

## **PUBLIC NOTICE**

### **TO INTERESTED PARTIES:**

Please be advised that the City of Carlsbad is considering amendments to its Local Coastal Program (LCP) text, land use map and zoning map, as summarized below. This amendment is proposed by the City of Carlsbad and is currently under review. This notice hereby opens a six-week review period after which the City Council will consider all comments and act on the proposed amendment. A Planning Commission hearing on the project is expected to take place on October 18 and will be duly noticed. The City Council hearing is expected to take place in January 2024 and will be duly noticed.

Copies of the LCP amendment are available for review at the following locations: (1) Carlsbad Planning Division, 1635 Faraday Avenue; (2) City Clerk's Office, 1200 Carlsbad Village Drive; (3) Carlsbad Main Library, 1775 Dove Lane; (4) Georgina Cole Library, 1250 Carlsbad Village Drive; and (5) the California Coastal Commission, 7575 Metropolitan Drive, Suite 103, San Diego, CA 92108-4402.

### **PROPOSED LCP AMENDMENT SUMMARY**

#### **LCPA 2022-0015 (PUB 2022-0010)**

#### **HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE**

Overall, the project implements programs of the Housing Element and updates the Public Safety Element, both components of the city's General Plan. The Public Safety Element update is not a part of the LCP amendment, as the General Plan is not a part of the LCP. However, implementation of Housing Element programs requires amendments to the LCP land use plan and implementation plan to ensure consistency across documents that regulate land uses in the city's Coastal Zone. These amendments would assist the city in meeting projected residential growth through the year 2029 as mandated by the state. Residential growth is estimated through a formal process known as the Regional Housing Needs Assessment (RHNA).

To meet projected growth, changes to land use and zoning designations on eight sites in the Coastal Zone are proposed. The sites are identified in the Housing Element and as further directed by the City Council. The sites consist of vacant and developed properties currently designated for low-density residential, commercial, industrial or public land uses. As proposed, most sites would be redesignated to medium or high-density residential land uses. In some cases, sites would retain their commercial or other non-residential designation and medium or high-density residential would be an additionally permitted land use. Refer to exhibits 1 and 2 for a location map of the eight sites and a table identifying the existing and proposed land use designations and zoning for each.

Including the proposed property redesignations, the amendments proposed to the LCP land use and implementation plans are summarized below. Please see attached exhibits for full details.

- LCP Land Use Plan
  - Change Section B.1. (3) (b) of the LCP East Batiquitos Lagoon/Hunt Properties segment to reflect proposed changes to the Green Valley Master Plan, including revision of the current land use designations stated in the plan to match those that currently exist; show

**Community Development Department**

**Planning Division**

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the revised minimum density proposed for the RMH (now R-15) designation to implement a Housing Element program; and add the residential R-23 designation to reflect that proposed for rezone site 19, which is in the Green Valley Master Plan.

- Amend the land use and zoning maps to recognize the proposed residential land use designations for eight sites in the Coastal Zone.
- LCP Implementation Plan
  - Zoning Ordinance - Revise several chapters of the Zoning Ordinance (Title 21 of the Carlsbad Municipal Code) to reflect current naming conventions for residential land use designations (e.g., R-15 would replace RMH); recognize new Local Coastal Program high density residential land use designations (R-35 and R-40) as well as the existing R-30 designation; establish new or modified development RD-M Zone standards, including for building height, setbacks and lot coverage; in the Planned Development Chapter, clarify applicability of standards to the R-30, R-35, and R-40 designations and provide height standards for the R-35 and R-40 designation; finally, add text to clarify the preemption by state law of some of the city's Growth Management Plan provisions. Changes to the Zoning Ordinance would apply throughout the city, including the Coastal Zone.
  - North County Plaza Specific Plan (Site 1) - Amend the plan to incorporate residential (R-40) in addition to the plan's existing commercial and open space designations. Revise the building height standard from 35 to 45-feet; clarify housing affordability requirements that would apply; make other miscellaneous revisions to recognize the addition of the R-40 designation. The North County Plaza Specific Plan applies to an entire single parcel currently developed with a shopping center.
  - Green Valley Master Plan (Site 19) - Revise the Green Valley Master Plan (figures and text) to redesignate a mostly vacant commercial parcel to residential (R-23) in Planning Area 2 of the master plan; make other miscellaneous adjustments to recognize this redesignation; reflect current naming conventions for land use designations and to reflect the designations that currently exist in the plan as opposed to those existing at the time of the plan's adoption; clarify housing affordability requirements that would apply to Site 19; clarify development standards that would apply to the existing commercial portion and to Site 19 in Planning Area 2.

All changes proposed are to planning-level documents only – the project does not propose development on any of the eight sites. Any future development proposal would be subject to separate city review and approval.

The following exhibits represent the proposed LCP amendment (LCPA 2022-0015) and are available at the locations referenced above and online at: <https://www.carlsbadca.gov/departments/community-development/planning/agendas-minutes-notice>. Overall project information is available at [www.carlsbadca.gov/housingplan](http://www.carlsbadca.gov/housingplan).

1. Map of the rezone sites (Notes: Sites are shown both in and out of the Coastal Zone; the change in land use and zoning for Site 9 identified on the map has been already approved by separate action.)
2. Table of existing and proposed land use designations for each of the eight sites
3. Revisions to Section B.1. (3) (b) of the East Batiquitos Lagoon/Hunt Properties segment of the LCP
4. Changes to chapters 21.16, 21.18, 21.22, 21.24, 21.45 and 21.90 of the Zoning Ordinance
5. Changes to the Local Coastal Program land use maps for each of the eight sites in the Coastal Zone
6. Changes to the Zoning Map for seven of the eight sites in the Coastal Zone (Note: No zoning change is proposed or necessary for Site 19)
7. Changes to the Green Valley Master Plan and North County Plaza Specific Plan

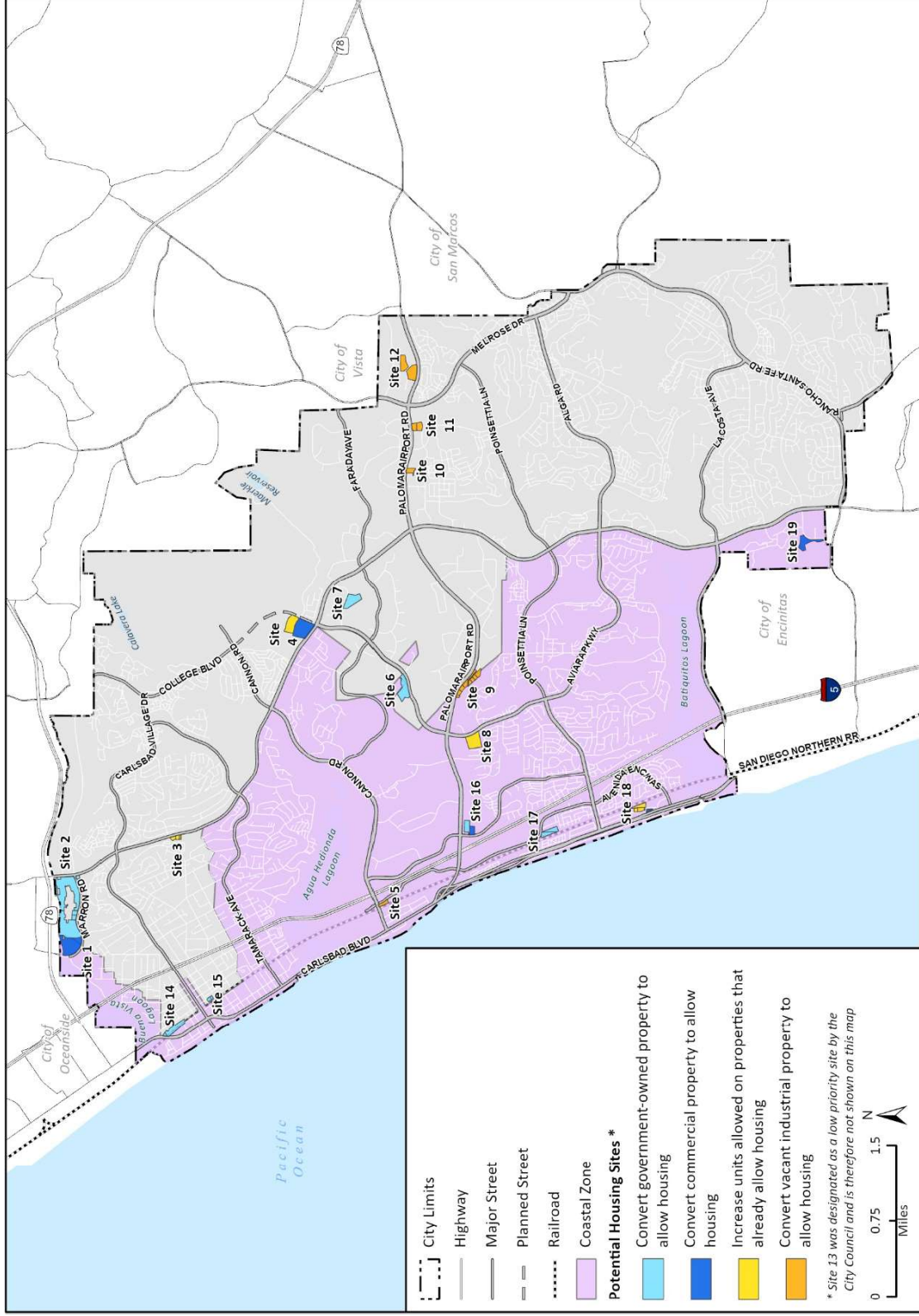
If you have any questions, please call Scott Donnell in the Planning Division at (442) 339-2618. Written comments should be sent to the Planning Division at 1635 Faraday Avenue, Carlsbad, California 92008.

PUBLISH DATE: Thursday, October 12, 2023

PUBLISH DATE FOR U-T SAN DIEGO: Friday, October 13, 2023

PUBLISH DATE FOR COAST NEWS: Friday, October 13, 2023

Proposed Rezone Sites Locations - Housing Element Implementation and Public Safety Element Update, LCPA 2022-0015



**ZC 2022-0001/LCPA 2022-0015 (PUB 2022-0010) – HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE**

Table of existing and proposed land use designations and zoning for Coastal Zone sites				
Site	Land Use		Zoning	
	Existing	Proposed	Existing	Proposed
Site 1 – North County Plaza	R/OS	R-40/R/OS	C-2-Q/O-S	RD-M-Q/C-2-Q/O-S
Site 5 – Avenida Encinas car storage lot	PI	R-30	P-M	RD-M
Site 6 – Carlsbad Crossings Golf Course Lot 6	PI/O	R-30	P-M/O	RD-M
Site 8 – Cottage Row Apartments	R-4	R-23/OS	R-1-10000-Q	RD-M-Q/O-S
Site 16 – Caltrans Maintenance Station and Pacific Sales	P GC	R-30 R-30	R-A-10000 C-2	RD-M RD-M
Site 17 – NCTD Poinsettia Coaster Station	P	P/R-23	RD-M-Q	RD-M-Q/T-C-Q
Site 18 – North Ponto Parcels	GC	R-23	C-2	RD-M
Site 19 – La Costa Glen/Forum	R/OS	R-23/OS	P-C	N/A
<div>Legend:</div> <div><div>General Plan designations: GC: General Commercial O: Office OS: Open Space P: Public PI: Planned Industrial R: Regional Commercial R-4: Residential, 0-4 du/ac R-23: Residential, 19-23 du/ac R-30: Residential, 26.5-30 du/ac R-35: Residential, 32.5-35 du/ac R-40: Residential, 37.5-40 du/ac</div><div>Zoning: C-2: General Commercial O: Office O-S: Open Space P-C: Planned Community P-M: Planned Industrial Q: Qualified Development Overlay Zone R-A-10000: Residential Agricultural Zone with minimum 10,000 square foot lot size RD-M: Residential Density-Multiple Zone T-C: Transportation Corridor</div></div>				
<div>Notes:</div> <div>“du/ac” is dwelling units/acre</div> <div>Minimum densities for the R-23 and R-30 designations are proposed.</div> <div>R-35 and R-40 are proposed designations.</div> <div>City zoning is the same as Local Coastal Program zoning.</div>				

**LCPA 2022-0015**  
**HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE**  
**PROPOSED LOCAL COASTAL PROGRAM LAND USE PLAN AMENDMENT**

Section B. 1. (3) (b) of the East Batiquitos Lagoon/Hunt Properties Segment of the Local Coastal Program land use plan is amended as follows:

- (b) Upland (approximately 240 acres) is designated for a combination of Residential (~~Medium High Density — RMHR-15 — 911.5~~-15 du/ac and R-23 — 19-23 du/ac), Regional Commercial (RC), and Open Space Office (O) uses. The maximum height of new development shall be limited to 35 feet consistent with the Carlsbad Municipal Code. Additionally, the intensity of development shall be compatible with the currently planned road capacities of La Costa Avenue and El Camino Real. Approval of these land uses shall not be considered precedent for increasing the road capacity of these two corridors. Development of the entire 280 acres of Green Valley shall be pursuant to a Master Plan which is consistent with the uses allowed by the Carlsbad General Plan ~~adopted as of March 1, 1988.~~

**ZCA2022-0004/LCPA 2022-0015 (PUB 2022-0010) –**  
**HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE**  
**Draft revisions to the Carlsbad Municipal Code 21 (Zone Code)**

Notes:

- Proposed changes are shown in ~~strikeout~~/underline format. Changes approved as part of Ordinance CS-432 by the City Council on Sept. 27, 2022, and pending Coastal Commission review are incorporated herein but are not shown in ~~strikeout~~/underline format.
  - **Highlights** indicate proposed Zoning Ordinance revisions that are in addition to those circulated for public review from July 14 to August 28, 2023.
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**CHAPTER 21.16 – R-3 ZONE**

1. That Section 21.16.010 A.1. of the Carlsbad Municipal Code is amended to read as follows:

**21.16.010 Intent and purpose.**

- A. The intent and purpose of the R-3 multiple-family residential zone is to:
  1. Implement the R-15 (Residential ~~8~~11.5-15 du/ac) and R-23 (Residential ~~15~~19-23 du/ac) land use designations of the Carlsbad general plan; and

2. That Section 21.18.010 A.1. of the Carlsbad Municipal Code is amended to read as follows:

**CHAPTER 21.18 – R-P ZONE**

**21.18.010 Intent and purpose.**

- A. The intent and purpose of the R-P residential-professional zone is to:
  1. Implement the office and related commercial (O), R-15 (Residential ~~8~~11.5-15 du/ac) and R-23 (Residential ~~15~~19-23 du/ac) land use designations of the Carlsbad general plan;

3. That Section 21.22.010 A. 1. of the Carlsbad Municipal Code is amended to read as follows:

**CHAPTER 21.22 – R-W ZONE**

**21.22.010 Intent and Purpose.**

- A. The intent and purpose of the R-W residential waterway zone is to:
  1. Implement the R-23 (Residential ~~15~~19-23 du/ac) land use designation of the Carlsbad general plan;

4. That Section 21.24.010 A.1 of the Carlsbad Municipal Code is amended to read as follows:

## **CHAPTER 21.24 – RD-M ZONE**

### **21.24.010 Intent and purpose.**

- A. The intent and purpose of the RD-M residential density-multiple zone is to:
1. Implement the R-8 (Residential 4-8 du/ac), R-15 (Residential ~~8~~11.5-15 du/ac), R-23 (Residential ~~15~~19-23 du/ac), R-30 (Residential 26.5-30 du/ac), R-35 (Residential 32.5-35 du/ac) and R-40 (Residential 37.5-40 du/ac) land use designations of the Carlsbad general plan; and
5. That the following use listings from Table A of Section 21.24.020 of the Carlsbad Municipal Code are amended to read as follows:

Use	P	CUP	Acc
Dwelling, one-family (see notes 2, <del>and 3</del> <u>and 7</u> below) (defined: Section 21.04.125)	X		
Dwelling, two-family ( <u>see note 7 below</u> ; defined: Section 21.04.130)	X		
Dwelling, multiple-family ( <u>see note 7 below; if the multiple-family dwelling is not subject to note 7, it shall be</u> subject to Section 21.53.120 if more than 4 units are proposed; defined: Section 21.04.135)	X		

6. That the notes following Table A of Section 21.24.020 of the Carlsbad Municipal Code are amended to read as follows by the revision of note 3 and the addition of note 7.

