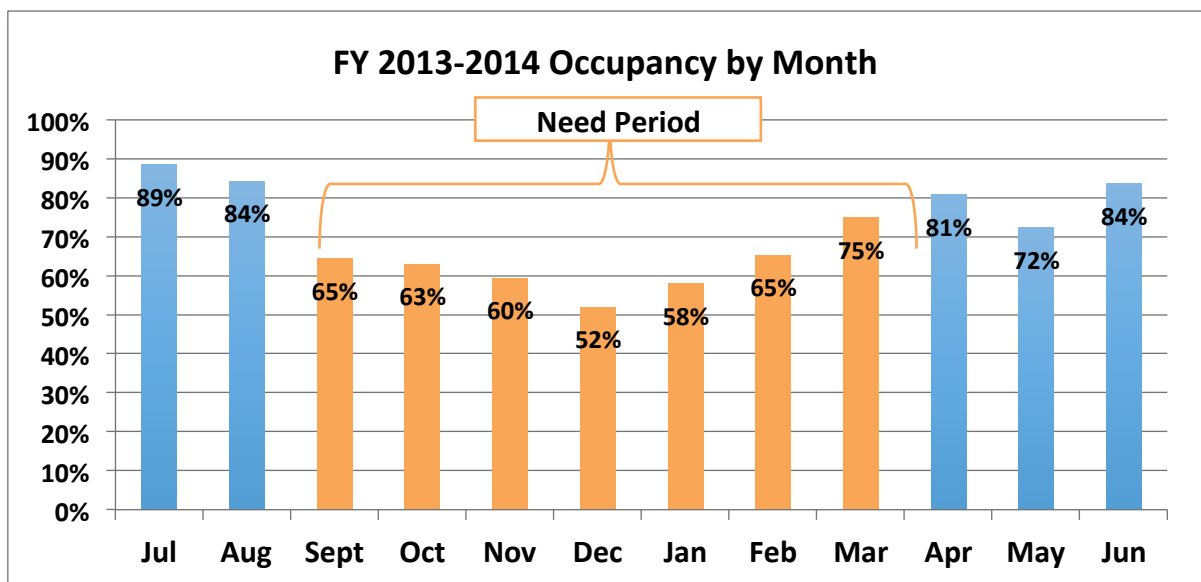
The chart below shows last fiscal year(FY) 2014 in green and the beginning of FY 2015 in blue. Carlsbad’s monthly occupancy trends are rising each year respectively each month.



*Carlsbad FY2015 (blue) – data only through September 2014

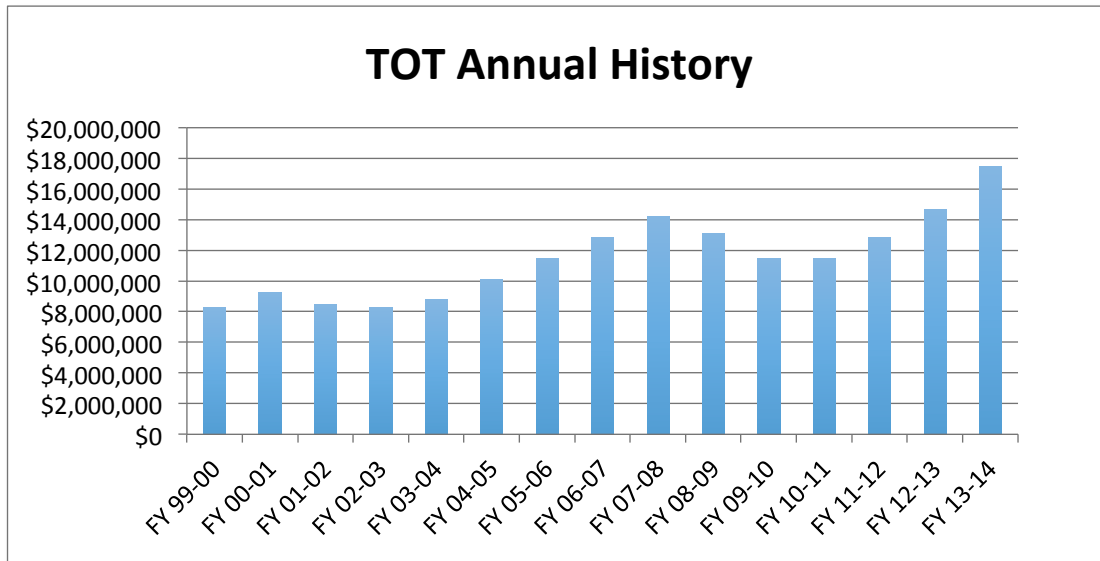
Seasonality

Carlsbad experiences a high Summer Season and a lower Shoulder Season for hotel and visitor demand. High season, summer, begins after Easter, typically in May and continues through August. During these months, Carlsbad’s hotels experience high demand and high occupancy. Conversely, the Shoulder Season months of September through March experience much lower demand and therefore lower occupancy. The need period for hotels and for the City is the Shoulder Season of September through March. The chart below illustrates the Shoulder Season that must be a focus of future tourism efforts.



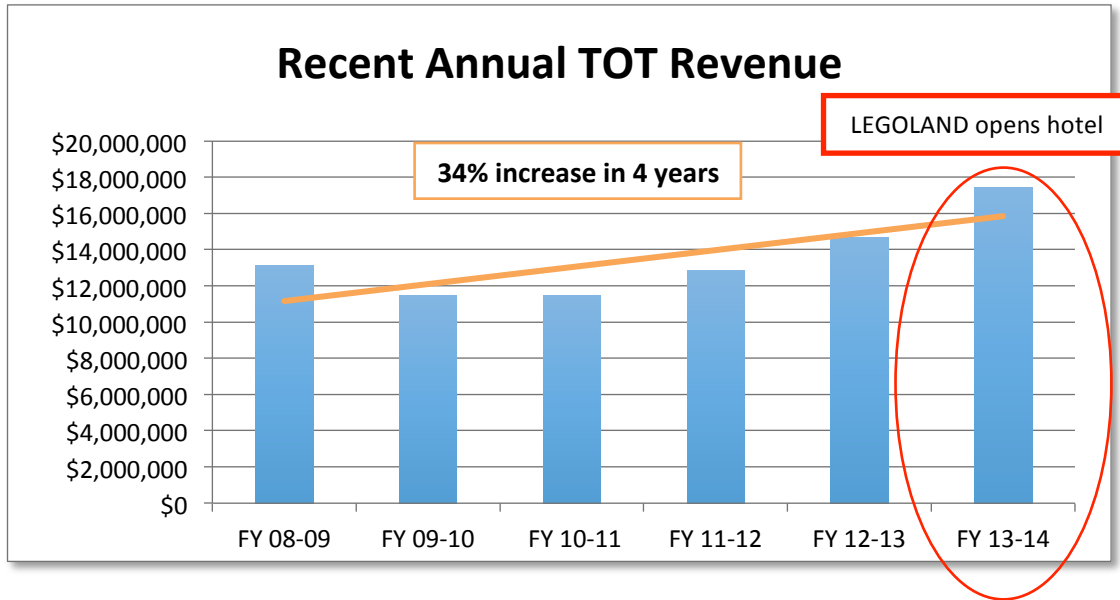
Transient Occupancy Tax Collection

The Transient Occupancy Tax (TOT) revenue has steadily increased since Fiscal Year 2009-2010. Year over Year the average increase is about 15% in TOT revenue. Last Fiscal Year (2013-2014) the City of Carlsbad collected \$17,453,760 in TOT and is on pace to beat that number in the current fiscal year (2014-2015). All of the TOT revenue collected by the City goes into the City’s General Fund and does not resupply the tourism effort. The TOT revenue accounts for 7% of the City of Carlsbad’s annual revenue, which is projected to increase in FY 2014-2015. The opening of the LEGOLAND hotel in spring 2013 provided a new demand generator, which helped increase occupancy and overall tax collection. The growth of the TOT presents an opportunity for future tourism funding. This is reviewed later in the report.



Recent Growth

The chart below highlights the growth of TOT revenue over the past six years, in spite of coming out of the Great Recession (Dec. 2007 – June 2009). It is important to note that during this time revenues quickly rebounded and grew 34%. This trend opens the possibility of using TOT as a vehicle to increase tourism marketing resources in the future.



Tourism Spending

Carlsbad’s local economy benefits from tourism direct spending in the City at restaurants, shops, hotels, amenities, and attractions year round. In the last Visitor Profile Study, conducted by the San Diego Tourism Authority in 2013, it was determined the average spend per person, per day was \$328 and the average visitor group size was 3.1 people. Based on the Visit Carlsbad website statistics, the most frequent visitors to the Carlsbad website had a household income of \$150,000+ with children; significantly different from \$77,000 according to the Visitor Profile Study in 2013. In addition, most visitors are staying overnight for an average of two nights.

With the recent uptick in the economy and strengthened recovery from the recession, SAG would estimate that the tourism economy in Carlsbad is poised to grow stronger in time with a focused marketing effort.

Stakeholder Immersion – Focus Groups

Stakeholder Involvement

SAG engaged over 100 tourism, business and regional stakeholders invested in Carlsbad during this process. SAG held three in-person focus groups, conducted dozens of one-on-one phone interviews, distributed monthly stakeholder updates via email to 75 stakeholders, and conducted two targeted surveys for feedback and perception of Carlsbad as a tourism destination.

The Good News

Stakeholders in Carlsbad are engaged and interested in the future of the City and the tourism market. The feedback we received repeated several themes around inclusion in future planning, target markets, and interest in development and funding. The responses demonstrated that a stakeholder-supported approach will garner stronger participation and involvement. This is a critical ingredient in the successful implementation of the final recommendations.

The Important News

Stakeholders firmly believe the marketing efforts need to be reevaluated and refocused. SAG spent time on this topic with stakeholders and with Mindgruve as well as DCI, both marketing and public relations partners of Visit Carlsbad, to understand the current efforts, targets, and goals. More detail is provided in the Leisure Sales & Marketing section of this report as well as the Public Relations section. Stakeholders also believe that the tourism efforts are underfunded and would support new funding initiatives if they had the opportunity to review and contribute to a new plan.

Stakeholder comments around interest in the tourism plan and future funding:

“The importance of tourism marketing should be embraced by entities and businesses that benefit from tourism dollars. It is a fact that Carlsbad does have competitors and those competitors that have a city who embraces destination marketing will be the big winners.”

“We would want to see other organizations joining in and see a better return on investment.”

“It would depend on the funding models, but we support a greater level of funding.”

“I would have to see the plan first and it would need to be presented to the appropriate channels.”

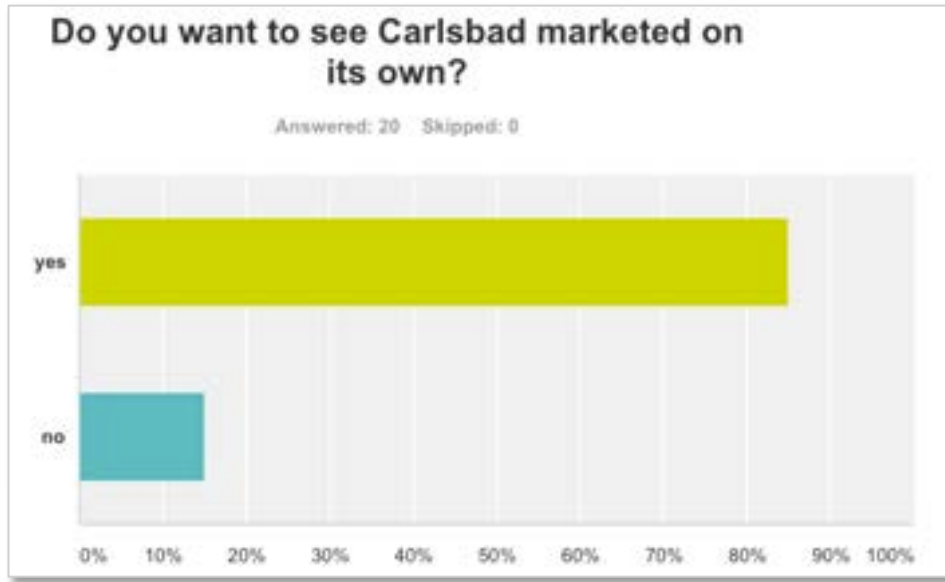
“I believe there is an opportunity to create a platform for increased funding.”

These comments show that the stakeholders are engaged and interested in growing tourism in Carlsbad, and most importantly, being a part of the planning process. The comments above also point out a reluctance to increase their financial participation until a new direction is implemented. Carlsbad has a unique opportunity with a majority of stakeholders willing to come to the table to plan together for the future of the destination.

Stakeholder Survey

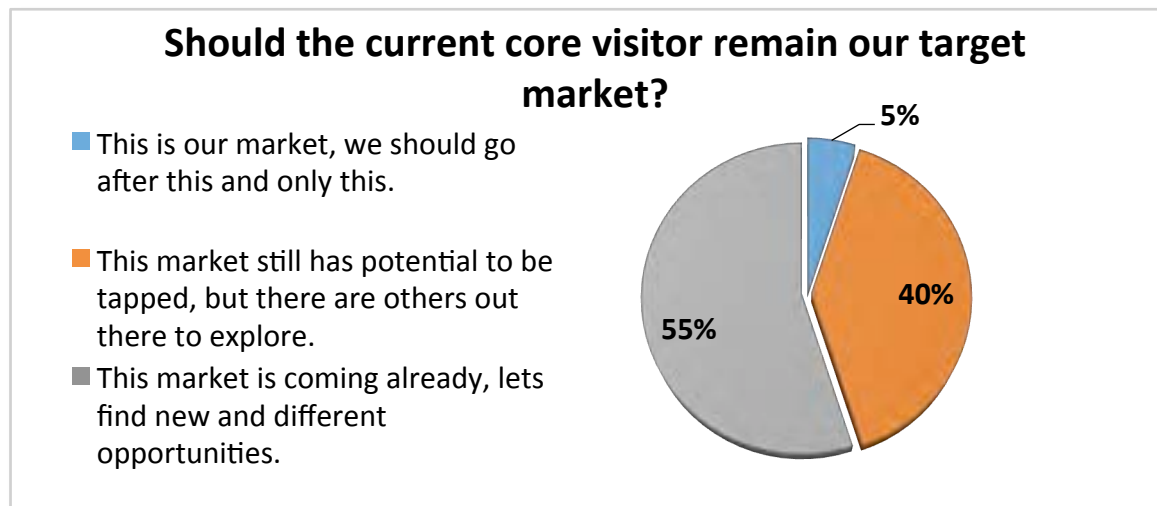
SAG conducted a quantitative survey and reached out to over 75 Carlsbad tourism stakeholders. Stakeholders are made up of people that have knowledge of the tourism industry through hotel properties, restaurants, amenities, or civic engagement. There was a 30% response rate, which provided a representative sample. The following is a recap of the responses to the survey.

Stakeholders believe Carlsbad is a true destination worthy of its own brand and marketing efforts.



Stakeholders also felt that the current Visitor Profile Study supported information should not necessarily remain as Carlsbad’s primary target market. The stakeholders indicated an interest in evaluating which markets would impact the shoulder periods.

Currently, Carlsbad is targeting families with children under 12 years old and stakeholders believe there is more out there for this destination as 55% of respondents want to pursue “new and different opportunities” for Carlsbad. The chart below depicts the strong opinion that there is a need to diversify future marketing efforts.



Regional Targets

SAG also asked stakeholders about regional targets and what areas they thought should be pursued to increase tourism results. According to the survey, stakeholders felt that the following locations were the top priorities for regional marketing:

- Southern California (drive in)
- Northern California
- Arizona and Mountain States
- Mexico

There was consistent feedback and survey responses that supported the “drive in” Southern California market was the highest priority. According to the latest Visitor Profile Study conducted by the SDTA, nearly 70% of the current visitors are driving to Carlsbad.

In addition to these four core areas, stakeholders also felt that there were new opportunities in a geographically larger space including Texas, Colorado, Washington, Nevada, and Utah.



The current geographical markets and stakeholder suggested markets are depicted above.

Gold – Current Markets

Blue – Stakeholder Suggestions

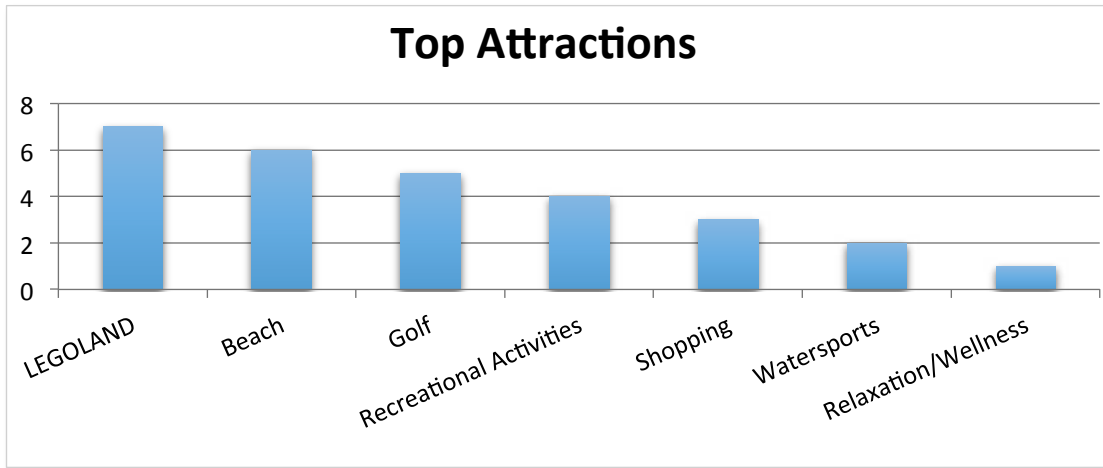
Target Market Segment

Stakeholders expressed strong interest in finding new target markets, as 55% of respondents said “let’s find new and different opportunities in addition to this market.” Stakeholders were asked to suggest target market segments they believed were opportunities for Carlsbad above and beyond the current target of families with children under 12. Stakeholders suggested multiple new target market segments. Repeated suggestions included the theme of childless households including older and younger demographics. Specific groups included: retirees, young couples, business travelers, groups and conventions.



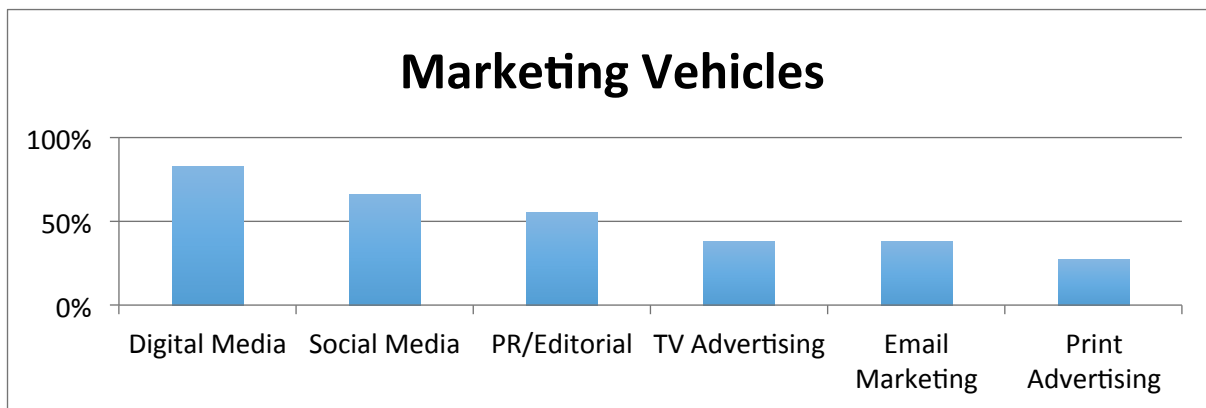
Attractions

Carlsbad has a multitude of attractions and entertainment options for visitors coming to the area. Stakeholders were asked to rank the attractions that came out of the focus groups. The results indicated that LEGOLAND and the Beach are Carlsbad’s top attractions according to hospitality and tourism stakeholders. Golf rounded out the top three, followed by recreational activities, shopping, watersports and relaxation and wellness. This response indicated an opportunity to develop new experiences and or potentially enhance current Carlsbad visitor options.



Marketing

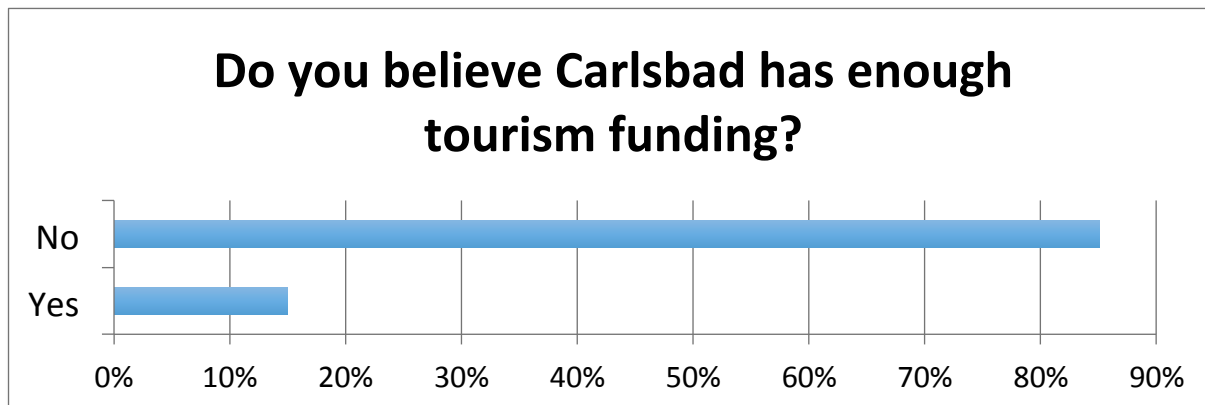
Carlsbad is currently utilizing digital media, social media and email marketing as the primary vehicles to promote the destination. Carlsbad’s tourism and hospitality stakeholders reiterated that choice and expressed a high level of support for digital media marketing and well as social media and public relations through editorial content. This effort is reinforced by the 2013 SDTA Visitor Profile Study, which states that 85% of those surveyed utilized the internet as their information source for travel to Carlsbad.



Over 80% of the stakeholders rated Digital Media as an important vehicle in future tourism marketing efforts.

Funding

Stakeholders felt strongly that the level of funding for marketing Carlsbad as a destination is not enough to compete in the Southern California tourism marketplace. Currently Visit Carlsbad has a budget of \$755,500 for Fiscal Year 2015. Over 85% of the tourism industry in Carlsbad want to see more funding for marketing and of those, over 50% would support a new model for marketing financially if they could be involved in the process. This is a further indication of the strong level of stakeholders' desired engagement in planning for Visit Carlsbad's future. The additional message was the interest in a new plan as part of the support for more funding.



Almost 85% of the stakeholder respondents felt there was a need for more funding.

Stakeholder Feedback Conclusions

Based on the tourism industry stakeholders' feedback in focus groups, phone calls and the survey, SAG has drawn the following conclusions:

1. Carlsbad's tourism stakeholders are engaged and have strong interest in planning for the destination's future.
2. Stakeholders have appreciated the regular communication and updates SAG has provided and would like to see ongoing effective communication continue.
3. Stakeholders believe Carlsbad is a true destination with valuable assets to promote.
4. Smart development and growth were important topics for stakeholders who felt there could potentially be too much hotel inventory in the market already.
5. Stakeholders felt the purpose of Visit Carlsbad should extend past broad awareness and move in the direction of measurable increased conversion.
6. Stakeholders want to see increased reporting from Visit Carlsbad on tracking marketing efforts through conversion.
7. Some stakeholders were concerned with the overall ability of all constituents to implement and execute a new plan.

Stakeholder participation in this study has demonstrated an interest in engagement in the future. There is an understanding that their participation in the implementation of a new direction is critical for its success.

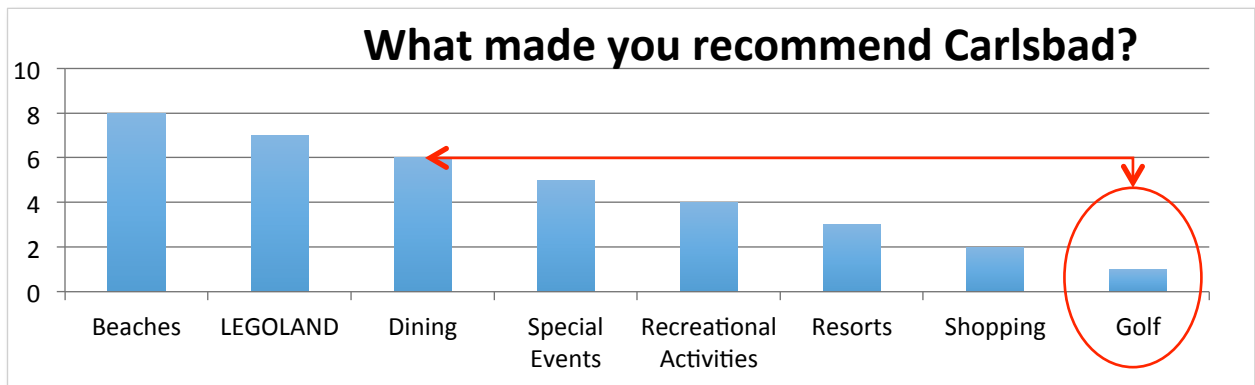
Regional Industry Stakeholder Survey

SAG created a regional perception survey to better understand the broader business community's thoughts and perceptions of Carlsbad as a tourism destination within the greater Southern California area. The regional stakeholders gave valuable feedback on how the perception of Carlsbad currently is positioned and how that could be enhanced.

Regional stakeholders felt informed only 50% of the time about tourism events and activities going on within the destination. Most of these stakeholders are getting their information from email subscription updates and word of mouth as well as social media and informational City signage. This group also felt there could be more done to keep them informed through increased direct mail and increased use of social media.

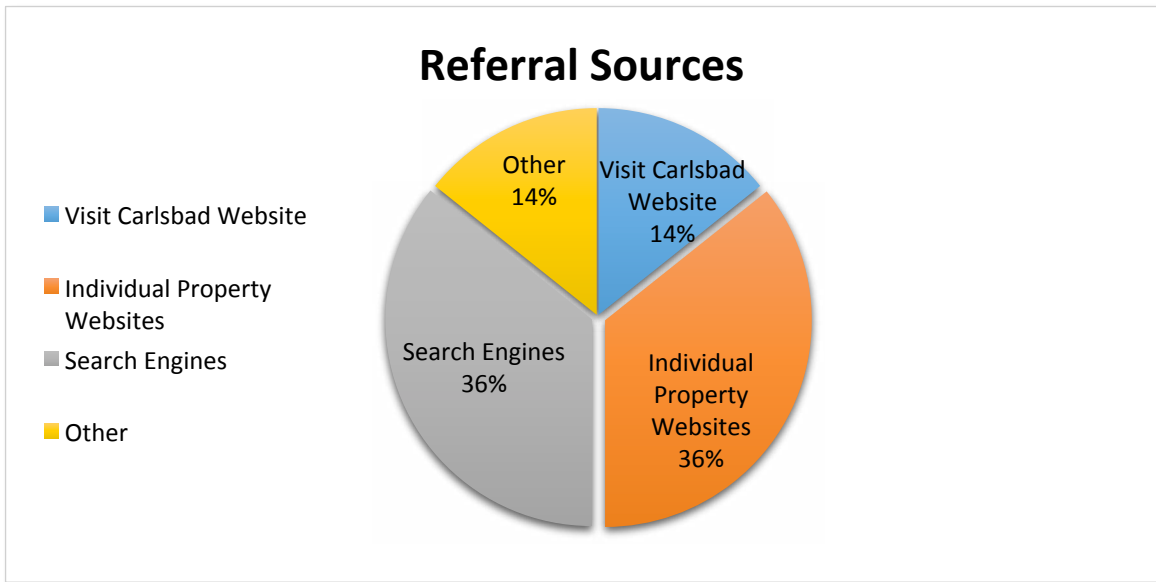
Regional stakeholders also have a strong influence on groups who visit Carlsbad and over 80% of respondents had referred business to stay in Carlsbad. Regional stakeholders had positive things to say about Carlsbad and their referrals received strong positive feedback about their stays.

Regional stakeholders ranked Carlsbad's assets and attractions differently than the industry stakeholders, most notably golf fell from 3rd to 8th. This tells us that while Carlsbad has golf opportunities, there is enough competition in the market that it is not a top of mind attraction to recommend the destination as one of the top three primary strengths.



Referral Platforms

Regional stakeholders also utilized multiple sources when looking into and/or booking hotel reservations for their groups. Most used individual property websites and third party search engines i.e. Kayak, Priceline, Expedia, etc. Only 14% used Visit Carlsbad’s website to get information. This was an indication of the variety of options available when making a hotel reservation and the potential to raise awareness of the Visit Carlsbad booking engine.



Regional stakeholders provided insight into how the destination could be enhanced through additional attractions and amenities. Themes from regional stakeholder feedback included dining and entertainment, recreation, wine and beer tours and sports tournaments. Additional comments included:

- “more music concerts”
- “upgrade the theatres for top entertainment”
- “easier access for food along the beach”
- “meeting space in one location for more than 1,500 people”

Regional Stakeholder Feedback Conclusions:

The regional group surveyed perceived Carlsbad as a Southern California beach destination and is interested in continuing to refer business to the area. They are looking for ways to engage with their clients and improve Carlsbad’s visibility among its competition and provide an enhanced experience for their visitors. Regional stakeholders were also very interested in future development decisions and believe there is a way to work together for the future of Carlsbad as a destination.

Benchmarking

SAG reviewed with stakeholders, City staff, CTBID, Visit Carlsbad staff, and others the competitive and comparable destinations to profile and study during this process. The goal was to use a sampling of destinations, which are competitors of Carlsbad and have similarities in their visitor experience.

SAG studied the following destinations for the Tourism Industry Study:

1. Newport Beach
2. Huntington Beach
3. Laguna Beach
4. Santa Monica
5. Santa Barbara
6. Monterey County
7. Del Mar
8. Coronado
9. Oceanside

SAG researched these destinations and gathered data on the DMO in the following criteria:

- Destination Property Mix
- Number of hotel rooms by type
- Annual average hotel occupancy rate and TOT Revenue
- Tourism marketing spending
- Return on Investment from tourism marketing spending
- Target markets and market segmentation
- Destination assets
- Funding
- Budgets

SAG's approach to gathering data included interviewing the respective DMO's, reviewing annual reports, Smith Travel Research reports and researching available data and reports.

On the following pages SAG has created the destination profiles of each competitive destination.

Destination Profile: Newport Beach



Visit Newport Beach

Visit Newport Beach is a DMO under contract by the City of Newport Beach. It is a membership-based organization operating within a Business Improvement District with 19 staff members and 23 board of directors representing hotels, restaurants, resorts, marketing & travel firms, entertainment, and fashion.

Annual DMO Revenue:

FY 15: \$4,350,841*

*Projected

Annual Budget:

FY 15: \$3,332,841

Budget : Rooms Ratio

About \$1,388.10

TOT Annual Collection:

\$16,400,000 - 2013

Budget Breakdown

Not provided

Leisure Research

- 79.2% of survey respondents who visited in last 2 years visited for leisure. Of those 52.3% came for vacation and 26.9% came to visit friends and family. 10.8% came for personal reasons and 7.7% came for business.
- The average survey respondent stayed 3.7 days and 3.2 nights in Newport Beach. Markets from a greater distance stay up to a week.
- During their ideal trip to Newport Beach, respondents would most likely stay in commercial lodging, such as a hotel (61.4%) or resort hotel (37.7%). 39.2 percent would stay overnight in a motel (23.9%) or inn (15.3%).

Funding Structure

Visit Newport Beach is funded primarily by the city through Transient Occupancy Tax (TOT), as well as through a Tourism Business Improvement District (TBID) and private sector membership dues from the hospitality industry or other related businesses.

Funding Sources

- TOT – 10% (City collection rate)
- TBID – 2% assessment
- Membership dues

Visitor Services

Includes a Visitor Center with visitor guides, maps, directions, and information on activities and attractions in Newport Beach.

Online Service

Includes digital visitor guide, online maps, and a mobile app. There is also a booking engine for hotels, attractions, flights, and car services. Listings by multiple areas of interest, holidays, and regions. Custom group packages are available upon inquiry.

Target Audiences

The demographic profile of Newport's domestic traveler:

- They primarily reside in state (75%)
- Affluent (49% have an annual household income of over 75K)
- Mature (56% are over 45 years old)
- Married (68%)
- White or Asian
- Over one in four of these travelers have children living at home (26%).

Visit Newport Beach Group Sales Efforts

Budget Overview

Forecasted Revenue:

\$3,057,283

Operating Expenses:

\$1,392,585

Advertising:

\$279,312

Conference/Group Sales:

\$1,366,800

Research:

\$18,586

Strategy

- Recruit experienced sales manager with contacts in the region
- Work with TBID hotels to create equal opportunities to host events and showcase hotels
- Rolling out of new conference service “tier” structure, which differentiates the service level for each incoming group, which will actively engage each client at least 13 months before their group, arrives to Newport Beach.
- Develop advertising and promotional campaigns that are on brand and are integrated with the other marketing disciplines in order to encourage submission of RFPs and convert RFPs into confirmed bookings.

Destination Profile: Huntington Beach



Visit Huntington Beach

Visit Huntington Beach (Huntington Beach Marketing and Visitors Bureau) is a private, non-profit, non-membership, mutual benefit corporation. Visit Huntington Beach is composed of 19 Board of Directors representing, hotels, event planning, music, transportation and the Chamber of Commerce, in addition to 9 regular staff members. Huntington Beach's tagline "Surf City USA" has a strong focus on surfing, sports and an active lifestyle.

Budget Overview

Annual DMO Revenue:

FY13: \$2,283,000

Annual Budget:

FY13: \$2,535,000

Budget : Rooms Ratio

About \$1,304

Annual TOT Collection

\$7,700,000 - 2013

Budget Breakdown

Revenues	
Tourism Occupancy Tax	\$763,000
Hotel/Motel Business Improvement District	\$1,519,000
Website/Interest/Other	\$1,000
TOTAL REVENUE	\$2,283,000

Expenses	
Media Advertising	\$397,000
Printed Marketing Collateral	\$131,000
Collateral Distribution	\$36,000
Public Relations	\$246,000
Travel Trade	\$64,000
Website	\$141,000
Event Hosting	\$4,000
Local Partner/Community/Other	\$55,000
Familiarization Tours/Site Visits	\$28,000
Film & Sports Commissions	\$23,000
Trade Shows & Travel	\$140,000
Salaries & Benefits	\$994,000
Administration	\$276,000
TOTAL EXPENSES	\$2,535,000

Funding Structure

The City of Huntington Beach funds the Marketing and visitors Bureau with 2% of Transient Occupancy Tax (TOT).

Funding Sources

- TOT – 10% (City collection rate)
- BID – 1% assessment

Visitor Services

New welcome center at International Surfing Museum. The Visitor Information Kiosk is staffed by paid employees of Visit Huntington Beach and offers the following amenities:

- Huntington Beach Visitor Guides and Maps
- Huntington Beach Dining Guides
- Downtown Huntington Beach Historical Walking Tour
- City Beach Map
- Downtown Huntington Beach maps in French, German, Japanese and Spanish
- Huntington Beach monthly event calendars and upcoming event flyers
- Coupons for local businesses and attractions
- Transportation information
- Restaurant and shopping recommendations
- Southern California attraction information

Online Services Include

- Surf Report, social media, blog, virtual tour, listings, visitors guide, newsletter, maps, booking engine for hotels, events, and packages, weather, and additional languages.

Target Audiences

- Regional Targets: California affluent families with teenagers
- International marketing to UK, Ireland, Germany, Switzerland, Canada, Austria, Australia, and New Zealand.
- Staff attends domestic trade shows and events for support.

Destination Profile: Laguna Beach



Visit Laguna Beach

Visit Laguna Beach (VLB) is a private, non-profit, member/partner industry association. VLB has a partnership organization structure. Basic partnerships are complimentary for visitor-serving Laguna Beach businesses; however, there are also paid tiered partnership levels based on marketing goals and objectives.

Staffing includes 5 members and 9 Board of Directors representing private hotels, resorts, and hospitality services.

Budget Overview

Annual DMO Revenue:

FY13: \$5,761,200

Annual Budget:

FY13: \$1,520,000

Budget: Rooms Ratio

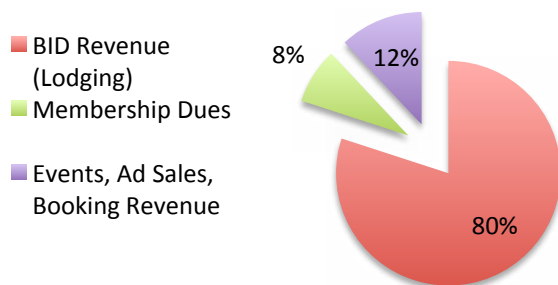
About \$1,169

Annual TOT Collection:

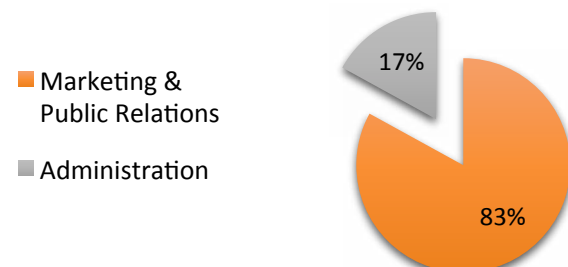
\$8,537,100 - 2013

Budget Breakdown

2013 Revenue Distribution



2013 Expense Distribution



Funding Structure

VLB receives its funding from the Business Improvement District (BID). The BID charges a 2% hotel tax and VLB receives half of that, or 1%. This makes up 80% of VLB revenue. *VLB does not receive TOT collected by the City.*

Funding Sources

- BID – 2% assessment

Visitor Services

Includes Visitors center, mobile app, calendar of events, highlighted attractions, trip planner, blog and online booking engine provided by Travelocity for hotels, flights, and rentals.

California Welcome centers, John Wayne Airport, Disneyland Hotel, and car rental companies distribute VLB official visitors guides, dining guides, maps, and menu books.

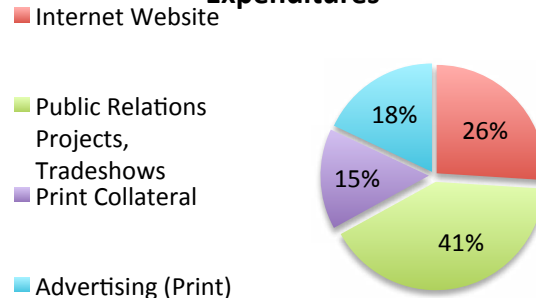
TOT Revenue Growth

In FY 2011-12, transient occupancy tax revenue increased 11% compared to the year before and last year (FY 2012-13) it is expected to grow another 5.6%.

Target Audiences

Almost all efforts are focus on Leisure Services. New partnership with Orange County Visitors Association to "reach the highly-affluent China market." Orange County offices in Beijing and Shanghai are now stocked with Laguna Beach information.

2013 Advertising/Promotional Expenditures



Destination Profile: Santa Monica



Santa Monica Convention & Visitors Bureau

The SMCVB is a private, non-profit, non-member corporation. There are 14 staff members and a various number of employees at 4 visitor centers. The Board of Directors is made of 11 professionals who represent hotels, restaurants, marketing & brokerage firms, and the City of Santa Monica.

Budget Overview

Annual DMO Revenue:

Estimated \$5,600,000*

*SMCVB did not provide the DMO revenue. Figure above is estimated based on 2012/2013 City budget data and approval of the SMTMD in 2012.

Annual Budget:

FY13: \$2,600,000

Budget: Rooms Ratio

About \$696.12

Annual TOT Revenue:

TOT: \$42,300,000

Budget Breakdown

Not provided

Leisure Research

- 7,298,857 visitors in 2013.
- Average length of stay: 1.56 days.
- Total annual visitor spending: \$1.63 Billion
 - 574 Million on shopping/gifts
 - 345 Million on lodging
 - 340 Million on meals
- Hotel tax revenue to city: \$42.3 Million
- Santa Monica jobs supported by tourism: 12,908

Funding Structure

The SMCVB is funded by TOT collected by the City and the Tourism Marketing District fund the SMCVB. Funding Sources

- TOT – 14% (City collection rate)
- BID – \$2 for rooms rented at \$100 - \$200
– \$3 for rooms rented at \$200 - \$300
– \$4 for rooms rented at \$300 - \$400

Visitor Services

Includes a Visitor Center with visitor guides, maps, directions, and information on activities and attractions in Santa Monica.

Online Services

Includes digital visitor guide, online maps, and e-newsletters. There is also a booking engine for hotels, attractions, flights, and car services.

Visitor Profile 2013

- 53% International
- 32% U.S. Resident (Non-California)
- 14% California Resident
- 64% Visit for Leisure
- Median Household Income: \$86,500
- Average daily visitor spending per person: \$143

Marketing Efforts

- \$2.6 million marketing budget
 - Focus on international travelers, who accounted for 63 percent of the \$1.53 billion spent by visitors to Santa Monica in 2012.
- Targets a specific type of traveler who is comfortable getting around by foot, bike or public transit and who is, in general, drawn to Santa Monica's healthy lifestyle.
- Primarily digital marketing efforts domestically.
- Hired full time reps in Australia, Brazil and England.

Santa Monica Group Sales Efforts

Services Available:

- Personalized Meeting Planners
- Hotel Suggestions
- Group Dining Leads
- Team-building
- Event Planning
- Group volleyball tournaments, bike tours, etc.
- Request for publications

Strategy

- The SMCVB strongly focuses on Leisure Sales
- Most Group Sales are handled via inquiry over the phone or an online RFP

Meeting Planner Fact Sheet	
Sales Tax	9.25%
Room Tax	14%
No. of Hotels	36
No. of Hotels with Meeting Space	14
No. of Hotel Rooms	3,735
No. of Restaurants	428
Average Room Rate	\$240
Largest Event Space	Barker Hangar (36,000 sq ft)
Average Daytime Temp in Summer	75-85 °
Average Daytime Temp in Winter	65-75 °
Distance from Downtown Los Angeles	13 miles (21 km)
Travel Time to Downtown Los Angeles	30 minutes
Distance from LAX	8 miles (13 km)
Travel Time to LAX	30 minutes
Average Taxi Fare from LAX to Santa Monica	\$35 North of I-10 \$30 South of I-10
Average Bus Fare from LAX to Santa Monica	\$1
Average Shuttle Fare from LAX to Santa Monica	\$20-\$30
Nearest Golf Course	Penmar Golf Course (2 miles/3.2 km)

Destination Profile: Santa Barbara



Visit Santa Barbara (VSB)

VSB is governed by the Santa Barbara City Council, which is composed of a Mayor and six Council Members. VSB is membership-based. Members receive benefits such as website and publication promotion, referrals, access to VSB member networking events, newsletters, and access to national & local market research.

Budget Overview

Annual DMO Revenue:

Figures not provided

Annual Budget:

Adopted FY14: \$4,000,000

Budget: Rooms:

\$153.38

Annual TOT Revenue:

\$16,821,995 – 2013

Budget Breakdown

Not provided

Funding Structure

Visit Santa Barbara is funded through an annual contract with the City and through a BID.

Funding Sources

- TOT – 12% (City collection rate)
- BID – \$0.50 rooms rented at less than \$100
– \$1 for rooms rented at \$100 - \$150
– \$1.50 for rooms rented at \$150 - \$200
– \$2 for rooms rented at \$200 or more

Visitor Services

Includes a Visitor Center with visitor guides, maps, directions, various brochures, and travel listings.

Online Services

Includes digital visitor guide, e-newsletters, a calendar of events, special offers, easy to success social media, referrals, and membership login. Booking engine for hotels, resorts, and campgrounds.

Visitor Profile

About 2,000 collected surveys showed the below information:

- Female (58%)
- Caucasian (72%)
- Married (53%)
- Mid-life (avg. age 48 years).
- The average household income is \$119,428.
- The Los Angeles - Riverside - Orange County metropolitan statistical area (MSA) is by far the largest feeder market for tourism to the Santa Barbara South Coast (50% of all respondents),
- Followed by the San Francisco - Oakland - San Jose MSA (8%).
- 4 percent of visitors reside in the San Diego MSA.

Destination Profile: Monterey County



Monterey County Convention & Visitors Bureau

The Monterey County CVB is governed by a Board of Directors (30), an Executive Committee (5) and other committees to aid in sales and marketing initiatives for the destination. Membership includes businesses in the lodging, hospitality, entertainment and recreation industries.

Budget Overview

Annual Revenue:

FY12-13: \$6,002,342

Annual Budget:

FY23-13: \$5,152,450

Budget: Rooms Ratio:

About \$429

Annual TOT Revenue:

\$40,000,000 – 2013

Budget Breakdown

Monterey County CVB 2013-2014 Budget REVENUE	
Jurisdiction Revenue	
Monterey County	998,728
City of Monterey	992,179
City of Carmel-by-the-Sea	125,987
City of Pacific Grove	83,228
City of Seaside	61,188
City of Marina	42,000
City of Salinas	47,799
Sand City	2,000
City of Del Rey Oaks	1,000
Sub Total	\$2,354,109
TID/HID Revenue	
Monterey County	778,983
City of Monterey	1,897,413
City of Carmel-by-the-Sea	263,224
City of Salinas	170,881
City of Seaside	214,221
City of Pacific Grove	193,145
City of Marina	139,262
Sub-Total TID/HID	\$3,657,128
Private Revenue	\$302,370
TOTAL REVENUE	\$6,313,607

Funding Structure

The MCCVB is funded through a partnership with Monterey County and the listed in the below chart.

Funding Sources

- TOT – 10.5% (County collection rate)
- BID/HID – 1% assessment per participating jurisdiction
- Membership dues

Visitor Services

Includes brochures, maps, and a TV slideshow.

Online Services

Extensive social media integration, listings, hotel booking engine, calendar of events, blog, digital travel guide, photos, videos, desktop wallpapers, webcams and an eNewsletter.

Monterey County CVB 2013-2014 Budget EXPENSE	
Marketing Communications	3,339,442
Brand Launch	1,500,000
Media Relations	200,000
Talent & Marketing Initiatives	1,519,942
Group Sales	2,368,152
Trade Shows & Mission	265,000
Client Events	115,000
Trade Media	500,000
FAMs & Sponsorships	135,000
Third Party Partnerships	130,000
Sales Initiatives & Talent	1,223,152
Membership	107,288
Visitor Services	438,236
Administration	799,803
TOTAL EXPENSE	\$7,052,921

Monterey County Group Sales Efforts

Group Sales Info Points – Facilities

- Monterey hotel owners approved a plan to tax themselves to pay for the \$32M renovation of the Monterey Conference Center (MCC).
- MCC has 41K sq. ft. meeting space & can hold 1,700 guests.
- 28 Golf Courses
- Also hosts: 8K sq.ft. Sunset Center
- 32K sq.ft. Fair & Event Center
- 13K sq.ft. Salinas Sports Complex.

Group Sales Partnership Initiatives 2014

Monterey has always benefited from a high level of collaboration with community stakeholders. In the coming year collaboration will advance exponentially through:

- Introduction of the Monterey Room Night Index (RNI), an industry trend-setting measurement tool
- Involvement in sales program development, execution and evaluation from RNI participants
- Yielding Return on Experience (ROE) with the creation of the Strategic Client Services team which will utilize the power of extraordinary service as a competitive differentiator
- Focused development of partnerships with third party companies such as HelmsBriscoe and ConferenceDirect.

Budget

Monterey County CVB Goals by fiscal-year end (June 30, 2014) GROUP SALES GOALS	
New Business Leads	460
Room Night Index	100%
RevPAR	Third in Comp Set
Marketing/Communications	
Unaided Brand Awareness	82%
Intent to Visit	32%
Advertising Effectiveness	3.8 Score
Earned Media	\$34,500,000
Facebook Fans	43,750
Twitter Followers	9,775
Website	
Website Visits	1,114,9092
Page Impressions	4,011,372
Referrals to Stakeholder Pages	328,224
Visitor Database	40,820
Membership	
Member Retention	85%
Visitor Services	
Visitor Center Inquiries	123,000

Destination Profile: Del Mar



Del Mar Tourism Business Improvement District (TBID)

The TBID is composed of 5 Board Members, all representing hotels. In the last two years the public and stakeholders in Del Mar have become frustrated and have demanded additional transparency in the organization. “Dream Del Mar” was recently created out of the TBID and launched a new website.

Budget Overview

Annual Revenue:

Figure not provided

Annual Budget:

FY 13: \$ 185,000

Budget: Rooms Ratio

About \$678

Annual TOT Revenue:

\$1,934,020 - 2013

Budget Breakdown

Not provided

Group Sales Efforts

According to the website Dream Del Mar is focused on group meetings and events. They leverage the San Diego airport and ability to be in and out of the big city quickly

They promote six hotels with meeting space. Specifics of those properties are not listed on the organization’s website.

Structure

Del Mar mandates a 1% assessment on overnight stays at lodging facilities within the district’s boundaries.

Funding Sources

- BID – 1% assessment

Organization Stats:

Dream Del Mar recently launched marketing and branding campaign along with new tourism website in May 2013. Del Mar “Your California Dream” campaign launched in April 2013. City Council and stakeholders have been dissatisfied with reporting from the organization.

According to recent articles the City’s tourism efforts include the below:

- \$213,000 for efforts including marketing, web development, photography, direct mail and administrative costs.
- About \$30,000 is set aside for streetscape

Destination Profile: Coronado



Coronado Tourism Improvement District (CTID)

The CTID was established to fund, implement and measure strategies that promote Coronado as a year-round destination for visitors from across the bridge and across the country. Specifically, the CTID works to improve occupancy in Coronado hotels and as a by-product, the vitality of our community. Off-season growth is the primary focus of the Advisory Board.

Budget Overview

Annual Revenue:

FY13: \$546,530

Annual Budget:

FY14: \$545,000

Budget: Rooms Ratio

About \$230

Annual TOT Revenue:

\$10,366,000 - 2013

Budget Breakdown

Not provided in full

- \$196,674 national advertising budget

Funding Structure

The CTID is funded by a .5% guest assessment at hotels with over ninety (90) rooms. No funding comes from the City of Coronado, local businesses, residents or the State of California. The CTID does not fundraise, pursue grants or accept donations. Funding Sources

- BID – 0.5% assessment

Visitor Services

Includes:

- Visitor Center
- Digital Visitor Guide
- Online Map
- Mobile App.

Partnership

The \$328,000 partnership with San Diego Tourism Authority in FY13 has resulted in:

- \$138,843 in added-value (bonus) media from precise negotiation
- 266 million impressions obtained from hosting press and media outreach
- 339,413 page views from media campaigns (first 9 months of partnership)

Target Audiences

Leisure guests typically between 25-54 in age

- Average household income of \$110,000 or more
- Residing in LA, Orange County, Phoenix and San Diego
- Mostly available to visit Coronado outside of summer
- Guests with an appreciation for resort accommodations

Destination Profile: Oceanside



Visit Oceanside

Visit Oceanside is a membership-based destination marketing organization. Staffing includes 4 Members on the Executive Committee representing major hotels. Board of Directors represent LEGOLAND, resorts, restaurants, and the City of Oceanside. There are also 7 Community Liaisons.

Budget Overview

Annual Revenue:
FY12-13: \$691,800

Annual Budget:
FY12-13: \$691,800

Budget: Rooms Ratio
About \$370

Annual TOT Revenue:
\$4,100,000 – 2012

Budget Breakdown
Percentages provided in chart below

Funding Structure

Visit Oceanside is primarily funded through the Oceanside Tourism Marketing District and through annual membership fees from \$330-\$5,000. Visit Oceanside does not receive any of the TOT collected by the City.

Funding Sources

- BID – 1.5% assessment
- Membership dues

Visitor Services

California Welcome Center in Oceanside. State, regional, and local info available. Hotel reservations and discounts available.

Online Services

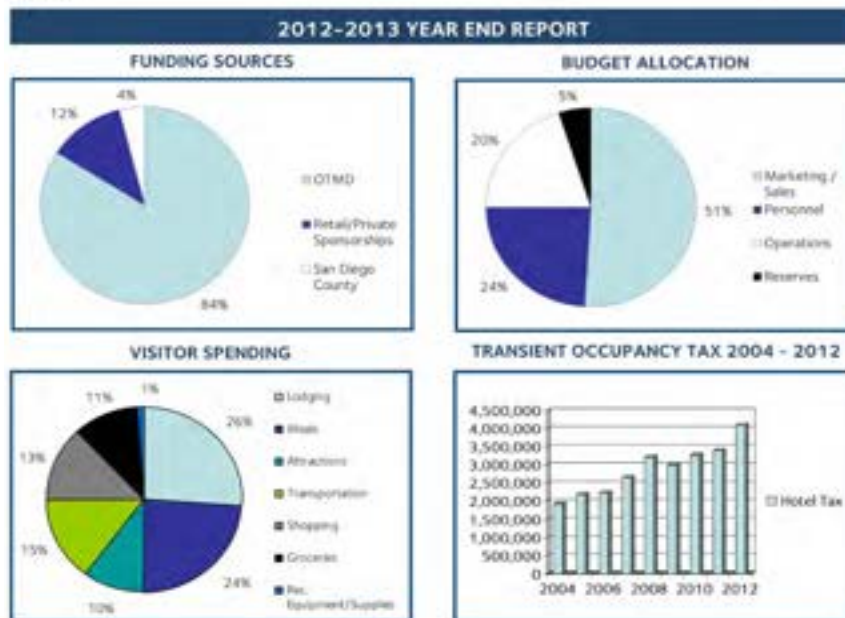
Includes blog, social media, visitors guide, calendar, and booking engine for lodging.

Target Audiences

- 6k+ citywide event nights generated last FY
- 200k expenses in ad campaigns and 60k in public relations FY13

Group Business Highlights

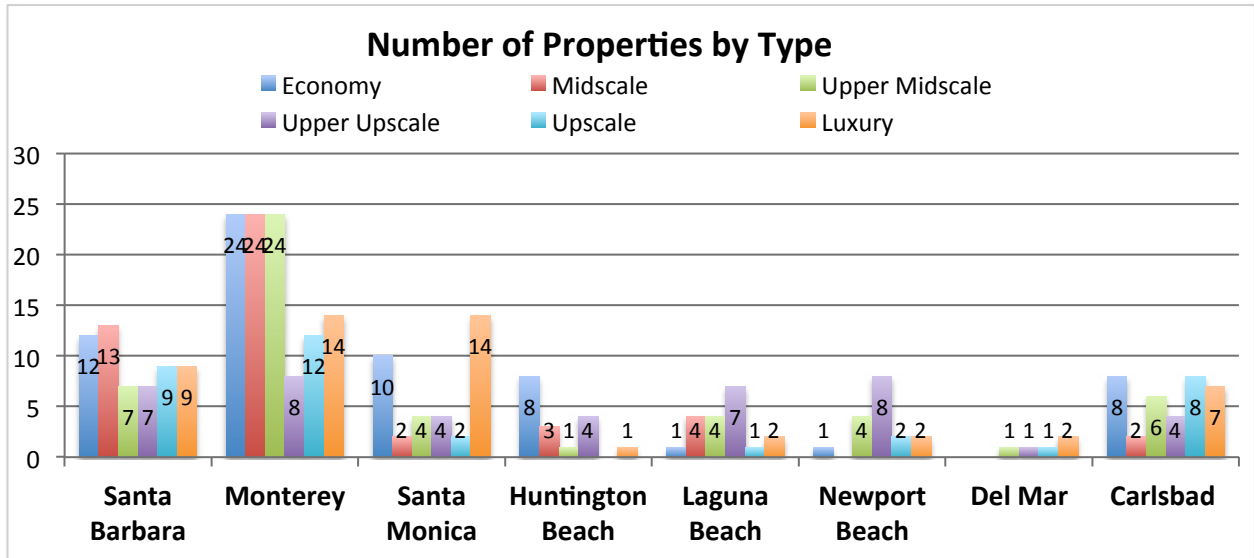
- Group Leads: 39
- Meeting & Event Leads: 17
- Groups Booked: 10
- Room Nights Generated (groups): 3,318
- Room Nights Generated (citywide events): 6,500



Benchmarking Results

After compiling all of the data in the profiles above, SAG compared all the information gathered to Visit Carlsbad. Below are charted examples of how Carlsbad compares to the competitive destinations studied. *Please note not all destinations provided information for each question and the charts below reflect the available data.

Of the comparable destinations, Carlsbad is a medium sized destination with 30+ properties in the market. Comparing the hotel properties that report to STR, Carlsbad is the fourth largest destination behind Monterey County, Santa Barbara and Santa Monica, respectively.

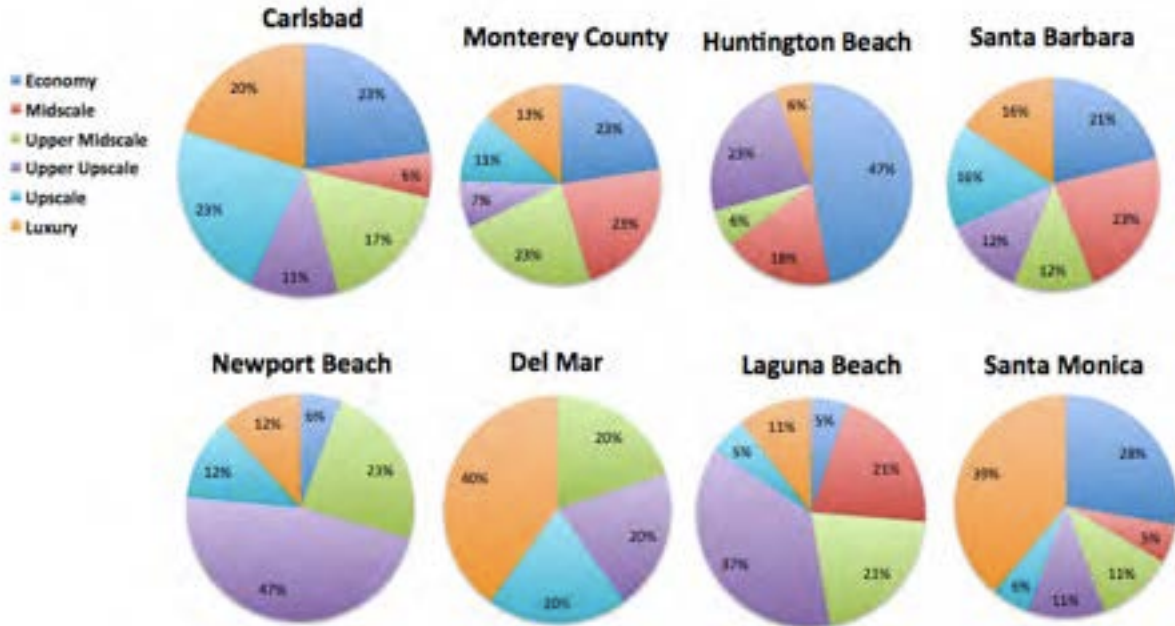


Class Definitions according to STR:

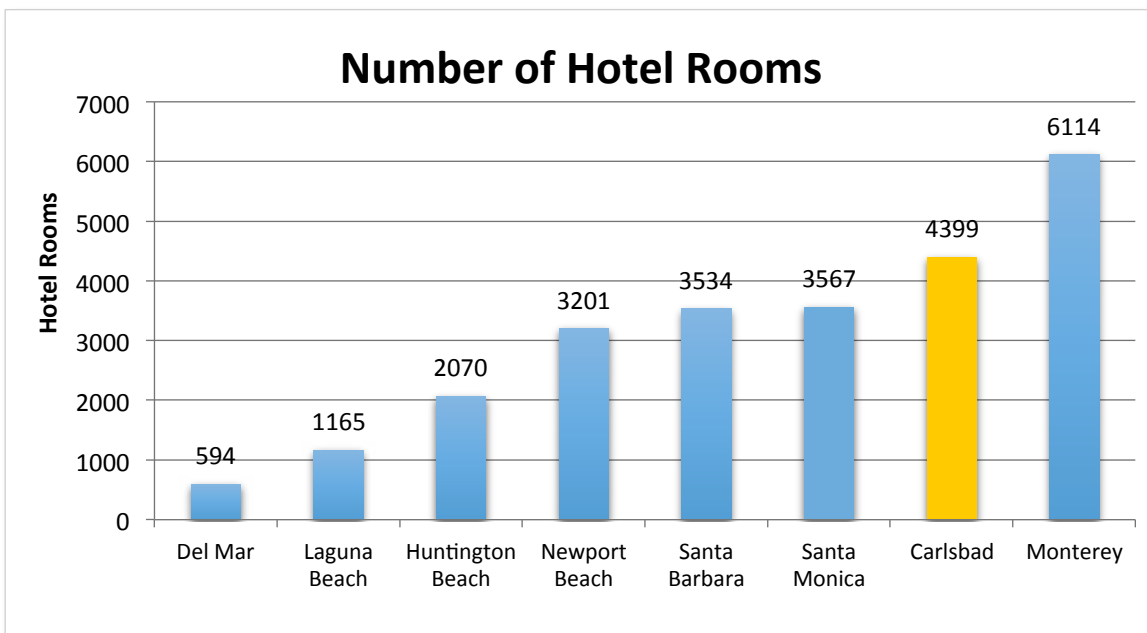
Market Class —Hotel classes are scaled through a method by which branded hotels are grouped based on the actual average room rates. Independent hotels are assigned a class based on the ADR, relative to that of the chain-affiliated hotels in its geographic proximity. The chain scale segments are:

- Luxury – example Ritz Carlton
- Upper Upscale – example Hilton
- Upscale – example Hyatt Place
- Upper Midscale – example Clarion
- Midscale – example La Quinta
- Economy – example Days Inn

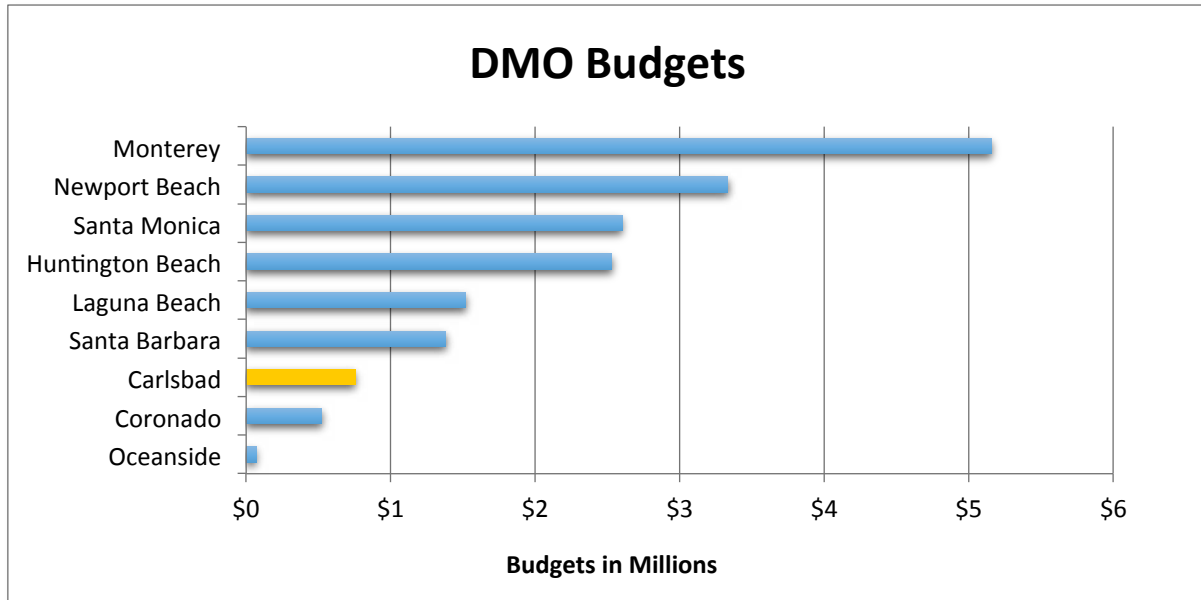
SAG also found that more than half of Carlsbad’s properties are in the Upscale, Upper Upscale, and Luxury classification. This also indicated Carlsbad’s inventory is the third largest in the upscale market of destinations studied. The breadth of property types in Carlsbad creates an opportunity to confirm that the future marketing efforts are focused on a spectrum of market segments.



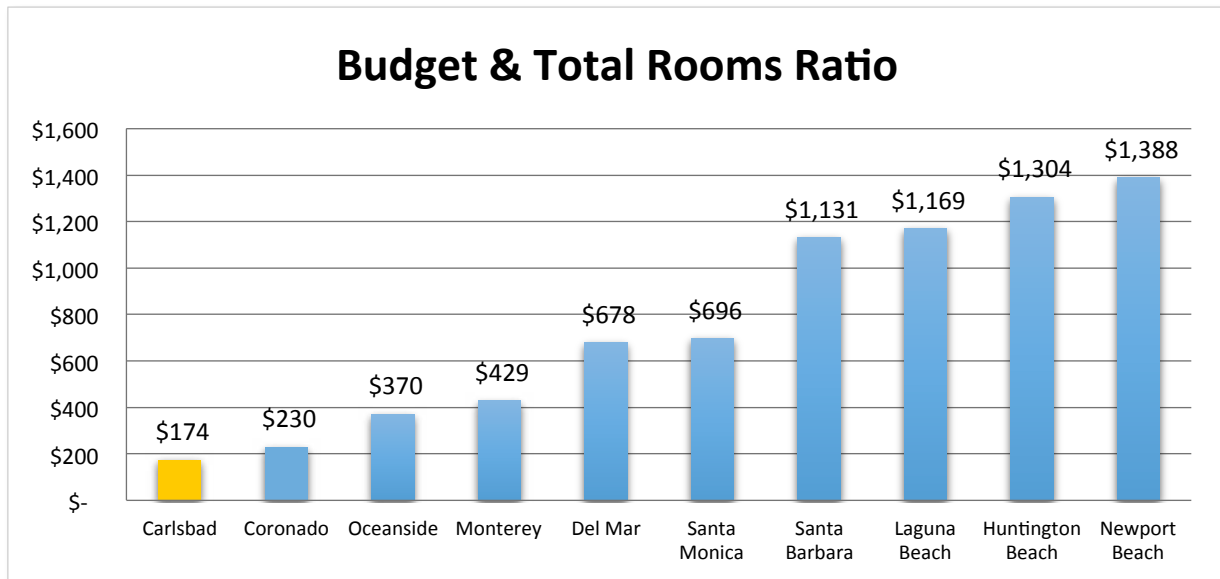
In looking at destinations as a whole, SAG found that Carlsbad has more hotel rooms than most comparable and competitive destinations. Currently, Carlsbad has 4,057 rooms in the market with 3,994 of properties that report to STR. In the next year, Carlsbad will have three new hotels in the market bringing the total to 4,399 rooms in the City. This number makes it the second largest destination in terms of hotel rooms in the competitive set.



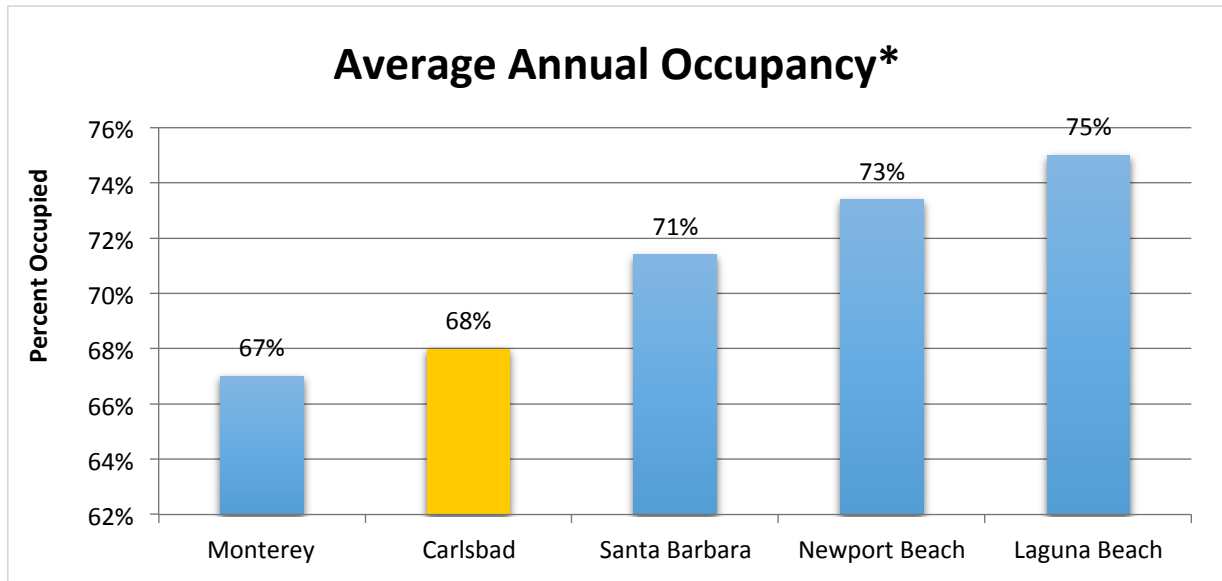
Budgets and funding are critical components for Destination Management Organizations (DMO)s to make an impactful difference in marketing the destination. While the size and scale of the operation and destination all vary and impact the budget number, SAG decided to look at the budgets side by side. While this is not an apples to apples comparison, it does begin to exhibit, based on the charts above, how under-funded Visit Carlsbad is as a marketing organization. Carlsbad has the third smallest DMO budget of the destinations studied.



In order to make a true comparison between budgets and levels of funding, SAG studied those budgets by contrasting how many hotel rooms are in each respective destination. This analysis provides insight to how the level of funding is allocated per room. In this regard, Carlsbad is spending the least amount per hotel room at \$174 per room.



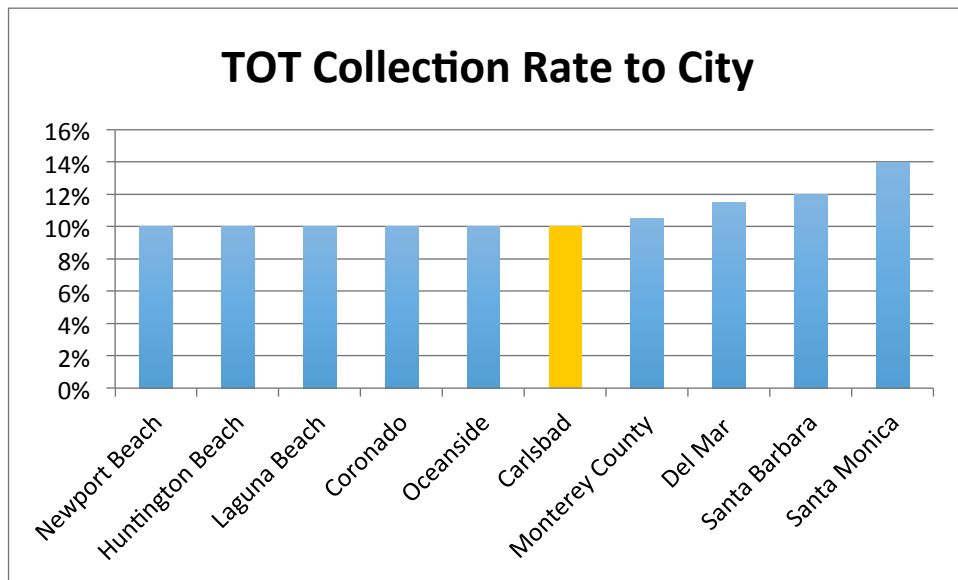
As noted above, Carlsbad has the second largest inventory of hotel rooms of the destination locations studied. In comparing occupancy of competitive destinations, Carlsbad has the second lowest average annual occupancy rate at 68% compared to Laguna Beach, which is highest at 75% annually.



