



PLANNING COMMISSION

Agenda

Oct. 18, 2023, 5 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008
carlsbadca.gov

Welcome to Your Planning Commission Meeting

We welcome your interest and involvement in the city's legislative process. This agenda includes information about topics coming before the Planning Commission and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website.

How to watch

In Person



City Council Chamber
1200 Carlsbad Village Drive

Online



Watch the livestream at
carlsbadca.gov/watch

How to participate

If you would like to provide comments to the Planning Commission, please:

- Fill out a speaker request form, located in the foyer.
- Submit the form to the Clerk before the item begins.
- When it's your turn, the Clerk will call your name and invite you to the podium.
- Speakers have three minutes unless the presiding officer (usually the chair) changes that time.
- You may not give your time to another person but can create a group. A group must select a single speaker as long as three other members of your group are present. All forms must be submitted to the Clerk before the item begins and will only be accepted for items listed on the agenda (not for general public comment at the beginning of the meeting). Group representatives have 10 minutes unless that time is changed by the presiding officer or the Planning Commission.
- **In writing:** Email comments to planning@carlsbadca.gov. Comments received by 2 p.m. the day of the meeting will be shared with the Commission prior to the meeting. When e-mailing comments, 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.

Reasonable accommodations

Reasonable Accommodations Persons with a disability may request an agenda packet 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. Please contact the City Manager's Office at 442-339-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Tuesday before the meeting to make arrangements. City staff will respond to requests by noon on Wednesday, the day of the meeting, and will seek to resolve requests before the start of the meeting in order to maximize accessibility.

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held on Sept. 20, 2023

Minutes of the Regular Meeting held on Oct. 4, 2023

PUBLIC COMMENT: *In conformance with the Brown Act, no Planning Commission action can occur on items presented during Public Comment. A total of fifteen (15) minutes is provided so members of the public can address the Commission on items that are not listed on the Agenda. Speakers are limited to three (3) minutes each. If you desire to speak during Public Comment, fill out a Request to Speak and submit it to the minutes clerk. You may not give your time to another person.*

CONSENT CALENDAR: *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed below. There will be no separate discussion on these items prior to the time the Commission votes on the motion unless members of the Commission or the public request specific items be discussed and/or removed from the Consent Calendar for separate action.*

PUBLIC HEARING:

1. **EIR 2022-0007 (PUB 2022-0010) HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE** – 1) Adoption of a resolution recommending certification of the final supplemental environmental impact report (EIR 2022-0007) and recommending adoption of findings of fact, a statement of overriding considerations, and a mitigation monitoring and reporting program for amendments to the general plan land use and community design element (including the land use map), public safety element, and associated amendments to the zoning ordinance, zoning map, local coastal program, and various master and specific plans: and
2) Adoption of a resolution recommending approval of amendments to the general plan land use and community design element, including the land use map; and the zoning map regarding Site 4; and
3) Adoption of a resolution recommending approval of amendments to the General Plan Land Use and Community Design Element, including the Land Use Map, Ordinance and Zoning Map, the Local Coastal Program Center Specific Plan, Green Valley Master Plan, North County Plaza Specific Plan, and Westfield Carlsbad Specific Plan.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Take public input, close the public hearing and adopt the resolutions.

PLANNER: Lauren Yzaguirre **ENGINEER:** Jason Geldert

DEPARTMENTAL REPORT:

PLANNING COMMISSION MEMBER REPORTS:

PUBLIC COMMENT: Continuation of the Public Comments

This portion of the agenda is set aside for continuation of public comments, if necessary, due to exceeding the total time allotted in the first public comments section. In conformance with the Brown Act, no Council

action can occur on these items.

CITY PLANNER REPORT:

CITY ATTORNEY REPORT:

ADJOURNMENT:

PLANNING COMMISSION PROCEDURE:

For those in the audience who are not familiar with the operation of a Planning Commission, the following is a summary of the procedure:

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

MEETING DECORUM: Carlsbad Municipal Code sections 1.20.320 and 1.20.330 require members of the public to observe order at this meeting and to conduct themselves in a courteous manner. California Penal Code section 403 makes it a misdemeanor for any person to willfully disturb or break up any assembly or meeting with lawful authority.

FILING AN APPEAL: Certain Planning Commission decisions are final but may be appealed to the City Council. An appeal may be filed with the City Clerk at City Hall within 10 calendar days of the decision. The cost of filing an appeal is \$900 for all matters. If anyone wishes to question a Planning Commission decision, they may contact the Planning Division at 442-339-2600 or at planning@carlsbadca.gov, between the hours of 8 a.m. and 5 p.m., Monday through Friday.



PLANNING COMMISSION

Minutes

Sept. 20, 2023, 5 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

CALL TO ORDER: 5 p.m.

ROLL CALL: Commissioners Hubinger, Kamenjarin, Meenes, Lafferty, Stine, Sabellico, and Merz.

PLEDGE OF ALLEGIANCE: Commissioner Stine led the Pledge of Allegiance.

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held on Aug. 16, 2023

Motion by Commissioner Kamenjarin, seconded by Commissioner Meenes, to approve the minutes of the Regular Meeting held on Aug. 16, 2023. Motion carried, 5/0/2 (Merz and Stine - Abstain).

PUBLIC COMMENT: None.

CONSENT CALENDAR: None.

Motion made by Commissioner Merz, seconded by Commissioner Meenes, to move Item Nos. 2 & 3 ahead of Item No. 1. Motion carried, 7/0.

PUBLIC HEARING:

2. **CDP 2022-0056 – TERRAMAR WATER AND SEWER MAIN IMPROVEMENTS** – 1) Adoption of a resolution approving a third addendum to the final Program Environmental Impact Report EIR12-01 for the Carlsbad Sewer Master Plan, Carlsbad Municipal Water District Water Master Plan, and Recycled Water Master Plan to allow for the removal and replacement of two existing water main pipelines with a singular 12-inch diameter pipeline and conduct maintenance of existing sewer mains and maintenance holes in the following two areas: 1) Carlsbad boulevard between Tierra Del Oro and Manzano drive; 2) Cannon Road between Avenida Encinas and Carlsbad Boulevard in Local Facilities Management Zone 3; and
- 2) Adoption of a resolution approving a Coastal Development Permit, CDP2022-0056, to allow for the removal and replacement of two existing water main pipelines with a singular 12-inch diameter pipeline and conduct maintenance of existing sewer mains and maintenance holes in the following two areas: 1) Carlsbad Boulevard between Tierra Del Oro and Manzano Drive; 2) Cannon Road between Avenida Encinas and Carlsbad Boulevard in Local Facilities Management Zone 3.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Adopt the resolutions.

PLANNER: Izzak Mireles

ENGINEER: David Rick

Chair Merz opened the duly noticed public hearing at 5:09 p.m.

City Planner Eric Lardy introduced the item and Associate Planner Izzak Mireles reviewed a PowerPoint presentation regarding the project (on file in the Office of the City Clerk).

At Chair Merz's request, each of the Commissioners disclosed that they were familiar with the site for this project.

Chair Merz opened the public testimony at 5:17 p.m. and asked if there were any members of the public who wished to speak on the project.

Hearing no one wishing to speak, Chair Merz closed public testimony at 5:17 p.m.

Motion made by Commissioner Kamenjarin, seconded by Commissioner Sabellico, to adopt Resolution Nos. 7492 and 7493. Motion carried, 7/0.

Chair Merz closed the duly noticed public hearing at 5:19 p.m.

3. **SDP 2021-0028/CDP 2021-0066 (DEV 2021-00256) – LEGOLAND PARKING STRUCTURE NO. 2** – Adoption of a resolution approving a Site **Development** Plan and Coastal Development Permit to allow the construction of an 1,174-space, 387,338-square-foot, three-story parking structure within a portion of the Legoland California Resort parking lot located south of the existing employee parking structure and adjacent to the Crossings Drive in Planning Area 4 of the Carlsbad Ranch Specific Plan on property located at 1 Legoland Drive, Assessor Parcel Number 211-100-09-00, within the Mello II segment of the Local Coastal Program and in Local Facilities Management Zone 13.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Adopt the resolution.

PLANNER: Kyle Van Leeuwen

ENGINEER: Nicole Fine

Chair Merz opened the duly noticed public hearing at 5:20 p.m.

City Planner Eric Lardy introduced the item and Planner Kyle Van Leeuwen reviewed a PowerPoint presentation regarding the project (on file in the Office of the City Clerk).

At Chair Merz's request, each of the Commissioners disclosed that they were very familiar with and have visited the site for this project.

Chair Merz opened the public testimony at 5:24 p.m. and asked if there were any members of the public who wished to speak on the project.

Hearing no one wishing to speak, Chair Merz closed public testimony at 5:24 p.m.

Motion by Commissioner Stine, seconded by Commissioner Meenes, to adopt Resolution No. 7495. Motion carried, 6/0/1 (Lafferty – Recused).

Chair Merz opened the duly noticed public hearing at 5:29 p.m.

1. **CUP 2021-0008/CDP 2021-031 (DEV02060) – VIGILUCCI'S SEAFOOD & STEAKHOUSE** – Adoption of a resolution recommending approval a Conditional Use Permit and Coastal Development Permit for the continued use and operation of an existing restaurant with on-site valet and the construction of a 1,401 square-foot detached patio cover and off-site valet on property generally located at 3878 Carlsbad Boulevard in Local Facilities Management Zone 1.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Adopt the resolution.

PLANNER: Lauren Yzaguirre **ENGINEER:** Jason Geldert

City Planner Eric Lardy introduced the item and Associate Planner Lauren Yzaguirre reviewed a PowerPoint presentation regarding the project (on file in the Office of the City Clerk).

Chair Merz opened the public testimony at 6:43 p.m. and asked if there were any members of the public who wished to speak on the project.

At Chair Merz's request, each of the Commissioners disclosed that they were very familiar with and have visited the site for this project.

Commissioner Lafferty expressed her concern that the style of the proposed patio and its cover is not compatible with the nearby structures.

In response to Commissioner Lafferty's inquiry regarding lot size, Associate Planner Yzaguirre confirmed the lot size of the project is .32 acres.

In response to Commissioner Sabellico's request, staff reviewed Carlsbad Municipal Code 21.44.040 and City Planner Eric Lardy confirmed that the City did not do a formal parking study since the new patio is smaller than what is currently out there and but larger than the existing restaurant has; it is a better site design. Mr. Lardy further noted that the information and statistics regarding parking lot usage provided by the restaurant owner, their architects and valet service was sufficient, rendering a parking survey unnecessary. Associate Planner Lauren Yzaguirre added that the City's Parking Management Plan was also considered in the decision.

In response to Commissioner Merz's question, Associate Planner Yzaguirre explained that the written parking agreement between New Song Church and the applicant is in process, and it is required as a condition of approval.

In response to Commissioner Merz' inquiry, City Planner Eric Lardy discussed the annual review of Conditional Use Permits (CUP) to ensure consistency and in response to complaints to confirming applicant's compliance to the conditions agreed too.

Darren Machulsky spoke on behalf of the Applicant in support of the project. Mr. Machulsky introduced

David Hapgood, a representative of the Pacific Coast Valet company, who spoke in favor of the project as well.

The following individuals submitted a speaker card for the record in support of the project but did not wish to speak at the meeting: *Julie Cunningham, Randy Hixon, Tony Patel, Rick Robetta and John Thalasinios.*

The following individuals submitted a speaker card for the record in opposition to the project but did not wish to speak at the meeting: *Ruth Appfel.*

The following individuals spoke in support of the project: *Dana C. Sills and Mark Kuhn.*

Chair Merz called for a 10-minute break at 6:50 p.m.

Chair Merz called the meeting back to order at 7:00 p.m.

The following additional individuals spoke in support of the project: *Pam Corbin, Richard Heinitz, Justin Jachura, Jon James, Mark Knoodle, Bill Stetson, Reggie Lambkin, Don Thorstenson and Gary Ward.*

The following individuals spoke in opposition to the project: *Eloy Castaneda, Anne Linde, Becky Powers and Brian Sederman.*

Hearing no one else wishing to speak, Chair Merz closed public testimony at 7:34 p.m.

Commissioner Lafferty requested that the record show that she is concerned with the aesthetic of the addition and the compatibility of its style with the existing structure.

Motion made by Commissioner Stine, seconded by Commissioner Meenes, to adopt Resolution Nos. 7492 and 7493. Motion carried, 5/2 (Merz, Sabellico - No).

Chair Merz closed the duly noticed public hearing at 7:58 p.m.

PLANNING COMMISSION MEMBER REPORTS:

Commissioner Lafferty acknowledged that fellow Commissioners were quoted in a local publication about a public works project.

Commissioner Lafferty announced that the Next Historic Preservation Committee meeting will be held Nov. 13, 2023.

CITY PLANNER REPORT:

City Planner Eric Lardy reported that Hope Apartments was approved by City Council last week and added that the El Camino Project from Sunnycreek and Jackspar permits will be considered at the next City Council meeting. Mr. Lardy also indicated that there are 3 items planned for the next Planning Commission meeting on Oct. 4, 2023, and the Housing Element will be presented on Oct. 18, 2023. Mr. Lardy added that the latter will include deliberation and public comment.

CITY ATTORNEY REPORT: None.

ADJOURNMENT: Chair Merz adjourned the meeting at 8:03 p.m.

Cynthia Vigeland
Administrative Secretary



PLANNING COMMISSION

Minutes

Oct 4, 2023, 5 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

CALL TO ORDER: 5 p.m.

ROLL CALL: Commissioners Hubinger, Kamenjarin, Lafferty, Sabellico, and Merz.
Absent: Meenes and Stine

PLEDGE OF ALLEGIANCE: Commissioner Hubinger led the Pledge of Allegiance.

APPROVAL OF MINUTES: None.

PUBLIC COMMENT: None.

CONSENT CALENDAR: None.

PUBLIC HEARING:

1. **CRUSE HOUSE REMODEL, ADU/GARAGE – CDP 2022-0062 (DEV2022-0221)** – Adoption of a resolution recommending approval a Coastal Development Permit for the demolition of an attached garage and the construction of a one-story, 834-square-foot addition and remodel to an existing 832-square-foot single-family residence, 52 square feet of covered front and rear patios and a 427-square-foot detached garage within the Mello II segment of the city's Local Coastal Program located at 3912 Garfield St. within Local Facilities Management Zone 1.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Adopt the resolution.

PLANNER: Lauren Yzaguirre **ENGINEER:** Jason Geldert

At Chair Merz' request, each of the seven Commissioners disclosed that they were very familiar with the site for this project.

Chair Merz opened the duly noticed public hearing at 5:01 p.m.

City Planner, Eric Lardy introduced the item and Associate Planner, Lauren Yzaguirre reviewed a PowerPoint presentation regarding the project (on file in the Office of the City Clerk).

Chair Merz opened the public testimony at 5:04 p.m. and asked if there were any members of the public who wished to speak on the project.

Hearing no one wishing to speak, Chair Merz closed public testimony at 5:04 p.m.

Motion by Commissioner Stine, seconded by Commissioner Meenes, to adopt Resolution No. 7496. Motion carried, 5/0 (Meenes and Stine – Absent).

Chair Merz closed the duly noticed public hearing at 5:09 p.m.

At the City Planner's request, this previously noticed item was withdrawn.

2. **GUNTHER GUNS AMEND 2023-0002 (DEV12004)** – Approve a Conditional Use Permit amendment to (1) nullify an approved 16-lane shooting range use and 321 square foot retail expansion; and (2) continue, without expiration, an existing 1,359 square foot retail store use, for the sale, transfer, and storage of firearms and firearm-related product on property located at 2717 Loker Ave. West, Suite B, in Local Facilities Management Zone 5.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Approve the permit

PLANNER: Jason Goff **ENGINEER:** Nichole Fine

DEPARTMENTAL REPORT:

3. **INTRODUCTION TO THE MULTI-MODAL TRANSPORTATION IMPACT FEE (MTIF)** – Receive an overview on the update of the City's Traffic Impact Fee program and provide feedback to staff.

ACTION TYPE: Discussion

STAFF RECOMMENDATION: Receive a report

PLANNER: Eric Lardy **ENGINEER:** Nathan Schmidt

City Planner Eric Lardy introduced Transportation Planning and Mobility Manager Nathan Schmidt who presented the report.

Consultant, Julie Cooper, Executive Vice President of Advanced Planning Systems continued the presentation.

Consultant, Kendra Rowley from Fehr and Peers Transportation Consultants provided more information for and continued the the presentation.

Transportation Planning and Mobility Manager, Nathan Schmidt concluded the presentation.

In response to Commissioner Kamenjarin's question regarding inflation, Consultant Julie Cooper explained there would likely be an inflation index listed in the resolution.

In response to Commissioner Stine's question about Carlsbad's current low fees, Transportation Planning and Mobility Manager Nathan Schmidt explained that the City's fees need updating and the fees in the slide he showed are likely based on the 2008 growth and development status of the City at that time.

Commissioner Sabellico expressed that the City should be careful with this fee and it should not be the maximum allowed or the minimum; since it will impact homebuyers directly. Mr. Sabellico added that the City should not use this money to assist with any budget deficit issues.

Commissioner Hubinger reiterated the importance of this fee and its impact on people being able to buy a home or do business in Carlsbad.

Commissioner Merz emphasized that the City should be sure to set the fee at what is needed and not based on what other cities are charging.

In response to Chair Merz' question regarding who decides where the MTIF money is spent, Engineering Manager Jason Geldert explained it will be determined before the City receives the fee from new developers. Mr. Geldert added that it is not it's not decided project by project but priorities will be determined through a public review process, the Traffic & Mobility Commission and the City Council.

PLANNING COMMISSION MEMBER REPORTS:

CITY PLANNER REPORT:

City Planner Eric Lardy expressed that the City Council approved the permits for the El Camino Real Project from Sunny Creek to Jaskspar Road at the Sept. 26, 2023 meeting and he added that the next Planning Commission meeting on Oct 18, 2023 will be regarding the Housing Element Rezoning Program. Mr. Lardy further explained it would be one of our larger meeting packets and the only item on the Agenda; if there is too much material that night, the Commission can reconvene on Nov. 2, 2023 to finish the item.

CITY ATTORNEY REPORT: None.

ADJOURNMENT: Chair Merz adjourned the meeting at 6:05 p.m.