#### **Notes:**

3. Within the R-15, R-23, and R-30 land use designations, one-family dwellings are permitted when developed as two or more detached units on one lot provided the minimum density of the designation can be attained. In the R-35 and R-40 land use designations, one family dwellings are not permitted. Also, a single one-family dwelling shall be permitted on any legal lot that existed as of October 28, 2004, and which is designated and zoned for residential use, unless the lot has been rezoned by the City Council to meet RHNA requirements as detailed in the programs of the Housing Element, in which case it shall meet the minimum density of the designation. Any proposal to subdivide land or construct more than one dwelling shall be subject to the density and intent of the underlying residential land use designation.
7. Housing developments that contain a minimum of 20 percent affordability to lower-income households as required by Government Code section 65583(c)(1) and 65583.2(h) and that are on specific sites rezoned by the City Council to meet RHNA requirements as detailed in the programs of the Housing Element shall be permitted “by right” as that term is defined in Government Code Section 65583.2(h) and shall be subject to the mitigation measures of Supplemental Environmental Impact Report EIR 2022-0007, certified by City Council Resolution 202X-XXX.



7. That Section 21.24.030 of the Carlsbad Municipal Code is amended to read as follows:

**21.24.030 Building Height**

No building shall exceed a height of thirty-five feet. When the RD-M zone implements the R-35 and R-40 land use designations, no building shall exceed a height of forty-five feet. In all designations RD-M implements, protrusions may exceed the maximum heights permitted as described in Section 21.46.020.

8. That Section 21.24.040 of the Carlsbad Municipal Code is amended to read as follows:

**21.24.040 Front yard.**

Every lot shall have a front yard of not less than ten feet in depth. However, a front yard of not less than twenty feet in depth shall be provided to carport or garage openings that face onto the front yard.

A. There shall be a front yard of not less than twenty feet in depth with exceptions as follows:

1. Fifteen feet shall be permitted providing carport or garage openings do not face onto the front yard; and

2. Ten feet shall be permitted providing carport or garage openings do not face onto the front yard, and that the remaining front yard is landscaped with a combination of flowers, shrubs, trees and irrigated with a sprinkler system. Landscape plans and irrigation system plans shall be approved by the city planner prior to issuance of a building permit for a proposed structure.

9. That Section 21.24.050 of the Carlsbad Municipal Code is amended to read as follows:

**21.24.050 Side yard.**

A. Every lot shall have a side yard as follows:

1. Interior lots shall have a side yard on each side of the lot of not less than five feet in width;

2. Corner lots and reversed corner lots shall have side yards as follows:

a. On the side lot line which adjoins another lot, the side yard shall be the same as that required on an interior lot, and

b. On any side of a lot which is adjacent to a street, the side yard shall be ten feet, with exception that: the required ten foot side yard abutting a street may be reduced to five feet, providing parking spaces do not open directly onto the street and, that the side yard is landscaped and maintained as prescribed in Section 21.24.040.

3. A zero foot side yard setback shall be permitted to one interior side yard, provided:

a. That the owners of both lots common to the proposed zero foot side yard are in agreement;

- b. ~~That the remaining side yard shall be not less than twenty-five percent of the total lot width measured at the front setback line;~~
- c. ~~That the building permit application and other permit applications required by this code (if any) for the project shall include a site plan that shows the proposed building location, parking, and side yard setback for both lots common with the proposed zero foot side yard, to the satisfaction of the city planner; and~~
- d. ~~That an easement or other recorded agreement for maintenance purposes be granted to provide access to the adjoining lot when there is no side yard.~~

10. That Section 21.24.080 of the Carlsbad Municipal Code is amended to read as follows:

**21.24.080 Yards—Structures over thirty-five feet in height.**

The above specified yard requirements apply only to those structures up to a height of thirty-five feet and to those structures when the RD-M Zone implements the R-35 and R-40 land use designations. For any other structure which has had its height increased by approval of a specific plan, the yards shall be increased at a ratio of one and one-half additional foot horizontally, for each eight feet of vertical construction.

11. That Section 21.24.100 B. of the Carlsbad Municipal Code is amended to read as follows:

**21.24.100 Lot area.**

- B. The minimum lot area of a lot in the RD-M zone, when the zone implements the R-15, R-23, R-30, R-35 or R-40 land use designations, shall not be less than ten thousand square feet, except that the joining of two smaller lots shall be permitted although their total area does not equal the required lot area.

12. That Section 21.24.110 of the Carlsbad Municipal Code is amended to read as follows:

**21.24.110 Lot coverage.**

All buildings, including accessory buildings and structures, shall cover no more of the lot than sixty percent. In the R-35 and R-40 land use designations, all buildings, including accessory buildings and structures, shall cover no more than seventy-five percent of the lot.

**21.45 PLANNED DEVELOPMENTS**

13. That Table A of Section 21.45.040 of the Carlsbad Municipal Code is amended to reflect the renumbering of notes in Table A and in the note list following the table due to the addition of note 5:

Zone	Residential Use	
	One-Family Dwelling or Twin-Home on Small Lots (one unit per lot)	Condominium Project
R-1	(1) or (4)	One-family dwellings - (3) or (4)
		Two-family dwellings - (1) or (4)
		Multiple-family dwellings - (4)
R-2	P	One-family or two-family dwellings - P
		Multiple-family dwellings - (2) or (4)
R-3	P	P
RD-M	P <del>(5)</del>	P
R-W	X	P
R-P	<del>(5)</del> <u>6</u>	<del>(6)</del> <u>7</u>
RMHP	P	P
P-C	<del>(7)</del> <u>8</u>	<del>(7)</del> <u>8</u>
V-B	<del>(8)</del> <u>9</u>	<del>(8)</del> <u>9</u>
Accessory Uses	<del>(9)</del> <u>10</u>	<del>(9)</del> <u>10</u>

**Notes:**

- (1) Permitted when the project site is contiguous to a higher intensity land use designation or zone, or an existing project of comparable or higher density.
- (2) Permitted when the proposed project site is contiguous to a lot or lots zone R-3, R-T, R-P, C-1, C-2, C-M or M, but in no case shall the project site consist of more than one lot nor be more than 90 feet in width, whichever is less.
- (3) Permitted when developed as two or more detached units on one lot.
- (4) Permitted when the project site contains sensitive biological resources as identified in the Carlsbad Habitat Management Plan. In the case of a condominium project, attached or detached units may be permitted when the site contains sensitive biological resources.
- (5) One-family dwellings or twin-homes on small lots (one unit per lot) are not permitted in the RD-M Zone when it implements the R-35 or R-40 land use designation.
- (6) Permitted when the R-P zone implements the R-15 land use designation.
- (7) Permitted when the R-P zone implements the R-15 or R-23 land use designations.
- (8) Permitted uses shall be consistent with the master plan.
- (9) Refer to the Village and Barrio master plan for permitted uses.
- (10) Refer to Table F for permitted accessory uses.

14. That the text in reference number rows “C.9” and “C.12” of Table C of Section 21.45.060 of the Carlsbad Municipal Code is amended to reflect the updated General Plan designations:

REF. NO.	SUBJECT	DEVELOPMENT STANDARD		
C.9	Community Recreational Space <sup>(1)</sup>	Community recreational space shall be provided for all projects of 11 or more dwelling units, as follows:		
		Minimum community recreational space required	Project is NOT within R-23, R-30, R-35 or R-40 general plan designations	200 square feet per unit
			Project IS within R-23, R-30, R-35 or R-40 general plan designation	150 square feet per unit
		Projects with 11 to 25 dwelling units	Community recreational space shall be provided as either (or both) passive or active recreation facilities.	
C.12	Recreational Vehicle (RV) Storage <sup>(1)</sup>	Required for projects with 100 or more units, or a master or specific plan with 100 or more planned development units. Exception: RV storage is not required for projects located within the R-15, R-23, R-30, R-35 or R-40 land use designations.		
		20 square feet per unit, not to include area required for driveways and approaches.		
		Developments located within master plans or residential specific plans may have this requirement met by the common RV storage area provided by the master plan or residential specific plan.		
		RV storage areas shall be designed to accommodate recreational vehicles of various sizes (i.e. motorhomes, campers, boats, personal watercraft, etc.).		
		The storage of recreational vehicles shall be prohibited in the front yard setback and on any public or private streets or any other area visible to the public. A provision containing this restriction shall be included in the covenants, conditions and restrictions for the project. All RV storage areas shall be screened from adjacent residences and public rights-of-way by a view-obscuring wall and landscaping.		

15. That the text in reference number rows “E.4,” “E.5,” “E.7,” and “E.8” of Table E of Section 21.45.080 of the Carlsbad Municipal Code is amended to reflect the updated General Plan designations:

REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
E.4	Maximum Building Height	Same as required by the underlying zone, and not to exceed three stories <sup>(1), (7)</sup>	
			40 feet, if roof pitch is 3:12 or greater

		Projects within the R-23 and R-30 general plan designations <sup>(1), (7)</sup>	35 feet, if roof pitch is less than 3:12	
			Building height shall not exceed three stories	
		Projects within the R-35 and R-40	45 feet, if roof pitch is 3:12 or greater	
		designations <sup>(7)</sup>	40 feet, if roof pitch is less than 3:12	
E.5	Minimum Building Setbacks	From a private or public street <sup>(2), (3)</sup>	Residential structure	10 feet
			Direct entry garage	20 feet
		From a drive-aisle <sup>(4)</sup>	Residential structure (except as specified below)	5 feet, fully landscaped (walkways providing access to dwelling entryways may be located within required landscaped area)
			Residential structure directly above a garage	0 feet when projecting over the front of a garage.
			Garage	3 feet
				Garages facing directly onto a drive-aisle shall be equipped with an automatic garage door opener.
			Projects of 25 units or less within the R-15, R-23, R-30, R-35, and R-40 general plan designations	0 feet (residential structure and garage)
				Garages facing directly onto a drive-aisle shall be equipped with an automatic garage door opener.
			Balconies/decks (unenclosed and uncovered)	0 feet
				May cantilever over a drive-aisle, provided the balcony/deck does not impede access and complies with all other applicable requirements, such as: <ul style="list-style-type: none"> <li>• Setbacks from property lines</li> <li>• Building separation</li> <li>• Fire and Engineering Department requirements</li> </ul>
		From the perimeter property lines	The building setback from an interior side or rear perimeter property line shall be the same as required by the underlying zone for an interior side or rear yard setback.	

		of the project site (not adjacent to a public/private street)	
<b>E.7</b>	<b>Resident Parking<sup>(6)</sup></b>	All dwelling types	<p>If a project is located within the R-23, <u>R-30</u>, R-35 or R-40 general plan designations, resident parking shall be provided as specified below, and may also be provided as follows:</p> <ul style="list-style-type: none"> <li>• 25% of the units in the project may include a tandem two-car garage (minimum 12 feet × 40 feet).</li> <li>• Calculations for this provision resulting in a fractional unit may be rounded up to the next whole number.</li> </ul>
		One-family and two-family dwellings	<p>2 spaces per unit, provided as either:</p> <ul style="list-style-type: none"> <li>• a two-car garage (minimum 20 feet × 20 feet), or</li> <li>• 2 separate one-car garages (minimum 12 feet × 20 feet each)</li> <li>• In the R-W Zone, the 2 required parking spaces may be provided as 1 covered space and 1 uncovered space<sup>(5)</sup></li> </ul>
		Multiple-family dwellings	<p>1.5 spaces per unit, 1 of which must be covered<sup>(5)</sup></p>
			<p>Studio and one-bedroom units</p> <p>When calculating the required number of parking spaces, if the calculation results in a fractional parking space, the required number of parking spaces shall always be rounded up to the nearest whole number.</p>
			<p>Units with two or more bedrooms</p> <p>2 spaces per unit, provided as either:</p> <ul style="list-style-type: none"> <li>• a one-car garage (12 feet × 20 feet) and 1 covered or uncovered space; or<sup>(5)</sup></li> <li>• a two-car garage (minimum 20 feet × 20 feet), or</li> <li>• 2 separate one-car garages (minimum 12 feet × 20 feet each)</li> <li>• In the R-W Zone and the Beach Area Overlay Zone, the 2 required parking spaces may be provided as 1 covered space and 1 uncovered space<sup>(5)</sup></li> </ul>
			Required parking may be provided within an enclosed parking garage with multiple, open parking spaces, subject to the following:

			<ul style="list-style-type: none"><li>Each parking space shall maintain a standard stall size of 8.5 feet by 20 feet, exclusive of supporting columns; and</li><li>A backup distance of 24 feet shall be maintained in addition to a minimum 5 feet turning bump-out located at the end of any stall series.</li></ul>				
			Required resident parking spaces shall be located no more than 150 feet as measured in a logical walking path from the entrance of the units it could be considered to serve.				
E.8	Private Recreational Space	One-family, two-family, and multiple- family dwellings	Required private recreational space shall be designed so as to be functional, usable, and easily accessible from the dwelling it is intended to serve.				
			Required private recreational space shall be located adjacent to the unit the area is intended to serve.				
			Required private recreational space shall not be located within any required front yard setback area, and may not include any driveways, parking areas, storage areas, or common walkways.				
		One-family and two-family dwellings	Minimum total area per unit	Projects not within the R-15, <del>or</del> R-23, <u>or</u> R-30 general plan designations	400 square feet		
				Projects within the R-15, <del>or</del> R-23 <u>or</u> R-30 general plan designations	200 square feet		
			May consist of more than one recreational space.				
			May be provided at ground level and/or as a deck/balcony or roof deck.				
			If provided at ground level	Minimum dimension	Not within the R-15, R- 23 <u>or</u> R-30 general plan designations	15 feet	
					Within the R-15, R-23 <u>or</u> R-30 general plan designations	10 feet	
				Shall not have a slope gradient greater than 5%.			

				Attached solid patio covers and decks/balconies may project into a required private recreational space, subject to the following:	
				<ul style="list-style-type: none"><li>The depth of the projection shall not exceed 6 feet (measured from the wall of the dwelling that is contiguous to the patio/deck/balcony).</li></ul>	
				<ul style="list-style-type: none"><li>The length of the projection shall not be limited, except as required by any setback or lot coverage standards.</li></ul>	
				Open or lattice-top patio covers may be located within the required private recreation space (provided the patio cover complies with all applicable standards, including the required setbacks).	
		If provided above ground level as a deck/balcony or roof deck	Minimum dimension	6 feet	
			Minimum area	60 square feet	
		Multiple-family dwellings	Minimum total area per unit (patio, porch, or balcony)	60 square feet	
			Minimum dimension of patio, porch or balcony	6 feet	
			Projects of 11 or more units that are within the R-23, <u>R-30</u> , <u>R-35</u> , and <u>R-40</u> general plan designations may opt to provide an additional 75 square feet of community recreation space per unit (subject to the standards specified in Table C of this chapter), in lieu of providing the per unit private recreational space specified above.		

## **CHAPTER 21.90 GROWTH MANAGEMENT**

16. That Section 21.90.045 of the Carlsbad Municipal Code is amended to reflect the addition of text describing growth management control points and that table titled “Allowed Dwelling Units Per Acre” within Section 21.90.045 is amended with updates to the General Plan Density Ranges:

### **21.90.045 Growth management residential control point established.**

In order to ensure that residential development does not exceed those limits established in the general plan, the following growth management control points are established for the residential density ranges of the land use element.



These growth management control points help the city reasonably estimate potential dwelling unit yields for purposes of determining the future public facility needs of new development.