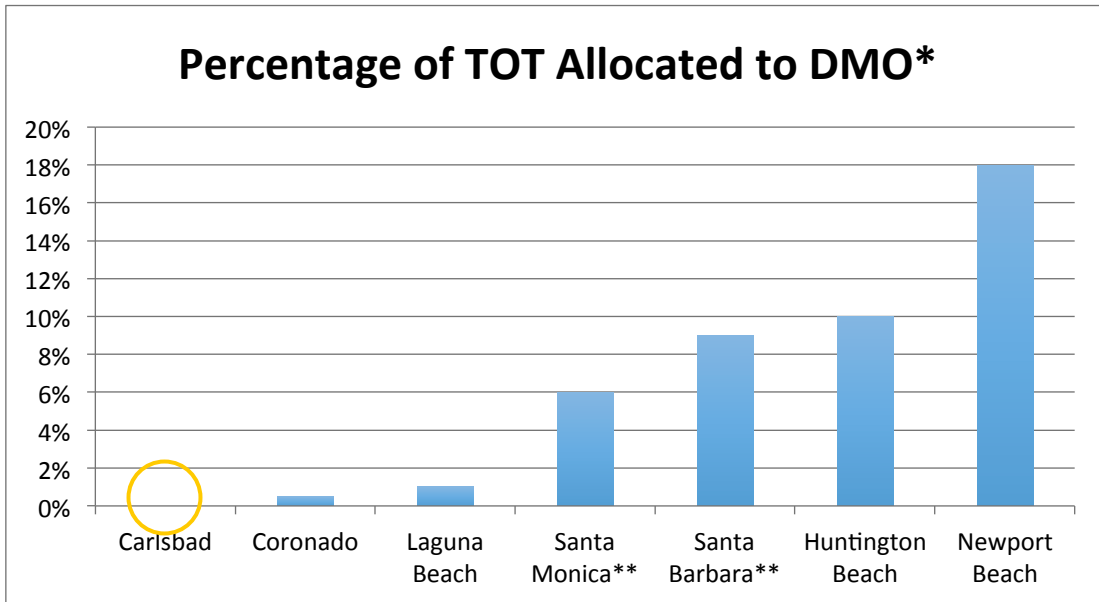
*Not all cities in the original research set were able to provide Average Annual Occupancy.

A key component of DMO revenue and sustainable funding is the Transient Occupancy Tax (TOT) leveraged on hotel room nights. This TOT is handled differently in each destination.

The first chart below illustrates the rate by which the City/County collects TOT per transient room.



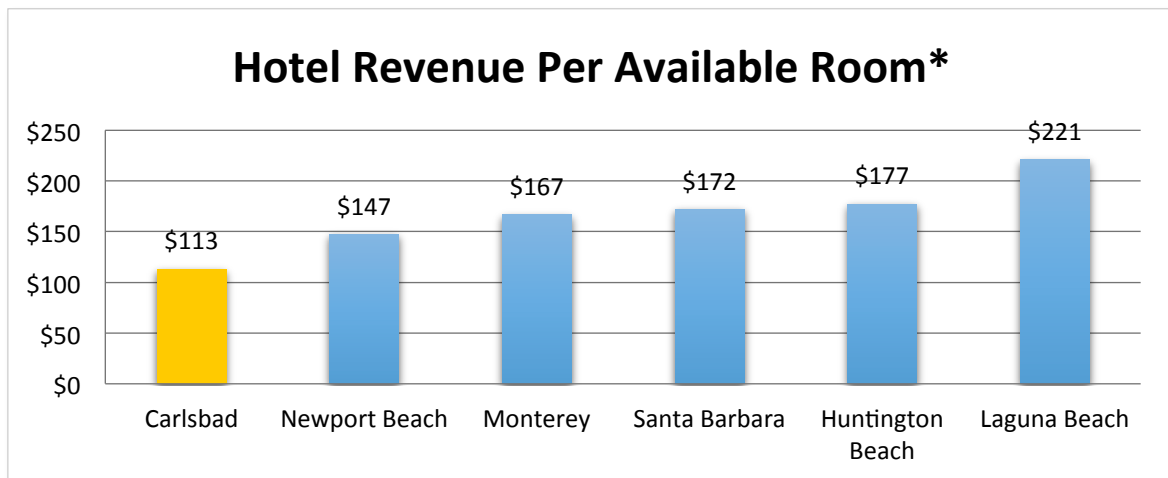
The second chart below illustrates the level of support from the same TOT that the City/County is allocating back to the DMO. Competitive destinations receive between .5%-18% of the TOT collected by the City. Visit Carlsbad does not receive any TOT funding.



*TOT percentage varies annually. Figure above represents 2013 adopted budget percentage.

**Not all cities in the original research set were able to provide this data

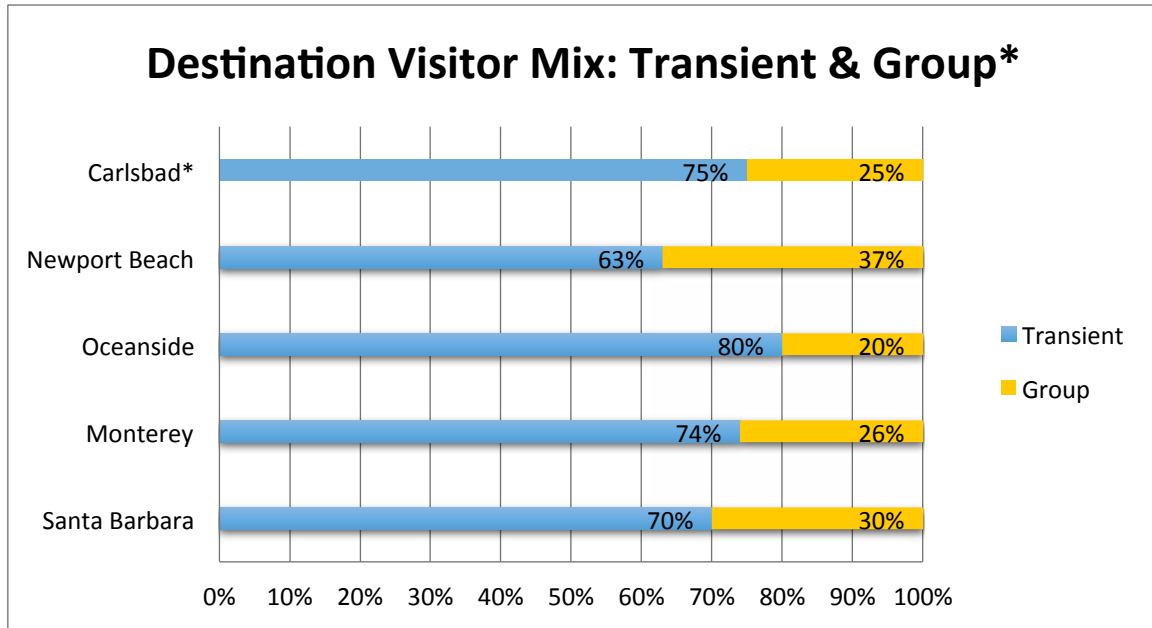
SAG also studied hotel Revenue per Available Room (RevPAR) to create another comparison and measure how Carlsbad is doing based on those in the comparable set. Carlsbad averages \$113 in RevPAR compared to its competitors who average close to \$160 or better year round. The gap in comparable RevPAR is an indicator of the potential to increase overall visitors as well as the hotel rates through targeted marketing designed to increase demand in the shoulder periods. If Carlsbad was to achieve the average RevPar for the competitive set (\$166) that would represent a 47% increase or over \$8 million in increased TOT. SAG has laid out goals for growth in the funding section of this report.



*Source DMO provided data

**Not all cities in the original research set were able to provide hotel RevPAR.

SAG reviewed destinations by their current business mix of transient and group segments. Of the destinations studied, the largest destination group mix by percentage was Newport Beach at 63% transient and 37% group and the smallest was Oceanside at 80-20% respectively. Carlsbad fell in line with the majority of the competition at 75% transient and 25% group. However, it is important to note that these numbers are not currently tracked by Visit Carlsbad. The Carlsbad number was determined based on Visit Carlsbad and hotel industry feedback.



*Carlsbad’s numbers are estimated based on monthly data provided by Visit Carlsbad.

Conclusion – Benchmarking

Carlsbad is situated in a very competitive market. All of the destinations studied are comparable and competitive because they are coastal, California beach destinations, mostly suburban and within a 2-3 hours drive of a major California city. All of the destinations studied have a significant share of the California tourism market and are becoming increasingly popular. Carlsbad competes directly with these cities and is positioned to improve its share of the tourism market based on the benchmarking research completed.

The destinations studied all experience a similar seasonal swing between the summer and non-summer months. The destinations respective marketing organizations are all thinking critically about how to improve return, reach more visitors and connect with new target markets. SAG compared destinations on key areas and points of comparison for Visit Carlsbad and believes that Carlsbad has an opportunity to improve its position in the market.

Overall, Carlsbad is a medium-sized destination with a year-round population of about 110,000 within 40 square miles of the City. The City’s tourism assets include the 7 miles of coastline, which welcomes over 2 million visitors each year. Of the competitive destinations, Carlsbad is one of the largest in terms

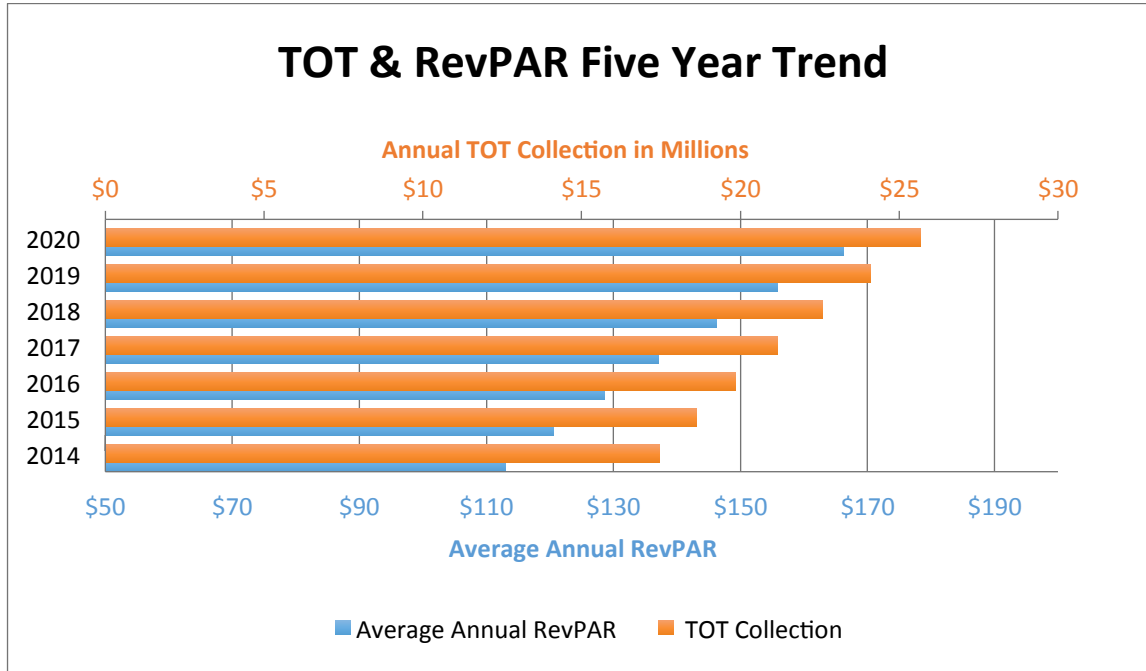
of year-round population and square miles. The competing cities were typically between 10-20 square miles and had a smaller year-round population. In the competing destinations' DMO websites, a reoccurring theme of community was expressed, as the marketing organization believes these residents are important aspects of why tourists repeatedly visit these destinations. With a smaller community, this is more manageable, however, SAG found that the connection to the community above and beyond the stakeholders was important to the competition.

Of the competitive destinations studied, Carlsbad is the third lowest DMO in terms of overall funding. Carlsbad is also the destination with the second highest number of hotel rooms at 4,392 (including the three new properties coming into the market). The only destination with more hotel rooms is Monterey County, with over 6,000 rooms and includes over eight contributing municipalities. These statistics were important in comparing the level of funding for each hotel room. In making a clear comparison, SAG created ratios for the total budget of each destination and the number of hotel rooms in each respective destination. This comparison shows that Carlsbad has the second lowest expenditure per hotel room at \$174. The highest expenditure per room is \$1,388 and the average among 10 competitors is \$659 per room. The differences in levels of funding reveals that not only do the competing destinations have a higher level of funding, but are drastically outspending Carlsbad on a per room basis.

A second key result from the benchmarking study is average annual occupancy. Carlsbad is currently averaging 68% percent occupied annually. Of five destinations, the annual average ranges from 67% to 75% occupied. Carlsbad is the second lowest above Monterey County. The highest average was 75% in Laguna Beach.

SAG also compared the Revenue Per Available Room (RevPAR) for these competitive destinations. Carlsbad's average RevPAR is \$113 and is the lowest of six competitive destinations. The average RevPAR among six destinations is \$166 and the highest RevPAR is \$221 in Laguna Beach. Carlsbad has a healthy mix of property types, however, as stated above it has more hotel rooms than much of the competition. This level of availability makes it important to create and cultivate demand from the market in order for the destination to see an increase in occupancy and RevPAR.

Two consistent differences in the structure of the competitive destinations versus Visit Carlsbad are both the way they are funded and the way they are governed. All of the competitive destinations receive a percentage of the TOT revenue to be funneled back into marketing the destination. The TOT funding in competitive destinations shows strong support for the organizations on behalf of the respective cities and allows the DMOs to compete on a higher level. The competitive destinations also have more than one source of funding. The other sources include assessments, business improvement districts, private revenue, event sales and membership dues. As shown in the above hotel RevPAR chart, Carlsbad's average annual RevPAR is \$113 compared to the average of \$166 across the competitive destinations. Carlsbad could attain the average annual RevPAR number over time with the recommended changes in the targeted marketing efforts addressed in the following sections. If Carlsbad set a target of reaching \$166 for the average annual RevPAR over 5 years (an increase of \$53 and 47%) it would increase the TOT collection to the City significantly. A 47% increase in TOT would be an additional \$8.4 million to the City, increasing the total TOT to \$26.4 million. The below chart illustrates the increases in both TOT (shown in orange) and the average annual RevPAR (shown in blue) over 5 years with a target of incrementally increasing both respectively by 6.6 percent annually.



If Carlsbad were to attain the average RevPAR of \$166, the TOT collection shown above supplies an additional \$8 million dollars to the City of Carlsbad. SAG believes this is attainable with the recommended shifts in targeted marketing and new market segments over the next five years. With these shifts the City of Carlsbad will see increased TOT collection, which could support new funding mechanisms for Visit Carlsbad and tourism product development.

In addition to being funded differently, many of the organizations are overseen by one board. In the event that there was additional funding from a BID or TID, the DMO did not report to that board and the budgeting was approved by the DMO board. In theory, this is similar to the Visit Carlsbad organization, however, SAG has found redundancies in the work done by the CTBID board and the Visit Carlsbad board. The most effective organizations have strong oversight by one streamlined process of governance. This is addressed later in the governance section of this report.

After completing in-depth research on these competitive destinations, SAG believes there is a strong opportunity for Carlsbad to grow in many categories and see a higher return for all stakeholders.

Lifestyle Segmentation Analysis

SAG partnered with Nielsen to conduct a Lifestyle Segmentation Analysis also known as a PRIZM analysis on recent Carlsbad hotel visitor data. Lifestyle Segmentation allows SAG to review the types of visitors who have recently stayed in Carlsbad. The data is run through Nielsen’s consumer profile database and is broken down to understand consumer behaviors, income levels, travel habits and more. The insights gathered from this segmented data allowed SAG to understand the types of people who have visited and where they are coming from. This will inform future efforts and which segments will create the highest return for Carlsbad.

The Lifestyle Segmentation Analysis is broken out into 66 segments which are numbered according to socioeconomic rank (which takes into account characteristics such as income, education, occupation and home value) and are grouped into 11 Lifestage Groups and 14 Social Groups.

SAG collected hotel data from seven individual hotel properties and the Visit Carlsbad ARES booking engine, which included results from 25 properties. SAG would like to thank the Pelican Cove Inn, Carlsbad by the Sea Resort and the Grand Pacific Resorts properties for submitting data for this analysis. SAG collected over 50,000 anonymous hotel records sorted by property, address, zip code, date of stay and lead source. These categories were key to understanding what segments come to Carlsbad, when they come, and where they live. This data allows SAG to geocode and map potential segments, which are target markets for Carlsbad’s future growth.

Visit Carlsbad is currently targeting its marketing effort to a specific segment of families with children 12 and under with a household income of around \$87,000. Utilizing the Lifestyle Segmentation Analysis, SAG was able to validate when these families are coming to Carlsbad and explore new opportunities.

It is important to note that this Lifestyle Segmentation Analysis did not include hotel records from the most family oriented hotel, LEGOLAND Resort. Also, Sheraton, Hilton properties, Omni and the Park Hyatt were unable to provide detailed hotel records. While the reporting would have been enhanced with data from these properties, SAG believes that the data gathered provided key insight because these properties are less family dominant, especially in the summer months. SAG also recommends that a lifestyle analysis be conducted on a biannual basis. This will create an opportunity for more participation in the future. The hotels that have participated will receive an individual report with their specific market segment breakdown. The following is a breakdown of the top market segments based on current visitation to Carlsbad. The names of each segment are provided by Neilson.

Top Carlsbad Segments

Families

SAG believes that the strongest segment of Carlsbad’s visitor during the summer season is families with children, which is supported by the zip code data LEGOLAND was able to provide from LEGOLAND Resort. Family travel in Carlsbad is strong and SAG is confident that this market is returning each summer to enjoy the attractions and amenities of the destination. The following are descriptions of the

family segments that currently visit Carlsbad in the summer months. Please note that each segment that is listed is attached to a broader social and lifestage group. The detailed descriptions of these can be found in the appendix of this report.

Upward Bound

Upscale Middle Age with Children

More than any other segment, Upward Bound appears to be the home of those legendary Soccer Moms and Dads. In these small satellite cities, upscale families boast dual incomes, college degrees, and new split levels and colonials. Residents of Upward Bound tend to be kid obsessed, with heavy purchases of computers, action figures, dolls, board games bicycles and camping equipment.



Social Group: 08 – Second City Society

Lifestage Group: 05 – Young Accumulators

Demographic Traits

- Urbanicity: Second City
- Income: Upscale - Median HH Income \$86,901
- Income Producing Assets: High
- Age Range: 35-54
- Presence of Kids: Household with Kids
- Homeownership: Mostly Owners
- Employment Levels: Management
- Education Levels: College Graduate
- Ethnic Diversity: White, Asian, Hispanic, Mix

Lifestyle & Media Traits

- Order from zappos.com
- Vacation at national parks
- Read *Outside*
- Watch America’s Funniest Home Videos
- Drive Mazda SUV

Kids & Cul-de-sacs

Upper Mid Younger with Children

Upper-middle-class, suburban, married couples with children – that’s the skinny on Kids & Cul-de-sacs, an enviable lifestyle of large families in recently built subdivisions. With a high rate of Hispanic and Asian Americans, this segment is a refuge for college-educated, white-collar professionals with administrative jobs and upper-middle-class incomes. Their nexus of education, affluence and children translates to large outlays for child-centered products and services.



Social Group: 05 – The Affluentials

Lifestage Group: 05 – Young Accumulators

Demographic Traits

- Urbanicity: Suburban
- Income: Upper Mid – Median HH Income \$71,830
- Income Producing Assets: Above Average
- Age Range: 25-44
- Presence of Kids: Household with Kids
- Homeownership: Mostly Owners
- Employment Levels: Professional
- Education Level: College Graduate
- Ethnic Diversity: White, Black, Asian, Hispanic, Mix

Lifestyle & Media Traits

- Order from target.com
- Play fantasy sports
- Read *Parents Magazine*
- Watch X Games
- Drive Honda Odyssey

Non-Family Segments

SAG reviewed the highest indexing segments for both summer and Shoulder Seasons that were not families and not part of the current target market in order to determine viable opportunities for new targets. The data received on visitors who were already coming to Carlsbad is insightful as to who these visitors are and what aspects of their lives might fit Carlsbad in the future. The top non-family segments were a high percentage of the visitors during the shoulder periods. Below are the top non-family segments:

Upper Crust

Upper Crust

Wealthy Older without Children

The nation's most exclusive address, Upper Crust is the wealthiest lifestyle in America—a haven for empty-nesting couples over the age of 55. No segment has a higher concentration of residents earning over \$100,000 a year and possessing a postgraduate degree. And none has a more opulent standard of living.



Social Group: 04 – Elite Suburbs

Lifestage Group: 08 – Affluent Empty Nests

Demographic Traits

- Urbanicity: Suburban
- Income: Wealthy– Median HH Income \$110,117
- Income Producing Assets: Millionaires
- Age Range: 55+
- Presence of Kids: Household without Kids
- Homeownership: Home Owners
- Employment Levels: Professional
- Education Level: Graduate Plus
- Ethnic Diversity: White, Asian, Mix

Lifestyle & Media Traits

- Shop at Saks Fifth Avenue
- Vacation in Europe
- Read The Atlantic
- Watch Golf Channel
- Drive Lexus LS

The Upper Crust segment visits Carlsbad in both the Summer Season and the Shoulder Season of September to March. This segment was 20% of the Shoulder Season visitor compared to only 13% of those visiting in the Summer Season. This data shows that Carlsbad should be targeting non-family households over 55 years in age that are living in wealthy suburban areas. This empty nest segment enjoys recreational activities including golf and sightseeing. This segment has disposable income for high end shopping, fine dining and most importantly regular travel.

Movers & Shakers

Movers & Shakers

Wealthy Older without Children

Movers & Shakers is home to America's up-and-coming business class: a wealthy suburban world of dual-income couples who are highly educated, typically between the ages of 45 and 64, and without children. Given its high percentage of executives and white-collar professionals, there's a decided business bent to this segment: members of Movers & Shakers rank near the top for owning a small business and having a home office.



Social Group: 04 – Elite Suburbs

Lifestage Group: 01 – Midlife Success

Demographic Traits

- Urbanicity: Suburban
- Income: Wealthy– Median HH Income \$101,517
- Income Producing Assets: Elite
- Age Range: 45-64
- Presence of Kids: Household without Kids
- Homeownership: Mostly Owners
- Employment Levels: Management
- Education Level: Graduate Plus
- Ethnic Diversity: White, Asian, Mix

Lifestyle & Media Traits

- Shop at Nordstrom
- Play tennis
- Read Yoga Journal
- Watch NHL Games
- Drive Land Rover

The Movers & Shakers segment was prevalent in both the Summer Season and the Shoulder Season of September through March. The Movers & Shakers segment showed a strong presence in the Summer Season with 19% of the visitor mix compared to 3% in the Shoulder Season. This segment as described above is a wealthy, highly educated couple, without children. This segment is active, healthy and interested in recreational activities. This segment is also likely to have a high level disposable income because they are childless. The presence of this segment in the summer months also indicates an appreciation for quick getaways in a clean, safe, active destination like Carlsbad.

The Cosmopolitans

The Cosmopolitans

Upper Mid Older Mostly without Children

Educated, upper-midscale, and ethnically diverse, The Cosmopolitans are urbane couples in America's fast-growing cities. Concentrated in a handful of metros--such as Las Vegas, Miami, and Albuquerque--these households feature older, empty-nesting homeowners. A vibrant social scene surrounds their older homes and apartments, and residents love the nightlife and enjoy leisure-intensive lifestyles.



Social Group: 01 – Urban Uptown

Lifestage Group: 09 – Conservative Classics

Demographic Traits

- Urbanicity: Urban
- Income: Upper Mid– Median HH Income \$58,313
- Income Producing Assets: High
- Age Range: 55+
- Presence of Kids: Mostly without Kids
- Homeownership: Home Owners
- Employment Levels: White Collar, Mix
- Education Level: Graduate Plus
- Ethnic Diversity: White, Black, Asian, Hispanic Mix

Lifestyle & Media Traits

- Shop at Macy's
- Vacation abroad
- Read Audubon Magazine
- Watch Masterpiece
- Drive Lincoln Town Car Flex Fuel

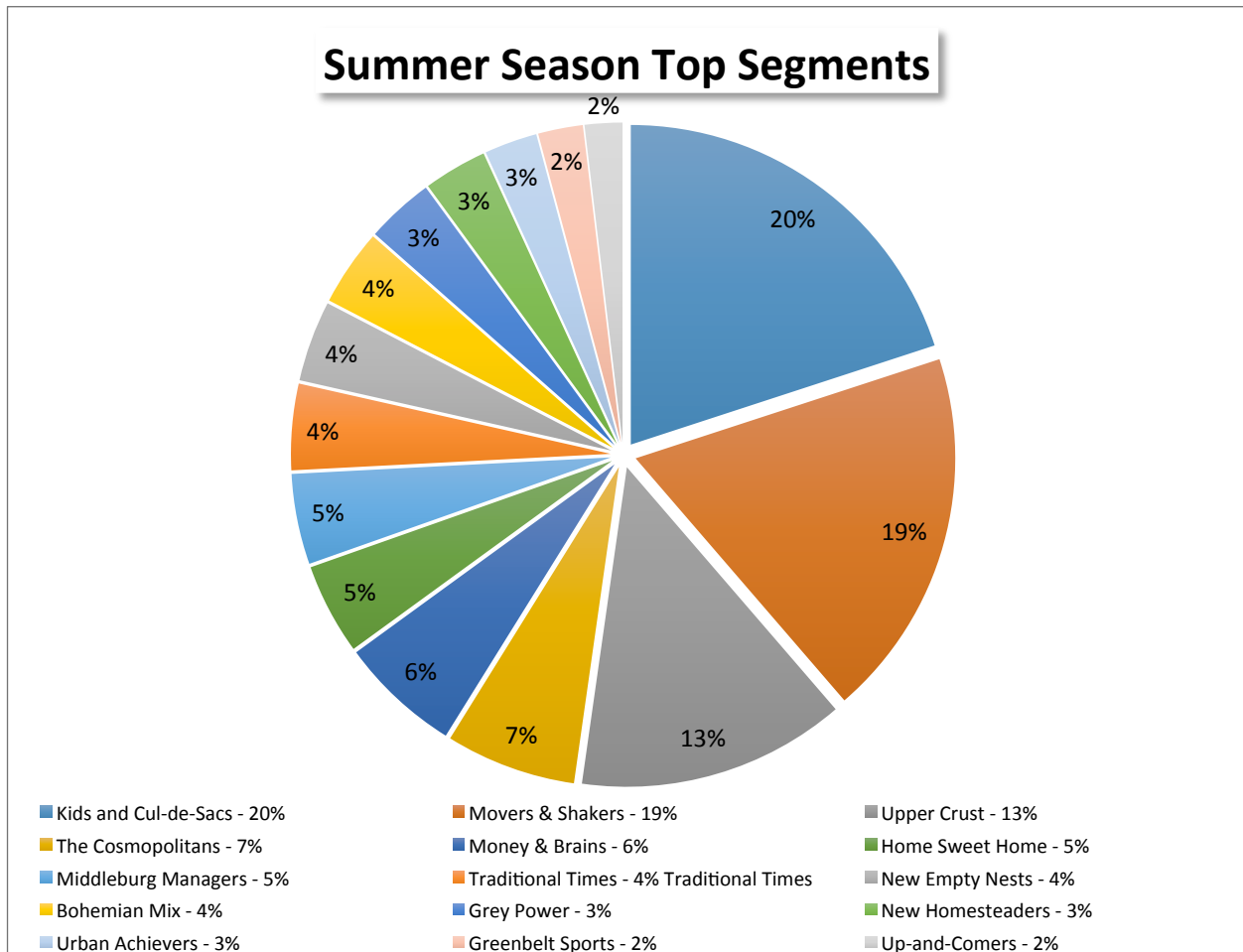
The Cosmopolitan segment was prevalent in both the Summer Season and the Need Period. The Cosmopolitans made up 7% of the visitor mix in the Summer Season and 9% during the Shoulder period. This segment of empty-nesters has an upper to mid-level household income and live in more urban areas. This segment enjoys being able to up and go now that their children are out of the house. They are social couples who enjoy leisure activities. For Carlsbad, this market would enjoy the walking and hiking trails around the lagoon, yoga, stand-up paddle boarding, and golf. This is a potential growth market for Carlsbad.

Seasonal Segments Overview

SAG sorted the segmented data by month to determine which types of visitors were coming to Carlsbad during the Summer Season versus the Shoulder Season. SAG defined the Summer Season by May-August and the Shoulder Season by September-March. The results of this seasonal sorting indicates that there are distinct differences between those segments who travel to and have interest in Carlsbad in the summer and those who are visiting in the Shoulder Season. SAG has determined, based on these results that the marketing should be re-focused at these segments during the appropriate season.

Summer Season Segments

As mentioned above, SAG is confident that the segments including families with children 12 and under are a key component of Carlsbad’s summer visitor mix. Those segments are visiting attractions, buying packages, and frequenting family hot spots like LEGOLAND and the Beach. Of the data records SAG was able to segment, the top 15 Summer Season segments of Nielsen’s 66 segments accounted for 65% of the Summer Season visitor mix. It is also important to note that the second largest segments were households with no kids. This indicates an opportunity to diversify our summer information. The below chart shows the breakdown by percentage of the top 15 segments that visit Carlsbad in the Summer Season:

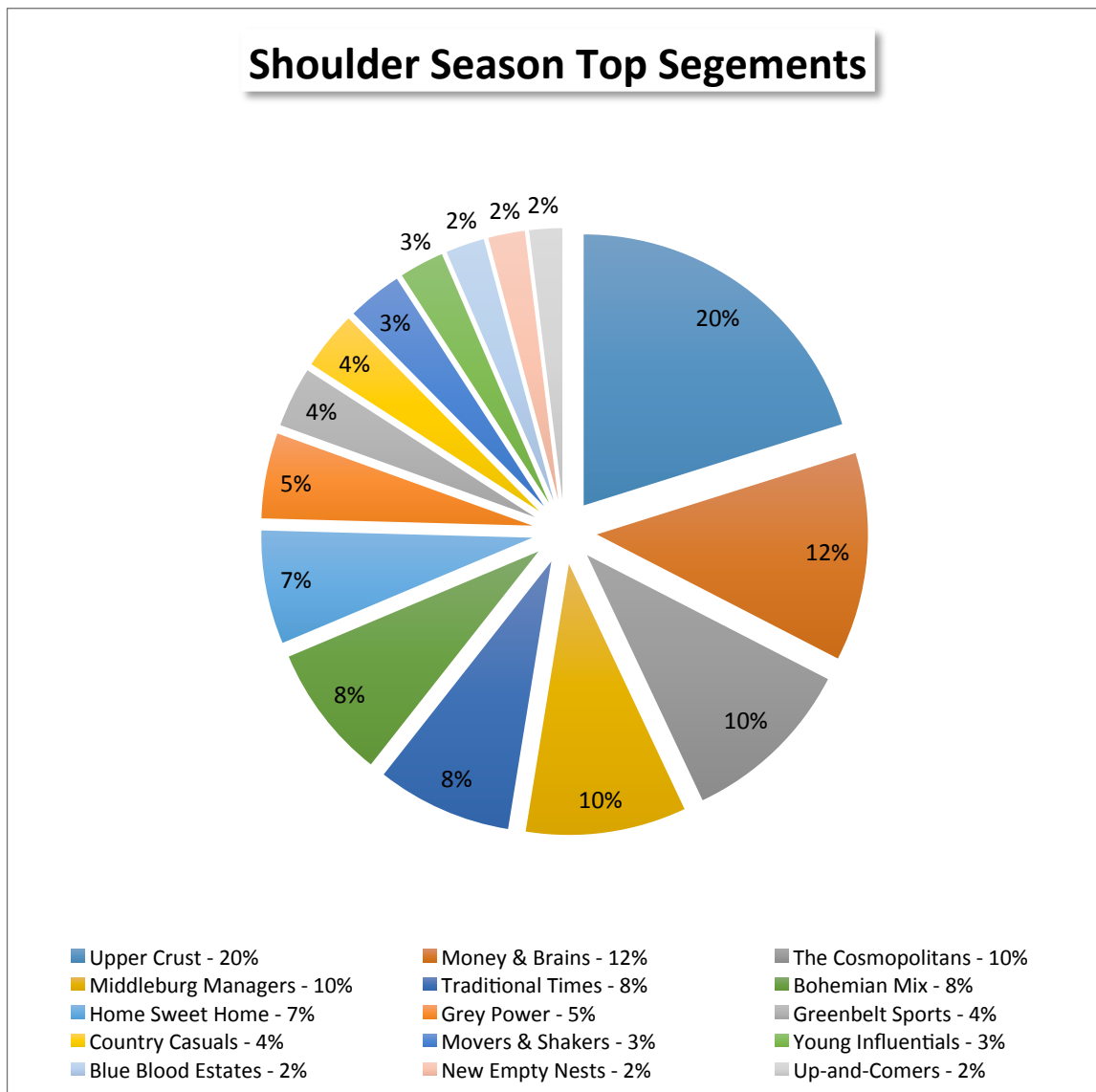


The top three segments for the summer were:

- **Kids and Cul-de-Sacs (20%)** – upper middle class families with children living in the suburbs. These families have a household median income of \$71,830 and the parents’ range in age from 25-44. The parents are college educated and hold professional positions. These families are in the “melting pot” category and are White, Black, Asian, Hispanic and Mixed. These families order on target.com, watch the X Games on TV and drive minivans like the Honda Odyssey.
- **Movers & Shakers (19%)** – wealthy, older households without kids living in the suburbs. These households are 45-64 with a median income of \$101,517. This segment is college educated carrying graduate degrees and holding management positions. They are mostly White and Asian. These households play tennis, shop at Nordstrom and drive higher end SUVs i.e., Land Rover.
- **Upper Crust (13%)** – significantly wealthy, older households without kids living in the suburbs. This segment is 55+ with a median household income of \$110,117 and classified by Nielsen as millionaires. These households are college educated with graduate degrees in upper management positions. They are mainly White. This segment shops at high end store like Saks Fifth Avenue, have vacationed in Europe, watch and play golf and drive luxury vehicles i.e., Lexus LS.

Shoulder Season Segments

SAG was able to sort the segments by the time of year they visited and determined that the Shoulder Season of September-March had distinct segments that visited Carlsbad. These segments differ from the segments above and also vary in percentage. These segments were typically households without children who have disposable income and enjoy recreation and leisure activities. These segments would likely be spa-goers, golfers, hikers, shoppers and diners. These segments have flexibility to travel at will and are comfortable enough to do so regularly. Of the data records SAG was able to segment, the top 15 Shoulder Season segments of Nielsen's 66 segments, which accounted for 75% of the Shoulder Season visitor mix. The below chart shows the breakdown by percentage of the top 15 segments that visit Carlsbad in the Shoulder Season:



The top three segments in order were:

- **Upper Crust (20%)** – significantly wealthy, older households without kids living in the suburbs. This segment is 55+ with a median household income of \$110,117 and are classified by Nielsen as millionaires. These households are college educated with graduate degrees in upper management positions. They are mainly White. This segment shops at high-end stores like Saks Fifth Avenue, have vacationed in Europe, watch and play golf and drive luxury vehicles i.e., Lexus LS.
- **Money & Brains (12%)** – wealthy, older family mix within the household, living in urban areas. The older family mix means the children are mostly older teenage or college age dependents. The parents are 45-64 with a median household income of \$88,837 and are college educated in management positions. These households are classified as a “Melting Pot” and include White, Asian, Black, Hispanic and Mixed. This segment shops at stores like Banana Republic, travel for business occasionally, watch tennis and drive luxury SUVs i.e., Mercedes Benz E Class.
- **The Cosmopolitans (10%)** – wealthy, mid to older age range, mostly without kids living in urban areas. This segment is 55+ with a household income of \$58,313 working in white collar settings. This segment is classified as a “Melting Pot” and includes White, Asian, Black, Hispanic and Mixed. These households shop at Macy’s, have vacationed outside the US, watch Masterpiece Theatre and drive upper midclass vehicles i.e., Lincoln Town Car - Flex Fuel.

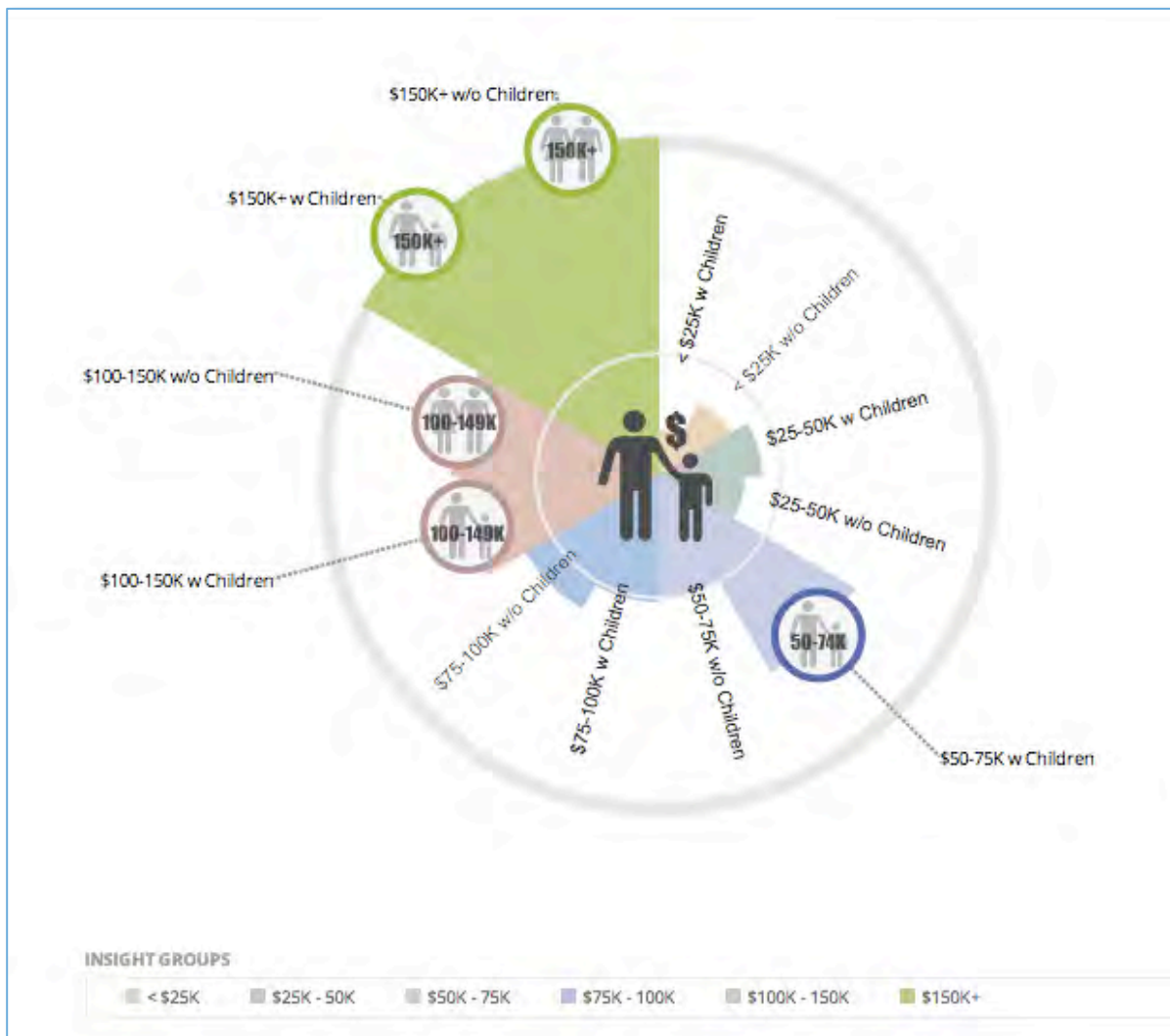
The results of this analysis support the shifting of resources to focus on the top segments that have been identified in this analysis. The opportunity is to increase Carlsbad’s share of these markets that have demonstrated interest in visiting in the shoulder periods.

Comparable Segmentation Research

SAG, in conjunction with Mindgruve, met and talked with the research firm Resonate which has been monitoring audiences visiting the Visit Carlsbad website during the summer campaign from April to September. SAG analyzed the data collected by Resonate through the pixels embedded in each page. These pixels allow Resonate to capture data on the individuals using visitcarlsbad.com.

Resonate Audience Insights:

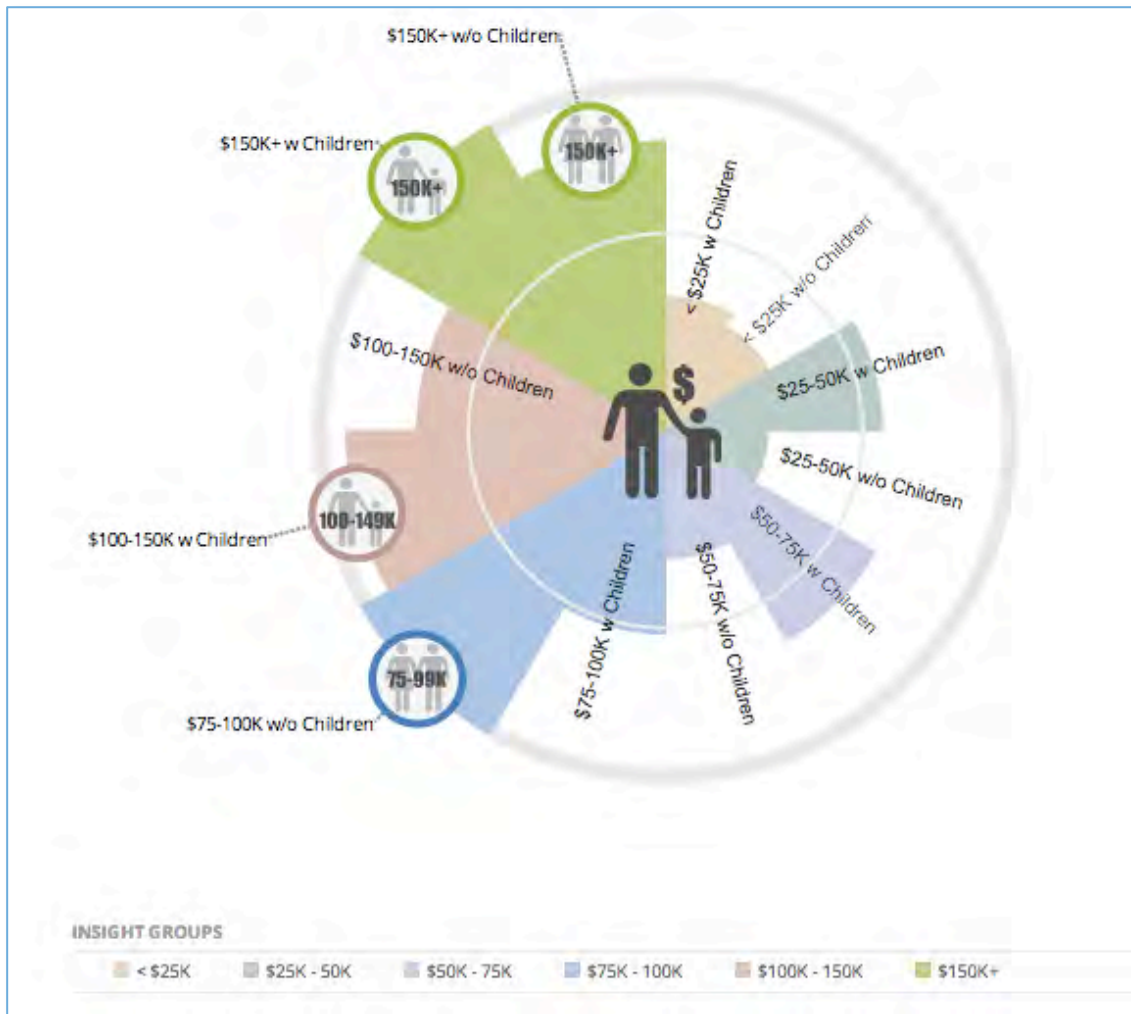
Resonate’s data showed different segments of people were actively going to the Visit Carlsbad website during different times of the campaign. The campaign began April 1, 2014 and ran through September 18, 2014. Below is a snapshot of Income and Household data collected on people who visited the DMO website during the month of April:



This data shows the Insight Groups who visited the DMO website in the month of April were more affluent than the current target market. The current target market actually indexes in the sixth position. The visitors that indexed the highest are ranked in order by income and presence of children in the household below (all segments indexed above 100 showing strong presence):

1. \$150,000+ annual income with children – highest index - 279
2. \$150,000+ annual income without children – index - 276
3. \$50,000-74,000 annual income with children – index - 185
4. \$100,000-150,000 annual income without children – index - 169
5. \$100,000-150,000 annual income with children – index – 162

Below is a snapshot of Income and Household data collected on people who visited the Visit Carlsbad website between the months of June and August:



This data shows the users who visited the DMO website between the months of June to Augusts were more affluent than the current target market. This data captures the current target market as the

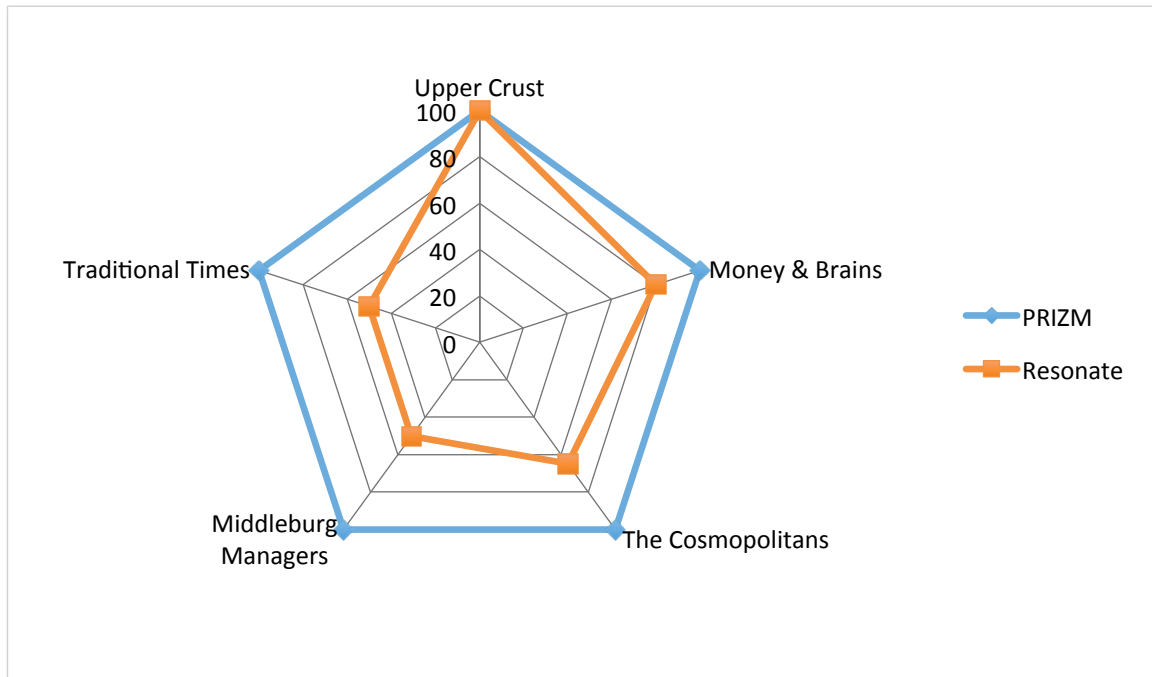
eighth highest indexing segment. This data also shows that there are additional segments actively interested in the Carlsbad product, which are viable targets. The visitors that indexed the highest are ranked in order by income and presence of children in the household below (all segments indexed above 100 showing strong presence):

1. \$150,000+ annual income with children – highest index
2. \$75,000 - \$100,000 annual income without children
3. \$100,000 - \$150,000 annual income with children
4. \$150,000+ annual income without children
5. \$100,000 - \$150,000 annual income without children

The current target market of Visit Carlsbad indexed in eighth place.

SAG compared the Resonate Audience Insight Groups data above to the Summer Season and Shoulder Season results from the Lifestyle Segmentation Analysis and developed the below profile. The charts below are the highest indexing segments for each respective season overlaid with the Resonate Audience Insight Groups.

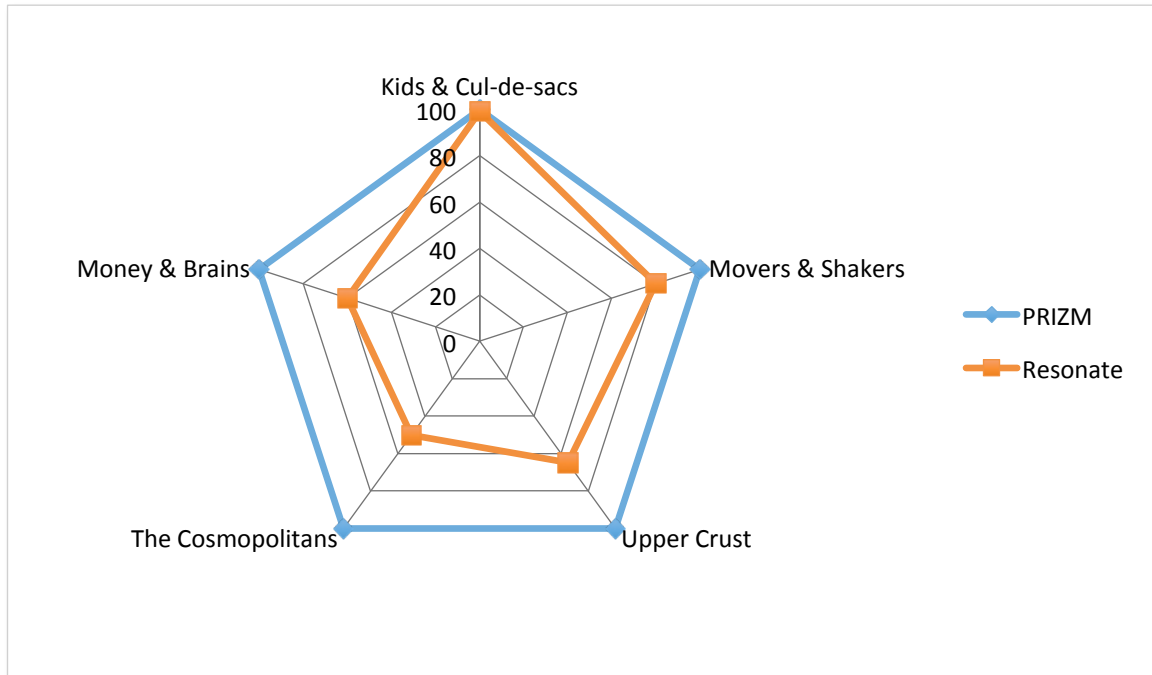
Shoulder Season Segments & Audience Insights Groups



This overlay of the PRIZM results from the Lifestyle Segmentation Analysis with the Resonate Audience Insight data is an illustration of similar segments interest in the Carlsbad tourism product. During the Shoulder Season, the Upper Crust PRIZM segment indexes the highest and correlates directly to the Resonate Audience Insight data profiles of those visiting the website.

This validates further the need to refocus the marketing resources on the markets indicated in the Lifestyle Segmentation Analysis and reinforced with the Resonate data gathered from recent web activity.

Summer Season Top Segments & Audience Insight Data



During the Summer Season the overlap of the results shows that the PRIZM segments that had the strongest market-share in Carlsbad were also indexing the highest against the Resonate results from the Visit Carlsbad website. Kids & Cul-de-sacs had the highest market share during the summer season and matches directly with the top profile of the Resonate Audience Insights data.

Lifestyle Segmentation Analysis Conclusions

This comparable analysis confirms and supports SAG’s research and recommendation of a new direction in target markets. The overlapping data of specific segments clearly show a presence of new and different segments, which should be targets for future marketing initiatives. These segments are all affluent households with relatively high incomes. The key targets for the shoulder periods are households without children. This allows Carlsbad to diversify the tourism product and create specific experiences that these markets will enjoy. The overall focus on the shoulder periods combined with the results of the segmentation study creates a clear path for future marketing efforts.

Conclusion – Research

The research that was conducted by SAG provides the foundation for the recommendations contained in this report. It is clear that Carlsbad has an opportunity to improve its position in comparison to the destinations that were analyzed. Growth in the level of funding will increase Carlsbad’s ability to strengthen its position in the new target markets.

The segmentation research creates a clear path for future marketing. It is recommended that specific campaigns with relevant experiences and packages be created to drive more visitation from these market segments.

SAG Research



The above chart illustrates the multifaceted approach to research for this report. This approach has created broad based input and participation coupled with market and competitive destination analysis.

Research Plan – Recommendation

It is recommended that an annual research plan is developed as part of the overall tourism effort. The results of the research underscored the importance of an ongoing plan. A sustainable research plan will create research-based decision making for future marketing efforts. This investment can also be very valuable in refining future target markets. Research will give insight on the overall visitor experience in Carlsbad. The types of research that would be beneficial include:

Visitor Profile Study – Every Three Years

A visitor profile study is designed to gain information on visitors to Carlsbad as well as gain insight on the overall visitor experience. The current visitor profile study questions should be reviewed to ensure a more thorough understanding of the overall visitor experience in Carlsbad. The current visitor profile study focuses on key characteristics of the surveyed travelers but doesn't probe the level of satisfaction or additional experiences that a visitor is interested in. Another dimension of the visitor profile study must entail a comparison of the demographics of visitors based on the time of year they have visited Carlsbad.

Benchmarking Study – Biannually

The foundation for benchmarking that has been established with this process should be updated on a biannual basis. This could be accomplished internally and would evaluate the positioning of Carlsbad relative to the competitive set in a broad spectrum of areas. The benchmarking study could be conducted internally.

Target Audience Study – Biannually

This study would be a continuation of the research conducted for this study to utilize hotel and inquiry guest data to further refine the demographics and interests of targeted audiences. The results of the study conducted for this report have been informative. The goal would be to have a greater level of participation by Carlsbad Hotels in future studies. This will help understand the trends in market mix and whether there is an increase in targeted markets visitation of Carlsbad. The expense associated with this study can be reduced if the data from the analysis is reviewed and reported internally.

Meeting Planner Survey – Biannually

This study would focus on the desirability of Carlsbad as a meetings destination. The study would also focus on amenities and services that would enhance Carlsbad's competitiveness. SAG recommends conducting this study at the point that the implementation of the group sales plan is complete. This will help refine the messaging and approach of the group sales and marketing effort. The meeting planner survey will also give an indication of attendee trends by target group markets. Through the use of the Visit Carlsbad group database and MINT, this survey can be completed with minimal expense.

SAG has recommended an increase to the budget for research in order to create an ongoing research plan. The baseline that is created through consistent effective research will become the foundation for future marketing and advocacy.

Leisure Sales and Marketing – A New Direction

SAG has reviewed the current activities and resources dedicated to Individual Leisure Sales and Marketing. SAG has met with the current digital advertising agency and public relations firm. Mindgruve and DCI have provided helpful analysis and insight for this study. SAG has reviewed the most current marketing plans and reports that are generated from both firms.

In conjunction with the research conducted that has identified potential new target markets for Carlsbad to increase visitors during shoulder periods, SAG evaluated the current approach in leisure sales and marketing. The proposed restructuring of the overall budget and resources for the development of a new groups sales and marketing effort has an impact on the approach and resources dedicated to leisure marketing.

The more compelling purpose of re-evaluating the current approach is to have a more targeted approach with a viable mechanism of tracking the actual conversion of future marketing efforts into overnight visitors. The plethora of options that exist for consumers to book their travel makes this challenging, however it must be aggressively pursued to demonstrate return on investment (ROI) of future activities. The current key measurements of success are focused on increasing online activity and overall impressions for Carlsbad.

The following is an overview of the current approach to measurement:

Online/PR Activity Measures

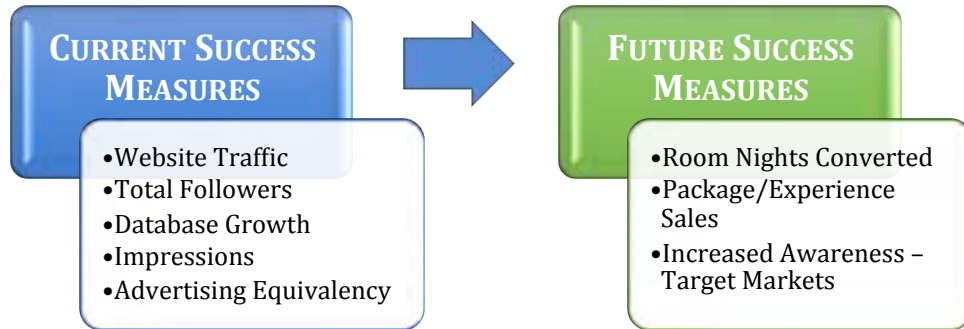
The following are the listed performance measures from the most recent annual report for Visit Carlsbad.

- ❖ Google Analytics
 - Direct & referral traffic
 - Time on Website
 - Page Views
- ❖ Social Media
 - Total Likes, followers & video views
 - Social referral traffic to website
- ❖ Email Marketing
 - Open & Click through ratios
 - Subscriber database growth

The most recent report shows an increase in web traffic, an increase in social media followers, and other indicators of increased traffic due to the digital marketing efforts. The investment that has been made in online marketing has been successful in increasing overall activity and awareness of Carlsbad as a destination. The reports generated by DCI focus on overall impressions generated by the public relations efforts and determine the value of those impressions in advertising dollars. These results also demonstrate that the public relations efforts are driving increased awareness of Carlsbad as a destination.

Future Direction

SAG recommends refining the future focus and measurement to determine impact that sales and marketing efforts have had on driving room nights or incremental visitors to Carlsbad. The other measure would be on increasing awareness of Carlsbad with agreed-upon targeted markets.



The increased focus on targeted marketing with a collaborative effort to track results is an important new direction for Carlsbad leisure meeting efforts. The more focused effort has the potential to produce more impactful results in the timeframes that have been determined as a priority.

Direct Marketing

In conjunction with the outcome of the research on future target markets, SAG recommends shifting the current marketing approach from online advertising to a focused direct marketing approach. The benefit of this approach is the ability to create specific experiences designed to appeal to targeted audiences. This will include developing specific experiences and offers for the targeted market segments and utilizing e-marketing techniques to reach the desired audience. According to the 2013 SDTA Visitor Profile Study, 85% of the current visitors coming to Carlsbad are using the internet as their information source and are likely to be receptive to a targeted direct marketing approach.

The information gathered about the likes and interests of the targeted market segments create the opportunity to develop Carlsbad experiences that appeal to them. An example of this is the “Uppercrust” market segment that has shown a high interest in Carlsbad during the shoulder periods. They enjoy activities like golf and like to dine out. Carlsbad experiences would be developed with these components and sent directly to them through direct e-marketing.



Uppercrust

Tracking Room Nights - Leisure Sales and Marketing

SAG recognizes the challenge of tracking room nights that have been generated from leisure sales and marketing activities. The plethora of options that a potential visitor has to book a room in Carlsbad is vast. Many studies have indicated that only a small percentage of visitors will book a room through a Destination Marketing Organization website. The opportunity exists to more predominantly position the booking engine as a vehicle to buy specific offers and gain insight through this activity as to the

success of future direct marketing campaigns. The booking engine, powered by aRes, will be an indicator of the success of a campaign.

Online Hotel Referrals – Recent Activity

The following chart is a recent indicator of the number of monthly visitors to the Visit Carlsbad website that “clicked through” to specific Carlsbad hotels. The chart below indicates that there were 2,404 web users that have taken action to review and possibly book hotel rooms.

Outbound Traffic Sent to Hotel Sites		
	Hotel	Outbound Clicks
1	Ocean Villas	172
2	Beach Walk Villas	169
3	Seashore on the Sand	169
4	Oceanfront Carlsbad	109
5	Carlsbad Inn Beach Resort	74
6	Grand Pacific Palisades	69
7	Marbrisa Resort	66
8	LEGOLAND Hotel	64
9	Scandia Motel	64
10	Beach View Lodge	63
Total		2,404

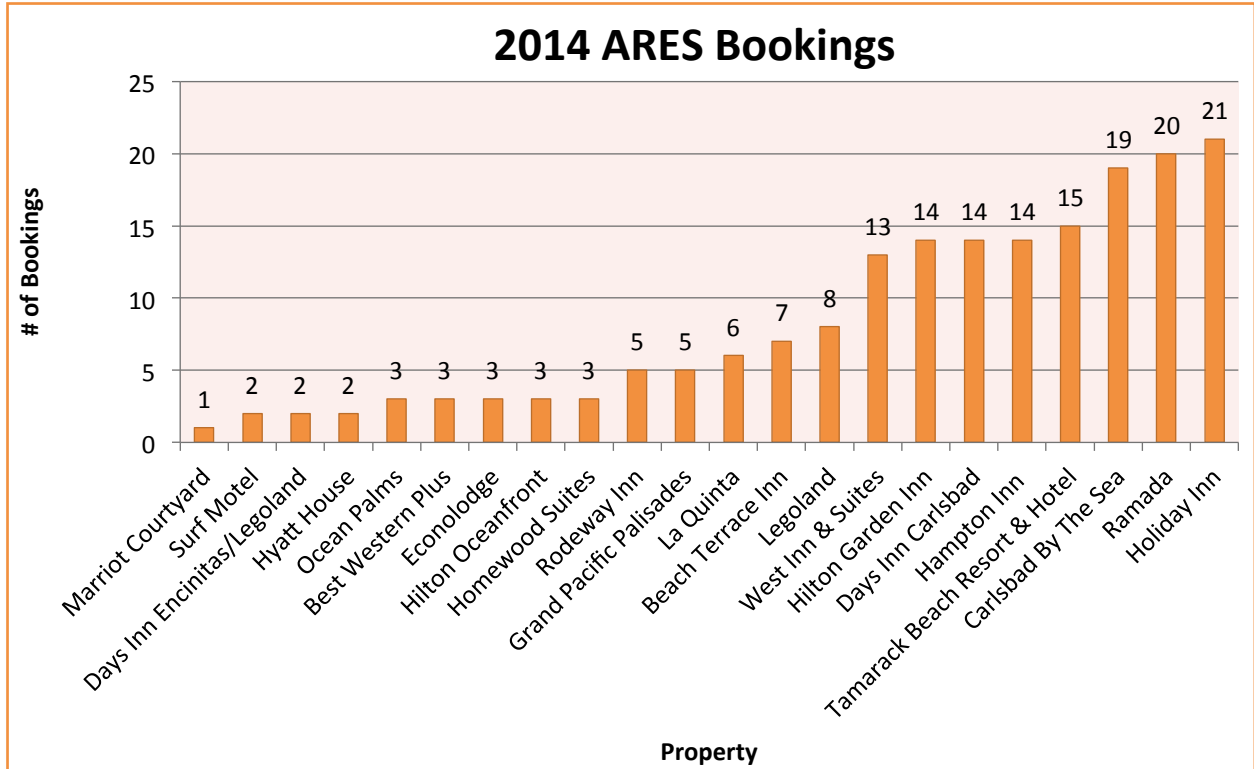
SAG recommends that a system is designed through specific offers and collaboration with the individual hotel web analytics to determine how many Visit Carlsbad website users made reservations through the hotels’ online reservations platforms.

SAG discussed potential approaches with Mindgruve for the ability to track actual conversion from the Visit Carlsbad website. The following recommendation was developed in collaboration with Mindgruve.

It is recommended that current individual hotel Google analytics are evaluated to determine goal tracking around bookings. Filters can be created specific to Visit Carlsbad referring traffic to view the number of conversions. The hotels will need to give access to this data, but once set up, an automated report can be created that can detail specific results to the stakeholders.

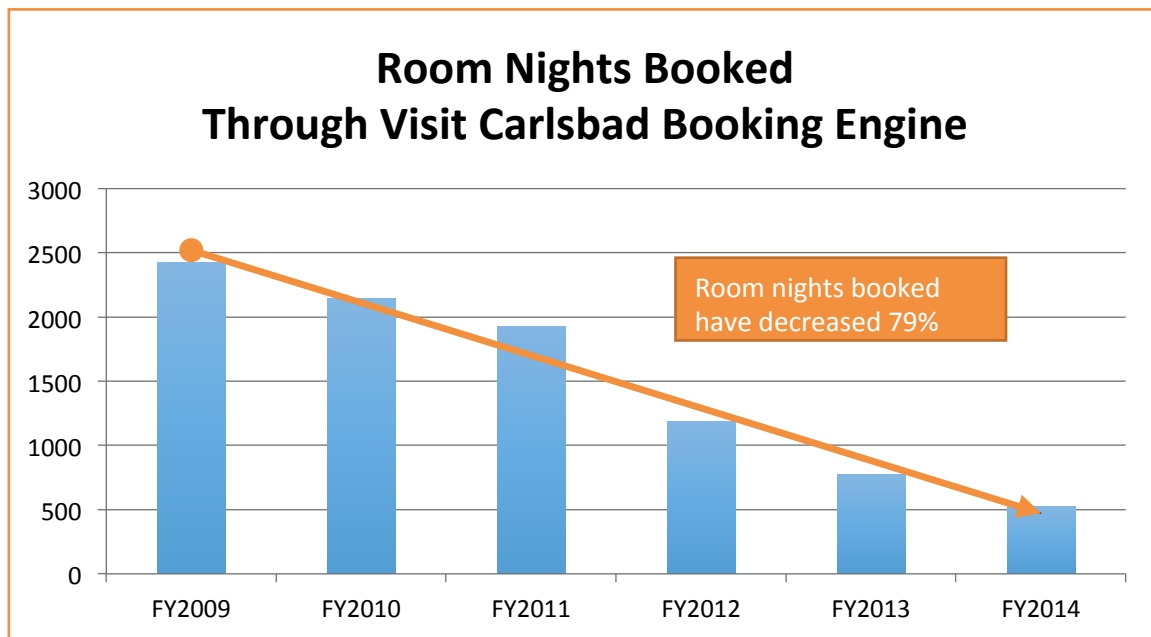
Booking Engine

While a DMO booking engine is only one vehicle that a visitor can use to reserve hotel rooms in Carlsbad, the utilization can be an indicator of the success of a campaign or overall effort. Visit Carlsbad has contracted aRes Travel which supports the booking engine on the Visit Carlsbad website. The following is a breakdown of the hotel bookings made through the booking engine in 2014.



The total reservations that have been booked year to date is 186 and the total room nights are 424. This represents less than .001 percent of the unique visitors that have visited the website in 2014.

The following chart shows the past five years of room nights booked through the booking engine:



SAG recommends using the activity on the booking engine as a performance measure. A goal would be set annually to review growth in the booking engine activity. The recommended shift in marketing focus will position the booking engine more predominantly in the reservation process.

Package/Experience Sales

An active package sales component is an important aspect of an effective leisure sales and marketing plan. The data that has been supplied from the research gives an indication of the priority leisure markets and their interests. SAG recommends that packages are created that are focused on driving new targeted visitors during the shoulder periods. These packages can also be utilized directly by the hotels in their reservations platforms.

Year to date 2014 package sales are as follows:

Package Name	# Sold	Total Amt	Room Nights	Tickets
The Ultimate LEGOLAND® Family Fun Vacation	24	\$22,161.63	63	108
The Best of San Diego! Fabulous Four Combo Package	2	\$2,510.00	10	16
Romance Package - Holiday Inn Express and Suites Carlsbad Beach	1	\$445.00	3	0
Go Wild at the San Diego Zoo Safari Park - Holiday Inn Express and Suites Carlsbad Beach	1	\$1,272.65	5	4

There were 28 “trackable” packages sold in the first 10 months of 2014, which accounted for 81 hotel room nights. In combination with a newly focused direct marketing campaign, this number will grow in the future.

Deals Page

SAG also reviewed the “trackability” of the Deals Page on the Visit Carlsbad website and found that the click through rate (CTR) was low. During the 2014 calendar year the CTR for the deals page was .07% with the total page views at 648 and the total click throughs to the unique pages at only 51. This underscores the opportunity to monitor referral activity and adjust offerings on an on-going basis.



Visitor Services – Visitor Experience Sales and Service

Currently the Visit Carlsbad Information Center functions as an information and fulfillment operation for a visitor who walks in, calls in, or makes an online request for information. Year-to-date in 2014, the Visitor Services team has handled 8,360 inquiries. The Information Center has brochures from the attractions in Carlsbad and the San Diego region.



SAG recommends that the Visitor Information function evolve to Visitor Experience Sales and Service. The focus of this area will be to handle any inquiry as a “lead” and work closely with potential visitors to “convert” them to actual overnight visitors through directly booking future stays and packages. This will also be accomplished through referrals with follow up and confirmation. Destination software packages have the capability to support this type of effort. SAG has recommended the implementation of new software.

SAG recommends that goals are set for both inquiries and room night conversion from the Visitor Services efforts.

Goal Setting – Leisure Sales and Marketing

The overall recommendations for Leisure Sales and Marketing create the opportunity to set annual quantitative conversion goals. SAG has created preliminary goals for the first year of the new direction.

The following is a chart that depicts the components of annual goal tracking:

Activity	FY2014 Actual	FY2015 Goal
Package/Experience Sales	81	1,100
Booking Engine Hotel Bookings	424	1,500
Online Referral Room Nights	NA	750
Visitor Experience Sales and Service – Inquiries /Room Nights	NA	250
Total Room Night Goal – 2015		3,600

The projected 3,600 new “trackable” room nights assumes the approval of the recommendations in February and the ability to have new targeted marketing efforts in full implementation by March 1st.

Public Relations

SAG had informational meetings with the current public relations contractor to understand the current activities. DCI was very informative and helpful in gaining an understanding of current activities.

The following is an illustration of the metrics that are currently used in measuring success and a sampling of the publications that are targeted for Carlsbad news.

PUBLIC RELATIONS	
Total Impressions:	37,465,502
✓ Broadcast Impressions:	3,518,406
✓ Print Impressions:	521,000
✓ Online Impressions:	33,426,096
✓ Advertising Equivalency:	\$830,862
✓ Return-On-Investment: Ad Equiv/ (\$5,000 x 12)	14:1
Key Message Dissemination	
✓ Carlsbad: California's Quintessential Oceanside Getaway	3,019,491
✓ In Carlsbad, LEGOLAND Anchors A Week of Family Fun in SoCal	9,262,408
✓ Carlsbad: Fostering Healthy Living Since 1882	28,023,050
✓ Carlsbad Woos Corporate Execs with Accessible, Pro Quality Golf	14,050
Call To Action Placement	
✓ visitcarlsbad.com	26,744,392
✓ 1-800-227-5722	102,028



The current four top line measures of success are:

1. Return on investment
 - a. Ad Equivalency / DCI Contract Amount
2. Circulation/Impressions
 - a. Verified circulation from media where PR efforts drove Carlsbad articles or features
3. Advertising Equivalency
 - a. The cost of the PR placements if they were to be purchased as advertising.
4. Call to Action
 - a. The level of activity driven from PR efforts on the Visit Carlsbad website.

The overarching goal of the current PR efforts is to increase awareness of Carlsbad nationally in a wide variety of travel related media, as well as general media. The illustration above shows the variety of media where Carlsbad has received publicity in conjunction with the current PR efforts.

SAG Recommendation – Focused Public Relations

In conjunction with the overall focus on key markets and with an emphasis on the shoulder periods, SAG recommends a focused approach to public relations. This will include gaining an understanding for the most effective vehicles to drive awareness to the target market segments. The Nielson Lifestyle Segmentation research indicates the most popular vehicles for reaching the key segments and with that information Visit Carlsbad can deploy public relations efforts in a targeted manner. This will contribute to a more focused plan going forward. The proposed budget has a smaller allocation for PR however a more targeted approach that will create more awareness in the top market segments.

Conclusion – Leisure Sales and Marketing

There is an opportunity to re-focus the future efforts in leisure sales and marketing for Carlsbad. The research has identified the top segments to pursue to increase shoulder period visitation. The development of Carlsbad experiences that will raise awareness and create specific options for the targeted market segments create an effective and measurable approach for the future.

The recommended refocused targeted approach will be effective in driving increased awareness to the targeted markets while resources are reallocated for the development of the group sales and marketing plan.