Cynthia Vigeland,
Administrative Secretary



Staff Report

Meeting Date: Oct. 18, 2023

To: Planning Commission

Staff Contact: Scott Donnell, Senior Planner; (442) 339-2618, scott.donnell@carlsbadca.gov

Subject: Housing Element Implementation and Public Safety Element Update – Adopt standards and rezone properties to implement the Housing Element and update the Public Safety Element to comply with state law.

Location: The project affects properties city-wide and in all Council Districts.

Case Numbers: GPA 2022-0001/ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015/EIR 2022-0007/AMEND 2023-0011 /AMEND 2023-0009 /AMEND 2023-0008/AMEND 2023-0010 and AMEND 2023-0012 (PUB 2022-0010)

Applicant/Representative: Scott Donnell, Senior Planner; (442) 339-2618, scott.donnell@carlsbadca.gov

CEQA Determination: ☐ Not a Project ☐ Exempt ☐ IS/ND or IS/MND ☐ EIR
☒ Other: SEIR

Permit Type(s): ☐ SDP ☐ CUP ☐ CDP ☐ TM/TPM ☒ GPA ☒ REZ ☒ LCPA
☒ Other: Zone Code Amendment, Master Plan Amendment, Specific Plan Amendment

CEQA Status: ☒ The environmental assessment IS on the Agenda for discussion.
☐ A CEQA determination was already issued. That decision is final and IS NOT on the Agenda

Commission Action: ☐ Decision ☒ Recommendation to City Council ☐ Informational (No Action)

Recommended Actions

That the Planning Commission **ADOPT** the following:

1. A Planning Commission Resolution (Exhibit 1) **RECOMMENDING CERTIFICATION** of the Final Supplemental Environmental Impact Report (EIR 2022-0007) and **RECOMMENDING ADOPTION** of Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program for amendments to the General Plan Land Use and Community Design Element (Including the Land Use Map), Public Safety Element, Zoning Ordinance, Zoning Map, Local Coastal Program, Bressi Ranch Master Plan, Green Valley Master Plan, Fenton Carlsbad Center Specific Plan, North County Plaza Specific Plan, and the Westfield Carlsbad Specific Plan, based on the findings contained therein.

2. A Planning Commission Resolution (Exhibit 2) **RECOMMENDING APPROVAL** of amendments to the General Plan Land Use and Community Design Element, including the Land Use Map, and the Zoning Map regarding Site 4, based on the findings contained therein.
3. A Planning Commission Resolution (Exhibit 3) **RECOMMENDING APPROVAL** of amendments to the General Plan Land Use and Community Design Element, including the Land Use Map; the General Plan Public Safety Element; the Zoning Ordinance and Zoning Map; the Local Coastal Program; and to the Bressi Ranch Master Plan, Green Valley Master Plan, Fenton Carlsbad Center Specific Plan, North County Plaza Specific Plan, and Westfield Carlsbad Specific Plan, based on the findings contained therein.

Existing Conditions & Project Description

Background

The California Legislature has determined that a primary state housing goal is to ensure that every resident has a decent home and a suitable living environment. To ensure adequate housing can be developed in a jurisdiction, a Housing Element is required as part of the General Plan. The Housing Element is one of the seven mandatory General Plan elements, as articulated in sections 65580 to 65589.8 of the Government Code (“Housing Element Law”). Pursuant to Housing Element Law, the Housing Element has two main purposes: 1) to provide an assessment of both current and projected housing needs and constraints in meeting these needs; and 2) to state “goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing.” (Government Code Section 65583.) Thus, a Housing Element has become the official “planning” response to the need to provide housing and housing-related services for all economic segments of the community.

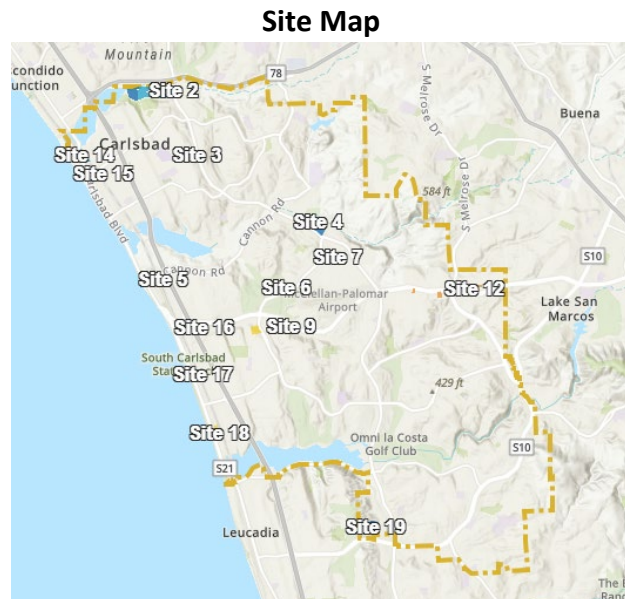
The 2021-2029 Housing Element portion of the Carlsbad General Plan provides the city with a coordinated and comprehensive strategy for promoting the production of safe, decent and affordable housing throughout the community. The city’s 2021-2029 Housing Element includes policies to promote the maintenance of existing housing and increase capacity for additional housing options so that existing and future housing needs of people living and working in the city are met. Under the 2021-2029 Housing Element, the city committed to implementing various programs, including a rezoning program (Program 1.1) no later than April 2024, and committed to implementing the remaining programs listed above per their implementation deadlines. The proposed project associated with the Oct. 18, 2023 Planning Commission Staff Report involves State-mandated updates to the to the Land Use and Zoning Maps, Zoning Ordinance, Local Coastal Program, and various master plans and specific plans to accommodate the RHNA allocation through the year 2029. The purpose of the project is to comply with state housing laws by implementing Housing Element Program 1.1, which requires rezoning various properties to allow higher residential densities. The proposed project changes planning-level documents only – it neither proposes nor approves development projects on any of the housing sites. Any subsequent construction on the sites would be subject to separate, future city review and approval. Implementation of all remaining Housing Element programs will be forthcoming in accordance with the timelines adopted in the Housing Element

The proposed project also includes an update to the Public Safety Element of the General Plan to comply with recent legislation. A targeted update to the Public Safety Element is necessary to address climate change and related hazards such as wildfires and flooding in addition to limited updates to reflect current disaster mitigation and planning practice.

Unless expressly provided otherwise, the updates to the General Plan (Land Use Element and Public Safety Element), Zoning Maps, Zoning Ordinance, Local Coastal Program, various master plans and specific plans shall be collectively referred to as the “project” or “proposed project.”

Existing Setting

The project affects the entire city as well as specific parcels. Modified wording and policies proposed in the General Plan Land Use and Community Design Element or Public Safety Element, as well as text changes to the Zoning Ordinance, have city-wide applicability. Additionally, the project would change the land use designations on most of the identified 18 sites to accommodate new housing as required by state law. The site map to the right identifies most of the proposed housing sites, which consist of either a single parcel or a collection of contiguous properties.



Note: Due to the small map size, sites 1, 10 and 11 are not visible.

Regulatory Overview

State Housing Element Law requires cities and counties to adopt and regularly update Housing Elements, a mandatory element of the city’s General Plan. As part of this recurring update process, the law requires cities to provide an adequate inventory of housing sites that can accommodate forecasted residential growth through a process known as the Regional Housing Needs Assessment or RHNA. The state, through the San Diego Association of Governments (SANDAG), projected the San Diego region’s growth for an 8-year projection period between April 15, 2021, and April 15, 2029, and set Carlsbad’s individual RHNA target at 3,873 total housing units. This total was further subdivided into units for very low income (1,311), low income (784), moderate income (749), and above moderate income (1,029) families. Through an evaluation of existing zoning, the city was able to accommodate all but 1,724 RHNA units (1,397 very low and low income units and 327 moderate income units). Factoring in additional units as a recommended buffer, the unit total for the city to provide through rezoning is 2,578 units of very low, low, and moderate-income housing. On April 6, 2021, the City Council adopted an update to its Housing Element which formalized these housing goals and established the city’s comprehensive housing strategy through April 2029.

Under Housing Element Law, each jurisdiction must identify specific programs in its Housing Element that include specific steps the locality will take to implement its policies and achieve its goals and objectives. Under recent legislation, the State Department of Housing and Community Development (HCD) is authorized to review any action or failure to act by a local government that it finds inconsistent with an adopted Housing Element or Housing Element Law (AB 72, Statutes of 2017; and AB 215, Statutes of 2021). This includes failure to implement program actions included in the Housing

Element. For more information about penalties and consequences of Housing Element noncompliance, please refer to Exhibit 12.

Program 1.1 of the 2021-2029 Housing Element directs the city to rezone properties (i.e., change a property's land use designation and zoning) to achieve this inventory. The city has identified 18 potential sites to rezone or identify for housing and has prepared an environmental impact report and various proposed amendments to land use documents such as the General Plan and Zoning Ordinance to support the proposed changes. Completion of the Housing Element Program 1.1 rezone program is required by state law to be completed by April 2024, three years after adoption of the Housing Element. Failure to adopt the rezone program to implement Program 1.1 may result in the HCD decertifying the city's Housing Element, which would greatly limit the city's ability to regulate the type and location of housing built in Carlsbad.

Updating the Housing Element also triggered a state mandate to revise the Public Safety Element, another part of the General Plan. Public Safety elements are one of the required elements of a jurisdiction's general plan (Government Code Section 65302 (g)) and have historically focused on providing information about hazards that affect the built environment and local populations. Public Safety Elements typically consolidate information developed and maintained by fire departments, police departments, emergency service providers, and transportation and utility professionals, which then informs policies in other elements, such as the land use, mobility, or open space. The element is meant to be a complement to plans outside the general plan that are more location- and incident-specific such as emergency operations plans.

Carlsbad's Public Safety Element was last updated in 2015 as a part of the comprehensive update of the city's General Plan. Since that time, the state has passed a number of regulations that require an increased level of detail and analysis within the element. Revisions to this element are needed to update hazards mapping and ensure consistency with recent state safety regulations related to community vulnerability, climate resiliency, wildfire, and evacuation planning. These revisions, along with those necessary to implement the Housing Element programs, are part of the project description below.

Project Description

To develop the 2021-2029 Housing Element, the City Council appointed the Housing Element Advisory Committee (HEAC) in 2019. The HEAC met throughout 2020 and provided initial direction on sites, including site selection criteria. The City Council reviewed the committee's criteria and initial identification of sites in August 2020.

On April 6, 2021, the City Council adopted the Housing Element, and that element was certified by the HCD in July 2021. To implement Program 1.1, the City Council directed additional outreach to be conducted on the potential sites. Following this outreach, on Feb. 15, 2022, the City Council directed the study of two maps:

1. Map 1, the project, consists of all 18 sites.
2. Map 2, the alternative, consists of 18 sites except for sites 3, 8, and 15. In addition, Map 2 includes unit and density increases (as compared to Map 1) at the Carlsbad Village (Site 14) and Poinsettia (Site 17) Coaster stations. The Coaster Stations are owned by North County Transit District.

Both maps have been fully studied as part of the project's environmental document. The evaluation of these scenarios provides clear alternatives based on geography and allows the decision-making body to ultimately decide on one or the other or a hybrid of the two. The goal of the land use scenarios is to provide a comparative analysis, from which the city can "sculpt" the development patterns best suited to the city for inclusion in the Housing Element in conformance with Housing Element Law. Ultimately, the intention of the Alternatives Analysis was to study alternatives that fully accommodated the RHNA allocation and provide a buffer so the city can be confident that the Housing Element will remain in compliance with the Housing Element requirements throughout the eight-year cycle.

The following briefly describes each action proposed. Only a General Plan Amendment is needed to update the Public Safety Element; all other actions listed are related to rezoning of sites or implementing programs of the Housing Element.

1. General Plan Amendment (GPA 2022-0001): Revise the Land Use and Community Design Element and the Land Use Map to comply with Housing Element Program objectives, clarify Growth Management provisions, and make miscellaneous edits. Update the Public Safety Element to comply with state law.
2. Zoning Ordinance amendment (ZCA 2022-0004): Revise various chapters of the Zoning Ordinance to implement Housing Element Program objectives, clarify Growth Management provisions.
3. Zoning Map amendment (ZC 2022-0001): Amend the Zoning Map as necessary to show new residential zoning designations for the proposed housing sites.
4. Master plan amendments: Revise the Bressi Ranch Master Plan (AMEND 2023-0008) from industrial to residential for sites 10 and 11. Revise the Green Valley Master Plan (AMEND 2023-0010) to rezone Site 19 from commercial to residential.
5. Specific plan amendments: Revise the North County Plaza Specific Plan (AMEND 2023-0011) and the Westfield Carlsbad Specific Plan (AMEND 2023-0012) to rezone sites 1 and 2, respectively, to add residential designations to the existing commercial designations and revise the Fenton Carlsbad Center Specific Plan (AMEND 2023-0009) to rezone Site 7 from office to residential.
6. Local Coastal Program Amendment (LCPA 2022-0015): Amend the Local Coastal Program to reflect changes in land use and zoning designations and to master and specific plans in the Coastal Zone. Revise a policy to reflect land use changes proposed to Site 19 in the Green Valley Master Plan.
7. Supplemental Environmental Impact Report (SEIR 2022-0007): Certify a Supplemental EIR (SEIR) and adopt findings of fact, a statement of overriding conditions, and a mitigation monitoring and reporting program. The document supplements the EIR certified for the 2015 General Plan Update.

The proposed updates to the Public Safety Element are in response to changes in state law and in coordination with the other safety-related plans and planning activities, including those listed below:

- SB 99 (2019): Identify residential developments in hazard areas that do not have at least two emergency evacuation routes
- SB 379 (2015): Include climate adaptation and resiliency strategies in the safety element
- AB 747 (2019): Identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios
- SB 1035 (2018): Update safety elements to identify new information on fire hazards, flood hazards, and climate adaptation and resiliency strategies
- AB 2140 (2006): Incorporate local hazard mitigation plans into the safety element by reference to be fully eligible for certain state and federal disaster recovery funding
- 2021 Carlsbad Emergency Operations Plan
- 2023 Multi-Jurisdictional Hazard Mitigation Plan
- 2023 Carlsbad Climate Change Vulnerability Assessment

Details of the Request

The sites and housing unit totals proposed under the two map scenarios are as displayed below. Additional information on the sites, their land use/zoning designations, existing/proposed housing units yields, etc. are included in Table 2-4 of the SEIR (Attachment A to Exhibit 1).

Site	Site Name	Map 1 ¹	Map 2 ¹
1	North County Plaza ²	240	240
2	The Shoppes at Carlsbad parking lot ²	993	993
3	Chestnut at El Camino Real parcel	20	0
4	Zone 15 cluster ²	212	212
5	Avenida Encinas car storage lot	53	53
6	Crossings Golf Course Lot 5	181	181
7	Salk Ave. parcel	259	259
8	Cottage Row Apts.	117	0
9	West Oaks industrial site ³	0	0
10	Bressi Ranch Colt Pl. industrial parcel	49	49
11	Bressi Ranch Gateway Rd. industrial parcels	199	199

Site	Site Name	Map 1 ¹	Map 2 ¹
12	Industrial sites east of Melrose Dr.	456	456
14	NCTD Carlsbad Village Coaster Station ⁴	0	107
15	City's Oak Yard ⁴	0	0
16	Caltrans Maintenance Station & Pacific Sales	183	183
17	NCTD Poinsettia Coaster Station	27	100
18	North Ponto Parcels ⁵	50	50
19	La Costa Glen/Forum ²	76	76
Total		3,115	3,158

Notes:

1. Units permitted under the existing General Plan are not counted and are not reflected here. The numbers stated are in addition to those already permitted by the existing General Plan.
2. Sites 1, 2, 4, and 19: Portions of these sites are currently designated Open Space. The rezoning proposed for these sites does not affect this designation.
3. Site 9: Since its original identification in the Housing Element, the city has approved "West Oaks," a 192-unit apartment project. Because it is approved, Site 9 does not require rezoning and does not contribute units under either alternative.
4. Sites 14 and 15 do not require rezoning.
5. Site 18: Since originally identified as a potential housing site, the city has approved on a portion of Site 9 "FPC Residential," an 86-unit apartment project. Proposed rezoning of Site 18 has been modified to apply only to the portion of the site south of Ponto Drive, which consists of five small parcels totaling a little more than an acre, although the 50 units cited above remain as the full quantity above the current allowances of the General Plan.

Proposed changes to the Public Safety Element include the updating of existing maps and policies and the addition of new maps and policies based on best practice research and state requirements. The information below is a summary of the changes. The clean and redline versions of the proposed Public Safety Element update are provided in Attachment C to Exhibit 3 and Exhibit 6, respectively.

Notable changes in this update include new content on climate change hazards, identification of neighborhoods with limited evacuation routes, analysis of evacuation route capacity and vulnerability and updated reference information on related emergency service plans and facilities. In all, the proposed Public Safety Element includes three new maps, 17 updated policies, 53 new policies, and one removed policy.

Public Safety Element

Component	Topic	Proposed Change
Hazard Mapping	<ul style="list-style-type: none"> Flooding Dam Inundation Tsunami Run-Up Public Safety Services Fire Hazard Severity Zones 	Maps updated
Hazard Mapping	<ul style="list-style-type: none"> Sea Level Rise Landslide Susceptibility Single Access Roads 	Maps added
Goals	Climate Change Hazards	One goal added
Policies	Flooding	Four policies updated; four policies added
Policies	Sea Level Rise	Seven policies added
Policies	Geology and Seismicity	Two policies updated; three policies added
Policies	Airport Hazards	One policy updated; one policy added
Policies	Soils and Hazardous Materials	Four policies updated
Policies	Police, Fire, and Emergency Management	Four policies updated; one policy removed
Policies	Wildfire	One policy updated; 19 policies added
Policies	Emergency and Evacuation Preparedness	One policy updated; seven policies added
Policies	Extreme Heat, Air Quality and Drought	New section; five policies added
Policies	Climate Change Governance Capacity	New section; seven policies added

Public Outreach & Comment

General outreach

Outreach and opportunities to comment have occurred throughout the timeline for the project, beginning in early 2020 with the Housing Element Advisory Committee (HEAC) and initiation of the Housing Element Update. The release of the first Housing Element draft in November 2020 included most of the sites now being considered for rezoning. Site selection was refined with the City Council's adoption of the element in April 2021 and subsequent public input and City Council direction.

In February, 2022, the City Council, considering the fall 2021 public input received, directed the study of two different combinations of sites and unit potentials. With this direction, staff began preparation of the SEIR for the housing sites rezone and update to the Public Safety Element. In the fall of 2022, a Notice of Preparation (NOP) initiated the SEIR process and invited public comment over a 42-day

period on what the environmental document should consider. To facilitate comment, three public scoping meetings were held in September and October of 2022.