**Allowed Dwelling Units Per Acre**

<b>General Plan Density Ranges</b>	<b>Growth Management Control Point</b>
R 1.5 0—1.5	1.0
R-4 0—4.0	3.2
R-8 4.0—8.0	6.0
R-15 <del>8.0</del> 11.5—15.0	11.5
R-23 <del>15.0</del> 19.0—23.0	19.0
R-30 <del>23.0</del> 26.5—30.0	<del>25.0</del> 26.5
R-35 32.5—35	32.5
R-40 37.5—40	37.5

17. That new Section 21.90.200 of the Carlsbad Municipal Code, is added to read as follows:

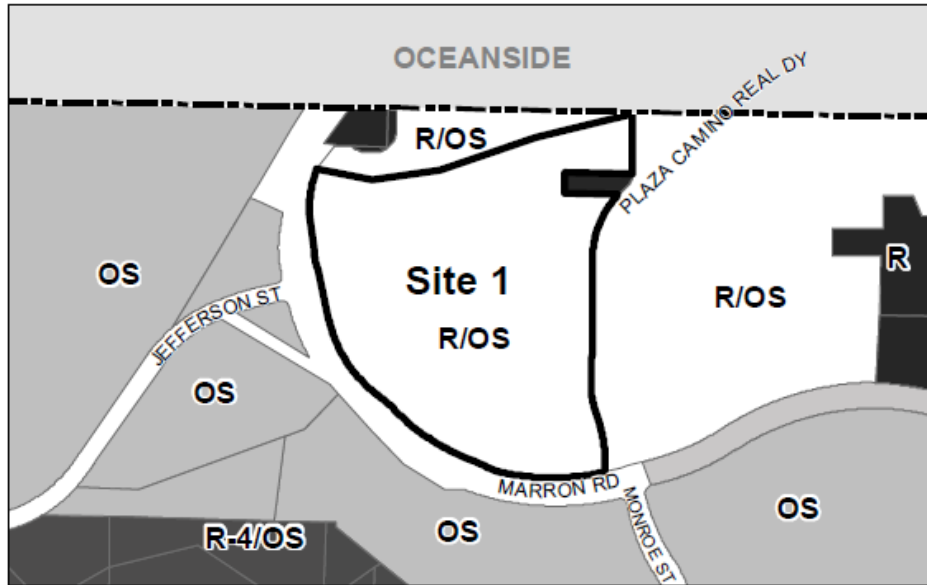
**21.90.200 State law preemption**

Notwithstanding above sections to the contrary, including but not necessarily limited to sections 21.90.010, 21.90.045, 21.90.180, 21.90.185, state legislation (SB 166, and SB 330, the Housing Crisis Act of 2019) preempt the city from implementing residential growth management plan caps, residential quadrant limits and residential control points. As a result, the City Council passed Resolution 2021-074 finding that it cannot and will not enforce these residential caps, quadrant limits, and control points.

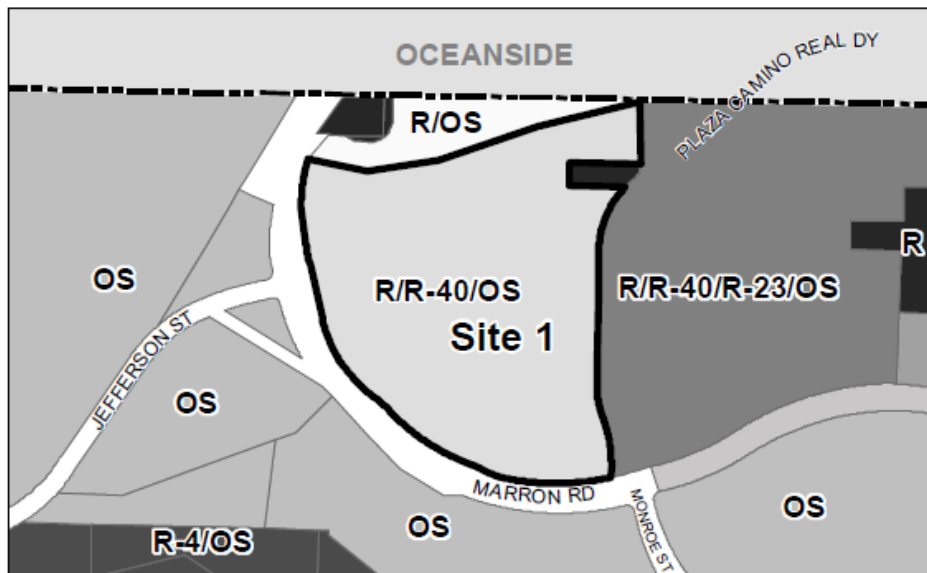
# Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 1 – NORTH COUNTY PLAZA



**EXISTING**



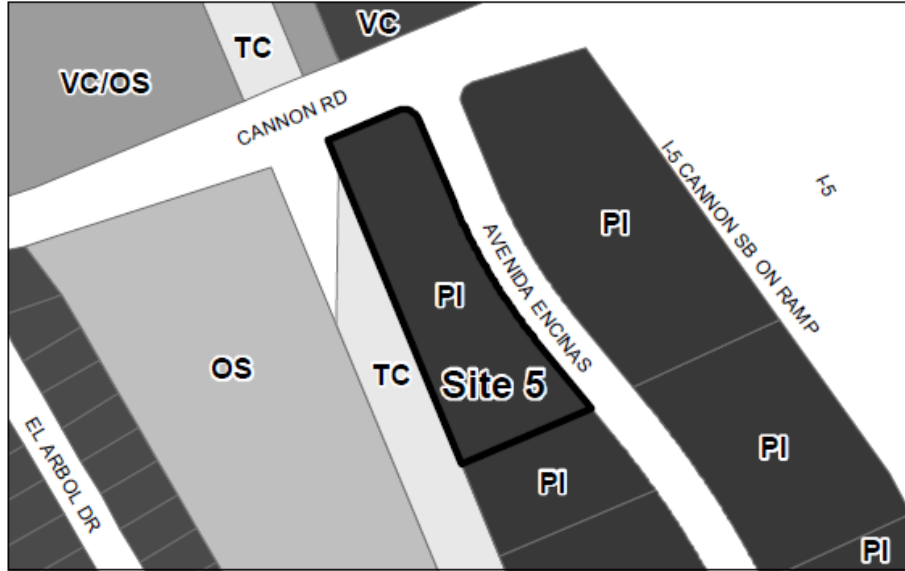
**PROPOSED**

General Plan Map Designation Change		
Property APN	From:	To:
A. 156-301-16-00	R/OS	R/R-40/OS

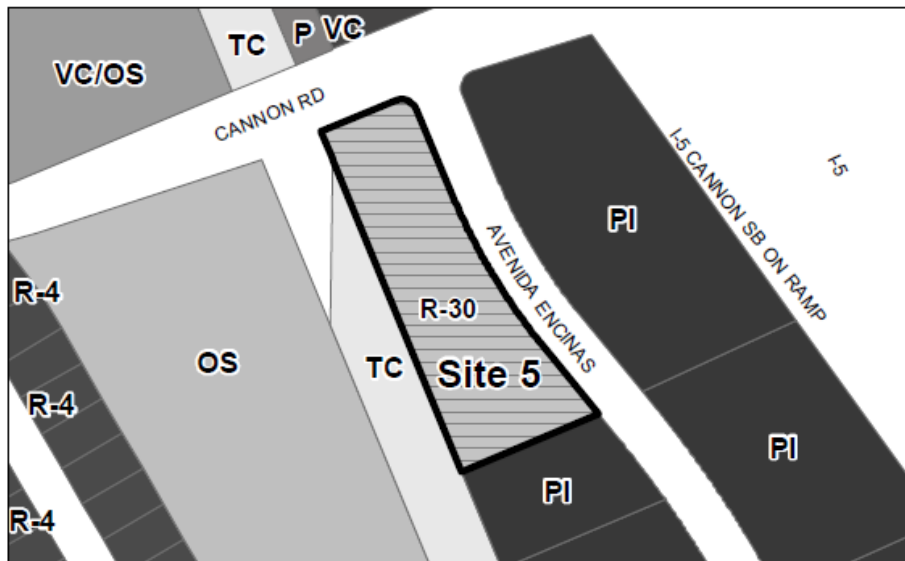
# Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 5 – AVENIDA ENCINAS CAR STORAGE LOT



EXISTING



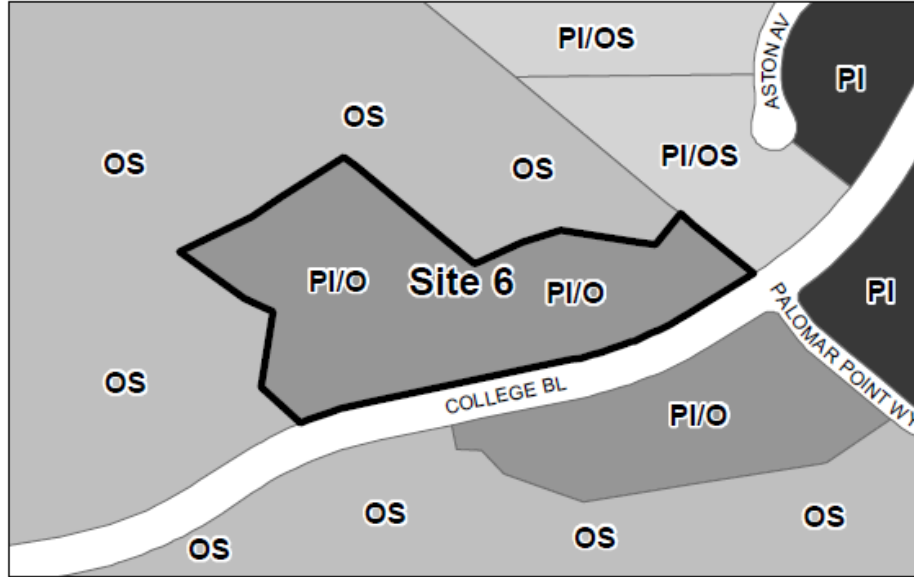
PROPOSED

General Plan Map Designation Change		
Property APN	From:	To:
A. 210-090-24-00	PI	R-30

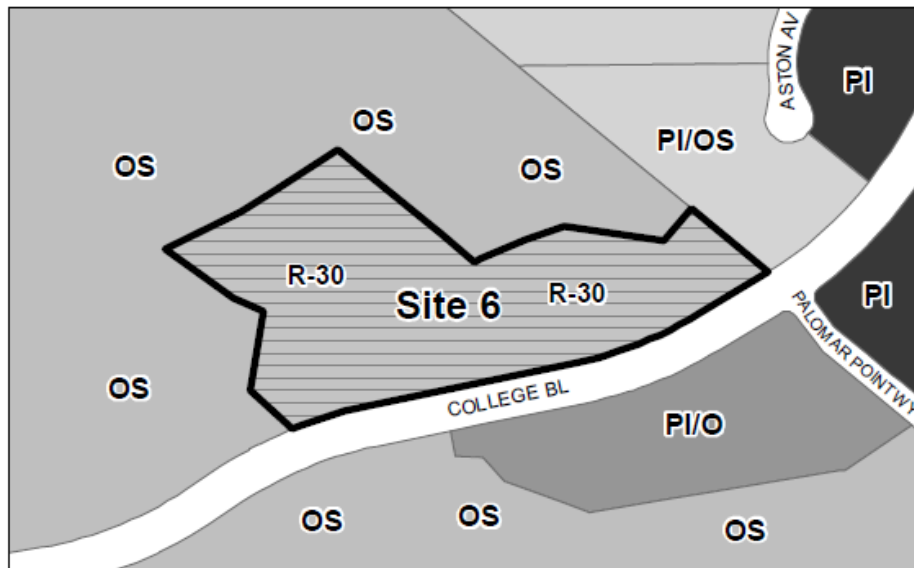
# Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 6 – CROSSINGS GOLF COURSE LOT 5



EXISTING



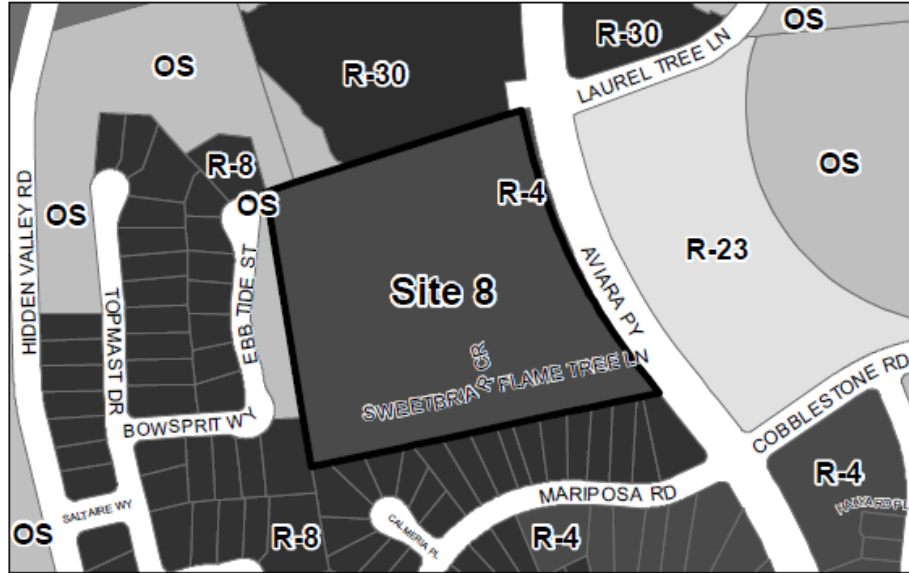
PROPOSED

General Plan Map Designation Change		
Property APN	From:	To:
A. 212-270-05-00	PI/O	R-30

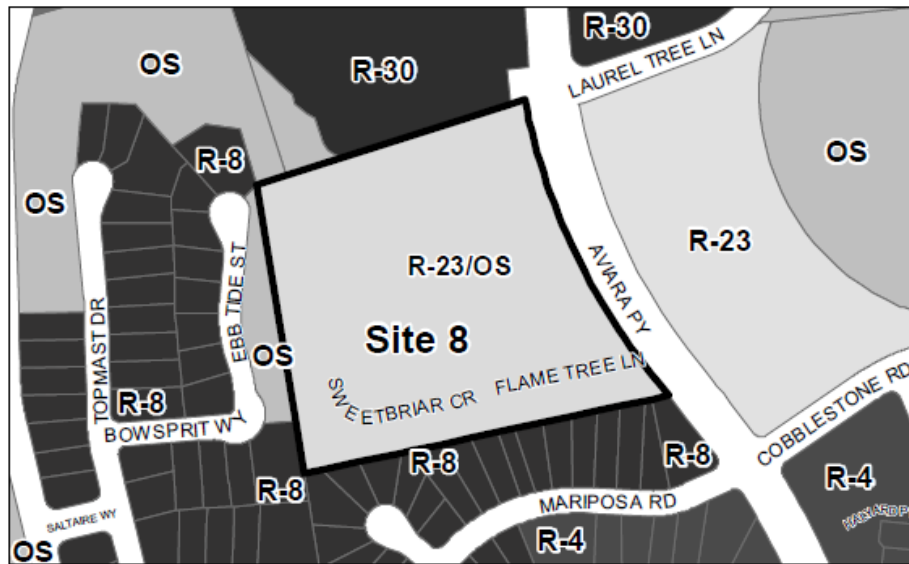
# Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 8 – COTTAGE ROW APARTMENTS