Group Sales and Marketing

The input received in the stakeholder focus groups as well as the review of competitive destinations mix of visitors uncovered the need to study the potential of conventions and meetings as a future target for tourism marketing. Currently, Visit Carlsbad utilizes empowerMINT (a subscription to the MINT database) to procure RFPs for group business through visitcarlsbad.com. Below are the 2014 leads generated through the Visit Carlsbad website:



SAG met with Visit Carlsbad’s executive director along with the City’s economic development manager and the Directors of Sales (DOSes) for the hotel properties that have larger amounts of meeting space in order to gain their insight on the potential of the group market and how tourism resources could be utilized most effectively. As is the overall recommended strategy of this report, the focus was to understand the current group sales efforts and the potential to focus future efforts on increasing the Shoulder Season visitation. The DOSes were very interested and supported a recommendation to work together on behalf of Visit Carlsbad to market the destination.

The following Carlsbad hotel leaders have participated in this process:

1. Vikram Sood, Hilton Oceanfront Resort & Spa
2. Julie Zahner, Sheraton Carlsbad Resort & Spa
3. Patsy Bock, Omni La Costa Resort & Spa
4. Jason McLaughlin, Park Hyatt Aviara Resort
5. Michael Swyney, Hilton Oceanfront Resort & Spa

The opportunity in creating a new group sales and marketing effort is to determine how to implement an approach that is complimentary to the current sales efforts of the individual hotels and resorts. SAG facilitated a discussion with the DOSes to determine how to create a new effort that was focused on raising awareness and bringing new groups that were not already being marketed and sold by Carlsbad hotels. This is a common concern for other destinations. The consensus was that the new group effort must be very open and transparent to allow for the oversight committee, in conjunction with Visit Carlsbad, to monitor and re-focus the business development efforts on a monthly basis. The recommendations in this area have been developed in conjunction with the participating DOSs.

The following are key components of the recommended new approach to attracting new group business to Carlsbad:

Oversight

An oversight committee will be formed as a committee of the Board of Directors. This committee will be made up of the hotels with meeting space which can provide expertise and support in the development of a successful group sales and marketing program. This committee would monitor progress on a monthly basis as well as review and recommend the group sales budget and goals. The level of engagement of this committee will have a direct impact on the success of the program. The goal is that this group sales initiative will be a collaborative process.

Goal Setting

The goal setting process will include initial research by the Visit Carlsbad Business Development Manager with review by the Executive Director. The goals will then be presented to the oversight committee for review and recommendation for the goals to be presented to the Visit Carlsbad Board of Directors and the TBID Board of Directors.



Metrics

The primary metric for success of the group sales effort is definite room nights booked as a result of the sales and marketing efforts. The tracking of these room nights will require collaboration between the hotels booking the groups and Visit Carlsbad. Other important metrics will include the number of qualified leads generated as well as the number of new customers that have come to Carlsbad to learn about the destination from a meetings standpoint.

Key Group Sales Metrics

- *Definite Room nights Booked*
- *Qualified Leads Generated*
- *New Customers coming to Carlsbad*

Staffing

The recommended approach to staffing is the hiring of a Business Development Manager as a full time employee of Visit Carlsbad. This position would report to the Executive Director and be responsible for the driving awareness of Carlsbad as a meetings destination and identifying new customers in identified markets to bring to Carlsbad.

The job functions of this position would include:

1. Researching and developing the list of top group markets for Carlsbad
2. Developing an annual plan for external marketing events
3. Prospecting for new clients who have potential for Carlsbad
4. Organizing Familiarization trips to bring new clients to Carlsbad
5. Creating and implementing an awareness plan, including direct marketing
6. Coordinating a targeted PR effort for the Group Market
7. Developing a group database for Visit Carlsbad
8. Developing a group “Brand” for Carlsbad
9. Developing an approach to present the group experience in Carlsbad through a virtual presentation
10. Developing a complete online space for meeting planners that will include tools and meeting space specifications for all Carlsbad meeting options

This position would have the title of “business development” to signify that the role would be to work on uncovering new customers for Carlsbad and then coordinating with the hotels for the actual closing and contracting of business. The position would be measured based on the number of groups that actually booked Carlsbad from the new sales and marketing efforts. This makes it very important that there is a coordinated approach to tracking the new customers and whether they held a meeting in Carlsbad.

Meetings that take place from Sunday through Wednesday during the previously mentioned shoulder period (September through March) will be a primary focus of this new effort.

Vertical Markets

SAG recommends that there is a facilitated session in conjunction with the sales department to finalize the top vertical markets for Carlsbad. The DOS’s have reviewed the current business mix and the following are the preliminary list of key group markets for Carlsbad:

1. Biotech
 - a. Medical device industry
 - b. Lifestyle companies
2. Sports business – examples: SKLZ*, Golf Manufacturing Companies
3. Retail – Corporate - example: Reef*
4. Incentive
 - a. Pharmaceutical
 - b. Financial
 - c. Insurance
 - d. C-level
5. Social, Military, Educational, Religious and Fraternal (SMERF)

6. Healthcare/Hospitals

**SAG understands that both SKLZ and Reef are current clients bringing group business to Carlsbad hotel properties. These companies are good examples of markets that work in Carlsbad.*

The importance of finalizing the top vertical markets is to give direction for the new sales efforts and where to focus resources.

Initial Demand Review

SAG conducted a search of the industry national meetings database (Mint) and found that there are 2,300 groups that have met in Southern California with a peak room night requirement of 25 – 500 rooms. This is an indicator of strong demand and opportunity for group business in Carlsbad.

Technology

It is also recommended that Visit Carlsbad obtain an effective Sales and Marketing software platform to support the new effort. The development of a database of contacts that have been identified as having potential for Carlsbad as well as the ability to develop targeted direct marketing programs are two examples of the benefit of an effective sales software platform. SAG has contacted an industry software supplier who has given a preliminary budget estimate that has been factored into the budget below.

SAG also recommends that Visit Carlsbad continue to be a subscriber to MINT. MINT is an industry driven database with over 40,000 meetings from 20,000 organizations. This will be an important tool to support the prospecting efforts. The cost for the subscription is \$5,000.

Budget

The following is an initial draft of the budget for the first year of the new Group Sales and Marketing effort:

Staffing – Business Development Manager (total with benefits)	\$150,000
Familiarization Trips (two trips annually)	\$20,000
Sales Calls	\$15,000
Technology/MINT	\$15,000
Website Development	\$20,000
Digital Sales Tools (photos, video)	\$20,000
E-marketing	\$7,500
Total	\$247,500

As noted in the introduction, this represents approximately 50% of the available budget dollars. It is recommended that this budget is finalized as part of the implementation plan.

Goals Setting

SAG has reviewed a preliminary approach to setting goals for the new sales and marketing effort. There will be a period of time needed for organizational items. The following is an approach to setting goals for the first full year of operation:

Activity	Frequency	Desired result
Familiarization Trips	2 in the first year	20 qualified new clients annually to attend
External Events/Shows	1 in the first year	15 new qualified clients annually
Business Development Activity	Ongoing throughout the year	60 new qualified clients annually (5 per month)
Direct Marketing	3 awareness campaigns annually	30 new qualified clients annually
Total new qualified clients - first year:		125
Total Room Nights Booked – first year:		1,875

Each client represents 150 total room nights on average.

The new qualified clients represent 18,750 new room nights.

The percentage of new clients who have been exposed to Carlsbad who will book in the first year is projected at 10%.

The first year of the new Sales and Marketing effort will generate 1,875 new room nights. This number will grow in future years as more qualified clients are added to the database and book meetings in the future.

Raising Awareness of Carlsbad as a Group Destination

Together with the business development recommendations, the new Group Sales and Marketing effort must focus on how to raise awareness of Carlsbad as a meetings destination. In conjunction with the identified markets that will produce the highest return, a focused plan must be finalized that will move Carlsbad to a group's destination of choice.

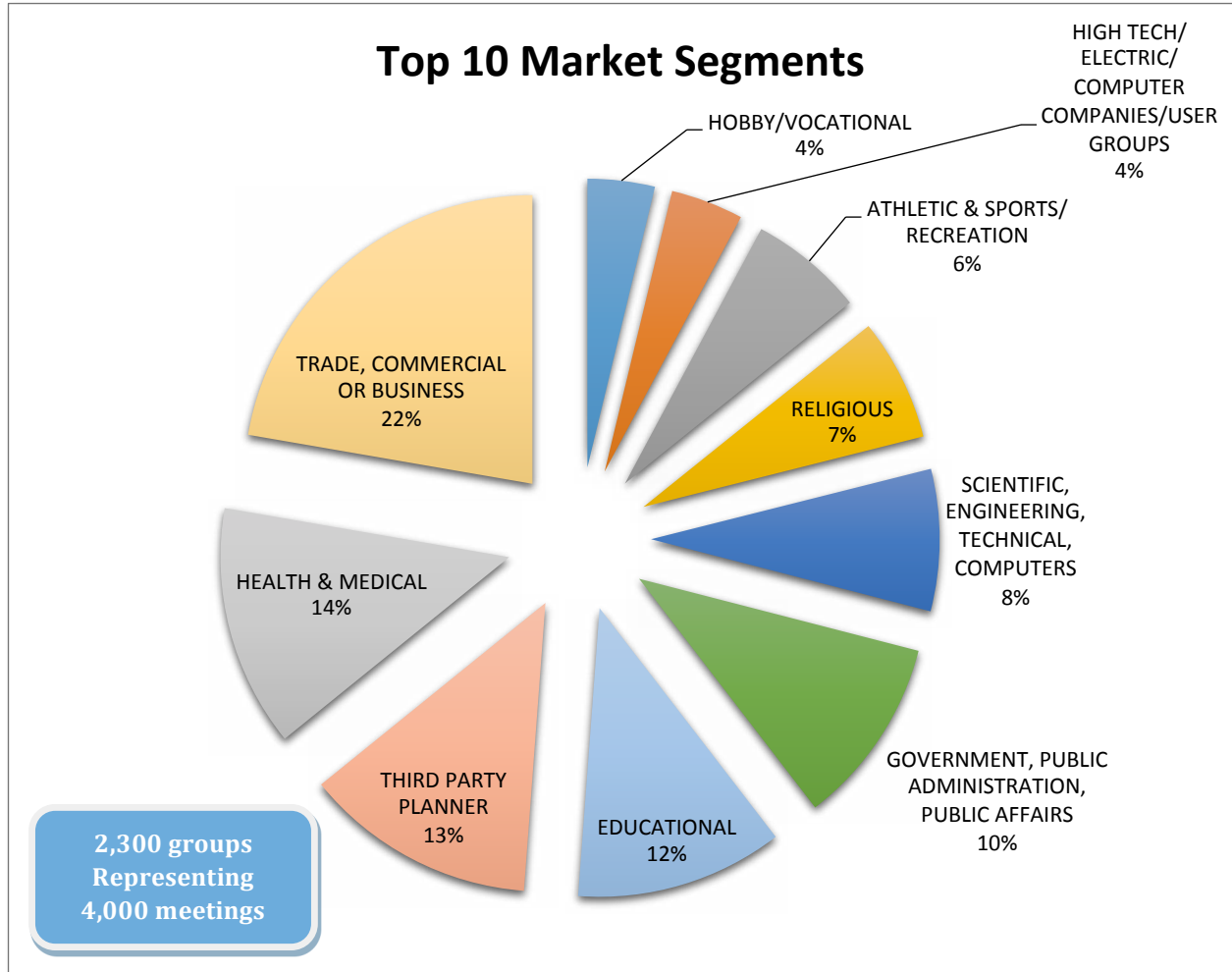
Components of the approach to increase awareness will include:

1. Social Media
 - a. The social media platforms can be used to target meeting planners.
2. Direct Marketing
 - a. The development of a qualified client database will create a platform for an ongoing direct marketing effort. A consistent effort will keep Carlsbad top of mind with targeted meeting planners.
 - b. The customers found in the MINT database should also receive a direct marketing piece re-introducing Carlsbad as a meetings destination.

SAG has conducted surveys of over 10,000 meeting planners and the most recent surveys point out the need to create meaningful attendee experiences. This includes the attendee understanding the “brand” of the destination and experiencing the unique attributes as part of the overall meeting plan. The further development of the Carlsbad brand and unique experience for the group market will be an integral part of the first year.

Group Demand for Carlsbad

SAG, in conjunction with Visit Carlsbad, conducted a search of the MINT database to gain a preliminary understanding of the group demand for Carlsbad. The parameters for the search were groups that needed 25 to 500 rooms on their “peak” night and had met in Southern California (and the central coast). The following chart shows the breakdown of the market segments of the groups that met these criteria as a result of the MINT search:



The breakdown of market segments demonstrates that many of the segments correspond to the segments identified by the hotel Directors of Sales who participated in the development of the Group Sale and Marketing Plan. The overall universe of 2,300 groups representing 4,000 meetings demonstrates a significant market for future meetings in Carlsbad.

Carlsbad Conference Center

There is an opportunity to explore the feasibility of a Conference Center being built in Carlsbad. There are many factors to consider in determining if a conference center would have an overall positive impact for Carlsbad. Those factors include the availability of a suitable site, a concentration of hotel rooms to create a viable room block within close proximity, sufficient demand, adequate funding and a viable ownership and operating model.

SAG conducted a search of meetings that had met in Southern California and required 500 to 1,000 hotel rooms simultaneously with an attendance of 800 to 2,000. These parameters were selected because these groups would need more than one hotel in Carlsbad and potentially a Conference Center for meeting space. The search produced over 750 groups, which indicates a large overall demand since the MINT database has relatively small percentage of the universe of meetings that would fall into this category.

*Large Group Demand
750 Groups identified in a national
meetings database*

The next steps are to determine if there are available viable sites and conduct a full feasibility study. It should be noted that there are a wide range of models and facilities that should be considered. A new facility could be developed that was flexible to handle multiple uses. This is important in attracting private investment. The feasibility study should take into account the combinations of uses from meetings and conferences to sporting activities and project the implications of different models.



Examples of multiuse facilities designed to host a wide range of events.

Conclusion - Group Sales and Marketing

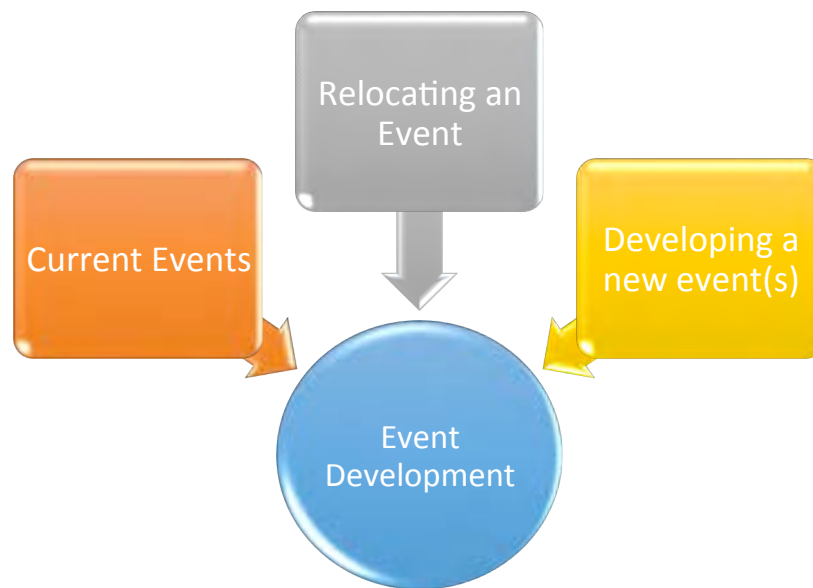
The development of a new and effective group sales and marketing plan will require the collective input and oversight of the Board of Directors, a designated committee, and Visit Carlsbad. The opportunity to recruit a new staff member and finalize the overall parameters is important in ensuring that the efforts are complimentary to the current group sales efforts of the Carlsbad hotels.

With this in mind, SAG recommends the development of a group sales and marketing plan as outlined above. With a successful effort, the definite room night bookings will grow significantly as qualified client databases are created and developed.

Event Development

The development of events that will bring visitors to a destination during periods of softer demand is an important aspect of a tourism plan. There are three approaches to consider in the development of an overall event plan:

1. Are there current events that could develop into stronger tourism events with support and resources?
2. Are there events in other destinations that would be successful in Carlsbad? Can Carlsbad entice the event organizers to relocate or create a similar event in Carlsbad?
3. Should Carlsbad develop its own signature event to attract visitors? Could a new event that was unique to Carlsbad have a larger impact on the Carlsbad brand?



SAG recommends that all three approaches are used in developing an annual event plan. The current grant program that is administered by the CTBID Board of Directors should support a new overall approach to event development. Visit Carlsbad, in conjunction with the CTBID staff, would present a proposal annually that would encompass the overall approach to event development and how it supports the overall direction of the marketing plan.

The current events that are funded through the CTBID grant process are:

	Date	Room nights generated	Attendance
2. Marathon	January 19, 2014	379	13,855
3. Carlsbad 5000	March 29-30, 2014	2,686	7,333
4. Film Festival	September 18-21, 2014	75 (La Costa)	4,500
5. Carlsbad Music Festival	September 19-21, 2014	n/a	3,500

Event Measurement and Reporting

It is critical to have a measurement and reporting plan for all events. This should include support for the event organizers in the best mechanisms to collect the data that is needed. SAG discussions with the CTBID staff indicated there was an opportunity to develop a consistent approach for the measurement requirements for events that receive support. SAG recommends the development of a required projection and measurement component as a requirement for all events receiving CTBID support.

Metrics would include:

1. Projected Attendance
2. Marketing Plan Metrics
 - a. Traditional Advertising Reach
 - b. Online activity
 - c. Social Media reach
3. Room Nights Generated – Tracking Method
4. Economic impact – (pre-approved formula)
 - a. Direct Spending
 - b. Tax Generation

The implementation of an event development plan will have quantitative goals. The data was not available for all of the currently funded events. This goal needs to be developed in conjunction with the overall annual goals.

In the area of larger event recruitment, a goal of one new large event every two years would be aggressive, yet achievable. SAG recommends establishing a goal for ongoing event development.

The Carlsbad Experience

The development and prioritization of the Carlsbad tourism product is an integral part of the long-term strategic plan. The following are recommendations related to opportunities to continue to develop and enhance the overall visitor experience in Carlsbad.

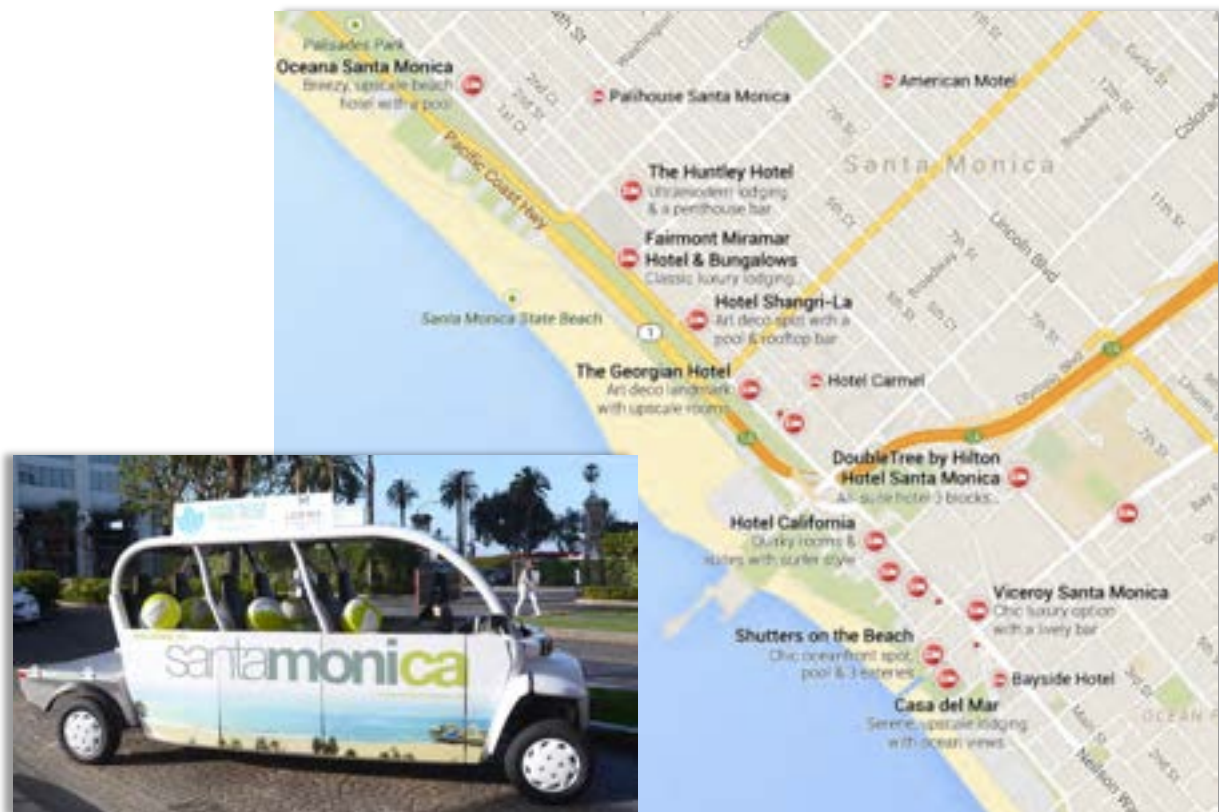
The results of the research highlighted the fact that after the beach and LEGOLAND, the recognition of other attractions or amenities dropped off significantly. The opportunity going forward is to determine the highest priorities and development of funding and recruitment plans.

The following are opportunities SAG recommends for future capital and marketing investment.

Transportation System

The development of a transportation system to connect key points of interest such as the Carlsbad Village, retail, and hotels would provide an opportunity for visitors to experience Carlsbad without driving and navigating parking. This system could be funded through multiple businesses and business districts.

Competitive destinations have launched and implemented shuttles and services for tourism purposes to accommodate visitors transportation needs. Santa Monica is a good example of a hotel-sponsored tourism shuttle that was launched in May of 2014. The Santa Monica shuttle is free to visitors and its route covers Downtown Santa Monica, the Santa Monica Pier, Main Street, and Montana Avenue areas and is available at select hotels. Pedestrians can flag down the vehicles to be transported within the service area. The service runs seven days a week from 11:30am until at least 8pm, later on weekends and for special events.



Carlsbad Lagoon – Agua Hedionda

The Agua Hedionda and neighboring lagoons create an opportunity for a new experience and are currently a fairly popular visitor experience. The below graphic delineates the different entities which currently have rights to areas of the Agua Hedionda Lagoon.



Based on research and stakeholder conversations, there are questions surrounding the rights and ownership of different parts of the Lagoon. Following is a description of each entity that operates on the lagoon and their rights to the space:

- **City of Carlsbad** – The City does not own the land or the water but has the right to grant permits for motorboat usage.
- **California Watersports** – California Watersports is a private operator who pays rent to a private landowner to maintain his business on private land along the lagoon. California Watersports also pays the City \$1.00 per boat launch for individual boats and personal watercrafts. California Watersports is considered a vendor of the City because of the existing agreement in place.
- **NRG (Power Company)** – NRG claims ownership of the surface of the water of the lagoon.
- **YMCA** – The YMCA entry point is on the north side of the middle section of the Lagoon. The YMCA leases the rights to use the Lagoon from the power company (NRG). It is understood that the YMCA lease is on an annual renewal with a 60-day notice. In previous years, the City used to lease the space from NRG and sublease to the YMCA. The current agreement is directly between NRG and the YMCA.
- **Hubbs Sea World Research Institute** – The Hubbs Sea World Research institute owns the land where the building is located and claims ownership of the surface of the water of the Lagoon.

- **Carlsbad Aquafarm** – the Carlsbad Aquafarm is a private company that cultivates Mediterranean Blue Mussels, Pacific Oysters and Ogo for sale to wholesalers and regional restaurants. The Aquafarm also raises different “live feed” for the aquaria trade industry.
- **Carlsbad Desalination Plant** – The Carlsbad Desalination Plant is owned, operated and maintained by Poseidon and will be operational in 2016. The site of the desalination plant is a 6-acre parcel in a portion of the site that leaves the majority of the EPS property open for potential recreational or redevelopment activity.

The entities described above own, lease, or have access to the Lagoon and are all separate from each other. The current organization of the Lagoon lacks continuity and oversight. The City has an opportunity to negotiate and/or increase oversight in certain areas to improve the Carlsbad experience when it comes to visitors of the Lagoon. SAG feels strongly that the Lagoon is a unique asset to the community and the tourism industry and the City is positioned to capitalize on this opportunity. SAG would recommend the following steps to improve the tourism product of the Agua Hedionda Lagoon:

1. Increase the parameters and quality requirements of the contract with California Watersports. The City collects revenue from the vendor and has an agreement with the operator although the lease is to a private landowner. At the next opportunity, the City should require higher quality standards of the operator in order to clean up the site and increase the quality of the patron experience. In conjunction with this, Visit Carlsbad would collaborate in the development of the annual marketing plan to include the overall approach to promoting the lagoon as a visitor experience. Visit Carlsbad would also proactively obtain visitor feedback to evaluate the quality of services.
2. Begin discussions with NRG and the YMCA about the current agreement and the best way for the City to make improvements for tourism and access for visitors. While the YMCA is an important community organization, they currently have sole rights to the middle section of the Lagoon, which is not maximizing the asset from the City’s perspective. Based on SAG’s research, the lease with NRG is year-to-year, which presents an opportunity to the City to get involved either directly with NRG or sublease from the YMCA.
3. Invest in a capital project on the Lagoon to increase the visitor experience. SAG conducted research and through stakeholder conversations, learned that the YMCA’s portion of the Lagoon is largely empty and presents an opportunity for an investment. SAG recommends completing further due diligence on the opportunity to invest in a capital project such as a Cable Wake Park (pictured below). A Cable Wake Park is a tow line operated by an electric motor on a series of towers. This creates a course that riders on wakeboards, wakeskates, waterskis, and wakesurfs follow on a tow line. The courses can be changed and updated to allow for different levels of difficulty. There are only seven Cable Wake Parks in California and none along the coast. Carlsbad is uniquely positioned to host a Cable Wake Park and would be the only coastal California destination to have an asset of this kind. An investment in a Cable Wake Park would also diversify the Carlsbad tourism product because the age range for riders is typically older than the current target market. The minimum age for riders at most Cable Wake Parks is 8 years old. Typically riders are in their teens and older.

The following images show a Cable Wake Park and how it could impact the Lagoon product:



Conference/Convention Center

As mentioned in the previous section, SAG recommends conducting a more in-depth feasibility study to determine the viability of a conference/event center for Carlsbad. The preliminary demand analysis demonstrated a potential groups market for a conference center. The feasibility study should include site selection, flexible uses and the range of ownership and management models. This study could be completed in a cost effective manner with support from Visit Carlsbad in demand validation.

Carlsbad Village

The Carlsbad Village provides a central business district for visitors staying in all areas of Carlsbad to enjoy. SAG has reviewed the current collaborative marketing between Visit Carlsbad and the Village. This was illustrated in the low referral numbers from the Visit Carlsbad website. There is an opportunity to fully integrate the collective marketing resources and activities.



One important note in reviewing feedback received by visitors and stakeholders is that Carlsbad Village is not mentioned often as an “attraction” when describing Carlsbad as a destination. This could be due to the ongoing need to expand the experiences as well as a lack of a cohesive marketing approach to increasing awareness and driving visitation.

SAG met with Urban Place Consulting to gain additional insight on current activities. The Village has had capital investment in streetscapes, way finding and lighting. They have also developed an active event schedule as a tool to increase visitation.

The recent plan developed for the Village included the intent to have an ongoing collaborative relationship with Visit Carlsbad. SAG recommends that this is established in the future. The collaboration should include the development of a joint marketing plan annually and involvement in

both organizations by the Executive Directors. This should include participation in both boards of directors.

The Village is also undertaking the challenge of gaining support and ultimately creating a PBID designed to produce an ongoing funding stream to support future economic development activity as well as marketing. The suggested budget for the Property-based Improvement District (PBID) should be reviewed and supported by the tourism industry after any suggestions are made for modifications.

In 2014, there were 100 total web referrals from the Visit Carlsbad website to the Carlsbad Village website. This is an indicator of a future opportunity to increase the collaboration and cross promotional opportunities.

In the area of product development, the current capital requests that will have the greatest impact on the visitor experience in the village should be a priority for advocacy support by Visit Carlsbad. These would include items that will improve the look and feel of the Village. The ongoing development of the Village creates a more viable Carlsbad experience for visitors

SAG also reviewed the potential of a transportation system that would connect the Carlsbad Village to retail opportunities as well as hotels and spas. There was support for this and an interest in being involved with the development of a plan.

SAG recommends the following

1. A more collaborative approach to marketing including the development of an annual marketing plan
2. A determination of which proposed capital projects warrant support and have the highest tourism value.
3. Review and support of the current proposed PBID based on agreed upon funding strategies
4. Participation in Visit Carlsbad and the Carlsbad Village Association board of directors by each organization.

Beach Camping

Beach Camping is a popular activity in Carlsbad with over 200 spaces available on a daily basis. The program is administered by the State of California with rates ranging from \$35 to \$50 per day with second and third vehicles at \$15 each for entry. The opportunity exists to add landscaping and/or create new standards on the types of vehicles that are allowed on the site. Currently, the state-operated park is open year-round and experiences a similar seasonal swing the Carlsbad hotel properties experience. Reservations for beach camping are made through ReserveAmerica.com and can be made up to seven months in advance. Reserve America lists the following state-approved vendors for RV delivery: Albert's RV, Luv 2 Camp, MLG Enterprises RV Rentals, and Travel Time RV.

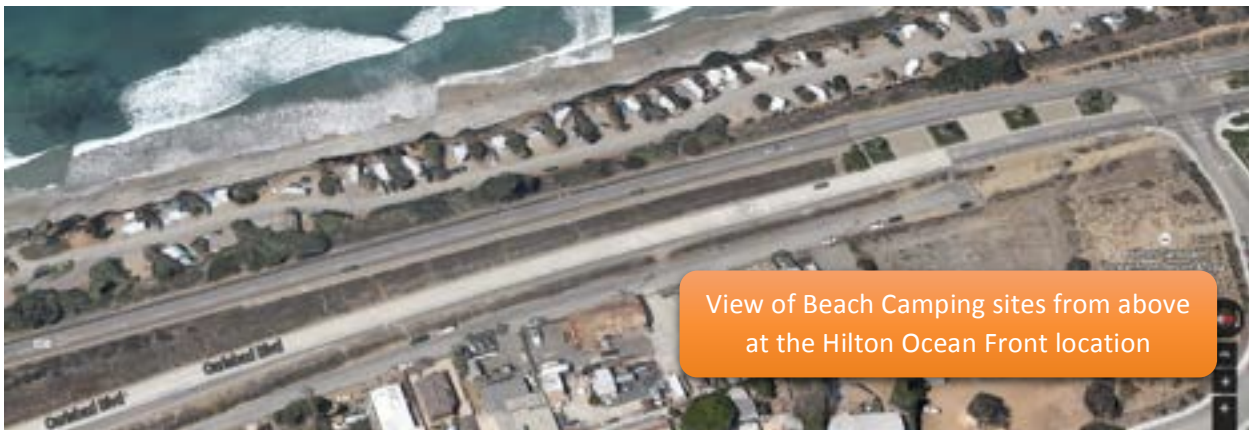
The State of California limits the size of RV's and campers to 35 feet in length. Each campsite can hold up to three vehicles and eight people. During the peak beach camping season (March-November), campers are limited to seven consecutive nights and must vacate the park for 24 hours before returning for additional nights. During the off season, campers are limited to 14 consecutive nights before having to vacate the camp. The maximum stay for campers is 30 days annually.

As of December 2014, over 80% of the campsites available to book are sold out. Historically, the beach camping reservations from June-August will be sold out by March. The images below show the length of the beach camping sites and also how the sites look from the nearby hotel properties:





Beach Camping



View of Beach Camping sites from above at the Hilton Ocean Front location



View of Beach Camping sites from street level at the Hilton Ocean Front location

Beach Camping is a valuable asset to Carlsbad and also presents a different type of product for different segments of visitors not staying in the hotels. SAG understands that while it is valuable to the specific segments it could, at times, have negative implications on hospitality properties on the beach and the overall beach experience. The view from an oceanfront room is not what guests expect when paying for an oceanfront view. This could have an impact on rates and the percentage of return visitors. SAG recommends the City begin dialogue with the California Department of Recreation and Parks to understand the City's rights in increasing guests' requirements and the City's ability to plant taller privacy shrubs and hedges in order to differentiate the spaces and provide an added level of quality for the patrons of the camp and the patrons of oceanfront hotel properties. SAG also recommends the CTBID facilitate further discussions with the State of California to increase the quality of the beach camping product to convert some of the RV sites to rental safari tents, yurts, mini-cabins, or furnished AirStream "retro" RVs. Similar products are currently offered in Santa Barbara. Packages developed in concert with the state could include partnerships with area hotels for spa services, dining experiences, etc. to further increase the beach camping product.

The recommendations delineated above, in conjunction with the current retail projects that are under development, will continue to advance Carlsbad as a destination. SAG recommends adopting these recommendations and determining the steps needed to begin the respective processes.

Governance

SAG has researched and developed several governance models in tourism organizations nationally. The funding models as well as type of organization are practical factors in determining the most effective approach. There are key principles to consider in determining the most effective governance model. These include:

1. Governance and Accountability
2. Financial Oversight
3. Legal Compliance and Public Disclosure

Effective Governance and Accountability

The success of the proposed approach will depend on the level of accountability and effective oversight of the governing body. This includes engagement and involvement in setting annual measurable goals and monitoring results on a regular basis.

Effective governance also includes industry leaders committing to invest the time in providing support and guidance to the executive director. There have been many stakeholders who have expressed interest in the future of tourism in Carlsbad. The success of the implementation of the recommendations will also depend on the level of commitment from the tourism industry in accepting governance roles and actively participating.

Strong Financial Oversight

The fiscal oversight of the resources allocated to Carlsbad tourism is an area of focus in effective governance. This includes the compliance with General Accepted Accounting Principles (GAAP) as well as instituting processes to evaluate the effectiveness of key expenditures. SAG's recommendations include significant re-allocation of resources with an emphasis on key metrics and a focus on monitoring quantitative results. The governing body must actively participate in the development of this approach to ensure success.

Legal Compliance and Public Disclosure

The area of legal compliance is generally overseen by a board and outside legal counsel working collaboratively with the City Attorney. The area of public disclosure includes the importance of communicating the results of the tourism efforts in a manner that is easily understood by a broad base of stakeholders. An effective governance model will monitor industry communications and solicit input on the overall effectiveness of this effort. The feedback that has been received in this process indicates a need to increase and focus future communication.

These areas point out the importance of an active and effective governance approach for the future of tourism. The current model creates a scenario where there are effectively two governing boards. Below are the current stated purposes of the CTBID and Visit Carlsbad:

Current stated purpose of the Carlsbad Tourism Business Improvement District (CTBID)

- *To administer marketing and visitor programs to promote the City of Carlsbad as a tourism visitor destination and to fund projects, programs, and activities, including appropriate administrative charges that benefit hotels within the boundaries of the District.*

Current stated purpose of Visit Carlsbad

- *The main purpose of the Carlsbad DMO is to execute an annual business plan on behalf of the City of Carlsbad Tourism Business Improvement District (CTBID). The DMO shall target commercial and leisure travelers and other potential hotel guests in order to stimulate demand of Carlsbad's hotel community and other services. This business will result in direct commercial benefit of the tourism community and will indirectly benefit the City of Carlsbad and its citizens. The DMO's vision for Carlsbad is to become a well-recognized travel destination in California and a preferred family destination in the Southern California Region.*

In review of these two statements above it is clear that the CTBID and Visit Carlsbad have very similar purposes. Both governing bodies are responsible for the oversight of Tourism Marketing for the City of Carlsbad. This includes the fact that both boards approve the annual marketing plan and budget for tourism expenditures.

Boards of Directors – CTBID and Visit Carlsbad

The following are current members of the CTBID Board:

- Hector Becerra, Holiday Inn Carlsbad by the Sea
- Bill Canepa, Hilton Garden Inn Carlsbad Beach*
- Larry Magor, Omni La Costa Resort and Spa*
- Kim Akers, West Inn and Suites*
- Nancy Nayudu, Pelican Cove Inn Bed & Breakfast
- Timothy Stripe, Grand Pacific Resorts*
- Vacant Position, Park Hyatt Aviara Hotel

Updated January 2015

The following are current members of Visit Carlsbad Board of Directors:

- Mike Swyney, Hilton Garden Inn Carlsbad Beach*
- Patsy Bock, Omni La Costa Spa and Resort*
- Julie Zahner, Sheraton Carlsbad Resort & Spa*
- Peter Kock, LEGOLAND California
- Jason McLaughlin, Park Hyatt Aviara Resort*
- Linda Hopkins, West Inn & Suites
- Janissa Reyes, Carlsbad Premium Outlets*

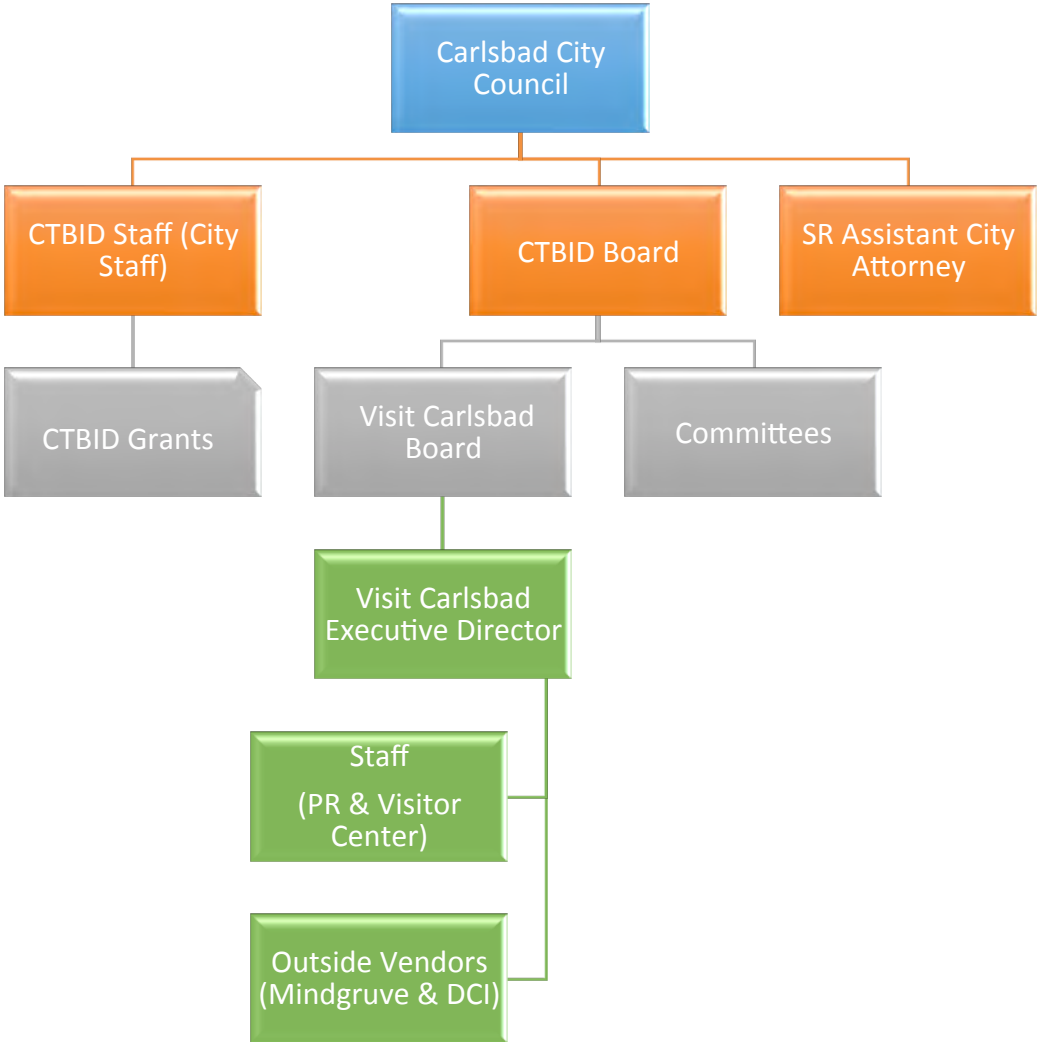
**Board members from the same organizations
Updated January 2015*

The composition of both Boards of Directors is primarily hotel industry leaders and those designated above are members who come from the same organization. This indicates a potential opportunity to create a singular governing body with committees that are focused on the key areas for Carlsbad tourism. This would concentrate the oversight of the key planning tools and overall accountability with one Board of Directors. This restructuring would also allow for industry leaders to focus on specific sales and marketing initiatives through a committee structure. In the proposed structure, the respective entities would remain separate, however they would have common oversight.

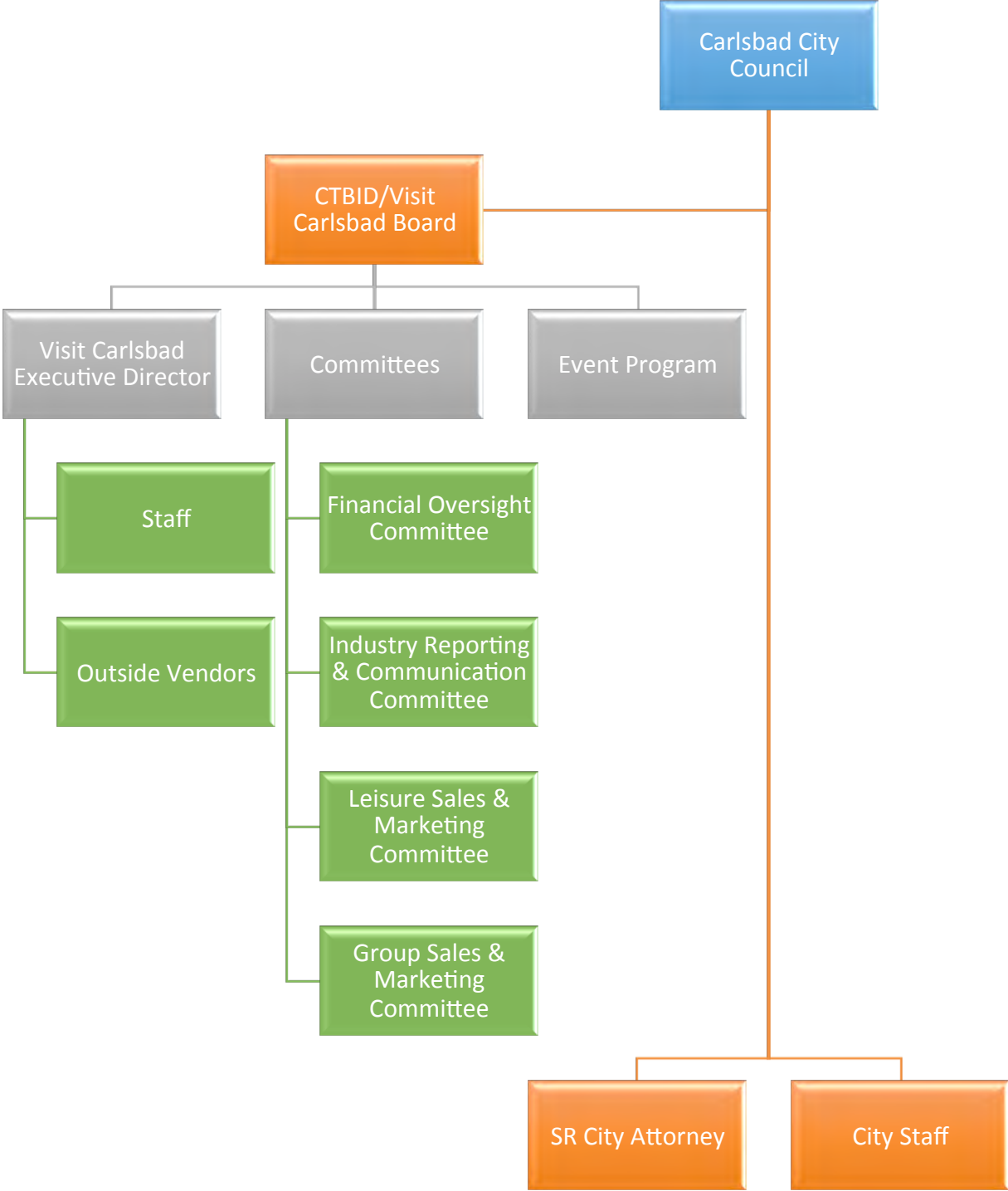
Another benefit of a streamlined governance model is the increased opportunity for the Visit Carlsbad staff and City staff to collaborate in supporting agreed upon tourism initiatives.

Four committees are recommended to focus on financial oversight, industry reporting and communication, leisure sales and marketing, and group sales and marketing.

Current Governance Model – Carlsbad Tourism



Recommended Future Carlsbad Tourism Governance Model



SAG recommends the implementation of the above illustrated governance model. This will streamline the oversight of tourism marketing activities and increase the opportunity for active involvement in key initiatives as part of effective implementation and on-going success.

Budget

The recommendations contained in this report relative to future sales and marketing initiatives can be implemented within the current resources of the CTBID and Visit Carlsbad. The proposed increases in funding create the opportunity to increase the penetration in targeted markets and develop a capital fund to support product and event development.

The following is an overview of the proposed budget that encompasses the sales and marketing recommendations

Highlights of these recommendations include:

Develop a Group Sales and Marketing Effort

The proposed budget takes into account the resources needed to develop a Group Sales and Marketing initiative. The approach creates an equal division of resources between Group Sales and Marketing and Leisure Sales and Marketing.

New Position – Business Development Manager

The proposed budget has an added senior position. The proposed Business Development Manager position is outlined in the groups sales and marketing section of the report. This senior level position would be responsible for the oversight and execution of the group sales and marketing plan as well as a focused approach to group business development.

Refocus of Leisure Sales and Marketing

The overall resources dedicated to Leisure Sales and Marketing have been reduced and refocused on direct marketing. There is an increase in resources tied to Direct Marketing and the creation of Carlsbad experiences and packages. There is a reduction in the resources allocated to awareness campaigns and a reallocation of resources tied to Search Engine Optimization and Social Media Management.

Targeted Public Relations Effort

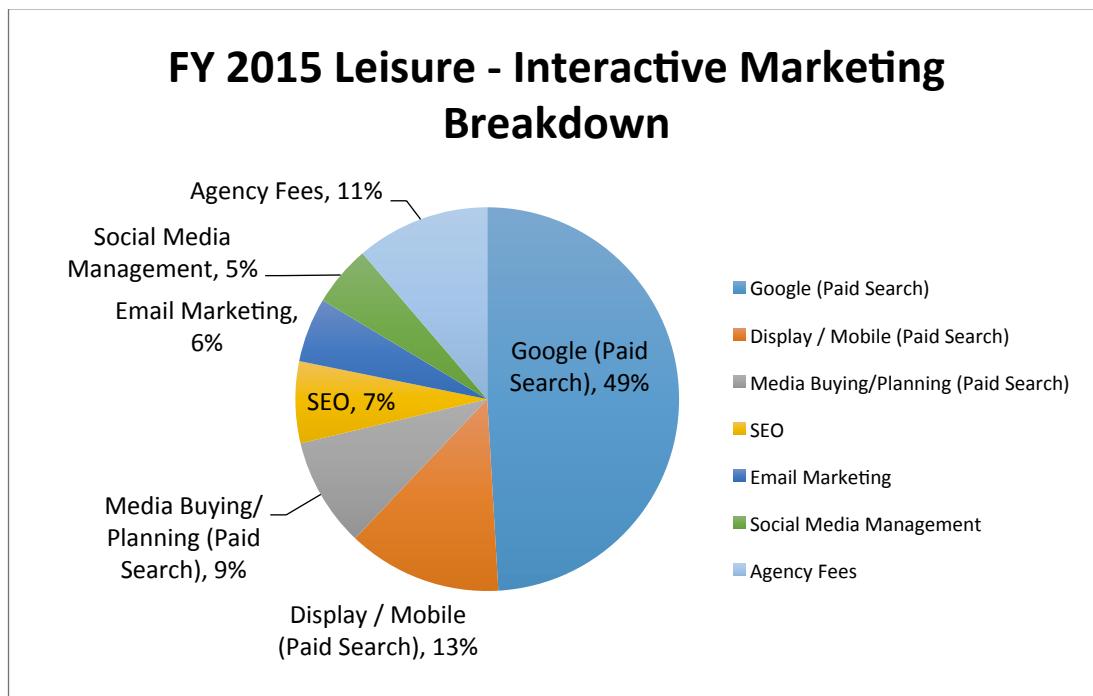
The budget has been reduced and the recommendation is to focus all PR efforts in the vehicles that are effective with the targeted audiences in both the leisure and group sales efforts.

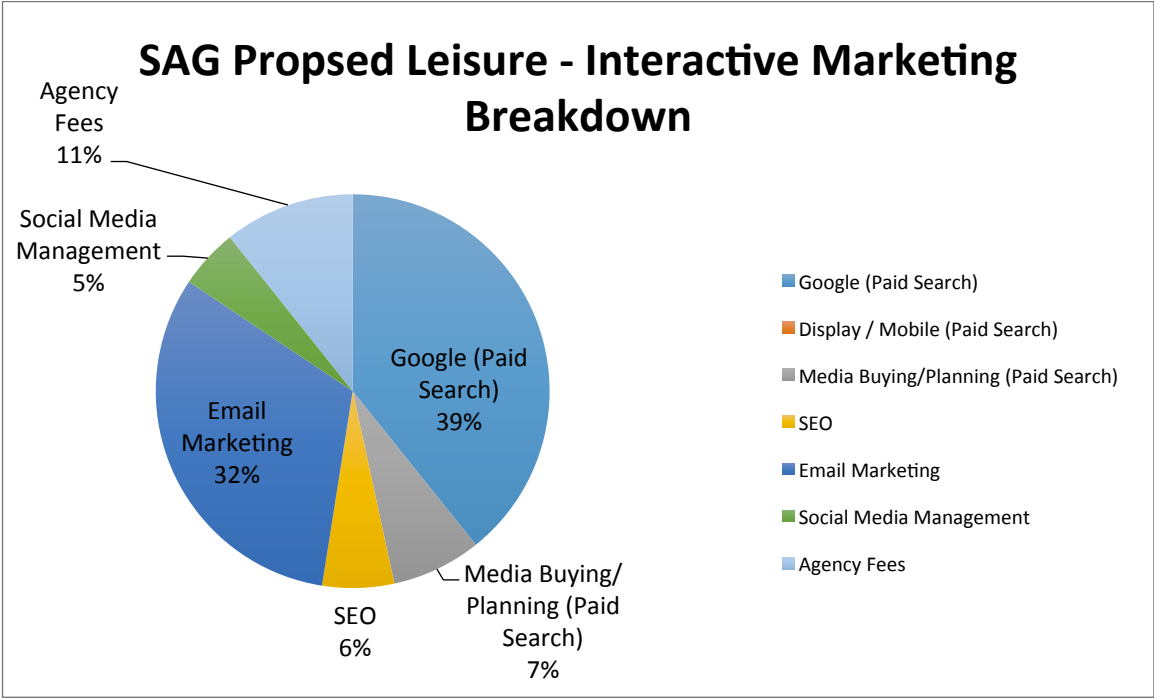
Research

The proposed budget has an increase in annual resources for research. This will enable Visit Carlsbad to refine target markets on an annual basis.

The chart below is a summary of the reallocations of the current Visit Carlsbad budget to support the implementation of the recommendations.

Leisure – Interactive Marketing Breakdown			
	Visit Carlsbad FY2015	SAG Proposed	Variance
Leisure-Interactive Marketing	331,609	182,000	149,609
• Google (Paid Search)	162,737	80,000	82,737
• Display / Mobile (Paid Search)	43,155		43,155
• Media Buying/Planning (Paid Search)	30,555	15,000	15,555
• SEO	22,807	12,000	10,807
• Email Marketing	18,000	65,000	-47,000
• Social Media Management	17,000	10,000	7,000

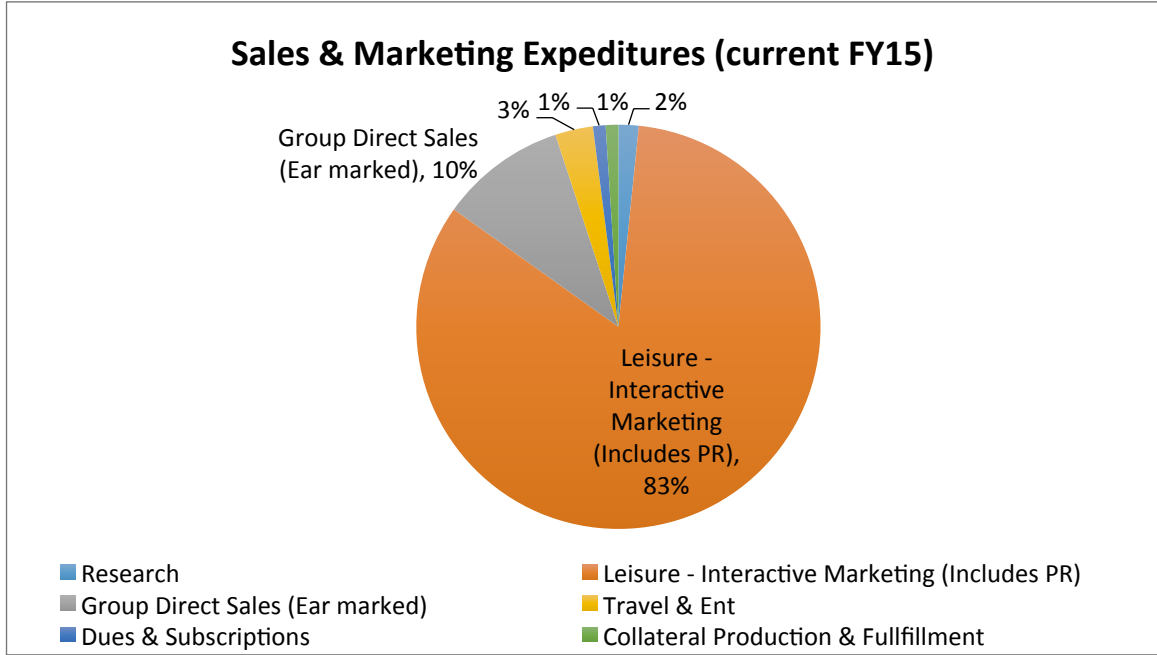


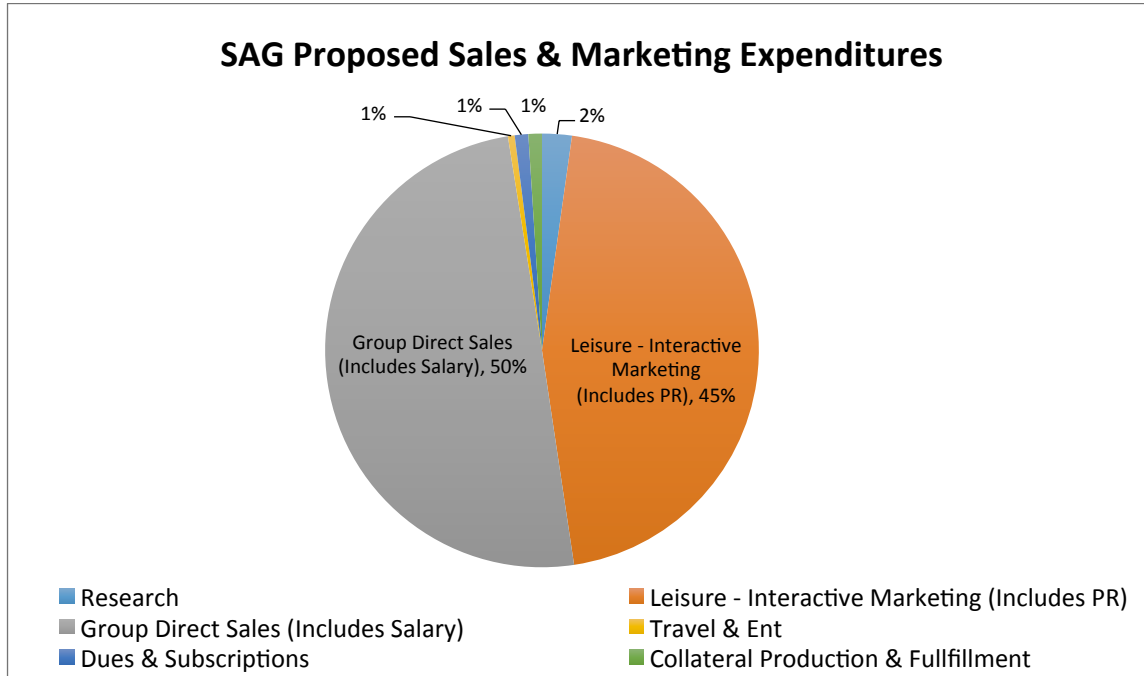


The charts above reflect the shift in focus for future Leisure Sales and Marketing. This reflects the shift to a direct marketing approach with a smaller budget that is focused on the shoulder periods.

Overall Sales and Marketing Expenditures

The following charts demonstrate the overall shift in resources from the current budget to a proposed reallocation of resources to support the overall recommendations





The charts above and the table below reflect the proposed shift in resources.

Current FY15 Promotional Programs Breakdown		SAG Proposed Promotional Programs Breakdown	
Research	8,000	Research	11,000
Leisure -Interactive Marketing (Includes PR)	412,609	Leisure - Interactive Marketing (Includes PR)	225,500
Group Direct Sales (Earmarked)	50,000	Group Direct Sales** Includes Salary	247,500
Travel & Ent	15,000	Travel & Ent	2,500
Dues & Subscriptions	5,000	Dues & Subscriptions	5,000
Collateral Production & Fulfillment	5,000	Collateral Production & Fulfillment	5,000
Total	\$495,609	Total	\$496,000

It reflects a 50/50 allocation of resources between the group and leisure group sales and marketing activities. SAG recommends this allocation in conjunction with stakeholder input and recommended shift in approach in Leisure Sales and Marketing.

Overall Current and Proposed Budget

The following reflects the current line item budget for Visit Carlsbad and the recommended reallocations to support the proposed new directions in leisure and group sales and marketing.



	Adopted FY15 Budget	SAG Proposed Budget	SAG Variance to FY15 Budget Dollars Difference	SAG Variance to FY15 Budget Percent
INCOME				
Public Sources				
CTBID Revenues	755,500	755,500	755,500	
Private Source Income				
Total Public Sources	755,500	755,500	755,500	
Carry Over from 2013				
TOTAL INCOME	755,500	755,500	755,500	
EXPENSE				
Labor				
Salaries	189,817	\$ 289,817	\$ 100,000	35%
Payroll Taxes	17,000	27,000		37%
Works Comp	4,000	6,100		34%
Benefits	23,000	37,500		39%
Total Labor	233,817	\$ 360,417.00	\$ 126,600	35%
Promotional Programs				
Advertising & Production	5,000	\$ 5,000.00	\$ -	0%
Research	8,000	\$ 11,000.00	\$ 3,000	27%
Leisure-Interactive Marketing				
Google (Paid Search)	162,737	\$ 80,000.00	\$ (82,737)	-103%
Display / Mobile (Paid Search)	43,155	\$ -		
Media Buying/Planning (Paid Search)	30,555	\$ 15,000.00	\$ (15,555)	-104%
SEO	22,807	\$ 12,000.00	\$ (10,807)	-90%
Email Marketing	18,000	\$ 65,000.00	\$ 47,000	72%
Social Media Management	17,000	\$ 10,000.00	\$ (7,000)	-70%
Agency Fees	37,355	\$ 21,840.00	\$ (15,515)	-71%
Group Direct Sales	50,000	\$ 92,500.00	\$ 42,500	46%
Familiarization Trips (2 annually)	-	\$ 20,000.00	\$ 20,000	100%
Sales Calls	-	\$ 15,000.00	\$ 15,000	100%
Technology/MINT	-	\$ 10,000.00	\$ 10,000	100%
Website Development	-	\$ 20,000.00	\$ 20,000	100%
Digital Sales Tools	-	\$ 20,000.00	\$ 20,000	100%
Emarketing	-	\$ 7,500.00	\$ 7,500	100%
Outside Services-Public Relations	70,000	\$ 35,000.00	\$ (35,000)	-100%
Public Relations Events	6,500	\$ 3,500.00	\$ (3,000)	-86%
Travel & Entertainment	15,000	\$ 2,500.00	\$ (12,500)	-500%
Dues & Subscription	5,000	\$ 5,000.00	\$ -	0%
Collateral Production & Fulfillment	5,000	\$ 5,000.00	\$ -	0%
Total Promotional Programs	496,109	\$ 363,340.00	\$ (132,769)	-36.5%

General Administration				
Bank Charges	1,000	1,000	\$ -	0%
Equipment Rental & Maintenance	3,000	3,000	\$ -	0%
Facility Repair & Maintenance	150	150	\$ -	0%
Insurance	1,200	1,200	\$ -	0%
Grounds Maintenance			\$ -	
Office Supplies	2,000	2,000	\$ -	0%
Postage	974	974	\$ -	0%
Taxes	150	150	\$ -	0%
Telephone	5,000	7,500	\$ 2,500	33%
Professional Services	5,600	5,600	\$ -	0%
Volunteer Program	1,000	1,000	\$ -	0%
Miscellaneous	1,000	3,500	\$ 2,500	71%
Utilities	2,500	2,500	\$ -	0%
Computer Expense	2,000	2,000	\$ -	0%
Total G&A	25,574	\$ 30,574.00	\$ 5,000	16%
TOTAL EXPENSE				
	755,500	\$ 754,331.00	\$ (1,169)	0.7%

The proposed budget above includes the recommended changes in the leisure sales and marketing efforts as well as group sales and marketing. The proposed budget does not include capital/product recommendations from the previous sections including:

- Feasibility study for conference center
- Feasibility study for Lagoon improvements
- Implementation of beach camping improvements
- Any capital improvements related to product development

Funding

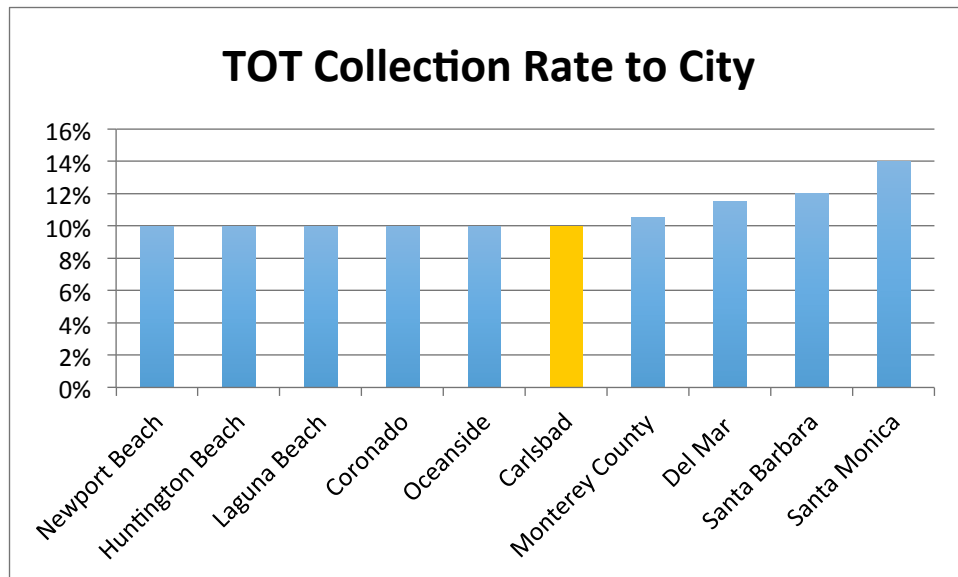
The results of the benchmarking research indicated that the level of funding for tourism marketing was low compared to other comparable destinations. The current visitor levels during the shoulder periods signify the importance of dedicated tourism resources in the future. The ratio of tourism dollars to hotel rooms was a key indicator as Carlsbad was the second lowest in the competitive set that was reviewed.

Another important outcome of the benchmarking study was the fact that Carlsbad was the only city with no TOT funding for tourism marketing.

SAG recommends taking a comprehensive approach to finalizing a new funding plan for the future of tourism. A combination of broad stakeholder involvement and a restructuring of the current approach to TOT funding is the foundation of the recommendation. The funding recommendations are predicated on the approval, adoption, and implementation of the stakeholder supported recommendations contained in this report. Without stakeholder support for future tourism efforts, SAG does not recommend instituting new funding strategies.

Currently the TOT percentage in Carlsbad is 10%. This provides an opportunity to potentially increase the TOT in Carlsbad for dedicated marketing and tourism product development efforts. The below charts, also included in the benchmarking section of this report, illustrate the competitive destinations' handling of TOT collection and distribution.

The chart below shows the TOT collection rate imposed on hotel rooms by the competitive city governments.



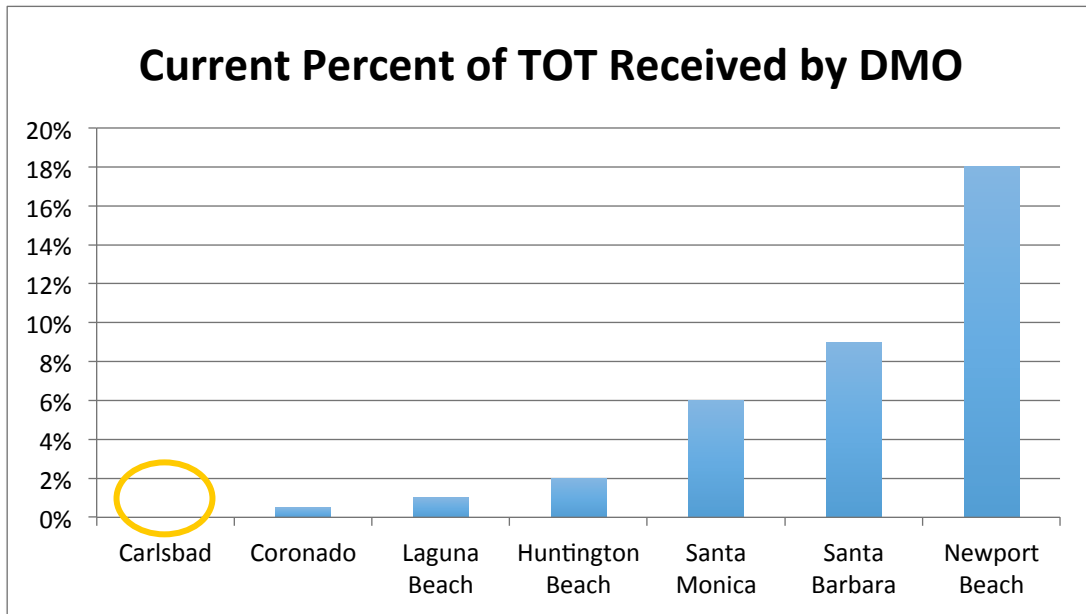
New Funding Approach Components

The following are viable components of a new approach to funding:

1. Transient Occupancy Tax Options

- a. Increase the current TOT rate charged to Carlsbad Hotels
 - i. In conjunction with a dedicated commitment to spend the incremental dollars on agreed upon marketing efforts as well as Tourism product development, the TOT rate can be increased to 12%. This will raise two to three million dollars annually. The review of competitive destinations indicates an opportunity to raise the TOT percentage collected without a significant impact on occupancy.

- b. Reallocate a portion of the Transient Occupancy Tax to Tourism Marketing
 - i. SAG recommends in addition that a portion of the current TOT is allocated to tourism marketing. The formula for this would expand and contract based on the overall TOT collected. This allocation would also be predicated on the achievement of agreed upon goals. This “pay for performance” approach will support the overall goal of supporting measurable tourism activities in the future. The below chart shows in ascending order the destinations that receive a percentage of the TOT funding.



SAG recommends that 10% of the TOT is allocated in the first year with an incentive plan in place that could increase this to 20%.

2. Create a larger “district” to include the Carlsbad restaurant industry

Restaurants in Carlsbad are beneficiaries of effective tourism marketing. They are featured in all of the tourism marketing materials and sales tax revenues show an increase in restaurant activity during times with strong visitor demand. The segments that have been identified in the lifestyle segment study are also inclined to dine out when they are traveling. The success of these targeted efforts will have a direct impact on the restaurant industry. The restaurants that

would be included in an expanded district would be those that are the most positively impacted by tourism efforts.

Similar DMOs have included restaurants and other industries to support the tourism organization. For example, Mammoth Lakes Tourism in California leverages the following assessments on non-hotel entities to support the tourism industry:



Also, Visit California applies an assessment to multiple industries that partner with the state organization. The current assessment rate for accommodations, restaurants, retailers, attractions, transportation companies and travel service providers that have gross California receipts of \$1 million or more is 0.065%, and is applied only to tourism-related revenues. SAG also recommends that additional industries are considered for inclusion in the CTBID in the future

3. Increase or modify the current CTBID fees

Feedback from the hotel community indicated little interest in increasing the current CTBID fees until an industry supported plan was adopted. In conjunction with the approval and adoption of the agreed upon recommendations, SAG recommends an increase of 50 cents per occupied room to begin in the fiscal year of 2016. The implementation of the recommendations would be well underway at this point.

Another option would be to modify the current CTBID format to a percentage of the participating hotel rate. This could potentially raise additional funds and reallocate funding based on the overall revenue generation.

SAG estimates that the combination of the recommended funding would raise between \$1.5 and 3 million dollars. With the new additional revenue raised, Visit Carlsbad's budget could increase to \$1,755,500 with an additional fund developed for future Carlsbad tourism product development. This would move Carlsbad to \$399 marketing dollars per hotel room.

The goal for increased funding is to create more frequency in impacting the targeted markets that have been identified through research and stakeholder input. The increased funding would warrant increasing the leisure and group room night goals. The other important opportunity would be to have more resources for recruiting or developing new signature events.

The development of a tourism capital development fund creates the opportunity to support projects including a new transportation system, the Carlsbad Village efforts, the feasibility study of the

conference center and enhancement to the lagoon experience. SAG recommends this from a portion of the fund raised with the above recommendations.



Return on Investment

The goal of an increased funding stream for Carlsbad’s tourism efforts is to create an increased, measurable return on investment. The new recommendations for future tourism marketing efforts will provide “trackable” data to determine the overall economic return. Based on a blended spending multiplier for a visitor to Carlsbad of \$328 per person*, the new recommended funding must generate an additional 3,050 visitors annually to “breakeven” on the new marketing expenses (assumes 1 million in new marketing revenue). Many destinations strive for 7 to 1 rate of return for dollars expended compared to direct spending generated. With that in mind, the newly funded tourism efforts would need to generate over 21,000 incremental visitors

* 2013 SDTA Visitor Profile

Conclusion

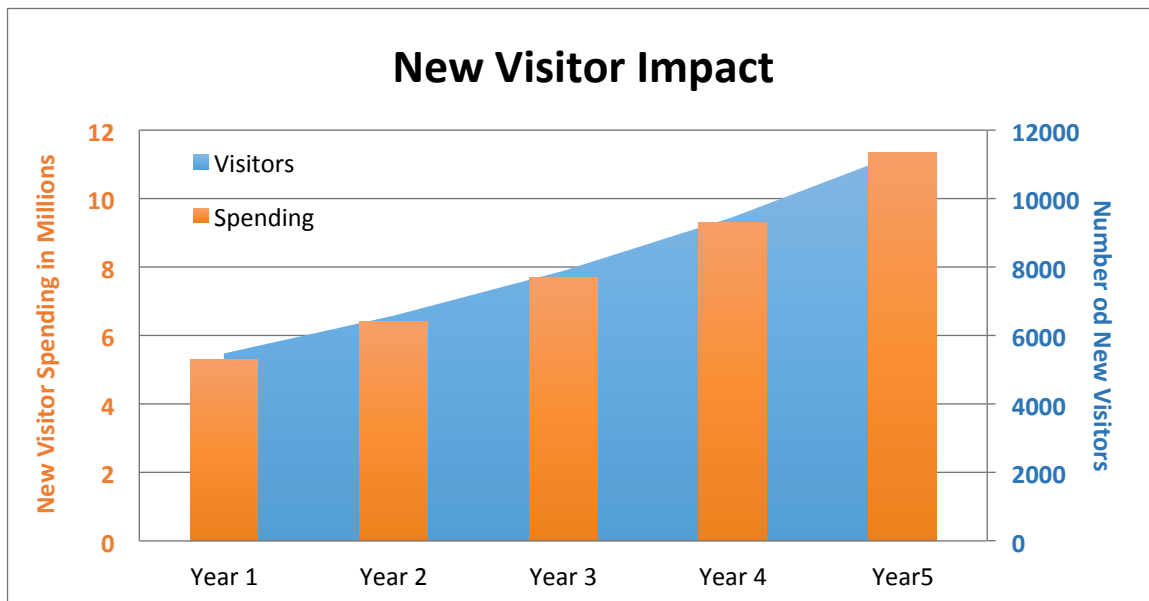
A comprehensive approach to gathering information, conducting extensive research and consistent stakeholder involvement has produced a new direction for tourism sales and marketing in Carlsbad. The direction that has been developed and recommended in this study process is designed to maximize the effectiveness of the current tourism resources and create a path for further investment. The interest in future increased investment will be validated by the intent to create a sales and marketing approach that is razor focused and highly measurable.