The city released the Draft SEIR for a 45-day public review from July 14 to Aug. 28, 2023. In response, 39 comment letters and emails were received. These comments and the city's responses to them are included as part of the Final SEIR (Exhibit 1, Attachment A, Chapter 2). The earlier comments received in response to the NOP are also provided as part of Appendix A to the Final SEIR.

In summary, the city undertook a public involvement process to engage residents, businesses, and other community members in the development of rezoning program. For nearly four years, the city invited public participation through virtual and in-person meetings, online surveys, extensive mailings, and social media to engage the community on the Housing Element update and the effort to find and rezone sites. Please see Exhibit 10 for a detailed chronology of public input opportunities. Please see the Response to Public Comment & Project Issues section below for discussion.

Meeting notices for the Oct. 18, 2023, Planning Commission meeting were posted on the city's website, sent through Constant Contact (e-blast), and sent to all property owners and occupants within a 600-foot radius of each rezone site. Notification was published in the local newspaper in advance of the meeting as well. Copies of the Final (and Draft) EIR were made available for review at the city's libraries and Faraday Center and were posted on the City website, and notices were sent directly to agencies that commented on the Draft EIR.

Tribal consultation

The City of Carlsbad consulted with Native American Tribal representatives consistent with the Senate Bill 18 (SB 18) and Assembly Bill 52 (AB 52) requirements.

SB 18 requires local governments to contact, refer plans to, and consult with tribal organizations prior to deciding to adopt or amend a general or specific plan. The project proposes amendments to the General Plan Land Use and Community Design Element and Public Safety Element and three specific plans.

AB 52 establishes a formal consultation process for California tribes within the CEQA process. Because the project involved the preparation of a notice of preparation for the supplemental environmental impact report, it is subject to the law.

In accordance with both SB 18 and AB 52, the city has conducted consultation as the lead agency. This consultation included written communication with a total of 27 tribal contacts. The SB 18 and AB 52 letters were sent on Oct. 24, 2022, and May 9, 2023, respectively. In response, the Pala Band of Mission Indians, Rincon Band of Luiseño Indians, San Luis Rey Band of Mission Indians, and San Pasqual Band of Mission Indians requested consultation. Subsequently, the Pala Band of Mission Indians clarified in writing that consultation was unnecessary.

Of the three Native American Tribes besides the Pala Band of Mission Indians who requested consultation, only the Rincon Band of Luiseño Indians provided written comments in response to the public circulation of the SEIR. The comments are provided as part of the public comments received on the EIR. The comments, as well as the city's responses to them, are contained in the Final EIR. The city has concluded consultation with the three tribes.

Public Notice

Public notice of the Planning Commission hearing was published on Oct. 6, 2023, in the *San Diego Union-Tribune* newspaper as prescribed pursuant to CMC Title 21 Section 21.54.060 “Notices of applications and hearings.” As done with other project milestones (see Exhibit 10) and as noted above, staff also sent notice of public hearing to all property owners (and occupants) within a 600-foot radius of each housing site, also as required by Section 21.54.060.

Future input opportunities

In addition to providing public comment directly to the Planning Commission, the project will be presented to the Housing Commission on Nov. 9, 2023, as an informational item. As the planning process moves forward, all correspondences received will become part of public record and will be incrementally attached to all future staff reports.

The recommendation and comments of the Planning Commission as well as any remarks from the Housing Commission will be provided to the City Council for final consideration. Staff anticipate a City Council hearing will be held in late 2023 or early 2024. For changes proposed to properties in the Coastal Zone, California Coastal Commission approval is required before they become effective.

Response to Public Comment & Project Issues

During the public review period of the SEIR, a total of 39 public comment letters were received. Several letters received presented either general support or general opposition for the proposed project and did not include specific comments related to the SEIR. Given that these letters presented general comments, a general response is all that is required under CEQA (*Paulek v. California Dept. Water Resources* (2014) 231 Cal.App.4th 35, 47). The comment letters that require individual responses have been categorized by sender (e.g., agency, organization, individual) and assigned a unique letter-number designation based on category. A number of the comments received on the Draft EIR addressed the same or similar issues and environmental concerns. Based on the 39 public comments received on the Draft SEIR, the following is a short summary of topics raised and staff’s responses to them.

Characterization of Draft SEIR public comments received – Most comments received were from residents, who expressed concerns about quality of life, such as increased traffic and congestion, environmental concerns regarding wildfire and water availability, and opposition to specific sites. Comments also requested clarification on some of the EIR contents as well as support for either Map 1 or Map 2.

Site selection – Some sites have garnered more public comment than others during many of the public input opportunities, including in response to the Draft SEIR public review. Exhibit 10, chronology of public input opportunities, provides links to reports on prior public input on sites; the Feb. 15, 2022, City Council staff report summarizes comments received during the fall 2021 outreach on potential housing sites, for example.

By directing the study of two maps, the City Council has provided flexibility in selecting the sites to rezone. Map 2 eliminates two sites that have produced significant community input, 3 and 8, but other sites that remain on both maps, such 10 and 14, have generated comment as well.

Where housing may locate is also guided by state legislation, including AB 686, Affirmatively Furthering Fair Housing, passed in 2017. AB 686 requires the city to assess its fair housing practices, including an examination of the relationship of available sites to areas of high opportunity and actions to affirmatively further fair housing. The location of affordable housing is key to overcoming potential patterns of segregation, promoting fair housing choice, and providing access to opportunities, including education, recreation, and employment. Consistent with AB 686, the adopted Housing Element contains policies and programs to ensure, encourage, and direct affordable housing throughout the city.

Density used to calculate site unit yields – Staff used the minimum of the density range to determine unit yields for most sites. Staff has consistently applied the minimum of the range throughout the preparation of the Housing Element Update, as demonstrated in the tables of the adopted element.

The exceptions to use of the minimum apply to Site 1, for which density was based on a proposed project; Site 9, for which density is based on approved project (West Oaks) and Sites 14 and 17, the two Coaster Stations. For these two sites, the City Council directed that additional units at each site be considered along with unit yields based on minimum densities, and this is reflected in Map 2.

Using the minimum density provides a conservative estimate of unit yield. Basing yield on a higher density would be arbitrary and could increase the difficulty of achieving the estimated housing unit quantities when developments are proposed.

Projects submitted that propose higher densities or yields exceeding what the city studied – Development applications on any of the 18 sites may propose units exceeding what the city analyzed in the SEIR. It is not possible for the city to estimate actual project densities or unit yields and whether projects will seek density bonuses. If applications are submitted proposing units above what the city has analyzed, project applicants will need to demonstrate consistency with the SEIR and/or provide additional studies as necessary to determine project impacts and their potential mitigation.

Project Analysis

State Regulations

The driver of this project is state housing and safety legislation. State Housing Element Law requires cities, among other things, to plan for and maintain an inventory of adequate housing sites to accommodate forecasted growth. In turn, the Housing Element contains programs that require the city to redesignate properties as necessary to maintain this inventory. Similarly, state safety legislation requires all local jurisdictions to update their Public Safety Elements to ensure consistency with state regulations based on updated local and regional data. The two maps of housing sites and accompanying changes to the zoning code are consistent with the state-certified Housing Element and the proposed changes to the Public Safety Element were reviewed by CalFire/the state Board of Forestry and Fire Protection at their hearing on Sept. 26, 2023; while formal notice of the Board's action is pending and must be received before the City Council can take action on the proposed updated element, staff anticipates the Board will formally support the element and recommend only minor edits to it. A discussion of how project amendments are consistent with applicable state requirements is summarized in Exhibit 11.

General Plan Consistency

The City of Carlsbad General Plan includes several goals and policies that guide development and land use within the city. The project would amend the General Plan Land Use and Community Design Element, primarily to implement Housing Element programs. In addition, the project would update the General Plan Public Safety Element to comply with recent state law. A discussion of how project amendments are consistent with the applicable General Plan policies, including Housing Element programs, is summarized in Exhibit 11.

Municipal Code Consistency

The City of Carlsbad Municipal Code, most notably Title 21 Zoning Code, includes requirements and provisions that guide development and land use within the city, consistent with the General Plan. The project proposes revisions to several Zoning Ordinance chapters and makes changes to zones identified on the Zoning Map. How the revisions proposed comply with these relevant requirements is described in Exhibit 11.

Local Coastal Program Consistency

The project would amend the Local Coastal Program land use and zoning for multiple properties in the Coastal Zone and revise regulations applicable to all properties within it. Therefore, other than revisions to the General Plan and to master or specific plans not in the Coastal Zone, proposed amendments require a Local Coastal Program Amendment. A discussion of how the project is consistent with the Local Coastal Program is provided in Exhibit 11.

Habitat Management Plan

The project proposes no changes to the Habitat Management Plan, the Zoning Ordinance chapter that implements it (Carlsbad Municipal Code Chapter 21.210), or Local Coastal Program policies related to sensitive vegetation. Further, proposed General Plan Land Use Map and the Zoning Map changes do not revise any Open Space designations or boundaries. As several proposed housing sites border open space, habitat, and/or preserve areas, it will be necessary for any development application to demonstrate consistency with the Habitat Management Plan. Please see further discussion in Exhibit 11.

Growth Management Plan

The city is currently developing a new approach to managing growth, which included the Growth Management Citizen's Committee's efforts from March 2022 to April 2023 to initiate work on developing an updated approach to manage growth in Carlsbad. On July 18, 2023, the City Council directed staff to return to the City Council in 2024 with an implementation program and options to update the Growth Management Program consistent with the committee's recommendations.

The following information evaluates the proposed land use changes with the existing Growth Management Plan. The existing Growth Management Plan (GMP) consists of two primary objectives: 1) to limit the number of housing units in the city (no longer enforceable), and 2) to ensure adequate public facilities be provided concurrent with new growth.

Number of housing units

In 1986, through Proposition E, voters limited the number of dwelling units in the city to the 54,599 housing units, as well as limits on the number of dwellings in each quadrant. However, these housing caps are no longer enforceable due to state law, as described in Exhibit 11. As a result of these housing laws, in 2020 and 2021, the Carlsbad City Council adopted resolutions 2020-104 and 2021-074 finding that the Growth Management housing caps and any moratoriums on new housing are unenforceable due to the new state laws. As shown in Exhibit 11, the planned housing units in the city, with the

proposed land use changes, will exceed the Growth Management housing caps in the northwest and northeast quadrants, as well as citywide.

Public facility standards

While the rezoning program does not specifically propose the construction of new housing or other development, it can be assumed that future development of housing sites would increase the demand on existing public facilities. The city's GMP requires adequate public facilities be provided concurrent with new growth. To ensure this, the GMP identifies performance standards for 11 public facilities – city administration, library, wastewater treatment, parks, drainage, circulation, fire, open space, schools, sewer collection, and water distribution. The proposed land use changes are consistent with the GMP facility standards, as shown in Exhibit 11.

McClellan-Palomar Airport Land Use Compatibility Plan

The Airport Land Use Commission (which is the Board of the San Diego Regional Airport Authority) must make a finding of consistency with the McClellan-Palomar Airport Land Use Compatibility Plan for land use changes proposed within Review Area 1 of the Airport Influence Area. Review Area 1 encompasses properties roughly from I-5 to the east city border and from Cannon Road south to Poinsettia Lane. This area includes several sites proposed for rezoning. A fuller description and analysis of project compliance with the ALUCP and General Plan policies are provided in Exhibit 11. Additionally, city staff has filed an application of consistency with the Commission, and the Commission's review is pending.

Master Plans and Specific Plans

The project proposes changes to sites within the Bressi Ranch Master Plan, Green Valley Master Plan, Fenton Carlsbad Specific Plan, North County Plaza Specific Plan, and the Westfield Carlsbad Specific Plan. These plans provide specific development standards for new growth and development and in some cases vision statements and overall plan objectives. Specific compliance with relevant standards and policies is described in Exhibit 11.

Environmental Review

In accordance with the city's CEQA procedures and CEQA Guidelines section 15080 through 15097, an Environmental Impact Report (EIR), State Clearinghouse No. 2011011004 (City Planning Case No. EIR 13-02), was certified as complete on Sept. 22, 2015, by the City Council for the 2015 General Plan Update and Climate Action Plan. Subsequent to its certification, three addendums to the Final EIR have been processed for the 2020 Climate Action Plan Update, the 2021 Housing Element Update, and the third for a residential and office project in 2022.

Pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an EIR has been certified, the Lead Agency is required to review any changed circumstances or new information to determine whether any of the circumstances under Public Resources Code section 21166 and CEQA Guidelines section 15162 require additional environmental review. City staff evaluated the proposed project, and all aspects of the changes, in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166 and CEQA Guidelines section 15162. In accordance with CEQA, the CEQA Guidelines, and the Environmental Protection Procedures (Title 19) of the Carlsbad Municipal Code, city staff have prepared a Supplemental Environmental Impact Report (SEIR). The SEIR addresses the environmental impacts associated with the proposed project and analyzes impacts associated with the rezoning program (both Maps 1 and 2 as directed by the City Council).

Pursuant to CEQA Guidelines Section 15163, an SEIR is an appropriate level of CEQA documentation when only minor additions and changes are necessary to make a previously certified EIR adequately apply to a project. The project does not require major revisions of the certified EIR and there is no new information to indicate the project will have a significant effect not previously analyzed or a significant effect substantially more severe than what the certified EIR considered. Instead, the SEIR incorporates updates made to the CEQA Guidelines since 2015 and includes analysis of environmental issue areas added to the CEQA Guidelines and not included in the 2015 General Plan EIR. These added issue areas include energy, wildfire, vehicle miles traveled (VMT) and tribal cultural resources. Consistent with CEQA Guidelines Section 15050, the 2015 General Plan EIR and the three addenda to it are incorporated into the SEIR by reference.

For all but five issue areas, the analysis contained in the SEIR concludes the project would result in either a less than significant impact without mitigation or a less than significant impact with mitigation. For the issue areas of air quality, cultural and tribal cultural resources, greenhouse gas emissions, noise, and transportation, the SEIR concludes there will be significant and unavoidable impacts. An impact considered significant and unavoidable cannot be reduced to below the level of significance even with mitigation. Such an impact requires a statement of overriding considerations, which is explained below. The following five issue areas are considered significant and unavoidable for the following reasons:

- Air quality - Implementation of the project would violate air quality standards or contribute to an existing air quality violation because project-related emissions would exceed SDAPCD thresholds. Similarly, the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is nonattainment under applicable federal or state ambient air quality standards.
- Cultural and tribal cultural resources - Development facilitated by the project could impact known and previously unidentified historical resources. Impacts to historical resources would be significant and unavoidable (With mitigation, impacts to tribal cultural resources would be less than significant).
- Greenhouse gas (GHG) emissions - New residential development facilitated by the project would generate temporary and long-term increases in GHG emissions. Because the proposed project includes additional housing not included in forecasting or reduction goals, the proposed project would conflict with the GHG emissions goals of the City of Carlsbad Climate Action Plan (CAP) and 2015 General Plan.
- Noise - Construction would be required to comply with the allowed daytime construction hours regulated by the Carlsbad Municipal Code and, therefore, would not occur during nighttime hours when people are more sensitive to noise. While mitigation would reduce construction noise levels for larger developments, construction noise may still exceed thresholds.
- Transportation - Development facilitated by the proposed project has the potential to interfere with achievement of the VMT reductions set forth in City of Carlsbad VMT Analysis Guidelines.

By comparison, the 2015 General Plan EIR determined significant and unavoidable impacts in two issue areas - air quality and transportation. Because future growth anticipated under the 2015 General Plan

was determined to not be consistent with the underlying growth projections of the Regional Air Quality Strategy (RAQS), the General Plan was determined to be inconsistent with the applicable air quality plan for the region. The EIR noted that until the RAQS underwent a future update to incorporate growth projections consistent with the 2015 General Plan, impacts would be considered significant and unavoidable. In addition, the EIR found construction and/or operation emissions from development under the General Plan would violate air quality standards and would expose sensitive receptors to substantial pollutant concentrations.

Regarding transportation, the 2015 General Plan EIR found significant and unavoidable conflicts with roadway facilities (including Interstate 5 and State Route 78) in relation to the level of service (LOS) metric. However, this SEIR does not consider LOS pursuant to SB 743. SB 743 states that level of service or similar measures of vehicle capacity or traffic congestion are not considered significant impacts on the environment. Therefore, policies related to VMT and not LOS are considered in the SEIR.

The primary purpose of CEQA is to fully inform the decision makers and the public of the environmental effects of a proposed project and to include feasible mitigation measures and alternatives to reduce any such adverse effects below a level of significance. However, CEQA recognizes and authorizes the approval of projects where not all adverse impacts can be fully lessened or avoided and requires a lead agency (i.e., the City of Carlsbad) to explain and justify its conclusion to approve such a project through a statement of overriding considerations setting forth the proposed project's general social, economic, policy or other public benefits that support the agency's informed conclusion to approve the project. The CEQA findings of fact, a statement of overriding considerations, and a mitigation monitoring and reporting program for impacts to air quality, cultural resources, greenhouse gas emissions, noise, and transportation are attached to Exhibit 1.

CEQA Guidelines Section 15163(c), requires a SEIR to provide the same public noticing and review as an EIR. Accordingly, the city issued a Notice of Preparation of a SEIR and held public scoping meetings in Sept. and Oct. of 2022. Following completion of the Draft SEIR, the city issued a Notice of Availability and held a 45-day public review period in July and Aug. 2023 to solicit comments on the completed draft document. Please refer to the Public Outreach and Comment and the Response to Public Comment & Project Issues sections above and the Final SEIR Response to Comments (Exhibit 1, Attachment A, Chapter 2) for additional support and justification.

Conclusion

The proposed amendments implement Housing Element program objectives, fulfill a state requirement to provide adequate housing sites, and update the Public Safety Element to align with state law and better inform the community about potential hazards. The revisions proposed reflect comprehensive input and analysis and, in response to the adequate sites mandate, substantial public outreach and input.

Staff have found the project, including its proposed amendments and environmental document, to be consistent with all applicable policies and requirements, including those not proposed for amendment.