EXISTING



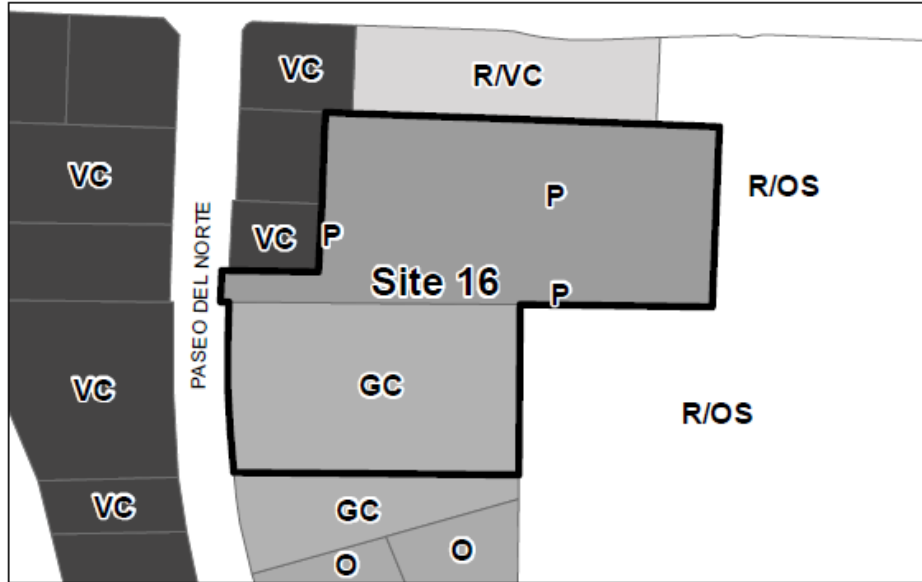
PROPOSED

General Plan Map Designation Change		
Property APN	From:	To:
A. 212-040-47-00	R-4	R-23/OS

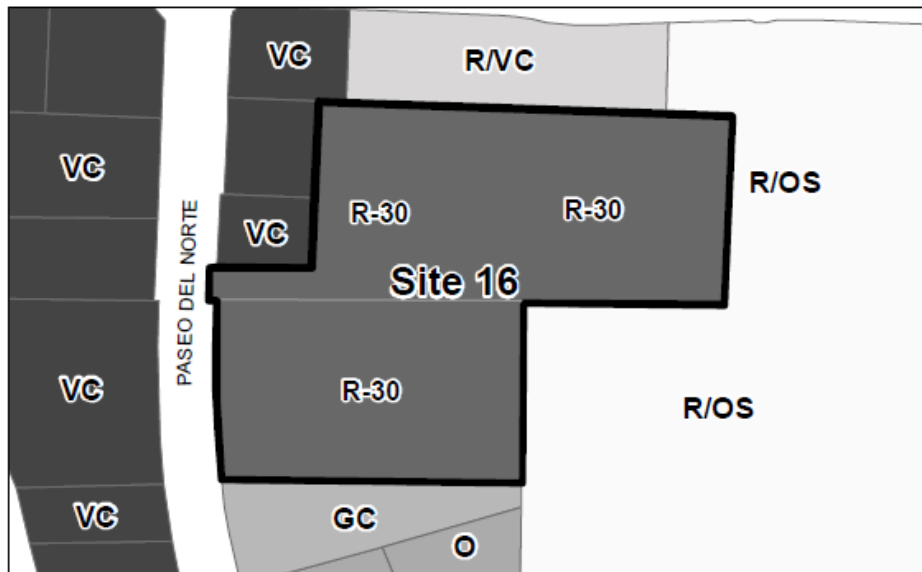
# Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 16 – CALTRANS MAINTENANCE STATION AND PACIFIC SALES



EXISTING



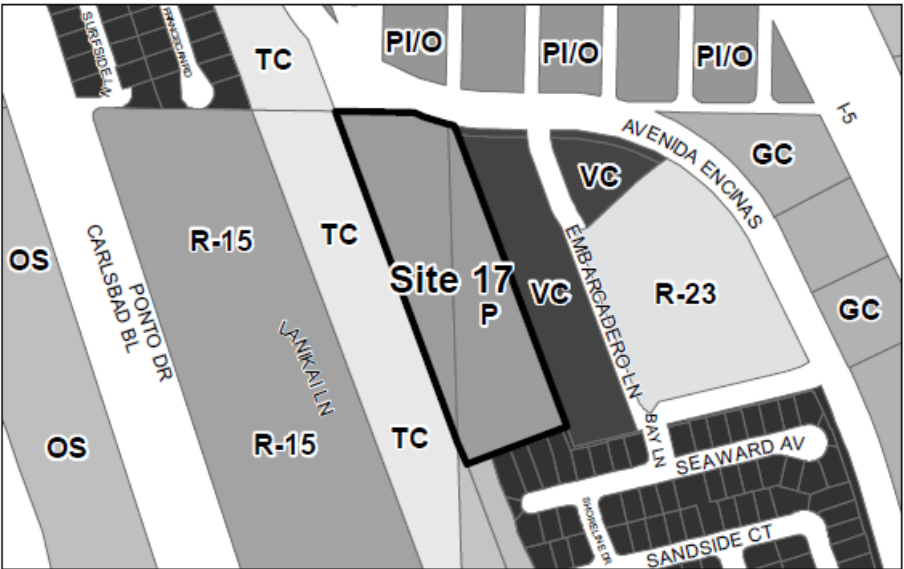
PROPOSED

General Plan Map Designation Change		
Property APN	From:	To:
A. 211-050-08-00	P	R-30
B. 221-050-09-00	GC	R-30

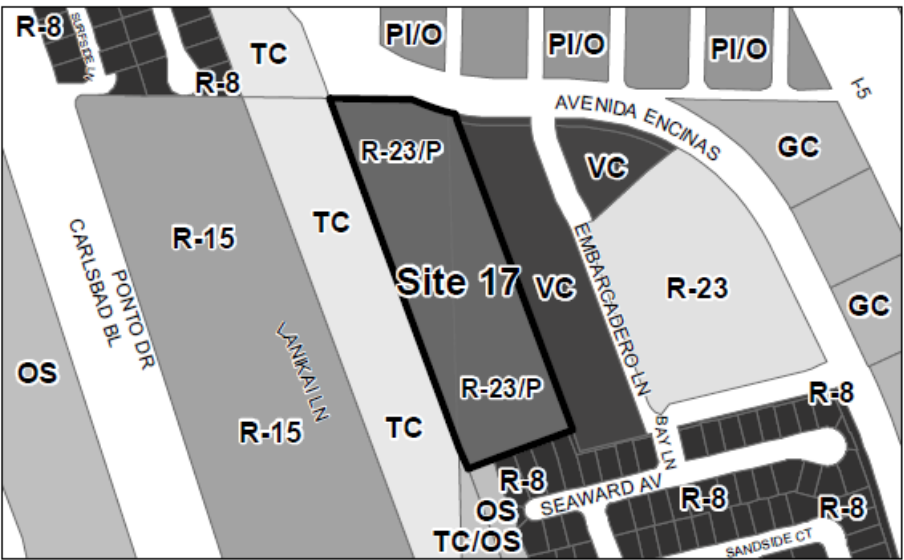
Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

Site 17 – NCTD POINTSETTIA COASTER STATION



EXISTING



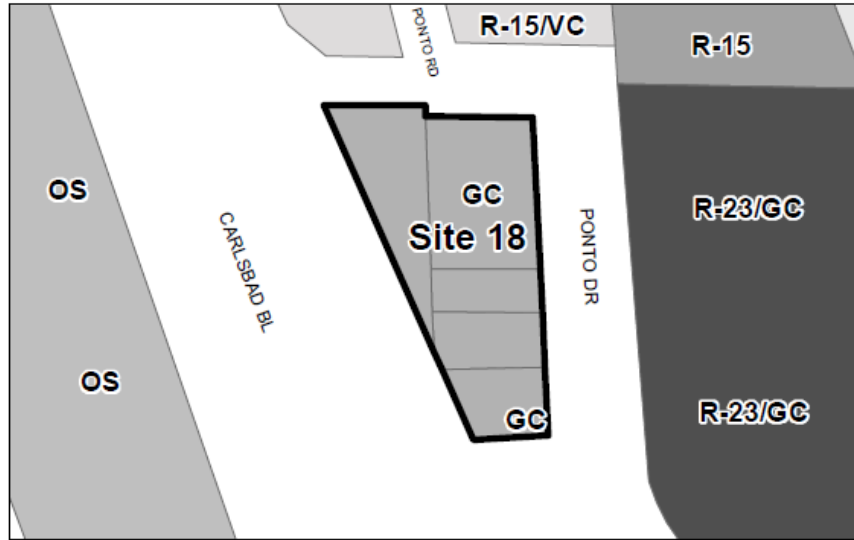
PROPOSED

General Plan Map Designation Change		
Property APN	From:	To:
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B. 214-150-20-00	P	R-23/P

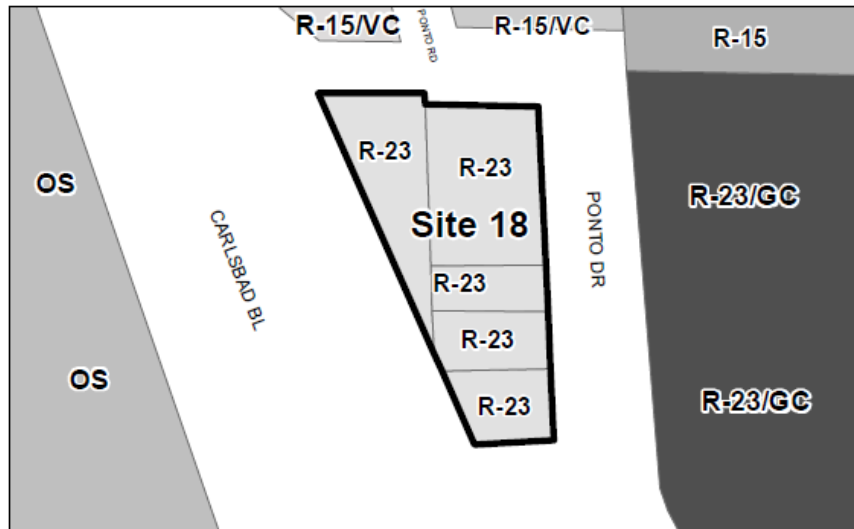
# Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 18 – NORTH PONTO PARCELS



EXISTING



PROPOSED

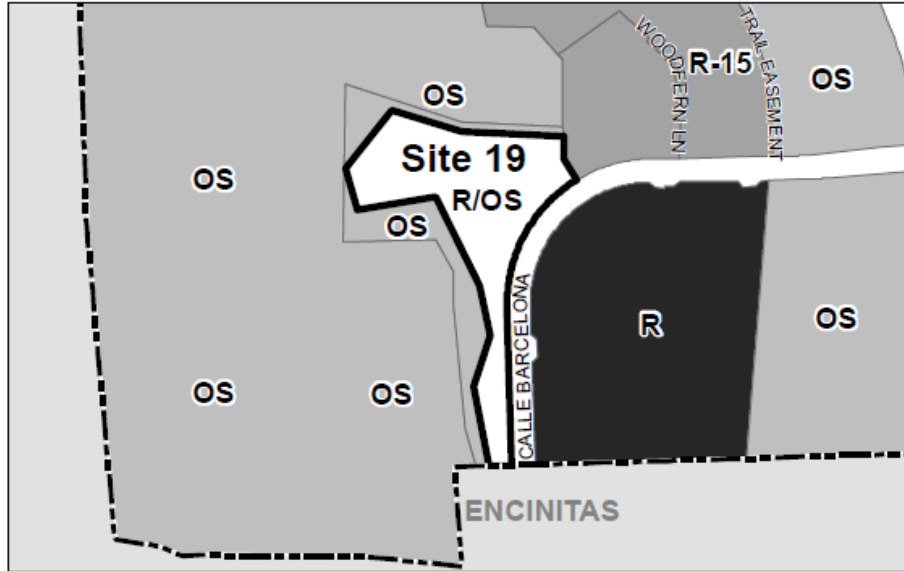
General Plan Map Designation Change		
Property APN	From:	To:
A. 216-010-01-00	GC	R-23
B. 216-010-02-00	GC	R-23
C. 216-010-03-00	GC	R-23
D. 216-010-04-00	GC	R-23
E. 216-010-05-00	GC	R-23



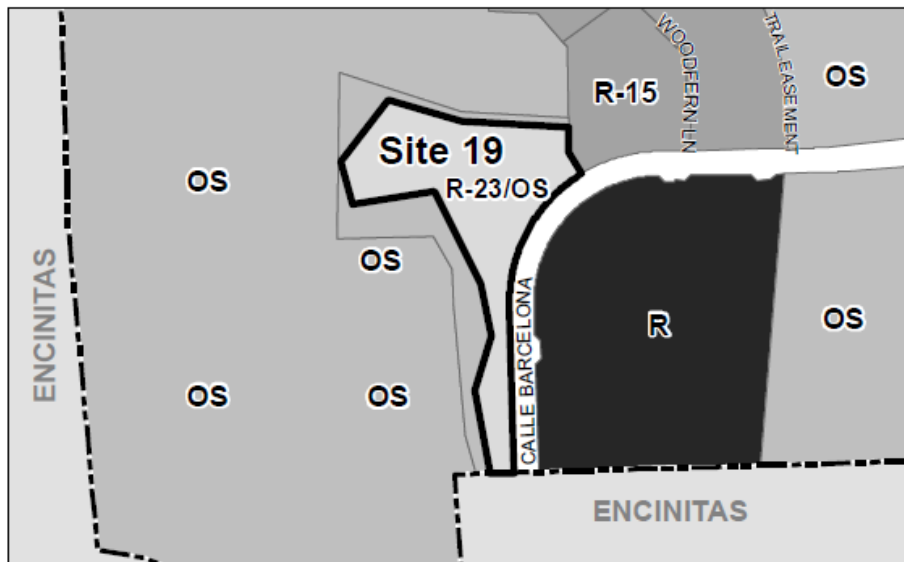
# Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 19 – LA COSTA GLEN/FORUM



EXISTING



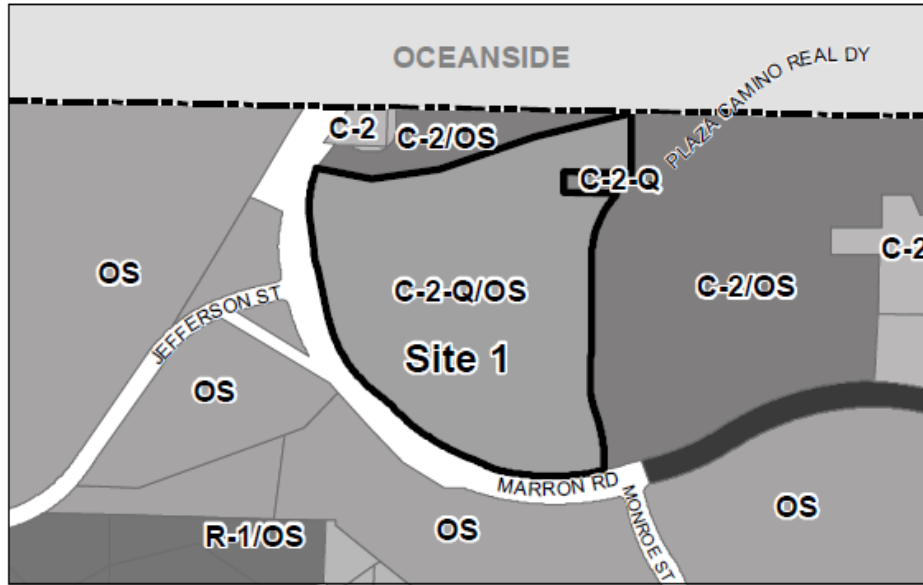
PROPOSED

General Plan Map Designation Change		
Property APN	From:	To:
A. 255-012-05-00	R/OS	R-23/OS