Carlsbad is a destination with many unique attributes that appeal to distinct audiences. The results of the market segment research in conjunction with Nielson and Resonate demonstrates the ability of Carlsbad to appeal to an upscale audience without kids as well as a family audience with kids who are interested in theme park type activities. The findings have uncovered an opportunity to focus on the upscale market segment and bring new visitors during the much needed shoulder periods.

The development of an aggressive and complimentary group sales and marketing plan will be another cornerstone of the direction. This plan has been developed in collaboration with the hotel community and is ready for implementation. This will take a few years to develop and can pay large dividends including validating the value of a new conference/event center for Carlsbad. The unique Carlsbad experience will provide a great differentiator for attracting group business.

First Year Goals – Raising Awareness

The combination of the proposed goals for room nights generated for the first year (3,600 leisure and 1,875 group) is 5,475 room nights. This equates to the “trackable” room nights for the first year that will include a significant amount of implementation activity. These numbers should grow significantly in future years as databases are developed and the marketing efforts produce higher conversion. The full development of these efforts should increase annual room night production by twenty to thirty percent. The below is an illustration of “trackable” new visitors to Carlsbad over 5 years and the estimated visitor spending based on the 2013 SDTA Visitor Profile Study, which equates to 32,857 new visitors and \$39.7 million in new spending.



It is important to note that the proposed efforts will also increase the awareness of Carlsbad with the targeted individual and group markets with consistent frequency and a customized message. This will influence visitation beyond the visitors that can be tracked directly.

The successful implementation of the recommendations contained in this report will take a broad base of support from the City of Carlsbad, CTBID, Visit Carlsbad and the tourism stakeholders. The development of the direction that is recommended has been created with on-going input. This will lead to consensus that will be the foundation of future success. The recommended governance model will provide consistent oversight coupled with active committee involvement. This will increase the efficiency of the implementation process.

A full assessment of the needs and roles of each of the above partners should be conducted in conjunction with the implementation process. A first step would be a structured longer session to review all of the recommendations and assess and define the roles and accountability of the above-mentioned stakeholders.

Strategic Advisory Group would again like to thank the individuals who committed time and gave important insight during this process. The high level of engagement provided critical guidance for this report and the final recommendations.

Recommendation Matrix

Recommendation	Strategy	Report Pages	Tactic	Timeframe
<i>Communication</i>				
Regular stakeholder communication	Keep stakeholders informed and part of the process. Allows for fluid communication to a large audience and provides transparency of the organization.	2	<ul style="list-style-type: none"> • Monthly 1-2 page email outreach with updates and updates on metrics tracking. • Annual report on success measurements 	<ul style="list-style-type: none"> • Immediate
<i>Research</i>				
Research plan	Budget resources to execute research initiatives. Continue to refine target marketing efforts. Determine success of on-going efforts	54	<ul style="list-style-type: none"> • Conduct a Visitor Profile Study every three years • Conduct a benchmarking study biannually • Conduct a Target Audience Study biannually • Conduct a Meeting Planner Survey biannually 	<ul style="list-style-type: none"> • Approve research plan for 2015-2016 fiscal year • Conduct first series of research plan accordingly
<i>Resources</i>				
Refocus a majority of the tourism resources on impacting the Shoulder Season	Allocate more of the marketing budget for targeted Shoulder Season campaigns	4, 8, 55-62	<ul style="list-style-type: none"> • Confirm direction for Shoulder Season • Develop direct marketing campaigns for specific segments during the Shoulder Season • Measure success 	<ul style="list-style-type: none"> • Begin to plan immediately • Budget approval 2015-2016 fiscal year
Reallocate marketing resources for group business	Utilize the current budget to support a group sales effort	4, 63-70	<ul style="list-style-type: none"> • Confirm/adopt group sales plan • Form the oversight committee • Set and agree upon goals 	<ul style="list-style-type: none"> • Begin to plan immediately • Budget approval 2015-2016 fiscal year

<i>Measurement</i>				
Institute a new approach to measurement and reporting	Keep a broad base of stakeholders informed through a monthly report	2, 4	<ul style="list-style-type: none"> • Create/continue the monthly email report to stakeholders tracking quantitative success measures • Include room nights converted, packages sold • Include qualitative feedback on awareness 	<ul style="list-style-type: none"> • Have agreed upon goals and metrics in place by 2015-2016 fiscal year • Have plan in place for adoption 2015-2016 fiscal year
<i>Leisure Sales and Marketing</i>				
Develop a highly targeted approach for leisure sales and marketing	Utilize a direct marketing approach to new and expanded target markets for leisure travel	4, 40-54, 55-62	<ul style="list-style-type: none"> • Select and confirm top 5 new segments from Nielsen results to pursue for the first 1-3 years • Create specific experiences for the targeted market segments • Work closely with an e-marketing partner to develop a platform for implementation and creative support • Set and agree upon goals • Utilize new success measures to track progress 	<ul style="list-style-type: none"> • Decide on top segments immediately • Have plan approved for fiscal year 2015-2016 • Have creative partner in place for 2015-2016 fiscal year • Have implementation tools in place by August 2015 • Track success in the selected segments for years 1-3 • Reevaluate market segments after three years
Refocus target markets for leisure travel	Utilize the Nielsen segmentation results to target new markets that have already indicated presence in Carlsbad for tourism growth in Shoulder Season	5, 40-54	<ul style="list-style-type: none"> • Select and confirm top 5 new segments from Nielsen results to pursue for the first 1-3 years • Keep family-friendly attitude, but add targets direct marketing for these new segments • Track success in new markets 	<ul style="list-style-type: none"> • Decide on top segments immediately • Have plan approved for fiscal year 2015-2016 • Reevaluate target markets after three years

<i>Group Sales and Marketing</i>				
<p>Create and implement a new group sales and marketing effort</p>	<p>Utilize MINT search results to target group business. Reallocate resources with measurement plan</p>	<p>5, 63-70</p>	<ul style="list-style-type: none"> • Recruit staff member • Approve a vertical market approach and establish targets • Obtain and implement a sales and marketing software platform • Execute a group destination awareness campaign • Complete a feasibility study on the possibility of adding a conference center for Carlsbad 	<ul style="list-style-type: none"> • Begin recruiting staff member in July 2015 with new hire starting in August 2015 • Implement new plan September 2015 • Obtain software platform by January 2016 • Complete feasibility study on conference center by year 3 (2018-2019 fiscal year)
<i>Governance</i>				
<p>Create a unified approach to governance</p>	<p>Bring the CTBID and Visit Carlsbad boards together by creating a singular governing board with active committees</p>	<p>5, 82-86</p>	<ul style="list-style-type: none"> • Perform the necessary legal actions to change the bylaws of Visit Carlsbad and the CTBID to meet as one board • Create one mission on behalf of the organization to market the destination and drive revenue to the City • Create/elect one board of 7-10 people • Create four committees to form accountability measures and delegate responsibilities including: finance, communication and reporting, leisure sales and marketing and group sales and marketing committees. 	<ul style="list-style-type: none"> • Bring to City Council for review and adoption by March 2015 • City Council time to select board members and City Attorney to reevaluate the legal entity by budget approval period for 2015-2016 fiscal year • Have new board in place by July 2015

<i>Funding</i>				
Implement a performance-based approach to new funding	Utilize TOT funds through an increase and reallocation.	5, 92-94	<ul style="list-style-type: none"> • Set and approve goals for TOT annual collection • Increase the current TOT to 12% • Allocate 10% of the current TOT collected to support tourism marketing 	<ul style="list-style-type: none"> • Approve funding increases by mid year 2016
Create a larger district to include additional partners and increase funding	Involve restaurants and additional beneficiaries of tourism spending to include a tourism tax on sales	5, 92-94	<ul style="list-style-type: none"> • Develop applicable partners for tourism funding, i.e., restaurants, retail and attractions • Begin with restaurants as first industry to be included • Create and approve percentage tax for relative partners 	<ul style="list-style-type: none"> • Partners support by June 2015 • Implementation by 2016-2017 fiscal year
Increase the current fees for the CTBID	Incrementally add a small amount to the CTBID fees	5, 92-94	<ul style="list-style-type: none"> • Increase current CTBID fees by \$0.50 	<ul style="list-style-type: none"> • Implementation of the \$0.50 increase should be in place by 2017-2018 fiscal year

Tourism Product Development

<p>Create unique Carlsbad experiences</p>	<p>Invest in Carlsbad's assets to develop additional tourism experiences</p>	<p>5, 73-81</p>	<ul style="list-style-type: none"> • Develop and implement a transportation system to connect key points for tourists • Utilize the City's position to negotiate terms for rights to the Agua Hedionda Lagoon • Increase the parameters of the contract with California Watersports for higher quality standards • Negotiate terms with NRG and the YMCA for tourism access to the Lagoon • Invest in a capital project to increase the visitor experience • Develop a long-term partnership with the Carlsbad Village for increased marketing, and packaging and advocacy • Engage the California Department of Recreation and Parks to understand the City's rights in increasing requirements and adding privacy shrubs 	<ul style="list-style-type: none"> • Have transportation system outlined and approved in 2015-2016 fiscal year with contractor in place by 2016-2017 • Have terms for rights to the Lagoon by City/Visit Carlsbad by fiscal year 2016-2017 • Invest in a feasibility study/RFP process for a capital project on the lagoon by fiscal year 2016-2017 • Solidify the Carlsbad Village as a partner in marketing and transportation by January 2016 • Finalize beach camping rights on City's behalf by January 2016 • Plan in place to augment the visibility issue of beach camping by 2016-2017 fiscal year • Implement beach camping augmentation in fiscal year 2016-2017 with completion prior to January 2017
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Addendum

SAG would like to thank all of the properties and individuals in the City, hospitality and tourism industry staff who participated in this study.

Carlsbad City Council

Steve Sarkozy, City of Carlsbad
Kathy Dodson, City of Carlsbad
Christina Vincent, City of Carlsbad
Christie Marcella, City of Carlsbad
Kevin Pointer, City of Carlsbad
Cheryl Gerhardt, City of Carlsbad
Kim Akers, West Inn & Suites
Denise Chapman, Omni La Costa
Sam Ross, Visit Carlsbad
Tim Stripe, Grand Pacific Resorts
Renato Alesiani, Wave Crest Motels and Resorts
Vikram Sood, Hilton Oceanfront Randal Chapin,
Carlsbad Inn Beach Resort
Tom McMahon, Carlsbad Village Theater
Peder Norby, City of Carlsbad
Ryan Ross, North County Transit District
Nancy Nayudu, Pelican Cove Inn
Joli Hatch, Carlsbad Inn Beach Resort
Julie Zahner, Sheraton Carlsbad
Cheryl Landin, LEGOLAND California
Peter Ronchetti, LEGOLAND California
Peter Kock, LEGOLAND California

Valerie Barnes, LEGOLAND California
Jason Mclaughlin, Park Hyatt Aviara
Renier Milan, Beach Terrace Inn
Randy Chapin, Grand Pacific Resorts
Regie Brown, Hilton
Joe Anderson, Grand Pacific Resorts
Frank Idris, LEGOLAND Hotel
Ted Owen, Carlsbad Chamber of Commerce
Hector Becerra, Carlsbad by the Sea
Bill Canepa, Wave Crest Resorts
Celine Cendras, Henry Schein Ortho Organizers
Michael Collins, Zimmer Dental
Stephen Morisseau, GIA
Jim Caraccio, Logic PD
Tim Sinnott, Legend 3D
Josh Cantor, California Watersports
Gary Glaser, The Crossings
Terri Howard Mannes, Carlsbad Premium Outlets
Steve Gibson, Urban Place Consulting
Ashley Westman, Urban Place Consulting

Summer Season Top 15 PRIZM Segments

- **Kids and Cul-de-Sacs** – upper middle class families with children living in the suburbs. These families have a household median income of \$71,830 and the parents’ range in age from 25-44. The parents are college educated and hold professional positions. These families are in the “melting pot” category and are White, Black, Asian, Hispanic and Mixed. These families order on target.com, watch the X Games on TV and drive minivans like the Honda Odyssey.
- **Movers & Shakers** – wealthy, older households without kids living in the suburbs. These households are 45-64 with a median income of \$101,517. This segment is college educated carrying graduate degrees and holding management positions. They are mostly White and Asian. These households play tennis, shop at Nordstrom and drive higher end SUVs i.e., Land Rover.
- **Upper Crust**– significantly wealthy, older households without kids living in the suburbs. This segment is 55+ with a median household income of \$110,117 and are classified by Nielsen as millionaires. These households are college educated with graduate degrees in upper management positions. They are mainly White. This segment shops at high end store like Saks Fifth Avenue, have vacationed in Europe, watch and play golf and drive luxury vehicles i.e., Lexus LS.
- **The Cosmopolitans** – wealthy, mid to older age range, mostly without kids living in urban areas. This segment is 55+ with a household income of \$58,313 working in white-collar settings. This segment is classified as a “Melting Pot” and includes White, Asian, Black, Hispanic and Mixed. These households shop at Macy’s, have vacationed outside the US, watch Masterpiece Theatre and drive upper midclass vehicles i.e., Lincoln Town Car - Flex Fuel.
- **Money & Brains** – wealthy, older family mix within the household, living in urban areas. The older family mix means the children are mostly older teenage or college age dependents. The parents are 45-64 with a median household income of \$88,837 and are college educated in management positions. These households are classified as a “Melting Pot” and include White, Asian, Black, Hispanic and Mixed. This segment shops at stores like Banana Republic, travel for business occasionally, watch tennis and drive luxury SUVs i.e., Mercedes Benz E Class.
- **Home Sweet Home** – Widely scattered across the nation's suburbs, the residents of Home Sweet Home tend to be upper-middle-class married couples living in mid-sized homes without children. The adults in the segment, mostly under 55, have gone to college and hold professional and white-collar jobs. With their upper-middle-class incomes and small families, these folks have fashioned comfortable lifestyles, filling their homes with exercise equipment, TV sets, and pets. The Home Sweet Home Segment has a median household income of \$ 68,555 and is in the Melting Pot category made up of 5 White, Black, Asian and Mixed ethnicities. This segment shops from buy.com, download music from iTunes, watch shows like The Amazing Race, read Wired Magazine and drive middle class vehicles like the Mazda CX-7.

- **Middleburg Managers** - Middleburg Managers arose when empty nesters settled in satellite communities, which offered a lower cost of living and more relaxed pace. Today, segment residents tend to be middle class with solid white-collar jobs or comfortable retirements. In their older homes, they enjoy reading, playing musical instruments, indoor gardening, and refinishing furniture. This segment is upper middle class with a median household income of \$53,379. Middleburg Managers are mostly home owners without children. The main ethnicity in this segment is White and includes Black and Asian. Middleburg Managers shop at Pottery Barn, vacation on cruise lines, read Travel + Leisure, watch Washington Week and drive cars like the Hyundai Elantra Touring.
- **Traditional Times** - This segment is mostly middle-aged without children in the household. Traditional times are in the upper middleclass income level with a median household income of \$57,949. Traditional Times is the kind of lifestyle where small-town couples nearing retirement are beginning to enjoy their first empty-nest years. Typically in their fifties and older, these upper-middle-class Americans pursue a kind of granola-and-grits lifestyle. On their coffee tables are magazines with titles like Country Living and Country Home. But they're big travelers, especially in recreational vehicles and campers. This segment shops at Sam's Club, contribute to PBS, Read Southern Living, watch Antiques Roadshow and drive affordable cars i.e., Toyota Avalon.
- **New Empty Nests** - With their grown-up children recently out of the house, New Empty Nests is composed of upper-middle income older Americans who pursue active--and activist--lifestyles. Most residents are over 65 years old, but they show no interest in a rest-home retirement. This is the top-ranked segment for all-inclusive travel packages; the favorite destination is Europe. New Empty Nests are a mature segment, which is mostly White and retired with a median household income of \$71,212. This segment shops at T.J. Maxx, vacations for 2+ weeks a year, reads the Smithsonian magazine, watches golf, and drives luxury vehicles i.e., Cadillac sedan.
- **Bohemian Mix** - A collection of mobile urbanites, Bohemian Mix represents the nation's most liberal lifestyles. Its residents are an ethnically diverse, progressive mix of young singles, couples, and families ranging from students to professionals. In their funky row houses and apartments, Bohemian Mixers are the early adopters who are quick to check out the latest movie, nightclub, laptop, and microbrew. This upper middle class segment has a median household income of \$56,676 and mostly rent their homes or apartments. College graduates in professional positions, Bohemian Mix is in the Melting Pot category and have a race and ethnicity mix of 6 White, Black, Asian, Hispanic and mixed. This segment shops at the Gap, reads GQ, watches foreign films and drive vehicles like the Audi S4.
- **Gray Power** - Gray Power is a midscale mature segment in a household without children. The steady rise of older, healthier Americans over the past decade has produced one important by-product: middle-class, mostly home-owning suburbanites who are aging in place rather than moving to retirement communities. Gray Power reflects this trend, a segment of older, midscale singles and couples who live in quiet comfort. This segment is mostly White with a median household income of \$52,936. Gray Power shops at Lord & Taylor, read Barron's, own a stationary bike, watch Frontline and drive upscale vehicles like the Mercedes-Benz Sprinter.

- **New Homesteaders** - Young, upper-middle-class families seeking to escape suburban sprawl find refuge in New Homesteaders, a collection of small rustic townships filled with new ranches and Cape Cods. With decent-paying jobs in white and blue-collar industries, these dual-income couples have fashioned comfortable, child-centered lifestyles; their driveways are filled with campers and powerboats, their family rooms with PlayStations. This segment has a median household income of \$58,997 and is a white-collar employee. New Homesteaders are mostly white, black or mixed. They are child focused and drive affordable family friendly vehicles like this Kia Sedona.

Shoulder Season Top 15 Segments

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- **Green Belt Sports** - A segment of upscale exurban couples, Greenbelt Sports is known for its active lifestyle. Most of these older residents are married, college-educated, and own new homes. Few segments have higher rates for pursuing outdoor activities such as skiing, canoeing, backpacking, boating, and mountain biking than this one. The Green Belt Sports segment is an older household between 45-64 without children and a median household income of \$59,646. This segment has white-collar jobs and is has a racial and ethnic mix of White and Asian. Green Belt Sports orders from ebay.com, vacations in tropical destinations, read More magazine and watch hockey.
- **Country Casuals** - There's a laid-back atmosphere in Country Casuals, a collection of older, upscale households that have started to empty-nest. Most households boast two earners who have well-paying management jobs or own small businesses. Today, these Baby-Boom couples have the disposable income to enjoy traveling, owning timeshares, and going out to eat. Country Casuals are mostly White and older between 45-64 with a median household income of \$74,208 and in a household without kids. This segment shops at Eddie Bauer, buy collectibles, read Backpacker magazine, watch the Big Bang Theory and drive sports cars i.e. Corvette.
- **Movers & Shakers** – wealthy, older households without kids living in the suburbs. These households are 45-64 with a median income of \$101,517. This segment is college educated carrying graduate degrees and holding management positions. They are mostly White and Asian. These households play tennis, shop at Nordstrom and drive higher end SUVs i.e., Land Rover.
- **Young Influentials** – Once known as the home of the nation's yuppies, Young Influentials reflects the fading glow of acquisitive yuppiedom. Today, the segment is a common address for middle-class singles and couples who are more preoccupied with

balancing work and leisure pursuits and who live in apartment complexes surrounded by ball fields, health clubs, and casual-dining restaurants. This segment is classified as middle aged and is under 55 with a median household income of \$49,942. The racial and ethnic mix is White, Black, Asian and Hispanic. Young Influentials shop at Best Buy, play racquetball, read Details magazine, watch American Dad and drive affordable cars i.e. Mazda 3.

- **Blue Blood Estates** - Blue Blood Estates is a family portrait of suburban wealth, a place of million-dollar homes and manicured lawns, high-end cars and exclusive private clubs. The nation's second-wealthiest lifestyle is characterized by married couples with children, graduate degrees, a significant percentage of Asian Americans, and six-figure incomes earned by business executives, managers, and professionals. Blue Blood Estates are 45-64 with children and a median household income of \$119,595. This segment shops at Crate & Barrel, goes skiing, watch HBO and drive luxury vehicles i.e. Acura RL.
- **New Empty Nests** - With their grown-up children recently out of the house, New Empty Nests is composed of upper-middle income older Americans who pursue active--and activist--lifestyles. Most residents are over 65 years old, but they show no interest in a rest-home retirement. This is the top-ranked segment for all-inclusive travel packages; the favorite destination is Europe. New Empty Nests are a mature segment, which is mostly White and retired with a median household income of \$71,212. This segment shops at T.J. Maxx, vacations for 2+ weeks a year, reads the Smithsonian magazine, watches golf, and drives luxury vehicles i.e., Cadillac sedan.
- **Up-and-Comers** - Up-and-Comers is a stopover for younger, upper-midscale singles before they marry, have families, and establish more deskbound lifestyles. Found in second-tier cities, these mobile adults, mostly age 25 to 44, include a disproportionate number of recent college graduates who are into athletic activities, the latest technology, and nightlife entertainment. This segment has a racial and ethnic mix of White and Asian with a median household income of \$52,930. Up-and-Comers typically order from priceline.com, travel to South America, read Cigar Aficionado, watch South Park, and drive cars like the Nissan Altima Hybrid.

Jennifer Jesser

From: Diane Nygaard <dnygaard3@gmail.com>
Sent: Wednesday, February 22, 2023 9:58 AM
To: Growth Management Committee
Cc: Eric Lardy
Subject: Carlsbad Tomorrow - Comments on Open Space Performance Standard
Attachments: 2008 Open Space Comm Report p 1.pdf; 2008 Open Space Comm Report p 2.pdf; 2008 Open Space Comm Report p 3.pdf

Honorable Chair and Committee Members

Hundreds of residents of this community have expressed their support for increased open space over many years. In 2001 the voters approved Proposition C- and authorized the city spending general fund monies to acquire more open space. In 2008 the Open Space and Trails Citizens Committee listened to citizen input and recommended 16 properties for open space acquisition. In 2015 parks and open space generated more comments on the update of the General Plan than all other issues combined. In 2016 the voters passed a referendum to stop the development of a mall on the priceless open space next to the Agua Hedionda Lagoon. And this committee has already heard from many. Open space was a high priority in 1986 when the performance standards were developed, and it remains a high priority today.

We ask you to consider the following as you make your recommendations on open space :

- Att 2 shows that 24 of the 25 LFMZ's already have over 15% open space. Is that correct?

Open space -yes. But open space that complies with the restrictions of the GMP for 15 % "unconstrained" open space-no. The standard specifically excluded things like the open water of the lagoons and steep slopes over 25% among others. Att 2 is not showing compliance with the adopted standard from 1986- many zones fail to meet that standard.

- The detailed explanation of the history of LFMZ 9 Ponto concludes it meets the performance standard. Does it?

The "history" leaves out the single critical fact. The "compliance" is based on an exemption that was granted based on a project that never was approved. The open space that was planned to be set aside for that project never was set aside. This zone is the most egregious example of how the exemption process was misused.

- Should 11 of the 25 LFMZs that were exempted in 1986 still be exempted today?

Circumstances have changed, and the unintended consequences of that action are now known. It is clear that all parts of the city do not have equitable access to open space, This is not something that can be addressed overnight. But it can be done in a thoughtful way that moves towards equity and respects the voices of the residents in support of open space. .

- What happened with the report by the Open Space and Trails Citizens Committee recommending 16 properties for acquisition?

The report sits on a shelf, waiting for a landowner to knock on the city's door. We know what work it takes to actually acquire open space- we acquired 2 of the parcels on that list. One other was acquired by BLF, some have been developed. But most importantly- several critical parcels remain and have the potential to be permanently protected as open space. This includes several that are critical to protect the regional wildlife movement corridor. See three page summary report from the Committee att.

- The staff report implies the city meets the state Executive Order to preserve 30% of lands and waters by 2030. Is that correct?

The Executive Order is not intended as just a percentage of acres. It is to be the acres that achieve critical goals to protect biodiversity, respond to climate change, and address inequities in access to open space. There has been no such assessment of the open space in Carlsbad.

- Carlsbad seems to have more open space than many other cities in this area and exceeds many guidelines for open space- don't we have enough?

When the regional conservation plans were developed Carlsbad had more sensitive lands and wetlands remaining than the other cities in north county- so more was required to be protected. Carlsbad takes pride in its community- and open space is a core feature of what makes Carlsbad special.

- Is it too late to save open space?

No- it is not too late. The time is now.

Recommendation

Keep the existing performance standard for the LFMZ's that were not exempted. For the LFMZ's that were exempted (Zones 1-10 and 16) establish a performance "goal" of 15% of unconstrained open space. Reconfirm the goal for 40% open space citywide.

For the Quality of Life memo recommend :

That the city be "proactive" in acquiring the open space identified by the Open Space Committee in 2008 and such new opportunities that could address the shortfall in open space in the eleven zones that were exempted. - Allow flexibility in how that could be achieved considering things like adjacent zones sharing open space or adjusting boundaries of LFMZ's.

This is particularly important to consider along the coast where Sea Level Rise will inundate key areas of the coast and there will be loss of some of the existing beach.

Diane Nygaard
On Behalf of Preserve Calavera

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PROPOSITION C OPEN SPACE AND TRAILS COMMITTEE PROPERTY ANALYSIS
(AS OF JANUARY 26, 2008 - new information in italics)

EXHIBIT 1

Rank

OS Committee or Staff Ranking	Property Name	Acreage (approximate)	Adds Open Space to City System	Benefits RMP	Adds Trails to City System	Land Use Conflicts	Mitigation Credit	Willing Seller Status
1	Quarry Creek	100 acres	Yes	Yes	Yes	Yes - portion of site is designated for residential land uses	Potential subject to Agency approval.	No
2	Sherman Property (trail easements)	134 acres, trail acreage unknown.	No - property is already conserved.	No - property is already conserved.	Yes	No - trails would not conflict with land use designations.	No - property is already conserved.	Yes
2	Calavera Village H	60 acres	Potentially, if the 3.2 acre CP site is designated OS.	Potentially, if 3.2 acre CP site is conserved and replanted.	No - City trail already exists on property	Yes - a 3.2 acre portion of site is designated Community Facilities	No	Yes
4	Sunny Creek Properties (11)	141.86 acres	Yes - habitat and floodplain areas are outside of existing Open Space.	Yes - additional habitat preservation and wetlands buffering is possible.	Yes - future City trail traverses the properties.	Yes - most of the properties are designated for future residential development.	Potential subject to Agency approval.	Varied status
4	S. Agave Breckonda Properties (9)	325 acres	Yes - one of the properties is designated for future development.	Yes - conservation could provide revegetation and additional buffers	Yes - future City trail traverses the properties.	Yes - one of the properties is designated for future commercial development.	Potential subject to Agency approval.	Unknown
6	Co. Airport Property (OS easement)	204 acres	No - property is already conserved	No - property is within County MHCP.	Yes - portion of property is designated for City trail.	No - property is already conserved	No	No

PROPOSITION C OPEN SPACE AND TRAILS COMMITTEE PROPERTY ANALYSIS
 (AS OF JANUARY 28, 2008 - new information in italics)

OS Committee or Staff Ranking	Property Name	Average (approximate)	Adds Open Space to City System	Benefits HMP	Adds Trails to City System	Land Use Conflicts	Mitigation Credit	Willing Seller Status
7	Kain Property	73 acres	Yes	Yes - only a portion of the site would be conserved if developed.	Potentially - City trail system could be amended to include the property.	Yes - portion of site is designated for residential land uses.	Potential subject to Agency approval.	Undetermined
7	Mandana Property	186 acres	Yes	Yes - only a portion of the site would be conserved if developed.		Yes - portion of site is designated for residential land uses.	Potential subject to Agency approval.	No
7	CLUSD High School Site	58 acres, unused portion size unknown.	Yes			No - proposal only includes unused school property	Potential subject to Agency approval.	No
10	Lubliner Property (trail easement)	17 acres, trail acreage unknown.	No		Yes - future City trail located on property.	No - trail would not conflict with land use designations.	No	No
11	Rancho Carlsbad	11 acres	Yes	Yes - property would be included in HMP Preserve.	No	Yes - portion of site is designated for residential land uses.	Potential subject to Agency approval.	No
12	Mitsunuchi Property	18 acres	Yes	Yes - property would be included in HMP Preserve.	Yes - future City trail located on property.	Yes - portion of site is designated for residential land uses.	Potential subject to Agency approval.	Yes
13	Murphy Property	17 acres	Yes	Yes - property would be included in HMP Preserve.	Yes - future City trail located on property.	Yes - portion of site is designated for residential land uses.	Potential subject to Agency approval.	No

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PROPOSITION C OPEN SPACE AND TRAILS COMMITTEE PROPERTY ANALYSIS
(AS OF JANUARY 28, 2008 - new information in italics)

OS Committee or Staff Ranking	Property Name	Acreage (approximate)	Adds Open Space to City System	Benefits HMP	Adds Trails to City System	Land Use Conflicts	Mitigation Credit	Willing Seller Status
14	Poliochela Vernal Pools	16 acres	No	Yes - conservation would allow new take permit for vernal pool species.	No	No - property is already conserved.	No	Yes
13	Brodliken Preserve	1 acre	No	Yes - conservation would maintain take permit for Brodliken.	No	No - property is already conserved.	No	Yes
16	State Properties (2)	21.43 acres	No - properties already designated Open Space	Yes - conservation would provide management for wetlands	Yes - potential for additional trail linkage to the north	No - property is already designated Open Space in General Plan	Potential subject to agency approval	No

PROPOSITION C OPEN SPACE AND TRAILS COMMITTEE PROPERTY ANALYSIS
(AS OF JANUARY 29, 2008 - new information in italics)

OS Committee or Staff Ranking	Property Name	Acreage (approximate)	Adds Open Space to City System	Benefits HMP	Adds Trails to City System	Land Use Conflicts	Mitigation Credit	Willing Seller Status
14	Polinaella Vernal Pools	16 acres	No	Yes - conservation would allow new take permit for vernal pool species.	No	No - property is already conserved.	No	Yes
13	Brodlians Preserve	1 acre	No	Yes - conservation would maintain take permit for Brodlians.	No	No - property is already conserved.	No	Yes
16	State Properties (2)	22.83 acres	No - properties already designated Open Space	Yes - conservation would provide management for wetlands	Yes - potential for additional trail linkage to the north	No - property is already designated Open Space in General Plan	Potential subject to agency approval	No

Carlsbad Tomorrow Growth Management Committee

Dear Tomorrow Committee members.

I have a few short stories about sustainability.

Battery Leaf Blowers

2 cycle leaf blowers were banned a few years ago but are still being used by our city subcontractors on our public facilities daily. While the deadline for replacement seems to get extended annually why should we in Carlsbad be lagging in insisting our subcontractors use quieter and carbon saving battery powered leaf blowers and lawnmowers?

Microgrids.

Several years ago I owned a real estate office in Carlsbad Village at the corner of Grand and State Street in leased space. (Most commercial tenants are in leased space and 40% of residential Carlsbad citizens also)The building had old infrastructure and a main electrical connection running across the roof. Other power availability ran across other landowner's properties and they refused and easement for additional power from SDG&E. We needed upgraded tenants to draw more foot traffic and more electrical power was needed.

I was a long term tenant but has changed suites every few years and each had a separate electric meter. I added solar panels to my system at my expense and the landlord added a system to a vacant suites electric meter box that SDG&E had declined to upgrade substantially without a new, larger capacity service to the whole building. This allowed a restaurant to open in that spot increasing foot traffic and business for all of us.

A microgrid was born.

Most tenants would not do this with just a 5 year lease and since most landlords do not pay the utility bill we are behind on public policy and incentives to create

microgrids such as this. It cost the city nothing and was permitted but not encouraged.

Natural Gas

I eat lunch at Papagayo on Carlsbad Village Drive in the village a couple of times a month and last year, while the State of California was discussing not allowing natural gas service to residential homes, I noticed the gas service being upgraded to a larger pipe and meter. I figured they were adding natural gas connections to minimize the cost and labor of their many gas heaters.

A few months later I see this huge natural gas fire pit, which serves no one for heat but is advertising and ambiance. While the City Council discusses banning gas connections in new homes, SDG&E and our city staff is issuing a permit to inefficiently use or waste natural gas when electric fireplaces are readily available.



I recently removed a natural gas with ceramic log fireplace from my home as it was an inefficient, carbon spewing device, mostly for ambiance. Business would be just as good with electric heaters and an electric fireplace (or a belly dancer). I believe all of you have experienced electric space heaters at outdoor restaurants and perhaps a short delay in converting to them is appropriate. But a new gas

firepit is like burning coal for heat. We don't allow it and you don't have to inform staff not to allow a permit for a coal firepit or heating system.

A robust public policy to support investment in sustainability should and needs to be recommended by this committee and adopted by the city from top to bottom so that we thrive in the next 100 years

In order for staff to be aware and on board with our climate action plan, our City Manager needs to direct them in general and specific ways that we are actually enforcing it. Merchants won't choose the electric fireplace, solar panels, and battery leaf blowers unless we embrace our Climate Action Plan at the staff level.

Please ask the City Manager and City Council to do so in our updated Growth Management Plan.

Gary Nessim

2987 Highland Drive Carlsbad

garynessim@att.net

Jennifer Jesser

From: Diane Nygaard <dnygaard3@gmail.com>
Sent: Thursday, February 23, 2023 11:47 AM
To: Growth Management Committee
Cc: Eric Lardy
Subject: Comments on Climate Change for Quality of Life Memo

Honorable Chair and Committee

At tonight's meeting, after having been delayed twice, you will be hearing a presentation about climate action.

This is a complex, global issue that requires action from every level of government. But it is beyond the capacity of this committee to establish a simple performance standard that would be meaningful.

But there is a climate emergency.

The City Council recognized that on September 21, 2021 when they adopted a Climate Emergency Resolution. That resolution included thirteen commitments to action.

Carlsbad adopted Climate Emergency:



<https://records.carlsbadca.gov/WebLink/DocView.aspx?id=5452629&page=1&dbid=0&repo=CityofCarlsbad&searchid=91ff7ab3-f3d7-4eeb-ab76-234e3ab7a827>

Since adopting this resolution there has been no action plan developed, no reporting on progress, and clearly no sense of emergency. One of the thirteen commitments was to update the Climate Action Plan- that has been delayed twice and is still awaiting key data from SANDAG.

Contrast this with the recent resolution declaring a traffic safety emergency. There was a comprehensive action plan, it became a management priority, and evidence of that commitment is highly visible from the City Manager's weekly updates to seeing signs all over town saying Slow Down Carlsbad.

Climate change could have devastating impacts on the Quality of Life in Carlsbad.

Please recognize that in your Quality of Life memo and ask the City Council to take their Climate Emergency resolution seriously.

Thank you for considering these comments.

Diane Nygaard
On Behalf of Preserve Calavera



ReplyReply allForward

From: [Stephen Stewart](#)
To: [Growth Management Committee](#)
Subject: Train noise considerations for Growth Management Plan
Date: Thursday, March 16, 2023 6:52:58 PM
Attachments: [Draft Growth Management Co.pdf](#)

In the Growth Management Plan recently distributed (summary attached) I see no mention of train noise with respect to its impact on Quality of Life and Transportation. Increased rail traffic is running headlong against the desire to increase housing density near transportation corridors. I support these developments in the community and the desire to increase the use and convenience of mass transit. However, train horns continue to be a quality of life problem along the train corridor with late night train horns getting louder and more frequent. The city needs to address this as part of the growth plan. A solution successfully deployed in Oceanside is silent train crossings. Why cant Carlsbad deploy a similar solution? As much as I'd like to see the tracks trenched, I don't see this anywhere on the horizon.

Would appreciate a response and include this in the next Growth Management meeting.

Stephen Stewart
Carlsbad Resident

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From: [Diane Nygaard](#)
To: [Growth Management Committee](#)
Cc: [Eric Lardy](#)
Subject: Comments on Draft Performance Standards and Quality of Life Memo
Date: Wednesday, March 22, 2023 5:18:04 PM

Honorable Chair and Commissioners

We appreciate the effort that you have all expended to modify the city's performance standards to meet the needs of the future. It has not been easy, but the end is in sight.

We offer the following comments on the draft reports:

Performance Standards

Parks

1. The Committees action was to modify the standard- not to accept it. The staff report does not accurately reflect the actual committee vote. The modification was to recommend that the City Council consider adding a park distance standard.
2. "Other considerations" should note the extensive discussion about the inequity of counting Veteran's Park in all four quadrants which was part of the basis for recommending adding a distance performance standard.
3. "Other considerations" should also note the extensive discussion about the need for a coastal access park in the southern half of the city. That discussion was not just about a specific park, but about the concept of coastal access. It was that concern that prompted the request for a special presentation about the changes to Carlsbad Blvd and whether that could help address the specific issue about the lack of coastal access in the southern half of the city. That was a specific concern raised by several Commissioners that was not mentioned in the draft.
4. "Status" discussion should note the impact of allocating Veteran's Park acres in all four quadrants and how that impacts compliance with the standard. There was substantial comment about how that single park was treated differently than all others and that is the reason that the three quadrants where it is not located are shown as meeting the performance standard.

Open Space

5. "Other considerations" does not reflect the extensive discussion about the basis for the exemption of 11 of the 25 LFMZ's . It was that discussion that led to adding the changed language to make it clear that the Committee supported open space in all 25 FMZ'z- but was concerned about the impact of making the 15% a requirement for all considering the state of development and availability of land to add more open space.
6. 'Status" that shows all 25 LFMZ's meet the performance standard is inaccurate and misleading.

Funding

7. The draft report should also mention the potential for future voter approved measures to fund quality of life infrastructure- particularly for parks and open space. Every time voters

have been given a choice to allocate funds for those purposes the ballot measures have passed. Such funding opportunities should be considered in the future as a way for the broader community to indicate their preferences for the use of tax funds.

On the Draft Quality of Life Memo

Open Space

8. The Committee recognized the importance of actively considering opportunities to add open space- including updating the property list considered by the Open Space Citizens' Committee from several years ago. It was for that reason they recommended assigning that to the Recreation and Parks Commission- but it could also be addressed by a new Open Space Committee, or in another way as determined by the City Council.

Climate Change

9. Failure to address climate change could impact the city's ability to meet many of the performance standards and the goals in the Vision statement. The City Council adopted a Climate Emergency Resolution. While this issue is not one that is best addressed through a simple statement of a performance standard, it remains an important consideration impacting the quality of life for future residents.

Thank you for considering our comments.

Diane Nygaard
On behalf of Preserve Calavera

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From: [Paige DeCino](#)
To: [Growth Management Committee](#)
Subject: Tomorrow Carlsbad Draft Growth Management Plan
Date: Wednesday, March 22, 2023 10:45:42 PM

Dear Tomorrow Carlsbad committee members,

Thank you for your year-long work on reviewing city standards that affect our quality of life. I would like you to consider my comments below on some of the draft report.

Parks Standard

The Performance standard for parks (p. 27) indicates on first reading that no modification is recommended in spite of the reading of p. 30 that the committee recommends consideration of a distance-based standard. It is misleading to note “keep as is” rather than “modify. In addition, Carlsbad cannot be considered a leader in sustainability when its park standard is lower than our neighbors to the north and south.

Also, given the concern over the distance to parks – hopefully walkable – Veterans Park does not contribute to anything resembling a neighbor (and walkable) park for 3 of our city’s 4 quadrants.

Open Space Standard

Under “Status” the report indicates all but one LFMZ has >15% open space which sounds good. However, since this is just a snapshot in time (now) it doesn’t mean there’s a guarantee of at least 15% open space in each of the zones in the future. Without a modified standard, the future of open space in zones 1-10 is in doubt.

Thank you,
Paige DeCino

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From: [Mike McMahon](#)
To: [Growth Management Committee](#)
Subject: Open Space and Parks
Date: Thursday, March 23, 2023 1:09:02 PM

I wish to thank the Carlsbad Tomorrow Committee for compiling their historical review of our open space standard and how it impacts us today. Based on community survey results, 20-30 percent of residents say their park needs are unmet. This percentage of dissatisfaction can begin to be addressed by adding a 10 minute walking goal standard for 3-4 acres per 1,000 per quadrant. A high priority should be placed on actively finding any opportunities to add parks and open space as this has much proven voter funding support.

Thank you for your consideration,
Mike McMahon
District 2

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From: [Lance Schulte](#)
To: [Growth Management Committee](#); [Council Internet Email](#); [City Clerk](#); [Kyle Lancaster](#); [Eric Lardy](#); ["Smith, Darren@Parks"](#); ["Homer, Sean@Parks"](#); ["Sean Adams"](#); ["Moran, Gina@Parks"](#); [Boyle, Carrie@Coastal](#); ["Prahler, Erin@Coastal"](#); ["Ross, Toni@Coastal"](#)
Cc: info@peopleforponto.com
Subject: Thank you and Public input for Carlsbad LCPA-Parks Master Plan & Growth Management Plan Updates - do the right and smart thing for our future
Date: Tuesday, April 25, 2023 12:16:02 PM

Dear Carlsbad Tomorrow Growth Management Committee:

Thank you for your service.

Your recommendations are a first initial step in the right direction to acknowledge and recommend correction of the documented existing, and growing, Park and Useable Open Space shortfalls and inequities at Ponto and South Carlsbad. The unfairness (both amount and location) of these city facility impacts over 62% of Carlsbad's families and the majority of Carlsbad's visitor industry. Thus this inequitable distribution/location and shortage of these facilities greatly negatively impacts all of Carlsbad's social quality of life and our City's fiscal sustainability. This unfairness is amplified at Ponto due to the current 40% higher population density at Ponto then the rest of Carlsbad due to past conversion of prior Ponto Useable Open Space land uses to Residential by the City on behalf of past, and current, developer requests. Failure to adequately correct these city Park and Useable Open Space facility locational inequities in Coastal South Carlsbad will over time undermine and degrade Carlsbad's comparative positions relative to other cities.

It is illogical, and many Carlsbad citizens think very inappropriate, that the Committee was prevented from making logical and reasoned location specific recommendations regarding the inadequate distribution and amount of Growth Management Park and Open Space facilities and land uses at Ponto and Coastal South Carlsbad. All City Growth Management Facilities and land uses are by definition location specific. City parks, open space, fire stations, school, drainage-sewer-storm water facilities, and roads all have location specific "service areas" based on the magnitude of surrounding population demands (aka Carlsbad homes, neighborhoods and communities) that need those services. If a neighborhood needs an accessible/useable city park for children to play, or a neighbored needs an intersection/ road to correct neighborhood congestion the solution is location (neighborhood) specific. Providing a park or roadway improvements miles away and saying that solves that neighborhood's park and intersection/road problems is dishonest and a misallocation/waste of tax-payer money by not solving those neighborhood location specific City facility problems.

In the mid-1980's when I was involved in Carlsbad's initial Growth Management Plans we had to address location specific Growth Management facility shortfalls and provide location specific Growth Management facility corrections. Locations of facilities are clearly seen and discussed in the initial Growth Management Plans as new correcting city facilities were plotted and planned for under Growth Management. Why the CTGMC was prevented to do the same type of analysis makes no sense.

Not honestly addressing and making logical (and tax-payer responsible) location specific recommendations to correct this unfairness and dysfunction is counter to good planning practice. Failure to honestly correct this unfairness ignores fundamental moral and ethical principles. All Carlsbad neighborhoods should have fair, equitable, adequate sized and located City Quality of Life facilities. Failure to address locational specific City park facility shortfalls and unfairness results in substandard neighborhoods and communities whose children and families are forced to use Streets, railroad right-of-way, or destroy protected habitat land to use as people Parks. Your fellow citizens have told you this and you have been shown the pictures. This will only get worse with increased resident and visitor population increases, if not corrected now.

We hope you will be positively engaged in a responsible and honest follow-up by the City Council and CA Coastal Commission to use tax-payer money wisely (i.e. the cost effective purchase of vacant land at Ponto) to correct the Coastal Park and Useable Coastal Open Space unfairness documented, and extensively communicated to the Committee, City Council and Commissions, and CA Coastal Commission.

The City allowed (and is proposing more) Ponto developers to change Useable Open Space land use to increase residential development density to over 40% higher than the rest of Carlsbad. Correcting the Park, Useable Open Space, and development density imbalances is needed now while we have cost-effective vacant unplanned land at Ponto.

We all Own our actions, or inactions, in how we take the next positive steps to address the well documented unfairness and corrosive situation that, if uncorrected, will degrade "Carlsbad Tomorrow" and our Coastline for current and future generations.

Thank you again for your service on the Carlsbad Tomorrow Growth Management Committee. Our work for a new and better Carlsbad Tomorrow is just starting.

Again Mahalo Nui Loa, and Aloha Aina,

Lance Schulte

Copy: Carlsbad City Council, Planning and Parks Commissions, and CA Coastal Commission

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From: [Lance Schulte](#)
To: [Growth Management Committee](#); [Council Internet Email](#); [City Clerk](#); [Kyle Lancaster](#); [Eric Lardy](#); ["Smith, Darren@Parks"](#); [Homer, Sean@Parks](#); ["Sean Adams"](#); ["Moran, Gina@Parks"](#); [Boyle, Carrie@Coastal](#); ["Prahler, Erin@Coastal"](#); [Ross, Toni@Coastal](#)
Cc: info@peopleforponto.com
Subject: Public input for Carlsbad LCPA-Parks Master Plan & Growth Management Plan Updates - do the right and smart thing for our future
Date: Thursday, April 20, 2023 8:27:05 AM
Attachments: [Carlsbad is below National Average & worst of 24 SoCal Coastal cities in providing Parks in a 10-minute walk to residents.pdf](#)
[TPL Support for Ponto Park - 2022-3-11.pdf](#)
[CTGMC key issues and suggestions -2022-12-6.pdf](#)
[History of Open Space at Ponto - 2022-1-26.pdf](#)
[Sea Level Rise and Carlsbad DLCP-LUPA planned loss of OS at Ponto - 2022.pdf](#)
[2022 General Comparative cost-benefits of Completing PCH-PCH Modification-Ponto Park - Part 1 of 2 \(2\).pdf](#)
[Carlsbad 2019 proposed Draft LCP Amendment - People for Ponto 2021-Oct Updated Public Comments - Coastal Recreation.pdf](#)

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

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's February 2023 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, and Carlsbad's Ponto Planning Area F and Site 18 planning and development applications, and
4. as public input to the CA Coastal Commission on Carlsbad's proposed Local Coastal Program Amendment.

In looking over the CTGMC's proposed report and recommendations, it appears the attached data and issues from over 5,000+ emails and extensive numbers of Carlsbad Citizens verbal comments provided city staff and the CTGMC have not been addressed.

Failure of the city staff and city to address these issues and providing a much needed and TRUE and significant Ponto Park (the last vacant land and opportunity to provide a true and meaningful Coastal Park) will undermine the Coastal Recreation needs (and future economic and social sustainability) of Carlsbad and future CA residents and visitors. Ponto has the last remaining vacant and unplanned Coastal land for a 6-mile length of coast that is without Coastal Park. Buying Ponto Park is the far better and magnitude CHEAPER means to provide a significant Coastal Park for this 6-mile length of Coast (and ALL South Carlsbad) that is without a Coastal Park.

The CTGMC needs to responsibly address the data and issues thousands of Carlsbad and North County Citizens and visitors have sent you. CTGMC and staff failure to address these issues will forever negativity impact forever our quality of life and eliminate the last viable, least constrained, and tax-payer effective option (Buying Ponto Park) for or future.

The CTGMC and city staff Own your decisions. Go down in history as being wise, true and doing the right thing for the future. Don't fail to address the FACTS and do nothing but kick-the-can-down-the road. We are running out of road and going over the cliff; as Seal Level Rise erodes our Coastal

Recreation lands and our last vacant inland areas are vanishing. Your time is now or never to do the right (and most tax-payer efficient) think – buy Ponto Park!

Lance Schulte

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]
Sent: Sunday, February 5, 2023 3:53 PM
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'; 'melanie@melanieforcarlsbad.com'
Cc: 'info@peopleforponto.com'
Subject: Public input for Carlsbad LCPA-Parks Master Plan & Growth Management Plan Updates - Carlsbad below national average and lowest So CA Coastal city in providing Parks within 10-minute walk

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

As the City has requested specific reference regarding public input, I ask you to please deliver to the those address this email and attachment as public input for:

1. the CTGMC's February 2023 meeting,
2. the next Carlsbad Council meeting,
3. the next Carlsbad Planning and Parks Commission meetings on the Parks Master Plan and Growth Management Program Updates, and Carlsbad's Ponto Planning Area F and Site 18 planning and development applications, and
4. as public input to the CA Coastal Commission on Carlsbad's proposed Local Coastal Program Amendment.

For years Carlsbad Citizens have told the City that there is a need for a Park at Ponto:

- to provide for documented Coastal Recreation (i.e. Public Park) land use at Ponto,
- to correct for the conversion of a 12.8 acre Recreation Commercial land use to Residential use and the elimination of planned Coastal Open Space at Ponto,
- to correct the Carlsbad's Park Master Plan documented lack of Park Service at Ponto,
- to provide South Carlsbad (62% of Carlsbad's total population and the City's major Coastal visitor and transit occupancy tax generator) with their ONLY Coastal Park west of I-5. The City unfairly, and contrary to CA Coastal Act Policy disproportionately provides 10 parks totaling 37 acres west of I-5 in Coastal North Carlsbad for 38% of the population but 0 (zero) Coastal Parks and 0 (zero) Coastal park acres west of I-5 in Coastal South Carlsbad for 62% of the population,
- to provide for an existing 6.5 acre local Neighborhood (i.e. Special use area) Park need at Ponto, and
- to provide a City Park within a 10-minute walk for Ponto residents.

Failure to correct this documented City Park unfairness is very damaging to the citizens, City finances, South Carlsbad's and California's visitor industry. The Coastal Recreation data file sent to you earlier documents some of the key facts.

However, we conducted some additional Trust for Public Land 10-minute walk data collection that the City Council, CTGMC, Parks and Planning Commissions and CA Coastal Commission need to also

consider. That data is below and in the attached file, and again with last year's Trust for Public Land Ponto Park support letter (again attached) that reflects on Carlsbad poor performance relative to the 24 So Cal Coastal Cities (165 miles of coastline) from Malibu to the Mexican border in providing Parks within a 10-minute walk. The data and links to the data source is:

Carlsbad is 10% below the national average for cities & the worst of 24 Coastal So California cities - 165 miles of coastline - in providing Parks within a 10-minute walk to residents

The Trust for Public Land documents a city's 10-minute walk to Park at

<https://www.tpl.org/parkserve>

The Average USA City provides Parks within 10-minute walk to 55% of residents [10% above Carlsbad].

Carlsbad provides Parks within 10-minute walk to 49.9% of residents [10% below National Average].

New York City provides Parks within 10-minute walk to 99% of residents.

The Trust of Public Land submitted a letter to the City of Carlsbad, CA Coastal Commission, and CA State Park supporting Ponto Park

Carlsbad is the worst of 24 Southern CA Coastal cities (from Malibu south to Imperial Beach along 165 miles of coastline) in providing Parks within 10-minute walk to residents:

1. Palos Verdes Estates provides Parks within 10-minute walk to 100% of residents
2. El Segundo provides Parks within 10-minute walk to 100% of residents
3. Hermosa Beach provides Parks within 10-minute walk to 100% of residents
4. Redondo Beach provides Parks within 10-minute walk to 98% of residents
5. Manhattan Beach provides Parks within 10-minute walk to 95% of residents
6. Del Mar provides Parks within 10-minute walk to 93% of residents
7. Dana Point provides Parks within 10-minute walk to 89% of residents
8. Huntington Beach provides Parks within 10-minute walk to 85% of residents
9. Long Beach provides Parks within 10-minute walk to 84% of residents
10. Laguna Beach provides Parks within 10-minute walk to 82% of residents
11. Santa Monica provides Parks within 10-minute walk to 82% of residents
12. San Diego provides Parks within 10-minute walk to 81% of residents

13. Coronado provides Parks within 10-minute walk to 76% of residents
14. Newport Beach provides Parks within 10-minute walk to 76% of residents
15. Imperial Beach provides Parks within 10-minute walk to 74% of residents
16. Encinitas provides Parks within 10-minute walk to 68% of residents
17. Los Angeles provides Parks within 10-minute walk to 63% of residents
18. Solana Beach provides Parks within 10-minute walk to 63% of residents
19. Oceanside provides Parks within 10-minute walk to 58% of residents
20. Seal Beach provides Parks within 10-minute walk to 57% of residents
21. Malibu provides Parks within 10-minute walk to 53% of residents
22. San Clemente provides Parks within 10-minute walk to 52% of residents
23. Rancho Palos Verdes provides Parks within 10-minute walk to 50% of residents
24. **Carlsbad** provides Parks within 10-minute walk to **49.9% of residents.**

Carlsbad is the lowest & most unfair to citizens of the 24 Southern California Coastal cities along 165 miles of coast from Malibu to Imperial Beach.

Source of data: Trust for Public land parkscores

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Trust for Public Land's 10-minute walk to Park Maps/data:

Carlsbad = <https://parkserve.tpl.org/mapping/index.html?CityID=0611194#reportTop>

Encinitas = <https://parkserve.tpl.org/mapping/index.html?CityID=0622678>

Irvine = <https://parkserve.tpl.org/mapping/index.html?CityID=0636770>

Please, Please, please, consider and discuss this data, and

1. Create a 10-minute walk to City Park Standard in the
 - a. Parks Master Plan,
 - b. Growth Management Plan Update, and
 - c. Local Coastal Program Update.
2. Create a Park Policy that requires developers to dedicate Park Land (not pay Park-in-lieu-fees) in areas that do not a minimum of 3 acers of City Park for each in 1,000 population within a 10-minute walk of the developer's proposed development (see attached CTGMC Key Issues & Suggestions file for details and Open Space suggestions)
3. Fix Coastal South Carlsbad's documented City Park inequity/unfairness with a significant and real Ponto Park
4. Save tax-payers tens of millions in dollars by cost effectively purchasing vacant land at Ponto for a Park, v. trying to maybe make a few bits of narrow PCH roadway median as a pseudo-park

- Do you want Carlsbad to be the worst city in Coastal Southern California in providing accessible Parks within a 10-minute walk to residents?
- Do you want Carlsbad to fail to upgrade its park standards while other cities updated their park Standards and make their cities more desirable?
- Do you want to undermine the quality of life for Carlsbad citizens and their children by not providing a park within a 10-minute walk to their home?
- Do you want to force Carlsbad families to have to drive to park?
- Do you want to slowly undermine a key visitor serving industry in South Carlsbad by not providing a significant and true and meaningful Coastal Park in South Carlsbad?
- Do you want tax-payers to pay tens of millions more to try to maybe try to make a few narrow portions of PCH median useable to people?

Please take responsibility and full ownership of your decisions on these important issues and questions. The individual decisions you make will likely be the last ones made. Once vacant land like at Ponto is developed it will be forever lost to address the critical, well documented Park and Coastal Park needs at Ponto as overwhelmingly communicated by Carlsbad Citizens and visitor businesses, and other citizens.

Please be wise and think about the future your decisions will bring.

Thank you,
Lance Schulte

PS: The initial version of the “CTGMC key issues and Suggestions 2022-12-6” file (attached) sent to you 8/8/22. The attached updated file should replace that older file as there is new data on significant tax-payer cost savings from Pronto Park relative to PCH Relocation, and updated examples of how Coastal Open Space can be cost-effectively persevered and increased. Both Coastal Parks and Open Space are important Carlsbad and State of CA issues.

- Parks: Updated data shows that a 11.1 acre Ponto Park would now cost less \$20 million to buy and build. This is less than a City Pool Renovation. Carlsbad’s Old City Council planned to spend \$65 to \$80 million in Carlsbad tax-payer dollars to address the Citywide need for a significant Coastal Park in South Carlsbad with a 2.3 mile PCH Relocation. The City identified in 2001 other pay-payer funds were highly unlikely. \$65 to \$80 million would only ‘free-up’ 15.8 acres of narrow PCH Median (City documented “Surplus Land Area #4 & #5”). As People for Ponto Citizens have been saying for years that Ponto Park is the better Park solution to the documented Coastal South Carlsbad Park needs – a citywide need. The CTGMC should include that citywide Park need and the logical, better and tax-payer responsible Ponto Park solution to that citywide Park need in your CTGMC recommendations to City Council.
- Open Space: Updated data shows how documented GM Open Space shortfalls can be properly and responsibly address in a collaborative citizen-based “Local Facilities Zone

Useable Open Space Correction Plan” approached. Also the need to maintain the 15% GM (Useable) Open Space Standard will be critical in the future to maintain Open Space and prevent future conversion of Open Space to residential land use as part of Housing Plan updates.

For the CTGMC; Parks and Open Space are the 2 most critical/special of 6 Key Growth Management Program Update Issues and Suggestions the CTGMC should take to properly address these 6 key Growth Management Issues.

- Please read the Updated data and Suggestions.
- Please responsibly address the Growth Management issues of a citywide Park need for Coastal South Carlsbad as listed in the attached Suggestions. Include a South Carlsbad Coastal Park in your recommendations to the City Council. Acknowledge Ponto Park as the best and most tax-payer efficient solution to address that documented citywide park need.
- Please in your recommendations to City Council retain and enforce the Open Space Standard, and fix past errors made in falsely exempting certain developers in certain areas in the City from complying with the Growth Management Open Space Standard that other developers in other areas are required to provide.

Please consider this email and attachments, and know P4P Carlsbad Citizens are here to help assure we sustain and enhance our quality of life for future generations. People for Ponto love deeply Carlsbad and want to assure we leave a better Carlsbad to future generations.

Happy holidays and with Aloha Aina,
Lance Schulte

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

Carlsbad is 10% below the national average for cities & the worst of 24 Coastal So California cities - 165 miles of coastline - in providing Parks within a 10-minute walk to residents

The Trust for Public Land documents a city's 10-minute walk to Park at <https://www.tpl.org/parkserve>
The Average USA City provides Parks within 10-minute walk to 55% of residents [10% above Carlsbad].
Carlsbad provides Parks within 10-minute walk to 49.9% of residents [10% below National Average].
New York City provides Parks within 10-minute walk to 99% of residents.

The Trust of Public Land submitted a letter to the City of Carlsbad, CA Coastal Commission, and CA State Park supporting Ponto Park

Carlsbad is the worst of 24 Southern CA Coastal cities (from Malibu south to Imperial Beach along 165 miles of coastline) in providing Parks within 10-minute walk to residents:

1. Palos Verdes Estates provides Parks within 10-minute walk to 100% of residents
2. El Segundo provides Parks within 10-minute walk to 100% of residents
3. Hermosa Beach provides Parks within 10-minute walk to 100% of residents
4. Redondo Beach provides Parks within 10-minute walk to 98% of residents
5. Manhattan Beach provides Parks within 10-minute walk to 95% of residents
6. Del Mar provides Parks within 10-minute walk to 93% of residents
7. Dana Point provides Parks within 10-minute walk to 89% of residents
8. Huntington Beach provides Parks within 10-minute walk to 85% of residents
9. Long Beach provides Parks within 10-minute walk to 84% of residents
10. Laguna Beach provides Parks within 10-minute walk to 82% of residents
11. Santa Monica provides Parks within 10-minute walk to 82% of residents
12. San Diego provides Parks within 10-minute walk to 81% of residents
13. Coronado provides Parks within 10-minute walk to 76% of residents
14. Newport Beach provides Parks within 10-minute walk to 76% of residents
15. Imperial Beach provides Parks within 10-minute walk to 74% of residents
16. Encinitas provides Parks within 10-minute walk to 68% of residents
17. Los Angeles provides Parks within 10-minute walk to 63% of residents
18. Solana Beach provides Parks within 10-minute walk to 63% of residents
19. Oceanside provides Parks within 10-minute walk to 58% of residents
20. Seal Beach provides Parks within 10-minute walk to 57% of residents
21. Malibu provides Parks within 10-minute walk to 53% of residents
22. San Clemente provides Parks within 10-minute walk to 52% of residents
23. Rancho Palos Verdes provides Parks within 10-minute walk to 50% of residents
24. **Carlsbad provides Parks within 10-minute walk to 49.9% of residents.**

Carlsbad is the lowest & most unfair to citizens of the 24 Southern California Coastal cities along 165 miles of coast from Malibu to Imperial Beach.

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Encinitas = <https://parkserve.tpl.org/mapping/index.html?CityID=0622678>

Irvine = <https://parkserve.tpl.org/mapping/index.html?CityID=0636770>

Following are 6 key major Growth Management Standards issues of citywide relevance that the Carlsbad Tomorrow Growth Management Committee (CTGMC) needs to act on, and citizen “Suggestions to CTGMC” on how to honestly and responsibly act on these 6 key issues in the CTGMC’s recommendations to the New City Council. This Update includes new information (pp 5-6) on the improved affordability of Ponto Park, and on how GM Open Space shortfall can be repaired. We hope the CTGMC will act honestly to make recommendations that truly and responsibly address known documented shortfalls in both Parks and GM Open Space. Responsible recommendations by the CTGMC can provide a sustainable Quality of Life to future Carlsbad generations and visitors. Only you own your recommendations.

1. The State of CA is forcing Carlsbad and all cities/counties in CA to provide for unlimited or Infinite Population and Visitor growth. So there will be an Infinite population & visitor demands for Parks, Open Space, water, and demands on our roads/transportation systems, and other Growth Management (GM) Quality of Life facilities. These infinite increases in population and visitor demand will come from high density development that requires more public Parks and Open Space to balance the high-densities. **Carlsbad’s new GM Standards will have to provide for a system of Infinite proportional increases in the supply of Parklands, Open Spaces, water, transportation facility capacity, etc. or our Quality of Life will diminish.**
 - a. Suggestions to CTGMC:
 - i. Completely restructure the General Plan, Local Coastal Program and GM Program to clearly recognize these facts and State requirements to proportionately provide public facilities to maintain/improve Carlsbad GM Quality of Life Standards for this Infinite growth of Population and Visitor demands.
 - ii. **Being a Coastal city Carlsbad has an added responsibility to proportionately maintain/improve providing High-Priority Coastal land uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations) needed at a regional and statewide level to address visitor needs for Coastal Recreation, access, and affordable accommodations.** Carlsbad needs to work with the State of CA Coastal Commission to completely restructure Carlsbad’s Coastal Land Use Plan to addresses the State’s requirement to provide an Infinite amount high-priority Coastal land uses for those Infinite Population and Visitor demands.
 - iii. **Trying to ignore these Infinite demands for Carlsbad’s Quality of Life facilities – like Parks and Open Spaces is a path to disaster and the ultimate degradation of Carlsbad’s Quality of Life.**
2. **Carlsbad has a huge Jobs v. Housing supply imbalance – far too many jobs around the airport for our amount of housing. This creates negative and costly land use and transportation planning distortions that radiate from the Airport Central Jobs through Carlsbad in all directions.** CA Housing law penalizes unbalanced cities like Carlsbad by requiring more housing in Carlsbad to bring jobs/housing ratio into balance. Carlsbad can correct this imbalance by 1 of 2 ways: 1) greatly increase housing supply (and thus increase the need and City expense for more GM Quality of Life facilities), or 2) more logically and cost effectively greatly decrease the amount of Jobs land use, so Carlsbad’s housing supply is in balance with jobs. These jobs will move to surrounding Cities that have more housing than jobs. **Rebalancing by reducing jobs land use creates added benefits for Carlsbad and our region by reducing Carlsbad’s peak-hour job commute traffic volumes and**

vehicle miles traveled (VMT), and by reducing the costs Carlsbad (and other cities and the region) have to pay to accommodate inter-city commute traffic. If Carlsbad reduces jobs land use will also reduce the amount of housing the State of California and SANDAG requires Carlsbad provide in its Housing Element thus reducing forcing incompatible high-density development into established neighborhoods and pressure to convert useable GM Open Space lands to housing land use.

a. Suggestions to CTGMC:

- i. **Carlsbad can logically and cost effectively balance Jobs/housing supply by updating Growth Management Policy to reduce jobs to be in balance with housing by changing some of Carlsbad's General Plan land use around the airport into several high-density residential mixed-use Villages.** The City has started some of this, but can expand this effort but has not planned creating mixed-use village environments. These high-density villages will reduce jobs and provide both high-quality and high-density (affordable) housing within walking/biking distance to the major job center and new neighborhood commercial and Park uses in the Villages.
- ii. Prioritize transportation investments in safe bike paths, walking paths between Carlsbad's Central Jobs Core around the airport and Carlsbad's housing, particularly strongly connecting these new high-density mixed-use villages with the Central Jobs Core.
- iii. Update General Plan land use and housing policy to reduce concentrations of higher-density housing except around the airport jobs core.
- iv. Recognize the central Airport jobs core is 'Carlsbad's New Urban Downtown and "Transect Plan" accordingly toward lower densities on the City periphery.

3. Although some very critical areas (such as the Coastal lands at Ponto) are still vacant and can be wisely used for critical GM Quality of Life needs, much of Carlsbad is largely developed.

Redevelopment of developed land will require creating increased supplies of Parkland, Open Spaces, transportation capacity, and other Quality of Life facilities.

a. Suggestions to CTGMC:

- i. **Completely rethink all City planning on existing vacant lands to assure that remaining vacant land is planned and being used wisely and fairly distributed to address critical Quality of Life needs in those areas, and not squandered on redundant land use.** The location of vacant land to address critical Park & Open Space needs should be preserved with land use planning.
- ii. Work with the State and CA Coastal Commission to preserve our Finite vacant Coastal lands for High-Priority Coastal Land Uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations and services) for the Infinite population and visitor demands both internal and external to Carlsbad that are/will be placed on them.
- iii. Fully and at the very beginning of any Carlsbad General Plan, Local Coastal Program and Growth Management Program actions going forward fully disclose, map and require consideration of the impact of future sea level rise and coastal erosion on Coastal land acres and land uses. Carlsbad has lost and will accelerate losing acres of Coastal land and High-priority Coastal Land Uses. Carlsbad must know, see, and discuss these losses BEFORE making any land use decisions in Carlsbad's Coastal Zone and any vacant Coastal Land.

4. **Carlsbad General Plan & Growth Management Plan do not provide a fair distribution of adequately sized City Parks for all Carlsbad families.** Veterans Park is a classic example. What will

be the City's largest park is only about 1-mile away from three other major City Parks (Zone 5, and the future Robinson Ranch and Hub Parks). This is a poor and unfair distribution and a misallocation City Park land resources. Saying Veterans Park is 'the park to serve SW, SE, and NE Carlsbad families' (the overwhelming major/majority funders of veterans Park) when those families are upwards of 6-miles away on major commercial arterials that kids can't logically/safely use is false and unfair. Most all the funding (developer fees) to build Veterans Park come from the SW, SE and NW Carlsbad but those areas are denied the Park the paid for. Veterans Park is inaccessible by almost all its intended users except by driving their cars and then storing their cars in parking lots on Parkland thus making less park land available for actual park use – this makes little common sense and is a great waste of tax-payer funds. This is dysfunctional along with being very unfair to families in SW, SE and NE Quadrats that are denied park acres near their homes which they funded. **Carlsbad's Park Master Plan maps 'Park Service' areas of existing known Park Inequity or Unfairness (dysfunction), to show where new City Park investments should be made (See City map image with notes below).**

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

The Trust for Public Land provides a Park-Score to compare both a City's amount of park acres and the 'fairness' of access (within a 10-minute walk) to parks. **Carlsbad is below national averages in both park acres and fair access to parks. Carlsbad is also well below what our adjacent Coastal cities of Encinitas and Oceanside provide. Carlsbad only requires 3 acres of Park land per 1,000 population, while Encinitas and Oceans require 5 acres - 67% more than Carlsbad – of parkland. Also, Encinitas and Oceanside require parks to be within a 10-minute walk to their citizens and families. Carlsbad has no such requirement.**

a. Suggestions to CTGMC:

Carlsbad should change its General Plan, Parks and Growth Management Standards and CMC 20.44 to:

- i. **Be Above Average Nationally in both providing park acreage and in locating adequate park acreage to be within a 10-minute walk to all neighborhoods.**
 - ii. **Raise its minimum park acreage standard to 5 acres per 1,000 population, versus the current low 3 acres per 1,000. Carlsbad should be at least as good as Encinitas and Oceanside in requiring 5 acres, not 40% below what our adjacent Cities require/provide.**
 - iii. **Raise its park location standard to require an adequately sized park be provided to serve the neighborhood population within a 10-minute walk for all neighborhoods.**
 - iv. **Prioritize City Policy and Park Budgets and investments to achieve park fairness in 'Park Unserved areas' identified by Carlsbad's Park Master Plan.**
 - v. **Per Carlsbad's Municipal Code Chapter 20.44- DEDICATION OF LAND FOR RECREATIONAL FACILITIES to require developers in 'Park Unserved areas' and in areas that do not have an adequately sized (5 acres per 1,000 population) park within a 10-minute walk to provide their developments required Park land acre dedication in actual Park land within a 10-minute walk to their development.**
 - vi. **Update the City's Park-in-lieu fee to assure the fee is adequate to actually buy the amount of park land a developer is to provide within a 10-minute walk of their development. The City's current 'Park-in-lieu-fee' is far too low and inadequate to actually buy land in area surrounding the proposed development.**
 - vii. **Only allow developers to pay a Park-in-lieu-fee where there is an adequately sized park (provide 5 acres per 1,000 population) within a 10-minute walk of their development, and growth management planned future development in that area will not require more park land to provide 5 acres per 1,000 population) within a 10-minute walk.**
 - viii. Consider updating Park policy to provide more multi-use flexibility in park land acres and development on Parks. Many Carlsbad Park acres are developed/dedicated to a single-purpose use, and unavailable for other park uses.
 - ix. Consider eliminating car parking lots from land that can be counted as parkland; or by significantly limiting park land used for parking to around 5%.
 - x. **Eliminate the counting of 'GM Constrained and Unusable land' and Protected Endangered Species Habitat land as Park land. GM Constrained/Unusable lands are undevelopable. Protected Habitat lands are by definition not useable for development by people. Habitat is dedicated for plants and animals. Parks are open spaces dedicated intended for people. Parkland calculations should exclude Unusable lands and Protected Habitat lands and only count 100% people Useable land as Park land. Where Park land abuts Habitat land a sufficient buffer space shall be provided to prevent people mixing with animals (ex. Rattlesnakes, etc.) and animals from people (habitat disturbance or destruction). This buffer area should not be counted as Park or Habitat acres, but as natural/developed buffer open space acres, and can be counted as part of the City's 15% Growth Management 'Aesthetic open Space'.**
5. Carlsbad's Coast is the most, if not the most, important feature of Carlsbad; and is consistently identified by citizens and businesses and our Community Vision. **Carlsbad's Coastal Parks (west of the I-5 corridor) are grossly unfairly distributed. Carlsbad's Coastal Parks do not fairly match the**

locational needs of the population. North Carlsbad that is 38% of Carlsbad's population and has 10 Coastal Parks totaling 37+ acres in size. South Carlsbad that is 62% of Carlsbad's population has 0 [ZERO] Coastal Parks totaling 0 [ZERO] acres. Again, Carlsbad's Park Master Plan maps this citywide unfairness (dots show park locations and circles show the area served by each park) and says that the City should look at buying and building New Parks in these areas that are unserved by City Parks (are not covered by a circle). The GM Update should correct this citywide unfair distribution of City Parks by making plans for new Park purchases to create City Parks in these unserved areas of Park Inequity.