Based on the contents of this staff report, including the attached exhibits, staff recommend the Planning Commission adopt the resolutions recommending approval of the project to the City Council. This includes a recommendation to certify the Final SEIR and adopt findings of fact, a statement of overriding considerations, and a mitigation monitoring and reporting program; a recommendation to approve amendments to the General Plan Land Use and Community Design Element and the Public

Safety Element; a recommendation to approve amendments to the Zoning Ordinance, Zoning Map, master and specific plans, and the Local Coastal Program. The City Council will then conduct a public hearing and act on the proposed project.

Exhibits

1. PC Resolution (SEIR)
2. PC Resolution (GPA, ZC – Site 4 only)
3. PC Resolution (GPA, ZCA, ZC, LCPA – all sites except Site 4)
4. Draft Land Use and Community Design Element with proposed changes shown (Site 4 only)
5. Draft Land Use and Community Design Element with proposed changes shown (all sites except Site 4)
6. Draft Public Safety Element with proposed changes shown
7. Draft Zoning Ordinance Amendment with proposed changes shown
8. Draft Local Coastal Program Amendment (policy document) with proposed changes shown
9. Draft master plan and specific plan amendments with proposed changes shown
10. Chronology of the public input opportunities - Housing Element update and site selection process
11. Project Analysis
12. Penalties and Consequences of Housing Element Noncompliance
13. Correspondence received by Oct. 10, 2023, 12 p.m. (excluding correspondence contained in the Final SEIR)
14. List of Acronyms and Abbreviations

PLANNING COMMISSION RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, RECOMMENDING CERTIFICATION OF THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (EIR 2022-0007) AND RECOMMENDING ADOPTION OF FINDINGS OF FACT, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR AMENDMENTS TO THE GENERAL PLAN LAND USE AND COMMUNITY DESIGN ELEMENT (INCLUDING THE LAND USE MAP), PUBLIC SAFETY ELEMENT, AND ASSOCIATED AMENDMENTS TO THE ZONING ORDINANCE, ZONING MAP, LOCAL COASTAL PROGRAM, AND VARIOUS MASTER AND SPECIFIC PLANS.

CASE NAME: HOUSING ELEMEINT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE

CASE NO: EIR 2022-0007 (PUB 2022-0010)

WHEREAS, the **City Planner** has filed a verified application with the City of Carlsbad regarding amendments to the General Plan Land Use and Community Design Element (including the Land Use Map), Public Safety Element, and associated amendments to the Zoning Ordinance, Zoning Map, Local Coastal Program, and various Master and Specific Plans (“project”), which affects properties citywide; and

WHEREAS, an Environmental Impact Report (EIR), State Clearinghouse No. 2011011004 (City Planning Case No. EIR 13-02), was prepared and the City Council certified it as complete by City Council Resolution 2015-242 on Sept. 22, 2015, for the General Plan Update; and

WHEREAS, the first addendum to the Final EIR 13-02 was prepared for the 2020 Climate Action Plan Update, and was adopted by City Council Resolution 2020-0146 on July 14, 2020; and

WHEREAS, the second addendum to the Final EIR 13-02 was prepared for the Housing Element Update 2021-2029, and was adopted by City Council Resolution 2021-073 on April 6, 2021; and

WHEREAS, the third addendum to the Final EIR 13-02 was prepared for the Jefferson Mixed Use: Townhome and Professional Office Project, and was adopted by City Council Resolution 2022-256 on Nov. 8, 2022; and

WHEREAS, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an EIR has been certified, the Lead Agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 require additional environmental review; and

WHEREAS, City staff evaluated the environmental impact of the proposed modifications to the project in light of the standards for subsequent environmental review outlined in Public Resources Code Section 21166 and CEQA Guidelines Section 15162. As a result of the proposed modifications to the project, and to document staff's evaluation of the environmental impact of said modifications, staff prepared a Supplemental EIR to the Final EIR pursuant to CEQA Guidelines Section 15163. Planning Case No. EIR 2022-0007 (SCH #2022090339) supplements EIR 13-02 (SCH #2011011004), certified by the City Council on Sept. 22, 2015, for the General Plan Update (GPA 07-02 and other case files); and

WHEREAS, the primary purposes of the project analyzed by EIR 2022-0007 (the "Supplemental EIR") is to comply with state law by implementing Housing Element Program 1.1

(provide adequate sites to accommodate the RHNA) and updating the Public Safety Element as necessary to comply with recent state legislation; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000, et seq., and its implementing regulations ("CEQA Guidelines"), California Code of Regulations Title 14 Section 15000, et seq., the City of Carlsbad published and distributed a Notice of Preparation (NOP) of EIR 2022-0007 for a 30-day agency and public review period starting on Sept. 14, 2022, and ending on Oct. 14, 2022. The city held two scoping meetings on Sept. 26, 2022 (in-person) and Sept. 28, 2022 (virtual). On Oct. 13, 2022, the city issued an amended NOP extending the public comment period to Oct. 26, 2022, and adding a third scoping meeting on Oct. 19, 2022 (in-person). The scoping meetings were aimed at providing information about the proposed project to members of public agencies, interested stakeholders, residents, and community members; and

WHEREAS, the Notice of Preparation, amended Notice of Preparation and comments received during the extended review period are included as Appendix A of the Draft EIR and summarized in Section 1.6 of the Draft EIR 2022-0007; and

WHEREAS, also pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000, et seq., and its implementing regulations ("CEQA Guidelines"), California Code of Regulations Title 14 Section 15000, et seq., the City of Carlsbad prepared Draft EIR 2022-0007 and made it available for public review and comment as required by law beginning on July 14, 2023, and ending on Aug. 28, 2023; and

WHEREAS, the first two Notice of Preparation scoping meetings and public review, and the public review period for Draft EIR 2022-0007, were provided via mailers to all property

owners and residents within a 600-foot radius of each housing site. The Notice of Preparation was also filed with the County Clerk, published in the *San Diego Union-Tribune*, and posted on the city's website. A project-specific page on the city's website, fliers, and social media also aided in general project awareness; and

WHEREAS, the City of Carlsbad received comments concerning the Draft EIR 2022-0007 from public agencies, organizations, businesses and individuals, and pursuant to CEQA Guidelines Section 15088, the City of Carlsbad prepared responses to all written comments received on the Draft EIR 2022-0007 that raised environmental issues; and

WHEREAS, the City of Carlsbad has determined that the comments received on the Draft EIR 2022-0007, as well as minor revisions made to the project since the release of the Draft EIR for public review, do not contain any significant new information within the meaning of CEQA Guidelines Section 15088.5 and, therefore, recirculation of Draft EIR 2022-0007 is not required; and

WHEREAS, the City of Carlsbad has prepared a Final EIR 2022-0007, which contains the information required by CEQA Guidelines Section 15132, including the Draft EIR 2022-0007 and the revisions thereto, the technical appendices and referenced documents, and the public comments and the city's responses thereto, and which has been filed with the Clerk of the City of Carlsbad; and

WHEREAS, pursuant to CEQA Guidelines Sections 15091, 15093 and 15097, the City of Carlsbad has prepared Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, which have been filed with the Clerk of the City of Carlsbad; and

WHEREAS, all materials with regard to the project were made available to the Planning Commission of the City of Carlsbad (“Planning Commission”) for its review, consideration and its recommendation to the City Council of the project including, but not limited to: the Final EIR 2022-0007, Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; all reports, applications, memoranda, maps, letters and other planning documents prepared by the environmental consultants and the City of Carlsbad that are before the city decision makers; all documents submitted by members of the public and public agencies in connection with Final EIR 2022-0007; and matters of common knowledge to the City of Carlsbad which they may consider, including but not limited to, the Carlsbad General Plan, Carlsbad Zoning Ordinance, Carlsbad Local Coastal Program, and various master and specific plans; and

WHEREAS, the city duly noticed a public hearing of the Planning Commission on October 18, 2023, to consider a recommendation of adoption of the Final EIR 2022-0007, CEQA Findings of Fact, a Statement of Overriding Considerations and MMRP, and a recommendation of approval for the project. Evidence was submitted to and considered by the Planning Commission including, without limitation:

- Written information including all application materials and other written and graphical information posted on the project website.
- Oral testimony from city staff, interested parties, and the public
- The October 18, 2023 Planning Commission staff report, which along with its attachments, is incorporated herein by this reference as though fully set forth herein.

- Additional information submitted during the public hearing; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, **and examining the Final EIR 2022-0007 (Attachment A) on file in the Planning Division and incorporated by this reference, Findings of Fact and Statement of Overriding Considerations (Attachment B), and a Mitigation Monitoring and Reporting Program (Appendix A to Attachment A), analyzing the information submitted by staff and considering any written and oral comments received,** said Commission considered all factors relating to the Final EIR 2022-0007; and

WHEREAS, the Record of Proceedings upon which the Planning Commission bases its decision includes, but is not limited to: (1) the Final EIR 2022-0007 and the appendices and technical reports cited in and/or relied upon in preparing the Final EIR and Mitigation Monitoring and Reporting Program; (2) the staff reports, city files and records and other documents, prepared for and/or submitted to the city relating to the Final EIR 2022-0007, MMRP, and the project itself; (3) the evidence, facts, findings and other determinations set forth in herein; (4) the General Plan and the Carlsbad Municipal Code; (5) all designs, plans, studies, data and correspondence submitted to the city in connection with the Final EIR 2022-0007, the MMRP, and the project itself; (6) all documentary and oral evidence received at public workshops, meetings, or hearings or submitted to the city during the comment period relating to the Final EIR 2022-0007 and MMRP and/or elsewhere during the course of the review of the project itself; (7) all other matters of common knowledge to the to the city, including, but not limited to, city, state, and federal laws, policies, rules, regulations, reports, records and projections related to development within the city and its surrounding areas.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the

City of Carlsbad, as follows:

- A) That the above recitations are true and correct.
- B) Record and basis for action. The Planning Commission has considered the full record before it, which includes the Record of Proceedings. Furthermore, the recitals set forth above are found to be true and correct and material to this resolution; and are incorporated herein by reference.
- C) **Final EIR 2022-0007 consists of the Draft SEIR, technical appendices, written comments and responses to comments, revisions to the Draft EIR and a description of revisions to the project, including but not limited to Land Use and Community Design Element and Zoning Ordinance changes, and is hereby found to be in good faith and reason by incorporating a copy of the minutes of said public hearing into the Final EIR 2022-0007 (Attachment A), all on file in the Planning Division and incorporated by this reference.**
- D) That in determining whether the proposed project has a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the city has based its decision on substantial evidence and has complied with CEQA Sections 21081.5 and 21082.2 and CEQA Guidelines Section 15901(b). Mitigation measures were developed in order to reduce potentially significant environmental impacts to a less-than-significant level, in accordance with the MMRP (Appendix A to Attachment A).
- E) That the Final EIR 2022-0007 is adequate and provides good-faith disclosure of available information on the project and all reasonable and feasible alternatives thereto. The Final EIR 2022-0007 has determined that any remaining significant effects on the environment found to be unavoidable under CEQA Guidelines Section 15091 are acceptable due to overriding concerns as described in CEQA Guidelines Section 15093.
- F) That based on the evidence presented at the public hearing, the Commission **RECOMMENDS CERTIFICATION of HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT – EIR 2022-0007 (Attachment A)** for amendments to the General Plan Land Use and Community Design Element (including the Land Use Map), Public Safety Element, and associated amendments to the Zoning Ordinance, Zoning Map, Local Coastal Program, and various master and specific plans; and **RECOMMENDS ADOPTION of the findings of Fact and Statement of Overriding Considerations (Attachment B), and the Mitigation Monitoring and Reporting Program (Appendix A to Attachment A)**, based on the following findings:

Findings:

1. The **Planning Commission** has reviewed, analyzed, and considered **Final EIR 2022-0007 (Attachment A)**, the environmental impacts therein identified for this project, the Findings of Fact and Statement of Overriding Considerations (**Attachment B**), and Mitigation Monitoring and Reporting Program (**Appendix A to Attachment A**), prior to recommending approval of this project.
2. The **Planning Commission** finds that the **Final EIR 2022-0007** reflects the City of Carlsbad's independent judgment and analysis, the Final EIR 2022-0007, Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program are complete and adequate in scope and have been prepared in accordance with requirements of the California Environmental Quality Act, the State CEQA Guidelines, and the Environmental Review Procedures of the City of Carlsbad and, therefore, the Planning Commission hereby recommends that the Final EIR 2022-0007 be certified in relation to the project.
3. The **Planning Commission** does accept as its own, incorporate as if set forth in full herein, and make each and every one of the findings contained in the Findings of Fact (**Attachment B**), including feasibility of mitigation measures pursuant to Public Resources Code 21081 and CEQA Guidelines 15091, and infeasibility of project alternatives.
4. The **Planning Commission** hereby finds and recommends to the City Council that the Mitigation Monitoring and Reporting Program (**Appendix A to Attachment A**) is designed to ensure that during project implementation, any responsible parties will implement the project components and comply with the feasible mitigation measures identified in the Findings of Fact and Mitigation Monitoring and Reporting Program.
5. The **Planning Commission** hereby finds that although certain environmental effects caused by the project will remain significant or potentially significant even after the adoption of all feasible mitigation measures, there are specific economic, social, and other considerations that render the unavoidable significant adverse environmental effects acceptable, as set forth in the Statement of Overriding Considerations (**Attachment B**) and recommends its adoption to the City Council.
6. Pursuant to Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials which constitute the record of proceedings on which this resolution is based are in the City of Carlsbad, at 1200 Carlsbad Village Drive in the custody of the City Clerk, and at 1635 Faraday Avenue in the custody of the City Planner.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Carlsbad, California, held on **Oct. 18, 2023**, by the following vote, to wit:

AYES:

NAYES:

ABSENT:

ABSTAIN:

PETER MERZ, Chairperson
CARLSBAD PLANNING COMMISSION

ATTEST:

ERIC LARDY
City Planner



Housing Element Implementation and Public Safety Element Update

Final Supplemental Environmental Impact Report
State Clearinghouse No. 2022090339

prepared by

City of Carlsbad

Planning Division

1635 Faraday Avenue

Carlsbad, California 92008

Contact: Scott Donnell, Senior Planner

prepared with the assistance of

Rincon Consultants, Inc.

2215 Faraday Avenue, Suite A

Carlsbad, California 92008

October 2023

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Carlsbad, California 92008

October 2023

This report prepared on 50% recycled paper with 50% post-consumer content.

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Appendices

Appendix A Mitigation Monitoring and Reporting Program

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1 Introduction

1.1 Final SEIR Contents

This Final Supplementation Environmental Impact Report (Final SEIR) has been prepared by the City of Carlsbad to evaluate the potential environmental impacts of the proposed Housing Element Implementation and Public Safety Element Update Project (“proposed project”).

Pursuant to the California Environmental Quality Act (CEQA) *Guidelines* Sections 15088 and 15132, the lead agency, the City of Carlsbad, is required to evaluate comments on environmental issues received from persons who have reviewed the Draft SEIR and to prepare written responses to those comments. This document, together with the Draft SEIR (incorporated by reference) comprise the Final SEIR for this project. This Final SEIR includes individual responses to each letter received during the public review period for the Draft SEIR. In accordance with CEQA *Guidelines* Section 15088(c), the written responses describe the disposition of significant environmental issues raised.

The City has provided a good faith effort to respond to all significant environmental issues raised by the comments. The Final SEIR also includes amendments to the Draft SEIR consisting of changes suggested by certain comments, as well as minor clarifications, corrections, or revisions to the Draft SEIR. The Final SEIR includes the following contents:

- Chapter 1: Introduction
- Chapter 2: Responses to Comments on the Draft SEIR, which also includes a list of all commenters and public comment letters
- Chapter 3: Revision to the Draft SEIR
- Chapter 4: CEQA Implications for Changes to the Proposed Project

The Mitigation and Monitoring Program (MMRP) is included as Appendix A to this document.

1.2 Draft SEIR Public Review Process

The City filed a notice of completion (NOC) and posted the Notice of Availability of a Draft SEIR (NOA) and the Draft SEIR with the Governor’s Office of Planning and Research to begin the 45-day public review period (Public Resources Code [PRC] Section 21161), which began on July 14, 2023 and ended on August 28, 2023. The NOA was published on July 14, 2023 in the *Coast News* and the *San Diego Union Tribune* and filed with the San Diego County Clerk. Copies of the Draft SEIR were made available at three libraries (Carlsbad City Library, 1775 Dove Ln.; Georgina Cole Library, 1250 Carlsbad Village Dr.; and the Carlsbad City Library Learning Center, 3368 Eureka Pl.) and at the city’s Faraday Center, 1635 Faraday Ave. The Draft SEIR was also available online at www.carlsbadca.gov/housingplan and the Planning Division’s webpage at <https://www.carlsbadca.gov/departments/community-development/planning/agendas-minutes-notice>. Additionally, the city notified all property owners and occupants within 600-feet of each housing site of the availability of the Draft SEIR and comment period.

As a result of these notification efforts, 39 written comments on the content of the Draft SEIR were received. Chapter 2, Responses to Comments on the Draft SEIR, identifies these commenting parties, their respective comments, and responses to these comments. None of the comments

received, or the responses provided, constitute “significant new information” by CEQA standards (State CEQA Guidelines CCR Section 15088.5).

1.3 SEIR Certification Process and Project Approval

Before adopting the proposed project, the lead agency is required to certify that the SEIR has been completed in compliance with CEQA, that the decision-making body reviewed and considered the information in the SEIR, and that the SEIR reflects the independent judgment of the lead agency.

Upon certification of an SEIR, the lead agency makes a decision on the project analyzed in the SEIR. A lead agency may: (a) disapprove a project because of its significant environmental effects; (b) require changes to a project to reduce or avoid significant environmental effects; or (c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (State CEQA Guidelines Sections 15042 and 15043).

In approving a project, for each significant impact of the project identified in the SEIR, the lead or responsible agency must find, based on substantial evidence, that either: (a) the project has been changed to avoid or substantially reduce the magnitude of the impact; (b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or (c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (State CEQA Guidelines Section 15091). Per PRC Section 21061.1, feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account, economic, environmental, legal, social, and technological factors.

If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision and explains why the project's benefits outweigh the significant environmental effects (State CEQA Guidelines Section 15093).

When an agency makes findings on significant effects identified in the SEIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects (State CEQA Guidelines Section 15091[d]).

1.4 Draft SEIR Recirculation Not Required

CEQA Guidelines Section 15088.5 requires Draft SEIR recirculation when comments on the Draft SEIR or responses thereto identify “significant new information.” Significant new information is defined as including:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The comments, responses, and Draft SEIR amendments presented in this document do not constitute such “significant new information;” instead, they clarify, amplify, or make insignificant modifications to the Draft SEIR. For example, none of the comments, responses, and Draft SEIR amendments disclose new or substantially more severe significant environmental effects of the proposed project, or new feasible mitigation measures or alternatives considerably different than those analyzed in the Draft SEIR that would clearly lessen the proposed project’s significant effects.