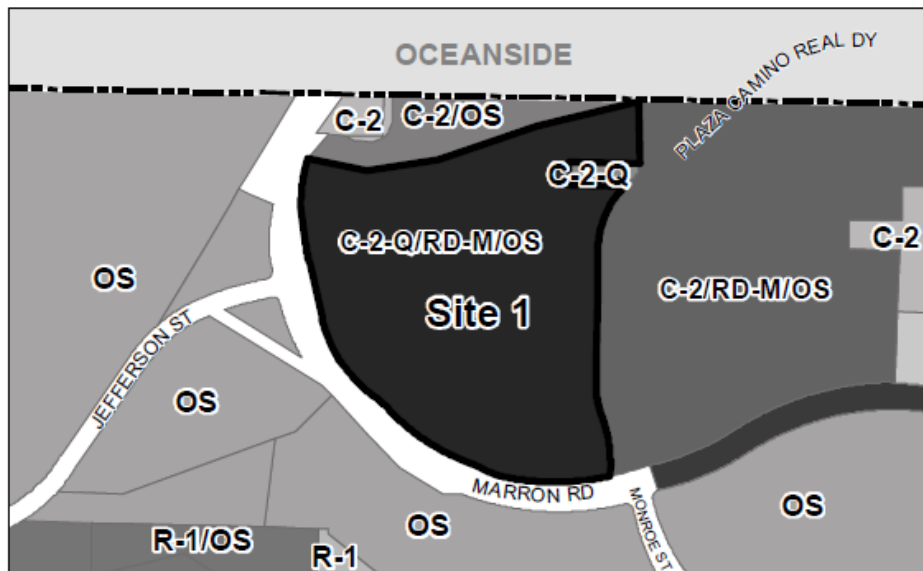
# Exhibit “ZC 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 1 – NORTH COUNTY PLAZA



EXISTING



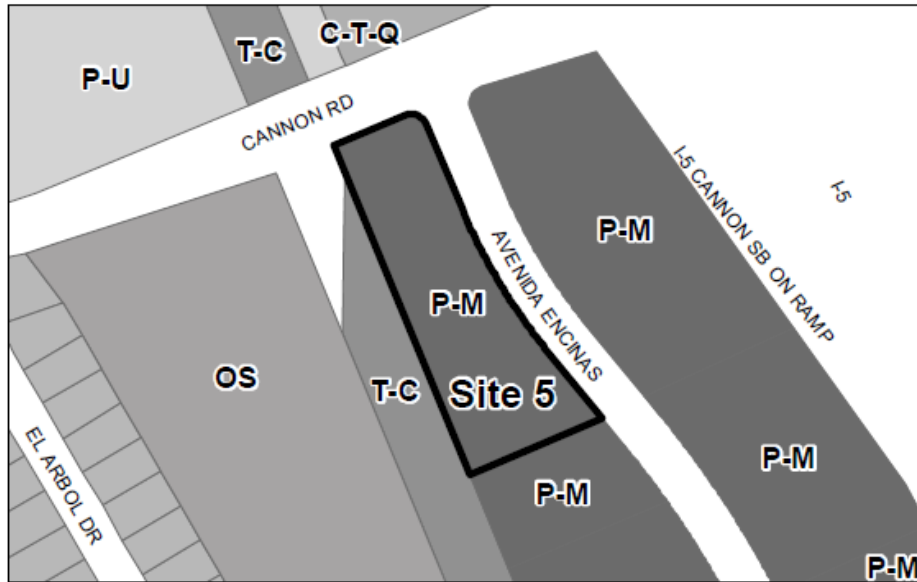
PROPOSED

Zoning Map Designation Change		
Property APN	From:	To:
A. 156-301-16-00	C-2-Q/OS	C-2-Q/RD-M/OS

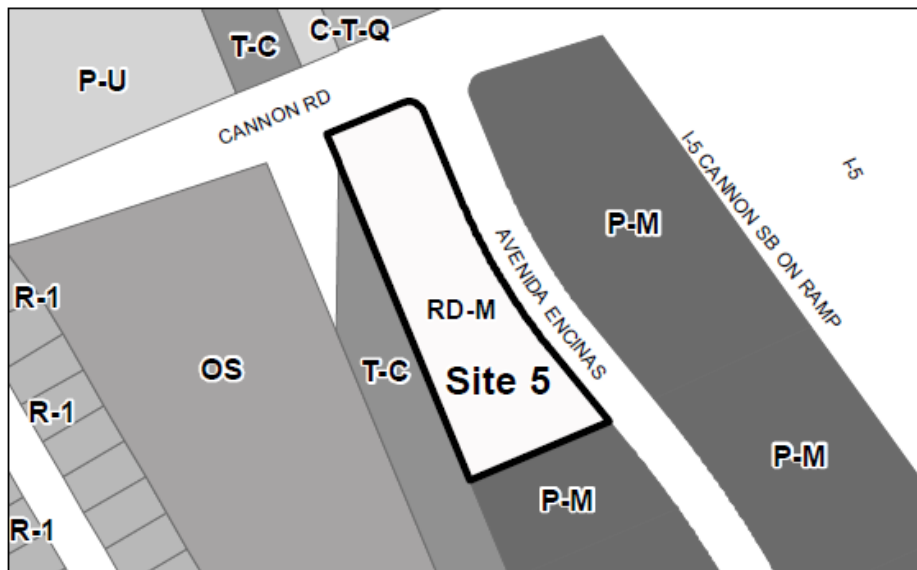
# Exhibit “ZC 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 5 – AVENIDA ENCINAS CAR STORAGE LOT



EXISTING



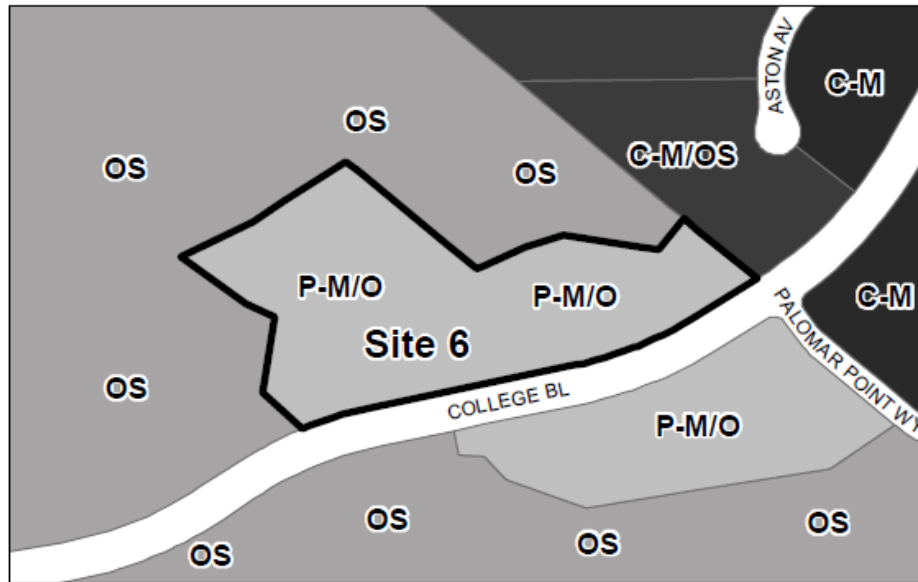
PROPOSED

Zoning Map Designation Change		
Property APN	From:	To:
A. 210-090-24-00	P-M	RD-M

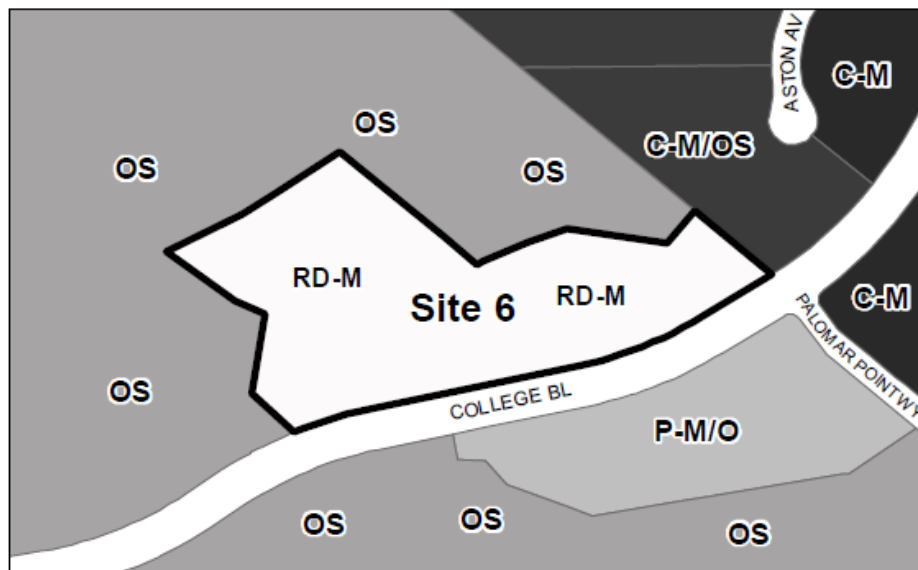
# Exhibit “ZC 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 6 – CROSSINGS GOLF COURSE LOT 5



**EXISTING**



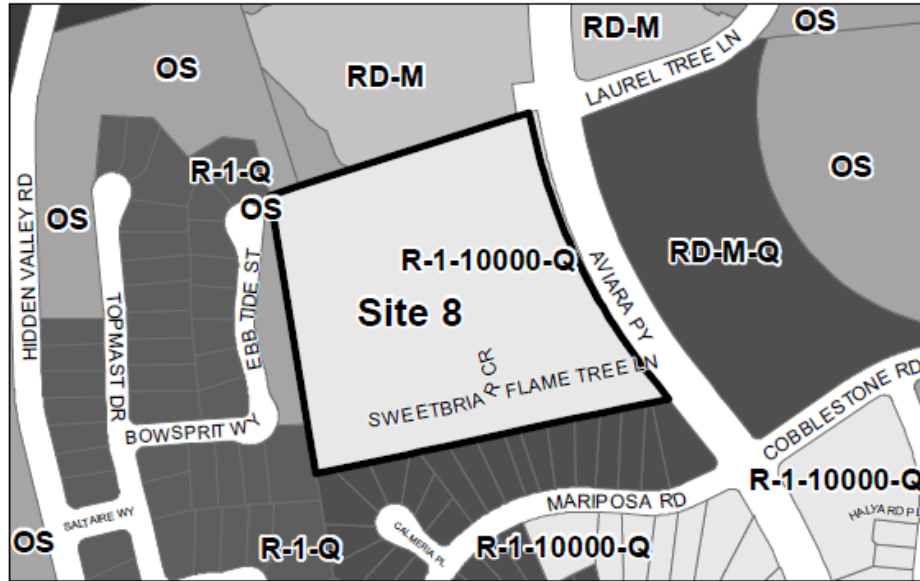
**PROPOSED**

Zoning Map Designation Change		
Property APN	From:	To:
A. 212-270-05-00	P-M/O	RD-M

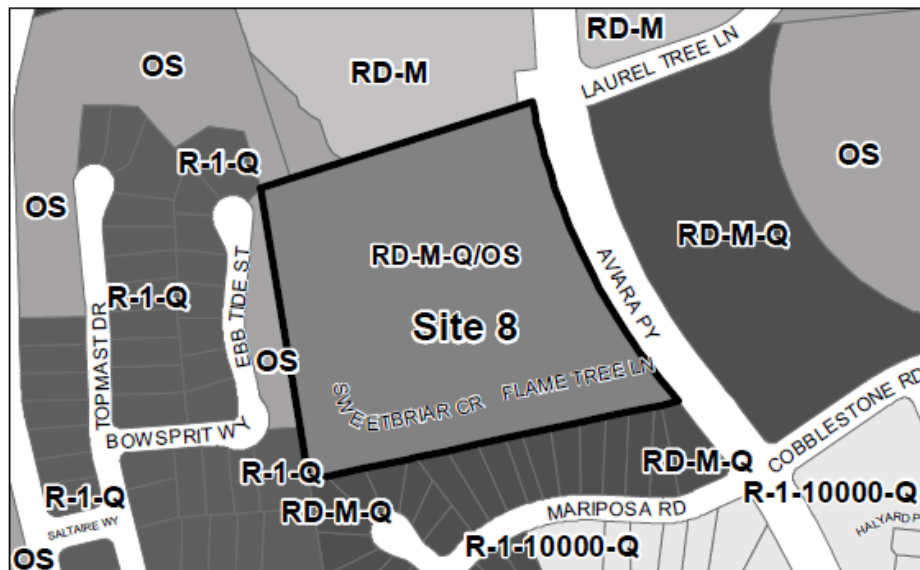
# Exhibit “ZC 2022-0001/ LCPA 2022-0015”

October 18, 2023

## Site 8 – COTTAGE ROW APARTMENTS



EXISTING



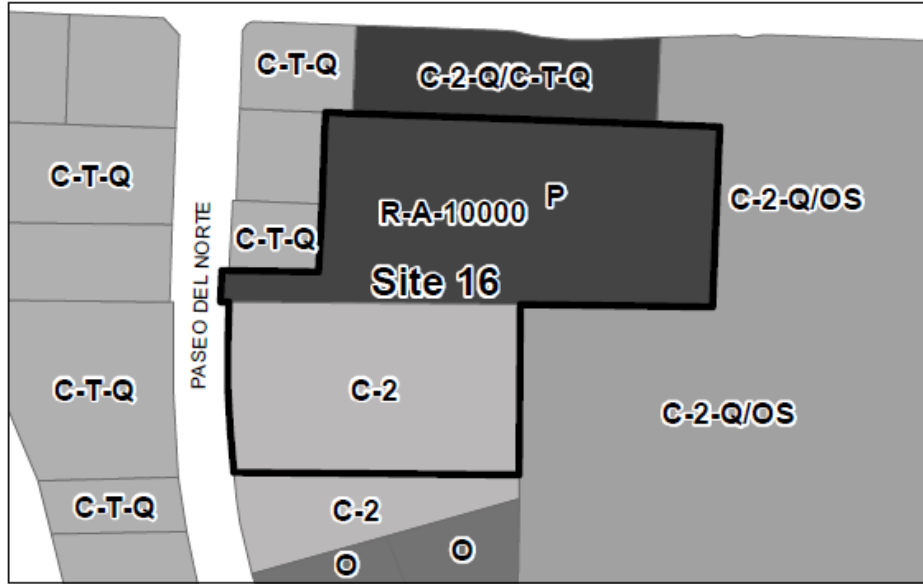
PROPOSED

Zoning Map Designation Change		
Property APN	From:	To:
A. 212-040-47-00	R-1-10000-Q	RD-M-Q/OS

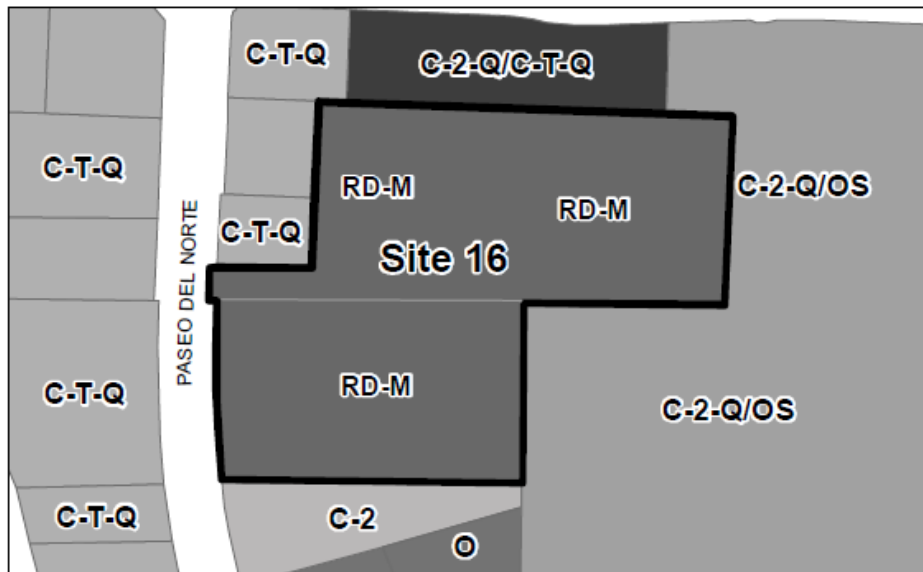
# Exhibit “ZC 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 16 – CALTRANS MAINTENANCE STATION AND PACIFIC SALES