To address citywide Coastal Park unfairness the current City Council wants to spend \$60-85 million in Carlsbad tax-payer funds to Relocate 2.3 miles of constrained Pacific Coast Highway median to try to make some of the narrow PCH median 'useable' by people. 2001 and 2013 City PCH Relocation studies identified only a small amount of 'people-useable acres' would be created next to PCH. The \$60-85 million tax-payer cost (\$26-37 million per mile) does NOT add one single square foot of new City land, it only inefficiently rearranges a small amount PCH median. The City can most tax-payer cost effectively provide needed sidewalks and bike improvements along the outside edges of PCH without PCH Relocation. The City's 2001 PCH Relocation Financial Study and 2013 PCH Relocation Design both indicated minimal useable land could be achieved by Relocation, and that the very high tax-payer cost to do so would be very difficult to fund. The City has known for well over 20-years that PCH Relocation is a high-cost and a poor solution to address the Citywide Coastal Park unfairness in South Carlsbad.

However, a **better and far less costly solution to correct Citywide Coastal Park unfairness and provide a much needed South Carlsbad Coastal Park is to simply buy currently vacant land that is for sale.** The City did this (although the City actually bought existing homes) when it expanded Pine Park. **Carlsbad tax-payers have used the City's own data to compare the tax-payer Cost/Benefits of simply purchasing vacant land v. trying to rearrange existing City owned land at PCH. Simply buying vacant land saves tax-payers saves tax-payers over \$32.7 to \$7.7 million.** Please read the following data files:

- 2022-June General Comparative tax-payer Costs/Benefits of Completing PCH, 2.3 miles of PCH Modification (Island Way to La Costa Ave.), and 14.3 acre Ponto Park (Kam Sang) to address planned loss of 30+ acres of Coastal Open Space Land Use at Ponto in South Carlsbad: Part 1 of 2.
- City's PCH Modification Proposal Area Map with notes on usability Constraints and Issues: P4P Input: Part 2 of 2
- The most recent (9/19/22) land sale of 11.1 acre Ponto Planning Area F was less than \$8 million (less than \$706,000 per acre).
- **Buying and developing this 11.1 acre Ponto Park would cost less than \$20 million assuming a 10% profit to the new land-owner, and \$1 million per acre park construction cost like our newest Buena Vista Reservoir Park.** The cost to help correct a Citywide Coastal Park unfairness by simply buying & building a much needed **11.1 acre Ponto Coastal Park would cost tax-payers less than the recently approved Measure J City Monroe Street Pool Renovation.** Investing less than \$20 million (\$1.8 million per acre) to buy and build an 11.1 acre Ponto Coastal Park is a great tax-payer value v. \$65-80 million in tax-payer funds to rearrange 15.8 acres of narrow strips of constrained PCH median (City documented "Surplus Land Area #4 &5") for some minimal people use at a tax-payer cost of \$4-5 million per acre. **The overall and per acre costs of buying/building Ponto Park are over 2 to 3 times better value for tax-payers than PCH Relocation/rearrangement.**

- The City Council could/can buy land for Open Space (Parks are the most useable of the City's 4 Open Space categories) under voter approved Prop C Open Space land acquisition authority. **The City has been advised to buy Ponto Park under Prop C per the City's settlement of a Growth Management law suit.**

The Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is clearly a citywide issue. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad as it is unfair to the vast majority of Carlsbad citizens and their families as 62% of Carlsbad is in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is unfair to our major Visitor serving industries (and tax generators) in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad are clearly inconsistent with the CA Coastal Act, Carlsbad's Community Vision, and common sense. The Coastal South Carlsbad Park Inequity is also unfair to North Carlsbad because South Carlsbad's Coastal Park demand is being forced into Coastal North Carlsbad and congesting those parks, and adding to Coastal North Carlsbad traffic and parking impacts. It also increases greenhouse gases and VMT as it forces longer vehicle trips.

a. Suggestions to CTGMC:

- i. 11.1 acre Ponto Planning Area F has a specific Local Coastal Program Land Use Policy that says The City of Carlsbad must for the Ponto Area LCP 'Consider and Document the need for Coastal Recreation (i.e. Public Park) and or Low-Cost Visitor Accommodations west of the railroad tracks (at Ponto) prior to any Land Use change. **The discussion of Parks by the CTGMC is such a situation that requires the CTGMC to consider this adopted LCP Land Use Policies. Official public records requests have shown the City never followed this LCP Land Use Policy Requirement during the 2005 Ponto Vision Plan and 2015 General Plan Update, and in 2010 the CA Coastal Commission rejected the Ponto Vision Plan and told the City in 2017 that that land uses at Ponto could change based on the need for Coastal Recreation and/or Low Cost Visitor Accommodations.** The Mello II LCP that covers most of Carlsbad's Coastal Zone also has Land Use Policy 6.2 for the City to consider a major park in the Batiquitos (Ponto/South Carlsbad) area. The City has only implemented 1/6 to 1/3 of this policy. **The CTGMC should fully evaluate the citywide/South Carlsbad and local Ponto need for Coastal Parks as required by the City's adopted LCPs and CA Coastal Act.**
- ii. Carlsbad's 2015 General Plan Update and Growth Management Plan (GMP) did not, and was not updated to, consider the 2017 Sea Level Rise (SLR) Impact report showing the loss/impact on 32+ acres of Carlsbad's Coastal Land Use acreage in South Carlsbad – primarily Open Space Land Use (beach and Campground). **Both the General Plan (and Local Coastal Program Land Use Plan) and GMP should be updated to account for the loss and replacement of these 32+ acres of high-priority Coastal Open Space Land Use due to SLR.** The updates and the CTGMC should use the newest CA Coastal Commission SLR Guidelines/science, not the old guidelines used in 2017. Carlsbad's LCP and CA Coastal Act Land Use Polies call for 'upland relocation' to replace the SLR loss of high-priority Coastal Land Uses.
- iii. **The availability over the past several years of the last two sufficiently sized vacant lands suitable for a Ponto/South Carlsbad Coastal Park is a citywide issue. If these last two vacant lands are lost to development forever future generations will have lost the last opportunity for the needed South Carlsbad Coastal Park.** The 5/3/22 Citizen requests for the City to jointly study acquisition of one or both these last vacant lands for a needed (and only possible) true and meaningful Coastal Park for

South Carlsbad should be recommended by the CTGMC. **The CTGMC should recommend Carlsbad’s GMP be updated to incorporate Parkland acquisition of these last opportunities to provide the needed Coastal Park for South Carlsbad.**

6. Carlsbad Growth Management Open Space Standard is that 15% of all the Useable (unconstrained and fully buildable) areas is to be preserved as Useable Open Space, and that all the 25 Local Facility Management Plans (LFMP) show how that 15% is provided. The City says:

OPEN SPACE

A. Performance Standard

Fifteen percent of the total land area in the Local Facility Management Zone (LFMZ) exclusive of environmentally constrained non-developable land must be set aside for permanent open space and must be available concurrent with development.

Yet the City has mapped and documented that this 15% Useable Open Space Performance Standard was not complied with. The City also acknowledges that without changes to current City planning the 15% Useable Open Space Performance Standard will never be complied with. The City acknowledges that only 13% has/will under current plans ever be provided. This missing 2% equals 501 acers of lost GM Open Space the GMP promised citizens. **Carlsbad law the Growth Management Ordinance 21.90, and section ‘21.90.130 Implementation of facilities and improvements requirements’; provide guidance on how non-compliance with a Performance Standards is to be handled.**

- a. Suggestions to CTGMC:
 - i. Retain the GM Open Space Standard of 15% of all unconstrained and developable land is maintained as Open Space. If the City removes the Open Space Standard, it will allow and encourage land use changes to remove GM Open Space and replace with development.
 - ii. **The CTGMC should make a recommendation that an inventory of all 25 LFMP Zones be conducted and an inventory of each LFMP Zones provision of at least 15% Useable Open Space shall be compiled. No LFMP Zone shall be allowed to be “exempt” from this inventory.** The City’s computerized GIS mapping system makes it easy and clear as shown in the following City GIS map for LFMP Zone 9 (aka Ponto).



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara includes the same lagoon.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were not required to comply with the 15% Useable Open Space Standard is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the Growth Management Standard of 15% Useable Open Space at Ponto

472 Acres	Total land in LFMP Zone 9 [Ponto]
<u>(197 Acres)</u>	Constrained land excluded from Growth Management (GMP) Open Space
275 Acres	Unconstrained land in LFMP Zone 9 [Ponto]
X 15%	GMP Minimum Unconstrained Open Space requirement
41 Acres	GMP Minimum Unconstrained Open Space required
<u>(11 Acres)</u>	GMP Open Space provided & mapped per City GIS data
30 Acres	Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

- iii. In instances like LFMP Zone 9 (above image) that clearly did not provide at least 15% Useable Open Space and/or were falsely “exempted” the CTGMC should recommend that a **Local Facilities Zone Useable Open Space Correction Plan** shall be developed that explores the GM Open Space use/reuse of City land, land use planning requirements, and/or possible acquisitions of remaining vacant land acres to make up for any shortfall in meeting the 15% Useable Open Space in that a Zone. An example of this in LFMP Zone 9 is that the City’s regional Rail Trail will convert 2-lanes of almost all of Avenida Encinas to wider buffered bike lanes and an adequate portion of the converted 2 vehicle lanes can be landscaped (v. just painting strips as a buffer) to provide a safer/better bike lane buffer within a GM compliant Open Space. 2 vehicle lanes in Windrose Circle could also be similarly landscaped and converted to GM complaint Open Space. This is just one example of a cost-effective means to add GM Open Space that developers were falsely allowed to remove.
- iv. A **Local Facilities Zone Useable Open Space Correction Plan** should involve a Citizens Advisory Committee composed of citizens within the impacted Zone and appointed by the Council Members representing the Zone, and a representative of each vacant land owner over of over 1-acre in size.
- v. Consistent with the Growth Management Ordinance land use changes and development applications within a **Local Facilities Zone Useable Open Space Correction Plan** Zone shall be deferred until the applications can considered with (or after adoption of) a **Local Facilities Zone Useable Open Space Correction Plan**.

Sea Level Rise and Carlsbad's DLCP-LUPA's projected/planned Loss of Open Space at Ponto

Introduction:

Carlsbad first documented Sea Level Rise (SLR) and associated increases in coastal erosion in a December 2017 Sea Level Rise Vulnerability Assessment (2017 SLR Assessment). Prior planning activities (2010 Ponto Vision Plan – rejected by CA Coastal Commission, and 2015 General Plan Update) did not consider SLR and how SLR would impact Coastal Open Space Land Use & CA Coastal Act 'High-Priority' Coastal Open Space Land Uses at Ponto. The 2017 SLR Assessment shows Open Space land and Open Space Land Uses are almost exclusively impacted by SLR at Ponto & South Coastal Carlsbad. The 2017 SLF Assessment also shows significant LOSS of Open Space land acreage and Land Uses. Most all impacted Open Space Land Uses are CA Coastal Act "High-Priority Coastal Land Uses" – Coastal Recreation (i.e. Public Park) and Low-Cost Visitor Accommodations. Existing Ponto Open Space Land Uses are already very congested (non-existent/narrow beach) and have very high, almost exclusionary, occupancy rates (Campground) due to existing population/visitor demands. Future population/visitor increases will make this demand situation worst. The significant permanent LOSS of existing Coastal Open Space land and Coastal Open Space Land Use (and land) due to SLR reduces existing supply and compounds Open Space congestion elsewhere. Prior Ponto planning did not consider, nor plan, for significant SLR and current/future "High-Priority" Coastal Open Space Land Use demands.

Open Space and City Park demand at Ponto:

Open Space at Ponto is primarily 'Constrained' as defined by the City's Growth Management Program (GMP), and cannot be counted in meeting the City's minimal 15% 'Unconstrained' GMP Open Space Standard. Per the GMP Open Space Standard, the developers of Ponto should have provided in their developments at least 30-acres of additional 'Unconstrained' GMP Open Space at Ponto. City GIS mapping data confirm 30-acres of GMP Standard Open Space is missing at Ponto (Local Facilities Management Plan Zone 9).

The City of Carlsbad GIS Map on page 2 shows locations of Open Spaces at Ponto. This map and its corresponding tax parcel-based data file document Ponto's non-compliance with the GMP Open Space Standard. A summary of that City GIS data file is also on page 2. The City said Ponto's non-compliance with the GMP Open Space Standard was 'justified' by the City 'exempting' compliance with the Standard. The City 'justified' this 'exemption' for reasons that do not appear correct based on the City's GIS map and data on page 2, and by a review of 1986 aerial photography that shows most of Ponto as vacant land. The City in the Citywide Facilities Improvement Plan (CFIP) said 1) Ponto was already developed in 1986, or 2) Ponto in 1986 already provided 15% of the 'Unconstrained' land as GMP Standard Open Space. Both these 'justifications' for Ponto 'exemption' in the CFIP were not correct. The legality of the City 'exempting' Ponto developers from the GMP Open Space Standard is subject to current litigation.

The City proposes to continue to exempt future Ponto developers from providing the missing 30-acres of minimally required GMP Open Space, even though a change in Ponto Planning Area F land use from the current 'Non-Residential Reserve' Land Use requires comprehensive Amendment of the Local Facilities Management Plan Zone 9 to account for a land use change. City exemption is subject of litigation.

Ponto (west of I-5 and South of Poinsettia Lane) currently has 1,025 homes that per Carlsbad's minimal Park Standard demand an 8-acre City Park. There is no City Park at Ponto. Coastal Southwest Carlsbad has an over 6.5 acre Park deficit that is being met 6-miles away in NW Carlsbad. Ponto is in the middle of 6-miles of Coastline without a City Coastal Park west of the rail corridor.



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara had the same lagoon waters.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were never required to comply with the 15% Standard Open Space is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the 15% Growth Management Standard Open Space at Ponto

472 Acres
(197 Acres)
 275 Acres
 X 15%
 41 Acres
(11 Acres)
30 Acres

Total land in LFMP Zone 9 [Ponto]
 Constrained land excluded from GMP Open Space
 Unconstrained land in LFMP Zone 9 [Ponto]
 GMP Minimum Unconstrained Open Space requirement
 GMP Minimum Unconstrained Open Space required
 GMP Open Space provided & mapped per City GIS data
Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

Sea Level Rise impacts on Open Space and Open Space Land Use Planning at Ponto:

The City's 2015 General Plan Update did not factor in the impacts of Sea Level Rise (SLR) on Ponto's Open Space land. In December 2017 the City conducted the first Sea Level Rise Vulnerability Assessment <https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=33958>. The 2017 SLR Assessment is an initial baseline analysis, but it shows significant SLR impacts on Ponto Open Space. More follow-up analysis is being conducted to incorporate newer knowledge on SLR projections and coastal land erosion accelerated by SLR. Follow-up analysis may likely show SLR impacts occurring sooner and more extreme.

Troublingly the 2017 SLR Assessment shows SLR actually significantly reducing or eliminating Open Space land at Ponto. SLR is projected to only impact and eliminate Open Space lands and Open Space Land Use at Ponto. The loss of Ponto Open Space land and Land Use being at the State Campground, Beaches, and Batiquitos Lagoon shoreline. The losses of these Open Space lands and land uses would progress over time, and be a permanent loss. The 2017 SLR Assessment provides two time frames near-term 2050 that match with the Carlsbad General Plan, and the longer-term 'the next General Plan Update' time frame of 2100. One can think of these timeframes as the lifetimes of our children and their children (2050), and the lifetimes of our Grandchildren and their children (2100). SLR impact on Coastal Land Use and Coastal Land Use planning is a perpetual (permanent) impact that carries over from one Local Coastal Program (LCP) and City General Plan (GP) to the next Updated LCP and GP.

Following (within quotation marks) are excerpts from Carlsbad's 2017 Sea Level Rise Vulnerability Assessment:

[Italicized text within brackets] is added data based on review of aerial photo maps in the Assessment.

"Planning Zone 3 consists of the Southern Shoreline Planning Area and the Batiquitos Lagoon. Assets within this zone are vulnerable to inundation, coastal flooding and bluff erosion in both planning horizons (2050 and 2100). A summary of the vulnerability assessment rating is provided in Table 5. A discussion of the vulnerability and risk assessment is also provided for each asset category.

5.3.1. Beaches

Approximately 14 acres of beach area is projected to be impacted by inundation/erosion in 2050. ... Beaches in this planning area are backed by unarmored coastal bluffs. Sand derived from the natural erosion of the bluff as sea levels rise may be adequate to sustain beach widths, thus, beaches in this reach were assumed to have a moderate adaptive capacity. The overall vulnerability rating for beaches is moderate for 2050.

Vulnerability is rated moderate for the 2100 horizon due to the significant amount of erosion expected as the beaches are squeezed between rising sea levels and bluffs. Assuming the bluffs are unarmored in the future, sand derived from bluff erosion may sustain some level of beaches in this planning area. A complete loss of beaches poses a high risk to the city as the natural barrier from storm waves is lost as well as a reduction in beach access, recreation and the economic benefits the beaches provide.

5.3.3. State Parks

A majority of the South Carlsbad State Beach day-use facilities and campgrounds (separated into four parcels) were determined to be exposed to bluff erosion by the 2050 sea level rise scenario (moderate exposure). This resource is considered to have a high sensitivity since bluff erosion could significantly impair usage of the facilities. Though economic impacts to the physical structures within South Carlsbad State Beach would be relatively low, the loss of this park would be significant

since adequate space for the park to move inland is not available (low adaptive capacity). State parks was assigned a high vulnerability in the 2050 planning horizon. State park facilities are recognized as important assets to the city in terms of economic and recreation value as well as providing low-cost visitor serving amenities. This vulnerability poses a high risk to coastal access, recreation, and tourism opportunities in this planning area.

In 2100, bluff erosion of South Carlsbad State Beach day-use facilities and campgrounds become more severe and the South Ponto State Beach day-use area becomes exposed to coastal flooding during extreme events. The sensitivity of the South Ponto day-use area is low because impacts to usage will be temporary and no major damage to facilities would be anticipated. Vulnerability and risk to State Parks remains high by 2100 due to the impacts to South Carlsbad State Beach in combination with flooding impacts to South Ponto.

Table 5: Planning Zone 3 Vulnerability Assessment Summary [condensed & notated]:

<u>Asset Category</u>	<u>Horizon [time]</u>	<u>Hazard Type</u>	<u>Impacted Assets</u>	<u>Vulnerability Rating</u>
Beaches	2050	Inundation/Erosion, Flooding	14 acres (erosion)	Moderate
	2100	Inundation/Erosion, Flooding	54 acres (erosion)	Moderate
Public Access	2050	Inundation, Flooding	6 access points 4,791 feet of trails	Moderate
	2100	Inundation, Flooding	10 access points 14,049 feet of trails	Moderate
State Parks <i>[Campground - Low-cost Visitor Accommodations]</i>	2050	Flooding, Bluff Erosion	4 parcels [<18 Acres]	High
	2100	Flooding, Bluff Erosion	4 parcels [>18 Acres] <i>[loss of over 50% of the campground & its Low-cost Visitor Accommodations, See Figure 5.]</i>	High
Transportation (Road, Bike, Pedestrian)	2050	Bluff Erosion	1,383 linear feet	Moderate
	2100	Flooding, Bluff Erosion	11,280 linear feet	High
Environmentally Sensitive Lands	2050	Inundation, Flooding	572 acres	Moderate
	2100	Inundation, Flooding	606 acres	High



Figure 7: Southern Shoreline Planning Area – Year 2050





Figure 5: CoSMoS Bluff Erosion Projections by 2100
(CoSMoS-COAST 2015)

[Figure 5 show the loss of over 50% of the campground and campground sites with a minimal .2 meter Sea Level Rise (SLR), and potentially the entire campground (due to loss of access road) in 2 meter SLF.]”

Directions to analyze and correct current and future LOSS of Coastal Open Space Land Use at Ponto

On July 3, 2017 the CA Coastal Commission provided direction to Carlsbad stating:

“The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto ... 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 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.”

Official Carlsbad Public Records Requests (PRR 2017-260, et. al.) confirmed Carlsbad’s Existing LCP and its Ponto specific existing LUP polices and Zoning regulations were never followed in the City’s prior Ponto planning activities (i.e. 2010 Ponto Vision Plan & 2015 General Plan Update). The projected SLR loss of recreation (beach) and low-cost visitor accommodations (campground) at Ponto should factor in this Existing LCP required analysis, and a LCP-LUP for Ponto and Ponto Planning Area F.

In a February 11, 2020 City Council Staff Report City Staff stated:

“On March 14, 2017, the City Council approved the General Plan Lawsuit Settlement Agreement (Agreement) between City of Carlsbad and North County Advocates (NCA). Section 4.3.15 of the Agreement requires the city to continue to consider and evaluate properties for potential acquisition of open space and use good faith efforts to acquire those properties.”

In 2020 NCA recommended the City acquire Ponto Planning Area F as Open Space. The status of City processing that recommendation is unclear. However the Lawsuit Settlement Agreement and NCA's recommendation to the City should also be considered in the required Existing LCP analysis.

Summary:

Tragically Carlsbad's Draft Local Coastal Program – Land Use Plan Amendment (DLCP-LUPA) is actually planning to both SIGNIFICANTLY REDUCE Coastal Open Space acreage, and to eliminate 'High-Priority Coastal Open Space Land Uses at Ponto due to SLR.

The Existing LCP requirements for Ponto Planning Area F to analyze the deficit of Coastal Open Space Land Use should factor in the currently planned LOSS of both Coastal Open Space acreage and Coastal Open Space Land Uses at Ponto due to SLR. As a long-range Coastal Land Use Plan this required LCP analysis needs to also consider the concurrent future increases in both population and visitor demand for those LOST Coastal Open Space acres and Coastal Open Space Land Uses.

It is very troubling that demand for these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses is increasing at the same time the current (near/at capacity) supply of these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses is significantly decreasing due to SLR. Instead of planning for long-term sustainability of these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses for future generations there appears to be a plan to use SLR and inappropriate (lower-priority residential) Coastal Land Use planning to forever remove those CA Coastal Act 'High-Priority' Coastal Open Space Land Uses from Ponto. CA Coastal Act Policies to address these issues should be thoroughly considered.

2021-2 proposed Draft Local Coastal Program – Land Use Plan Amendment (DLCP-LUPA) will likely result in City and CA Coastal Commission making updates to the 2015 General Plan, based on the existing Ponto Planning Area F LCP – LUP Policy requirements, Ponto Open Space issues, high-priority Coastal Land Use needs, and SLR issues not addressed in the 2015 General Plan.

Updated Pubic Comments Coastal Recreation submitted on Oct 12th 2021:

On 10/8/21 the Carlsbad City Council and CA Coastal Commission were emailed data from an Official Carlsbad Public Records Request (# R002393-092121) on the City of Carlsbad's past compliance/noncompliance with the currently exiting Mello II LCP Land Use Policies # 6-2, 6-4 & 6-10 Certified in the mid-1980s. The City's documents show:

- For Policy 6-2 the 200-300 acre Park called out in Policy 6-2 has been reduced to Veterans Park's 91.5 acres, of which only 54% or 49.5 acres is even useable as a Park. The City provided no documents on how a 200-300 acre park called for in Policy 6-4 is now only 49.5 useable acres.
- For Policy 6-4 there were no City documents were provided. There was no City Public discussion, consideration, or City compliance with Policy 6-4 since the mid-1980's.
- For Policy 6-10 concerns providing Low Cost Visitor Accommodations. Public Parks are the lowest cost (free) Visitor accommodating land use there is.

The 3 existing LCP Land Use Policies are important for Carlsbad, and California's, Coastal land use resources. There appears little to no discussion of the City's past apparent failure to implementation of these 3 LCP LUPs in the current City consideration of changes to the LCP.

Following is a copy of Public Records Request # R002393-092121: "Carlsbad's Local Coastal Program (LCP) for the Mello II Segment of Carlsbad's Coastal Zone has long established land use Policies 6-2, 6-4 & 6-10 that were adopted by Carlsbad and Certified by the CA Coastal Commission in the early/mid-1980's. Mello II LCP Policies 6-2, 6-4 & 6-10 are shown on page 86-87 of Carlsbad's 2016 compiled LCP and are:

- "POLICY 6-2 REGIONAL PARK: If the population of Carlsbad increases in accordance with SANDAG's projected Series V Population Forecasts, it is estimated that Carlsbad will need to develop a new regional park containing 200 to 300 acres in order to adequately serve the public. A location for a new regional park must, therefore, be established. Consideration should be given to a facility within the Aqua Hedionda Specific Plan Area, or adjacent lands. The Batiquitos Lagoon area should also be considered.
- POLICY 6-4 NEED FOR ADDITIONAL OVERNIGHT CAMPING: Additional overnight camping facilities, the main source of lower cost visitor and recreational facilities, are needed throughout the San Diego coastal region. Additional facilities of this kind should be provided in a regional park within the Carlsbad area. This can be accomplished in conjunction with an eventual Batiquitos Park, within the Aqua Hedionda Specific Plan Area, and/or along with the development of private recreational facilities.
- POLICY 6-10 LOWER COST VISITOR-SERVING RECREATIONAL USES: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Encourage a range of affordability for overnight visitor accommodations. Evaluate the affordability of any new or redeveloped overnight visitor accommodations, including amenities that reduce the cost of stay. Mitigation may be applied to protect and encourage affordable overnight accommodations"

The public record request is to see documents of:

- City Staff reports, presentations and communications to the Carlsbad Planning and Parks Commissions, and City Council regarding the City’s consideration and implementation of these 3 specific (6-2, 6-4, and 6-10) Mello II LCP land use policies; and
- Carlsbad Planning and Parks Commissions, and City Council minutes, resolutions and ordinances documenting City of Carlsbad consideration and implementation of these 3 specific (6-2, 6-4, and 6-10) Mello II LCP land use policies.”

Updated Pubic Comments on Coastal Recreation submitted on January 2021:

Over 11-months ago in a 1/29/20 1:56PM email People for Ponto Carlsbad citizens first provided the City of Carlsbad both data and comments on **14 critical Coastal Recreation issues (see pages 5-30 below)**. The data and the 14 critical issues do not seem to be receiving appropriate disclosure/presentation/discussion/consideration in the Dec 2, 2020 Staff Report to the Planning Commission. To assure the 26-pages of citizen data and requests in the 1/29/20 email was received by the Planning Commission the file was re-emailed on 12/22/20 12:24pm and specifically addressed to City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD. As citizens we request each of these 14 data points (with supporting data) be honestly considered.

In reading the Dec 2 Staff Report citizens conducted additional analysis of City Park data. That research further reinforces and documents the 14 Critical Coastal Recreation issues and highlights the relatively poor amount of City Park and Coastal Recreation planned by Carlsbad’s Staff proposed Draft LCP-LUPA. We hope the City Council and City Commissions, and CA Coastal Commission & HCD will consider this additional analysis of City data and citizen input:

<u>Coastal Zone data</u>	<u>Carlsbad</u>	<u>Oceanside</u>	<u>Encinitas</u>	<u>note or source</u>
Coastline miles	6.4	3.9	6.0	Carlsbad Draft LCPA 201, Google Maps
Coastal Zone Acres	9,219	1,460	7,845	& Oceanside & Encinitas LCPs
Coastal Zone Acres	100%	16%	85%	% relative to Carlsbad

City Park Standard data

City Park Standard	3	5	5	required park acres / 1,000 population
Park Standard %	100%	167%	167%	% is relative to Carlsbad

- Oceanside & Encinitas 'require' and plan for 67% MORE Parkland than Carlsbad
- Carlsbad 'requires' and plans for ONLY 60% as much Parkland as Oceanside & Encinitas
- Carlsbad only requires developers provide 60% of the parkland (or in-lieu fees) as Oceanside & Encinitas require
- Encinitas has a 'Goal' to provide 15 acres of Park land per 1,000 population

Developed City Park	2.47	3.65	5.5	acres / 1,000 population
Developed Park	100%	148%	223%	% is relative to Carlsbad

- Oceanside provides 48% MORE developed park land than Carlsbad
- Encinitas provide 123% MORE developed park land than Carlsbad
- Carlsbad ONLY provides 68% and 45% as much Parks as Oceanside & Encinitas respectively

National Recreation & Park Asso. Metric: a typical City provides 1 park / 2,281 pop. & 9.9 Park acres / 1,000 population

- Carlsbad (3 acre) Park Standard is ONLY 30% of what a typical City provides nationally
- Carlsbad requires developers to provide, 70% LESS Park acres than typical City provides nationally

National Recreation & Park Asso., Trust for Public Land, et. al.: 10 minute (1/2 mile) Walk to a Park Planning Goal

- Both Oceanside and Encinitas plan parks to be within a 10-minute (1/2 mile) walk to homes.
- Carlsbad DOES NOT plan Parks within walking distance to homes
- Carlsbad is NOT providing equitable and walking/biking access to Parks

Some Carlsbad Parks that are not fully useable as Parks:

<u>Existing Parks with Unusable Open Space acreage</u>	<u>total park acres</u>	<u>Unusable park acres</u>	<u>% of park unusable</u>	<u>reason unusable</u>
Alga Norte - SE quadrant	32.1	10.7	33%	1/3 of park is a Parking lot not a park In many other Carlsbad Parks a significant percentage of those Parks are consumed by paved parking lots and unusable as a Park.
Hidden Hills - NE quadrant	22.0	12.7	58%	city identified unusable habitat open space
La Costa Canyon SE quadrant	14.7	8.9	61%	city identified unusable habitat open space
Leo Carrillo - SE quadrant	27.4	16.5	60%	city identified unusable habitat open space
Poinsettia - SW quadrant	<u>41.2</u>	<u>11.1</u>	<u>27%</u>	city identified unusable habitat open space
Existing Park subtotal	137.4	59.9	44%	44% of these Parks are unusable as Parkland

Anticipated Future Park development projects

Park - quadrant

Veterans - NW	91.5	49.5	54%	estimated unusable habitat open space
Cannon Lake - NW	6.8	3.4	50%	estimated unusable water open space
Zone 5 Park expansion - NW	9.3	0	0	appears 100% useable as a Park
Robertson Ranch - NE	<u>11.2</u>	<u>0</u>	<u>0</u>	appears 100% useable as a Park
Future park subtotal	118.8	52.9	45%	45% of Future Parks are unusable as Parks

Unusable Open Space acres

in Existing & Future Parks 256.2 112.8 44% **112.8 acres or 44% is unusable as Parks**

- 112.8 acres or 44% of the Existing & Future Parks are unusable Open Space and can't be used as Parkland
- **Based on City's minimum 3-acres/1,000 population Park Standard, 112.8 acres of Unusable Parkland means 37,600 Carlsbad Citizens (or 32.5% of Carlsbad's current population of 112,877) will be denied the minimum amount of Parkland that they can actually use as a Park.**
- **59.9 acres of Existing unusable 'park' / 3 acre park standard x 1,000 population = 19,967 Carlsbad citizens and their children are currently being denied useable park land. 19,967 is 17.7% of Carlsbad's current population.**
- In addition to these 19,967 existing citizens and their children denied park land, the City needs to develop additional Park acreage in the NE, SW and SE quadrants to cover current shortfalls in meeting in the minimal 3 acre/1,000 population park standard for the current populations in the NE, SW and SE quadrants.
- **The current NE, SW and SE quadrants park acreage shortfalls are in addition to the 19,967 Carlsbad citizens and their children that do not have the minimum 3 acres of parkland per 1,000 population**
- **Current FY 2018-19 MINIMUM park acreage shortfalls are listed in the table below. They are:**
 - **4.3 acres for 1,433 people in NE quadrant,**
 - **6.8 acres for 2,266 people in SW quadrant, and**
 - **2.3 acres for 767 people in SE quadrant**

Shortfall (excess) in
Current Quadrant
Min. Park standard by
population Future Park

	<u>acres</u>	<u>need</u>	<u>acres</u>	<u>%</u>	<u>existing Park shortfalls are for NE, SW & SE quadrants</u>
NW quadrant	(-14.2)	(-4,733)	107.6	91%	Current NW parks are 14.2 acres over min. standard & capacity for 4,733 more people at min. park standard. 91% of all Future City Parks are in NW quadrant
NE quadrant	4.3	1,433	11.2	9%	Future Park will exceed minimum NE park standard
SW quadrant	6.8	2,266	0	0%	No min. parks for 2,266 people in SW quad. Park deficit
SE quadrant	2.3	767	0	0%	No min. parks for 767 SE quadrant Park deficit

A Park Standard minimum is just a “Minimum”. City policy allows the City to buy/create parks above the City’s current 3 acre/1,000 pop. MINIMUM (and lowest) Park Standard of surrounding Coastal cities. Carlsbad already did this in the NW quadrant. It then added 3.1 more NW quadrant Park acres as part of the Poinsettia 61 Agreement. Poinsettia 61:

- converted 3.1 acres of NW City land planned/zoned for Residential use to Open Space Park land use/zoning,
- facilitated a developer building condos (increasing park demand) in the SW quadrant,
- required the SW Quadrant developer pay \$3 million to build the 3.1 acre NW quadrant park, and
- required the SW Quadrant developer pay to convert 3.1 acres of NW Quadrant & 5.7 acres of SW Quadrant City Park land to habitat that will be unusable as a City Park.

So Poinsettia 61 increased SW Quadrant development (that both increased SW Park Demand and expanded the current SW Quadrant Park deceit) while simultaneously using SW Quadrant development to pay for the conversion of 3.1 acres of residential land in the NW Quadrant to City Park (the NW Quadrant already has surplus park land per the City’s minimum standard).

People for Ponto strongly supports creating City Parks above the City’s current low 3-acre per 1,000 population minimum, as the City’s minimum standard is relatively low and substandard relative to other cities; many Carlsbad parks have significant acreage that is in fact ‘unusable’ as a park. Most importantly People for Ponto Citizens think it is very important to prioritize providing City Parks in areas of Park Inequity that are unserved by City Parks. However it seems very unfair to the SW Quadrant citizens to be so unserved and starved of the bare minimum of City Parks while at the same time funding City Parks in excess of City standard in other Quadrants.

The Poinsettia 61 illustrates a larger unfair (and dysfunctional) distribution of Quadrant based City Park demand and supply that is keenly evident in the demands/supply funding and location disparity of Veterans Park. Most all the development impact and park demand that paid Veterans Park fees came from the SW, SE and NE Quadrants yet the Veterans Park (supply) is not in those SW, SE and NE Quadrants. This inequity is counter to the implicit City requirement that City Parks be provided within the Quadrant of their Park demand. It is logical and proper that City Parks be provided and equitably distributed to be close to the development and population that generated the Park demand.

The City Park inequity at Ponto and in other Coastal areas of the City is counter to several CA Coastal Act policies; counter to good city planning and good CA Coastal planning. Park Inequity is highly detrimental to the City, and City and CA citizens in the long-term; fails to properly distribute and match the location supply with the location of demand for Parks; and is counter to basic fundamental issues of fairness. Since 2017 People for Ponto has tried to get the City Council and Staff to address this inequity, specifically at Ponto, and to do so in a way that embraces a true and honest Citizen-based planning process.

Coastal Recreation:

2. Request that the City as part of its Draft LCP Public Review process broadly-publicly disclose to all Carlsbad Citizens the City's acknowledged prior LCPA processing and planning "mistakes" regarding the requirement that the Ponto area be considered as a public park: This disclosure is needed to correct about 20 years of City misrepresentation to the public on the since 1996 and currently Existing LCP requirements at Ponto, and the City's prior planning mistakes at Ponto. Citizens have been falsely told by the City that all the Coastal planning at Ponto was done already and that the City followed its Existing LCP regarding the need for a park at Ponto, and that this is already decided and could not be reversed. This misinformation has fundamentally stifled public review and public participation regarding the Coastal Zone. City failure to provide such a broad-public disclosure on the documented prior, and apparently current proposed, "planning mistakes" would appear to violate the principles of Ca Coastal Act Section 30006. A broad-public disclosure would for the first time allow citizens to be accurately informed on the Existing LCP requirements at Ponto so they can provide informed public review and comment regarding the need for a Coastal Park in in this last vacant 'unplanned' area. The requested broad-public disclosure by the City of the City past mistakes and the Existing LCP requirements at Ponto is consistent with CA Coastal Act (CCA) "Section 30006 Legislative findings and declarations; public participation - The Legislature further finds and declares that **the public has a right to fully participate in decisions affecting coastal planning**, conservation and development; that achievement of **sound coastal conservation and development is dependent upon public understanding and support**; and that the continuing planning and implementation of **programs for coastal conservation and development should include the widest opportunity for public participation.**" The public cannot participate as outlined in CCA Section 30006 if past City 'mistakes' and misrepresentations on Coastal planning at Ponto go undisclosed to the public. If the public isn't fully informed about the 20-years of LCP planning mistakes at Ponto how could the public in the past (and now in the present) participate in the proposed LCP Amendment – **Public Participation as noted in Section 30006 above is the means to sound coastal conservation and development and is "... dependent upon public understanding ..."**. The City's past mistakes at Ponto need to be corrected by slightly different a Draft LCP Amendment process than currently outlined by the City; a new process is needed that clearly, opening and honestly informs and engages the public on the Existing LCP Ponto issues. The City's current Draft LCP Amendment process fails to follow CCA Section 30006 in that most all the citizens we encounter are as yet unaware of the City's Ponto mistakes and how they can participate in in the DLCPA process without that information. We see this daily in conversations we have with our fellow citizens. We even saw at the Oct 20, 2019 Carlsbad Planning Commission meeting that the Planning Commission was unaware of the planning mistakes at Ponto. How can a decision body of the City make a decision without knowing about these prior 'planning mistakes' facts that surround what they are being asked to decide on? Repeatedly since 2017 Carlsbad citizens and People for Ponto have asked the City to fully acknowledge the City's prior flawed planning at Ponto, and to correct that with ether maintaining the Existing LCP Non-residential Reserve Land Use or restarting the Coastal Planning at Ponto with a true and accurately informed Community-based Coastal Planning process consistent with Section 30006.

We request the City during the DLCPA Public Review period broadly and publicly disclose to all Carlsbad Citizens the City's acknowledged prior LCP and other "planning efforts" public participation processing and planning "mistakes" regarding the requirement that the Ponto area be considered as a public park, and 1) provide a truly honest public participation process on that disclosure consistent with CCA Section 30006 as part of the Draft LCP Amendment process or 2) retain the Existing LCP Non-residential Reserve Land Use and require a comprehensive and honest community-based redo of Coastal Resource planning at Ponto.

3. City fully and publicly reply to and the City Council consider the 11-20-19 citizen concerns/requests regarding the City's proposed LCP Amendment process: Lance Schulte on 1/23/20 received an email reply by the City to his follow-up email regarding the status of the 11/20/19 citizen concerns/requests public comments and letters presented to the Planning Commission. This is appreciated, however it is request that the City fully publicly reply to the 11-20-19 citizen concerns/requests regarding the City's proposed LCP Amendment process and present the to the City Council 11/20/19 citizen concerns/requests so the City Council can consider them and provide any direction to City Staff. City Staff first presented a summary presentation of the proposed Draft LCP Amendment to the Carlsbad Planning Commission on November 20, 2019, and indicated the public comment period would close on November in less than 2-weeks. Citizens and citizen groups provided public testimony to the Planning Commission, both verbally and in two written letters. The CCC was copied on those letters. The testimony and letters noted significant concerns about the City's proposed LCP Amendment process and made three requests:
- Disclose and provide a publically accessible 'Redline Version' of the Existing 2016/Proposed LCP land use Plan and Policies so everyone can see the proposed changes to the Existing LCP.
 - Provide true Citizen Workshops on the major remaining vacant Coastal land that still have outstanding Citizen Concern or objections. Citizen Workshops, when done right, are valuable means to openly educate, discuss and work to consensus options. These areas, including Ponto, were/are subject to multiple lawsuits, so true open and honest public workshops would provide an opportunity to openly and honestly discuss the issues and hopefully build public consensus/support for solutions. This approach seems consistent with CCA Section 30006, and common sense.
 - Extend the public comment period 6-months to allow Citizen Review of the Redline Version of the LCPA and allow time for Citizen Workshops.

The City did extend the Public Review period 2-months over the holidays to January 31, 2020. This is appreciated although many think this is inadequate given the significance of the Proposed Land Use Plan Amendments, and lack of Redline Version to compare. The City and their consultants required several extra years beyond schedule prepare the proposed LCP Amendments. The extra years of City Staff work reflects on the volume of the over 500-pages in the documents and the time needed to understand the Existing LCP and then create an Amended LCP. Citizens need sufficient time, proper comparative tools (redline) and a process (workshops) to understand the proposed LCP Amendments that is reflective of extensive extra time needed by City Staff and consultants needed. Truncation of lay public review to a few months for an Amendment that took paid professionals many years to produce seems a more than a bit inappropriate. The City appears to be rejecting citizens' request to be provided a 'Redline Version' of the Existing 2016/Proposed LCP land use Plan. So public review comments will tainted or will miss many issues due having to manually cross-reference a 150-page Existing LCP LUP with a Proposed 350-page Proposed LCP LUP. There will be unknown and unconsidered changes in the Draft LCP Amendment that the public and city and CCC decision makers will not know about due to the lack of 'Redline Version'.

The City also appears to reject citizen requests for true Citizen Workshops on the major remaining vacant Coastal land that still have outstanding Citizen Concern – such as Ponto. Like Coastal Recreation issue #1 above the following citizen requests appear consistent with CA Coastal Act (CCA) Section 30006, and the City's rejection of that requests seem counter to the CA Coastal Act.

We again request of the City to provide: 1) a 'Redline Version' to the public and decision makers, along with sufficient time to review and comment on the 'Redline Version'; and 2) true Citizen Workshops for Ponto and the

other last remaining significant vacant Coastal lands in Carlsbad as part of the Draft LCP Amendment process, or as part of deferred LCP Amendment process for those areas.

4. Coastal Zoned land is precious: the very small amount of remaining vacant Coastal land should be reserved for “High-Priority” Coastal Recreation Land Uses under the CA Coastal Act to provide for the growing and forever ‘Buildout’ needs of Carlsbad and CA Citizens, and our visitors.
 - Less than 1.8% (76 square miles) of San Diego County’s 4,207 square miles is in Coastal Zone. This small area needs to provide for all the forever Coastal needs of the County, State of CA, and Visitors. Upland Coastal Recreation (Coastal Park) land use is needed to provide land to migrate the projected/planned loss of “High-Priority” Coastal Recreation land uses due to Sea Level Rise impacts. There is only 76 miles of total coastline in San Diego County; a significant amount is publicly inaccessible military/industrial land. So how the last few portions of Coastal Land within Carlsbad (which is about 8% of San Diego County’s Coastline) is planned for the forever needs for High-Coastal-Priority Recreation Land Use is critical for Carlsbad, San Diego, and California Statewide needs into the future.
 - Most all the developable Coastal land in Carlsbad is already developed with Low-Coastal-Priority residential uses. Only a very small percentage of Carlsbad’s developable Coastal land, maybe 1-2%, is still vacant. This last tiny portion of fragment of vacant developable Coastal Land should be documented in the Draft LCP and reserved for “High-Priority” Coastal Land uses – most critically Coastal Recreation – to address the growing Coastal Recreation needs from a growing population and visitors. These growing needs are all the more critical in that existing Coastal Recreation lands will be decreasing due to inundation and erosion due to DLCPA planned Sea Level Rise.
 - This image of the western half of San Diego County graphically shows (in the blue line) the very small Coastal Zone Area that needs to provide the Carlsbad’s and California’s Coastal Recreational needs for all San Diego County residents and Visitors:



We request that 1) the amount and location of remaining vacant Coastal land in Carlsbad be documented and mapped and be reserved for high-priority Coastal Land Uses consistent with CCA Goals in Section 30001.5 “... (c) ... **maximize public recreational opportunities in the coastal zone** consistent with sound resources conservation principles and constitutionally protected rights of private property owners. (d) **Assure priority for coastal-dependent and coastal-related development over other development on the coast.** ...”; 2). This data be used in the City’s analysis and the public’s review and discussion about the City’s proposed Draft ‘Buildout’ Land Use Plan. The City’s proposed Draft ‘Buildout’ Land Use Plan will forever lock in the amount “maximum public recreational opportunities in the coastal zone” and will be the final Coastal Land Use Plan that is supposed to “assure priority for coastal-dependent and coastal-related development over other development on the coast”. Most of Carlsbad’s Coastal Zone is already developed or committed to low-priority land uses contrary to these CCA Goals, so how we finally and forever plan to use of the last small remaining vacant Coastal Land is very important.

5. The proposed Draft LCP Amendment in Chapter 3 makes unfounded statements regarding the proposed Amendment to the LCP Land Use Plan provision of “High-Priority” Coastal Recreation land use: On page 3-3, at the beginning of the Chapter 3 – Recreation and Visitor Serving Uses the City correctly states that the CA Coastal Act (CCA) places a high priority on maximizing Recreation uses, and cites multiple CCA Sections to that effect. The City’s proposed Coastal Land Use Plan then states on page 3-5 that a high proportion of land in the City is dedicated open

space available for passive and active use, yet provides no justification or accurate metric to support this statement. This is a critical unsubstantiated and speculative statement that is not supported by any comparative data (justifying the “high proportion” statement). The City later in Chapter 3 compared the adjoining cities of Oceanside and Encinitas to try to show how the proposed Draft LCP LUP Amendment provides higher levels of Visitor Serving Accommodations. That ‘non-common denominator’ comparison was fundamentally flawed, as noted in a prior separate Draft LCPA public review comment from People for Ponto regarding another high-priority Coastal land use (visitor accommodations) planned for in Chapter 3, but at least it was an attempt to compare. However, for the Coastal Recreation portion of Chapter 3, the City does not even attempt to provide any comparative data to support (or justify) the proposed Coastal Recreation Land Use Plan and statements. The Coastal Recreation Chapter also fails to disclose Carlsbad’s adopted City Park Master Plan (Park Service Area and Equity map) data that shows a clear conflict between the CA Coastal Act Policy Sections noted at the beginning of Chapter 3 and Chapter 3’s proposed Draft Coastal Recreation Land Use Plan.

Comparative Coastal Recreation: Comparing the Land Use Plan and policies of Oceanside, Carlsbad and Encinitas, one finds Carlsbad’s proposed Coastal Recreational Plan and Policies are not “high”, but very low compared with Oceanside and Encinitas. Carlsbad has a General Plan Park Standard of 3 acres of City Park per 1,000 Population. Oceanside has a 5 acres of City Park Standard per 1,000 population, and Encinitas has a 15 acres per 1,000 population standard, and an in-lieu park fee requirement of 5 acres per 1,000 population. Carlsbad’s proposed Coastal Recreation Land Use Plan is in fact not ‘high’ but is in fact the lowest of the three cities, with Carlsbad providing only 40% of Oceanside’s park standard, and only 20% of Encinitas’s Park Standard. Citywide Carlsbad currently has 2.47 acres of developed park per 1,000 population, Oceanside currently has 3.6 acres of developed park per 1,000 population, and Encinitas currently has 5.5 acres of developed park per 1,000 population. Although this data is citywide, it shows Carlsbad’s current amount of developed parkland is less than 70% of what Oceanside currently provides, and less than 45% of what Encinitas currently provides. Carlsbad is not currently providing, nor proposing a Coastal Land Use Plan to provide, a ‘high’ proportion of Coastal Recreation Land Use compared to Oceanside and Encinitas.

On page 3-5 Carlsbad may be misrepresenting city open space that is needed and used for the preservation of federally endangered species habitats and lagoon water bodies. This open space Land cannot be Used for Coastal Recreation purposes; and in fact Land Use regulations prohibit public access and Recreational Use on these Lands and water bodies to protect those endangered land and water habitats. 78% of Carlsbad’s open space is “open space for the preservation of natural resources” and cannot be used for Coastal Parks and Recreational use. Although “open space for the preservation of natural resources” does provide scenic or visual amenity, and this amenity is addressed as a different coastal resource. Visual open space is not Coastal Recreation Land Use. It appears Carlsbad is proposing in the Draft LCP Amendment to continue to, providing a ‘low’ percentage of Coastal Park Land Use and Coastal Recreation Land Use compared to adjoining cities.

In addition to the comparatively low amount of Coastal Park land Carlsbad plans for, Carlsbad scores very poorly regarding the equitable and fair distribution and accessibility of Coastal Parks and Coastal Recreation Land Uses. Both the City of Oceanside and Encinitas have very robust and detailed Park and Land Use plans to promote an equitable distribution of, and good non-vehicular accessibility, to their Coastal Parks. By comparison, Carlsbad’s park land use plan scores poorly, as exemplified in Ponto and South Carlsbad. Ponto’s existing population requires about 6.6 acres of City Parkland per Carlsbad’s low 3 acres per 1,000 population standard. Yet the nearest City Park is several miles away and takes over 50 minutes to walk along major arterial roadways and across Interstate 5 to access. As such this nearest park is not an accessible park for Ponto children, and thus Ponto children have to play in

however it more accurately illustrated in the following data/image from the adopted Carlsbad Park Master Plan's "Service Area Maps (Equity Maps)". The image below titled 'No Coastal Park in South Carlsbad' shows Carlsbad's adopted "Park Service Area Maps (Equity Maps)" from the City's Park Master Plan that says it maps "the population being served by that park type/facility." The added text to the image is data regarding park inequity and disparity in South Carlsbad. The image compiles Carlsbad's adopted Park "Park Service Area Maps (Equity Maps)" for Community Parks and Special Use Area Parks that are the City's two park acreage types produced by the City's comparatively low standard of 3 acre of City Park per 1,000 population. The City's Park Service Area Maps (Equity Maps) shows areas and populations served by parks within the blue and red circles. City data clearly shows large areas of overlapping Park Service (areas/populations served by multiple parks) in North Carlsbad and also shows large areas in South Carlsbad with No Park Service (areas/populations unserved by any parks) and Park Inequity in South Carlsbad. It clearly shows the City's Documented Park Need and Park inequity at Ponto. The Existing LCP LUP for Ponto's Planning Area F in is required to "consider" and "document" the need for a "Public Park". The City's adopted Park Service Area Maps (Equity Maps) clearly shows the inequity of Coastal City Park between North and South Carlsbad, and the need for Coastal Parks in South Carlsbad – particularly at Ponto. The City's proposed Draft 'Buildout' Coastal Recreation Land Use Plan instead proposes to lock-in documented City Public Coastal Park inequity and unserved Coastal Park demand at Ponto and South Carlsbad forever. It does so by proposing the last vacant undeveloped/unplanned Coastal land – Ponto Planning Area F - in the unserved Ponto and South Carlsbad coastline areas instead of being planned for much needed City Park and Coastal Recreation use be converted to even more low-priority residential and general commercial land uses. These 'low-priority' residential uses, by the way, further increase City Park and Coastal Recreation demand and inequity in Coastal South Carlsbad. This is wrong, and a proposed 'forever-buildout' wrong at the most basic and fundamental levels. The proposed Draft Coastal Recreation Land Use Plan by NOT providing documented needed City parks for vast areas of Coastal South Carlsbad is inconsistent with the CA Coastal Act policies and Existing LCP LUP requirements for Ponto Planning Area F; and also inconsistent with fair/equitable/commonsense land use and park planning principles, inconsistent with CA Coastal Commission social justice goals, inconsistent with social equity, inconsistent with VMT reduction requirements, and inconsistent with common fairness. A different Coastal Recreation Land Use Plan should be provided that provides for a socially equitable distribution of Coastal Park resources so as to would allow children, the elderly and those without cars to access Coastal Parks. The proposed Draft 'Buildout' Coastal Recreation Land Use Plan forever locking in the unfair distribution of City Parks appears a violation of the not only CCA Sections 30213, 30222, 30223, and 30252(6) but also the fundamental values and principles of the CA Coastal Act. The Draft also appears a violation of Carlsbad's Community Vision.

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away



A different Coastal Recreation Land Use Plan is required to provide a more equitable distribution of City Parks with non-vehicular accessibility. Such a different plan would advance State and City requirements to reduce vehicle Miles Traveled (VMT) and greenhouse gas emissions that contribute to climate change and sea level rise impacts. Please note that the data for the above basic comparison comes from City of Carlsbad, Oceanside and Encinitas General Plan and Park Master Plan documents.

Data shows the proposed Coastal Recreation Plan conflicts with the CA Coastal Act policy Sections. As mentioned page 3-3 correctly states that the CA Coastal Act (CCA) places a high priority on maximizing Recreation Land Uses, and pages 3-5 list multiple CA Coastal Act (CCA) policy Sections that confirm this. However, given the significant statewide importance of Coastal Recreation Land Use, the City proposed 'Buildout' Coastal Recreation Land Use Plan does not appear to adequately address and implement these CCA Policies, and most noticeably in the Ponto area of South Carlsbad. Coastal Recreation is a significant Statewide High-Priority Land Use under the CCA. For a substantially developed non-coastal-industry city like Carlsbad Coastal Recreation is likely the biggest land use issue. This issue is even more elevated due to the fact that there are only a few small areas left of undeveloped Coastal land on which to provide Coastal Recreation, and Carlsbad is proposing a Coastal 'Buildout' Land Use Plan on those areas. The use of the last few remaining vacant portions of Coastal land for Coastal Recreation Land Use is the most important land use consideration in the proposed Draft LCP Land Use Plan Amendment as population and visitor growth will increase demands for Coastal Recreation. It is thus very surprising, and disturbing that the proposed Coastal Recreation Land Use Plan is so short, lacks any comparative and demand projection data, lacks any resource demand/distribution and social equity data, and lacks any rational and clear connection with CCA Policy and the proposed 'Buildout' Coastal Land Use plan. This is all the more troubling given that:

- The Ponto area represents the last significant vacant undeveloped/unplanned land near the coast in South Carlsbad that can provide a meaningful Coastal Park.
- The fact that the City's Existing LCP requires the city consider and document the need for a "i.e. Public Park" on Ponto's Planning Area F prior to the City proposing a change of Planning Area F's "Non-residential

Reserve” land use designation. The City has repeatedly failed to comply with this LCP LUP requirement, and worse has repeatedly failed to honestly inform citizens of this LCP LUP requirement at planning Area F before it granted any land use. The City, apparently implementing speculative developer wishes, has repeatedly proposed changing Planning Area F’s Coastal Land Use designation to “low-priority” residential and general commercial land uses without publically disclosing and following the Existing LCP LUP.

- The City’s currently developed parks in the southern portion of the City do not meet the city’s comparatively low public park standard of only 3 acres per 1,000 population. Since 2012 there has been City park acreage shortfall in both SW and SE Carlsbad.
- The Existing population of Ponto (west of I-5 and south of Poinsettia Lane) requires about 6.6 acres of Public Park based on the City’s comparatively low public park standard of 3 acres per 1,000 population. There is no Public Park in Ponto. Adding more population at Ponto will increase this current park demand/supply disparity.
- Carlsbad and other citizens have since 2017 expressed to the City the strong need for a Coastal Park at Ponto, and requested the City to provide a true citizen-based planning process to consider the Public Park need at Ponto. The Citizens’ requested process is fully in-line with CCA Goals, Public Participation Policy, Land Use Policies, and the Existing LCP Land Use Plan/requirements for Planning Area F and is the most appropriate means to consider and document the need for a Public Park at Ponto as required by the Existing LCP Land Use Plan.
- Planning Area F is for sale, and a non-profit citizens group has made an offer to purchase Planning Area F for a much needed Coastal Park for both Ponto and inland South Carlsbad residents and visitors. How should these facts be considered by the City and CCC?
- Carlsbad has no Coastal Parks west of I-5 and the railroad corridor for the entire southern half of Carlsbad’s 7-mile coastline.
- The southern half of Carlsbad’s coastline is 5.7% of the entire San Diego County coastline and represents a significant portion of regional coastline without a meaningful Coastal Park west of I-5 and the Railroad corridor.
- The City’s proposed Coastal Recreation Land Use Plan provides No Documentation, No Rational, and No Supporting or Comparative Data to show the proposed Coastal Recreation Land Use Plan in fact complies with the CA Coastal Act.

6. There is no Coastal Recreation/Park west of interstate 5 for all South Carlsbad, or half of the entire City. This is an obviously unfair and inequitable distribution of Coastal Recreation/Park resources that should be corrected by changes to the Draft LCP Land Use Amendment: The following image (which was sent to the City and CCC on several prior communications) was first requested by former Carlsbad Councilman Michael Schumacher during a People for Ponto presentation/request at the Oct 23, 2018 City Council meeting. The data compiled in the image shows how the South Coastal Carlsbad (Ponto) is not served by a Park per the City’s adopted Parks Master Plan. The blue dots on the map are park locations and blue circle(s) show the City’s Park Master Plan adopted Park Service Areas and Park Equity. This data, from pages 87-88 of the City of Carlsbad Parks Master Plan, shows all City Parks (both Community Parks and Special Use Areas in Coastal Carlsbad (except Aviara Park east of Poinsettia Park and west of Alga Norte Park). The text on the left margin identifies the South Carlsbad Coastal Park (west of I-5) gap along with the number of South Carlsbad Citizens (over half the City’s population) without a Coastal Park. The left margin also identifies more local issues for the over 2,000 Ponto area adults and children. For Ponto residents the nearest Public Park and City proposed ‘solution’ to the South Carlsbad and Ponto Public Park deficit are miles away over high-speed/traffic roadways and thus somewhat hazardous to access and effectively unusable by children/the elderly or

those without cars. Having been a 20-year resident of Ponto I regularly see our children have to play in the street as there are no Public Park with large open fields to play at within a safe and under 1-hour walk away. Ponto citizens have submitted public comments regarding this condition and the lack of a Park at Ponto

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

Special Use Area Map
Approved by the Board of
South Carlsbad City Council
6/15/2016

Carlsbad, California
Parks and Recreation
Department
November 2016

There is no Coastal Park to serve South Carlsbad Citizens-Visitors-Businesses. There are 10 Coastal Parks in North Carlsbad. The lack of Coastal Parks in South Carlsbad seems both unfair to South Carlsbad Citizens-Visitors-Businesses; and is unfair to North Carlsbad by forcing competition into North Carlsbad & Encinitas/Solana Beach where there are Coastal Parks.

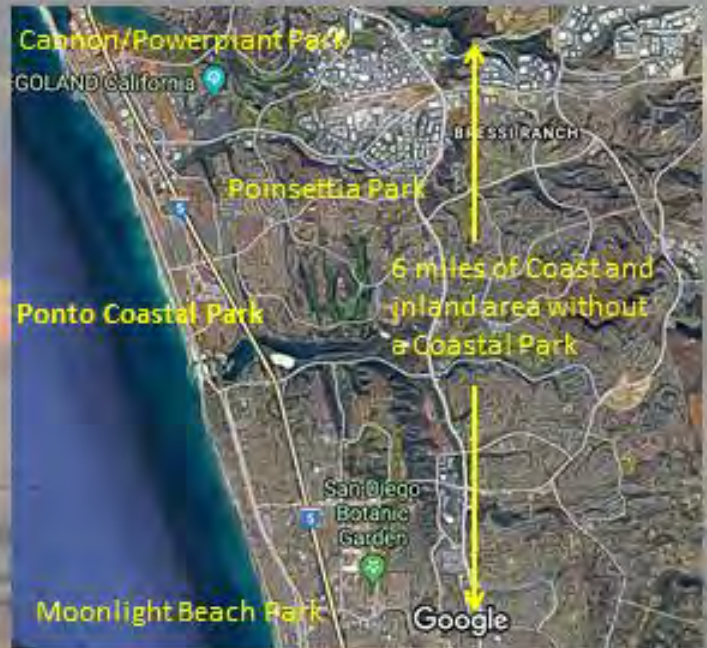
Map of the City of South Carlsbad, California
Map Date: 11/15/16
Scale: 1 inch = 1 mile
© 2016 City of South Carlsbad

Ponto is at the center of regional 6-mile Coastal Park Gap. A Coastal Park in this instance being a Public Park with practical green play space and a reasonable connection with the Coast (i.e. located west of the regional rail and Interstate-5 corridors). The following image shows this larger regional Coastal Park Gap centered on the Ponto Area, and the nearest Coastal Parks – Cannon Park to the north, and Moonlight Park to the south.

Regionally this image shows Ponto is the last remaining significant vacant Coastal land that could accommodate a Coastal Park to serve the Coastal Park current needs of over existing 2,000 Ponto residents, 64,000 existing South Carlsbad residents, and a larger regional population. It is also the only area to serve the Coastal Park needs for the thousands of hotel rooms in Upland Visitor Accommodations in South Carlsbad.

How Ponto Serves Region

- Ponto is in the middle of the regional Coastal Park Gap
- A Ponto Coastal Park fills a critical 6 mile gap of coastline without a Coastal Park - 8.6% of SD County coastline
- A Ponto Coastal Park Serves over 26,000 homes & 64,000 citizens just in South Carlsbad without a Coastal Park
- Serves many more people outside Carlsbad

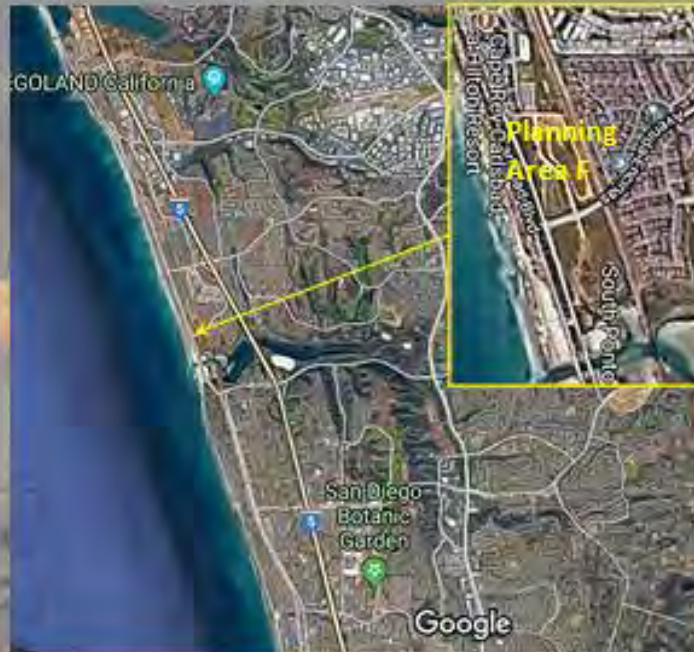


As People for Ponto first uncovered and then communicated in 2017 to the City and CCC; Carlsbad’s Existing (since 1994) Local Coastal Program LUP currently states (on page 101) that Ponto’s Planning Area F: carries a Non-Residential Reserve (NRR) General Plan designation. Carlsbad’s Existing Local Coastal Program Land Use Plan states: “Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an “unplanned” area ...” and requires that: “... **As part of any future planning effort, the City and Developer must 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.**” CA Coastal Commission actions, Carlsbad Public Records Requests 2017-260, 261, and 262, and 11/20/19 City Planner statements confirm the City never fully communicated to Carlsbad Citizens the existence of this LCP requirement nor did the City comply with the requirements. Of deep concern is that the City is now (as several times in the past) still not honestly disclosing to citizens and implementing this Existing LCP requirement as a true and authentic ‘planning effort’. The lack of open public disclosure and apparent fear of true public workshops and Public Comment about the Existing Planning Area F LCP requirements are troubling. The point of a ‘planning effort’ is to openly and publically present data, publically discuss and explore possibilities/opportunities, and help build consensus on the best planning options. Citizens are concerned the city has already made up its mind and there is no real “planning effort” in the proposed Draft LCP Amendment process, just a brief Staff Report and at the end provide citizens 3-minutes to comment on the proposal. This is not the proper way to treat the last remaining significant vacant land in South Carlsbad that will forever determine the Coastal Recreation environment for generations of Carlsbad and California citizens and visitors to come.

The following data/images show how Ponto is in the center of the 6-mile (west of I-5 and Railroad corridor) regional Coastal Park gap. Ponto is the last remaining vacant and currently “unplanned” Coastal land that is available to address this regional Coastal Park Gap.

How Ponto Serves Region cont.

- **Relieves Coastal Park congestion** in North Carlsbad, Encinitas and Solana Beach
- Area currently needs Coastal Park as seen by:
 - Ponto Beach parking congestion
 - current trespass use of Planning Area F as a Park
- **6.6 acre portion of Planning Area F** addresses SW Quad City Park deficit



How Ponto Serves Region cont.

- A Ponto Park helps address 2050 and beyond Regional Population and Visitor Growth demands for Coastal Parks
- A Ponto Park provides the lowest-cost coastal access and recreation opportunities for CA citizens and visitors



How Ponto Serves Region cont.

- Vital park and open space amenity for Visitor serving businesses and accommodations
- 6.6 acre unique City Coastal Park venue to stage special events: Runs, bike rides, triathlons, sports, coastal festivals, etc.



How Ponto Serves Region cont.

- Critical Park space for So. Carlsbad State Beach Campground
- Provides a big training and staging space for Junior lifeguards
- Dog walk trail

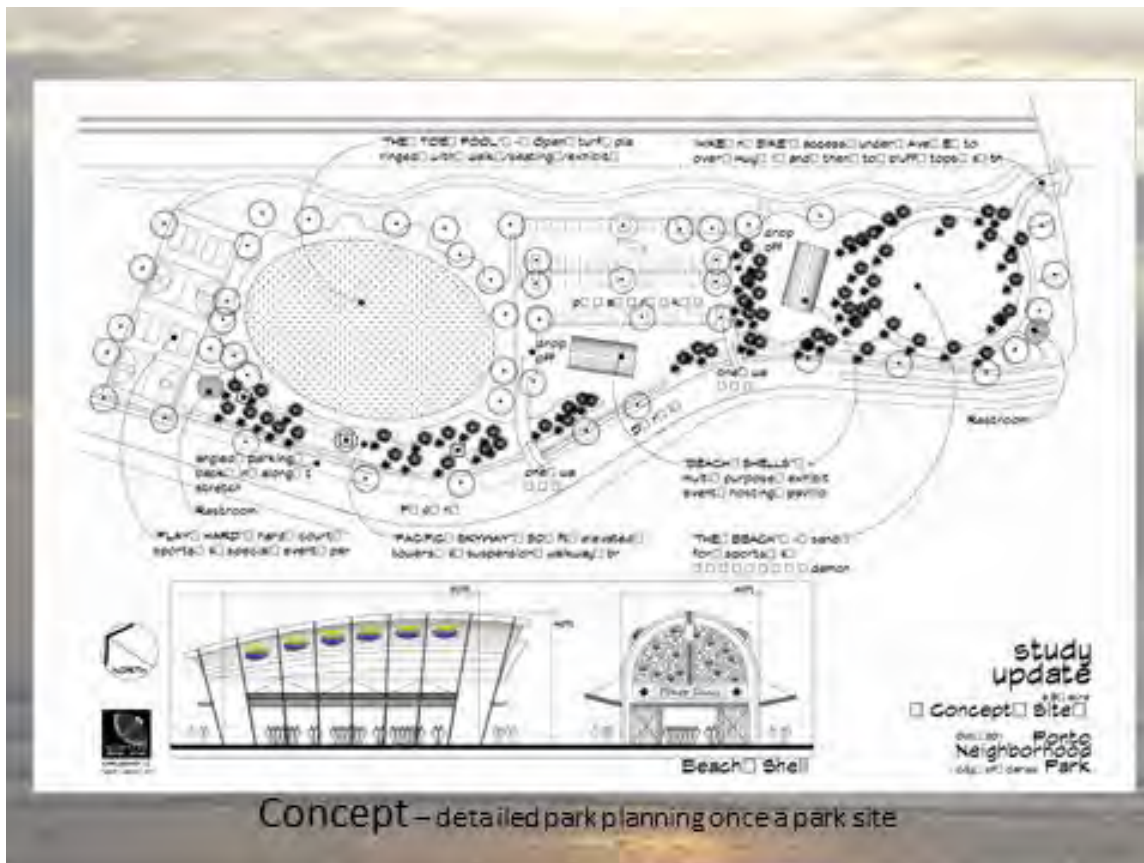


Ponto Coastal Park Concept

- A concept – but shows potential recreational opportunities
- Provides **vital parkland support for beach & open play fields**
- Concept plan a gift from San Pacifico Community Association



One possible Concept image of a potential Ponto Coastal Park at Planning Area F is illustrated below. The potential for a Ponto Coastal Park is real. The speculative land investment fund (Lone Star Fund #5 USA L.P. and Bermuda L.P.) that currently owns Planning Area F is selling the property, and is available for the City of Carlsbad to acquire to address the documented demand/need for a City Park and City Park inequity at Ponto and in Coastal South Carlsbad. A Ponto Beachfront Park 501c3 is working to acquire donations to help purchase the site for a Park. These situations and opportunities should be publicly discussed as part of the City Staff's proposed Local Coastal Program Land Use Plan Amendment.



7. Projected increases in California, San Diego County and Carlsbad population and visitor growth increases the demand for High-Priority-Coastal Recreation land use:

- Increasing Citizen demand for Coastal Recreational land needs to be addressed with increased Coastal Recreation land:

San Diego County Citizen Population - Source: SANDAG Preliminary 2050 Regional Growth Forecast

1980	1,861,846
1990	2,498,016
2000	2,813,833
2010	3,095,313
2020	3,535,000 = 46,500 Citizens per mile of San Diego County coastline
2030	3,870,000
2040	4,163,688
2050	4,384,867 = 57,700 Citizens per mile of San Diego County coastline

2020 to 2050 = 24% increase in San Diego County population.

Citizen Population will continue beyond 2050. Carlsbad may plan for 'Buildout' in 2050, but what is San Diego County's 'Buildout'? There is a common-sense need to increase the amount of Coastal Recreation Land Use in the Proposed LCP Amendment to the Land Use Plan for this growing population. If we do not increase our supply of Coastal Recreational Resources for these increased demands our Coastal Recreation Resources will become more overcrowded, deteriorated and ultimately diminish the Coastal Recreation quality of life for Citizens of Carlsbad and California. Ponto sits in the middle of an existing 6-mile regional Coastal Park Gap (no Coastal Park west of Interstate 5) and there is No Coastal Park in all of South Carlsbad to address the Coastal Recreation needs of the 64,000 South Carlsbad Citizens.

- Increasing Visitor demand for Coastal Recreational land needs to be addressed with increased Coastal Recreation land:

Yearly Visitors to San Diego County – source: *San Diego Tourism Authority; San Diego Travel Forecast, Dec, 2017*

2016	34,900,000
2017	34,900,000
2018	35,300,000
2019	35,900,000
2020	36,500,000 = average 100,000 visitors per day, or 2.83% of County’s Population per day, or 1,316 Visitors/coastal mile/day in 2020
2021	37,100,000
2022	37,700,000

This is growth at about a 1.6% per year increase in visitors. Projecting this Visitor growth rate from 2020 to 2050 results in a 61% or 22,265,000 increase in Visitors in 2050 to:

2050	58,765,000 = average 161,000 visitors per day, or 3.67% of the County’s projected 2050 Population per day, or 2,120 Visitors/coastal mile/day in 2050.
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The number of Visitors is likely to increase beyond the year 2050. There is a common-sense need to increase the amount of Coastal Recreation Land Use in the Proposed LCP Amendment to the Land Use Plan for these projected 2050 61% increase, and beyond 2050, increases in Visitor demand for Coastal Recreational Resources. Increasing Coastal Recreation land is a vital and critically supporting Land Use and vital amenity for California’s, the San Diego Region’s and Carlsbad’s Visitor Serving Industry. Ponto sits in the middle of an existing 6-mile regional Coastal Park Gap (no Coastal Park west of Interstate 5). There are thousands of hotel rooms in South Carlsbad that have NO Coastal Park to go to in South Carlsbad. This needs correcting as both a Coastal Act and also a City economic sustainability imperative.

- We request that the as part of the public’s review, the City Staff proposed Draft LCP Amendment to the Land Use Plan clearly document if and/or how future forever ‘Buildout’ City, Regional and Statewide population and visitor population demand for Coastal Recreation and City Coastal Parks are adequately provided for both in amount and locational distribution in the Carlsbad proposed Amendment of the LCP Land Use Plan.