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2 Responses to Comments on the Draft SEIR

This chapter contains copies of the comment letters received during public circulation of the Draft Supplemental Environmental Impact Report (SEIR) prepared for the Housing Element Implementation and Public Safety Element Update Project (proposed project). The City of Carlsbad received 39 comment letters on the Draft SEIR during the 45-day comment period.

Comments and responses to comments are organized by public agency comments and responses (Group A), organization comments and responses (Group B), and individual comments and responses (Group C).

The commenters and the page number on which each commenter's letter appear are listed below.

Letter Number and Commenter		Page No.
Public Agencies (Federal, State, Regional, Local, Tribal) (A)		
A1	San Diego County Regional Airport Authority	2-3
A2	California Geological Survey (CGS)	2-5
A3	Rincon Band of Luiseño Indians	2-8
A4	California Department of Fish and Wildlife (CDFW)	2-14
A5	California Department of Transportation (Caltrans)	2-23
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Organizations (B)		
B1	Colleen Reilly, Carlsbad Research Center Owners Association Board of Directors	2-37
B2	Saahil Khandwala, Alps Group	2-41
B3	Tony Pauker, Brookfield Properties Development	2-61
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C13	Robert Rodewald	2-113
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Letter Number and Commenter		Page No.
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C18	Bradford Robbins	2-123
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C27	Christine Amato	2-150
C28	Annette Swanton	2-152
C29	Patrick Kerins	2-154

The comment letters and responses follow. The comment letters are numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response A1-1, for example, indicates that the response is for the first issue raised in Comment Letter A1).

Responses focus on comments that raise important environmental issues or pertain to the adequacy of analysis in the Draft SEIR or to other aspects pertinent to the potential effects of the proposed project on the environment pursuant to CEQA. Comments that address policy issues, opinions or other topics beyond the purview of the Draft SEIR or CEQA are noted as such for the public record. Many commenters provided comments on the proposed project, rather than on the adequacy of the information or analysis in the Draft SEIR. Where comments are on the merits of the proposed project rather than on the Draft SEIR, these are also noted in the responses. While the commenters' statements related to the proposed project are noted, they do not address the analysis or conclusions of the Draft SEIR specifically. As stated in Section 15088 of the CEQA Guidelines, "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft SEIR and shall prepare a written response. The lead agency shall respond to comments raising significant environmental issues received during the noticed comment period..." As stated in the Guidelines, the lead agency is only required to evaluate comments on environmental issues. Nonetheless, all comments will be forwarded to the City of Carlsbad Planning Commission and City Council for their consideration.

Where appropriate, the information and/or revisions suggested in the comment letters have been incorporated. These revisions are included in Chapter 3, Revisions to the Draft SEIR, of this Final EIR.

2.1 Public Agency Comments and Responses

This section provides each letter received from public agencies in response to the Draft SEIR, with specific comments identified with a comment code in the margin. Public agencies include federal, state, regional or local agencies as well as tribal governments. Following the letters, responses to the comments are provided.

From: Gowens Ed <egowens@san.org>
Sent: Thursday, July 27, 2023 2:57 PM
To: Scott Donnell
Subject: RE: Housing Element SEIR Notice

Letter A1

Hi, Scott,

We are in receipt of the notice sent to our agency via certified mail about the availability of the supplemental EIR for the Housing Element Implementation and Public Safety Element Update.

It went through another department to get to us, so, if possible, I recommend that "Airport Land Use Commission" be appended as a second line to Airport Authority on your mailing list for our agency address to ensure proper routing of any future mailings regarding our ALUC function.

As I had advised in my earlier message, I understand from the project description that this will involve rezones and amendments of land use plan designations, and, if any of those subject properties are located within the noise contours and/or safety zones of the McClellan-Palomar Airport Influence Area, those will require a consistency determination from us before Council action.

Let me know if you have any questions.

Regards,

Ed Gowens

Senior Airport Planner
Airport Land Use Commission
San Diego County Regional Airport Authority ➔
Post Office Box 82776
San Diego, California 92138-2776
voice (619) 400-2244

All correspondence with this email address is a matter of public record subject to third party review.

Is it worth a tree to print me? 

From: Scott Donnell <Scott.Donnell@carlsbadca.gov>
Sent: Tuesday, September 20, 2022 7:52 AM
To: Gowens Ed <egowens@san.org>
Subject: RE: General Plan & Zoning Ordinance Update

Hi Ed,

Yes all is well and always good to hear from you. Thanks for the reminder about the consistency determination. Getting the NOP out was important, but I know there's much additional work to do such as this consistency determination.

Thanks.

Letter A1

COMMENTER: Ed Gowens, Senior Airport Planner, San Diego County Regional Airport Authority

DATE: July 27, 2023

Response A1-1

The commenter states they received the notice of availability (NOA) for the Supplemental EIR through another department. The commenter requests that “Airport Land Use Commission” be appended as a second line to Airport Authority on the city’s mailing list for the San Deigo County Regional Airport Authority’s address to ensure proper routing of any future mailings.

This comment is noted and future correspondence will be directed to Airport Land Use Commission as requested.

Response A1-2

The commenter states that if any of the properties subject to rezones and land use designation changes are located within the noise contours and/or safety zones of the McClellan-Palomar Airport Influence Area, they will require a consistency determination from the San Diego County Regional Airport Authority before Council action.

Subsection 2.6, Required Approvals, in Section 2, *Project Description*, of the Draft SEIR acknowledges that the proposed project would likely require approval from the San Diego County Regional Airport Authority (Airport Land Use Commission) and the Federal Aviation Administration.

As discussed in Section 4.7, *Hazards and Hazardous Materials*, of the Draft SEIR, a portion of Site 10 is within Zone 2 - Inner Approach/Departure Zone, and a portion of Site 9 is within Zone 3 - Inner Turning Zone. In addition, the remaining portions of Sites 9 and 10 as well as Sites 4, 6, 7, 8, and 11 are within Zone 6 - Traffic Pattern Zone. For development within the Review Areas, new development proposals must process a site development plan or other development permit and be found consistent or conditionally consistent with applicable land use compatibility policies with respect to noise, safety airspace protection, and overflight, as contained in the ALUCP. The project would be subject to the land use compatibility policies 2.6, 3.5, and 3.6 in the McClellan–Palomar ALUCP, directing the Airport Land Use Commission to review land use actions which may have noise or safety concerns and real estate disclosures regarding overflight compatibility for sites in the Airport Influence Area. Additionally, as discussed in Table 4.7-1, the proposed project would be consistent with policies within the ALUCP.

As discussed in Section 4.10, *Noise*, of the Draft SEIR, Sites 6, 8, 9, and 16 are located within the 60 to 65 dB CNEL noise contour of the McClellan-Palomar Airport. None of the sites are located within the noise contours above 65 dB CNEL except for a small portion of northern corner of Site 9 which is within the 65-70 dB CNEL noise contour. Although a small portion of Site 9 is within the 65-70 dB CNEL noise contour, a project has been approved at this site for 192 units that included its own project-level CEQA review. The portion of the project site in the 65-70 dB CNEL noise contour is also within Safety Zone 3 and would include low density units to comply with ALUCP policies. The project was found not to conflict with ALUCP policies related to safety or noise.

Overall, the Draft SEIR acknowledges that approvals from the Airport Land Use Commission would be required for the proposed project and no changes to the SEIR are required in response to this comment.

From: Olson, Brian@DOC <Brian.Olson@conservation.ca.gov>
Sent: Wednesday, August 16, 2023 4:31 PM
To: Scott Donnell
Cc: OLRA@DOC; OPR State Clearinghouse; Schmidt, Anna@DOC
Subject: City of Carlsbad - Housing Element Implementation and Public Safety Update

SCH Number

2022090339

Lead Agency

City of Carlsbad

Document Title

Housing Element Implementation and Public Safety Update

Document Type

SIR - Supplemental EIR

Received

7/13/2023

Hello Scott,

Thank you for providing the City's Notice of Preparation (NOP) of a Supplemental EIR for our review. This email conveys the following recommendations from CGS concerning geologic and seismic hazard issues in the provided General Plan documents:

1. Tsunami Hazards

- The EIR provides a discussion of tsunami inundation hazards within the City of Carlsbad and provides a figure depicting "Maximum Tsunami Projected Runup" zones mapped by the County of San Diego. The Supplemental EIR should also discuss and depict CGS Tsunami Hazard Areas (THAs), which are mapped along the entire California coast. The purpose of a THA is to assist public agencies in identifying their exposure to tsunami hazards. It is intended for local jurisdictional, coastal evacuation planning uses only. Additional information and map files can be found at the links below:
 - <https://www.conservation.ca.gov/cgs/tsunami>
 - <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>
 - https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami_Hazard_Area_Map_San_Diego_County_a11y.pdf
- The City should also check to see if any re-zone sites are included in a Tsunami Design Zone established by the California Building Code (CBC). The CBC requires certain design standards for essential/critical or larger structures within these zones. The following website provides additional information regarding Tsunami Design Zones: <https://asce7tsunami.online/>.

Please let me know if you have any questions.



Brian Olson, CEG
Senior Engineering Geologist
Seismic Hazards Program

13 Years of Public Service



@CAgeosurvey

FOLLOW US!

California Geological Survey

320 W. 4th Street, Suite 850, Los Angeles, CA 90013

M: (213) 507-1080

E: Brian.Olson@conservation.ca.gov

"A team is not a group of people who work together.

A team is a group of people who trust each other." – Simon Sinek

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

Letter A2

COMMENTER: Brian Olsen, Senior Engineering Geologist, California Geological Survey

DATE: August 16, 2023

Response A2-1

The commenter states that the Draft SEIR includes a “Maximum Tsunami Projected Runup” zone map as mapped by the County of San Diego. The commenter states that the SEIR should discuss and depict California Geological Survey (CGS) Tsunami Hazard Areas (THA). The commenter states that the purpose of the THA is to assist agencies in identifying their exposure to hazards.

The commenter’s request has been noted and Figure 4.8-4 of the Draft SEIR has been revised to include CGS mapping. The revised Figure is included in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response A2-2

The commenter states that the city should check to see if any housing inventory sites fall within a Tsunami Design Zone established by the California Building Code (CBC).

None of the rezone sites are located in a Tsunami Design Zone established by the CBC.¹ Nonetheless, all specific project development would be required to comply with all regulations and requirements set forth by FEMA and the CMC, as well as policies 6-P.1 through 6-P.12 of the Public Safety Element Update which would implement and develop flood control programs and require installation of protective structures to minimize impacts of flooding.

¹ CBC Tsunami Design Zones: <https://asce7tsunami.online/>

Rincon Band of Luiseño Indians

CULTURAL RESOURCES DEPARTMENT

One Government Center Lane | Valley Center | CA 92082
(760) 749-1092 | Fax: (760) 749-8901 | rincon-nsn.gov



August 16, 2023

Letter A3

Sent via email: scott.donnell@carlsbadca.gov

City of Carlsbad
Mr. Scott Donnell
1635 Faraday Ave.
Carlsbad, CA 92008

Re: GPA2022-0001 Housing Element Implementation and Public Safety Element Update, City of Carlsbad, California (GPA 2022-0001/ZC 2022-0001/ZCA 2022-0004/LCPA 2022-0015/EIR 2022-0007 (PUB 2022-0010))

Dear Mr. Donnell,

This letter is written on behalf of the Rincon Band of Luiseño Indians (“Rincon Band” or “Tribe”), a federally recognized Indian Tribe and sovereign government. Thank you for providing us with the Notice of Availability of a Supplemental Environmental Impact Report (SEIR) and ongoing consultation on the City of Carlsbad Housing Element Implementation and Public Safety Element Update project. [REDACTED]

The Tribe would like to remind the city that under the CEQA Guidelines, generally an EIR may not include or publicly disclose information that is protected against disclosure under the California Public Records Act (Govt C §§6250–6276.48). The following information has potential to identify locations of tribal cultural significance and we ask for omission or reduction of the letter for the public record. Rincon’s Tribal Historic Preservation Office (THPO) has reviewed the draft SEIR and we have the following project specific concerns and comments:

[REDACTED]

The Tribe asks that the SEIR will state that proposed housing sites [REDACTED] will require a complete environmental review under the California Environmental Quality Act (CEQA) including

consulting with the Rincon Band under AB52 to provide the opportunity to further identify and assess impacts to Tribal Cultural Resources and historic properties.

4 cont.

The Tribe understands that the “city proposes under this project to undergo both General Plan land use and zoning map amendments as necessary to permit housing on the 18 rezone sites identified in the Housing Element and as directed by City Council in February 2022”.

5

Again, the Tribe would reiterate that we request that no CEQA exemptions will apply as proposed construction may impact tribal cultural resources and historic properties. Additionally, we understand that the city anticipates that future construction projects within the proposed housing sites, will potentially be CEQA exempt. The Tribes would like to learn how the City will address such project proposals that have potential to impact tribal cultural resources under their grading policy and other regulations.

As stated throughout our consultations, the Tribe recommends further consultation with the Rincon Band on Open Space designations within the City of Carlsbad. This would allow further protection of the city’s cultural heritage to dedicate Open Spaces on properties with known significant cultural resources.

6

The Tribe has also general concerns regarding the *Carlsbad Tribal, Cultural, and Paleontological Resources Guidelines* (2017)¹ which have been referenced in the SEIR to regulate cultural resources treatment and protection measures. The Tribe would like to reiterate our concerns regarding the interpretation of the guidelines and implications to the cultural mitigation measures as utilized by the city.

7

As per Council Policy Statement from February 23, 2016, the purpose of the Tribal Cultural Resource Protection is for “the City of Carlsbad [to] recognize its responsibility to protect with improved certainty the important historical and cultural values of current Tribal Cultural Resources within the City limits and to establish an improved framework for the City's consultations with Native American Tribes that are traditionally and culturally affiliated with the City of Carlsbad including the San Luis Rey Band of Mission Indians.” The Tribe is concerned that the city seems to have interpreted this statement to the point that the San Luis Rey Band of Mission Indians is the sole affiliated Tribe, which is mostly reflected in the current standard cultural mitigation measures which do not afford the Rincon Band equal consultation opportunities. The THPO would like to draw again attention to the fact that different Luiseño Bands have geographical associations and historical and living relationships to various places, landscapes, and resources throughout the diverse Luiseño ancestral territory and traditional cultural landscape. This includes the Rincon Band’s irrevocable ties to the lands and waters of what today is called the City of Carlsbad.

From our ongoing consultation with the city, we understand that further consultation with the Tribe regarding the *Carlsbad Tribal, Cultural, and Paleontological Resources Guidelines* will occur. As we believe this to be a thoughtful longer process, we would like to learn what immediate steps the city will take to address our following concerns:

8

- We ask that the Rincon Band is being afforded to also consult on what is identified in the SEIR (4.4-23) as “two standard treatments applicable to historical resources which may be used to mitigate impacts”, such as consultation on any interpretive or educational materials including panels etc.

¹ [637425976516870000 \(carlsbadca.gov\)](https://www.carlsbadca.gov/637425976516870000)

- Additionally, the current *Carlsbad Tribal, Cultural, and Paleontological Resources Guidelines* limit the Tribe's involvement and prevents engagement between the Tribe and the city in regard to any cultural resources' assessments or treatments. For example, segments *8.0 Tribal Cultures Resources Procedures* and *Section 9.0 Cultural Resources Procedures*, which include withholding project consultation opportunities from the Rincon Band such as *8.1.1.1 Procedure for Pre-NOE Consultation with the SLRBMI*; *Section 8.2.2.4 Tribal monitoring*, which omits any consideration of cultural resources being returned to affiliated Tribes other than SLRBMI, and ignoring knowledge and tribe-specific expertise in determination of significance of findings. The Tribe would like to learn how the city will address these concerns in the SEIR.

9

The Tribe is looking forward to further consultation on the project. If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 749-1092 or via email at cmadrigal@rinconnsn.gov.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,



Cheryl Madrigal
Tribal Historic Preservation Officer
Cultural Resources Manager

Letter A3

COMMENTER: Cheryl Madrigal, Tribal Historic Preservation Officer, Rincon Band of Luiseño Indians

DATE: August 16, 2023

Response A3-1

The commenter writes on behalf of the Rincon Band of Luiseño Indians and thanks the City of Carlsbad for providing ongoing consultation.

The comment is noted. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

Response A3-2

The commenter reminds the city that the Draft SEIR should not include or publicly disclose information that is protected against disclosure under the California Public Records Act, and requests information that has the potential to identify locations of tribal cultural significance to be omitted or reduced.

The City of Carlsbad acknowledges the commenter's request for their comments to be redacted. The comment does not address the adequacy or accuracy of information provided in the Draft SEIR; therefore, no further response is required.

Response A3-3

This comment has been redacted at the request of the commenter.

Nonetheless, Section 4.4, *Cultural and Tribal Cultural Resources*, of the Draft SEIR, development facilitated by the proposed project has the potential to adversely impact tribal cultural resources. Future development would be subject to AB 52 as required by CEQA and would be subject to the Carlsbad Cultural Resource Guidelines. These Guidelines address identification and treatment of tribal cultural resources that may be impacted as a result of development associated with the proposed project. Therefore, potential impacts to tribal cultural resources would be less than significant with adherence to the Carlsbad Cultural Resource Guidelines and implementation of Mitigation Measure CUL-1, as listed in Chapter 3, Revisions to the Draft SEIR. Please see Response A3-5 for an explanation of this added mitigation measure.

Response A3-4

The commenter requests that the Draft SEIR state that some of the proposed housing sites require a complete environmental review under CEQA including consulting with the Rincon Band under AB 52.

At the request of the commenter, the exact sites have been redacted. Please also see Response A3-3.

Response A3-5

The commenter requests no CEQA exemptions to apply since proposed construction of the 18 rezone sites could impact tribal cultural resources and historic properties. The commenter

understands the city anticipates that future construction projects would potentially be CEQA exempt, and states that the Tribes would like to learn how the city will address project proposals that have the potential to impact tribal cultural resources under their grading policy and other regulations.