EXISTING



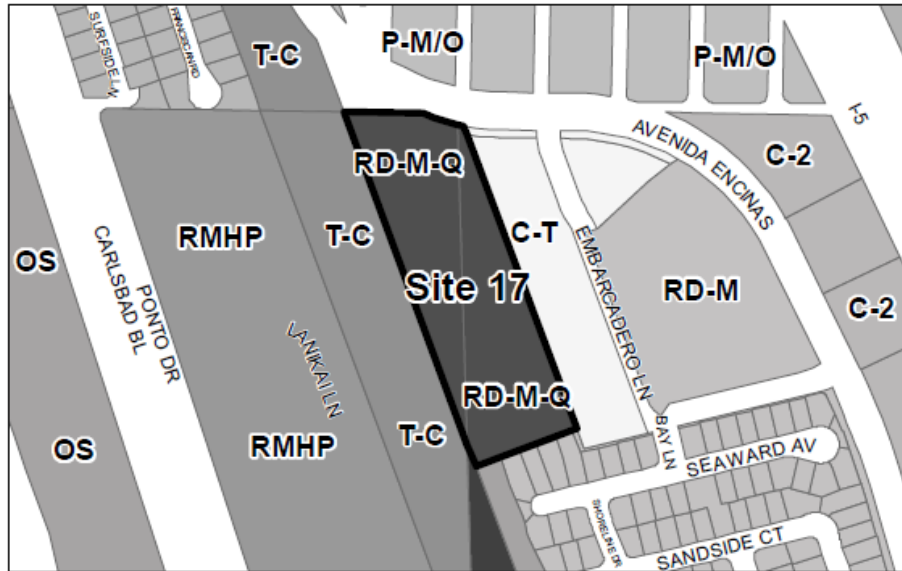
PROPOSED

Zoning Map Designation Change		
Property APN	From:	To:
A. 211-050-08-00	R-A-10000	RD-M
B. 221-050-09-00	C-2	RD-M

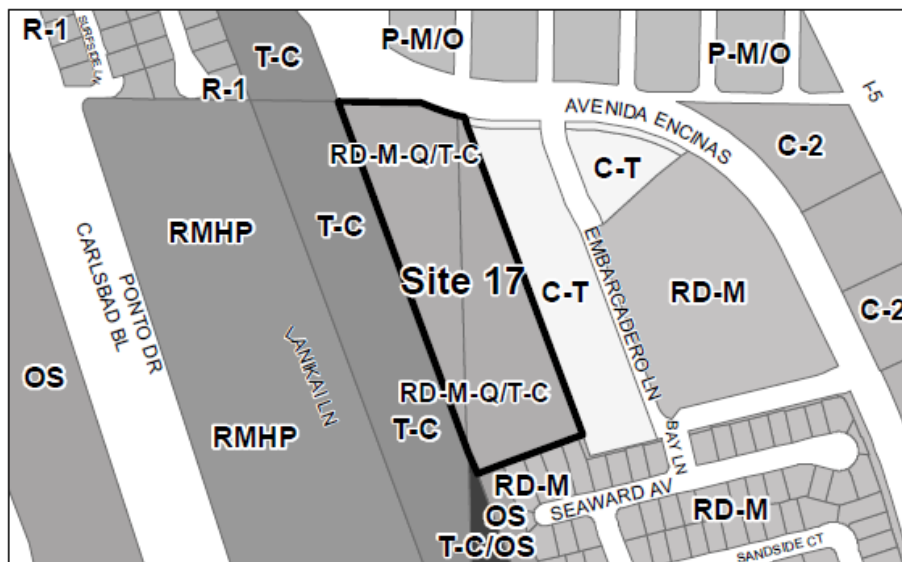
# Exhibit “ZC 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 17 – NCTD POINTSETTIA COASTER STATION



EXISTING



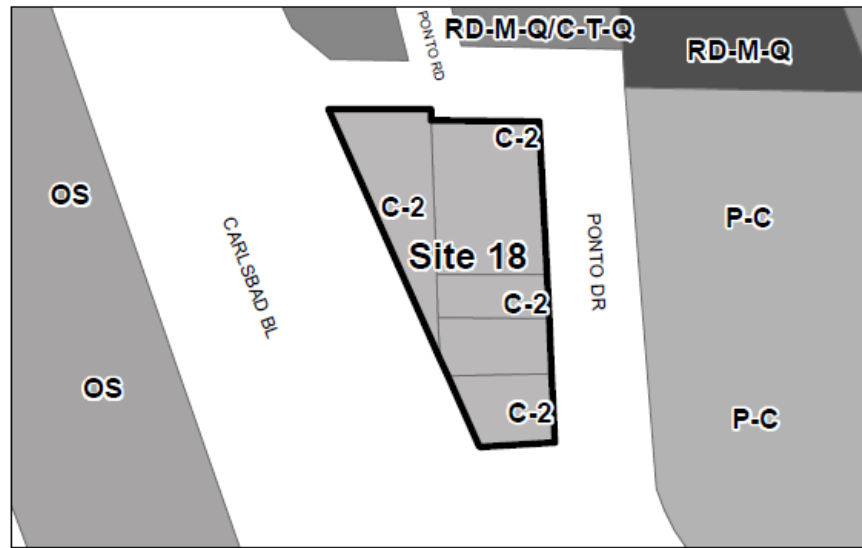
PROPOSED

Zoning Map Designation Change		
Property APN	From:	To:
A. 214-150-08-00	RD-M-Q	RD-M-Q/T-C
B. 214-150-20-00	RD-M-Q	RD-M-Q/T-C

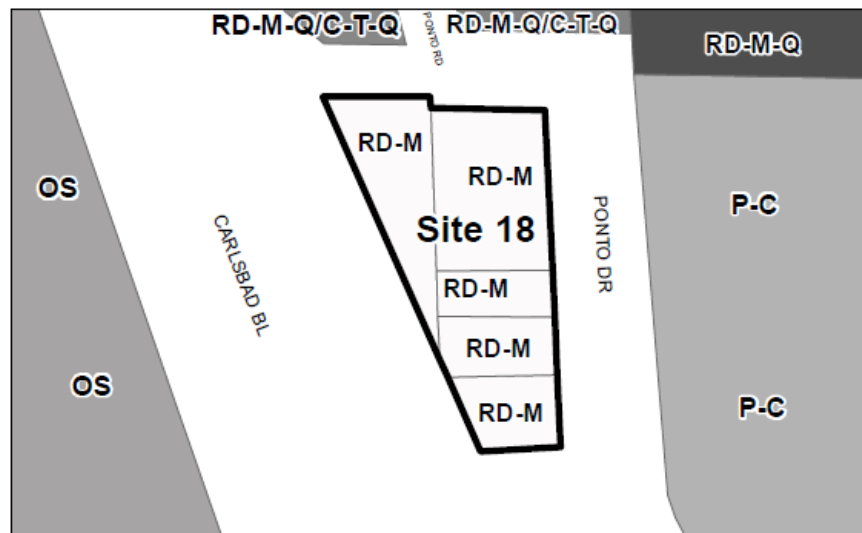
# Exhibit “ZC 2022-0001/LCPA 2022-0015”

October 18, 2023

## Site 18 – NORTH PONTO PARCELS



**EXISTING**



**PROPOSED**

General Plan Map Designation Change		
Property APN	From:	To:
A. 216-010-01-00	C-2	RD-M
B. 216-010-02-00	C-2	RD-M
C. 216-010-03-00	C-2	RD-M
D. 216-010-04-00	C-2	RD-M
E. 216-010-05-00	C-2	RD-M



**Housing Element Implementation and Public Safety Element Update**

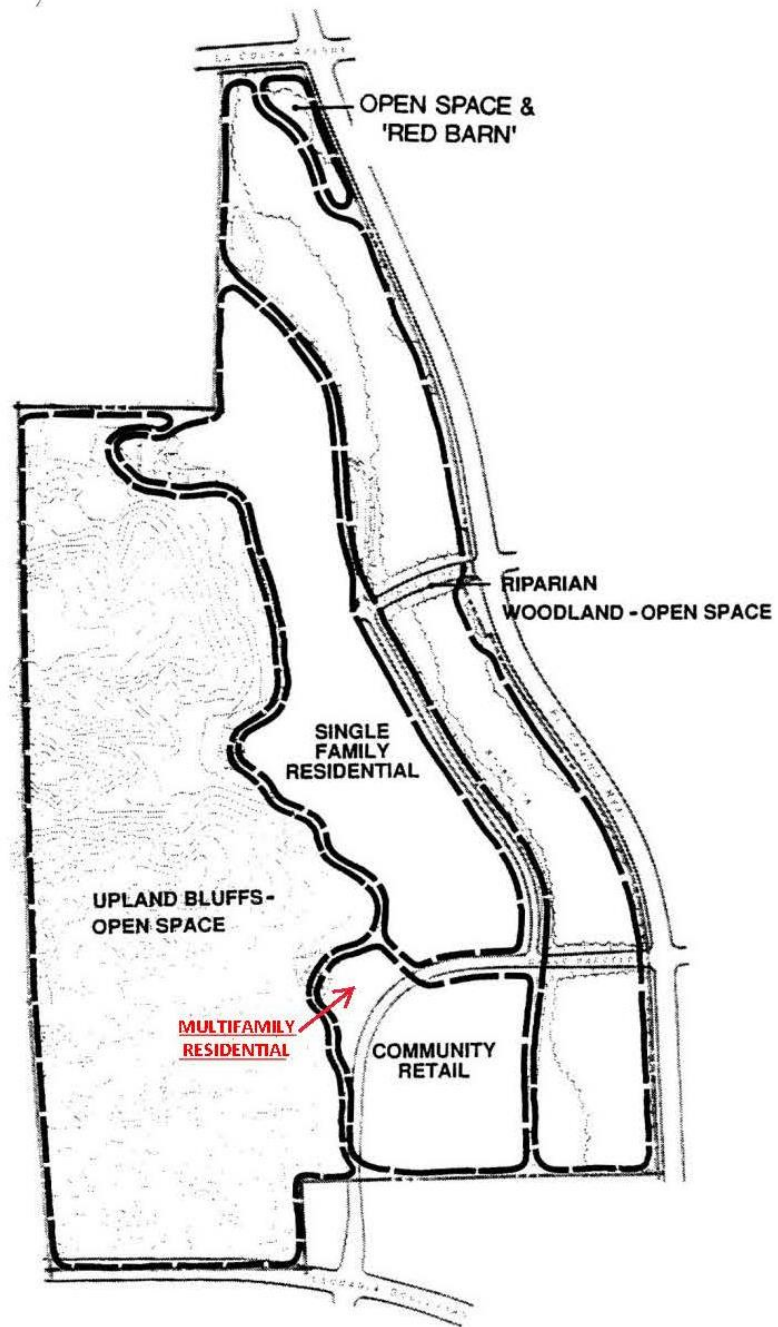
**Proposed Master Plan and Specific Plan Amendments (in the Coastal Zone only)**

**AMEND 2023-0011/AMEND 2023-0010/LCPA 2022-0015**

*This project proposes to amend, in the Coastal Zone, the Green Valley Master Plan and North County Plaza Specific Plan. The proposed changes are proposed to read as shown on the following pages in ~~strikeout~~ and underline format to indicate proposed deletions and additions, respectively.*

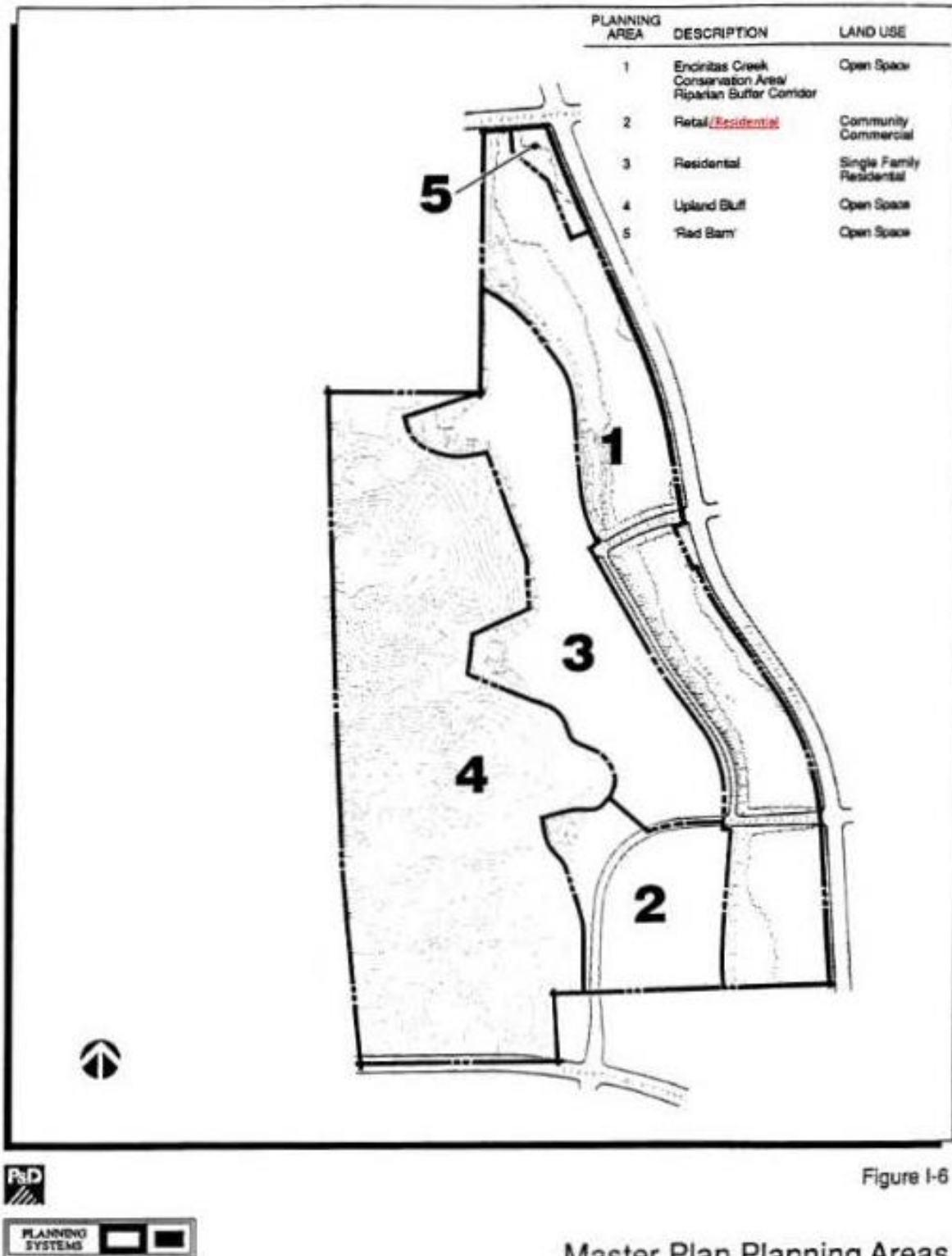
*Changes to title pages and tables of contents are not shown here but will be made consistent with all approved amendments.*

1. Figure I-5 is amended as follows:



## GREEN VALLEY MASTER PLAN MP 92-01, CONTINUED

2. Figure I-6 is amended as follows:



## GREEN VALLEY MASTER PLAN MP 92-01, CONTINUED

3. Table I-1 is amended as follows:

Table I-1  
LAND USE SUMMARY

PLANNING AREA	LAND USE				Total Area (Ac.)
	Retail Center	Residential	Open Space	Public Street R.O.W.	
1	-	-	69.7*	9.5	79.2
2	18.3 NDA	4.0 NDA	-	-	18.3 <del>22.3</del>
3	-	55.8 NDA	-	-	55.8
4	-	-	122.8**	-	122.8
5			1.7		1.7
-				3.4	3.4
TOTAL	18.3 NDA	55.8 NDA	194.2**	12.9	<del>281.2</del>

\* Riparian Woodland and Upland Buffer  
 \*\* Upland Bluffs  
 NDA Net Development Acreage

4. Section I.C, Project Description for Planning Area 2 is amended as follows:

### Planning Area 2 - Retail Center & R-23 (Residential 19 – 23 du/ac)

The ~~approximately 18.3 NDA (Net Development Acres)~~ Planning Area 2 is located in the south part of the disturbed portion of Green Valley, west of Planning Area 1. There are approximately 18.3 NDA (net developable acres) designated for commercial uses on the southeast side of Calle Barcelona, and approximately 4 NDA designated for residential uses (19-23 du/ac) on the west side of Calle Barcelona. The planning area extends from the residential area north of Calle Barcelona to the southerly property boundary. Planning Area 2 consists of a retail center and residential area. A total of up to 300,000 square feet of commercial development may be allowed in Planning Area 2, subject to approval of a Site Development Plan. Approximately 76 dwelling units may be permitted, subject to a site development plan or planned development permit.