8. Carlsbad’s Draft Local Coastal Program Land Use Plan Amendment says it plans to a year 2050 buildout of the Coastal Zone. The Draft Local Coastal Program Land Use Plan Amendment then is the last opportunity to create a Coastal Land Use Plan to provide “High-Priority” Coastal Recreation Land Use, and will forever impact future generations of California, San Diego County, and Carlsbad Citizens and Visitors:

- The Draft LCPA indicates in 2008 only 9% of All Carlsbad was vacant land. Less is vacant now in 2019. Carlsbad’s Coastal Zone is 37% of the City, so vacant unconstrained land suitable for providing Coastal Recreation is likely only 3-4%. The prior request for a full documentation of the remaining vacant Coastal lands will provide a better understanding needed to begin to make the final ‘buildout’ Coastal Land Use Plan for Carlsbad. The Draft LCPA does not indicate the amount and locations of currently vacant unconstrained Coastal Land in Carlsbad. This final limited vacant land resource should be clearly documented and mapped in the DLCPA as it represents the real focus of the DLCPA – the Coastal Plan for these remaingn undeveloped

lands. These last remaining vacant lands should be primarily used to provide for and equitably distribute “High-Priority” Coastal Recreation Land Uses consistent with CCA Sections:

- i. Section 30212.5 “... Wherever appropriate and feasible, public facilities, including parking areas or facilities, **shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.**”;
- ii. Section 30213 “... **Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...**”;
- iii. Section 30222 “**The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development,** but not over agriculture or coastal-dependent industry.”
- iv. Section 30223 “**Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible**” ,
- v. Section 30251 ... The location and amount of new development should maintain and enhance public access to the coast by ... 6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by **correlating the amount of development with local park acquisition** and development plans with the provision of onsite recreational facilities to serve the new development”

Adopted City Park Service Area and Park Equity maps discussed earlier document the proposed Draft LCP Amendment’s inconstancy with the above CCA Policy Sections. The locations and small amounts remaining vacant Coastal lands provide the last opportunities to correct the inconsistencies of City proposed Draft “buildout” LCP Land Use Plan Amendment with these Coastal Act Policies.

Currently and since 1996 there has been LCP LUP Policy/regulations for Ponto Planning Area F that require consideration of a “Public Park” prior to changing the existing “unplanned Non-residential Reserve” Land Use designation. A map and data base of vacant developable Coastal land should be provided as part of the Draft LCPA and the Draft LCPA. This map and data base should document the projected/planned loss of Coastal land use due to Sea Level Rise. Draft LCPA projects Sea Level Rise will eliminate several beaches and High-Priority Coastal Land Uses like Coastal Lagoon Trails and the Campground.

- The LCP Land Use Plan should plan and reserve the very limited vacant developable Coastal land for the long-term ‘Buildout’ needs of “High-Priority” Coastal Recreation Land Use. Vacant developable Coastal land is too scarce to be squandered for “low-priority” uses. Sea Level Rise will reduce “High-Priority” Coastal Uses. So how vacant developable Upland area should be preserved for “High-Priority” Coastal Uses is a key requirement to be fully documented and discussed in the Draft LCPA. If not one of two things will eventually happen 1) any new Coastal Park land will require very expensive purchase and demolition of buildings or public facilities to create any new Coastal Park land to meet existing and growing demand; or 2) Coastal Recreation will be hemmed-in by “low-priority” uses and thus force Coastal Recreation to decrease and become increasingly concentrated and overcrowded in its current locations; and thus will promote the eventual deterioration of our current Coastal Recreation resources. A plan that fails to fix Coastal Park deficits and then increase Coastal Parks in pace with increased population/visitor demand is a plan that can

only result in degradation. How the Draft LCPA documents and addresses the land use planning of the last small portions of vacant developable Coastal land is critical for the future and future generations.

9. Citizens of South Carlsbad are concerned about the City's multiple prior flawed Ponto planning processes or 'mistakes' the City has made yet is basing the City Staff's proposed Draft LCP LUP. The concerns being the City is not openly and honestly communicating information to citizens and the public, and not allowing a reasonable and appropriate community-based planning process to address the documented Park, Coastal Recreation and unconstrained open space needs in South Carlsbad. One of these groups of citizens has created a www.peopleforponto.com website to try to research and compile information and hopefully provide a better means for citizens to understand facts and then express their concerns/desires to the City of Carlsbad (City) and CA Coastal Commission (CCC). Over 2,000 emails have sent to the City and CCC regarding Coastal Land Use Planning Issues at Ponto. The San Pacifico Planned Community (i.e. San Pacifico Community Association) has also, since 2015, sent numerous emailed letters to the City and CCC noting the significant concerns about changes in Coastal planning the City is proposing for our Planned Community.

Repeatedly over 90% of surveyed citizens (results emailed prior to both the City and CCC) have expressed the vital need and desire for a Coastal Park at Ponto to serve the current and future Coastal Recreation needs for all both Ponto and South Carlsbad and for larger regional and State Coastal Recreational needs. This desire is supported by data, CA Coastal Act Policy, and also Carlsbad's Community Vision – the foundation for the City's General Plan. Ponto is the last remaining vacant Coastal area available to provide for those needs in South Carlsbad and for a regional 6-mile stretch of coastline. Citizens have expressed deep concern about the City's flawed prior Coastal planning efforts for Coastal Recreation at Ponto, including two repeated LCP Amendment "mistakes" (Ponto Beachfront Village Vision Plan in 2010 and General Plan Update in 2015) when the City twice failed to publicly disclose/discuss and then follow the Existing LCP requirements at Ponto – specifically for Planning Area F. People for Ponto had to use multiple Carlsbad Public Records Requests in 2017 to find these "mistakes". CCC Staff was helpful in both confirming the City "mistakes" and communicating back to the City. As citizens we are still unclear as to how/why these two repeated "mistakes" happened. There is citizen concern that the City is again repeating these two prior "mistakes" by not at the beginning of the Public Comment Period clearly and publicly disclosing the Planning Area F LCP requirements to citizens as part of the current LCP Amendment process, and also by not implementing the existing LCP requirement PRIOR to proposing an Amended Coastal Land Use Plan for Ponto. The City in its proposed LCP Amendment process is putting-the-cart-before-the-horse with respect to honest and open consideration, documentation and public discussion of the need for high-priority Coastal Recreation land use required of Planning Area F at Ponto. The City is also not clearly letting all Carlsbad citizens know about the Existing LCP requirements for Ponto's Planning Area F so they can be informed to reasonably participate in public review and comment regarding amending that LCP requirement, and the need for Coastal Recreation land uses in South Carlsbad. Since 2017 there has been repeated citizen requests to the City (copies were provided to the CCC) to fix these multiple fundamental/foundational flaws by in the City's prior Coastal Recreation and Public Parks and Open Space at planning, and the currently Proposed Draft LCP Land Use Plan Amendment. Since 2017 there have also been repeated citizen requests to the City to provide a truly open, honest, inclusive community-based planning process and workshops with the accurate and honest information, prior to forming a proposed Draft LCP Land Use Plan Amendment. As citizens we believe we can constructively work with the City and CCC towards a consensus or viable options on these important Coastal Recreation issues if the City allows and encourages such an open, honest and inclusive process. We request the City respond to the requests submitted to the City since 2017, and again request such a process from the City before any LCP Amendment is first considered by the Planning Commission and City Council. Such a requested process benefits all.

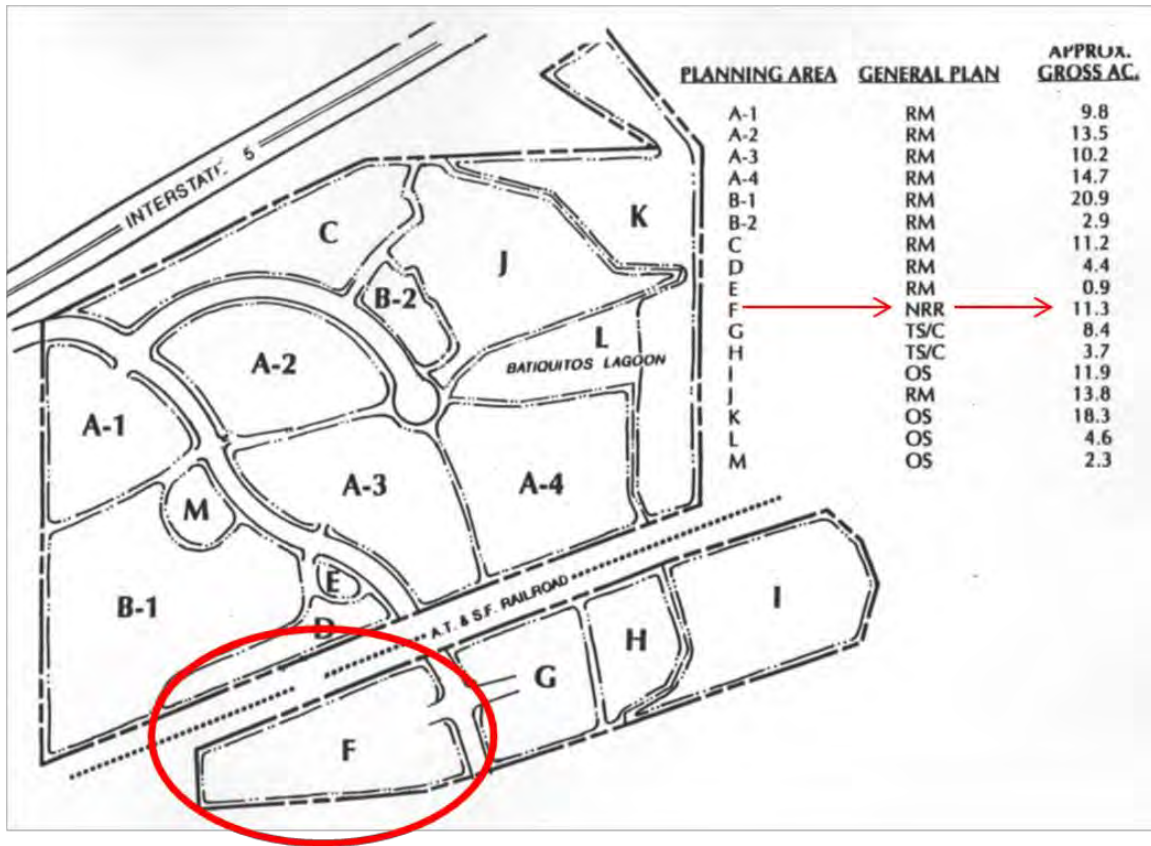
10. Why the Draft LCPA Land Use Plan for Ponto should provide for the current and future Coastal Park and Recreation needs for South Carlsbad, the San Diego Region and California.

- Ponto, is one of last remaining vacant and undeveloped Coastal lands in North County
- Ponto is the last remaining undeveloped Coastal land in South Carlsbad
- Ponto has the last unplanned Planning Area of the Existing Poinsettia Shores Planned Community & Local Coastal Program that can be planned for high-priority Coastal Recreation land use. This Existing LCP requires Planning Area F be considered for a “Public Park”.
- Following is a map of the Ponto area in South Carlsbad:



Following is the LCP Land Use map from the Existing Poinsettia Shores Master Plan & Local Coastal Program adopted in 1996. This is the Land Use map that the City is proposing to change in the proposed LCP Amendment to the Land Use Plan. As the Existing LCP Land Use map shows most all the land is ‘low-priority’ residential use at an RM Residential medium density, a small portion is ‘high-priority’ Visitor Serving TC/C Tourist Commercial. Most all the

Open Space is constrained and undevelopable land (the steep CSS habitat bluffs above Batiquitos Lagoon) or water (the lagoon water). This land/water is owned by the State of California, like the inner lagoon east of I-5. Only Planning Area M at 2.3 acres is unconstrained Open Space and it provides a small private internal recreation facility for the approximately 450 homes and 1,000 people in the Planned Community. This small recreation area is a City requirement for ‘planned developments’ to off-set loss open space from planned development impacts on housing quality. Planned developments can propose designs that reduce normal setback and open space areas – they bunch together buildings to increase development – such as the smaller lot sizes, and extensive use of “zero-setbacks” to reduce typical lot sizes that occurs at Poinsettia Shores. A private recreation facility in any of the City’s planned developments is never considered a replacement for required City Parks. Planned Developments, like unplanned developments, are required to dedicate Park land to the City, or pay a Park In-Lieu fee to the City so the City provide the developer’s obligation to provide City Park acreage to address the population increase of their proposed planned development. For Poinsettia Shores’ population the City’s minimum City Park Standard would require developers set aside 3 acres of City Park land for local park needs. For the larger Ponto area population about 6.6 acres of City Park Land is required. The Existing LCP reserves Planning Area F as an unplanned “Non-residential Reserve” Land Use until the Public Park needs for Ponto are considered and documented. Only then can the NRR land use be changed.



11. Developers have overbuilt in the Ponto area of the Coastal Zone. The City of Carlsbad has under questionable circumstances is currently choosing to ‘exempted’ Ponto developers from providing the minimum amount of unconstrained Open Space according to the City’s developer required Open Space Public Facilities Standard. The legality of these confusing circumstances is subject to a lawsuit against the City. However the City’s computerize mapping system has documented that the Ponto area of the Coastal Zone is missing about 30-acres of Unconstrained Open Space that can be used to fulfill the City’s Open Space Performance Standard that states that

15% of unconstrained and developable land must be preserved by developers as Open Space. Following is a summary of data from the City data regarding the missing Open Space at Ponto (Local Facility Management Plan Zone 9, LFMP Zone 9) in the Coastal Zone pursuant to the City's Open Space Performance Standard. If it is desirable People for Ponto can provide the City GIS map and parcel-by-parcel data base on which the following summary is based:

City of Carlsbad GIS data calculations of Open Space at Ponto area of Coastal Zone:

472 Acres = Total land in LFMP Zone 9 [Ponto area] per City of Carlsbad GIS data

(197 Acres) = Constrained land/water/infrastructure that is excluded from the City's Open Space Standard

275 Acres = Unconstrained land in LFMP Zone 9 (Ponto) subject to the City's Open Space Standard

X 15% = Minimum unconstrained Open Space requirement per the City Open Space Standard

41 Acres = Minimum unconstrained Open Space required in LFMP Zone 9

(11 Acres) = Actual unconstrained Open Space provided & mapped by City in LFMP Zone 9

30 Acres = Missing unconstrained Open Space needed in LFMP Zone 9 [Ponto area of Coastal Zone] to meet the City's minimum GMP Open Space Standard. 73% of the required Open Space Standard is missing.

Thus the Ponto area of the Coastal Zone appears overdeveloped with 30 additional acres of "low-priority" residential land uses due to developers' non-compliance to the City's Open Space Public Facility Performance Standard's Minimum developer required Open Space requirement. As noted a citizens group has a pending lawsuit with the City over the City's current 'exempting' Ponto and future developers from meeting the Open Space Standard.

12. The prior pre-1996 LCP for Ponto – the Batiquitos Lagoon Educational Park Master Plan & LCP (BLEP MP/LCP) had significant Open Space and recreational areas. These significant Open Space and Recreational areas were removed with BLEP MP/LCP's replacement in 1996 by the currently existing Poinsettia Shores Master & LCP (PSMP/LCP) and its City Zoning and LCP LUP requirements that reserved Planning Area F with the current "Non-residential Reserve" Land Use designation. Since the BLEP MP/LCP it appears developers and the City of Carlsbad have worked to remove "High-Priority" Coastal land uses (i.e. Coastal Recreation and Park uses) out of the Ponto area and replaced them with more "low-priority" residential and general commercial land uses. For example:

- Planning Area F used to be designated "Visitor Serving Commercial" as part of the original 1980's BLEP MP/LCP for Ponto.
- In 1996 the BLEP MP LCP was changed by developer application to the now current PSMP LCP, and the LCP LUP designation changed from "Visitor Serving Commercial" to "Non-Residential Reserve" with the requirement to study and document the need for "High-Priority" Coastal Recreation (i.e. Public Park) and/or Low-cost visitor accommodations prior to any change to Planning Area F's "Non-residential Reserve" LCP land use.
- In 2005 the City started to try to change Planning Area F to low-priority residential and general commercial land use in the City's Ponto Beachfront Village Vision Plan (PBVVP). At this time the City made its first documented Coastal 'planning mistake' by not disclosing to the public the existence of Planning Area F's LCP requirements and then also not following those LCP requirements. The City's planning process seemed focused on addressing developer's land use desires, and increasing land use intensity to boost "Tax-increment financing" as the City had established a Redevelopment Project Area at Ponto. A short time after the State of CA dissolved Redevelopment Agencies due in part to such abuses by cities. The CCC formally rejected the PBVVP in 2010, citing the City's failure to follow the LCP requirements for Planning Area F.

- Five years later in 2015 the City again adopted a proposed General Plan Update to again change Planning Area F to low-priority residential and general commercial land use. The General Plan Update cited the City’s PBVVP that was in fact rejected by the CCC only a few years before. The City again repeated their PBVVP’s Coastal land use ‘planning mistake’ by again not disclosing to the public the existence of Planning Area F’s LCP requirements and then not following those LCP requirements. It is unclear why the City did this only 5-years after the CCC specifically rejected the Ponto Beachfront Village Vision Plan for those same reasons.
- In 2017 citizens found and then confirmed these Ponto Coastal ‘planning mistakes’ by the City through multiple official Carlsbad Public Records Requests and CCC Staff confirmation. The CCC readily identified the mistakes, but the City’s 2019 proposed Draft LCP Land Use Plan and planning process still has yet fully disclose these prior Coastal ‘planning mistakes’ to ALL citizens of Carlsbad - the failure to disclose and follow the Planning Area F LCP LUP and City Zoning requirements. Full City disclosure is needed now to try to correct many years of City misrepresentation to citizens on LCP required Coastal land Use planning at Ponto. It is needed now so the public is aware at the start of the Public Comment Period. In 2017 citizens began asking the City fix the City’s over 12-years of misinformation and planning mistakes by ‘restarting’ Coastal land use planning at Ponto with an open and honest community-based Coastal planning process. These citizens’ requests have been rejected.
- In 2019 the City Staff proposed citywide Draft LCP land Use Plan Amendment that again proposed to change Planning Area F to “low-priority” residential and general commercial land use, without First disclosing the Planning Area F LCP requirements with corresponding analysis of the Need for Coastal Recreation (i.e. Public Park) and/or low-cost visitor accommodations at Planning Area F and providing that Documented analysis for public review/Consideration/comment. This seems like another 3rd repeat of the prior two Coastal planning mistakes by the City. In 2019, again citizens asked for a reset and a true community-based process for the last remaining significant vacant Coastal lands – including Ponto. Again the City rejected citizens’ requests.
- In 2020 thousands of public requests again asked, and are currently asking, for a reset and a true community-based process for the last remaining significant vacant Coastal lands – including Ponto. Again these requests are being rejected. Based on the significant citizen concern and the documented prior ‘planning mistakes’ at Ponto it appears reasonable and responsible for Ponto’s Planning Area F to ether:
 - i. Retain its current Existing LCP LUP land Use of “Non-Residential Reserve” until such time as the City’s past Ponto Beachfront Village Vision Plan and General Plan Update planning mistakes and other issues subject to current planning lawsuits against the City are resolved with a true, honest and open community-based Coastal planning process asked for by citizens since 2017. Or
 - ii. Propose in the Draft LCP Land Use Plan Amendment to re-designated Planning Area F back to a Visitor Serving Commercial and Open Space (“i.e. Public Park”) to provide both “High-Priory” coastal uses v. low-priority residential/general commercial uses due to the documented Coastal Recreation and Low-cost visitor accommodation needs for both citizens and visitors at Ponto and South Carlsbad.

13. Questionable logic and inconsistency in proposed Draft land use map and policies: Chapter 2 Figure 2-2B & C on pages 2-19 & 20 proposes to Amend the existing LCP Land Use Plan Map, and policies LCP-2-P.19 and 20 on pages 2-27 to 2-29 propose Amendments to existing LCP policy and create a new added layer of policy referencing a Ponto/Southern Waterfront. The proposed Land Use Map and Policies serve to firmly plan for “low-priority” residential and general commercial land uses at Ponto with a clear regulatory Land Use Plan Map showing these land uses and by specific regulatory policy (LCP-2-20) that clearly requires (by using the words “shall”) these “low

priority” uses. In contrast the “High-Priority” Coastal Recreation and Coastal Park land uses that would be designated as Open Space are not mapped at all in Figure 2-2B & C; and the proposed policy LCP-2-P.19 is both misleading and specifically does Not Require any “High-Priority” Coastal Recreation and Coastal Park land Use at Ponto and South Carlsbad. In fact page 2-22 specifically indicates two “may” criteria that would first need to occur in the positive before any potential Coastal Recreation and Coastal Park Land could then theoretically even be possible. It is highly probable that it is already known by the City that the proposed relocation of Carlsbad Boulevard (Coast Highway) is not very feasible and not cost effective, and will not yield (due to environmental habitat constraints, narrowness of the roadway median, and other design constraints) any significant dimensions of land that could potentially be designated Open Space and realistically be used as a Park.

The blank outline map (Figure 2-2B & C) provides no mapped Open Space Land Use designation, other than for the currently existing State Campgrounds’ low-cost visitor accommodations, so the proposed Land Use Plan Map is Not providing/mapping any new Open Space land use to address Coastal Recreation and Coastal Park needs. The Draft LCP Land Use Plan Amendment’s proposed/projected/planned Sea Level Rise and associated coastal erosion appears to indicate that this “High-Priority” low-cost visitor accommodation (Campground) land use designated as Open Space will be reduced in the ‘Buildout’ condition due to coastal erosion. So **the Draft LCP Land Use Plan is actually planning for a Reduction in Open Space Land Use in South Carlsbad and Ponto.** Both the blank outline map and the proposed Land Use Map Figure 2-1 DO NOT clearly map and designate both South Carlsbad’s Draft LCP Planned Loss of the Open Space Land Use and also any New or replacement unconstrained land as Open Space land use for Coastal Recreation and Coastal Park. This is an internal inconsistency in Land Use Mapping that should be corrected in two ways:

- 1) Showing on all the Land Use (Figure 2-1), Special Planning Area (Figure 2-2B & C), and other Draft LCP Maps the Draft LCP’s planned loss of land area in those maps due to the Draft LCP’s planned loss of land due to Sea Level Rise and Coastal Land Erosion. This is required to show how land use boundaries and Coastal Recourses are planned to change over time. or
- 2) Provide detailed Land Use Constraint Maps for the current Carlsbad Boulevard right-of-way that the City “may” or ‘may not’ choose (per the proposed “may” LCP-2-P.19 policy) use to explore to address the City’s (Park Master Plan) documented Coastal Recreation and Coastal Park land use shortages in Coastal South Carlsbad and Ponto. Clearly showing the potential residual Unconstrained Land within a Carlsbad Boulevard relocation that have any potential possibility to add new Open Space Land Use Designations (for Coastal Recreation) is needed now to judge if the policy is even rational, or is it just a Trojan horse.

The proposed internal inconsistency in mapping and policy appears like a plan/policy ‘shell game’. The proposed Land Use Plan Maps and Policies should be consistent and equality committed (mapped-shall v. unmapped-may) to a feasible and actual Plan. If not then there is No real Plan.

There is no Regulatory Policy requirement in LCP-2-P.19 to even require the City to work on the two “may” criteria. The City could choose to bury the entire Carlsbad Boulevard relocation concept and be totally consistent with Policy LCP-2-P.19 and the LCP. As such the language on 2-22, Figure 2-2C (and the proposed Land Use Map), and policy LCP-2-P.19 and 20 appear conspire to create a shell game or bait-and-switch game in that only “low-priority” residential and general commercial uses are guaranteed (by “shall” policy) winners, and “high-priority” Coastal Recreation and Coastal Park Land Uses are at best a non-committal ‘long-shot’ (“may” policy) that the city is specifically not providing a way to ever define, or commit to implement. The proposed Draft LCP Land Use Plan Coastal Recreation and Coastal Park statements for Ponto are just words on paper that are designed to have no force, no commitment, no defined outcome, and no defined requirement to even have an outcome regarding the

documented “High-Priority” Coastal Recreation and Coastal Park needs at Ponto, Coastal South Carlsbad and the regional 6-mile Coastal Park gap centered around Ponto.

Policy LCP-2-P.19 falsely says it “promotes development of recreational use” but does not in fact do that. How is development of ‘recreational use promoted’ when the Use is both unmapped and no regulatory policy requirement and commitment (no “shall” statement) to ‘promote’ that Use is provided? Policy LCP-2-19.19 appears a misleading sham that does not ‘promote’ or require in any way “High-Priority” Coastal Recreation and Park Land Use at Ponto. There should be open and honest public workshops before the Draft LCP Amendment goes to its first public hearing to clearly define the major environmental constraints and cost estimates involving possible relocation of Carlsbad Boulevard and constructing needed beach access parking, and sufficient and safe sidewalks and bike paths along Carlsbad Boulevard; and then map the amount and dimensions of potential ‘excess land’ that maybe available for possible designation as Open Space in the City General Plan and Local Coastal Program. The City should not repeat the mistakes at the Carlsbad Municipal Golf Course (resulting in the most expensive to construct maniple course in the USA) by not defining and vetting the concept first. A preliminary review of City GIS data appears the amount, dimensions and locations of any potential ‘excess’ land maybe modest at best. However before the City proposes a ‘Buildout’ Coastal Land Use Plan this critical information should be clearly provided and considered. It is likely the City’s Carlsbad Boulevard relocation concept is unfeasible, inefficient, too costly, and yields too little actual useable ‘excess land’ to ever approach the Coastal Recreation and Coastal Park needs for South Carlsbad. This may already be known by the City, but it surely should be publicly disclosed and discussed in the DLPCA.

The proposed Coastal Land Use Plan to address Carlsbad’s, San Diego County’s and California’s High-Priority Coastal Recreation Land Use and Coastal Park needs should NOT be vague “may” policy that appears to be purposely designed/worded to not commit to actually providing any “High-Priority” Coastal Recreation and Coastal Park land uses on the map or in policy commitments. The Land Use Plan and Policy for High-Priority Coastal Recreation and Coastal Park Land Use should be definitive with triggered “shall” policy statements requiring and assuring that the ‘Forever’ “High-Priority” Coastal Recreation and Coastal Park needs are properly and timely addressed in the City’s proposed ‘Buildout’ Coastal Land Use Plan. This “shall” policy commitment should be clearly and consistently mapped to show the basic feasibility of the planned outcomes and the resulting actual Land that could feasibly implement the planned outcome.

Providing safe and sufficient sidewalks, bike paths, and public parking along Carlsbad Boulevard: Providing safe and sufficient sidewalks, bike paths, and public parking along Carlsbad Boulevard are Coastal Access and Completes Streets issues. South Carlsbad Boulevard now and has for decades been a highly used Incomplete Street that is out of compliance with the City’s minimum Street Standards for pedestrian and bike access and safety. The Coastal Access portion of the Draft Land Use Plan should strongly address the Complete Street requirements for South Carlsbad Boulevard. Those policy commitments should be reference in Policy LCP-2-P.19 and 20 as Carlsbad Boulevard in **South Carlsbad is the most Complete Street deficient portion of Carlsbad Boulevard**. Forever Coastal Access parking demand and the proposed LCP Amendment’s Land Use Plan to supply parking for those demands should also be addressed as part of the Coastal Access and Complete Streets issues for South Carlsbad Boulevard. If much needed Coastal Access Parking is provided on South Carlsbad Boulevard as part of a “maybe” implemented realignment, most of the “maybe” realignment land left after constraints are accommodated for and buffered will likely be consumed with these parking spaces and parking drive aisles/buffer area needed to separate high-speed vehicular traffic from parking, a buffered bike path, and a sufficiently wide pedestrian sidewalk or Coastal Path. After accommodating these much needed Complete Street facilitates there will likely be little if any sufficiently

dimensioned land available for a Coastal Recreation and a Coastal Park. The needed Coastal Access and Complete Street facilities on South Carlsbad Boulevard are very much needed, but they are NOT a Coastal Park.

As mentioned the proposed Draft Coastal Land Use Plan's Maps and Policies are very specific in providing for the City's proposed LCP Land Use changes to 'low-priority' Residential and General Commercial' on Planning Area F (proposed to be renamed to Area 1 and 2). It is curious as to why the proposed Draft LCP Land Use Plan Amendment has no Land Use Map and minor vague unaccountable Land Use Policy concerning 'High-priority Coastal Recreation Land Use' at Ponto, while the very same time proposing very clear Land Use Mapping and detailed unambiguous "shall" land use policy requirements for 'low-priority' Residential and General Commercial land use at Ponto. Why is the City Not committing and requiring (in a Land Use Map and Land Use Policy) to much needed 'High-priority' Coastal Recreation and Coastal Park Land Use' needs at Ponto the same detail and commitment as the City is providing for "low-priority" uses? This is backwards and inappropriate. It is all the more inappropriate given the 'Buildout' Coastal Land Use Plan the City is proposing at Ponto. These issues and plan/policy commitments and non-commitments will be 'forever' and should be fully and publicly evaluated as previously requested, or the Existing LCP Land Use Plan of "Non-residential Reserve" for Planning Area F should remain unchanged and until the forever-buildout Coastal Recreation and Coastal Park issues can be clearly, honestly and properly considered and accountably planned for. This is vitally important and seems to speak to the very heart of the CA Coastal Act, its founding and enduring principles, and its policies to maximize Coastal Recreation. People for Ponto and we believe many others, when they are aware of the issues, think the City and CA Coastal Commission should be taking a long-term perspective and be more careful, thorough, thoughtful, inclusive, and in the considerations of the City's proposal/request to permanently convert the last vacant unplanned (Non-residential Reserve) Coastal land at Ponto to "low-priority" land uses and forever eliminate any Coastal Recreation and Coastal Park opportunities.

14. Public Coastal View protection: Avenida Encinas is the only inland public access road and pedestrian sidewalk to access the Coast at Ponto for one mile in each direction north and south. It is also hosts the regional Coastal Rail Trail in 3' wide bike lanes. There exist now phenomenal coastal ocean views for the public along Avenida Encinas from the rail corridor bridge to Carlsbad Boulevard. It is assumed these existing expansive public views to the ocean will be mostly eliminated with any building development seaward or the Rail corridor. This is understandable, but an accountable ('shall') Land Use Plan/Policy addition to proposed Policy LCP-2-P.20 should be provided for a reasonable Public Coastal View corridor along both sides of Avenida Encinas and at the intersection with Carlsbad Boulevard. Public Coastal view analysis, building height-setback standards along Avenida Encinas, and building placement and site design and landscaping criteria in policy LCP-2-P.20 could also considered to reasonably provide for some residual public coastal view preservation.

15. Illogical landscape setback reductions proposed along Carlsbad Boulevard, and Undefined landscape setback along the Lagoon Bluff Top and rail corridor in Policy LCP-2-P.20: Logically setbacks are used in planning to provide a buffering separation of incompatible land uses/activities/habitats. The intent of the setback separation being to protect adjacent uses/activities/habitats from incompatibility, nuisance or harassment by providing a sufficient distance/area (i.e. setback) between uses/activities/habitats and for required urban design aesthetics – almost always a buffering landscaping. Policy LCP-2-P.20. A.4 and C.3 says the required 40' landscape setback along Carlsbad Boulevard "maybe reduced due to site constraints or protection of environmental resources." The ability to reduce the setback is illogical in that setbacks are intended to protect environmental resources and provide a buffer for constraints. In the Carlsbad Boulevard right-of-way there is documented sensitive environmental habitat, along with being a busy roadway. How could reducing the protective 40' setback in anyway better protect that habitat or provide a better landscaped compatibility or visual aesthesis buffer along Carlsbad Boulevard? It is

illogical. If anything the minimum 40' landscaped setback should likely be expanded near "environmental resources". Regarding reducing the minimum 40' landscape setback for "site constraints" there is no definition of what a "site constraint" is or why it (whatever it may be) justifies a reduction of the minimum landscaped setback. Is endangered species habitat, or a hazardous geologic feature, or a slope, or on-site infrastructure considered a "site constraint"? There should be some explanation of what a "site constraint" is and is not, and once defined if it warrants a landscape setback reduction to enhance the buffering purpose of a landscape setback. Or will a reduction only allow bringing the defined constraint closer to the adjacent uses/activities/habitats that the landscape setback is designed to buffer. It is good planning practice to not only be clear in the use of terms; but also, if a proposed reduction in a minimum standard is allowed, to define reasonably clear criteria for that reduction/modification and provide appropriate defined mitigation to assume the intended performance objectives of the minimum landscape setback are achieved.

Policy LCP-2-P.20.C.4 is missing a critical Bluff-Top landscape setback. It seems impossible that the DLCPA is proposing no Bluff-Top setback from the lagoon bluffs and sensitive habitat. The Batiqitos Lagoon's adjoining steep sensitive habitat slopes directly connect along the Bluff-top. Batiqitos Lagoon's and adjoining steep sensitive habitat is a sensitive habitat that requires significant setbacks as a buffer from development impacts. Setbacks similar to those required for the San Pacifico area inland of the rail corridor, should be provided unless updated information about habitat sensitivity or community aesthetics requires different setback requirements.

Policy LCP-2-P.20 does not include a landscape setback standard adjacent to the rail corridor. This is a significant national transportation corridor, part of the 2nd busiest rail corridor in the USA. Train travel along this corridor is planned to increase greatly in the years to come. Now there is significant noise, Diesel engine pollution, and extensive ground vibration due to train travel along the rail corridor. Long freight trains which currently run mostly at night and weekends are particularly noisy and heavy, and create significant ground vibration (underground noise). These issues are best mitigated by landscape setbacks and other buffers/barriers. A minimum setback standard for sufficient landscaping for a visual buffer and also factoring appropriate noise and ground vibration standards for a buildout situation should be used to establish an appropriate landscape setback that should be provided along the rail corridor. Carlsbad's landscape aesthetics along the rail corridor should be factored into how wide the setback should be and how landscaping should be provided. An example for the landscape aesthetic portion of the setback standard could be landscape design dimensions of the San Pacifico community on the inland side of the rail corridor. However, noise and vibrational impacts at San Pacifico are felt much further inland and appear to justify increased setbacks for those impacts.

Carlsbad is 10% below the national average for cities & the worst of 24 Coastal So California cities - 165 miles of coastline - in providing Parks within a 10-minute walk to residents

The Trust for Public Land documents a city's 10-minute walk to Park at <https://www.tpl.org/parkserve>
The Average USA City provides Parks within 10-minute walk to 55% of residents [10% above Carlsbad].
Carlsbad provides Parks within 10-minute walk to 49.9% of residents [10% below National Average].
New York City provides Parks within 10-minute walk to 99% of residents.

The Trust of Public Land submitted a letter to the City of Carlsbad, CA Coastal Commission, and CA State Park supporting Ponto Park

Carlsbad is the worst of 24 Southern CA Coastal cities (from Malibu south to Imperial Beach along 165 miles of coastline) in providing Parks within 10-minute walk to residents:

1. Palos Verdes Estates provides Parks within 10-minute walk to 100% of residents
2. El Segundo provides Parks within 10-minute walk to 100% of residents
3. Hermosa Beach provides Parks within 10-minute walk to 100% of residents
4. Redondo Beach provides Parks within 10-minute walk to 98% of residents
5. Manhattan Beach provides Parks within 10-minute walk to 95% of residents
6. Del Mar provides Parks within 10-minute walk to 93% of residents
7. Dana Point provides Parks within 10-minute walk to 89% of residents
8. Huntington Beach provides Parks within 10-minute walk to 85% of residents
9. Long Beach provides Parks within 10-minute walk to 84% of residents
10. Laguna Beach provides Parks within 10-minute walk to 82% of residents
11. Santa Monica provides Parks within 10-minute walk to 82% of residents
12. San Diego provides Parks within 10-minute walk to 81% of residents
13. Coronado provides Parks within 10-minute walk to 76% of residents
14. Newport Beach provides Parks within 10-minute walk to 76% of residents
15. Imperial Beach provides Parks within 10-minute walk to 74% of residents
16. Encinitas provides Parks within 10-minute walk to 68% of residents
17. Los Angeles provides Parks within 10-minute walk to 63% of residents
18. Solana Beach provides Parks within 10-minute walk to 63% of residents
19. Oceanside provides Parks within 10-minute walk to 58% of residents
20. Seal Beach provides Parks within 10-minute walk to 57% of residents
21. Malibu provides Parks within 10-minute walk to 53% of residents
22. San Clemente provides Parks within 10-minute walk to 52% of residents
23. Rancho Palos Verdes provides Parks within 10-minute walk to 50% of residents
24. **Carlsbad provides Parks within 10-minute walk to 49.9% of residents.**

Carlsbad is the lowest & most unfair to citizens of the 24 Southern California Coastal cities along 165 miles of coast from Malibu to Imperial Beach.

Source of data: Trust for Public land parkscores

Trust for Pulic Land's 10-minute walk to Park Maps/data:

Carlsbad = <https://parkserve.tpl.org/mapping/index.html?CityID=0611194#reportTop>

Encinitas = <https://parkserve.tpl.org/mapping/index.html?CityID=0622678>

Irvine = <https://parkserve.tpl.org/mapping/index.html?CityID=0636770>

Following are 6 key major Growth Management Standards issues of citywide relevance that the Carlsbad Tomorrow Growth Management Committee (CTGMC) needs to act on, and citizen “Suggestions to CTGMC” on how to honestly and responsibly act on these 6 key issues in the CTGMC’s recommendations to the New City Council. This Update includes new information (pp 5-6) on the improved affordability of Ponto Park, and on how GM Open Space shortfall can be repaired. We hope the CTGMC will act honestly to make recommendations that truly and responsibly address known documented shortfalls in both Parks and GM Open Space. Responsible recommendations by the CTGMC can provide a sustainable Quality of Life to future Carlsbad generations and visitors. Only you own your recommendations.

1. The State of CA is forcing Carlsbad and all cities/counties in CA to provide for unlimited or Infinite Population and Visitor growth. So there will be an Infinite population & visitor demands for Parks, Open Space, water, and demands on our roads/transportation systems, and other Growth Management (GM) Quality of Life facilities. These infinite increases in population and visitor demand will come from high density development that requires more public Parks and Open Space to balance the high-densities. **Carlsbad’s new GM Standards will have to provide for a system of Infinite proportional increases in the supply of Parklands, Open Spaces, water, transportation facility capacity, etc. or our Quality of Life will diminish.**
 - a. Suggestions to CTGMC:
 - i. Completely restructure the General Plan, Local Coastal Program and GM Program to clearly recognize these facts and State requirements to proportionately provide public facilities to maintain/improve Carlsbad GM Quality of Life Standards for this Infinite growth of Population and Visitor demands.
 - ii. **Being a Coastal city Carlsbad has an added responsibility to proportionately maintain/improve providing High-Priority Coastal land uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations) needed at a regional and statewide level to address visitor needs for Coastal Recreation, access, and affordable accommodations.** Carlsbad needs to work with the State of CA Coastal Commission to completely restructure Carlsbad’s Coastal Land Use Plan to addresses the State’s requirement to provide an Infinite amount high-priority Coastal land uses for those Infinite Population and Visitor demands.
 - iii. **Trying to ignore these Infinite demands for Carlsbad’s Quality of Life facilities – like Parks and Open Spaces is a path to disaster and the ultimate degradation of Carlsbad’s Quality of Life.**
2. **Carlsbad has a huge Jobs v. Housing supply imbalance – far too many jobs around the airport for our amount of housing. This creates negative and costly land use and transportation planning distortions that radiate from the Airport Central Jobs through Carlsbad in all directions.** CA Housing law penalizes unbalanced cities like Carlsbad by requiring more housing in Carlsbad to bring jobs/housing ratio into balance. Carlsbad can correct this imbalance by 1 of 2 ways: 1) greatly increase housing supply (and thus increase the need and City expense for more GM Quality of Life facilities), or 2) more logically and cost effectively greatly decrease the amount of Jobs land use, so Carlsbad’s housing supply is in balance with jobs. These jobs will move to surrounding Cities that have more housing than jobs. **Rebalancing by reducing jobs land use creates added benefits for Carlsbad and our region by reducing Carlsbad’s peak-hour job commute traffic volumes and**

vehicle miles traveled (VMT), and by reducing the costs Carlsbad (and other cities and the region) have to pay to accommodate inter-city commute traffic. If Carlsbad reduces jobs land use will also reduce the amount of housing the State of California and SANDAG requires Carlsbad provide in its Housing Element thus reducing forcing incompatible high-density development into established neighborhoods and pressure to convert useable GM Open Space lands to housing land use.

a. Suggestions to CTGMC:

- i. **Carlsbad can logically and cost effectively balance Jobs/housing supply by updating Growth Management Policy to reduce jobs to be in balance with housing by changing some of Carlsbad's General Plan land use around the airport into several high-density residential mixed-use Villages.** The City has started some of this, but can expand this effort but has not planned creating mixed-use village environments. These high-density villages will reduce jobs and provide both high-quality and high-density (affordable) housing within walking/biking distance to the major job center and new neighborhood commercial and Park uses in the Villages.
- ii. Prioritize transportation investments in safe bike paths, walking paths between Carlsbad's Central Jobs Core around the airport and Carlsbad's housing, particularly strongly connecting these new high-density mixed-use villages with the Central Jobs Core.
- iii. Update General Plan land use and housing policy to reduce concentrations of higher-density housing except around the airport jobs core.
- iv. Recognize the central Airport jobs core is 'Carlsbad's New Urban Downtown and "Transect Plan" accordingly toward lower densities on the City periphery.

3. Although some very critical areas (such as the Coastal lands at Ponto) are still vacant and can be wisely used for critical GM Quality of Life needs, much of Carlsbad is largely developed.

Redevelopment of developed land will require creating increased supplies of Parkland, Open Spaces, transportation capacity, and other Quality of Life facilities.

a. Suggestions to CTGMC:

- i. **Completely rethink all City planning on existing vacant lands to assure that remaining vacant land is planned and being used wisely and fairly distributed to address critical Quality of Life needs in those areas, and not squandered on redundant land use.** The location of vacant land to address critical Park & Open Space needs should be preserved with land use planning.
- ii. Work with the State and CA Coastal Commission to preserve our Finite vacant Coastal lands for High-Priority Coastal Land Uses (Coastal Recreation {i.e. Public Parks} and Low-cost Visitor Accommodations and services) for the Infinite population and visitor demands both internal and external to Carlsbad that are/will be placed on them.
- iii. Fully and at the very beginning of any Carlsbad General Plan, Local Coastal Program and Growth Management Program actions going forward fully disclose, map and require consideration of the impact of future sea level rise and coastal erosion on Coastal land acres and land uses. Carlsbad has lost and will accelerate losing acres of Coastal land and High-priority Coastal Land Uses. Carlsbad must know, see, and discuss these losses BEFORE making any land use decisions in Carlsbad's Coastal Zone and any vacant Coastal Land.

4. **Carlsbad General Plan & Growth Management Plan do not provide a fair distribution of adequately sized City Parks for all Carlsbad families.** Veterans Park is a classic example. What will

be the City's largest park is only about 1-mile away from three other major City Parks (Zone 5, and the future Robinson Ranch and Hub Parks). This is a poor and unfair distribution and a misallocation City Park land resources. Saying Veterans Park is 'the park to serve SW, SE, and NE Carlsbad families' (the overwhelming major/majority funders of veterans Park) when those families are upwards of 6-miles away on major commercial arterials that kids can't logically/safely use is false and unfair. Most all the funding (developer fees) to build Veterans Park come from the SW, SE and NW Carlsbad but those areas are denied the Park the paid for. Veterans Park is inaccessible by almost all its intended users except by driving their cars and then storing their cars in parking lots on Parkland thus making less park land available for actual park use – this makes little common sense and is a great waste of tax-payer funds. This is dysfunctional along with being very unfair to families in SW, SE and NE Quadrats that are denied park acres near their homes which they funded. **Carlsbad's Park Master Plan maps 'Park Service' areas of existing known Park Inequity or Unfairness (dysfunction), to show where new City Park investments should be made (See City map image with notes below).**

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

The Trust for Public Land provides a Park-Score to compare both a City's amount of park acres and the 'fairness' of access (within a 10-minute walk) to parks. **Carlsbad is below national averages in both park acres and fair access to parks. Carlsbad is also well below what our adjacent Coastal cities of Encinitas and Oceanside provide. Carlsbad only requires 3 acres of Park land per 1,000 population, while Encinitas and Oceans require 5 acres - 67% more than Carlsbad – of parkland. Also, Encinitas and Oceanside require parks to be within a 10-minute walk to their citizens and families. Carlsbad has no such requirement.**

a. Suggestions to CTGMC:

Carlsbad should change its General Plan, Parks and Growth Management Standards and CMC 20.44 to:

- i. **Be Above Average Nationally in both providing park acreage and in locating adequate park acreage to be within a 10-minute walk to all neighborhoods.**
 - ii. **Raise its minimum park acreage standard to 5 acres per 1,000 population, versus the current low 3 acres per 1,000. Carlsbad should be at least as good as Encinitas and Oceanside in requiring 5 acres, not 40% below what our adjacent Cities require/provide.**
 - iii. **Raise its park location standard to require an adequately sized park be provided to serve the neighborhood population within a 10-minute walk for all neighborhoods.**
 - iv. **Prioritize City Policy and Park Budgets and investments to achieve park fairness in 'Park Unserved areas' identified by Carlsbad's Park Master Plan.**
 - v. **Per Carlsbad's Municipal Code Chapter 20.44- DEDICATION OF LAND FOR RECREATIONAL FACILITIES to require developers in 'Park Unserved areas' and in areas that do not have an adequately sized (5 acres per 1,000 population) park within a 10-minute walk to provide their developments required Park land acre dedication in actual Park land within a 10-minute walk to their development.**
 - vi. **Update the City's Park-in-lieu fee to assure the fee is adequate to actually buy the amount of park land a developer is to provide within a 10-minute walk of their development. The City's current 'Park-in-lieu-fee' is far too low and inadequate to actually buy land in area surrounding the proposed development.**
 - vii. **Only allow developers to pay a Park-in-lieu-fee where there is an adequately sized park (provide 5 acres per 1,000 population) within a 10-minute walk of their development, and growth management planned future development in that area will not require more park land to provide 5 acres per 1,000 population) within a 10-minute walk.**
 - viii. Consider updating Park policy to provide more multi-use flexibility in park land acres and development on Parks. Many Carlsbad Park acres are developed/dedicated to a single-purpose use, and unavailable for other park uses.
 - ix. Consider eliminating car parking lots from land that can be counted as parkland; or by significantly limiting park land used for parking to around 5%.
 - x. **Eliminate the counting of 'GM Constrained and Unusable land' and Protected Endangered Species Habitat land as Park land. GM Constrained/Unusable lands are undevelopable. Protected Habitat lands are by definition not useable for development by people. Habitat is dedicated for plants and animals. Parks are open spaces dedicated intended for people. Parkland calculations should exclude Unusable lands and Protected Habitat lands and only count 100% people Useable land as Park land. Where Park land abuts Habitat land a sufficient buffer space shall be provided to prevent people mixing with animals (ex. Rattlesnakes, etc.) and animals from people (habitat disturbance or destruction). This buffer area should not be counted as Park or Habitat acres, but as natural/developed buffer open space acres, and can be counted as part of the City's 15% Growth Management 'Aesthetic open Space'.**
5. Carlsbad's Coast is the most, if not the most, important feature of Carlsbad; and is consistently identified by citizens and businesses and our Community Vision. **Carlsbad's Coastal Parks (west of the I-5 corridor) are grossly unfairly distributed. Carlsbad's Coastal Parks do not fairly match the**

locational needs of the population. North Carlsbad that is 38% of Carlsbad's population and has 10 Coastal Parks totaling 37+ acres in size. South Carlsbad that is 62% of Carlsbad's population has 0 [ZERO] Coastal Parks totaling 0 [ZERO] acres. Again, Carlsbad's Park Master Plan maps this citywide unfairness (dots show park locations and circles show the area served by each park) and says that the City should look at buying and building New Parks in these areas that are unserved by City Parks (are not covered by a circle). The GM Update should correct this citywide unfair distribution of City Parks by making plans for new Park purchases to create City Parks in these unserved areas of Park Inequity.

To address citywide Coastal Park unfairness the current City Council wants to spend \$60-85 million in Carlsbad tax-payer funds to Relocate 2.3 miles of constrained Pacific Coast Highway median to try to make some of the narrow PCH median 'useable' by people. 2001 and 2013 City PCH Relocation studies identified only a small amount of 'people-useable acres' would be created next to PCH. The \$60-85 million tax-payer cost (\$26-37 million per mile) does NOT add one single square foot of new City land, it only inefficiently rearranges a small amount PCH median. The City can most tax-payer cost effectively provide needed sidewalks and bike improvements along the outside edges of PCH without PCH Relocation. The City's 2001 PCH Relocation Financial Study and 2013 PCH Relocation Design both indicated minimal useable land could be achieved by Relocation, and that the very high tax-payer cost to do so would be very difficult to fund. The City has known for well over 20-years that PCH Relocation is a high-cost and a poor solution to address the Citywide Coastal Park unfairness in South Carlsbad.

However, a **better and far less costly solution to correct Citywide Coastal Park unfairness and provide a much needed South Carlsbad Coastal Park is to simply buy currently vacant land that is for sale.** The City did this (although the City actually bought existing homes) when it expanded Pine Park. **Carlsbad tax-payers have used the City's own data to compare the tax-payer Cost/Benefits of simply purchasing vacant land v. trying to rearrange existing City owned land at PCH. Simply buying vacant land saves tax-payers saves tax-payers over \$32.7 to \$7.7 million.** Please read the following data files:

- 2022-June General Comparative tax-payer Costs/Benefits of Completing PCH, 2.3 miles of PCH Modification (Island Way to La Costa Ave.), and 14.3 acre Ponto Park (Kam Sang) to address planned loss of 30+ acres of Coastal Open Space Land Use at Ponto in South Carlsbad: Part 1 of 2.
- City's PCH Modification Proposal Area Map with notes on usability Constraints and Issues: P4P Input: Part 2 of 2
- The most recent (9/19/22) land sale of 11.1 acre Ponto Planning Area F was less than \$8 million (less than \$706,000 per acre).
- **Buying and developing this 11.1 acre Ponto Park would cost less than \$20 million assuming a 10% profit to the new land-owner, and \$1 million per acre park construction cost like our newest Buena Vista Reservoir Park.** The cost to help correct a Citywide Coastal Park unfairness by simply buying & building a much needed **11.1 acre Ponto Coastal Park would cost tax-payers less than the recently approved Measure J City Monroe Street Pool Renovation.** Investing less than \$20 million (\$1.8 million per acre) to buy and build an 11.1 acre Ponto Coastal Park is a great tax-payer value v. \$65-80 million in tax-payer funds to rearrange 15.8 acres of narrow strips of constrained PCH median (City documented "Surplus Land Area #4 &5") for some minimal people use at a tax-payer cost of \$4-5 million per acre. **The overall and per acre costs of buying/building Ponto Park are over 2 to 3 times better value for tax-payers than PCH Relocation/rearrangement.**

- The City Council could/can buy land for Open Space (Parks are the most useable of the City's 4 Open Space categories) under voter approved Prop C Open Space land acquisition authority. **The City has been advised to buy Ponto Park under Prop C per the City's settlement of a Growth Management law suit.**

The Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is clearly a citywide issue. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad as it is unfair to the vast majority of Carlsbad citizens and their families as 62% of Carlsbad is in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad is unfair to our major Visitor serving industries (and tax generators) in South Carlsbad. Park and Coastal Park Inequity at Ponto and Coastal South Carlsbad are clearly inconsistent with the CA Coastal Act, Carlsbad's Community Vision, and common sense. The Coastal South Carlsbad Park Inequity is also unfair to North Carlsbad because South Carlsbad's Coastal Park demand is being forced into Coastal North Carlsbad and congesting those parks, and adding to Coastal North Carlsbad traffic and parking impacts. It also increases greenhouse gases and VMT as it forces longer vehicle trips.

a. Suggestions to CTGMC:

- i. 11.1 acre Ponto Planning Area F has a specific Local Coastal Program Land Use Policy that says The City of Carlsbad must for the Ponto Area LCP 'Consider and Document the need for Coastal Recreation (i.e. Public Park) and or Low-Cost Visitor Accommodations west of the railroad tracks (at Ponto) prior to any Land Use change. **The discussion of Parks by the CTGMC is such a situation that requires the CTGMC to consider this adopted LCP Land Use Policies. Official public records requests have shown the City never followed this LCP Land Use Policy Requirement during the 2005 Ponto Vision Plan and 2015 General Plan Update, and in 2010 the CA Coastal Commission rejected the Ponto Vision Plan and told the City in 2017 that that land uses at Ponto could change based on the need for Coastal Recreation and/or Low Cost Visitor Accommodations.** The Mello II LCP that covers most of Carlsbad's Coastal Zone also has Land Use Policy 6.2 for the City to consider a major park in the Batiquitos (Ponto/South Carlsbad) area. The City has only implemented 1/6 to 1/3 of this policy. **The CTGMC should fully evaluate the citywide/South Carlsbad and local Ponto need for Coastal Parks as required by the City's adopted LCPs and CA Coastal Act.**
- ii. Carlsbad's 2015 General Plan Update and Growth Management Plan (GMP) did not, and was not updated to, consider the 2017 Sea Level Rise (SLR) Impact report showing the loss/impact on 32+ acres of Carlsbad's Coastal Land Use acreage in South Carlsbad – primarily Open Space Land Use (beach and Campground). **Both the General Plan (and Local Coastal Program Land Use Plan) and GMP should be updated to account for the loss and replacement of these 32+ acres of high-priority Coastal Open Space Land Use due to SLR.** The updates and the CTGMC should use the newest CA Coastal Commission SLR Guidelines/science, not the old guidelines used in 2017. Carlsbad's LCP and CA Coastal Act Land Use Polies call for 'upland relocation' to replace the SLR loss of high-priority Coastal Land Uses.
- iii. **The availability over the past several years of the last two sufficiently sized vacant lands suitable for a Ponto/South Carlsbad Coastal Park is a citywide issue. If these last two vacant lands are lost to development forever future generations will have lost the last opportunity for the needed South Carlsbad Coastal Park.** The 5/3/22 Citizen requests for the City to jointly study acquisition of one or both these last vacant lands for a needed (and only possible) true and meaningful Coastal Park for

South Carlsbad should be recommended by the CTGMC. **The CTGMC should recommend Carlsbad’s GMP be updated to incorporate Parkland acquisition of these last opportunities to provide the needed Coastal Park for South Carlsbad.**

6. Carlsbad Growth Management Open Space Standard is that 15% of all the Useable (unconstrained and fully buildable) areas is to be preserved as Useable Open Space, and that all the 25 Local Facility Management Plans (LFMP) show how that 15% is provided. The City says:

OPEN SPACE

A. Performance Standard

Fifteen percent of the total land area in the Local Facility Management Zone (LFMZ) exclusive of environmentally constrained non-developable land must be set aside for permanent open space and must be available concurrent with development.

Yet the City has mapped and documented that this 15% Useable Open Space Performance Standard was not complied with. The City also acknowledges that without changes to current City planning the 15% Useable Open Space Performance Standard will never be complied with. The City acknowledges that only 13% has/will under current plans ever be provided. This missing 2% equals 501 acers of lost GM Open Space the GMP promised citizens. **Carlsbad law the Growth Management Ordinance 21.90, and section ‘21.90.130 Implementation of facilities and improvements requirements’; provide guidance on how non-compliance with a Performance Standards is to be handled.**

a. Suggestions to CTGMC:

- i. Retain the GM Open Space Standard of 15% of all unconstrained and developable land is maintained as Open Space. If the City removes the Open Space Standard, it will allow and encourage land use changes to remove GM Open Space and replace with development.
- ii. **The CTGMC should make a recommendation that an inventory of all 25 LFMP Zones be conducted and an inventory of each LFMP Zones provision of at least 15% Useable Open Space shall be compiled. No LFMP Zone shall be allowed to be “exempt” from this inventory.** The City’s computerized GIS mapping system makes it easy and clear as shown in the following City GIS map for LFMP Zone 9 (aka Ponto).



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara includes the same lagoon.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were not required to comply with the 15% Useable Open Space Standard is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the Growth Management Standard of 15% Useable Open Space at Ponto

472 Acres	Total land in LFMP Zone 9 [Ponto]
<u>(197 Acres)</u>	Constrained land excluded from Growth Management (GMP) Open Space
275 Acres	Unconstrained land in LFMP Zone 9 [Ponto]
<u>X 15%</u>	GMP Minimum Unconstrained Open Space requirement
41 Acres	GMP Minimum Unconstrained Open Space required
<u>(11 Acres)</u>	GMP Open Space provided & mapped per City GIS data
30 Acres	Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

- iii. In instances like LFMP Zone 9 (above image) that clearly did not provide at least 15% Useable Open Space and/or were falsely “exempted” the CTGMC should recommend that a **Local Facilities Zone Useable Open Space Correction Plan** shall be developed that explores the GM Open Space use/reuse of City land, land use planning requirements, and/or possible acquisitions of remaining vacant land acres to make up for any shortfall in meeting the 15% Useable Open Space in that a Zone. An example of this in LFMP Zone 9 is that the City’s regional Rail Trail will convert 2-lanes of almost all of Avenida Encinas to wider buffered bike lanes and an adequate portion of the converted 2 vehicle lanes can be landscaped (v. just painting strips as a buffer) to provide a safer/better bike lane buffer within a GM compliant Open Space. 2 vehicle lanes in Windrose Circle could also be similarly landscaped and converted to GM complaint Open Space. This is just one example of a cost-effective means to add GM Open Space that developers were falsely allowed to remove.
- iv. A **Local Facilities Zone Useable Open Space Correction Plan** should involve a Citizens Advisory Committee composed of citizens within the impacted Zone and appointed by the Council Members representing the Zone, and a representative of each vacant land owner over of over 1-acre in size.
- v. Consistent with the Growth Management Ordinance land use changes and development applications within a **Local Facilities Zone Useable Open Space Correction Plan** Zone shall be deferred until the applications can considered with (or after adoption of) a **Local Facilities Zone Useable Open Space Correction Plan**.

Updated Pubic Comments Coastal Recreation submitted on Oct 12th 2021:

On 10/8/21 the Carlsbad City Council and CA Coastal Commission were emailed data from an Official Carlsbad Public Records Request (# R002393-092121) on the City of Carlsbad's past compliance/noncompliance with the currently exiting Mello II LCP Land Use Policies # 6-2, 6-4 & 6-10 Certified in the mid-1980s. The City's documents show:

- For Policy 6-2 the 200-300 acre Park called out in Policy 6-2 has been reduced to Veterans Park's 91.5 acres, of which only 54% or 49.5 acres is even useable as a Park. The City provided no documents on how a 200-300 acre park called for in Policy 6-4 is now only 49.5 useable acres.
- For Policy 6-4 there were no City documents were provided. There was no City Public discussion, consideration, or City compliance with Policy 6-4 since the mid-1980's.
- For Policy 6-10 concerns providing Low Cost Visitor Accommodations. Public Parks are the lowest cost (free) Visitor accommodating land use there is.

The 3 existing LCP Land Use Policies are important for Carlsbad, and California's, Coastal land use resources. There appears little to no discussion of the City's past apparent failure to implementation of these 3 LCP LUPs in the current City consideration of changes to the LCP.

Following is a copy of Public Records Request # R002393-092121: "Carlsbad's Local Coastal Program (LCP) for the Mello II Segment of Carlsbad's Coastal Zone has long established land use Policies 6-2, 6-4 & 6-10 that were adopted by Carlsbad and Certified by the CA Coastal Commission in the early/mid-1980's. Mello II LCP Policies 6-2, 6-4 & 6-10 are shown on page 86-87 of Carlsbad's 2016 compiled LCP and are:

- "POLICY 6-2 REGIONAL PARK: If the population of Carlsbad increases in accordance with SANDAG's projected Series V Population Forecasts, it is estimated that Carlsbad will need to develop a new regional park containing 200 to 300 acres in order to adequately serve the public. A location for a new regional park must, therefore, be established. Consideration should be given to a facility within the Aqua Hedionda Specific Plan Area, or adjacent lands. The Batiquitos Lagoon area should also be considered.
- POLICY 6-4 NEED FOR ADDITIONAL OVERNIGHT CAMPING: Additional overnight camping facilities, the main source of lower cost visitor and recreational facilities, are needed throughout the San Diego coastal region. Additional facilities of this kind should be provided in a regional park within the Carlsbad area. This can be accomplished in conjunction with an eventual Batiquitos Park, within the Aqua Hedionda Specific Plan Area, and/or along with the development of private recreational facilities.
- POLICY 6-10 LOWER COST VISITOR-SERVING RECREATIONAL USES: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Encourage a range of affordability for overnight visitor accommodations. Evaluate the affordability of any new or redeveloped overnight visitor accommodations, including amenities that reduce the cost of stay. Mitigation may be applied to protect and encourage affordable overnight accommodations"

The public record request is to see documents of:

- City Staff reports, presentations and communications to the Carlsbad Planning and Parks Commissions, and City Council regarding the City’s consideration and implementation of these 3 specific (6-2, 6-4, and 6-10) Mello II LCP land use policies; and
- Carlsbad Planning and Parks Commissions, and City Council minutes, resolutions and ordinances documenting City of Carlsbad consideration and implementation of these 3 specific (6-2, 6-4, and 6-10) Mello II LCP land use policies.”

Updated Pubic Comments on Coastal Recreation submitted on January 2021:

Over 11-months ago in a 1/29/20 1:56PM email People for Ponto Carlsbad citizens first provided the City of Carlsbad both data and comments on **14 critical Coastal Recreation issues (see pages 5-30 below)**. The data and the 14 critical issues do not seem to be receiving appropriate disclosure/presentation/discussion/consideration in the Dec 2, 2020 Staff Report to the Planning Commission. To assure the 26-pages of citizen data and requests in the 1/29/20 email was received by the Planning Commission the file was re-emailed on 12/22/20 12:24pm and specifically addressed to City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD. As citizens we request each of these 14 data points (with supporting data) be honestly considered.

In reading the Dec 2 Staff Report citizens conducted additional analysis of City Park data. That research further reinforces and documents the 14 Critical Coastal Recreation issues and highlights the relatively poor amount of City Park and Coastal Recreation planned by Carlsbad’s Staff proposed Draft LCP-LUPA. We hope the City Council and City Commissions, and CA Coastal Commission & HCD will consider this additional analysis of City data and citizen input:

<u>Coastal Zone data</u>	<u>Carlsbad</u>	<u>Oceanside</u>	<u>Encinitas</u>	<u>note or source</u>
Coastline miles	6.4	3.9	6.0	Carlsbad Draft LCPA 201, Google Maps
Coastal Zone Acres	9,219	1,460	7,845	& Oceanside & Encinitas LCPs
Coastal Zone Acres	100%	16%	85%	% relative to Carlsbad

City Park Standard data

City Park Standard	3	5	5	required park acres / 1,000 population
Park Standard %	100%	167%	167%	% is relative to Carlsbad

- Oceanside & Encinitas 'require' and plan for 67% MORE Parkland than Carlsbad
- Carlsbad 'requires' and plans for ONLY 60% as much Parkland as Oceanside & Encinitas
- Carlsbad only requires developers provide 60% of the parkland (or in-lieu fees) as Oceanside & Encinitas require
- Encinitas has a 'Goal' to provide 15 acres of Park land per 1,000 population

Developed City Park	2.47	3.65	5.5	acres / 1,000 population
Developed Park	100%	148%	223%	% is relative to Carlsbad

- Oceanside provides 48% MORE developed park land than Carlsbad
- Encinitas provide 123% MORE developed park land than Carlsbad
- Carlsbad ONLY provides 68% and 45% as much Parks as Oceanside & Encinitas respectively

National Recreation & Park Asso. Metric: a typical City provides 1 park / 2,281 pop. & 9.9 Park acres / 1,000 population

- Carlsbad (3 acre) Park Standard is ONLY 30% of what a typical City provides nationally
- Carlsbad requires developers to provide, 70% LESS Park acres than typical City provides nationally

National Recreation & Park Asso., Trust for Public Land, et. al.: 10 minute (1/2 mile) Walk to a Park Planning Goal

- Both Oceanside and Encinitas plan parks to be within a 10-minute (1/2 mile) walk to homes.
- Carlsbad DOES NOT plan Parks within walking distance to homes
- Carlsbad is NOT providing equitable and walking/biking access to Parks

Some Carlsbad Parks that are not fully useable as Parks:

<u>Existing Parks with Unusable Open Space acreage</u>	<u>total park acres</u>	<u>Unusable park acres</u>	<u>% of park unusable</u>	<u>reason unusable</u>
Alga Norte - SE quadrant	32.1	10.7	33%	1/3 of park is a Parking lot not a park In many other Carlsbad Parks a significant percentage of those Parks are consumed by paved parking lots and unusable as a Park.
Hidden Hills - NE quadrant	22.0	12.7	58%	city identified unusable habitat open space
La Costa Canyon SE quadrant	14.7	8.9	61%	city identified unusable habitat open space
Leo Carrillo - SE quadrant	27.4	16.5	60%	city identified unusable habitat open space
Poinsettia - SW quadrant	<u>41.2</u>	<u>11.1</u>	<u>27%</u>	city identified unusable habitat open space
Existing Park subtotal	137.4	59.9	44%	44% of these Parks are unusable as Parkland

Anticipated Future Park development projects

Park - quadrant

Veterans - NW	91.5	49.5	54%	estimated unusable habitat open space
Cannon Lake - NW	6.8	3.4	50%	estimated unusable water open space
Zone 5 Park expansion - NW	9.3	0	0	appears 100% useable as a Park
Robertson Ranch - NE	<u>11.2</u>	<u>0</u>	<u>0</u>	appears 100% useable as a Park
Future park subtotal	118.8	52.9	45%	45% of Future Parks are unusable as Parks

Unusable Open Space acres

in Existing & Future Parks 256.2 112.8 44% **112.8 acres or 44% is unusable as Parks**

- 112.8 acres or 44% of the Existing & Future Parks are unusable Open Space and can't be used as Parkland
- **Based on City's minimum 3-acres/1,000 population Park Standard, 112.8 acres of Unusable Parkland means 37,600 Carlsbad Citizens (or 32.5% of Carlsbad's current population of 112,877) will be denied the minimum amount of Parkland that they can actually use as a Park.**
- **59.9 acres of Existing unusable 'park' / 3 acre park standard x 1,000 population = 19,967 Carlsbad citizens and their children are currently being denied useable park land. 19,967 is 17.7% of Carlsbad's current population.**
- In addition to these 19,967 existing citizens and their children denied park land, the City needs to develop additional Park acreage in the NE, SW and SE quadrants to cover current shortfalls in meeting in the minimal 3 acre/1,000 population park standard for the current populations in the NE, SW and SE quadrants.
- **The current NE, SW and SE quadrants park acreage shortfalls are in addition to the 19,967 Carlsbad citizens and their children that do not have the minimum 3 acres of parkland per 1,000 population**
- **Current FY 2018-19 MINIMUM park acreage shortfalls are listed in the table below. They are:**
 - **4.3 acres for 1,433 people in NE quadrant,**
 - **6.8 acres for 2,266 people in SW quadrant, and**
 - **2.3 acres for 767 people in SE quadrant**

Shortfall (excess) in
Current Quadrant
Min. Park standard by
population Future Park

	<u>acres</u>	<u>need</u>	<u>acres</u>	<u>%</u>	<u>existing Park shortfalls are for NE, SW & SE quadrants</u>
NW quadrant	(-14.2)	(-4,733)	107.6	91%	Current NW parks are 14.2 acres over min. standard & capacity for 4,733 more people at min. park standard. 91% of all Future City Parks are in NW quadrant
NE quadrant	4.3	1,433	11.2	9%	Future Park will exceed minimum NE park standard
SW quadrant	6.8	2,266	0	0%	No min. parks for 2,266 people in SW quad. Park deficit
SE quadrant	2.3	767	0	0%	No min. parks for 767 SE quadrant Park deficit

A Park Standard minimum is just a “Minimum”. City policy allows the City to buy/create parks above the City’s current 3 acre/1,000 pop. MINIMUM (and lowest) Park Standard of surrounding Coastal cities. Carlsbad already did this in the NW quadrant. It then added 3.1 more NW quadrant Park acres as part of the Poinsettia 61 Agreement. Poinsettia 61:

- converted 3.1 acres of NW City land planned/zoned for Residential use to Open Space Park land use/zoning,
- facilitated a developer building condos (increasing park demand) in the SW quadrant,
- required the SW Quadrant developer pay \$3 million to build the 3.1 acre NW quadrant park, and
- required the SW Quadrant developer pay to convert 3.1 acres of NW Quadrant & 5.7 acres of SW Quadrant City Park land to habitat that will be unusable as a City Park.

So Poinsettia 61 increased SW Quadrant development (that both increased SW Park Demand and expanded the current SW Quadrant Park deficit) while simultaneously using SW Quadrant development to pay for the conversion of 3.1 acres of residential land in the NW Quadrant to City Park (the NW Quadrant already has surplus park land per the City’s minimum standard).

People for Ponto strongly supports creating City Parks above the City’s current low 3-acre per 1,000 population minimum, as the City’s minimum standard is relatively low and substandard relative to other cities; many Carlsbad parks have significant acreage that is in fact ‘unusable’ as a park. Most importantly People for Ponto Citizens think it is very important to prioritize providing City Parks in areas of Park Inequity that are unserved by City Parks. However it seems very unfair to the SW Quadrant citizens to be so unserved and starved of the bare minimum of City Parks while at the same time funding City Parks in excess of City standard in other Quadrants.

The Poinsettia 61 illustrates a larger unfair (and dysfunctional) distribution of Quadrant based City Park demand and supply that is keenly evident in the demands/supply funding and location disparity of Veterans Park. Most all the development impact and park demand that paid Veterans Park fees came from the SW, SE and NE Quadrants yet the Veterans Park (supply) is not in those SW, SE and NE Quadrants. This inequity is counter to the implicit City requirement that City Parks be provided within the Quadrant of their Park demand. It is logical and proper that City Parks be provided and equitably distributed to be close to the development and population that generated the Park demand.

The City Park inequity at Ponto and in other Coastal areas of the City is counter to several CA Coastal Act policies; counter to good city planning and good CA Coastal planning. Park Inequity is highly detrimental to the City, and City and CA citizens in the long-term; fails to properly distribute and match the location supply with the location of demand for Parks; and is counter to basic fundamental issues of fairness. Since 2017 People for Ponto has tried to get the City Council and Staff to address this inequity, specifically at Ponto, and to do so in a way that embraces a true and honest Citizen-based planning process.