While the comment is acknowledged, some future development proposals on the rezone sites could meet the criteria for a CEQA exemption, some future development could meet the criteria for streamlining under CEQA, and based on project specific impacts, some future development may require project specific CEQA analysis be conducted prior to project approval and issuance of any construction or building permits. In each case, future development will be reviewed by city staff to determine the appropriate level of CEQA analysis required. Nonetheless, development on all 18 rezone sites is analyzed in the Draft SEIR.

Development of rezone sites may not be subject to CEQA due to either an exemption or ministerially processing. Thus, notification of the opportunity to consult on the pending development to California Native American tribes such as under AB 52 would not be required. Further, if development does not require an amendment to the General Plan or a specific plan, notification would also not be required under SB 18.

The city anticipates that ministerial or “by right” processing may occur on the rezone sites. For this reason, project amendments to the RD-M Zone (Chapter 21.24 of the Zoning Ordinance, Title 21 of the Carlsbad Municipal Code) propose this requirement:

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.

The city’s development permitting system will flag each rezone site to require compliance with the mitigation measures when applications are submitted and before permits are issued. “Flagging” in the system is already a common city practice, such as for ensuring payment of fees prior to development approval.

Additionally, a new mitigation measure has been added to address project proposals that have the potential to impact tribal cultural resources. Please see Chapter 3, Revisions to the Draft SEIR, for the text of the new mitigation measure (Mitigation Measure CUL-3) and the revised impact analysis for Section 4.4, *Cultural and Tribal Cultural Resources*, of the Draft SEIR. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response A3-6

The commenter recommends further consultation on open space designations with the city, which would allow further protection of the city’s cultural heritage to dedicate open space on properties with known significant cultural resources.

The comment is noted. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

Response A3-7

The commenter expresses concerns regarding the Carlsbad Tribal, Cultural, and Paleontological Resources Guidelines (2017) referenced in the Draft SEIR, including interpretation of the guidelines and implications to the cultural mitigation measures utilized by the city.

The commenter references Council Policy Statement from February 23, 2016, which says the purpose of the Tribal Cultural Resource Protection is for *“the City of Carlsbad [to] recognize its responsibility to protect with improved certainty the important historical and cultural values of current Tribal Cultural Resources within the City limits and to establish an improved framework for the City’s consultations with Native American Tribes that are traditionally and culturally affiliated with the City of Carlsbad including the San Luis Rey Band of Mission Indians.”* The commenter expresses concern that the city has misinterpreted this statement to the point that the San Luis Rey Band of Mission Indians is the sole affiliated Tribe, which is reflected in the current standard cultural mitigation measures which do not afford the Rincon Band equal consultation opportunities.

The comment is in reference to the Council Policy Statement and specific sample mitigation measures as they are adopted. Any updates to the guidelines will be a public process.

Response A3-8

The commenter requests for consultation on the “two standard treatments applicable to historical resources which may be used to mitigate impacts” as outlined on Page 4.4-23 of the Draft SEIR.

These are sample standard treatments in the existing Carlsbad Tribal, Cultural, and Paleontological Resources Guidelines (2017). They are not the limit of potential measures and guidelines. Each future project will be evaluated consistent with the guidelines in place.

Response A3-9

The commenter expresses the opinion that the current Carlsbad Tribal, Cultural, and Paleontological Resources Guidelines (2017) limits the Tribe’s involvement and prevents engagement between the Tribe and the city in regard to any cultural resources’ assessments or treatments. The Tribe requests for the city to address these concerns in the Draft SEIR.

The city is committed to completing consultation consistent with California and CEQA laws and regulations.



STATE OF CALIFORNIA • NATURAL RESOURCES AGENCY Gavin Newsom, Governor
DEPARTMENT OF FISH AND WILDLIFE Charlton H. Bonham, Director

South Coast Region
3883 Ruffin Road | San Diego, CA 92123
wildlife.ca.gov



August 25, 2023

Scott Donnell, Senior Planner
City of Carlsbad Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008
Scott.Donnell@carlsbadca.gov

**Subject: Housing Element Implementation and Public Safety Element Update,
Draft Supplemental Environmental Impact Report (SEIR),
SCH #2022090339**

Dear Scott Donnell:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability (NOA) of a Supplemental Environmental Impact Report (SEIR) from the City of Carlsbad for the Housing Element Implementation and Public Safety Element Update (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

CDFW previously provided comments on the Notice of Preparation for the Project on October 24, 2022. Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines §

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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 August 25, 2023
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15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1802.) Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

1, cont.

The City of Carlsbad has an approved and permitted Subarea Plan (City of Carlsbad Habitat Management Plan (HMP)) under the subregional North County Multiple Habitat Conservation Program (MHCP). The City adopted their HMP in December 1999; CDFW and the U.S. Fish and Wildlife Service (USFWS) (jointly, the Wildlife Agencies) granted final approvals, including an Implementing Agreement (IA), in November 2004. The SEIR for the proposed Project must ensure and verify that all requirements and conditions of the HMP and IA are met. The SEIR should also address biological issues that are not addressed in the HMP and IA, such as specific impacts to and mitigation requirements for wetlands or sensitive species and habitats that are not covered by the HMP and IA.

2

PROJECT DESCRIPTION SUMMARY

Proponent: City of Carlsbad (City)

Objective: The SEIR is a supplement to the Carlsbad General Plan and Climate Action Plan EIR (State Clearinghouse #201 101 1004), certified in 2015. The Project consists of updates to the City's General Plan, including the Land Use and Community Design Element and Public Safety Element, and updates to Carlsbad Municipal Code Title 21, the Zoning Ordinance. The updates are necessary to implement the programs of the City's Housing Element Update 2021-2029 (Housing Element), which was adopted by the Carlsbad City Council on April 6, 2021, and changes in State law.

3

The Project proposes to change of land use and zoning designations on 18 sites (rezone sites) to facilitate residential development. The rezone sites consist of properties currently designated for low-density residential, commercial, industrial, or public land uses. As proposed, the rezone sites will be partially or entirely redesignated to medium or high-density residential land use

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designations. Based on the SEIR and our August 16, 2023, discussion with City staff (Rosanne Humphrey), it is our understanding that Project approval would not include approval of any physical development (e.g., construction of housing or infrastructure); however, the SEIR assumes that such actions are reasonably foreseeable future outcomes of the Project. Any future development projects would be further evaluated for consistency with the City's HMP and proposed HMP Minor Amendments would be evaluated in coordination with the Wildlife Agencies.

Location: The Project incorporates 18 rezone sites, numbered as Site 1 through 18, located within the City's jurisdiction and HMP Plan Area. Several of the proposed sites are located within the California Coastal Zone. In addition, four of the sites (Sites 4,6,9,17) are located within or adjacent to a Standards Area, Proposed Hardline, and/or Existing Hardline identified in the HMP.

Biological Setting: The diverse habitats of the City support a wide variety of biological resources, including many species listed under CESA, the federal Endangered Species Act (ESA), as well as Narrow Endemics (NE), Obligate Wetland Species (OWS), California Fully Protected Species (FP), and California Species of Special Concern (SSC). Some of the rezone sites proposed in the SEIR are occupied by, or have the potential to be occupied by, several sensitive species, to include, but not limited to: California Orcutt grass (*Orcuttia californica*; ESA-listed Endangered, CESA-listed Endangered, NE, OWS), San Diego button celery (*Eryngium aristulatum* var. *parishii*; ESA-listed Endangered, CESA-listed Endangered, NE, OWS), thread-leaved brodiaea (*Brodiaea filifolia*; ESA-listed Threatened, CESA-listed Endangered, NE), spreading navarretia (*Navarretia fossalis*; ESA-listed Threatened, NE, OWS), little mouselink (*Myosurus minimus* ssp. *apus*; NE, OWS), Orcutt's brodiaea (*Brodiaea orcutti*; NE, California Rare Plant Rank (CRPR) 1B.1), least Bell's vireo (*Vireo bellii pusillus*, ESA-listed Endangered, CESA-listed Endangered), coastal California gnatcatcher (*Poliophtila californica californica*; ESA-listed Threatened, SSC), San Diego fairy shrimp (*Branchinecta sandiegonensis*; ESA-listed Endangered, NE, OWS), and Riverside fairy shrimp (*Streptocephalus wootoni*; ESA-listed Endangered, NE, OWS). The SEIR stipulates that future development projects will be required to provide a biological resources technical report that incorporates site-specific information including a biological resource inventory, impact analysis, and mitigation measures consistent with the City's HMP requirements.

3, cont.

Scott Donnell
 City of Carlsbad Planning Division
 August 25, 2023
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COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. The SEIR should provide adequate and complete disclosure of the Project's potential impacts on biological resources [Pub. Resources Code, § 21061; CEQA Guidelines, §§ 15003(i), 15151].

Comments

1. **Potential Impacts to Listed Vernal Pool Species and Conserved Lands:**

Table 4.3-1 of the SEIR indicates that one of the Project's proposed rezone sites, Site 17, currently overlaps with the Poinsettia Station Vernal Pool Preserve (Preserve). The Preserve provides high quality vernal pool habitat for several listed and sensitive species including California Orcutt grass, San Diego button-celery, spreading navarretia, little mousetail, Orcutt's brodiaea, San Diego fairy shrimp, and Riverside fairy shrimp. The Preserve is managed by the City as a condition for vernal pool species coverage under the HMP (referenced on List 3, page C-12 in the HMP) and is protected under a Conservation Easement (CE) signed on July 25, 1994. The CE was granted to CDFW as mitigation for impacts to San Diego button-celery, pursuant to the CESA Memorandum of Understanding (MOU) 2081-1994-001-5 for the Poinsettia Lane Commuter Rail Station Project.

The Project's proposal to change the land use designation of Site 17 from Public Transportation Center (P, TC) to Residential 15-23 dwelling units/acre (R-23, P) would not be compatible with the provisions of the CE. The CE language strictly prohibits any activity on or use of the property that is inconsistent with retaining the property in a natural condition and protecting its natural resources in perpetuity; therefore, CDFW strongly discourages the City from allowing future development (e.g., housing) in any area that overlaps with the conserved property or otherwise results in indirect or cumulative impacts to the biological resources within the CE area. We recommend that the City coordinate with CDFW early on in their review of future development plans on Site 17 to ensure that any proposed impacts within, or adjacent to, the conserved property will be

4

Scott Donnell
 City of Carlsbad Planning Division
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avoided to be consistent with the conservation goals and requirements of the HMP and the provisions of CESA MOU and CE.

4, cont.

2. **Natural Habitat Areas:** Per the SEIR's 4.33c Project Impacts and Mitigation Measures section, pages 4.3-20 through 4.3-21, rezone sites that contain or are adjacent to natural habitat areas, including coastal sage scrub, oak woodlands, vernal pools, and riparian habitat, have the potential to support special-status species. The SEIR indicates that Sites 1-2, 6-9, and 18 contain natural habitat or woodlands and Site 17 contains vernal pools. Based on our review of Table 4.3-1, Site 4 also contains natural habitat such as coastal sage scrub, riparian associated with Agua Hedionda Creek, and grassland with high potential for thread-leaved brodiaea. Therefore, we recommend that this section of the SEIR be revised to list Site 4 as one of the sites that contains natural habitat for consistency in the document. In addition, we recommend that this section be revised to consider grasslands, of both native and non-native composition, as natural habitat areas that may also support special-status species (e.g., raptor foraging, sensitive plant species' habitat, habitat linkages).

5

6

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link:

<https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link:

<https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the

Scott Donnell
City of Carlsbad Planning Division
August 25, 2023
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environmental document filing fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Thank you for the opportunity to comment on the SEIR. CDFW appreciates the partnership with the City, and we look forward to working together in the future. Questions regarding this letter or further coordination should be directed to Alison Kalinowski, Environmental Scientist, by email at, Alison.Kalinowski@wildlife.ca.gov.

Sincerely,

DocuSigned by:

D700B4520375406...

David Mayer
Environmental Program Manager
South Coast Region

ec: CDFW
Karen Drewe, San Diego – Karen.Drewe@wildlife.ca.gov
Melanie Burlaza, San Diego – Melanie.Burlaza@wildlife.ca.gov
Cindy Hailey, San Diego – Cindy.Hailey@wildlife.ca.gov

Office of Planning and Research
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United States Fish and Wildlife Service
Jonathan Snyder – Jonathan_D_Snyder@fws.gov

City of Carlsbad
Rosanne Humphrey – Rosanne.Humphrey@carlsbadca.gov

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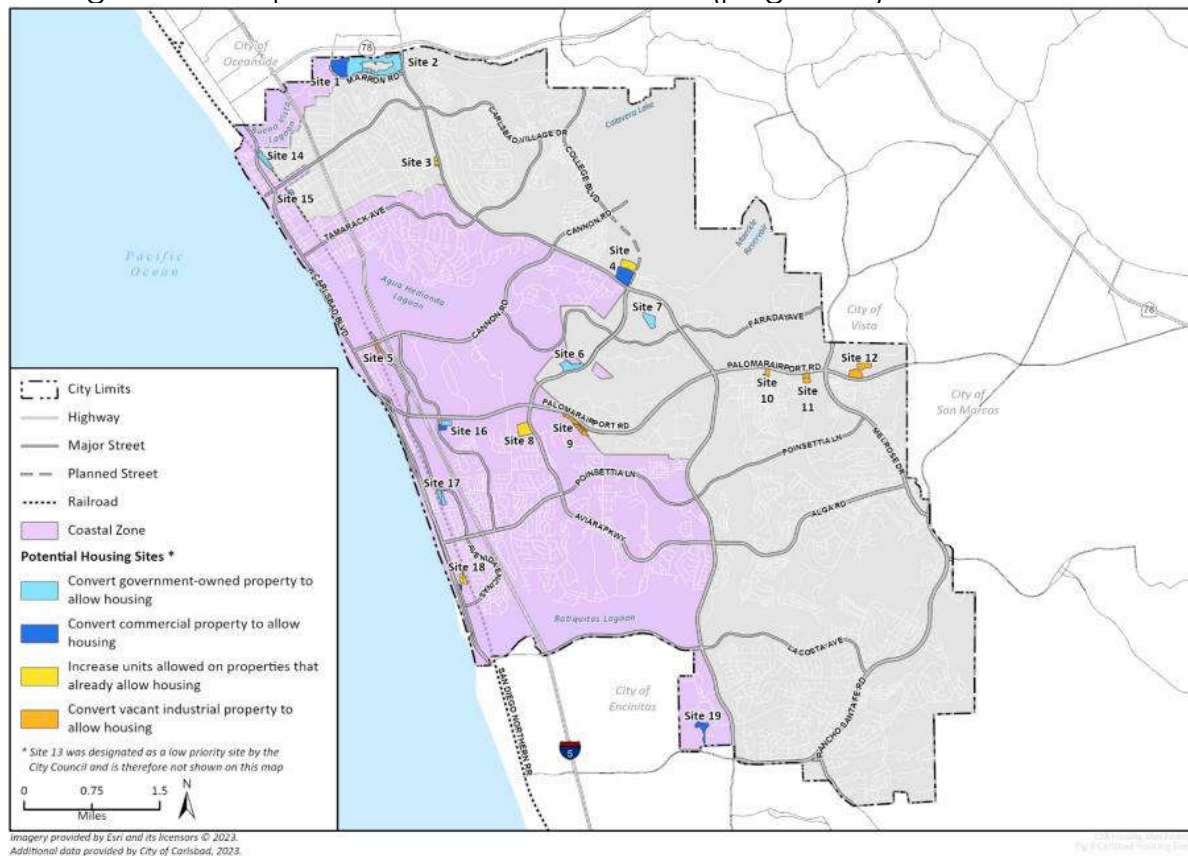
References

City of Carlsbad. August 2023. Draft Supplemental Environmental Impact Report for the Housing Element Implementation and Public Safety Element Update.

City of Carlsbad. December 1999. Habitat Management Plan.

Figures

SEIR Figure 2-4: Proposed Rezone Site Locations (page 2-13)



Letter A4

COMMENTER: David Mayer, Environmental Program Manager, South Coast Region, California Department of Fish and Wildlife

DATE: August 25, 2023

Response A4-1

The commenter states that CDFW is a trustee agency for fish and wildfire resources.

As stated in Section 1, *Introduction*, of the Draft SEIR, a trustee agency refers to a State agency having jurisdiction by law over natural resources affected by a project. There are no trustee agencies for the proposed project or EIR. Implementation of the proposed project would not directly cause development in areas where trustee agencies mentioned in *CEQA Guidelines* Section 15386 have jurisdiction. However, future development projects could be located on lands under trustee agency jurisdiction, at which time subsequent environmental review would occur. Therefore, it is acknowledged CDFW may be trustee agency with jurisdiction of the conservation, protection, and management of fish, wildlife, and native plants and habitat for future development projects on the rezone sites.

Response A4-2

The commenter states that the city has an approved and permitted Subarea Plan (City of Carlsbad Habitat Management Plan (HMP)) under the subregional North County Multiple Habitat Conservation Program (MHCP). The commenter states that the SEIR must ensure and verify that all requirements and conditions of the HMP and Implementing Agreement (IA) are met and that the SEIR should also address biological issues that are not addressed in the HMP and IA, such as specific impacts to and mitigation requirements for wetlands or sensitive species and habitats that are not covered by the HMP and IA.

This comment is informational background regarding the MHCP and city's Subarea Plan. These documents and requirements were reviewed for project consistency as discussed in the SEIR, as well as the CEQA environmental checklist for all biological resources that are considered sensitive under CEQA (such as wetlands). The Carlsbad HMP and project consistency with the HMB is discussed in Section 4.3, *Biological Resources*, of the Draft SEIR. Additional information and responses to specific comments raised on the Draft SEIR are provided in Responses A4-3 through A4-6.

Response A4-3

The commenter summarizes the project proponent, project details, project location, and biological setting.

The commenter's summary of the project and setting is accurate.

Response A4-4

The commenter states that Site 17 overlaps with the Poinsettia Station Vernal Pool Preserve (Preserve), which provides high quality vernal pool habitat for several listed and sensitive species. The commenter states the Preserve is managed by the city as a condition for vernal pool species coverage under the HMP and is protected under a Conservation Easement (CE). According to the commenter, the proposed land use designation change of Site 17 from Public Transportation Center (P, TC) to Residential 15-23 dwelling units/acre (R-23, P) [see Table 2-4 for the correct existing and

proposed land use and zoning] would not be compatible with the provisions of the CE because the CE language strictly prohibits any activity on or use of the property that is inconsistent with retaining the property in a natural condition and protecting its natural resources in perpetuity. Therefore, the commenter states that CDFW discourages the city from allowing future development (e.g., housing) in any area that overlaps with the conserved property or otherwise results in indirect or cumulative impacts to the biological resources within the CE area. The commenter recommends that the city coordinate with CDFW early on in their review of future development plans on Site 17 to ensure consistency with the HMP and the CE.