## GREEN VALLEY MASTER PLAN MP 92-01, CONTINUED

5. Section II.B is amended as follows:

### B. GENERAL PLAN

A General Plan is a regulatory instrument by which the general type, location, and intensity of land use is established within a city or county in order to ensure the best possible environment for the citizens and workers in that area. The project site is designated in the Carlsbad General Plan land Use Element and land Use Map as ~~Community~~Regional Commercial (CR), Office (O), R-15 (Residential 11.5-15 du/ac), R-23 (Residential 19-23 du/ac), Medium-High-Density Residential (RMH) and Open Space (OS) (see Figure 11-1).

The ~~R-15 and R-23 Medium-High-Density (RMH)~~ residential designations provides for ~~an urban level of~~ residential development, ~~with a density of 11.5-15 (R-15) and 19-23 (R-23) 8 to 15 dwelling units per developable acre. The City of Carlsbad has also established Growth Management Control Points within the density ranges to ensure that development within a specific quadrant does not exceed the quadrant limit for total numbers of dwelling units. The Growth Management Control Point for RMH is 11.5 DU/AC. R-15 and R-23 Medium-high~~ residential areas are typically characterized by condominium or apartment developments.

The project site is bordered on two sides by Circulation Element Roads. El Camino Real, which serves as the project's eastern boundary, is designated as a prime arterial, which at ultimate buildout is intended to have six travel lanes and a median divider within a 126-foot right-of-way. La Costa Avenue to the north is designated as a major arterial in the vicinity of the project site. A major arterial has four travel lanes and a median divider within a 102-foot right-of-way. Driveway access from private property to prime arterials and major arterials is prohibited.

An extension of Leucadia Boulevard from Sidonia Street to El Camino Real is also indicated on the Carlsbad General Plan map, even though it is within the City of Encinitas. This roadway, to be located immediately south of Green Valley, will connect to El Camino Real at Olivenhain Road. Leucadia Boulevard is listed as a major arterial in both the Encinitas and Carlsbad General Plans with an ultimate width of four lanes.

El Camino Real is designated as a Community Theme Corridor in the Scenic Highways Element of the Carlsbad General Plan. Scenic corridors are those roadways which have been identified as having significant scenic or historical value. It is the intent of the Element ultimately protect and enhance identified scenic areas by the use of Specific Plans or overlay ordinances which may regulate site design, building massing and heights, landscaping, signage, etc.

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## GREEN VALLEY MASTER PLAN MP 92-01, CONTINUED

6. Figure II-1 is amended as follows:

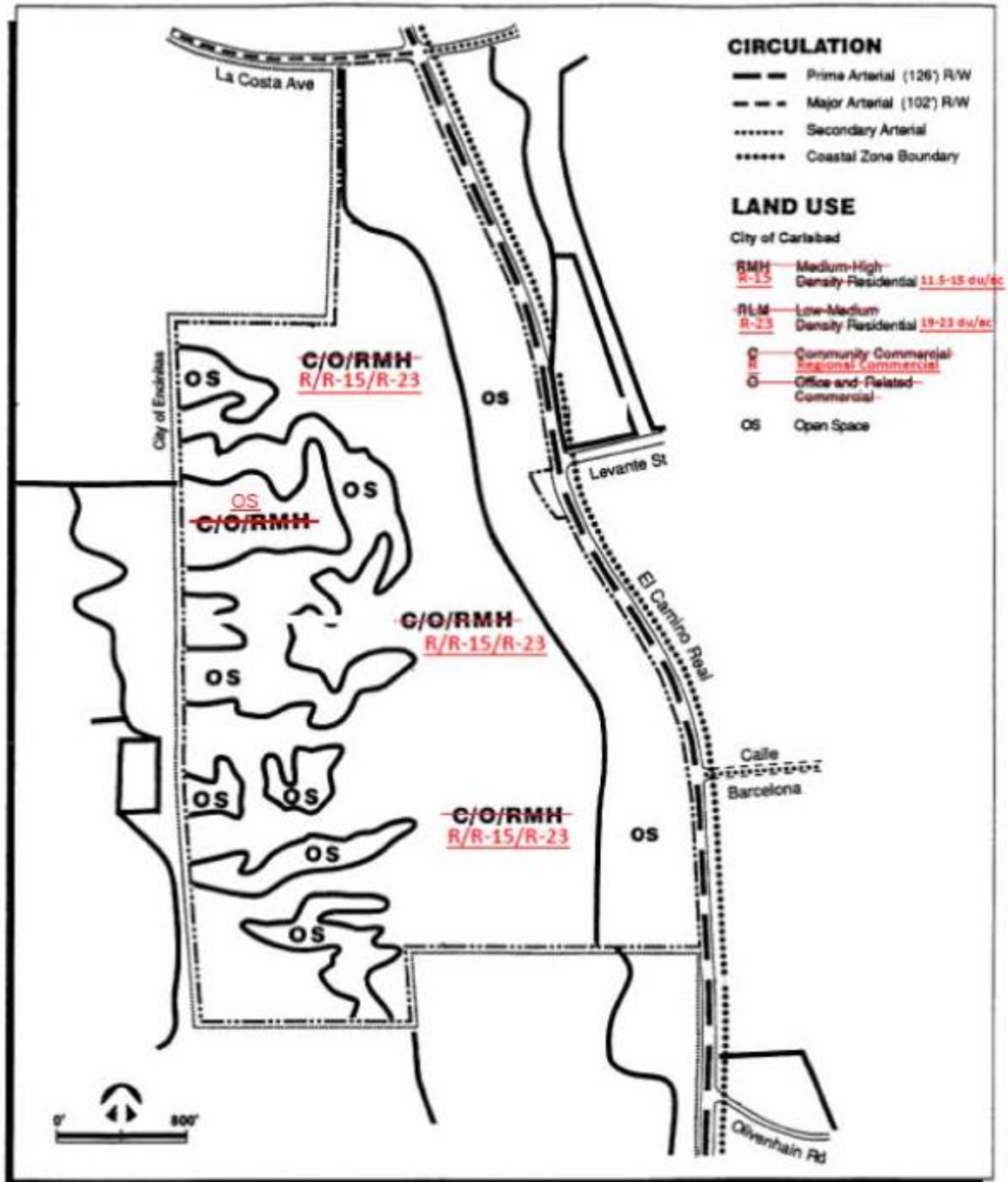


Figure II-1



\* Boundaries are conceptual. See General Plan Land Use Map for boundaries of each land use designation.

General Plan Land Use

## GREEN VALLEY MASTER PLAN MP 92-01, CONTINUED

7. The description of “Residential” land uses in Section II.F is amended as follows:

### Residential

Approximately 4 net developable acres in Planning Area 2 are designated for multi-family residential uses at a density of 19 – 23 dwelling units per acre, which may include condominiums or apartments. Approximately 55.8 net developable acres in Planning Area 3 ~~is~~are designated for residential uses at a density of 11.5 – 15 dwelling units per acre, which may include single-family detached, townhomes, garden or patio residential units. Planning Area 2 is located west of the retail center and Planning area 3 ~~The approximately 55.8 net development acre area~~ is located to the west of Street “A” and north of the retail center.

8. The following paragraph is added at the end of the “Development Program” description in Section II.F:

To implement the 2021-2029 Housing Element Program 1.1, the development program was revised in 2024 to add residential use (approximately 76 units) at a density of 19-23 dwelling units per acre on a portion of Planning Area 2.

9. Table II-2 is amended as follows:

Table II-2

LAND USE AND DEVELOPMENT PROGRAM SUMMARY

Land Use	City of Carlsbad Citywide Facilities Plan (1)			Green Valley LFMP - Zone 23 Constraints Analysis (2)			Green Valley 1993 Proposed Master Plan		Green Valley 1995 Reduced Project Alternative		Green Valley Master Plan 2021-2029 Housing Element Program 1.1	
	Gross Ac.	Net Ac.	Units/S.F.	Gross Ac.	Net Ac.	Units/S.F.	Net Ac.	Units	Net Ac.	Units/S.F.	Net Ac.	Units/S.F.
Residential	96.1	52.1	599 D.U.(3)	35.4	34.8	400(3)	17.9	400 D.U.	55.8	400 D.U.	59.8	476 D.U.
Commercial	186.5	119.2	1.5M S.F.(4)	80.2	76.6	1.001M S.F.(4)	57.9	0.61M S.F.	18.3	0.30M S.F.	18.3	0.30M S.F.
Industrial	0.0	0.0	0	0.0	0.0	0	0.0	0	0.0	0	0.0	0
Other	0.3	0.3	N/A	166.5	1.1	N/A	0.0	N/A	0.0	N/A	0.0	N/A
TOTAL	282.9	171.3		282.1	112.5		75.8		74.1		78.1	

Notes: (1) Prepared September 1986 by the Research/Analysis Group for the City of Carlsbad  
(2) Prepared July 1993 by Planning Systems/P&D Technologies  
(3) Based on growth control point of 11.5 dwelling units per net acre.  
(4) Commercial General Plan Buildout Projection - Vacant Land Commercial Use - 30% yield.



## GREEN VALLEY MASTER PLAN MP 92-01, CONTINUED

10. The descriptions of “Residential Land Use” and “Affordable Housing” in Section II.H are amended as follows:

**Residential Land Use-** ~~Based on the General Plan residential density ranges for R-15 (11.5 – 15 du/ac) and R-23 (19 – 23 du/ac), the estimated To the maximum effect allowed by law, the maximum~~ potential number of dwelling units for the ~~proposed~~ residential area<sup>s</sup> is shown on Table 11-2, ~~exclusive~~<sup>inclusive</sup> of any future density bonus under state law and/or chapter 21.86 of the Carlsbad Municipal Code. ~~Any increase in the total allowed by this Master Plan will require a Master Plan Amendment.~~

**Affordable Housing** - The City of Carlsbad requires that all master plans and specific plans with residential units provide a minimum number of dwelling units affordable by lower-income households. The Inclusionary Housing section of the Carlsbad Municipal Code (Chapter 21.85) requires a minimum of 15% of all approved dwelling units be low-income housing. For those developments which provide 10 or more low-income units, at least 10% of those units should have three or more bedrooms. Therefore, as an example, if a total of 400 residential units is approved in ~~Green Valley~~<sup>Planning Area 3</sup>, 15% of those, or 60 residential units, are required to be available to low-income households. In addition, of those 60 low-income units, 10% of those, or 6 units, should have three or more bedrooms. ("Low income" is defined as those households whose gross income is more than 50% but does not exceed 80% of the median income for San Diego County.) Based on a housing agreement to be approved by the City of Carlsbad, there is a possibility of providing the affordable housing off-site if all the criteria are met.

On the residentially designated portion of Planning Area 2, residential development (rental or for-sale) shall enter into an affordable housing agreement with the City of Carlsbad to provide a minimum of 20% of the total housing units on the site of the residential development as affordable to lower income households at 80% or below the San Diego County Area Median Income. This affordable housing requirement may also be satisfied by the following alternatives (at the sole discretion of the City of Carlsbad and following completion of an alternate public benefit analysis):

- At least 15% of the total housing units shall be affordable to low-income households and an additional 10% shall be affordable to moderate-income households; or
- At least 15% of the total housing units shall be affordable to very low-income households.

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11. The General Plan land use designation description for Planning Area 1 in Section VI-B is amended as follows:

General Plan: ~~C/O/RMH/OS~~

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## GREEN VALLEY MASTER PLAN MP 92-01, CONTINUED

12. The “Description” section for Planning Area 2 in Section VI.C is amended as follows:

### C. PLANNING AREA 2 - RETAIL CENTER AND MULTIFAMILY RESIDENTIAL

#### Description

This planning area consists of a commercial area (approximately 18.3-acres) ~~(approximately) planning area is~~ located south and ~~west-east~~ of Calle Barcelona, and a residential area (approximately 4 acres) located West of Calle Barcelona. The planning area extends ~~extending~~ from the ~~proposed single-family~~ residential area on the north to the southerly property line. The area is the site of a retail center (see Figure IV-11). Major uses in the retail center are typical of community retail. Condominiums and apartments are typical uses in the residential area.

13. The “Development Standards” introduction for Planning Area 2 in Section VI.C is amended as follows:

#### Development Standards

The development standards in this section apply only to the commercial area designated Regional Commercial (R).

~~Development within PA 2 is subject to the development standards of Chapter 21.28 (C2) except as modified below. All commercial development in Planning Area 2 shall be in conformance with the development standards and architectural guidelines as noted in this chapter.~~ Commercial development within the area designated Regional Commercial (R) shall be subject to all applicable development standards in the Carlsbad Municipal Code (CMC), including Chapter 21.28 (C-2), except as modified below. Development is subject to the approval of a Site Development Plan.

Residential development within the area designated R-23 (Residential 19-23 du/ac) shall be subject to all applicable development standards in the CMC, including Chapter 21.24 (RD-M), except for building setbacks from Calle Barcelona, as specified below. Development is subject to approval of a site development plan (apartments) or a planned development permit (condominiums).