Coastal Recreation:

2. Request that the City as part of its Draft LCP Public Review process broadly-publicly disclose to all Carlsbad Citizens the City's acknowledged prior LCPA processing and planning "mistakes" regarding the requirement that the Ponto area be considered as a public park: This disclosure is needed to correct about 20 years of City misrepresentation to the public on the since 1996 and currently Existing LCP requirements at Ponto, and the City's prior planning mistakes at Ponto. Citizens have been falsely told by the City that all the Coastal planning at Ponto was done already and that the City followed its Existing LCP regarding the need for a park at Ponto, and that this is already decided and could not be reversed. This misinformation has fundamentally stifled public review and public participation regarding the Coastal Zone. City failure to provide such a broad-public disclosure on the documented prior, and apparently current proposed, "planning mistakes" would appear to violate the principles of Ca Coastal Act Section 30006. A broad-public disclosure would for the first time allow citizens to be accurately informed on the Existing LCP requirements at Ponto so they can provide informed public review and comment regarding the need for a Coastal Park in in this last vacant 'unplanned' area. The requested broad-public disclosure by the City of the City past mistakes and the Existing LCP requirements at Ponto is consistent with CA Coastal Act (CCA) "Section 30006 Legislative findings and declarations; public participation - The Legislature further finds and declares that **the public has a right to fully participate in decisions affecting coastal planning**, conservation and development; that achievement of **sound coastal conservation and development is dependent upon public understanding and support**; and that the continuing planning and implementation of **programs for coastal conservation and development should include the widest opportunity for public participation.**" The public cannot participate as outlined in CCA Section 30006 if past City 'mistakes' and misrepresentations on Coastal planning at Ponto go undisclosed to the public. If the public isn't fully informed about the 20-years of LCP planning mistakes at Ponto how could the public in the past (and now in the present) participate in the proposed LCP Amendment – **Public Participation as noted in Section 30006 above is the means to sound coastal conservation and development and is "... dependent upon public understanding ..."**. The City's past mistakes at Ponto need to be corrected by slightly different a Draft LCP Amendment process than currently outlined by the City; a new process is needed that clearly, opening and honestly informs and engages the public on the Existing LCP Ponto issues. The City's current Draft LCP Amendment process fails to follow CCA Section 30006 in that most all the citizens we encounter are as yet unaware of the City's Ponto mistakes and how they can participate in in the DLCPA process without that information. We see this daily in conversations we have with our fellow citizens. We even saw at the Oct 20, 2019 Carlsbad Planning Commission meeting that the Planning Commission was unaware of the planning mistakes at Ponto. How can a decision body of the City make a decision without knowing about these prior 'planning mistakes' facts that surround what they are being asked to decide on? Repeatedly since 2017 Carlsbad citizens and People for Ponto have asked the City to fully acknowledge the City's prior flawed planning at Ponto, and to correct that with ether maintaining the Existing LCP Non-residential Reserve Land Use or restarting the Coastal Planning at Ponto with a true and accurately informed Community-based Coastal Planning process consistent with Section 30006.

We request the City during the DLCPA Public Review period broadly and publicly disclose to all Carlsbad Citizens the City's acknowledged prior LCP and other "planning efforts" public participation processing and planning "mistakes" regarding the requirement that the Ponto area be considered as a public park, and 1) provide a truly honest public participation process on that disclosure consistent with CCA Section 30006 as part of the Draft LCP Amendment process or 2) retain the Existing LCP Non-residential Reserve Land Use and require a comprehensive and honest community-based redo of Coastal Resource planning at Ponto.

3. City fully and publicly reply to and the City Council consider the 11-20-19 citizen concerns/requests regarding the City's proposed LCP Amendment process: Lance Schulte on 1/23/20 received an email reply by the City to his follow-up email regarding the status of the 11/20/19 citizen concerns/requests public comments and letters presented to the Planning Commission. This is appreciated, however it is request that the City fully publicly reply to the 11-20-19 citizen concerns/requests regarding the City's proposed LCP Amendment process and present the to the City Council 11/20/19 citizen concerns/requests so the City Council can consider them and provide any direction to City Staff. City Staff first presented a summary presentation of the proposed Draft LCP Amendment to the Carlsbad Planning Commission on November 20, 2019, and indicated the public comment period would close on November in less than 2-weeks. Citizens and citizen groups provided public testimony to the Planning Commission, both verbally and in two written letters. The CCC was copied on those letters. The testimony and letters noted significant concerns about the City's proposed LCP Amendment process and made three requests:
- Disclose and provide a publically accessible 'Redline Version' of the Existing 2016/Proposed LCP land use Plan and Policies so everyone can see the proposed changes to the Existing LCP.
 - Provide true Citizen Workshops on the major remaining vacant Coastal land that still have outstanding Citizen Concern or objections. Citizen Workshops, when done right, are valuable means to openly educate, discuss and work to consensus options. These areas, including Ponto, were/are subject to multiple lawsuits, so true open and honest public workshops would provide an opportunity to openly and honestly discuss the issues and hopefully build public consensus/support for solutions. This approach seems consistent with CCA Section 30006, and common sense.
 - Extend the public comment period 6-months to allow Citizen Review of the Redline Version of the LCPA and allow time for Citizen Workshops.

The City did extend the Public Review period 2-months over the holidays to January 31, 2020. This is appreciated although many think this is inadequate given the significance of the Proposed Land Use Plan Amendments, and lack of Redline Version to compare. The City and their consultants required several extra years beyond schedule prepare the proposed LCP Amendments. The extra years of City Staff work reflects on the volume of the over 500-pages in the documents and the time needed to understand the Existing LCP and then create an Amended LCP. Citizens need sufficient time, proper comparative tools (redline) and a process (workshops) to understand the proposed LCP Amendments that is reflective of extensive extra time needed by City Staff and consultants needed. Truncation of lay public review to a few months for an Amendment that took paid professionals many years to produce seems a more than a bit inappropriate. The City appears to be rejecting citizens' request to be provided a 'Redline Version' of the Existing 2016/Proposed LCP land use Plan. So public review comments will tainted or will miss many issues due having to manually cross-reference a 150-page Existing LCP LUP with a Proposed 350-page Proposed LCP LUP. There will be unknown and unconsidered changes in the Draft LCP Amendment that the public and city and CCC decision makers will not know about due to the lack of 'Redline Version'.

The City also appears to reject citizen requests for true Citizen Workshops on the major remaining vacant Coastal land that still have outstanding Citizen Concern – such as Ponto. Like Coastal Recreation issue #1 above the following citizen requests appear consistent with CA Coastal Act (CCA) Section 30006, and the City's rejection of that requests seem counter to the CA Coastal Act.

We again request of the City to provide: 1) a 'Redline Version' to the public and decision makers, along with sufficient time to review and comment on the 'Redline Version'; and 2) true Citizen Workshops for Ponto and the

other last remaining significant vacant Coastal lands in Carlsbad as part of the Draft LCP Amendment process, or as part of deferred LCP Amendment process for those areas.

4. Coastal Zoned land is precious: the very small amount of remaining vacant Coastal land should be reserved for “High-Priority” Coastal Recreation Land Uses under the CA Coastal Act to provide for the growing and forever ‘Buildout’ needs of Carlsbad and CA Citizens, and our visitors.
 - Less than 1.8% (76 square miles) of San Diego County’s 4,207 square miles is in Coastal Zone. This small area needs to provide for all the forever Coastal needs of the County, State of CA, and Visitors. Upland Coastal Recreation (Coastal Park) land use is needed to provide land to migrate the projected/planned loss of “High-Priority” Coastal Recreation land uses due to Sea Level Rise impacts. There is only 76 miles of total coastline in San Diego County; a significant amount is publicly inaccessible military/industrial land. So how the last few portions of Coastal Land within Carlsbad (which is about 8% of San Diego County’s Coastline) is planned for the forever needs for High-Coastal-Priority Recreation Land Use is critical for Carlsbad, San Diego, and California Statewide needs into the future.
 - Most all the developable Coastal land in Carlsbad is already developed with Low-Coastal-Priority residential uses. Only a very small percentage of Carlsbad’s developable Coastal land, maybe 1-2%, is still vacant. This last tiny portion of fragment of vacant developable Coastal Land should be documented in the Draft LCP and reserved for “High-Priority” Coastal Land uses – most critically Coastal Recreation – to address the growing Coastal Recreation needs from a growing population and visitors. These growing needs are all the more critical in that existing Coastal Recreation lands will be decreasing due to inundation and erosion due to DLCPA planned Sea Level Rise.
 - This image of the western half of San Diego County graphically shows (in the blue line) the very small Coastal Zone Area that needs to provide the Carlsbad’s and California’s Coastal Recreational needs for all San Diego County residents and Visitors:



We request that 1) the amount and location of remaining vacant Coastal land in Carlsbad be documented and mapped and be reserved for high-priority Coastal Land Uses consistent with CCA Goals in Section 30001.5 “... (c) ... **maximize public recreational opportunities in the coastal zone** consistent with sound resources conservation principles and constitutionally protected rights of private property owners. (d) **Assure priority for coastal-dependent and coastal-related development over other development on the coast.** ... “; 2). This data be used in the City’s analysis and the public’s review and discussion about the City’s proposed Draft ‘Buildout’ Land Use Plan. The City’s proposed Draft ‘Buildout’ Land Use Plan will forever lock in the amount “maximum public recreational opportunities in the coastal zone” and will be the final Coastal Land Use Plan that is supposed to “assure priority for coastal-dependent and coastal-related development over other development on the coast”. Most of Carlsbad’s Coastal Zone is already developed or committed to low-priority land uses contrary to these CCA Goals, so how we finally and forever plan to use of the last small remaining vacant Coastal Land is very important.

5. The proposed Draft LCP Amendment in Chapter 3 makes unfounded statements regarding the proposed Amendment to the LCP Land Use Plan provision of “High-Priority” Coastal Recreation land use: On page 3-3, at the beginning of the Chapter 3 – Recreation and Visitor Serving Uses the City correctly states that the CA Coastal Act (CCA) places a high priority on maximizing Recreation uses, and cites multiple CCA Sections to that effect. The City’s proposed Coastal Land Use Plan then states on page 3-5 that a high proportion of land in the City is dedicated open

space available for passive and active use, yet provides no justification or accurate metric to support this statement. This is a critical unsubstantiated and speculative statement that is not supported by any comparative data (justifying the “high proportion” statement). The City later in Chapter 3 compared the adjoining cities of Oceanside and Encinitas to try to show how the proposed Draft LCP LUP Amendment provides higher levels of Visitor Serving Accommodations. That ‘non-common denominator’ comparison was fundamentally flawed, as noted in a prior separate Draft LCPA public review comment from People for Ponto regarding another high-priority Coastal land use (visitor accommodations) planned for in Chapter 3, but at least it was an attempt to compare. However, for the Coastal Recreation portion of Chapter 3, the City does not even attempt to provide any comparative data to support (or justify) the proposed Coastal Recreation Land Use Plan and statements. The Coastal Recreation Chapter also fails to disclose Carlsbad’s adopted City Park Master Plan (Park Service Area and Equity map) data that shows a clear conflict between the CA Coastal Act Policy Sections noted at the beginning of Chapter 3 and Chapter 3’s proposed Draft Coastal Recreation Land Use Plan.

Comparative Coastal Recreation: Comparing the Land Use Plan and policies of Oceanside, Carlsbad and Encinitas, one finds Carlsbad’s proposed Coastal Recreational Plan and Policies are not “high”, but very low compared with Oceanside and Encinitas. Carlsbad has a General Plan Park Standard of 3 acres of City Park per 1,000 Population. Oceanside has a 5 acres of City Park Standard per 1,000 population, and Encinitas has a 15 acres per 1,000 population standard, and an in-lieu park fee requirement of 5 acres per 1,000 population. Carlsbad’s proposed Coastal Recreation Land Use Plan is in fact not ‘high’ but is in fact the lowest of the three cities, with Carlsbad providing only 40% of Oceanside’s park standard, and only 20% of Encinitas’s Park Standard. Citywide Carlsbad currently has 2.47 acres of developed park per 1,000 population, Oceanside currently has 3.6 acres of developed park per 1,000 population, and Encinitas currently has 5.5 acres of developed park per 1,000 population. Although this data is citywide, it shows Carlsbad’s current amount of developed parkland is less than 70% of what Oceanside currently provides, and less than 45% of what Encinitas currently provides. Carlsbad is not currently providing, nor proposing a Coastal Land Use Plan to provide, a ‘high’ proportion of Coastal Recreation Land Use compared to Oceanside and Encinitas.

On page 3-5 Carlsbad may be misrepresenting city open space that is needed and used for the preservation of federally endangered species habitats and lagoon water bodies. This open space Land cannot be Used for Coastal Recreation purposes; and in fact Land Use regulations prohibit public access and Recreational Use on these Lands and water bodies to protect those endangered land and water habitats. 78% of Carlsbad’s open space is “open space for the preservation of natural resources” and cannot be used for Coastal Parks and Recreational use. Although “open space for the preservation of natural resources” does provide scenic or visual amenity, and this amenity is addressed as a different coastal resource. Visual open space is not Coastal Recreation Land Use. It appears Carlsbad is proposing in the Draft LCP Amendment to continue to, providing a ‘low’ percentage of Coastal Park Land Use and Coastal Recreation Land Use compared to adjoining cities.

In addition to the comparatively low amount of Coastal Park land Carlsbad plans for, Carlsbad scores very poorly regarding the equitable and fair distribution and accessibility of Coastal Parks and Coastal Recreation Land Uses. Both the City of Oceanside and Encinitas have very robust and detailed Park and Land Use plans to promote an equitable distribution of, and good non-vehicular accessibility, to their Coastal Parks. By comparison, Carlsbad’s park land use plan scores poorly, as exemplified in Ponto and South Carlsbad. Ponto’s existing population requires about 6.6 acres of City Parkland per Carlsbad’s low 3 acres per 1,000 population standard. Yet the nearest City Park is several miles away and takes over 50 minutes to walk along major arterial roadways and across Interstate 5 to access. As such this nearest park is not an accessible park for Ponto children, and thus Ponto children have to play in

our local streets to find a significantly large open area to play in. Ponto residents have to drive their kids to get to a park increasing VMT and GHG emissions. The City’s proposed Coastal Recreation Land Use Plan ‘solution’ to Ponto’s no-park condition, along with the City’s need to add an additional 6.5 acres of new City parks in Southwest Carlsbad to comply with the Southwest Carlsbad’s 2012 population demand (at a ratio of 3-acre/1,000 population) is to provide a City Park – Veterans Park – over 6-miles away from the Ponto and Southwest Carlsbad population need. This makes a bad situation worse. The City’s proposed location is totally inaccessible to serve the needs of the population of children or anyone without a car, that it is intended to serve in South Carlsbad. This City proposed Coastal Recreation Land Use Plan ‘solution’ seems inappropriate and inconsistent with the CA Coastal Act and common sense. During the City’s Veterans Park and budget community workshops citizens expressed a desire for a Ponto Park to be the solution to our Ponto and Southwest Carlsbad Park deficits. Those citizen requests were not apparently considered as part of the City’s proposed Draft Coastal Recreation Land Use Plan. Following is an image summarizing the magnitude of citizen needs/needs/desires expressed at the City’s Budget workshop. Note the number and size of the text citing Ponto Park and South Carlsbad that reflects the number and magnitude/intensity of citizen workshop groups’ input. The failure to acknowledge this public participation and data in the Coastal Recreation Land Use Plan Park seems in conflict with CCA Sections 30006 and 30252(6):



For South Carlsbad there is a complete lack of any existing or planned City Coastal Park and park acreage west of I-5, while North Carlsbad has 9 existing and 1 planned City Coastal Parks totaling 37.8 acres of City Coastal W of I-5 North Carlsbad. Not only is this unfair to South Carlsbad, it is also unfair to North Carlsbad as it increases VMT and parking impacts in North Carlsbad because South Carlsbad is not providing the City Coastal Parks for South Carlsbad resident/visitor demands. This City Park disparity is shown on Figure 3-1 of the Coastal Recreation Land Use Plan;

however it more accurately illustrated in the following data/image from the adopted Carlsbad Park Master Plan's "Service Area Maps (Equity Maps)". The image below titled 'No Coastal Park in South Carlsbad' shows Carlsbad's adopted "Park Service Area Maps (Equity Maps)" from the City's Park Master Plan that says it maps "the population being served by that park type/facility." The added text to the image is data regarding park inequity and disparity in South Carlsbad. The image compiles Carlsbad's adopted Park "Park Service Area Maps (Equity Maps)" for Community Parks and Special Use Area Parks that are the City's two park acreage types produced by the City's comparatively low standard of 3 acre of City Park per 1,000 population. The City's Park Service Area Maps (Equity Maps) shows areas and populations served by parks within the blue and red circles. City data clearly shows large areas of overlapping Park Service (areas/populations served by multiple parks) in North Carlsbad and also shows large areas in South Carlsbad with No Park Service (areas/populations unserved by any parks) and Park Inequity in South Carlsbad. It clearly shows the City's Documented Park Need and Park inequity at Ponto. The Existing LCP LUP for Ponto's Planning Area F in is required to "consider" and "document" the need for a "Public Park". The City's adopted Park Service Area Maps (Equity Maps) clearly shows the inequity of Coastal City Park between North and South Carlsbad, and the need for Coastal Parks in South Carlsbad – particularly at Ponto. The City's proposed Draft 'Buildout' Coastal Recreation Land Use Plan instead proposes to lock-in documented City Public Coastal Park inequity and unserved Coastal Park demand at Ponto and South Carlsbad forever. It does so by proposing the last vacant undeveloped/unplanned Coastal land – Ponto Planning Area F - in the unserved Ponto and South Carlsbad coastline areas instead of being planned for much needed City Park and Coastal Recreation use be converted to even more low-priority residential and general commercial land uses. These 'low-priority' residential uses, by the way, further increase City Park and Coastal Recreation demand and inequity in Coastal South Carlsbad. This is wrong, and a proposed 'forever-buildout' wrong at the most basic and fundamental levels. The proposed Draft Coastal Recreation Land Use Plan by NOT providing documented needed City parks for vast areas of Coastal South Carlsbad is inconsistent with the CA Coastal Act policies and Existing LCP LUP requirements for Ponto Planning Area F; and also inconsistent with fair/equitable/commonsense land use and park planning principles, inconsistent with CA Coastal Commission social justice goals, inconsistent with social equity, inconsistent with VMT reduction requirements, and inconsistent with common fairness. A different Coastal Recreation Land Use Plan should be provided that provides for a socially equitable distribution of Coastal Park resources so as to would allow children, the elderly and those without cars to access Coastal Parks. The proposed Draft 'Buildout' Coastal Recreation Land Use Plan forever locking in the unfair distribution of City Parks appears a violation of the not only CCA Sections 30213, 30222, 30223, and 30252(6) but also the fundamental values and principles of the CA Coastal Act. The Draft also appears a violation of Carlsbad's Community Vision.

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away



A different Coastal Recreation Land Use Plan is required to provide a more equitable distribution of City Parks with non-vehicular accessibility. Such a different plan would advance State and City requirements to reduce vehicle Miles Traveled (VMT) and greenhouse gas emissions that contribute to climate change and sea level rise impacts. Please note that the data for the above basic comparison comes from City of Carlsbad, Oceanside and Encinitas General Plan and Park Master Plan documents.

Data shows the proposed Coastal Recreation Plan conflicts with the CA Coastal Act policy Sections. As mentioned page 3-3 correctly states that the CA Coastal Act (CCA) places a high priority on maximizing Recreation Land Uses, and pages 3-5 list multiple CA Coastal Act (CCA) policy Sections that confirm this. However, given the significant statewide importance of Coastal Recreation Land Use, the City proposed 'Buildout' Coastal Recreation Land Use Plan does not appear to adequately address and implement these CCA Policies, and most noticeably in the Ponto area of South Carlsbad. Coastal Recreation is a significant Statewide High-Priority Land Use under the CCA. For a substantially developed non-coastal-industry city like Carlsbad Coastal Recreation is likely the biggest land use issue. This issue is even more elevated due to the fact that there are only a few small areas left of undeveloped Coastal land on which to provide Coastal Recreation, and Carlsbad is proposing a Coastal 'Buildout' Land Use Plan on those areas. The use of the last few remaining vacant portions of Coastal land for Coastal Recreation Land Use is the most important land use consideration in the proposed Draft LCP Land Use Plan Amendment as population and visitor growth will increase demands for Coastal Recreation. It is thus very surprising, and disturbing that the proposed Coastal Recreation Land Use Plan is so short, lacks any comparative and demand projection data, lacks any resource demand/distribution and social equity data, and lacks any rational and clear connection with CCA Policy and the proposed 'Buildout' Coastal Land Use plan. This is all the more troubling given that:

- The Ponto area represents the last significant vacant undeveloped/unplanned land near the coast in South Carlsbad that can provide a meaningful Coastal Park.
- The fact that the City's Existing LCP requires the city consider and document the need for a "i.e. Public Park" on Ponto's Planning Area F prior to the City proposing a change of Planning Area F's "Non-residential

Reserve” land use designation. The City has repeatedly failed to comply with this LCP LUP requirement, and worse has repeatedly failed to honestly inform citizens of this LCP LUP requirement at planning Area F before it granted any land use. The City, apparently implementing speculative developer wishes, has repeatedly proposed changing Planning Area F’s Coastal Land Use designation to “low-priority” residential and general commercial land uses without publically disclosing and following the Existing LCP LUP.

- The City’s currently developed parks in the southern portion of the City do not meet the city’s comparatively low public park standard of only 3 acres per 1,000 population. Since 2012 there has been City park acreage shortfall in both SW and SE Carlsbad.
- The Existing population of Ponto (west of I-5 and south of Poinsettia Lane) requires about 6.6 acres of Public Park based on the City’s comparatively low public park standard of 3 acres per 1,000 population. There is no Public Park in Ponto. Adding more population at Ponto will increase this current park demand/supply disparity.
- Carlsbad and other citizens have since 2017 expressed to the City the strong need for a Coastal Park at Ponto, and requested the City to provide a true citizen-based planning process to consider the Public Park need at Ponto. The Citizens’ requested process is fully in-line with CCA Goals, Public Participation Policy, Land Use Policies, and the Existing LCP Land Use Plan/requirements for Planning Area F and is the most appropriate means to consider and document the need for a Public Park at Ponto as required by the Existing LCP Land Use Plan.
- Planning Area F is for sale, and a non-profit citizens group has made an offer to purchase Planning Area F for a much needed Coastal Park for both Ponto and inland South Carlsbad residents and visitors. How should these facts be considered by the City and CCC?
- Carlsbad has no Coastal Parks west of I-5 and the railroad corridor for the entire southern half of Carlsbad’s 7-mile coastline.
- The southern half of Carlsbad’s coastline is 5.7% of the entire San Diego County coastline and represents a significant portion of regional coastline without a meaningful Coastal Park west of I-5 and the Railroad corridor.
- The City’s proposed Coastal Recreation Land Use Plan provides No Documentation, No Rational, and No Supporting or Comparative Data to show the proposed Coastal Recreation Land Use Plan in fact complies with the CA Coastal Act.

6. There is no Coastal Recreation/Park west of interstate 5 for all South Carlsbad, or half of the entire City. This is an obviously unfair and inequitable distribution of Coastal Recreation/Park resources that should be corrected by changes to the Draft LCP Land Use Amendment: The following image (which was sent to the City and CCC on several prior communications) was first requested by former Carlsbad Councilman Michael Schumacher during a People for Ponto presentation/request at the Oct 23, 2018 City Council meeting. The data compiled in the image shows how the South Coastal Carlsbad (Ponto) is not served by a Park per the City’s adopted Parks Master Plan. The blue dots on the map are park locations and blue circle(s) show the City’s Park Master Plan adopted Park Service Areas and Park Equity. This data, from pages 87-88 of the City of Carlsbad Parks Master Plan, shows all City Parks (both Community Parks and Special Use Areas in Coastal Carlsbad (except Aviara Park east of Poinsettia Park and west of Alga Norte Park). The text on the left margin identifies the South Carlsbad Coastal Park (west of I-5) gap along with the number of South Carlsbad Citizens (over half the City’s population) without a Coastal Park. The left margin also identifies more local issues for the over 2,000 Ponto area adults and children. For Ponto residents the nearest Public Park and City proposed ‘solution’ to the South Carlsbad and Ponto Public Park deficit are miles away over high-speed/traffic roadways and thus somewhat hazardous to access and effectively unusable by children/the elderly or

those without cars. Having been a 20-year resident of Ponto I regularly see our children have to play in the street as there are no Public Park with large open fields to play at within a safe and under 1-hour walk away. Ponto citizens have submitted public comments regarding this condition and the lack of a Park at Ponto

No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away

Special Use Area Map
Approved by the Board of
City Commissioners 11/20/2018

Carlsbad, California
Parks and Recreation
Department's jurisdiction map

There is no Coastal Park to serve South Carlsbad Citizens/Visitors/Businesses. There are 10 Coastal Parks in North Carlsbad. The lack of Coastal Parks in South Carlsbad seems both unfair to South Carlsbad Citizens/Visitors/Businesses; and is unfair to North Carlsbad by forcing competition into North Carlsbad & Encinitas/Solana Beach where there are Coastal Parks.

Map of this site
City of Carlsbad
Coastal Park
Water Park
Highway
City Limits

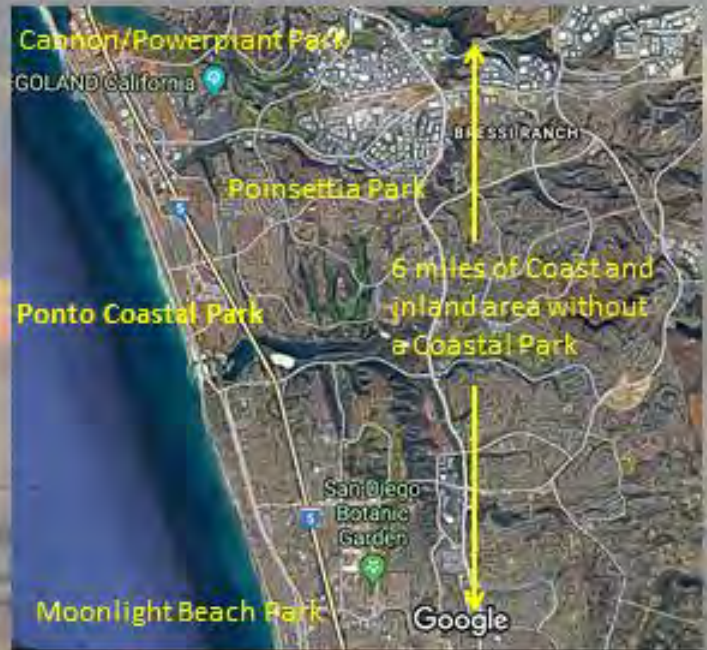
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Ponto is at the center of regional 6-mile Coastal Park Gap. A Coastal Park in this instance being a Public Park with practical green play space and a reasonable connection with the Coast (i.e. located west of the regional rail and Interstate-5 corridors). The following image shows this larger regional Coastal Park Gap centered on the Ponto Area, and the nearest Coastal Parks – Cannon Park to the north, and Moonlight Park to the south.

Regionally this image shows Ponto is the last remaining significant vacant Coastal land that could accommodate a Coastal Park to serve the Coastal Park current needs of over existing 2,000 Ponto residents, 64,000 existing South Carlsbad residents, and a larger regional population. It is also the only area to serve the Coastal Park needs for the thousands of hotel rooms in Upland Visitor Accommodations in South Carlsbad.

How Ponto Serves Region

- Ponto is in the middle of the regional Coastal Park Gap
- A Ponto Coastal Park fills a critical 6 mile gap of coastline without a Coastal Park - 8.6% of SD County coastline
- A Ponto Coastal Park Serves over 26,000 homes & 64,000 citizens just in South Carlsbad without a Coastal Park
- Serves many more people outside Carlsbad

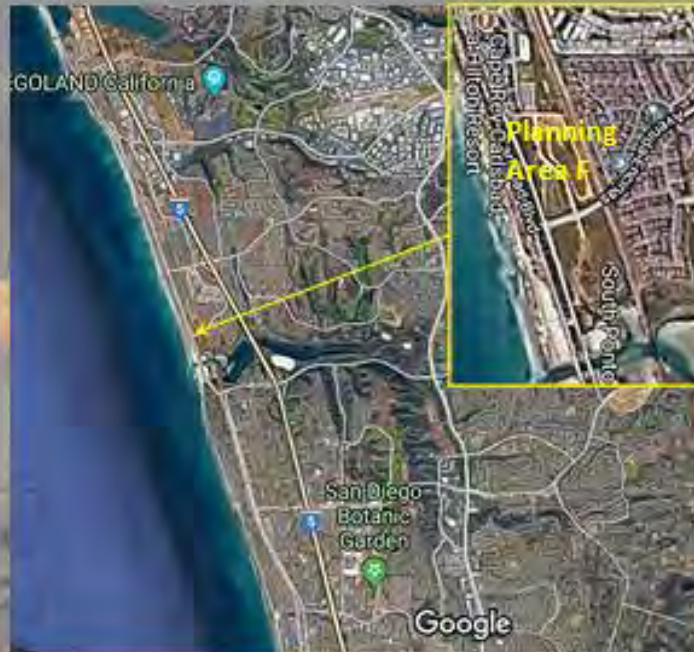


As People for Ponto first uncovered and then communicated in 2017 to the City and CCC; Carlsbad’s Existing (since 1994) Local Coastal Program LUP currently states (on page 101) that Ponto’s Planning Area F: carries a Non-Residential Reserve (NRR) General Plan designation. Carlsbad’s Existing Local Coastal Program Land Use Plan states: “Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an “unplanned” area ...” and requires that: “... **As part of any future planning effort, the City and Developer must 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.**” CA Coastal Commission actions, Carlsbad Public Records Requests 2017-260, 261, and 262, and 11/20/19 City Planner statements confirm the City never fully communicated to Carlsbad Citizens the existence of this LCP requirement nor did the City comply with the requirements. Of deep concern is that the City is now (as several times in the past) still not honestly disclosing to citizens and implementing this Existing LCP requirement as a true and authentic ‘planning effort’. The lack of open public disclosure and apparent fear of true public workshops and Public Comment about the Existing Planning Area F LCP requirements are troubling. The point of a ‘planning effort’ is to openly and publically present data, publically discuss and explore possibilities/opportunities, and help build consensus on the best planning options. Citizens are concerned the city has already made up its mind and there is no real “planning effort” in the proposed Draft LCP Amendment process, just a brief Staff Report and at the end provide citizens 3-minutes to comment on the proposal. This is not the proper way to treat the last remaining significant vacant land in South Carlsbad that will forever determine the Coastal Recreation environment for generations of Carlsbad and California citizens and visitors to come.

The following data/images show how Ponto is in the center of the 6-mile (west of I-5 and Railroad corridor) regional Coastal Park gap. Ponto is the last remaining vacant and currently “unplanned” Coastal land that is available to address this regional Coastal Park Gap.

How Ponto Serves Region cont.

- **Relieves Coastal Park congestion** in North Carlsbad, Encinitas and Solana Beach
- Area currently needs Coastal Park as seen by:
 - Ponto Beach parking congestion
 - current trespass use of Planning Area F as a Park
- **6.6 acre portion of Planning Area F** addresses SW Quad City Park deficit



How Ponto Serves Region cont.

- A Ponto Park helps address 2050 and beyond Regional Population and Visitor Growth demands for Coastal Parks
- A Ponto Park provides the lowest-cost coastal access and recreation opportunities for CA citizens and visitors



How Ponto Serves Region cont.

- Vital park and open space amenity for Visitor serving businesses and accommodations
- 6.6 acre unique City Coastal Park venue to stage special events: Runs, bike rides, triathlons, sports, coastal festivals, etc.



How Ponto Serves Region cont.

- Critical Park space for So. Carlsbad State Beach Campground
- Provides a big training and staging space for Junior lifeguards
- Dog walk trail

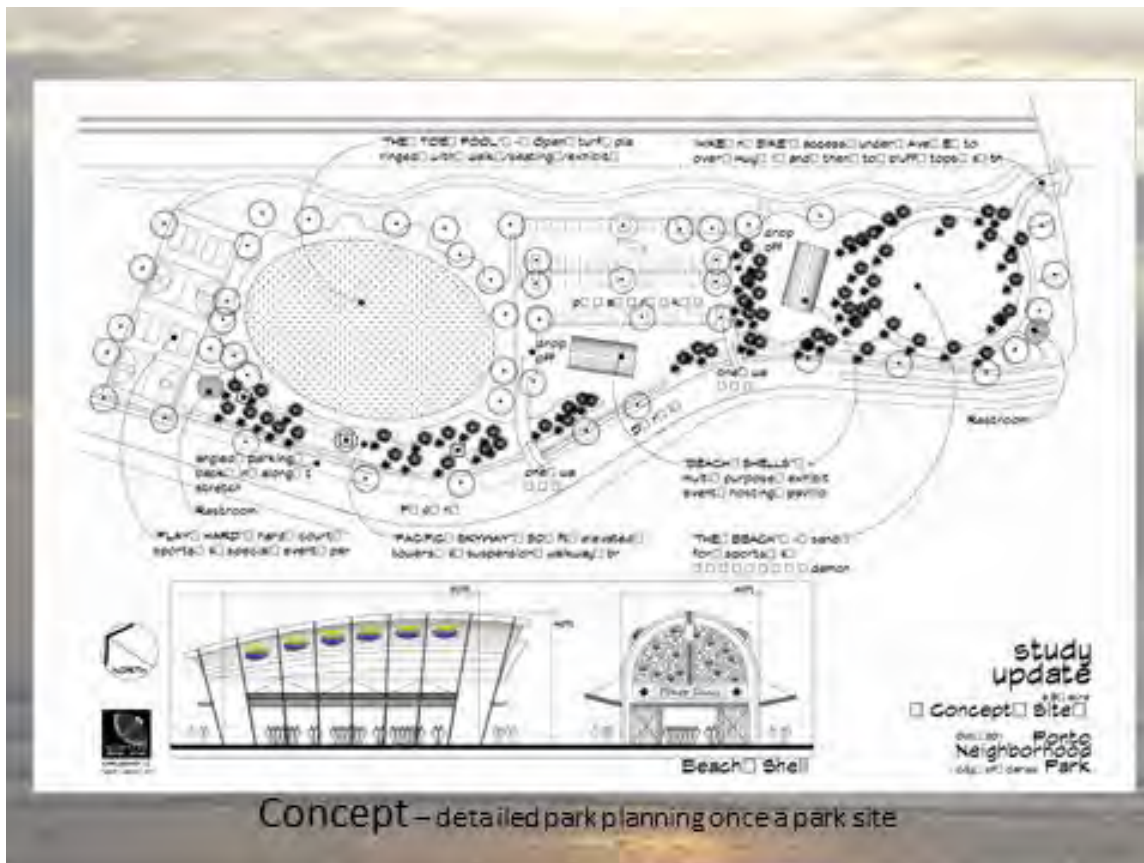


Ponto Coastal Park Concept

- A concept – but shows potential recreational opportunities
- Provides **vital parkland support for beach & open play fields**
- Concept plan a gift from San Pacifico Community Association



One possible Concept image of a potential Ponto Coastal Park at Planning Area F is illustrated below. The potential for a Ponto Coastal Park is real. The speculative land investment fund (Lone Star Fund #5 USA L.P. and Bermuda L.P.) that currently owns Planning Area F is selling the property, and is available for the City of Carlsbad to acquire to address the documented demand/need for a City Park and City Park inequity at Ponto and in Coastal South Carlsbad. A Ponto Beachfront Park 501c3 is working to acquire donations to help purchase the site for a Park. These situations and opportunities should be publicly discussed as part of the City Staff's proposed Local Coastal Program Land Use Plan Amendment.



7. Projected increases in California, San Diego County and Carlsbad population and visitor growth increases the demand for High-Priority-Coastal Recreation land use:
- Increasing Citizen demand for Coastal Recreational land needs to be addressed with increased Coastal Recreation land:

San Diego County Citizen Population - Source: SANDAG Preliminary 2050 Regional Growth Forecast

1980	1,861,846
1990	2,498,016
2000	2,813,833
2010	3,095,313
2020	3,535,000 = 46,500 Citizens per mile of San Diego County coastline
2030	3,870,000
2040	4,163,688
2050	4,384,867 = 57,700 Citizens per mile of San Diego County coastline

2020 to 2050 = 24% increase in San Diego County population.

Citizen Population will continue beyond 2050. Carlsbad may plan for 'Buildout' in 2050, but what is San Diego County's 'Buildout'? There is a common-sense need to increase the amount of Coastal Recreation Land Use in the Proposed LCP Amendment to the Land Use Plan for this growing population. If we do not increase our supply of Coastal Recreational Resources for these increased demands our Coastal Recreation Resources will become more overcrowded, deteriorated and ultimately diminish the Coastal Recreation quality of life for Citizens of Carlsbad and California. Ponto sits in the middle of an existing 6-mile regional Coastal Park Gap (no Coastal Park west of Interstate 5) and there is No Coastal Park in all of South Carlsbad to address the Coastal Recreation needs of the 64,000 South Carlsbad Citizens.

- Increasing Visitor demand for Coastal Recreational land needs to be addressed with increased Coastal Recreation land:

Yearly Visitors to San Diego County – source: *San Diego Tourism Authority; San Diego Travel Forecast, Dec, 2017*

2016	34,900,000
2017	34,900,000
2018	35,300,000
2019	35,900,000
2020	36,500,000 = average 100,000 visitors per day, or 2.83% of County’s Population per day, or 1,316 Visitors/coastal mile/day in 2020
2021	37,100,000
2022	37,700,000

This is growth at about a 1.6% per year increase in visitors. Projecting this Visitor growth rate from 2020 to 2050 results in a 61% or 22,265,000 increase in Visitors in 2050 to:

2050	58,765,000 = average 161,000 visitors per day, or 3.67% of the County’s projected 2050 Population per day, or 2,120 Visitors/coastal mile/day in 2050.
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The number of Visitors is likely to increase beyond the year 2050. There is a common-sense need to increase the amount of Coastal Recreation Land Use in the Proposed LCP Amendment to the Land Use Plan for these projected 2050 61% increase, and beyond 2050, increases in Visitor demand for Coastal Recreational Resources. Increasing Coastal Recreation land is a vital and critically supporting Land Use and vital amenity for California’s, the San Diego Region’s and Carlsbad’s Visitor Serving Industry. Ponto sits in the middle of an existing 6-mile regional Coastal Park Gap (no Coastal Park west of Interstate 5). There are thousands of hotel rooms in South Carlsbad that have NO Coastal Park to go to in South Carlsbad. This needs correcting as both a Coastal Act and also a City economic sustainability imperative.

- We request that the as part of the public’s review, the City Staff proposed Draft LCP Amendment to the Land Use Plan clearly document if and/or how future forever ‘Buildout’ City, Regional and Statewide population and visitor population demand for Coastal Recreation and City Coastal Parks are adequately provided for both in amount and locational distribution in the Carlsbad proposed Amendment of the LCP Land Use Plan.

8. Carlsbad’s Draft Local Coastal Program Land Use Plan Amendment says it plans to a year 2050 buildout of the Coastal Zone. The Draft Local Coastal Program Land Use Plan Amendment then is the last opportunity to create a Coastal Land Use Plan to provide “High-Priority” Coastal Recreation Land Use, and will forever impact future generations of California, San Diego County, and Carlsbad Citizens and Visitors:

- The Draft LCPA indicates in 2008 only 9% of All Carlsbad was vacant land. Less is vacant now in 2019. Carlsbad’s Coastal Zone is 37% of the City, so vacant unconstrained land suitable for providing Coastal Recreation is likely only 3-4%. The prior request for a full documentation of the remaining vacant Coastal lands will provide a better understanding needed to begin to make the final ‘buildout’ Coastal Land Use Plan for Carlsbad. The Draft LCPA does not indicate the amount and locations of currently vacant unconstrained Coastal Land in Carlsbad. This final limited vacant land resource should be clearly documented and mapped in the DLCPA as it represents the real focus of the DLCPA – the Coastal Plan for these remaingn undeveloped

lands. These last remaining vacant lands should be primarily used to provide for and equitably distribute “High-Priority” Coastal Recreation Land Uses consistent with CCA Sections:

- i. Section 30212.5 “... Wherever appropriate and feasible, public facilities, including parking areas or facilities, **shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.**”;
- ii. Section 30213 “... **Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...**”;
- iii. Section 30222 “**The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development,** but not over agriculture or coastal-dependent industry.”
- iv. Section 30223 “**Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible**” ,
- v. Section 30251 ... The location and amount of new development should maintain and enhance public access to the coast by ... 6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by **correlating the amount of development with local park acquisition** and development plans with the provision of onsite recreational facilities to serve the new development”

Adopted City Park Service Area and Park Equity maps discussed earlier document the proposed Draft LCP Amendment’s inconstancy with the above CCA Policy Sections. The locations and small amounts remaining vacant Coastal lands provide the last opportunities to correct the inconsistencies of City proposed Draft “buildout” LCP Land Use Plan Amendment with these Coastal Act Policies.

Currently and since 1996 there has been LCP LUP Policy/regulations for Ponto Planning Area F that require consideration of a “Public Park” prior to changing the existing “unplanned Non-residential Reserve” Land Use designation. A map and data base of vacant developable Coastal land should be provided as part of the Draft LCPA and the Draft LCPA. This map and data base should document the projected/planned loss of Coastal land use due to Sea Level Rise. Draft LCPA projects Sea Level Rise will eliminate several beaches and High-Priority Coastal Land Uses like Coastal Lagoon Trails and the Campground.

- The LCP Land Use Plan should plan and reserve the very limited vacant developable Coastal land for the long-term ‘Buildout’ needs of “High-Priority” Coastal Recreation Land Use. Vacant developable Coastal land is too scarce to be squandered for “low-priority” uses. Sea Level Rise will reduce “High-Priority” Coastal Uses. So how vacant developable Upland area should be preserved for “High-Priority” Coastal Uses is a key requirement to be fully documented and discussed in the Draft LCPA. If not one of two things will eventually happen 1) any new Coastal Park land will require very expensive purchase and demolition of buildings or public facilities to create any new Coastal Park land to meet existing and growing demand; or 2) Coastal Recreation will be hemmed-in by “low-priority” uses and thus force Coastal Recreation to decrease and become increasingly concentrated and overcrowded in its current locations; and thus will promote the eventual deterioration of our current Coastal Recreation resources. A plan that fails to fix Coastal Park deficits and then increase Coastal Parks in pace with increased population/visitor demand is a plan that can

only result in degradation. How the Draft LCPA documents and addresses the land use planning of the last small portions of vacant developable Coastal land is critical for the future and future generations.

9. Citizens of South Carlsbad are concerned about the City's multiple prior flawed Ponto planning processes or 'mistakes' the City has made yet is basing the City Staff's proposed Draft LCP LUP. The concerns being the City is not openly and honestly communicating information to citizens and the public, and not allowing a reasonable and appropriate community-based planning process to address the documented Park, Coastal Recreation and unconstrained open space needs in South Carlsbad. One of these groups of citizens has created a www.peopleforponto.com website to try to research and compile information and hopefully provide a better means for citizens to understand facts and then express their concerns/desires to the City of Carlsbad (City) and CA Coastal Commission (CCC). Over 2,000 emails have sent to the City and CCC regarding Coastal Land Use Planning Issues at Ponto. The San Pacifico Planned Community (i.e. San Pacifico Community Association) has also, since 2015, sent numerous emailed letters to the City and CCC noting the significant concerns about changes in Coastal planning the City is proposing for our Planned Community.

Repeatedly over 90% of surveyed citizens (results emailed prior to both the City and CCC) have expressed the vital need and desire for a Coastal Park at Ponto to serve the current and future Coastal Recreation needs for all both Ponto and South Carlsbad and for larger regional and State Coastal Recreational needs. This desire is supported by data, CA Coastal Act Policy, and also Carlsbad's Community Vision – the foundation for the City's General Plan. Ponto is the last remaining vacant Coastal area available to provide for those needs in South Carlsbad and for a regional 6-mile stretch of coastline. Citizens have expressed deep concern about the City's flawed prior Coastal planning efforts for Coastal Recreation at Ponto, including two repeated LCP Amendment "mistakes" (Ponto Beachfront Village Vision Plan in 2010 and General Plan Update in 2015) when the City twice failed to publicly disclose/discuss and then follow the Existing LCP requirements at Ponto – specifically for Planning Area F. People for Ponto had to use multiple Carlsbad Public Records Requests in 2017 to find these "mistakes". CCC Staff was helpful in both confirming the City "mistakes" and communicating back to the City. As citizens we are still unclear as to how/why these two repeated "mistakes" happened. There is citizen concern that the City is again repeating these two prior "mistakes" by not at the beginning of the Public Comment Period clearly and publicly disclosing the Planning Area F LCP requirements to citizens as part of the current LCP Amendment process, and also by not implementing the existing LCP requirement PRIOR to proposing an Amended Coastal Land Use Plan for Ponto. The City in its proposed LCP Amendment process is putting-the-cart-before-the-horse with respect to honest and open consideration, documentation and public discussion of the need for high-priority Coastal Recreation land use required of Planning Area F at Ponto. The City is also not clearly letting all Carlsbad citizens know about the Existing LCP requirements for Ponto's Planning Area F so they can be informed to reasonably participate in public review and comment regarding amending that LCP requirement, and the need for Coastal Recreation land uses in South Carlsbad. Since 2017 there has been repeated citizen requests to the City (copies were provided to the CCC) to fix these multiple fundamental/foundational flaws by in the City's prior Coastal Recreation and Public Parks and Open Space at planning, and the currently Proposed Draft LCP Land Use Plan Amendment. Since 2017 there have also been repeated citizen requests to the City to provide a truly open, honest, inclusive community-based planning process and workshops with the accurate and honest information, prior to forming a proposed Draft LCP Land Use Plan Amendment. As citizens we believe we can constructively work with the City and CCC towards a consensus or viable options on these important Coastal Recreation issues if the City allows and encourages such an open, honest and inclusive process. We request the City respond to the requests submitted to the City since 2017, and again request such a process from the City before any LCP Amendment is first considered by the Planning Commission and City Council. Such a requested process benefits all.

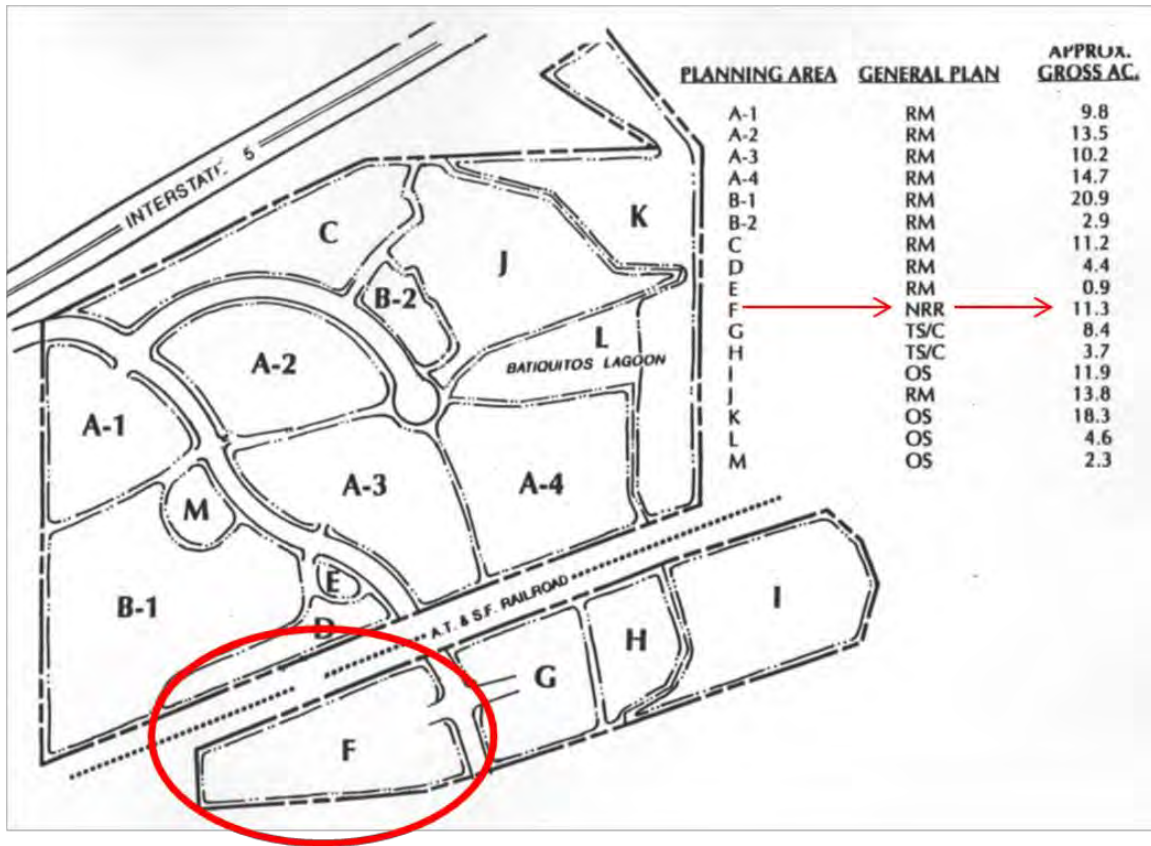
10. Why the Draft LCPA Land Use Plan for Ponto should provide for the current and future Coastal Park and Recreation needs for South Carlsbad, the San Diego Region and California.

- Ponto, is one of last remaining vacant and undeveloped Coastal lands in North County
- Ponto is the last remaining undeveloped Coastal land in South Carlsbad
- Ponto has the last unplanned Planning Area of the Existing Poinsettia Shores Planned Community & Local Coastal Program that can be planned for high-priority Coastal Recreation land use. This Existing LCP requires Planning Area F be considered for a “Public Park”.
- Following is a map of the Ponto area in South Carlsbad:



Following is the LCP Land Use map from the Existing Poinsettia Shores Master Plan & Local Coastal Program adopted in 1996. This is the Land Use map that the City is proposing to change in the proposed LCP Amendment to the Land Use Plan. As the Existing LCP Land Use map shows most all the land is ‘low-priority’ residential use at an RM Residential medium density, a small portion is ‘high-priority’ Visitor Serving TC/C Tourist Commercial. Most all the

Open Space is constrained and undevelopable land (the steep CSS habitat bluffs above Batiquitos Lagoon) or water (the lagoon water). This land/water is owned by the State of California, like the inner lagoon east of I-5. Only Planning Area M at 2.3 acres is unconstrained Open Space and it provides a small private internal recreation facility for the approximately 450 homes and 1,000 people in the Planned Community. This small recreation area is a City requirement for ‘planned developments’ to off-set loss open space from planned development impacts on housing quality. Planned developments can propose designs that reduce normal setback and open space areas – they bunch together buildings to increase development – such as the smaller lot sizes, and extensive use of “zero-setbacks” to reduce typical lot sizes that occurs at Poinsettia Shores. A private recreation facility in any of the City’s planned developments is never considered a replacement for required City Parks. Planned Developments, like unplanned developments, are required to dedicate Park land to the City, or pay a Park In-Lieu fee to the City so the City provide the developer’s obligation to provide City Park acreage to address the population increase of their proposed planned development. For Poinsettia Shores’ population the City’s minimum City Park Standard would require developers set aside 3 acres of City Park land for local park needs. For the larger Ponto area population about 6.6 acres of City Park Land is required. The Existing LCP reserves Planning Area F as an unplanned “Non-residential Reserve” Land Use until the Public Park needs for Ponto are considered and documented. Only then can the NRR land use be changed.



11. Developers have overbuilt in the Ponto area of the Coastal Zone. The City of Carlsbad has under questionable circumstances is currently choosing to ‘exempted’ Ponto developers from providing the minimum amount of unconstrained Open Space according to the City’s developer required Open Space Public Facilities Standard. The legality of these confusing circumstances is subject to a lawsuit against the City. However the City’s computerize mapping system has documented that the Ponto area of the Coastal Zone is missing about 30-acres of Unconstrained Open Space that can be used to fulfill the City’s Open Space Performance Standard that states that

15% of unconstrained and developable land must be preserved by developers as Open Space. Following is a summary of data from the City data regarding the missing Open Space at Ponto (Local Facility Management Plan Zone 9, LFMP Zone 9) in the Coastal Zone pursuant to the City's Open Space Performance Standard. If it is desirable People for Ponto can provide the City GIS map and parcel-by-parcel data base on which the following summary is based:

City of Carlsbad GIS data calculations of Open Space at Ponto area of Coastal Zone:

472 Acres = Total land in LFMP Zone 9 [Ponto area] per City of Carlsbad GIS data

(197 Acres) = Constrained land/water/infrastructure that is excluded from the City's Open Space Standard

275 Acres = Unconstrained land in LFMP Zone 9 (Ponto) subject to the City's Open Space Standard

X 15% = Minimum unconstrained Open Space requirement per the City Open Space Standard

41 Acres = Minimum unconstrained Open Space required in LFMP Zone 9

(11 Acres) = Actual unconstrained Open Space provided & mapped by City in LFMP Zone 9

30 Acres = Missing unconstrained Open Space needed in LFMP Zone 9 [Ponto area of Coastal Zone] to meet the City's minimum GMP Open Space Standard. 73% of the required Open Space Standard is missing.

Thus the Ponto area of the Coastal Zone appears overdeveloped with 30 additional acres of "low-priority" residential land uses due to developers' non-compliance to the City's Open Space Public Facility Performance Standard's Minimum developer required Open Space requirement. As noted a citizens group has a pending lawsuit with the City over the City's current 'exempting' Ponto and future developers from meeting the Open Space Standard.

12. The prior pre-1996 LCP for Ponto – the Batiquitos Lagoon Educational Park Master Plan & LCP (BLEP MP/LCP) had significant Open Space and recreational areas. These significant Open Space and Recreational areas were removed with BLEP MP/LCP's replacement in 1996 by the currently existing Poinsettia Shores Master & LCP (PSMP/LCP) and its City Zoning and LCP LUP requirements that reserved Planning Area F with the current "Non-residential Reserve" Land Use designation. Since the BLEP MP/LCP it appears developers and the City of Carlsbad have worked to remove "High-Priority" Coastal land uses (i.e. Coastal Recreation and Park uses) out of the Ponto area and replaced them with more "low-priority" residential and general commercial land uses. For example:

- Planning Area F used to be designated "Visitor Serving Commercial" as part of the original 1980's BLEP MP/LCP for Ponto.
- In 1996 the BLEP MP LCP was changed by developer application to the now current PSMP LCP, and the LCP LUP designation changed from "Visitor Serving Commercial" to "Non-Residential Reserve" with the requirement to study and document the need for "High-Priority" Coastal Recreation (i.e. Public Park) and/or Low-cost visitor accommodations prior to any change to Planning Area F's "Non-residential Reserve" LCP land use.
- In 2005 the City started to try to change Planning Area F to low-priority residential and general commercial land use in the City's Ponto Beachfront Village Vision Plan (PBVVP). At this time the City made its first documented Coastal 'planning mistake' by not disclosing to the public the existence of Planning Area F's LCP requirements and then also not following those LCP requirements. The City's planning process seemed focused on addressing developer's land use desires, and increasing land use intensity to boost "Tax-increment financing" as the City had established a Redevelopment Project Area at Ponto. A short time after the State of CA dissolved Redevelopment Agencies due in part to such abuses by cities. The CCC formally rejected the PBVVP in 2010, citing the City's failure to follow the LCP requirements for Planning Area F.

- Five years later in 2015 the City again adopted a proposed General Plan Update to again change Planning Area F to low-priority residential and general commercial land use. The General Plan Update cited the City's PBVVP that was in fact rejected by the CCC only a few years before. The City again repeated their PBVVP's Coastal land use 'planning mistake' by again not disclosing to the public the existence of Planning Area F's LCP requirements and then not following those LCP requirements. It is unclear why the City did this only 5-years after the CCC specifically rejected the Ponto Beachfront Village Vision Plan for those same reasons.
- In 2017 citizens found and then confirmed these Ponto Coastal 'planning mistakes' by the City through multiple official Carlsbad Public Records Requests and CCC Staff confirmation. The CCC readily identified the mistakes, but the City's 2019 proposed Draft LCP Land Use Plan and planning process still has yet fully disclose these prior Coastal 'planning mistakes' to ALL citizens of Carlsbad - the failure to disclose and follow the Planning Area F LCP LUP and City Zoning requirements. Full City disclosure is needed now to try to correct many years of City misrepresentation to citizens on LCP required Coastal land Use planning at Ponto. It is needed now so the public is aware at the start of the Public Comment Period. In 2017 citizens began asking the City fix the City's over 12-years of misinformation and planning mistakes by 'restarting' Coastal land use planning at Ponto with an open and honest community-based Coastal planning process. These citizens' requests have been rejected.
- In 2019 the City Staff proposed citywide Draft LCP land Use Plan Amendment that again proposed to change Planning Area F to "low-priority" residential and general commercial land use, without First disclosing the Planning Area F LCP requirements with corresponding analysis of the Need for Coastal Recreation (i.e. Public Park) and/or low-cost visitor accommodations at Planning Area F and providing that Documented analysis for public review/Consideration/comment. This seems like another 3rd repeat of the prior two Coastal planning mistakes by the City. In 2019, again citizens asked for a reset and a true community-based process for the last remaining significant vacant Coastal lands – including Ponto. Again the City rejected citizens' requests.
- In 2020 thousands of public requests again asked, and are currently asking, for a reset and a true community-based process for the last remaining significant vacant Coastal lands – including Ponto. Again these requests are being rejected. Based on the significant citizen concern and the documented prior 'planning mistakes' at Ponto it appears reasonable and responsible for Ponto's Planning Area F to ether:
 - i. Retain its current Existing LCP LUP land Use of "Non-Residential Reserve" until such time as the City's past Ponto Beachfront Village Vision Plan and General Plan Update planning mistakes and other issues subject to current planning lawsuits against the City are resolved with a true, honest and open community-based Coastal planning process asked for by citizens since 2017. Or
 - ii. Propose in the Draft LCP Land Use Plan Amendment to re-designated Planning Area F back to a Visitor Serving Commercial and Open Space ("i.e. Public Park") to provide both "High-Priory" coastal uses v. low-priority residential/general commercial uses due to the documented Coastal Recreation and Low-cost visitor accommodation needs for both citizens and visitors at Ponto and South Carlsbad.

13. Questionable logic and inconsistency in proposed Draft land use map and policies: Chapter 2 Figure 2-2B & C on pages 2-19 & 20 proposes to Amend the existing LCP Land Use Plan Map, and policies LCP-2-P.19 and 20 on pages 2-27 to 2-29 propose Amendments to existing LCP policy and create a new added layer of policy referencing a Ponto/Southern Waterfront. The proposed Land Use Map and Policies serve to firmly plan for "low-priority" residential and general commercial land uses at Ponto with a clear regulatory Land Use Plan Map showing these land uses and by specific regulatory policy (LCP-2-20) that clearly requires (by using the words "shall") these "low

priority” uses. In contrast the “High-Priority” Coastal Recreation and Coastal Park land uses that would be designated as Open Space are not mapped at all in Figure 2-2B & C; and the proposed policy LCP-2-P.19 is both misleading and specifically does Not Require any “High-Priority” Coastal Recreation and Coastal Park land Use at Ponto and South Carlsbad. In fact page 2-22 specifically indicates two “may” criteria that would first need to occur in the positive before any potential Coastal Recreation and Coastal Park Land could then theoretically even be possible. It is highly probable that it is already known by the City that the proposed relocation of Carlsbad Boulevard (Coast Highway) is not very feasible and not cost effective, and will not yield (due to environmental habitat constraints, narrowness of the roadway median, and other design constraints) any significant dimensions of land that could potentially be designated Open Space and realistically be used as a Park.

The blank outline map (Figure 2-2B & C) provides no mapped Open Space Land Use designation, other than for the currently existing State Campgrounds’ low-cost visitor accommodations, so the proposed Land Use Plan Map is Not providing/mapping any new Open Space land use to address Coastal Recreation and Coastal Park needs. The Draft LCP Land Use Plan Amendment’s proposed/projected/planned Sea Level Rise and associated coastal erosion appears to indicate that this “High-Priority” low-cost visitor accommodation (Campground) land use designated as Open Space will be reduced in the ‘Buildout’ condition due to coastal erosion. So **the Draft LCP Land Use Plan is actually planning for a Reduction in Open Space Land Use in South Carlsbad and Ponto.** Both the blank outline map and the proposed Land Use Map Figure 2-1 DO NOT clearly map and designate both South Carlsbad’s Draft LCP Planned Loss of the Open Space Land Use and also any New or replacement unconstrained land as Open Space land use for Coastal Recreation and Coastal Park. This is an internal inconsistency in Land Use Mapping that should be corrected in two ways:

- 1) Showing on all the Land Use (Figure 2-1), Special Planning Area (Figure 2-2B & C), and other Draft LCP Maps the Draft LCP’s planned loss of land area in those maps due to the Draft LCP’s planned loss of land due to Sea Level Rise and Coastal Land Erosion. This is required to show how land use boundaries and Coastal Recourses are planned to change over time. or
- 2) Provide detailed Land Use Constraint Maps for the current Carlsbad Boulevard right-of-way that the City “may” or ‘may not’ choose (per the proposed “may” LCP-2-P.19 policy) use to explore to address the City’s (Park Master Plan) documented Coastal Recreation and Coastal Park land use shortages in Coastal South Carlsbad and Ponto. Clearly showing the potential residual Unconstrained Land within a Carlsbad Boulevard relocation that have any potential possibility to add new Open Space Land Use Designations (for Coastal Recreation) is needed now to judge if the policy is even rational, or is it just a Trojan horse.

The proposed internal inconsistency in mapping and policy appears like a plan/policy ‘shell game’. The proposed Land Use Plan Maps and Policies should be consistent and equality committed (mapped-shall v. unmapped-may) to a feasible and actual Plan. If not then there is No real Plan.

There is no Regulatory Policy requirement in LCP-2-P.19 to even require the City to work on the two “may” criteria. The City could choose to bury the entire Carlsbad Boulevard relocation concept and be totally consistent with Policy LCP-2-P.19 and the LCP. As such the language on 2-22, Figure 2-2C (and the proposed Land Use Map), and policy LCP-2-P.19 and 20 appear conspire to create a shell game or bait-and-switch game in that only “low-priority” residential and general commercial uses are guaranteed (by “shall” policy) winners, and “high-priority” Coastal Recreation and Coastal Park Land Uses are at best a non-committal ‘long-shot’ (“may” policy) that the city is specifically not providing a way to ever define, or commit to implement. The proposed Draft LCP Land Use Plan Coastal Recreation and Coastal Park statements for Ponto are just words on paper that are designed to have no force, no commitment, no defined outcome, and no defined requirement to even have an outcome regarding the

documented “High-Priority” Coastal Recreation and Coastal Park needs at Ponto, Coastal South Carlsbad and the regional 6-mile Coastal Park gap centered around Ponto.

Policy LCP-2-P.19 falsely says it “promotes development of recreational use” but does not in fact do that. How is development of ‘recreational use promoted’ when the Use is both unmapped and no regulatory policy requirement and commitment (no “shall” statement) to ‘promote’ that Use is provided? Policy LCP-2-19.19 appears a misleading sham that does not ‘promote’ or require in any way “High-Priority” Coastal Recreation and Park Land Use at Ponto. There should be open and honest public workshops before the Draft LCP Amendment goes to its first public hearing to clearly define the major environmental constraints and cost estimates involving possible relocation of Carlsbad Boulevard and constructing needed beach access parking, and sufficient and safe sidewalks and bike paths along Carlsbad Boulevard; and then map the amount and dimensions of potential ‘excess land’ that maybe available for possible designation as Open Space in the City General Plan and Local Coastal Program. The City should not repeat the mistakes at the Carlsbad Municipal Golf Course (resulting in the most expensive to construct maniple course in the USA) by not defining and vetting the concept first. A preliminary review of City GIS data appears the amount, dimensions and locations of any potential ‘excess’ land maybe modest at best. However before the City proposes a ‘Buildout’ Coastal Land Use Plan this critical information should be clearly provided and considered. It is likely the City’s Carlsbad Boulevard relocation concept is unfeasible, inefficient, too costly, and yields too little actual useable ‘excess land’ to ever approach the Coastal Recreation and Coastal Park needs for South Carlsbad. This may already be known by the City, but it surely should be publicly disclosed and discussed in the DLPCA.

The proposed Coastal Land Use Plan to address Carlsbad’s, San Diego County’s and California’s High-Priority Coastal Recreation Land Use and Coastal Park needs should NOT be vague “may” policy that appears to be purposely designed/worded to not commit to actually providing any “High-Priority” Coastal Recreation and Coastal Park land uses on the map or in policy commitments. The Land Use Plan and Policy for High-Priority Coastal Recreation and Coastal Park Land Use should be definitive with triggered “shall” policy statements requiring and assuring that the ‘Forever’ “High-Priority” Coastal Recreation and Coastal Park needs are properly and timely addressed in the City’s proposed ‘Buildout’ Coastal Land Use Plan. This “shall” policy commitment should be clearly and consistently mapped to show the basic feasibility of the planned outcomes and the resulting actual Land that could feasibly implement the planned outcome.

Providing safe and sufficient sidewalks, bike paths, and public parking along Carlsbad Boulevard: Providing safe and sufficient sidewalks, bike paths, and public parking along Carlsbad Boulevard are Coastal Access and Completes Streets issues. South Carlsbad Boulevard now and has for decades been a highly used Incomplete Street that is out of compliance with the City’s minimum Street Standards for pedestrian and bike access and safety. The Coastal Access portion of the Draft Land Use Plan should strongly address the Complete Street requirements for South Carlsbad Boulevard. Those policy commitments should be reference in Policy LCP-2-P.19 and 20 as Carlsbad Boulevard in **South Carlsbad is the most Complete Street deficient portion of Carlsbad Boulevard**. Forever Coastal Access parking demand and the proposed LCP Amendment’s Land Use Plan to supply parking for those demands should also be addressed as part of the Coastal Access and Complete Streets issues for South Carlsbad Boulevard. If much needed Coastal Access Parking is provided on South Carlsbad Boulevard as part of a “maybe” implemented realignment, most of the “maybe” realignment land left after constraints are accommodated for and buffered will likely be consumed with these parking spaces and parking drive aisles/buffer area needed to separate high-speed vehicular traffic from parking, a buffered bike path, and a sufficiently wide pedestrian sidewalk or Coastal Path. After accommodating these much needed Complete Street facilitates there will likely be little if any sufficiently

dimensioned land available for a Coastal Recreation and a Coastal Park. The needed Coastal Access and Complete Street facilities on South Carlsbad Boulevard are very much needed, but they are NOT a Coastal Park.

As mentioned the proposed Draft Coastal Land Use Plan's Maps and Policies are very specific in providing for the City's proposed LCP Land Use changes to 'low-priority' Residential and General Commercial' on Planning Area F (proposed to be renamed to Area 1 and 2). It is curious as to why the proposed Draft LCP Land Use Plan Amendment has no Land Use Map and minor vague unaccountable Land Use Policy concerning 'High-priority Coastal Recreation Land Use' at Ponto, while the very same time proposing very clear Land Use Mapping and detailed unambiguous "shall" land use policy requirements for 'low-priority' Residential and General Commercial land use at Ponto. Why is the City Not committing and requiring (in a Land Use Map and Land Use Policy) to much needed 'High-priority' Coastal Recreation and Coastal Park Land Use' needs at Ponto the same detail and commitment as the City is providing for "low-priority" uses? This is backwards and inappropriate. It is all the more inappropriate given the 'Buildout' Coastal Land Use Plan the City is proposing at Ponto. These issues and plan/policy commitments and non-commitments will be 'forever' and should be fully and publicly evaluated as previously requested, or the Existing LCP Land Use Plan of "Non-residential Reserve" for Planning Area F should remain unchanged and until the forever-buildout Coastal Recreation and Coastal Park issues can be clearly, honestly and properly considered and accountably planned for. This is vitally important and seems to speak to the very heart of the CA Coastal Act, its founding and enduring principles, and its policies to maximize Coastal Recreation. People for Ponto and we believe many others, when they are aware of the issues, think the City and CA Coastal Commission should be taking a long-term perspective and be more careful, thorough, thoughtful, inclusive, and in the considerations of the City's proposal/request to permanently convert the last vacant unplanned (Non-residential Reserve) Coastal land at Ponto to "low-priority" land uses and forever eliminate any Coastal Recreation and Coastal Park opportunities.

14. Public Coastal View protection: Avenida Encinas is the only inland public access road and pedestrian sidewalk to access the Coast at Ponto for one mile in each direction north and south. It is also hosts the regional Coastal Rail Trail in 3' wide bike lanes. There exist now phenomenal coastal ocean views for the public along Avenida Encinas from the rail corridor bridge to Carlsbad Boulevard. It is assumed these existing expansive public views to the ocean will be mostly eliminated with any building development seaward or the Rail corridor. This is understandable, but an accountable ('shall') Land Use Plan/Policy addition to proposed Policy LCP-2-P.20 should be provided for a reasonable Public Coastal View corridor along both sides of Avenida Encinas and at the intersection with Carlsbad Boulevard. Public Coastal view analysis, building height-setback standards along Avenida Encinas, and building placement and site design and landscaping criteria in policy LCP-2-P.20 could also considered to reasonably provide for some residual public coastal view preservation.

15. Illogical landscape setback reductions proposed along Carlsbad Boulevard, and Undefined landscape setback along the Lagoon Bluff Top and rail corridor in Policy LCP-2-P.20: Logically setbacks are used in planning to provide a buffering separation of incompatible land uses/activities/habitats. The intent of the setback separation being to protect adjacent uses/activities/habitats from incompatibility, nuisance or harassment by providing a sufficient distance/area (i.e. setback) between uses/activities/habitats and for required urban design aesthetics – almost always a buffering landscaping. Policy LCP-2-P.20. A.4 and C.3 says the required 40' landscape setback along Carlsbad Boulevard "maybe reduced due to site constraints or protection of environmental resources." The ability to reduce the setback is illogical in that setbacks are intended to protect environmental resources and provide a buffer for constraints. In the Carlsbad Boulevard right-of-way there is documented sensitive environmental habitat, along with being a busy roadway. How could reducing the protective 40' setback in anyway better protect that habitat or provide a better landscaped compatibility or visual aesthesis buffer along Carlsbad Boulevard? It is

illogical. If anything the minimum 40' landscaped setback should likely be expanded near "environmental resources". Regarding reducing the minimum 40' landscape setback for "site constraints" there is no definition of what a "site constraint" is or why it (whatever it may be) justifies a reduction of the minimum landscaped setback. Is endangered species habitat, or a hazardous geologic feature, or a slope, or on-site infrastructure considered a "site constraint"? There should be some explanation of what a "site constraint" is and is not, and once defined if it warrants a landscape setback reduction to enhance the buffering purpose of a landscape setback. Or will a reduction only allow bringing the defined constraint closer to the adjacent uses/activities/habitats that the landscape setback is designed to buffer. It is good planning practice to not only be clear in the use of terms; but also, if a proposed reduction in a minimum standard is allowed, to define reasonably clear criteria for that reduction/modification and provide appropriate defined mitigation to assume the intended performance objectives of the minimum landscape setback are achieved.

Policy LCP-2-P.20.C.4 is missing a critical Bluff-Top landscape setback. It seems impossible that the DLCPA is proposing no Bluff-Top setback from the lagoon bluffs and sensitive habitat. The Batiqitos Lagoon's adjoining steep sensitive habitat slopes directly connect along the Bluff-top. Batiqitos Lagoon's and adjoining steep sensitive habitat is a sensitive habitat that requires significant setbacks as a buffer from development impacts. Setbacks similar to those required for the San Pacifico area inland of the rail corridor, should be provided unless updated information about habitat sensitivity or community aesthetics requires different setback requirements.

Policy LCP-2-P.20 does not include a landscape setback standard adjacent to the rail corridor. This is a significant national transportation corridor, part of the 2nd busiest rail corridor in the USA. Train travel along this corridor is planned to increase greatly in the years to come. Now there is significant noise, Diesel engine pollution, and extensive ground vibration due to train travel along the rail corridor. Long freight trains which currently run mostly at night and weekends are particularly noisy and heavy, and create significant ground vibration (underground noise). These issues are best mitigated by landscape setbacks and other buffers/barriers. A minimum setback standard for sufficient landscaping for a visual buffer and also factoring appropriate noise and ground vibration standards for a buildout situation should be used to establish an appropriate landscape setback that should be provided along the rail corridor. Carlsbad's landscape aesthetics along the rail corridor should be factored into how wide the setback should be and how landscaping should be provided. An example for the landscape aesthetic portion of the setback standard could be landscape design dimensions of the San Pacifico community on the inland side of the rail corridor. However, noise and vibrational impacts at San Pacifico are felt much further inland and appear to justify increased setbacks for those impacts.

2022 General Comparative tax-payer Costs/Benefits of Completing PCH, PCH Modification, and Ponto Park to address planned loss of 30+ acres of Coastal Open Space Land Use at Ponto/West BL/South Carlsbad: Part 1 of 2

Key base facts regarding tax-payer Cost/Benefit comparison:

City Coastal Park Fairness: Ponto/Coastal South Carlsbad has ZERO Parks and ZERO Park acres v. 10 Coastal Parks in North Carlsbad. 62% of Carlsbad citizens and major visitor industries live in South Carlsbad with no Coastal Park. 38% of Carlsbad citizens have the entire City's Coastal Parks. The City also falsely allowed Ponto Developers to NOT PROVIDE the required 15% unconstrained Open Space required by other developers in Carlsbad. Consequently Ponto is already developed at a density 35% higher than the rest of City.