As discussed in Section 4.3, *Biological Resources*, of the Draft SEIR, Mitigation Measure BIO-5 on page 4.3-25 requires agency coordination for any proposed development on sites that encompass aquatic resources, including Site 17. In response to this comment, Mitigation BIO-7 has been revised to include coordination with responsible and administering resource agencies including CDFW and USFWS. This revision is shown in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response A4-5

The commenter states that rezone sites that contain or are adjacent to natural habitat areas, including coastal sage scrub, oak woodlands, vernal pools, and riparian habitat, have the potential to support special-status species. The commenter states that the SEIR indicates that Pages 4.3-20 through 4.3-21 of the SEIR says Sites 1-2, 6-9, and 18 contain natural habitat or woodlands and Site 17 contains vernal pools. The commenter explains that based on their review, Site 4 also contains natural habitat such as coastal sage scrub, riparian associated with Agua Hedionda Creek, and grassland with high potential for thread-leaved brodiaea. Therefore, the commenter recommends that the SEIR be revised to list Site 4 as one of the sites that contains natural habitat.

Table 4.3-1 on page 4.3-2 of the Draft SEIR lists coastal sage scrub, riparian, and grassland with high potential for thread-leaved brodiaea as occurring on Site 4. The *Special-Status Species* section on Page 4.3-21 under BIO-1 identifies that there are natural areas present on Sites 1- 4, 6-9, 17-19 and mitigation measures are identified accordingly. No revisions to the Draft SEIR have been made in response to this comment because mitigation is already required on Site 4 which addresses the commenter's concern.

Response A4-6

The commenter recommends that the SEIR be revised to consider grasslands, of both native and non-native composition, as natural habitat areas that may also support special-status species.

Page 4.3-4 of the Draft SEIR, *Grassland*, describes grassland habitat (including non-native grasslands) within the city as potentially supporting sensitive plant and animal species including foraging raptors such as the California Fully Protected white-tailed kite (*Elanus leucurus*). This section also states: *Non-native grassland may also support sensitive plant species such as the federally and state-listed thread leaved brodiaea (Brodiaea filifolia) and San Diego thorn-mint (Acanthomintha ilicifolia), and may serve as a habitat linkage for a number of wildlife species such...as the coastal California gnatcatcher.* Grassland habitat is identified in Table 4.3-1 as occurring on sites 4, 6, and 7. Potential impacts to these sites and sensitive species potentially occurring in these grassland habitats is discussed in Bio-1 on page 4.3-21 of the Draft SEIR. No revisions to the Draft SEIR have been made in response to this comment.

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Letter A5

August 28, 2023

11-SD-5, 78

PM VAR

Housing and Safety Element

DEIR/SCH# 2022090339

Mr. Scott Donnell
Senior Planner
City of Carlsbad
1635 Faraday Ave.
Carlsbad, CA 92008

Dear Mr. Donnell:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Draft Environmental Impact Report (DEIR) for the Housing and Safety Elements located near Interstate 5 (I-5) and State Route 78 (SR-78). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the City of Carlsbad in areas where the City and Caltrans have joint jurisdiction to improve the transportation network and connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

Caltrans Maintenance and Operations Station

The Housing Element proposes 182 housing units on the existing, actively used Caltrans' Carlsbad Maintenance Station near I-5/Palomar Airport Road, Carlsbad. The Caltrans Maintenance Station is the only one in North San Diego County and services areas from Del Mar to the San Diego County border at Orange County as well as freeways from I-5, SR-76 and SR-78. The land is not in Caltrans excess land, and is expected to be used for Caltrans Maintenance Operations for the long-term future.

If at some point in the future the City of Carlsbad would like to explore conversion of the Caltrans Maintenance Station for purposes of affordable housing, a number of things would need to happen, including but not limited to:

1

- A formal agreement would be needed between Caltrans and the City, detailing what would need to be done to transfer the parcel. The agreement would need to include cost considerations, to be borne by the City. The valuation of the current site would need to be "fair market value" at the time of sale or transfer.
- A suitable replacement site would need to be provided, and Caltrans Maintenance and Operations facilities built on the new site to accommodate work needs for Caltrans Maintenance activities that are done on the current site. Site acquisition costs, development costs, and building construction costs would be borne by the City.
- Since the existing Caltrans Maintenance yard site provides maintenance services to such a large geographic area, some additional land (ie. a larger parcel) may be needed to accommodate future CT Maintenance activities & needs.
- Several processes (internal to Caltrans) such as declaring the current site to be an excess parcel would need to be completed.

2

Traffic Impact Studies and VMT

- New developments resulting from the City of Carlsbad Housing Element should provide a Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) and local mobility analysis should be provided for future projects. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.¹
- The TIS may also need to identify a proposed development project's near-term and long-term safety or operational issues, on or adjacent any existing or proposed State facilities.

Planning

As part of the City's 2023 Housing Element update, Caltrans requests that the City include discussions and mapping/graphics that describe the City's existing and future housing inventory per the City's Regional Housing Needs Assessment (RHNA).

3

Housing-element law requires a quantification of each jurisdiction's share of the regional housing need as established in the RHNA Plan prepared by the jurisdiction's metropolitan planning organization (MPO) or council of governments.

In accordance with California Government Code Sections 65583 and 65584, housing elements shall contain an analysis of population and employment trends and documentation of projections and quantification of the locality's existing and projected housing needs for all income levels. These projected needs shall include the locality's share of the regional housing needs (ie. RHNA) per Government Code Section 65584.

4

Complete Streets and Mobility Network

Caltrans views all transportation improvements as opportunities to improve safety, access and mobility for all travelers in California and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated transportation network. Early coordination

¹ California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

4, cont | with Caltrans, in locations that may affect both Caltrans and the City of Carlsbad is encouraged.

5 | **Broadband**

Caltrans recognizes that teleworking and remote learning lessen the impacts of traffic on our roadways and surrounding communities. This reduces the amount of VMT and decreases the amount of greenhouse gas (GHG) emissions and other pollutants. The availability of affordable and reliable, high-speed broadband is a key component in supporting travel demand management and reaching the state's transportation and climate action goals.

6 | **Right-of-Way**

- Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.
- Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158 or emailing D11.Permits@dot.ca.gov or by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Kimberly Dodson, LDR Coordinator, at (619) 985-1587 or by e-mail sent to Kimberly.Dodson@dot.ca.gov.

Sincerely,

Maurice A. Eaton

Maurice Eaton
Office Chief (Acting) | Office of Housing and Transportation
Division of Transportation Planning
California Department of Transportation

Letter A5

COMMENTER: Maurice Eaton, Office Chief Division of Transportation Planning, California Department of Transportation

DATE: August 28, 2023

Response A5-1

The commenter states that the Housing Element proposes 182 units on the existing, actively used Caltrans' Carlsbad Maintenance Station, which is expected to be used for Caltrans Maintenance Operations for the long-term future. The commenter expresses that if the city wishes to use the Carlsbad Maintenance Station for purposes of affordable housing, a formal agreement would be needed; a suitable replacement site would need to be provided; additional land may be required to accommodate future Caltrans Maintenance activities; and several internal Caltrans processes would be required to be completed.

Approval of the proposed project would not approve any physical development (e.g., construction of housing or infrastructure). However, the Draft SEIR assumes that such actions are reasonably foreseeable future outcomes of the proposed project because the proposed project involves rezoning 18 sites to implement the Housing Element and facilitate future housing development. Table 2-4 in Section 2, *Project Description*, of the Draft SEIR states that Site 16 currently includes the Caltrans Maintenance Station. Section 3, *Environmental Setting*, explains that the northern parcel of Site 16 is developed with a Caltrans maintenance station and the southern, privately-owned parcel is occupied by commercial uses. It is acknowledged that should future development occur on the northern parcel of the site, an agreement would be needed prior to any approval of a project between Caltrans and the project proponent. Because Caltrans owns the northern parcel of the site, development could not occur without property owner agreement.

Response A5-2

The commenter states that future development facilitated by the project should provide a VMT based Traffic Impact Study (TIS) and local mobility analysis. The commenter expresses that the TIS may also need to identify a proposed development project's near term and long-term safety or operational issues, on or adjacent any existing or proposed State facilities.

As discussed under Mitigation Measure T-1 in Section 4.13, *Transportation*, of the Draft SEIR, future development at the 18 rezone sites would undergo review by the city and each project would be compared to the City of Carlsbad VMT Analysis Guidelines screening criteria to determine if the submitted project is eligible to be screened out of conducting project-level VMT analysis. If a project meets one or more of the screening criteria, the project would be determined to have a less than significant impact to VMT in accordance with the city's VMT Analysis Guidelines. A project that has not been excluded from the VMT analysis screening process outlined above must undergo a quantitative VMT analysis to determine whether it will have a significant impact on VMT. If it is determined that the project would have a significant impact on VMT (i.e., it does not result in at least a 15 percent reduction in VMT compared to existing conditions), the project would be required to implement project-level VMT reduction measures to mitigate project VMT impact to the extent feasible.

Further, while not required for CEQA, a TIS (or Traffic Impact Analysis Report) was prepared for the project and is available online at the City's website here:

Response A5-3

The commenter expresses the opinion that the city should include discussions and mapping/graphics that describe the city's existing and future housing inventory per the city's RHNA.

The city's existing and future housing inventory is discussed in the 2021-2029 Housing Element Update. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

Response A5-4

The commenter recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation network. The commenter encourages early coordination with Caltrans.

The comment is noted and will be provided to city decision-makers for consideration. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

Response A5-5

The commenter opines that the availability of affordable and reliable, high-speed broadband is a key component in supporting travel demand management and reaching the State's transportation and climate action goals.

The comment is noted and will be provided to city decision-makers for consideration. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

Response A5-6

The commenter states that any work performed within a Caltrans right-of-way will require discretionary review, an encroachment permit, and approval by Caltrans.

Future development with work performed within a Caltrans right-of-way would obtain an encroachment permit from Caltrans prior to start of work.



810 Mission Avenue
 Oceanside, CA 92054
 (760) 966-6500
 (760) 967-2001 (fax)
 GoNCTD.com

August 31, 2023

Mr. Scott Donnell
 Senior Planner
 City of Carlsbad
 1635 Faraday Avenue
 Carlsbad, CA 92008
 Sent Via Electronic Mail: scott.donnell@carlsbadca.gov

Re: Housing Element Implementation and Public Safety Element Update Supplemental Environmental Impact Report

Dear Mr. Donnell:

The North County Transit District (NCTD) appreciates the opportunity to comment on the City of Carlsbad's Housing Element Implementation and Public Safety Element Update Draft Supplemental Environmental Impact Report (dSEIR), pursuant to the City of Carlsbad's (City) notice of availability published on July 14, 2023. Accordingly, NCTD's comments are provided below:

I. Section 2.4.3

NCTD is the owner of two sites: Site 14, Carlsbad Village COASTER Station, and Site 17, Poinsettia COASTER Station, which are under evaluation for land use changes and development in the dSEIR. NCTD is strongly in favor of advancing development opportunity for these two sites. We appreciate the City's consideration of our sites for future development. Regarding the description of our sites, please consider the following clarifications:

A. Site 14: Carlsbad Village COASTER Station

- i. Number of Parcels and Assessor Parcel Numbers (APN): In this location, NCTD owns 4 parcels, not 2 as described in the dSEIR. The APNs described in the dSEIR are also incorrect. The correct APNs are as follows: 155-200-11-00, 155-200-12-00, 203-054-28-00, and 203-296-12-00.
- ii. Total acreage is incorrect as listed in the document. NCTD presently owns 17.26 acres at this location.
- iii. The Village and Barrio Master Plan currently allows for a density range of 28-35 units. NCTD supports inclusion in the dSEIR of 30 du/acre or greater.

B. Site 17: Poinsettia COASTER Station

- i. Number of Parcels and Assessor Parcel Numbers (APN): In this

	location, NCTD owns 3 parcels, not 2 as described in the dSEIR. The APNs described in the dSEIR are also incorrect. The correct APNs are as follows: 214-150-11-00, 214-150-08-00, and 214-150-20-00.	3, cont.
ii.	Total acreage is incorrect as listed in the document. NCTD presently owns 12.11 acres at this location.	
iii.	The dSEIR appears to contemplate an R-23 zoning for this site, whereas the associated fact sheet proposes: three potential zoning scenarios for Site 17: R-30, R-35, and R-40. NCTD supports zoning R-35 and R-40 designations, which would allow the site to maximize potential densities placing future residents immediately adjacent to public transportation consistent with SANDAG's 2021 Regional Plan reducing car dependence, traffic congestion, and support regional housing goals.	4
II. <u>Section 4.43</u>		
A.	The section omits any reference to 400 Carlsbad Village Dr., which is the site of the Carlsbad Santa Fe Depot, built in 1887, and which also served in other locally significant functions other than a train depot. It was listed on the National Register of Historic Place on September 30, 1999. It is located on Site 14 of the proposed project in the dSEIR.	5
III. <u>Section 4.13</u>		
A.	NCTD recommends the following clarifications noted in red to Section 4.13.1: Bus Service NCTD fixed-route bus service is referred to as their BREEZE service . BREEZE NCTD currently operates approximately nine twelve BREEZE bus routes within the city, including routes 101, 302, 304, 309, 315 , 323, 345/325 , 444, 445, 604 , 609 , and 632/623 . Buses generally operate on 20-minute 30-minute to 60-minute headways depending on the day of the week. NCTD also offers LIFT, a curb-to-curb service for disabled persons with disabilities who are unable to utilize fixed-route services the BREEZE serve and are certified as eligible to use the service, as required by the ADA.	6
B.	NCTD recommends the following corrections to Section 4.13.1: COASTER COMMUTER Rail	
i.	Headway times southbound vary from 20 minutes to 80 minutes Monday to Friday with shorter headway times occurring during the busiest hours.	
ii.	Headway times northbound vary from 20 minutes to 140 minutes Monday to Friday with shorter headway times occurring during the busiest hours.	7
iii.	COASTER service is extended into the evening hours during weekends and holidays.	
IV. <u>Section 6.2</u>		
	NCTD is supportive of Alternative 2 in addition to the Project in principle. However, the unit count calculation assumes that 180 units would be built at Sites 14 and 17 without explaining why the need for 180 units as opposed to replacing the net increase in units from Sites 3, 8, and 15, which total 137 dwelling units. NCTD	8

requests clarification as to why it was assumed that 180 units would need to be constructed at Sites 14 and 17.

8, cont.

NCTD also disagrees that air quality impacts would be larger for Alternative 2. Mobilization, demobilization, initial ground disturbance for foundation work of five sites, and associated work is likely to be much more impactful than two sites at a greater density.

9

Additionally, NCTD requests clarification regarding conflicting findings in Section 6.2(f), Green House Gas Emissions (GHG). In this section, the dSEIR states that “per capita VMT would be lower than that of the 2015 General Plan EIR, since Alternative 2 would place more residents in proximity to jobs, services, and transit thereby reducing the need for single-occupancy vehicles.” However, the comparative impact assessment provided in Table 6-6 indicates that the 2015 General Plan EIR GHG impacts equated to Less than Significant, or LTS, impacts, whereas it assigns to Alternative 2 impacts that are significant and unavoidable, or SAU. Such a finding appears to conflict with the preceding text in Section 6.2(f).

10

VMT analysis under this section should clarify assumptions with respect to how residents at Site 14 and 17 will use transit as opposed to undertake single-occupancy vehicle trips given their proximity to transit. Potentially, VMT emissions from two sites adjacent to transit centers could be less than the proposed project with 3 sites proposed at locations far away from transit centers. NCTD requests clarification regarding whether VMT calculations account for proximity to transit and clarification regarding the final calculation suggesting that the Proposed Project would result in less VMT than Alternative 2. Finally, and as stated above, we disagree with the finding that development at the two NCTD-owned sites at a higher density will result in significant and unavoidable GHG impacts given assumptions that placing residents adjacent to transit will ultimately result in fewer single-vehicle occupancy trips.

11

Finally, we remain concerned that Table 6-6 is misleading for the general public who may not read in detail the technical studies or the associated dSEIR text. The dark red could be construed by a reader as carrying greater significance even though ultimately the impacts of varying alternatives are the same. We recommend that the color choices be removed or alternatively, changed.

12

Thank you for allowing NCTD to review and comment on the dEIR. Should you have any questions, feel free to contact Lillian Doherty at (760) 967-2803 or via e-mail at ldoherty@nctd.org.

Sincerely,



Lillian Doherty
Director of Planning and Development

cc: Tracey Foster, Chief Development Officer, NCTD

Letter A6

COMMENTER: Lillian Doherty, Director of Planning and Development, North County Transit District

DATE: August 31, 2023

Response A6-1

The commenter explains that the North County Transit District (NCTD) is the owner of Site 14, Carlsbad Village COASTER Station, and Site 17, Poinsettia COASTER Station. The commenter expresses support for development of these two sites. The commenter states that for Site 14, the Draft SEIR incorrectly lists the number of parcels, APNs, and acreage, and clarifies that the NCTD owns 4 parcels, not 2 as described in the Draft SEIR. The commenter states that the correct APNs are: 155-200-11-00, 155-200-12-00, 203-054-28-00, and 203-296-12-00, and the total acreage should be 17.26 acres.

The commenter's request has been noted and page 2-15 of the Draft SEIR (Table 2-4) has been revised as listed in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

NCTD Response A6-2

The commenter comments on Site 14, and states that although the Village and Barrio Master Plan currently allows for a density range of 28 to 35 units, the NCTD supports a density of 30 dwelling units per acre or greater.

The comment is noted and will be provided to city decision-makers for consideration. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

Response A6-3

The commenter comments on Site 17, and states that the Draft SEIR incorrectly lists the number of parcels, APNs, and acreage of this site. The commenter clarifies that NCTD owns 3 parcels, not 2 as described in the Draft SEIR. The commenter also clarifies that the correct APNs are: 214-150-11-00, 214-150-08-00, and 214-150-20-00, and the total acreage should be 12.11 acres.

APN 214-150-11 was not directed to be studied by City Council and is not included in Site 17. The commenter's request has been noted and APN numbers on page 2-16 of the Draft SEIR (Table 2-4) has been revised as noted in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response A6-4

The commenter states that Draft SEIR lists an R-23 zoning for Site 17, whereas the fact sheet proposes three potential rezoning scenarios for the site: R-30, R-35, and R-40. The commenter recommends implementation of the R-35 and R-40 zoning designations which would allow the site to maximize potential densities.