14. The Zoning General Plan land use designation descriptions for Planning Area 2 in Section VI-C are amended as follows:

Zoning: C-2, RD-M and OS

General Plan: ~~C/O/RMH-R~~, R-23, and OS

15. Figure VI-11 is amended as follows:

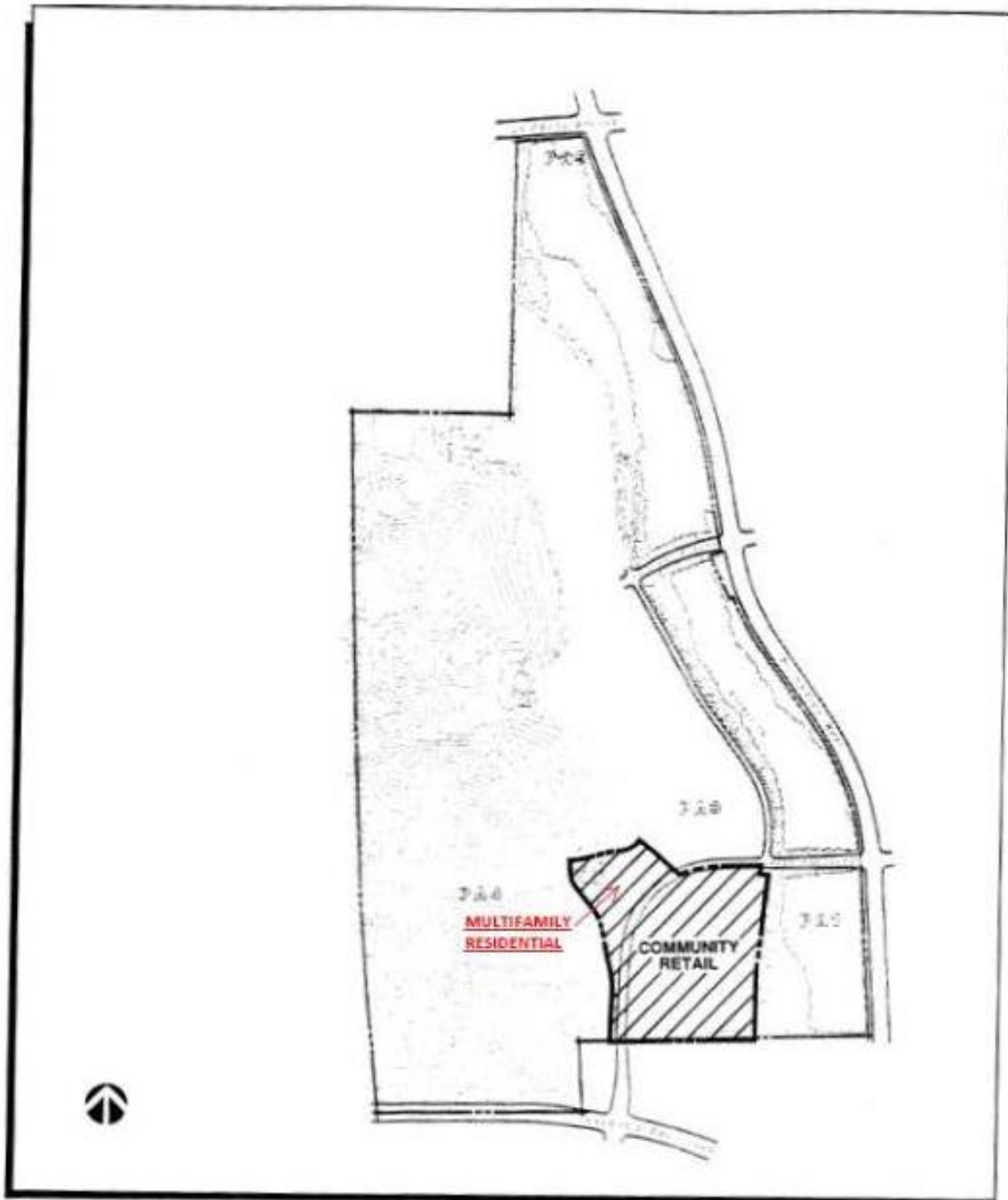


Figure VI-11

Planning Area 2 - Land Use

## GREEN VALLEY MASTER PLAN MP 92-01, CONTINUED

16. The following subsection headers for Planning Area 2 in Section VI.C are amended as follows:

Use Allocation (commercial area)

Permitted Uses (commercial area)

Building Height (commercial area)

Lot Coverage (commercial area)

Setbacks (commercial area)

Parking (commercial area)

Architecture (commercial area)

Vehicular Circulation (commercial area)

Pedestrian/Bicycle Circulation (commercial area)

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17. The following subsection is added to the Development Standards for Planning Area 2 in Section VI.C:

Setbacks (residential area)

1. A minimum setback of 35 feet shall be maintained from Calle Barcelona. This setback is applicable to all structures and all fences or walls greater than 42 inches in height.
  2. Refer to Carlsbad Municipal Code Title 21 for all other setback requirements.
- 

18. The "Description" section for Planning Area 3 in Section VI.D is amended as follows:

### **Description**

This 55.8-acre (approximately) planning area is located between Planning Areas 1 and 4 and north of Planning Area 2. Planning Area 3 is intended for single-family detached and attached residential units (Figure VI-12).

~~To the maximum effect allowed by the law,~~ Based on the General Plan residential density range for R-15 (11.5 – 15 du/ac) the planning area may potentially be developed with up to 400 single-family residential units, ~~exclusive~~inclusive of any future density bonus under state law and/or Chapter 21.86 of the Carlsbad Municipal Code of which 15% shall be "Affordable" to lower income households. If approved through an affordable Housing Agreement, an alternative to construction of the affordable residential units on site is participation in an off- site combined affordable housing project located in the Southwest Quadrant of the City of Carlsbad.

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## GREEN VALLEY MASTER PLAN MP 92-01, CONTINUED

19. The General Plan land use designation description for Planning Area 3 in Section VI.D is amended as follows:

General Plan: ~~C/O/RMH/R-15~~

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20. The "Description" section for Planning Area 3 in Section VI.D is amended as follows:

### Use Allocation

~~To the maximum effect allowed by the law, the maximum~~ Based on the General Plan residential density range for R-15 (11.5 – 15 du/ac) the area may be developed with ~~number of dwelling units shall be~~ 400 single-family dwelling units, ~~exclusive-inclusive~~ of any future density bonus under state law and/or Chapter 21 .86 of the Carlsbad Municipal Code. A minimum of 15 % of the approved number of units shall be "affordable" (CMC Chapter 21.85). The actual number of units achieved will be determined during project review.

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21. The General Plan land use designation description for Planning Area 4 in Section VI.E is amended as follows:

General Plan: ~~C/O/RMH/OS~~

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22. The General Plan land use designation description for Planning Area 4 in Section VI.F is amended as follows:

General Plan: OS~~/C~~

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## NORTH COUNTY PLAZA SPECIFIC PLAN SP-187

1. Section I is amended as follows:

### I. GENERAL PLAN AND ZONING REGULATIONS.

The site is designated in the Land use Element of the Carlsbad General Plan as R/R-40/OS (Regional Commercial/Residential (37.5 – 40 du/ac)/Open Space)~~RRI – Intensive Regional Retail~~. The property is zoned C-2/RD-M/O-S, (General Commercial/Residential Density-Multiple/Open Space).

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2. Section II is amended as follows:

### II. GENERAL DEVELOPMENT CONCEPT

The Specific Plan area will be a comprehensively planned regionally oriented commercial, ~~and~~ office, and residential development. The area will feature extensive landscaping, including street side berming, sign controls, and quality development standards.

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3. Section IV is amended as follows:

### IV. PERMITTED USES

A. This Specific Plan determines land use for the site and serves to implement the combination General Plan designation of R/R-40/OS"RRI" and the zoning classification of C-2/RD-M/O-S. The site may develop with a mix of commercial and residential uses or solely with residential uses (unlike other sites with combination designations in which a project can develop at any of designations, residential is mandatory to enable Housing Element programs to be met). In either case, any residential development shall feature a minimum 240 residential units at a minimum density of 37.5 dwelling units per acre to meet Housing Element objectives. If development proposes a mix of uses, the location of the commercial and residential uses/land use designations shall be determined through review and approval of a Site Development Plan.

B. Uses within the area zoned O-S shall be consistent with uses allowed in the O-S Zone (Carlsbad Municipal Code Chapter 21.33), or as otherwise restricted.

#### C. Residential uses.

(1) Residential uses shall be consistent with the uses allowed in the RD-M zone (Carlsbad Municipal Code Chapter 21.24).

(2) If the site is developed with a mix of commercial and residential:

a. Minimum density (37.5 du/ac) shall be calculated based on 25 percent or greater of the net developable acres as necessary to achieve a minimum 240 dwelling units.

b. Maximum density (40 du/ac) shall be calculated based on the total net developable acres.

(3) If the site is developed solely as residential, the minimum density (37.5 du/ac) and maximum density (40 du/ac) shall be calculated based on total net developable acres of the site.

## NORTH COUNTY PLAZA SPECIFIC PLAN SP-187, CONTINUED

3. Section IV is amended as follows (continued):

### D. Commercial uses - permitted.

The following uses, only, shall be permitted without further action by the Planning Commission:

- A. (1) Accountants
- (2) Addressing, secretarial and telephone answering services
- (3) Antique shops
- (4) Art stores and art galleries
- (5) Attorneys
- (6) Bakeries or confectioneries
- (7) Barbershops or beauty parlors
- (8) Bicycle shops
- (9) Blueprinting, photocopying, duplicating and mimeographing services
- (10) Book and stationery stores
- (11) Business machine and computer sales display and service
- (12) Card shops
- (13) Cheese shops
- (14) Clock shops
- (15) Curtain and drapery shops
- (16) Cutlery shops
- (17) Delicatessen stores
- (18) Department stores
- (19) Dinner theaters
- (20) Doctors, dentists, optometrists, ophthalmologists, chiropractors, and others practicing the healing arts for human beings and related uses such as oculists, pharmacies (prescription only)
- (21) Donut shops
- (22) Dressmaking or millinery shops
- (23) Drugstores
- (24) Dry cleaning and laundry agencies
- (25) Dry goods or notion stores
- (26) Electronic data processing, tabulating and record keeping services
- (27) Employment agencies
- (28) Engineers, architects, and planners
- (29) Financial Institutions, including banks, savings & loans, mortgage companies and finance companies
- (30) Florists
- (31) Furniture stores
- (32) Gift shops
- (33) Health clubs or exercise salons
- (34) Health or specialty food stores
- (35) Hobby shops

## **NORTH COUNTY PLAZA SPECIFIC PLAN SP-187, CONTINUED**

### **3. Section IV is amended as follows (continued):**

- (36) Home appliance stores
- (37) Ice cream and yogurt
- (38) Indoor plant sales and service facilities
- (39) Interior designers or decorators
- (40) Jewelry stores
- (41) Kitchen supplies or culinary accessories
- (42) Leather goods and luggage shops
- (43) Light fixtures and accessories
- (44) Lock and key shops
- (45) Medical appliance sales
- (46) Modeling schools
- (47) Music stores
- (48) Nurseries - plant
- (49) Offices
- (50) Paint and wallpaper specialty stores
- (51) Pet shops
- (52) Photographic equipment
- (53) Photographic studios and retail outlets
- (54) Picture frames
- (55) Pool and patio supplies
- (56) Pottery shops
- (57) Realtors
- (58) Record and tape stores
- (59) Restaurants, tea rooms or cafes (including dancing or entertainment and on-sale liquor)
- (60) Roller skating or ice-skating rinks
- (61) Rug and carpet stores
- (62) Shoe stores or repair shops
- (63) Sporting goods
- (64) Stereo stores
- (65) Stock brokerage firms
- (66) Studios for teaching of art, dancing, and music
- (67) Tailors, clothing or wearing apparel shops
- (68) Telephone sales
- (69) Theaters - indoor
- (70) Toy stores
- (71) Travel bureaus
- (72) Variety stores
- (73) Wine specialty shops (including Liquor Boutiques)
- (74) Other uses determined to be similar in character, accessory to or compatible by the Land Use Planning Manager

## NORTH COUNTY PLAZA SPECIFIC PLAN SP-187, CONTINUED

3. Section IV is amended as follows (continued):

~~(B)E. Commercial Uses – conditionally permitted and structures permitted by Conditional Use Permit.~~

Subject to the provisions of Chapter 21.4250, the following uses and structures are permitted by Conditional Use Permit. In addition to the findings required by Chapter 21.4250, in order to approve a Conditional Use Permit, it must be found that the use, as proposed, will not adversely affect the viability of use of the area as a commercial district or, if developed as such, as a mix of commercial and residential uses, or adversely affect nearby uses of traffic movements.

- (1) Bars, cocktail lounges and other licensed (on- sale) liquor dispensing operations not meeting the definition of a bona fide eating establishment, subject to the following conditions:
  - (A) An opening shall be provided through which an unobstructed view of the interior of the premises can be obtained from the street upon which business fronts.
  - (B) Parking shall be provided at the rate of not less than one space per fifty square feet of gross floor area.
  - (C) Surrounding grounds, including parking areas, shall be maintained in a neat and orderly condition at all times.
  - (D) Any structure housing such operation shall meet all applicable code provisions prior to occupancy.
  - (E) Licensee or agent shall not permit open containers of alcoholic liquor to be taken from the premises.
  - (F) No licensed liquor dispensing operation shall be located within five hundred feet of any other licensed liquor dispensing operation not meeting the definition of a bona fide eating establishment.
- (2) Drive through facilities for financial institutions only.

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4. The first paragraph of Section V is amended as follows:

The intent of this section is to provide the maximum opportunity for creative site planning and building design, while ensuring consistency with a high-quality commercial and residential development. There will be a pleasing variety of setbacks and separations between buildings, with a visual continuity provided by common landscape treatment.

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## NORTH COUNTY PLAZA SPECIFIC PLAN SP-187, CONTINUED

5. Section V.A. (1) a) is amended as follows:

- a) Marron Road, east of frontage midpoint between Monroe Street entrance and Jefferson Street entrance. All one-story buildings shall maintain a 20-foot minimum setback. ~~Two~~ Multi-story buildings shall maintain a 30-foot minimum setback. Setbacks for adjacent buildings will be varied 5 foot minimum to create more interest along the street. Parking areas and drives shall maintain a minimum 15-foot setback.

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6. Section V.D. is amended as follows:

D. Building Height: The maximum building height shall be ~~35-45~~ feet.

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7. Section V.E. is amended as follows:

E. Parking: Off-street parking shall be provided to accommodate all parking needs of the project.

(1) Commercial ~~P~~arking shall be provided at a ratio of 4.7 spaces per 1,000 square feet of gross building area. A maximum of twenty (20) percent of the required parking will be provided by compact car spaces.

(2) Residential parking shall be provided as required by Carlsbad Municipal Code Title 21.

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8. Section V.H. is amended as follows:

H. Signs: Prior to the issuance of any building permits for this site, a detailed comprehensive sign program for the entire site shall be submitted to and approved by the Land Use Planning Manager. Residential signs shall be consistent with residential signage allowed by Carlsbad Municipal Code. All commercial signs will be internally illuminated and will encourage design creativity. In addition, the following commercial sign standards shall apply to this site:

(2) The following methods of center identification may be used:

- (a) One freestanding sign for the specific plan area. This sign may identify up to four tenants, and: is to be located on the creekside portion of the project. It shall be located within reasonable proximity to the main entrance to the site at Jefferson Street and Marron Road and shall not exceed 20 feet in height and 100 square feet in area.
- (b) One monument sign located within reasonable proximity to the Monroe Street entrance to the site. This sign shall be no greater than 3 feet in height and 15 feet in length.

## NORTH COUNTY PLAZA SPECIFIC PLAN SP-187, CONTINUED

8. Section V.H. is amended as follows (continued):

Commercial Wall Signs, Canopy Signs, Under-Canopy Signs: Building tenants shall be allowed wall signs, canopy signs or under-canopy signs, or a combination thereof, as will be indicated in the comprehensive sign program. For each building, the total maximum allowable area for these signs shall not exceed 1.5 square feet per lineal foot of building frontage. Building frontage shall be defined as the longest dimension of the building, regardless of street orientation. On buildings fronting on Marron Road, no more than 33% of this total area may face directly upon Marron Road.

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9. Section V.N. is added as follows (the subsections that follow shall be renumbered accordingly):

N. Affordable Housing:

Residential development (rental or for-sale) shall enter into an affordable housing agreement with the City of Carlsbad to provide a minimum of 20% of the total housing units on the site of the residential development as affordable to lower income households at 80% or below the San Diego County Area Median Income. This affordable housing requirement may also be satisfied by the following alternatives (at the sole discretion of the City of Carlsbad and following completion of an alternate public benefit analysis):

- At least 15% of the total housing units shall be affordable to low-income households and an additional 10% shall be affordable to moderate-income households; or
  - At least 15% of the total housing units shall be affordable to very low-income households.
- 

10. Section VI. is added as follows:

VI. Site Development Plan/Planned Development Permit

- A. A site development plan, processed in accordance with Carlsbad Municipal Code Chapter 21.06, shall be required if the site is developed with:
1. A mix of commercial and residential uses (apartments or condominiums).
  2. Solely with commercial uses
  3. Solely with for rent housing (apartments).
- B. A planned development permit, processed in accordance with Carlsbad Municipal Code Chapter 21.45, shall be required if the site is developed with:
1. A mix of commercial and residential uses (condominiums). A site development plan shall also be required.
  2. Solely with for-sale housing (condominiums). No site development plan is required.