What is missing from South PCH: The only missing components of a Carlsbad Livable (Complete) Street are adequate Coastal sidewalks/pedestrian paths. Better safer protected bike paths for the volume of bike traffic on a higher-speed roadway are highly desired. Both these missing features can be (and should have already long ago been) provided in the existing PCH configuration.

Generalized Costs: Costs come from publicly stated costs by Mayor Hall in a 2019 at Meet the Mayor Realtor luncheon at Hilton Garden Inn, City PCH Modification Cost Studies for South PCH, \$13 million per mile cost for the simpler City CIP #6054 PCH Modification Project at Terramar, general City cost data from official public records requests, and vacant Ponto land costs of \$1.4 to \$2.4 million per acre from recent recorded land sales at Ponto.

Generalized Benefits: The number of acres and the quality and usability of each of those acres, and the number of new added beach parking for each of the known Option's define each Option's benefits. There may be other unknown Options that have different benefits. The City's 2001 PCH Modification Studies' highest Park and Open Space Option (2001 ERA Financial Analysis "Alternative 1-parks and open space scheme") only made possible a 4-acre Active Park north of Palomar Airport Road in North Carlsbad. The City's 2013 PCH Concept design eliminated that 4-acre Active Park and only showed a few small open space areas with picnic tables. Any PCH Modification Benefits are limited by existing PCH constraints. See attached Part 2: City PCH map with numbered notes on various existing land use constraints from the City's 2013 PCH Modification Design.

PCH Modification: PCH Modification does not add any new City land. Rearranging PCH land may add some usability beyond the usability of existing parkway areas along PCH. However significant land in PCH right-of-way is already constrained by habitat, slopes, and water quality detention basins. Past City Studies in 2001 and 2013 showed relatively modest changes in useable acreage from major PCH Modifications. Forever removing 2-travel lanes (over 50% of PCH capacity due to removing passing ability) will create Terramar traffic congestion, but could repurpose that City pavement for open space. Any net usable amount of open space land will however be relatively narrow and may be modest once all constraints are accounted for. PCH Modification should be accurately compared with the existing usable and open space parkway areas in the existing PCH configuration and Ponto Park situation. See attached Part 2: City PCH map with numbered notes on various existing land use constraints from the City's 2013 PCH Modification Design.

Comparative tax-payer Cost/Benefits:

1. Completing PCH & adding missing sidewalk/path and additional public parking and bike safety:

177 existing parking spaces along South Carlsbad Blvd

Existing 4 vehicle lanes and 2 bike lanes

The only missing component of "Complete/Livable Street" is a pedestrian sidewalk/path

Total Cost to provide missing sidewalks per City data = \$3-5 million (based on path width)

Costs for desirable safety upgrade to existing bike lanes are not known

Cost to add more Beach parking in abandoned PCH North and South of Poinsettia ranges from:

- 273 additional spaces = \$ 0.76 million
- 546 additional spaces = \$ 1.1 million
- Plus an estimated \$1.5 million for 2 signalized intersection upgrades for full 4-way access
- Cost per parking space is estimated at \$19,275 to \$13,899 per additional parking space

Total cost: \$ 3.8 to 6.1 million to provide missing sidewalk/path and add more parking + unknown amount for any desired upgrades to existing bike lanes

2. '2013 PCH Modification Proposal' [AECOM 11/26/2013 Alternative Development Meeting]

Total Cost is \$75 million per Mayor Matt Hall. PCH Modification would be most the expensive City project so far. \$75 million current cost appears consistent with 20-years of cost inflation of the basic (unmitigated environmental and traffic) 2001 costs of \$26.5 to 37.3 million (in 2001dollars) identified by the City. The City's 2001 Study indicated fully mitigated costs will be higher.

Total \$75 million PCH Modification cost comes to:

\$ 18.7 to 7.5 million per acre for narrow open space areas (from portions of city roadway)

\$872,093 per additional parking space

- 86 additional parking spaces created = 263 replacement spaces - 177 existing spaces removed
- Includes multi-use pathway (sidewalk) within primarily native/natural landscaping.
- Possible 50% reduction in vehicle lanes (from 4 to 2 lanes) with corresponding traffic congestion like at Terramar. Not clear if Citizens will approve spending \$75 million to double traffic congestion.
- Includes about 4 - 10 acres for possible narrow passive Park area identified in City's 2001 PCH Modification Studies. However City's 2013 PCH Modification (AECOM) plans look like smaller acreage is provided.
- Does not purchase any new land (only reconfigures existing City land) so requires Carlsbad Citizens to vote to expend funds per Proposition H.
- 2013 PCH Modification proposal did not consider and map City's 2017 sea level rise data to show what areas would be lost due to sea level rise and account for any added cost and issues.

3. Ponto Coastal Park

Total Cost: \$20 – 22 million to purchase and build 11-acres as Mayor Matt Hall has publicly stated

\$ 2 to 1.8 million per acre (per Mayor) for new and fully useable City Park area

175% to 10% more total park land than 'PCH Modification options'

- Includes adding 11-acres of new and viable parkland similar in shape (but larger in size) than Carlsbad's Holiday Park. Site includes both habitat and E-W and N-S connections.

- Since an Open Space land purchase per Proposition C acquisition voters exempted such purchases from Proposition H. NCA recommend the site be considered for purchase as Open Space per the City's obligations under a lawsuit settlement.
- Ponto Park's cost savings over 'PCH Modification' = \$55 to 53 million
- Ponto Park's + adding missing sidewalks cost savings over 'PCH Modification' = \$51 to 47 million
- Ponto Park's + adding missing sidewalks + 273 additional parking spaces cost savings over "PCH Modification" = \$50.4 to 46.1 million
- Ponto Park's + adding missing sidewalks + 546 additional parking spaces cost savings over "PCH Modification" = \$50.1 to 45.8 million

4. Combining both #1-PCH Completion and #3-Ponto Park:

Combining #1 and #3 creates at cost effective and more beneficial Coastal Park-Coastal Parking-Completes Streets solution. This solution actually adds 11-acres of new City land for a needed Park, provides for a Complete PCH without increasing traffic congestion, does not forever congest PCH travel if future PCH traffic increases, adds comparatively more beach parking, and provides the City with Coastal land use and sea level rise planning flexibility to address future needs by not forever committing the City's PCH land to a Final solution. See map on page 4 showing land use synergy of combining #1 and #3.

\$50.4 to 45.8 million in tax-payer cost savings are estimated from combining #1 & #3 compared to the estimated \$75 million PCH Modification concept. Combining #1 and #3 provide all the features provided by more Benefits for a reduced

- a. Ponto Park's location allows it to use the 337-610 parking spaces created by #1 above (177 existing + 273 to 546 new parking spaces). The 337-610 parking spaces will allow Ponto Park to effectively host Carlsbad's special community events.
- b. Acquiring Ponto Park's 11-acres provides both the City and State of CA with important future land use options to address the Sea Level Rise and Coastal Erosion (SLR) planned by the City. These options are created by leaving the exiting South Carlsbad Blvd right-of-way substantially the same (except for adding needed sidewalks and using the existing Old paved roadway for parking) thus allowing future upland relocation of the Campground. If \$75,000,000 is spent on #2 the likelihood this very expensive City expenditure would never be abandoned by the City to allow relocation of the Campground.
- c. Carlsbad' 2017 Sea Level Rise study shows SLR will eliminate ½ of the State Campground – a high-priority Coastal land use under the CA Coastal Act. The CA Coastal Act calls for "upland" relocation of high-priority Coastal land uses due to SLR impacts. Ponto Park could also provide for "upland" relocation of the State Campground.

Part 2 of this Comparative analysis is a separate 2-page data file. This Part 2 file consists of the City's PCH map with numbered notes to documented City data on PCH design constraints, mapping the City's 2017 Sea Level Rise Impact Areas, and outlining the easterly 6.5 acre portion of the 11-acre Planning Area F site that could be Ponto Park for acreage comparison purposes.



History of the false exemption of the Growth Management Open Space Standard provided Ponto developers in Local Facility Management Plan Zone 9 (LFMP-9):

The history of how required Growth Management Open Space (i.e. unconstrained/developable land) that should have been dedicated Open Space was, and is now being proposed to be, inappropriately converted to Residential land use by a Perpetuating a False Exemption of the Open Space Standard provided Ponto Developers. This False Exemption needs correction and restitution. Ponto's False Exemption of the Open Space Standard and the 'amendment shell-game' GM Open Space history is a critical warning sign to the **Carlsbad Tomorrow** Growth Management Committee, Planning Commission and City Council. Ponto is a critical warning that a strong, accountable and accurate Open Space Standard needs to be established for **Carlsbad Tomorrow**, AND a Growth Management Open Space restitution plan needs to be established and funded that corrects the False Exemption for Ponto Developers. If Ponto Developers were required like other similar developers at the time (Aviara and Poinsettia Shores, "urbanizing La Costa Zones 11 & 12, etc.) to provide the required Growth Management Open Space some of the critical Coastal Recreation and Coastal Park issues and extensive Carlsbad Citizen needs/demands/desires at Ponto could likely have already been addressed.

How citizens found out about the False Exemption provided Ponto Developers:

In 2017 for the 1st time the city provided the GIS maps/data base accounting of Open Space in the City. The City did this a part of settlement to a North County Advocates citizens' lawsuit. The City Open Space maps/data base allowed Carlsbad Citizens for the 1st time the ability to see and confirm what Open Space was produced by Growth Management (GM). The City's Open Space map/data based for Ponto (LFMP-9) documented that about 30-acres of GM Open Space was missing (see; Carlsbad Official Public Records Request - PRR 2017-164). As required by GM, and as Staff has said, to count as GM Open Space it must be dedicated and 'unconstrained/developable land' to meet the GM Open Space Standard. Being able to see for the 1st time the missing GM Open Space was one of the key awakenings that started People for Ponto Carlsbad Citizens. Below is the City's Open Space Map for LFMP-9, with notes. We have the City's parcel-based Open Space data base that confirms all the numerical data in the notes.



**City GIS map of Ponto's (LFMP Zone 9)
Open Space:**

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara had the same lagoon waters.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were never required to comply with the 15% Standard Open Space is subject to current litigation
- Below is City GIS data from this map

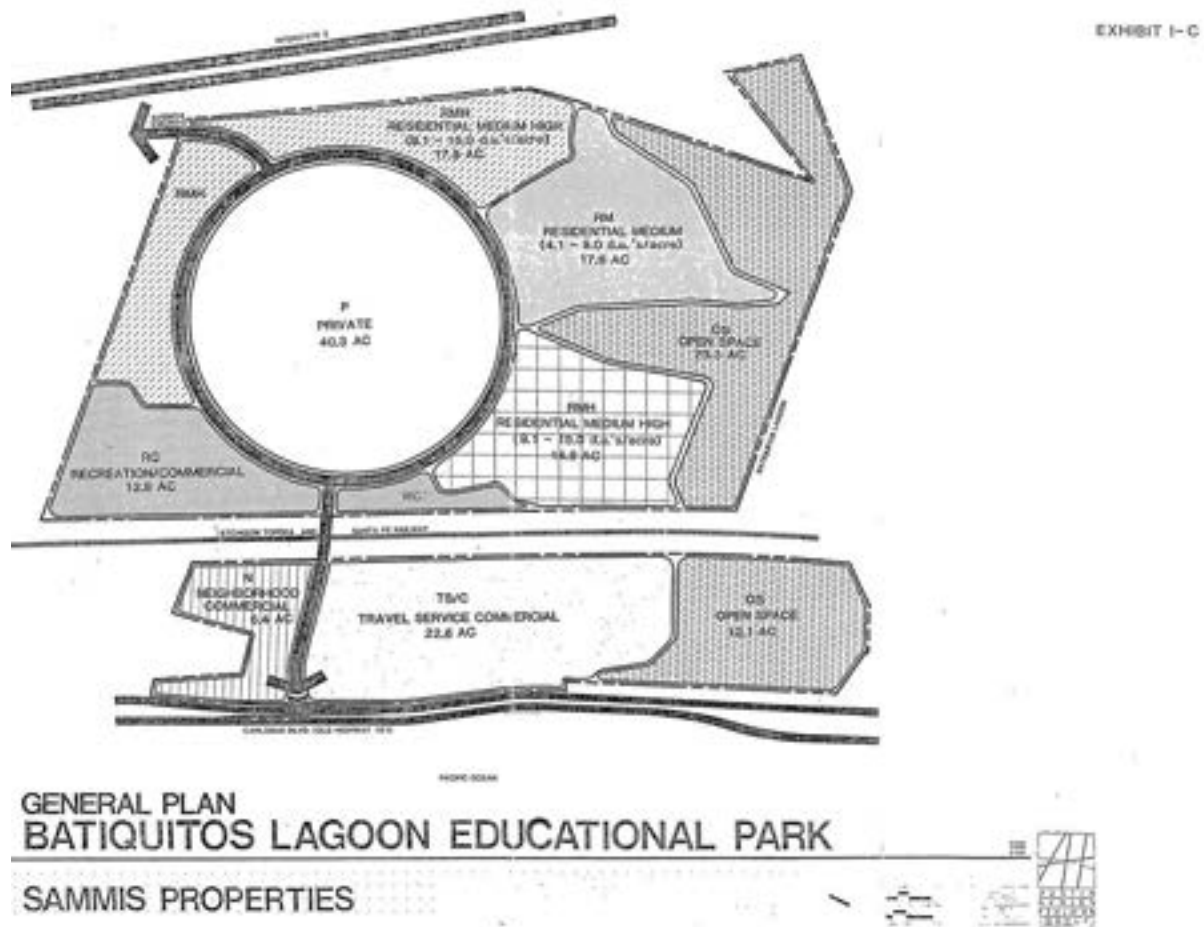
City GIS map data summary of the 15% Growth Management Standard Open Space at Ponto

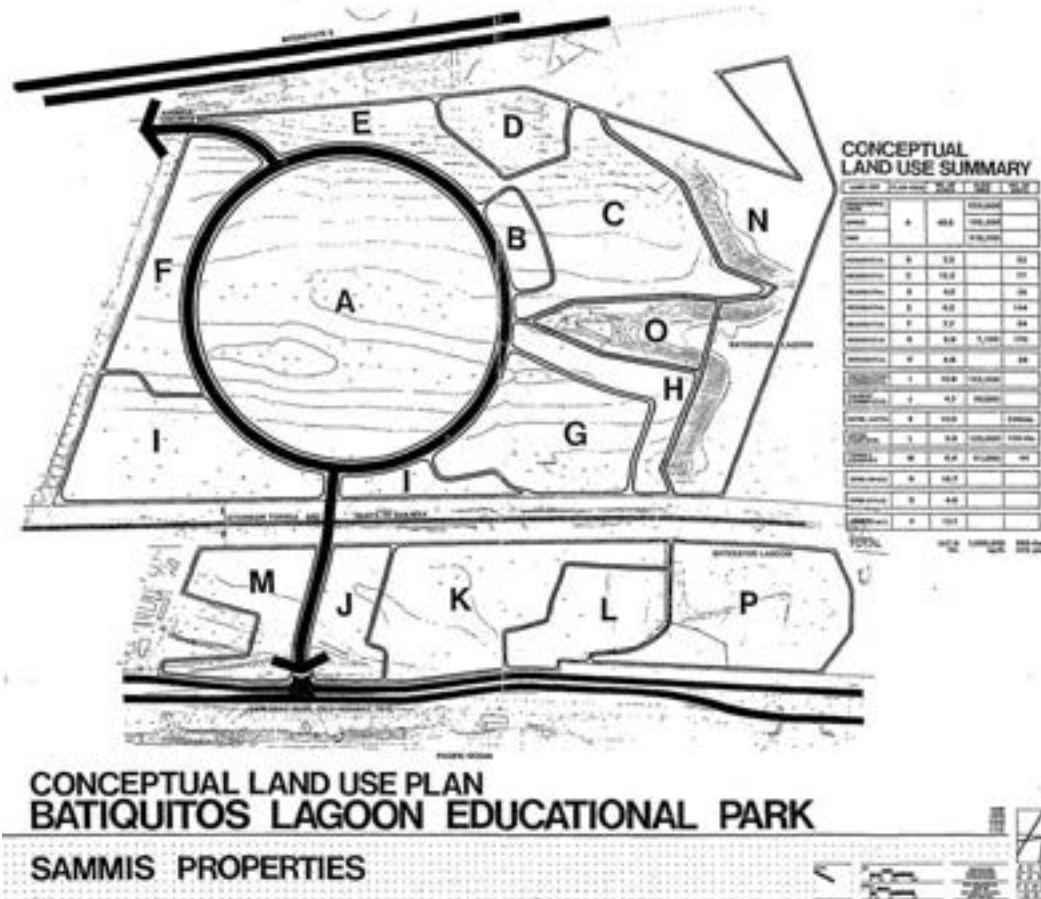
472 Acres	Total land in LFMP Zone 9 [Ponto]
<u>(197 Acres)</u>	Constrained land excluded from GMP Open Space
275 Acres	Unconstrained land in LFMP Zone 9 [Ponto]
<u>X 15%</u>	GMP Minimum Unconstrained Open Space requirement
41 Acres	GMP Minimum Unconstrained Open Space required
<u>(11 Acres)</u>	GMP Open Space provided & mapped per City GIS data
30 Acres	Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data
	73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

So were did the missing GM Open Space go?

In early 1985 prior to the Ponto's developer (SAMMIS) annexing Ponto into the City of Carlsbad, San Diego County's LAFCO (local agency formation commission) General Planned and pre-zoned, Ponto's Batiqitos Lagoon waters and the lagoon bluff slopes as Open Space. This Open Space was "Constrained Open Space" – State jurisdictional waters, and steep slopes with Coastal Sage Scrub (CSS) habitat. These already pre-zoned constrained/non-developable Open Spaces were accounted for as part of the City's 25% pre-Growth Management Plan Open Space, and per Growth Management can't be counted in meeting the 15% Growth Management Open Space Standard. The pre-zoned Open Space is shown in the City's Open Space map and properly marked as "Preservation of Natural Resources" Open Space land. This already pre-zoned Constrained (non-developable, aka 'Preservation of Natural Resources') Open Space land at Ponto was documented in the proposed SAMMIS Batiqitos Lagoon Educational Park (BLEP) Master Plan MP-175 as Areas N, O, and P in the Land Use Summary below.

On Oct, 1 1985 Carlsbad approved SAMIS's Master Plan and EIR to develop Ponto. SAMIS's BLEP Master Plan MP-175. Following are BLEP MP-175's General Plan & Land Use Summary maps:





The BLEP MP-175 did include a variety of GM compliant Open Space.

- 12.8 acre Recreation Commercial land use that was playfields and Coastal Recreation site for MP-175 and South Carlsbad. This is a Critical GM Open Space that was never dedicated.
- A minimum 30' wide landscaped Open Space on both sides of Windrose Circle that circled the Area P. Windrose Circle was bordered on each side by 30' of landscaped Open Space.
- Additional minimum 30' wide landscaped setbacks between buildings in Area A
- 2.8 acres of private recreation open space for the maximum amount of residential units
- 45' to 50' landscaped setbacks from the Batiquitos Lagoon Bluff edge (this was later developed with Residential land use in some areas of Ponto).
- 75' landscaped separation between Areas C and D
- 70' landscaped separation between Areas D and E
- 25' landscaped setback along Avenida Encinas for Area E
- 30' to 80' landscape setback between Lakeshore Gardens and Area F
- 25' landscaped setback along Avenida Encinas for Area F
- 50' landscaped setback between Areas F and I
- 75' landscaped separation between Areas G and H
- 50' to 80' landscape setback for Area I between Lakeshore Gardens and between Area F

So, prior to Ponto being annexed into the City of Carlsbad in the mid-1980's and prior to Growth Management the Batiquitos Lagoon and lagoons bluff slopes (constrained and unusable due to habitat and slope constraints) were already pre-zoned Open Space and General Planned as Constrained Habitat Open Space. This constrained Open Space did not and cannot meet the 15% GM Open Space Standard.

In 1986 Citizens voted for the City's version of Growth Management that included a New Standard for Useable Open Space. The new standard was that 15% of all unconstrained useable/developable land within a Local Facility Management Zone was to be dedicated as Open Space. Once the vote was in the City adopted the Growth Management Ordinance 21.90 of Carlsbad's Municipal Code (City Council Ordinance No. 9791. (Ord. 9829 § 1, 1987; Ord. 9808 § 1, 1986)).

In adopting the Growth Management Ordinance 21.90.010 the Council Clearly stated:

(b) The city council of the city has determined **despite previous city council actions**, including but not limited to, amendments to the land use, housing, and parks and recreation elements of the general plan, amendments to city council Policy No. 17, adoption of traffic impact fees, and modification of park dedication and improvement requirements, that the demand for facilities and improvements has outpaced the supply resulting in shortages in public facilities and improvements, including, but not limited to, streets, **parks, open space**, schools, libraries, drainage facilities and general governmental facilities. **The city council has further determined that these shortages are detrimental to the public health, safety and welfare of the citizens of Carlsbad.**

(c) This chapter is adopted to ensure the implementation of the policies stated in subsection (a), to eliminate the shortages identified in subsection (b), **to ensure that no development occurs without providing for adequate facilities and improvements, ..."**

The Citizens and Council recognized that prior City plans were not adequate to address the current (and future) needs for facilities. Upon adoption of the New Growth Management Standards certain facilities were already below-Standard simply based on the existing development and population. Growth Management required additional facilities simply to bring the then current development/population up to the New Minimum Standards. I am personally familiar with 3 GM Standards in LFMP-6 (old La Costa) that I worked on – Library, Fire, and Park where already below-Standard i.e. existing development/population in Old La Costa required more facilities to meet the new Growth Management Standards. We worked to provide these new facilities for the existing development/population (i.e. fix the Standard deficits) and then to also plan even more additional facilities at a ratio that met the New Standards for the additional future development in Old La Costa. I can provide you some interesting stories on that.

I also recall working on the surrounding La Costa LRMP Zones 11 & 12 that Like Ponto/FMP-9 were considered "Cat II: Urbanizing" yet Unlike Ponto/LFMP-9 LFMP Zone 11 & 12 were not falsely exempted

for the GMP Open Space Standard and had to provide the GM Open Space Standard of 15% of the unconstrained/developable lands as dedicated Useable Open Space.

The Citizens vote on Proposition E and the subsequent Growth Management Ordinance 21.90 are the rules on which the Growth Management Plans (both Citywide and 25 Local Facility Plans) are required to follow.

To create the Citywide and the Local plans (Zones 1-6) for the largely developed areas the City needed to temporarily pause development activity to allow time for city staff to Draft the Growth Management Plan (my work as a city planner at the time was re-directed to draft growth management plans). So the Growth Management Ordinance 21.90.030, established a Temporary Development Moratorium to pause development processing activity while the Growth Management Plan was being Drafted. Following is that language of 21.90.030. Notes are shown as italicized text within *[example]*:

“21.90.030 General prohibition—Exceptions.

(a) Unless exempted by the provisions of this chapter, **no application for any building permit or development permit shall be accepted, processed or approved until a city-wide facilities and improvements plan has been adopted and a local facilities management plan for the applicable local facilities management zone has been submitted and approved according to this chapter.** *[Clearly indicates the exemptions in 21.90.030 are only from the temporary development moratorium created by 21.90.]*

(b) No zone change, general plan amendment, master plan amendment or specific plan amendment which would increase the residential density or development intensity established by the general plan in effect on the effective date of this chapter shall be approved unless an amendment to the citywide facilities management plan and the applicable local facilities management plan has first been approved. *[FYI, this provision of 21.90.030 has direct implications with respect of currently City/developer proposed General Plan/Zoning code/Local Coastal Program Amendments now being pursued by the City at Ponto Planning Area F and Ponto Site 18. The City did not and has not yet amended the CFMP and LFMP-9 to increase the City/developer proposed residential density or development intensity at Ponto]*

(c) The classes of projects or permits listed in this subsection shall be exempt from the provisions of subsection (a). Development permits and building permits for these projects shall be subject to any fees established pursuant to the city-wide facilities and improvement plan and any applicable local facilities management plan. *[Then lists various exemptions from the temporary development processing/building permit moratorium in 21.90. The BLEP MP's exemption from the temporary moratorium is (g)]*

(g) The city council may authorize the processing of and decision making on building permits and development permits for a project with a master plan approved before July 20, 1986, subject to the following restrictions *[this only applies to the “approved before July 20, 1986” BLEP MP, and NOT to any subsequent Master Plan Amendment]:*

- (1) The city council finds that the **facilities and improvements required by the master plan are sufficient to meet the needs created by the project and that the master plan developer has agreed to install those facilities and improvements to the satisfaction of the city council.** *[The Ponto developer needed to provide the 12.8 acre Recreation Commercial land use and install the GM compliant Open Space required in the 1986 MP175 but did not]*
- (2) The master plan developer shall agree in writing that all facilities and improvement requirements, including, but not limited to, the payment of fees established by the city-wide facilities and management plan and the applicable local facilities management plan shall be applicable to development within the master plan area and that the master plan developer shall comply with those plans. *[this required the LFMP-9/BLEP MP to have 1) already been fully developed or 2) have already have dedicated 15% of the LFMP-9 as Growth Management compliant Open Space (i.e. Unconstrained and developable) to qualify for the Open Space exemption later falsely noted in the city-wide facilities and management plan. As clearly documented the BLEP MP did not meet the requirements to qualify for Open Space Standard Exemption in the city-wide facilities and management plan. The section also requires “all facilities” (including Open Space) requirements in the Citywide Growth Management Standard to apply to BLEP MP, not provide a means for a false exemption of the Open Space Standard]*
- (3) The master plan establishes an educational park and **all uses within the park comprise an integral part of the educational facility.** *[“all uses” including the 12.8 acre Recreation Commercial land use and all the other GM compliant Open Spaces are an integral part. However the 12.8 acre open space land use was never built and the BLEP MP GM compliant Open Space never dedicated.]*
- (4) **Building permits for the one hundred twenty-nine [129] unit residential portion of Phase I of the project may be approved provided the applicant has provided written evidence that an educational entity will occupy Phase I of the project** which the city council finds is satisfactory and consistent with the goals and intent of the approved master plan. *[Clearly indicates the 21.90.030 exemption is only for building permits for Phase I of the BLEP MP. Of the 129 units only the 75 unit Rosalena development applied for and received building permits under this exemption. There are some very interesting issues related to this Rosalena Phase I development relative to GM complaint Open Space along the bluff edge that can be expanded on later if the CTGMC has questions.]*
- (5) Prior to the approval of the final map for Phase I the master plan developer shall have agreed to participate in the restoration of a significant lagoon and wetland resource area and made any dedications of property necessary to accomplish the restoration. *[Again clearly notes the exemption only allows a final map for Phase I to be processed. The “lagoon and wetland resource area” are part of the same constrained/undevelopable lands already pre-zoned prior to the BLEP MP being incorporated into the City of Carlsbad]*

The Aviara Master Plan (directly adjacent and east of Ponto) and was also being developed at the same time as Ponto/BLEP MP. 21.90.030 also provided the Aviara Master Plan a similar exemption (h) and similar lagoon related quid-pro-quo for that exemption. But Aviara did not receive a GM Open Space Standard Exemption. :

“(iv) Prior to any processing on the [Aviara] master plan the applicant shall grant an easement over the property necessary for the lagoon restoration and the right-of-way necessary for the widening of La Costa Avenue and its intersection with El Camino Real. (Ord. NS-63 § 1, 1989; Ord. 9837 § 1, 1987; Ord. 9808 § 1, 1986)”

Some City staff have incorrectly stated to the City Council that they believe 21.90.030 exempts Ponto/LFMP-9 from the Growth Management Ordinance/Program or Growth Management Open Space Standard. RESOLUTION NO. 8666- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA APPROVING TWO AGREEMENTS FOR BATIQUITOS LAGOON EDUCATIONAL PARK also shows the 21.90.030 exemption was only for development permits during the temporary building moratorium.

In 1986 the City falsely exempted in the Citywide Facilities Plan all Ponto developers from providing 15% of their useable/developable land as GM required Open Space. The City’s documented/adopted rationale in the Citywide Plan was that Ponto/LFMP-9 was 1) in 1986 already developed, or 2) in 1986 the developer had already met the GM Open Space Standard by having already dedicated 15% of the useable land as Open Space. Both situations were/are false. Any air photo map or even the 1986 LFMP-9 clearly states Ponto was NOT developed in 1986, as only the Lakeshore Gardens existed and the Ralphs Center was just starting construction. Also the City’s GIS Open Space mapping (see above) shows that SAMMIS the Ponto developer (BLEP Master Plan MP-175) in 1986 had Not dedicated as Open Space 15% of the useable land as Growth Management compliant Open Space as shown/described in the BLEP MP (i.e. the 12.8 Acre Recreation Commercial site and all the landscaped open space setbacks required in the BLEP MP-175. If that 15% was dedicated in 1986 it would show-up on the City’s inventory of Dedicated Open Space now. So how did this occur?

How Ponto’s planned GM Open Space was eliminated and replaced with Residential land use:

In late 1980’s SAMMIS the BLEP MP-175 developer started building the 75-home Rosalena Development as the first part of Phase I of the BLEP MP. The City (based on my recollection was very desirous to develop the BLEP MP) and required special time limits on the BLEP MP to actually advance building the ‘Educational Park’ with all the “initiated” land uses (including GM compliant Open Space) within a certain period of time. SAMMIS was having financial issues and difficulty delivering the BLEP MP land uses. Amendments (A, B, and C) to BLEP MP reflected on these difficulties:

- MP 175(A) to allow minor accessory structures within the rear yards of all Phase I single family lots located in Planning Area “C”. *[This is the Rosalena development that was part of Phase I for BLEP MP. This amendment has implications on the landscaped Open Space setback along the Batiquitos Lagoon bluff top, and the required Coastal access trail required by the Coastal*

Development Permit for Rosalena. This is an interesting history that can be explained later if the CTGMC would like.]

- MP 175(B) to realign Carlsbad Blvd., between North Batiquitos Lagoon and west of I-5 to accommodate the Sammis Development was WITHDRAWN January 12, 1990, and
- MP 175(C) a request for 5-year extension of time for Master Plan approval related to educational uses on this project was Approved Planning Commission Resolution No. 2841, April 19, 1989 and approved City Council Ordinance No. NS-83, September 5, 1990.

SAMMIS went bankrupt around 1990 and Kaiza Development purchased the BLEP MP. Kaiza completed the Rosalena development started by SAMMIS. Kaiza then sought to completely change the planned land uses on all the remaining unconstrained/developable land in the BLEP MP.

General Plan and Master Plan Amendments eliminated/reduced BLEP's Growth Management compliant Open Space and replace with Residential uses in the "amended" Poinsettia Shores Master Plan:

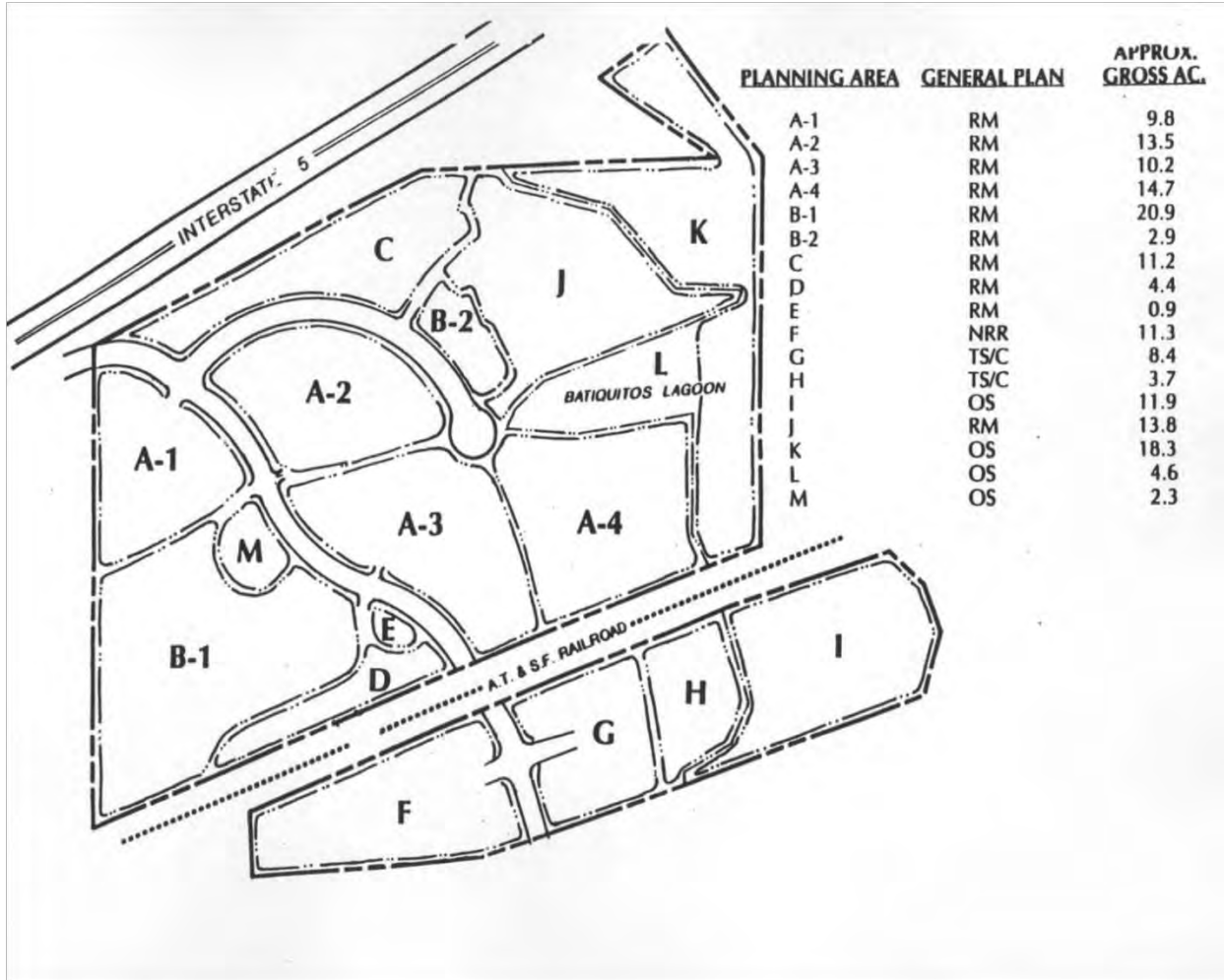
When Kaiza acquired the BLEP MP-175 and its vacant land only the State Campground, Lakeshore Gardens, Ralphs Center, and now Rosalena were approved/existing developments at Ponto. Kaiza proposed a Master Plan Amendment to delete the BLEP MP-175 and all its developable land uses, except for the only portion of Phase I developed – the 75 unit Rosalena subdivision. The pre-BLEP MP pre-zoned (and General Planned) constrained/undevelopable Lagoon waters and lagoon bluff Open Spaces and the CA Coastal Act (LCP) required bluff top setbacks were the only Open Spaces retained in Kaiza's proposed General Plan land use and Master Plan Amendments.

Most all of the BLEP MP-175 (and Ponto/LFMP-9) land area was still undeveloped at the time Kaiza proposed changing all the General Plan land uses at Ponto and eliminating the usable Open Space in BLEP MP.

Kaiza's General Plan land use and Master Plan 'Amendments' made radical land use changes that converted some critical Useable GM Open Space to residential land use and also reduced some GM Open Space provided in BLEP MP. Following is Kaiza's Amended General Plan land use map and bullet summary of the major Open Space changes without getting into a very detailed forensic analysis:

- Eliminated the 12.8 acre Recreation Commercial land use.
- Eliminated the minimum 30' wide landscaped Open Space on both sides of Windrose Circle for the large unbuilt portions of Windrose Circle
- Reduced by 10' the landscaped Open Space on the smaller built portion of Windrose Circle
- Eliminated on 40.3 acres the additional minimum 30' wide landscaped setbacks between buildings
- Reduced BLEP's 2.8 acres of private recreation open space to 2.3 acres
- Except for the Rosalena (BLEP Area C) and (PSMP Area J), maintained the 45' to 50' landscaped setbacks from the Batiquitos Lagoon Bluff edge
- Eliminated the 75' landscaped separation between BLEP MP Areas C and D

- Eliminated the 70' landscaped separation between BLEP MP Areas D and E
- Maintained the 25' landscaped setback along Avenida Encinas. [However new Master Plan Amendments MP-175L propose reducing the setback to 10' on the undeveloped frontage of Avenida between PCH and the railroad tracks]
- Placed a road in most of the 80' landscape setback between Lakeshore Gardens
- Eliminated the 50' landscaped setback between BLEP MP Areas F and I
- Eliminated the 75' landscaped separation between BLEP MP Areas G and H
- Added a 20' wide by 1,000' long landscaped strip for an HOA trail



Kaiza's Master Plan Amendment MP 175 (D) eliminated the 12.8 acre Open Space land use (with an associated General Plan Amendment to add more residential land use) and reduced the other useable Open Spaces required in the BLEP MP. When the 1994 Kaiza MP 175 (D) General Plan Amendments were proposed, it seemed they voided the '1986 GM Open Space exemption' that was clearly specific only to the 1986 BLEP MP land uses and regulation. Although this was a false exemption, the exemption only applied to the complete/integrated land use and open space provided in the 1986 BLEP MP. The 1986 exemption specific to BLEP MP could not apply to a different and later 1994 General Plan land use plan that eliminated the 12.8 acre Recreation Commercial (Open Space) site to add residential land use

and that also reduced the GM compliant Open Space provided in the 1986 BLEP MP. 21.90.030(b) notes that:

“(b) No zone change, general plan amendment, master plan amendment or specific plan amendment which would increase the residential density or development intensity established by the general plan in effect on the effective date of this chapter shall be approved unless an amendment to the citywide facilities management plan and the applicable local facilities management plan has first been approved.”

The 1994 Kaiza General Plan land use and Master Plan (MP 175(D)) Amendments removed 12.8 acres of Recreation Commercial (GM compliant Open Space) to add residential land use. This violated 21.90.030(b) by doing so without a first providing a Citywide Facilities Plan Amendment that analyzed the actual amount of GM compliant Open Space being proposed in the 1994 Kaiza MP 175(D) relative to the 1986 BLEP MP on which the 1986 GM Open Space exemption for LFMP-9 was based. MP 175(D) is noted in the MP as follows:

- “MP 175 (D) Kaiza Poinsettia Master Plan To **replace educational uses with residential land uses** And rename to Poinsettia Shores Master Plan (was) Approved Planning Commission Resolution No. 3552, November 3, 1993, Approved City Council Ordinance No. NS-266, January 18, 1994.”

Kaiza’s MP 175(D) inaccurately and bizarrely claimed BLEP MP’s prior false exemption from the GM Open Space Standard as the justification that Kaiza’s new 1994 Open Space land use changes that seem to reduce the amount of GM complaint Open Space in the 1986 BLEP MP are also exempt from the GM Open Space Standard. **Kaiza’s MP 175(D) claims the pre-Growth Management and pre-BLEP MP Constrained/Undevelopable lagoon waters and bluff habitat that per the 15% Growth Management Open Space Standard CAN NOT be counted as meeting the 15% GM Open Space Standard can be magically counted as meeting the 15% GM Open Space Standard. The GM Open Space Standard specifically states that only Unconstrained/Developable lands CAN BE counted as meeting the GM Open Space Standard.** The stated principles of Growth Management, the Growth Management Ordinance 21.90 and the Growth Management Open Space Standard DO NOT allow a developer or the City to count already documented Constrained and unbuildable habitat (and water) as Unconstrained and developable land. You can’t just turn ‘an apple into a banana by saying it’, or turn ‘Constrained/Undevelopable land into Unconstrained/Developable land by just saying it.

Compliance with the law in this Open Space issue is a part of a current lawsuit by North County Advocates a group of Citizens watchdogs. The City has unsuccessfully tried to diminish this lawsuit. A judge/jury will determine the outcome.

Additional MP 175 Amendments have been proposed by and approved to further modify land use and regulatory limitations at Ponto. These include:

- MP 175(E) Poinsettia Shores Master Plan, Redefinition of minor amendment to provide a flexible regulatory procedure to encourage creative and imaginative planning of coordinated communities, WITHDRAWN November 1, 1994

- MP 175(F) Poinsettia Shores Master Plan minor amendment to actualize off-site option for provision of 90 affordable housing dwelling units, Approved Planning Commission Resolution No. 3774, April 19, 1995
- MP 175(G) Poinsettia Shores Master Plan minor amendment to adopt Coastal Commission Suggested modifications, Approved Planning Commission Resolution No. 3922, June 5, 1996 Approved City Council July 16, 1996, NS-367
- MP 175(H) Poinsettia Shores Master Plan - major amendment FOR HOTEL AND TIMESHARE USES, WITHDRAWN January 16, 2003
- MP 175(I) Poinsettia Shores Master Plan – Rosalena Trail Amendment, WITHDRAWN January 8, 2002
- MP 175(J) Poinsettia Shores Master Plan – major amendment for Carlsbad Coast Residential project to allow RM land use on Poinsettia Shores, WITHDRAWN January 8, 2002
- MP 175 (K) Poinsettia Shores Master Plan – Ponto Area Specific Plan Mixed use consisting of residential, commercial and retail uses, WITHDRAWN August 19, 2004
- MP 175(L) Poinsettia Shores Master Plan – Major amendment for commercial and residential development on Planning Area F, Still being proposed by developers and being processed by the City.

The false exemption for the BLEP MP based LFMP-9 should never have occurred. However, completely eliminating BLEP MP’s OpenSpace land use (12.8 acre Recreation Commercial) and reducing BLEP MP’s required Open Space while at the same time claiming the false BLEP MP Open Space Exemption is a violation of common sense, 21.90, and the very founding principles Growth Management.

The CA Coastal Commission in MP 175 (G) in part recognized the elimination of the 12.8 acre Recreation Commercial land use and maybe some of the Open Space land use changes and added the following land use regulations for 11.1 acre Planning Area F in the Carlsbad’s Local Coastal Program LCP). The LCP as per State Law and referenced in Carlsbad’s General Plan is the controlling land use regulation over the General Plan, Poinsettia Shores Master Plan and in the Coastal Zone:

“PLANNING AREA F: Planning Area F is located at the far northwest corner of the Master Plan area west of the AT&SF Railway right-of-way. This Planning Area has a gross area of 11 acres and a net developable area of 10.7 acres. Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an “unplanned” area, for which land uses will be determined at a later date when more specific planning is carried out for areas west of the railroad right-of-way. A future Major Master Plan Amendment will be required prior to further development approvals for Planning Area F, and shall include an LCP Amendment with associated environmental review, if determined necessary.

The intent of the NRR designation is not to limit the range of potential future uses entirely to nonresidential, however, since the City's current general plan does not contain an “unplanned” designation, NRR was determined to be appropriate at this time. In the future, if the Local Coastal Program Amendment has not been processed, and the City develops an “unplanned”

General Plan designation, then this site would likely be redesignated as “unplanned.” Future uses could include, but are not limited to: commercial, residential, office, and other uses, subject to future review and approval.

As part of any future planning effort, the City and Developer must 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.”

In 2010 the CA Coastal Commission in 2010 rejected the Ponto Beachfront Village Vision Plan on which MP 175(K) was based. MP 175(K) was withdrawn.

On July 3, 2017 the CA Coastal Commission provided direction to the City of Carlsbad regarding MP 175(G), Carlsbad’s 2015 General Plan Update, Carlsbad proposed Local Coastal Program Amendment Land Use Plan (LUP) . CA Coastal Commission wrote to the City the following. Notes on the context of communication are in bracketed italics *[example]*:

“The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto ... 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 study should be undertaken as a part of the visitor serving use inventory analysis described above. *[the discussion of the need for the City to conduct a citywide analysis of the location and amount of these uses in the Coastal Zone to assure the City General Plan within the Coastal Zone is providing the adequate amounts and locations of these land uses to fulfill the long-term population/visitor needs for these uses according to the CA Coastal Act]* **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.”**

In 2017 the City conducted the first Sea Level Rise (SLR) Vulnerability Assessment <https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=33958> . That first initial analysis, shows significant SLR impacts that will reduce existing Ponto Open Space - the State beach and Campground and along the Batiquitos Lagoon. The City identified SLR impacts on Ponto Open Space are summarized in the next section of this history.

In 2023 the CA Coastal Commission will consider the data and public input and decide the appropriate land use for 11.1 acre Planning Area F based the CA Coastal Act and Coastal Act land use policies.

You can determine the Open Space and Park Quality of Life Standards that will be applied to this and other future land uses.

[City assessment of Sea Level Rise impacts on reducing Ponto Open Space](#)

The City's 2017 SLR assessment shows SLR will significantly reduce or eliminate only existing Open Space land at Ponto. The City's assessment quantifies the sporadic/episodic loss of Ponto/Coastal South Carlsbad Open Space land and land uses being at the State Campground, Beaches, and Batiquitos Lagoon shoreline – about 32 acres by the year 2100, this would be an average loss of 17,000 square feet of Open Space per year. Following (within quotation marks) is a description, quantification and images of the City's projected loss of Ponto/Coastal South Carlsbad Open Space land and land use due to SLR. *[Italicized text within brackets]* is added data based on review of aerial photo maps in the Assessment.

“Planning Zone 3 consists of the Southern Shoreline Planning Area and the Batiquitos Lagoon. Assets within this zone are vulnerable to inundation, coastal flooding and bluff erosion in both planning horizons (2050 and 2100). A summary of the vulnerability assessment rating is provided in Table 5. A discussion of the vulnerability and risk assessment is also provided for each asset category.

5.3.1. Beaches

Approximately 14 acres of beach area is projected to be impacted by inundation/erosion in 2050. ... Beaches in this planning area are backed by unarmored coastal bluffs. Sand derived from the natural erosion of the bluff as sea levels rise may be adequate to sustain beach widths, thus, beaches in this reach were assumed to have a moderate adaptive capacity. The overall vulnerability rating for beaches is moderate for 2050.

Vulnerability is rated moderate for the 2100 horizon due to the significant amount of erosion expected as the beaches are squeezed between rising sea levels and bluffs. Assuming the bluffs are unarmored in the future, sand derived from bluff erosion may sustain some level of beaches in this planning area. A complete loss of beaches poses a high risk to the city as the natural barrier from storm waves is lost as well as a reduction in beach access, recreation and the economic benefits the beaches provide.

5.3.3. State Parks

A majority of the South Carlsbad State Beach day-use facilities and campgrounds (separated into four parcels) were determined to be exposed to bluff erosion by the 2050 sea level rise scenario (moderate exposure). This resource is considered to have a high sensitivity since bluff erosion could significantly impair usage of the facilities. Though economic impacts to the physical structures within South Carlsbad State Beach would be relatively low, the loss of this park would be significant since adequate space for the park to move inland is not available (low adaptive capacity). State parks was assigned a high vulnerability in the 2050 planning horizon. State park facilities are recognized as important assets to the city in terms of economic and recreation value as well as providing low-cost visitor serving amenities. This vulnerability poses a high risk to coastal access, recreation, and tourism opportunities in this planning area.

In 2100, bluff erosion of South Carlsbad State Beach day-use facilities and campgrounds become more severe and the South Ponto State Beach day-use area becomes exposed to coastal flooding during extreme events. The sensitivity of the South Ponto day-use area is low because impacts to usage will be temporary and no major damage to facilities would be anticipated. Vulnerability and risk to State

Parks remains high by 2100 due to the impacts to South Carlsbad State Beach in combination with flooding impacts to South Ponto.

Table 5: Planning Zone 3 Vulnerability Assessment Summary [condensed & notated]:

Asset	Horizon			Vulnerability
<u>Category</u>	<u>[time]</u>	<u>Hazard Type</u>	<u>Impacted Assets</u>	<u>Rating</u>
Beaches	2050	Inundation/Erosion, Flooding	14 acres (erosion)	Moderate
	2100	Inundation/Erosion, Flooding	54 acres (erosion)	Moderate
Public Access	2050	Inundation, Flooding	6 access points 4,791 feet of trails	Moderate
	2100	Inundation, Flooding	10 access points 14,049 feet of trails	Moderate
State Parks [Campground - Low-cost Visitor Accommodations]	2050	Flooding, Bluff Erosion	4 parcels [<18 Acres]	High
	2100	Flooding, Bluff Erosion	4 parcels [>18 Acres] <i>[loss of over 50% of the campground & its Low-cost Visitor Accommodations,</i>	High
<i>See Figure 5.]</i>				
Transportation (Road, Bike, Pedestrian)	2050	Bluff Erosion	1,383 linear feet	Moderate
	2100	Flooding, Bluff Erosion	11,280 linear feet	High

Environmentally Sensitive Lands	2050	Inundation, Flooding	572 acres	Moderate
	2100	Inundation, Flooding	606 acres	High



Figure 7: Southern Shoreline Planning Area – Year 2050



Figure 5: CoSMoS Bluff Erosion Projections by 2100
(CoSMoS-COAST 2015)

[Figure 5 show the loss of over 50% of the campground and campground sites with a minimal .2 meter Sea Level Rise (SLR), and potentially the entire campground (due to loss of access road) in 2 meter SLF.]”

This 2017 SLR data and quantified losses of Ponto/Coastal South Carlsbad Open Space land and land uses was not considered in the City’s rejected (by CCC) Ponto Beachfront Village Vision Plan. The Ponto Vision Plan is the basis for the City’s 2015 General Plan Update that is now being proposed in the City’s Local Coastal Program Amendment now before the CA Coastal Commission.

Summary:

LFPM-9 was clearly not developed in 1986, and did not then or now dedicate 15% of the unconstrained/developable land as Open Space as required by the Growth Management Open Space Standard. These two reasons for the City to “exempt” LFMP-9 from Open Space Standard were/are False. Saying Constrained/undevelopable land can be counted as Unconstrained/developable land is also false and clearly not allowed according to the Growth Management Ordinance, Standards, principles, and common-sense honesty to Carlsbad Citizens. LFMP-9, as the City’s own maps/data base show is clearly missing 30-acres of GM Open Space. In addition in 2017 we learned that Ponto/Coastal South Carlsbad will lose about 32 acres of existing Open Space due to SLF.

Closing thoughts:

Growth Management is based on the type/amount/location of General Plan land use designations, the development potential of those land use designations in creating the demand for the type/amount/location of facilities, and supply of the type/amount/distribution of facilities – like Open Space and Parks. If the type/amount/location of supply of facilities does not meet the demand for those facilities then growth management fails and Quality of Life is reduced.

Quality of Life Standards are used to assure supply and demand for facilities is properly balanced with respect to type/amount/location.

Ponto is clearly unbalanced. The Ponto Census Tract is at a 40% higher population density than the rest of Carlsbad, yet is Ponto is NOT meeting the Open Space Standard and has NO Park (see City Open Space maps and Park Master Plan). Ponto and all South Carlsbad have higher population demand for Parks and Open Space facilities yet Ponto (that is the only place to provide Coastal Park and Open Space needs for South Carlsbad) has lower or none of those two most critical GM Facilities needed to balance and mitigate the 40% higher population density at Ponto and also the higher residential density in South Carlsbad.

Ponto and Coastal South Carlsbad also have additional State and regional responsibilities to provide Coastal Recreation and Open Space for populations of people and visitors from outside of Ponto and Carlsbad.

This failure to honestly and adequately balance the type/amount/location higher population density by providing higher levels of Parks and Open Space in those areas will lead to a slow and but eventual reduction of the Quality of Life for those areas.

Common sense and the Carlsbad's Growth Management law say if you change the land use (like what was done and is still being proposed at Ponto) you change the type/amount/location of potential development and population and the Growth Management impacts. Land use changes require and honest/accurate/balanced update to Citywide and Local Growth Management Plans to accurately reflect those changes and provide an updated plan to provide facilities that meet the Standards for those land use changes. This is the fundamental heart of any Growth Management.

The Carlsbad Tomorrow Growth Management Committee, and City Commissions and Council are all now facing the same issues and responsibility that we faced in the 1980's at the beginning of Growth Management. We established New Quality of Life Standards – for Open Space and Parks – that required New investments in Parks and Open Space by both the City and developers.

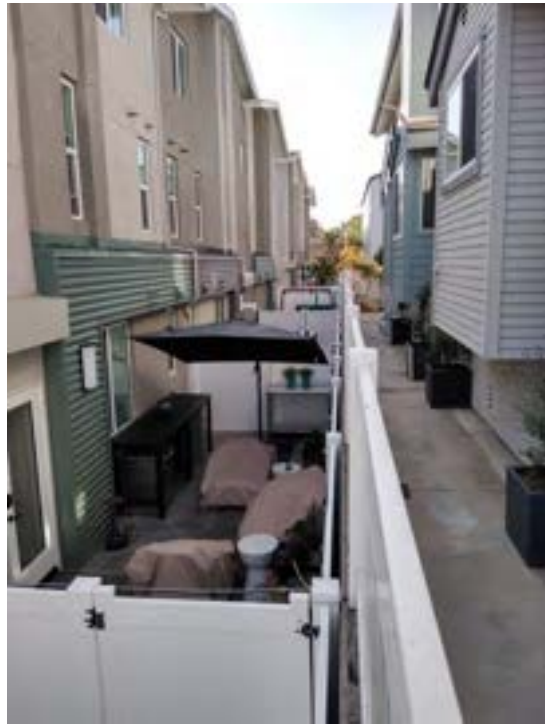
Open Space and Parks have always been identified as most critical for Carlsbad's quality of life. The Carlsbad Tomorrow Growth Management Committee, and City Commissions and Council, and Carlsbad Citizens are all at a critical crossroad.

- Do we, or don't we, enforce and set new standards that achieve the quality of life we desire?
- Do we or don't we, fix existing past errors and below desired standard situations?
- Do we or don't we, roll-up our sleeves a work together to a better Quality of Life?

As a long-time Carlsbad Citizen I am extremely disappointed by some who say we can't fulfill our Community Vision, we can't fix things, can't make things better, and can't add more Parks and Useable Open Space. This can't attitude is not out Community Vision. We can and we did before, and we can do it again and better.

Great cities for hundreds of years have Upgraded their Quality of Life Facility Standards, made and implemented/funded facilities to fix things up to those Standards. A City is just like a business or person - If you don't improve you decline. Examples of Upgrading and funding to New Parks and Open Space are many but include – Carlsbad's Buena Vista Reservoir Park, additions to Pine Park, Village H Park, and Aura Circle Open Space acquisition; and SDSU's major new Park at the redeveloped Qualcomm Stadium site.

Now like at the beginning of Carlsbad Growth Management the City can “despite previous city council actions” make improvements to its Growth Management and Quality of Life Standards to address past and future needs. Following illustrates existing R-23 (up to 23 dwellings per acre) development in Carlsbad – most of our future residential development will be required to be like this or more dense.



High-density housing can be great, but it requires MORE Parks and MORE useable Open Space within walking distance to balance the density and provide large places for families and kids to really play. In Carlsbad's high-density residential future with no backyards and stacked flat multi-family homes the need for both more Parks and Useable Open Space is much greater than in 1980's.

The time to fix the Parks and Useable Open Space problems at Ponto (LFMP-9) is now. Already Ponto is developed at a density that is 40% great than the rest of Carlsbad. New proposed and even higher-density developments (developer driven Amendments) propose to make Ponto even more dense, yet there are not Parks at Ponto and Ponto is missing 30-acres of Useable Open Space past developers should have provided.

A doable, time-tested, accountable, tax-payer saving, strongly citizen desired, accountable, and honest way to fix this was presented to you in 8/8/22 and 12/27/22 emails with attached "CTGMP Key Issues and Suggestions – 2022-12-6". Over 5,000 petitions expressing the need to fix the Park and Open Space problems at Ponto have been sent to the City and the City should have provided these to you in considering Park and Open Space issues.

Ponto Park and Open Space needs your help fixing NOW. If not Carlsbad Tomorrow will be less than it is today, and tragically will have failed our Community Vision.

Sea Level Rise and Carlsbad’s DLCP-LUPA’s projected/planned Loss of Open Space at Ponto

Introduction:

Carlsbad first documented Sea Level Rise (SLR) and associated increases in coastal erosion in a December 2017 Sea Level Rise Vulnerability Assessment (2017 SLR Assessment). Prior planning activities (2010 Ponto Vision Plan – rejected by CA Coastal Commission, and 2015 General Plan Update) did not consider SLR and how SLR would impact Coastal Open Space Land Use & CA Coastal Act ‘High-Priority’ Coastal Open Space Land Uses at Ponto. The 2017 SLR Assessment shows Open Space land and Open Space Land Uses are almost exclusively impacted by SLR at Ponto & South Coastal Carlsbad. The 2017 SLF Assessment also shows significant LOSS of Open Space land acreage and Land Uses. Most all impacted Open Space Land Uses are CA Coastal Act “High-Priority Coastal Land Uses” – Coastal Recreation (i.e. Public Park) and Low-Cost Visitor Accommodations. Existing Ponto Open Space Land Uses are already very congested (non-existent/narrow beach) and have very high, almost exclusionary, occupancy rates (Campground) due to existing population/visitor demands. Future population/visitor increases will make this demand situation worst. The significant permanent LOSS of existing Coastal Open Space land and Coastal Open Space Land Use (and land) due to SLR reduces existing supply and compounds Open Space congestion elsewhere. Prior Ponto planning did not consider, nor plan, for significant SLR and current/future “High-Priority” Coastal Open Space Land Use demands.

Open Space and City Park demand at Ponto:

Open Space at Ponto is primarily ‘Constrained’ as defined by the City’s Growth Management Program (GMP), and cannot be counted in meeting the City’s minimal 15% ‘Unconstrained’ GMP Open Space Standard. Per the GMP Open Space Standard, the developers of Ponto should have provided in their developments at least 30-acres of additional ‘Unconstrained’ GMP Open Space at Ponto. City GIS mapping data confirm 30-acres of GMP Standard Open Space is missing at Ponto (Local Facilities Management Plan Zone 9).

The City of Carlsbad GIS Map on page 2 shows locations of Open Spaces at Ponto. This map and its corresponding tax parcel-based data file document Ponto’s non-compliance with the GMP Open Space Standard. A summary of that City GIS data file is also on page 2. The City said Ponto’s non-compliance with the GMP Open Space Standard was ‘justified’ by the City ‘exempting’ compliance with the Standard. The City ‘justified’ this ‘exemption’ for reasons that do not appear correct based on the City’s GIS map and data on page 2, and by a review of 1986 aerial photography that shows most of Ponto as vacant land. The City in the Citywide Facilities Improvement Plan (CFIP) said 1) Ponto was already developed in 1986, or 2) Ponto in 1986 already provided 15% of the ‘Unconstrained’ land as GMP Standard Open Space. Both these ‘justifications’ for Ponto ‘exemption’ in the CFIP were not correct. The legality of the City ‘exempting’ Ponto developers from the GMP Open Space Standard is subject to current litigation.

The City proposes to continue to exempt future Ponto developers from providing the missing 30-acres of minimally required GMP Open Space, even though a change in Ponto Planning Area F land use from the current ‘Non-Residential Reserve’ Land Use requires comprehensive Amendment of the Local Facilities Management Plan Zone 9 to account for a land use change. City exemption is subject of litigation.

Ponto (west of I-5 and South of Poinsettia Lane) currently has 1,025 homes that per Carlsbad’s minimal Park Standard demand an 8-acre City Park. There is no City Park at Ponto. Coastal Southwest Carlsbad has an over 6.5 acre Park deficit that is being met 6-miles away in NW Carlsbad. Ponto is in the middle of 6-miles of Coastline without a City Coastal Park west of the rail corridor.



City GIS map of Ponto's (LFMP Zone 9) Open Space:

- Light green areas meet the City's 15% unconstrained Growth Management Program Open Space Standard
- Most Ponto Open Space (pink hatch & blue [water] on map) is "Constrained" and does not meet the Standard
- **Aviara - Zone 19, Ponto - Zone 9 and Hanover/Poinsettia Shores – Zone 22 all developed around the same time and had similar vacant lands.**
- **City required Aviara - Zone 19 east of Ponto to provide the 15% Standard Open Space. Why not Ponto? Aviara had the same lagoon waters.**
- **City required Hanover & Poinsettia Shores area Zone 22 just north of Ponto to provide the 15% Standard Open Space. Why not Ponto?**
- Why Ponto developers were never required to comply with the 15% Standard Open Space is subject to current litigation
- Below is City GIS data from this map

City GIS map data summary of the 15% Growth Management Standard Open Space at Ponto

472 Acres
(197 Acres)
 275 Acres
X 15%
 41 Acres
(11 Acres)
30 Acres

Total land in LFMP Zone 9 [Ponto]
 Constrained land excluded from GMP Open Space
 Unconstrained land in LFMP Zone 9 [Ponto]
 GMP Minimum Unconstrained Open Space requirement
 GMP Minimum Unconstrained Open Space required
 GMP Open Space provided & mapped per City GIS data
Missing Unconstrained Open Space needed in LFMP Zone 9 [Ponto] to meet the City's minimum GMP Open Space Standard per City's GIS map & data

73% of the City's minimum 15% required Open Space Standard is missing due to over development of LFMP Zone 9 [Ponto]

Sea Level Rise impacts on Open Space and Open Space Land Use Planning at Ponto:

The City's 2015 General Plan Update did not factor in the impacts of Sea Level Rise (SLR) on Ponto's Open Space land. In December 2017 the City conducted the first Sea Level Rise Vulnerability Assessment <https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=33958>. The 2017 SLR Assessment is an initial baseline analysis, but it shows significant SLR impacts on Ponto Open Space. More follow-up analysis is being conducted to incorporate newer knowledge on SLR projections and coastal land erosion accelerated by SLR. Follow-up analysis may likely show SLR impacts occurring sooner and more extreme.

Troublingly the 2017 SLR Assessment shows SLR actually significantly reducing or eliminating Open Space land at Ponto. SLR is projected to only impact and eliminate Open Space lands and Open Space Land Use at Ponto. The loss of Ponto Open Space land and Land Use being at the State Campground, Beaches, and Batiquitos Lagoon shoreline. The losses of these Open Space lands and land uses would progress over time, and be a permanent loss. The 2017 SLR Assessment provides two time frames near-term 2050 that match with the Carlsbad General Plan, and the longer-term 'the next General Plan Update' time frame of 2100. One can think of these timeframes as the lifetimes of our children and their children (2050), and the lifetimes of our Grandchildren and their children (2100). SLR impact on Coastal Land Use and Coastal Land Use planning is a perpetual (permanent) impact that carries over from one Local Coastal Program (LCP) and City General Plan (GP) to the next Updated LCP and GP.

Following (within quotation marks) are excerpts from Carlsbad's 2017 Sea Level Rise Vulnerability Assessment:

[Italicized text within brackets] is added data based on review of aerial photo maps in the Assessment.

"Planning Zone 3 consists of the Southern Shoreline Planning Area and the Batiquitos Lagoon. Assets within this zone are vulnerable to inundation, coastal flooding and bluff erosion in both planning horizons (2050 and 2100). A summary of the vulnerability assessment rating is provided in Table 5. A discussion of the vulnerability and risk assessment is also provided for each asset category.

5.3.1. Beaches

Approximately 14 acres of beach area is projected to be impacted by inundation/erosion in 2050. ... Beaches in this planning area are backed by unarmored coastal bluffs. Sand derived from the natural erosion of the bluff as sea levels rise may be adequate to sustain beach widths, thus, beaches in this reach were assumed to have a moderate adaptive capacity. The overall vulnerability rating for beaches is moderate for 2050.

Vulnerability is rated moderate for the 2100 horizon due to the significant amount of erosion expected as the beaches are squeezed between rising sea levels and bluffs. Assuming the bluffs are unarmored in the future, sand derived from bluff erosion may sustain some level of beaches in this planning area. A complete loss of beaches poses a high risk to the city as the natural barrier from storm waves is lost as well as a reduction in beach access, recreation and the economic benefits the beaches provide.

5.3.3. State Parks

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since adequate space for the park to move inland is not available (low adaptive capacity). State parks was assigned a high vulnerability in the 2050 planning horizon. State park facilities are recognized as important assets to the city in terms of economic and recreation value as well as providing low-cost visitor serving amenities. This vulnerability poses a high risk to coastal access, recreation, and tourism opportunities in this planning area.

In 2100, bluff erosion of South Carlsbad State Beach day-use facilities and campgrounds become more severe and the South Ponto State Beach day-use area becomes exposed to coastal flooding during extreme events. The sensitivity of the South Ponto day-use area is low because impacts to usage will be temporary and no major damage to facilities would be anticipated. Vulnerability and risk to State Parks remains high by 2100 due to the impacts to South Carlsbad State Beach in combination with flooding impacts to South Ponto.

Table 5: Planning Zone 3 Vulnerability Assessment Summary [condensed & notated]:

<u>Asset Category</u>	<u>Horizon [time]</u>	<u>Hazard Type</u>	<u>Impacted Assets</u>	<u>Vulnerability Rating</u>
Beaches	2050	Inundation/Erosion, Flooding	14 acres (erosion)	Moderate
	2100	Inundation/Erosion, Flooding	54 acres (erosion)	Moderate
Public Access	2050	Inundation, Flooding	6 access points 4,791 feet of trails	Moderate
	2100	Inundation, Flooding	10 access points 14,049 feet of trails	Moderate
State Parks <i>[Campground - Low-cost Visitor Accommodations]</i>	2050	Flooding, Bluff Erosion	4 parcels [<18 Acres]	High
	2100	Flooding, Bluff Erosion	4 parcels [>18 Acres] <i>[loss of over 50% of the campground & its Low-cost Visitor Accommodations, See Figure 5.]</i>	High
Transportation (Road, Bike, Pedestrian)	2050	Bluff Erosion	1,383 linear feet	Moderate
	2100	Flooding, Bluff Erosion	11,280 linear feet	High
Environmentally Sensitive Lands	2050	Inundation, Flooding	572 acres	Moderate
	2100	Inundation, Flooding	606 acres	High



Figure 7: Southern Shoreline Planning Area – Year 2050





Figure 5: CoSMoS Bluff Erosion Projections by 2100
(CoSMoS-COAST 2015)

[Figure 5 show the loss of over 50% of the campground and campground sites with a minimal .2 meter Sea Level Rise (SLR), and potentially the entire campground (due to loss of access road) in 2 meter SLF.]”

Directions to analyze and correct current and future LOSS of Coastal Open Space Land Use at Ponto

On July 3, 2017 the CA Coastal Commission provided direction to Carlsbad stating:

“The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto ... 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 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.”

Official Carlsbad Public Records Requests (PRR 2017-260, et. al.) confirmed Carlsbad’s Existing LCP and its Ponto specific existing LUP polices and Zoning regulations were never followed in the City’s prior Ponto planning activities (i.e. 2010 Ponto Vision Plan & 2015 General Plan Update). The projected SLR loss of recreation (beach) and low-cost visitor accommodations (campground) at Ponto should factor in this Existing LCP required analysis, and a LCP-LUP for Ponto and Ponto Planning Area F.

In a February 11, 2020 City Council Staff Report City Staff stated:

“On March 14, 2017, the City Council approved the General Plan Lawsuit Settlement Agreement (Agreement) between City of Carlsbad and North County Advocates (NCA). Section 4.3.15 of the Agreement requires the city to continue to consider and evaluate properties for potential acquisition of open space and use good faith efforts to acquire those properties.”

In 2020 NCA recommended the City acquire Ponto Planning Area F as Open Space. The status of City processing that recommendation is unclear. However the Lawsuit Settlement Agreement and NCA's recommendation to the City should also be considered in the required Existing LCP analysis.

Summary:

Tragically Carlsbad's Draft Local Coastal Program – Land Use Plan Amendment (DLCP-LUPA) is actually planning to both SIGNIFICANTLY REDUCE Coastal Open Space acreage, and to eliminate 'High-Priority Coastal Open Space Land Uses at Ponto due to SLR.

The Existing LCP requirements for Ponto Planning Area F to analyze the deficit of Coastal Open Space Land Use should factor in the currently planned LOSS of both Coastal Open Space acreage and Coastal Open Space Land Uses at Ponto due to SLR. As a long-range Coastal Land Use Plan this required LCP analysis needs to also consider the concurrent future increases in both population and visitor demand for those LOST Coastal Open Space acres and Coastal Open Space Land Uses.

It is very troubling that demand for these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses is increasing at the same time the current (near/at capacity) supply of these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses is significantly decreasing due to SLR. Instead of planning for long-term sustainability of these CA Coastal Act 'High-Priority' Coastal Open Space Land Uses for future generations there appears to be a plan to use SLR and inappropriate (lower-priority residential) Coastal Land Use planning to forever remove those CA Coastal Act 'High-Priority' Coastal Open Space Land Uses from Ponto. CA Coastal Act Policies to address these issues should be thoroughly considered.

2021-2 proposed Draft Local Coastal Program – Land Use Plan Amendment (DLCP-LUPA) will likely result in City and CA Coastal Commission making updates to the 2015 General Plan, based on the existing Ponto Planning Area F LCP – LUP Policy requirements, Ponto Open Space issues, high-priority Coastal Land Use needs, and SLR issues not addressed in the 2015 General Plan.



March 11th, 2022

Carlsbad City Council
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Re: Support creation of Ponto Park – a needed park for South Carlsbad

Dear Mayor Hall,

The Trust for Public Land (TPL) is strongly supporting the efforts of ‘People for Ponto’ and thousands of Carlsbad residents to build Ponto Park in the 11-acre coastal parcel known as ‘Planning Area F’ in South Carlsbad. For over 40-years TPL has been designing and building parks in California and although we have world-class parks and beaches, the fact remains 3.2 million Californians don’t have access to a park, and some of those Californians are residents of South Carlsbad. While the National Recreation and Park Association calls for 10-acres of park lands per 1000 residents as standard metric for healthy and vibrant cities, Carlsbad has a comparatively and relatively low park standard of only 3-acres/1,000 population and no requirement to provide accessible parks within walking distance.

And according to our own Trust for Public Land 2020-21 ‘City Parkscore’, Carlsbad is also below national averages both providing park land acreage and in providing residents a park within a 10-minute walk.

The City of Carlsbad’s Park Master Plan on pages 86-89 documents park service and park equity/inequity. Carlsbad’s Park Master Plan documents that Ponto area has no park and all of South Carlsbad (over 61% of the entire city population) has no Coastal Park while . Carlsbad provides 10 City Coastal Parks (totaling over 35-acres) in North Carlsbad, while South Carlsbad has no coastal parks to serve the 64,000 residents, many of which are children. Ponto Park at 11-acre Planning Area F is the last remaining reasonable bit of vacant and currently unplanned Coastal land to provide a Coastal Park for South Carlsbad. Ponto Park would also be in the middle of a 6-mile long section of North San Diego County coastline without Coastal Park, and would help address a regional need for a Coastal Park for these 6-miles of coastline.

The CA Coastal Act has numerous policies that support the creation of Ponto Park and Coastal Recreation land use. The City of Carlsbad’s history of following these CA Coastal Act polies now and over the past 40-years in its Local Coastal Program should be considered now in the City’s proposed Local Coastal Program Amendment. Over the past 40-years Carlsbad and California residents have forever

lost numerous opportunities to create vital Coastal Parks and Coastal Recreation for our growing population.

In addition to the clear need for coastal parks in South Carlsbad, the citizens are overwhelmingly supporting the creation of Ponto Park in Planning area F. As you know during the past 2-years during the City Budget and Local Coastal Program Amendment processes, residents strongly demonstrated their desire that the City Council purchase and build Ponto Park. In 2019, 2020 and 2021 over 90% of citizen input expressed need was for Ponto Park, along with extensive verbal and written citizen testimony.

As COVID-19 vividly pointed out, parks are not an amenity, but a key component to human physical and mental health. Parks also provide environmental benefits and contribute to cleaner air and water, climate adaptation and social cohesion. TPL think you have a great opportunity to address equity and access to park space and improving the lives of thousands of Carlsbad residents and strongly urge you to support the building of Ponto Park for families and community.

Sincerely,

Rico Mastrodonato
Government Relations Director