City Council directed Site 17 to be rezoned to R-23. The fact sheet referenced by the commenter is incorrect as it provides only potential rezoning scenarios under Alternative 2 and not the project as directed by the City Council. The current proposed zone changes under the project are accurate as summarized in Section 2, *Project Description*, of the Draft SEIR. The comment is noted and will be provided to city decision-makers for consideration. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

Response A6-5

The commenter states that Section 4.4.3 of the Draft SEIR omits reference to 400 Carlsbad Village Drive, located on Site 14, which is the site of the Carlsbad Santa Fe Depot built in 1887, and listed on the National Register of Historic Place on September 30, 1999.

According to the city's Potential Housing Sites Map, 400 Carlsbad Village Drive is not located on Site 14 and is not proposed for rezoning under the proposed project.² If NCTD is interested in development of that site, that could be submitted through a separate project and would go through a separate review of the entire proposed project, including historic and environmental review provisions.

Response A6-6

The commenter recommends clarifications to Section 4.13.1.

The commenter's request has been noted and revisions have been made to Page 4.13-1 of the Draft SEIR as detailed in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response A6-7

The commenter recommends corrections to Section 4.13.1: COASTER Commuter Rail.

The commenter's request has been noted and Page 4.13-1 of the Draft SEIR has been revised as detailed in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response A6-8

The commenter comments on Section 6.2 of the Draft SEIR. The commenter expresses support for Alternative 2, however, the commenter states that the unit calculation assumes 180 units would be built at Sites 14 and 17 without explaining the need for 180 units as opposed to replacing the net increase in units from Sites 3, 8, and 15, which total 137 dwelling units. The commenter requests clarification as to why 180 units were assumed for Sites 14 and 17.

The unit estimate was based upon a review of potential land available for housing as a conservative estimate. Based on the potential land available and the minimum densities of the land use designations either existing (Site 14) or proposed (Site 17), unit yields for the project were determined. This resulted in a yield of 93 units for Site 14 and 27 units for Site 17. Under

² Carlsbad Potential Housing Sites Map:
<https://carlsbad.maps.arcgis.com/apps/webappviewer/index.html?id=4a5a710965bd4e6da387aa3183fd5ae2>

Alternative 2, the City Council directed higher unit yields for Site 14 (200 units) and Site 17 (100 units). The 180 units results from the difference between the yields estimated for the project vs. Alternative 2. This estimate was created prior to preliminary plans put out by NCTD for development on the site.

Response A6-9

The commenter expresses disagreement with the determination that air quality impacts would be worse under Alternative 2 since mobilization, demobilization, and ground disturbance for five sites would likely be more impactful than two sites at a greater density.

As discussed in Section 6.3.2b, *Alternative 2 – Air Quality*, of the Draft SEIR, and shown in Table 6-2, since Alternative 2 would result in an overall net increase in units by 43 units, slightly more construction emissions would be emitted when compared to the proposed project. Therefore, air quality impacts would be slightly increased under Alternative 2 when compared to the proposed project.

Response A6-10

The commenter requests clarification regarding Section 6.2f, Greenhouse Gas Emissions. The commenter states that there is a discrepancy between the analysis and Table 6-6.

As discussed in Section 6.2f, *Alternative 2 - Greenhouse Gas Emissions*, and as shown in Table 6-3, GHG emissions under Alternative 2 would increase, due to the development of 43 more housing units compared to the proposed project. Therefore, GHG impacts associated with Alternative 2 would be similar, but slightly increased as compared to the proposed project. Table 6-6 shows that Alternative 2 would also have a significant and unavoidable impact similar to the proposed project even with implementation of Mitigation Measure GHG-1. However, since GHG emissions would slightly increase under Alternative 2, Alternative 2 was found to result in an increased level of impact, detailed with the red colored highlight and the (-) denotation.

Response A6-11

The commenter requests clarification regarding the VMT analysis in Section 6.2, since VMT from two sites adjacent to transit centers would be less than the proposed project with three sites proposed at locations far away from transit centers. The commenter requests clarification on whether VMT calculations account for proximity to transit and for the determination that the proposed project would result in less VMT than Alternative 2. The commenter also expresses her disagreement that development at the two NCTD-owned sites would result in significant and unavoidable GHG impacts given the assumption that placing residents adjacent to transit will ultimately result in fewer single-vehicle occupancy trips.

The comments pertain to the GHG emissions analysis in Section 6, *Alternatives*, of the Draft SEIR and the VMT metric employed. For this analysis, Fehr & Peers used the Total VMT calculation method with the CAP approach. This methodology encompasses all VMT generated within the city (internal VMT) and half of the VMT generated between the city and areas outside but within the region (half of internal to external VMT and external to internal VMT) based on the model data.

The Total VMT reflects the collective VMT for the entire city and region and does not specifically isolate Sites 14 and 17. Consequently, direct comparisons of VMT generated for these sites in the proposed project and alternative 2 are not possible. The difference in Total VMT between the proposed project and alternative 2 for the entire region is a minimal 56 VMT out of a total of 3.7

million VMT, as indicated in the table below. This small difference underscores its insignificance within the broader context of the SEIR analysis.

The model does incorporate various transportation modes and infrastructure, including transit. However, it is crucial to reiterate that the Total VMT calculation is regional in nature. Thus, establishing a direct correlation between increased housing development in two relatively small sites and its impact on the Total VMT can be challenging due to the complex regional dynamics involved.

Scenario	Total VMT
2035 Proposed Project	3,733,018
2035 with Project Alternative 2	3,733,074
<u>Difference</u>	<u>56</u>
<u>Percent Difference</u>	<u>0.0015%</u>

Response A6-12

The commenter recommends for the color choices to be removed or changed for Table 6-6 since it could be misleading for the general public, specifically the dark red coloring which could be misconstrued as carrying greater significance even though the impacts of varying alternatives are ultimately the same.

As discussed in the footnotes section of Table 6-6 in Section 6, *Alternatives*, of the Draft SEIR, the red color denotes that the specific issue is inferior to the proposed project, or in other words, would result in an increased level of impact, which contrasts to the green color which denotes that the specific issue is superior to the proposed project, or in other words would result in a reduced level of impact.

2.2 Organization Comments and Responses

This section provides each letter received from organizations in response to the Draft SEIR, with specific comments identified with a comment code in the margin. Following the letters, responses to the comments are provided.

From: Eddie Nava <enava@planningsystems.net>
Sent: Monday, August 7, 2023 8:49 AM
To: Scott Donnell
Cc: Andrea Tagle; Colleen Blackmore
Subject: Public Notice: Housing Sites Under Consideration
Attachments: 7-27-23 - Letter RE Future Housing Sites.pdf

Letter B1

Mr. Donnell,

This email and the attached letter are in response to a recent public notice that was mailed out regarding potential future housing sites under consideration within the City of Carlsbad. The notice stated that the public review period closes on August 28, 2023. The attached letter is from the President of the Board of Directors of the Carlsbad Research Center business park, Colleen Reilly.

Please consider this response letter as the official position of the Carlsbad Research Center Board of Directors, specifically in regards to sites that are adjacent to the boundaries of the Carlsbad Research Center.

Thank you very much.

Eddie Nava

Planning Systems
1530 Faraday Ave. Suite 100
Carlsbad, CA 92008
Direct Phone: (760) 362-8945
Phone: (760) 931-0780 Ext. 110
Fax: (760) 931-5744

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

July 27, 2023

Mr. Scott Donnell Principal Planner
City of Carlsbad, Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008

Carlsbad City Council
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Re: City of Carlsbad mailed notification regarding Planning for future housing sites under consideration in Carlsbad

Dear Mr. Donnell:

The Carlsbad Research Center Owners Association Board of Directors wishes to express its opposition and concern regarding the subject notification. The Board disagrees with any City policy to place incompatible uses adjacent or in proximity to each other. This is simply bad land use planning. It is well known that residential uses near or inside commercial office, R&D and manufacturing districts create conflicts. These use types are incompatible and lead to many avoidable ongoing issues which are not in the best interest of residents or non-residential properties.

2

In addition, specifically, the Board opposes the parcels identified in the subject notification to be potentially rezoned from non-residential land use to high density residential use. Specifically, sites 4, 6 and 7 as shown on the City of Carlsbad ArcGIS map which is part of this notification. These sites are adjacent to the boundaries of the Carlsbad Research Center which is a 540-acre City of Carlsbad Specific Plan area (SP 180H).

3

The Board of Directors as individuals have extensive and lengthy experience as office, R&D and manufacturing property owners and developers. The experience of the Board having been witness to historic conflicts between residential developments and business parks throughout Southern California and elsewhere mandates that the Board make this strong statement to the City of Carlsbad.

4

Carlsbad has a number of successful, valuable, and prominent business parks within its boundaries. Carlsbad Research Center is one of the most prominent. Changing zoning to insert

Carlsbad
Research Center

Owners Association
Board of Directors

residential uses in proximity to business parks is ill advised, if not reckless. The Board strongly objects to it and opposes (and will continue to oppose) any action to pursue this intention.

Sincerely,

Colleen Reilly
President of the Board Directors, Carlsbad Research Center

4 cont.

cc: Carlsbad Research Center Board of Directors

Letter B1

COMMENTER: Colleen Reilly, President, Carlsbad Research Center Owners Association Board of Directors

DATE: July 27, 2023

Response B1-1

The commenter introduces the comment letter as a letter from the President of the Board of Director of the Carlsbad Research Center business park and asks for this letter to be considered the official position of the Carlsbad Research Center Board of Directors.

While the commenters' opinions are noted, they do not address the analysis or conclusions of the Draft SEIR specifically form which to provide a more detailed response.

Response B1-2

The commenter states that the Carlsbad Research Owners Association Board of Directors opposes the proposed project. The commenter states an opinion that residential uses near or inside commercial office, R&D and manufacturing districts create conflicts and that these land use types are incompatible with residential uses.

While the commenters' statements related to the proposed project are noted, they do not address the analysis or conclusions of the Draft SEIR specifically. The Draft SEIR analyzes potential impacts associated with the placement of residential uses on the 18 rezone sites insofar as potential physical environmental impacts would occur from development of such housing. The commentators' opinions about the merits of the project and on rezoning sites adjacent to office, R&D, and manufacturing will be provided to city decision-makers for consideration.

Response B1-3

The commenter states that the Carlsbad Research Owners Association Board of Directors opposes the rezoning of sites 4, 6, and 7, which are adjacent to the boundaries of the Carlsbad Research Center, from non-residential to high-density residential.

While the commenters' opinions are noted, they do not address the analysis or conclusions of the Draft SEIR specifically form which to provide a more detailed response.

Response B1-4

The commenter states that the Carlsbad Research Owners Association Board of Directors has experience witnessing historic conflicts between residential developments and business parks and therefore strongly opposes changing zoning to allow residential uses in proximity to business parks. The commenter states opposition to changing zoning to residential in proximity to business parks.

While the commenters' opinions are noted, they do not address the analysis or conclusions of the Draft SEIR specifically form which to provide a more detailed response.

Letter B2

August 28, 2023

Scot Donnell
City of Carlsbad Planning Division
1635 Faraday Avenue
Carlsbad, California 92008
Via Email: scot.donnell@carlsbadca.gov

SUBJECT: Public Comments Regarding the Housing Element Implementation Update Supplement
Environmental Impact Report

Dear Mr. Donnell,

The owner of Site 10, Bressi Ranch Colt Place (APN: 213-262-17; 2.6 acres), has a vested interest in all changes proposed for their property. A condominium project was submitted for Preliminary Review and comments were received from the City of Carlsbad (city) dated January 12, 2022, prior to the issuance of the Notice of Preparation (NOP) for the subject Draft Supplemental Environmental Impact Report (SEIR). The P-C (Planned Community) zoning of the site is covered by the Bressi Ranch Master Plan, which designates the site for (P-M) Planned Industrial uses. The current General Plan designation of the site is PI (Planned Industrial), which is proposed for amendment to R-23 via the city's Housing Element Implementation Update project. The Housing Element Implementation Update project has been assessed by a Draft SEIR released for public review in July 2023. The items below reflect the property owner's comments on the SEIR for the public record:

1. **Executive Summary:** It is acknowledged that there are no Mitigation Measures that are specifically required for future development of Site 10. This is assumed based on the specific callouts for certain Sites under specific mitigation measures. It is not clear, however, if or how the general Mitigation Measures apply to all sites. We request this be clarified in the SEIR.

2. **Introduction:** It is recognized that Site 10 is specifically called out in multiple public comments received during the public scoping period (September 14, 2022 through October 14, 2022) as provided in **Table 1-1**.

Under Biological Resources, the commenter is concerned potential development on Site 10 would affect nesting habitat for hawks and owls. The city responds that the issue of impacts on habitat and special status species is addressed in Section 4.3 *Biological Resources* (Impact BIO-1) of the SEIR.

Under Transportation, the commenter is concerned regarding the impact of increased development of sites on emergency evacuation, particularly Site 10. The city responds that this issue is addressed in multiple areas of the SEIR, including Section 4.7 *Hazards and Hazardous Materials* (Impact HAZ-5), Section 4.13 *Transportation* (Impact T-4), and Section 4.15 *Wildfire* (Impact WF-2).

Under Utilities and Service Systems, the commenter is concerned the electrical grid will be able to handle additional residents on sites such as Site 10. The city responds that impacts associated with electrical infrastructure to connect new development are discussed in Section 4.14 *Utilities and Service Systems*.

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However, when reviewing these sections, there is no direct discussion of Site 10. While it can logically be inferred that Site 10 is excluded unless specified, we request that more direct language be included in the table or the sections to explicitly state that Site 10 will not result in impacts to the areas of concern stated in the public comments received during the NOP public scoping period.

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3. **Project Description:** Section 2.4.1 states that project includes “[revising] various master plans and specific plans as necessary to reflect amendments to the General Plan, Zoning Ordinance, and Local Coastal Program”. It is not clear in the SEIR when or how these amendments will be completed. There should be a statement added specifying when the master plan/specific plan amendments will be completed.

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Additionally, Section 4.9 Land Use of the SEIR concludes no significant impacts or mitigation measures. However, changing the underlying zoning designations of sites, such as Site 10, inherently implies a potential conflict with the governing land use plan and associated policies. Alternatively, if it has been analyzed and determined that the change in the underlying zoning designations will NOT result in any specific environmental impacts related to the change to the master plan(s) and/or specific plan(s), this should be explicitly stated to support the conclusion of Less than Significant without Mitigation.

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Should there be a statement under **Section 4.9 Land Use** that lays out the process of updating any impacted specific plans or master plans, such as the Bressi Ranch Master Plan? Perhaps a Mitigation Measure similar to that for updating the city’s Climate Action Plan (MM GHG-1) should be added to the Land Use section. The measure could include a process to address text changes to the applicable planning areas of the master plan to change from industrial or residential with corresponding development standards established; outline approval procedures that accommodate this citywide General Plan Amendment effort and EIR; and account for potential amendments to the existing master plan or specific plan EIRs that were prepared based on project impacts not contemplated by changes imposed by this Housing Element SEIR.

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If it is the intent of the city to have the master plans and specific plans updated as part of this project, then the proposed updates should be included and discussed in the project description and any potential impacts addressed in each relevant environmental topic sections. Further, it should be made clear as to whether the amendments to the master and specific plans would require subsequent environmental analysis under their corresponding environmental documents (i.e., Bressi Ranch EIR).

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4. **Project Description:** Site 10 is included in **Table 2-4** of the Project Description, which lists sites proposed for General Plan Land Use and Zoning Map Changes. The table descriptors include the site number, location, APN, current and proposed land use designations (Site 10: PI → R-23), current and proposed Zoning designations (Site 10: P-C → P-C), number of existing units (zero), unit yield under existing designations (Site 10: PI and P-C yield zero units), the proposed unit yield (Site 10: 19 du/ac for a total of 49 units), and the net increase in units (Site 10: 49 units as there are currently zero).

The current zoning of Site 10, P-C, is not proposed to change under the Housing Element Implementation Update project. This is true of multiple sites. We request that a “no change” designator be included for any site that is not going to have its Zoning designation change (i.e., Sites 10, 11, and 19), as is shown for Site 14 and Site 15.

9	<p>We request that Site sizes are included in Table 2-4 since unit yields are presumably based on dwelling units per acre (du/ac).</p>
10	<p>The baseline densities contemplated in the SEIR could be exceeded by pursuing the high-end of the density allowance of the R-23 designation being implemented by the city (i.e., 23 units per acre or 60 units for Site 10), and then state density bonus units could be proposed on top of that density unit yield. Assuming a base density yield of 60 units per acre, an inclusion of 11% affordable units, and the implementation of a 35% density bonus, Site 10 has the potential to yield up to 81 units rather than 49 units. As stated above, Preliminary Review of a residential project on this site has been initiated and includes up to 81 units on the property as it is the property owner's intent to implement state density bonus. How does the SEIR account for sites that will exceed mid-range baseline assumptions <i>and</i> apply state density bonus allowances? Since the SEIR includes an estimated yield of 49 units on Site 10, would that prevent future development from exceeding that number? Or, in the event of a project proposing a number greater than 49 units, would that require an amendment to the SEIR?</p>
11	<p>There is a footnote in Table 2-4 that states "Unit yields are estimates only." We request that this footnote be expanded to 1) clearly be applied to all site yield assumptions, 2) expanded to explain why the yields are estimates only, and/or 3) have a new footnote or text paragraph that explains the use of TOTAL new unit yield (e.g., 3,295) when analyzing certain topics (i.e., air quality, transportation, noise) versus the estimated yield per site and how the yield on individual sites may fluctuate and still be covered under this SEIR, as long as the total number of projected new units is not exceeded.</p>
12	<p>5. Project Description: Section 2.4.7 discusses the need to amend multiple master and specific plans in association of the rezoning of sites 1, 2, 7, 10, 11, 14, 15, and 19. Again, there is no further discussion within the SEIR as to how or when these amendments will be undertaken or if the amendments to those master and specific plans would, in turn, require additional or new environmental review under CEQA Guidelines. Furthermore, while Table 2-4 described the change in land use designation and zoning, there is no description of the potential change in the master or specific plan designation of a site. For example, the underlying zoning for Site 10 is currently (P-M) Planned Industrial. What would the new designation of Site 10 be in the Bressi Ranch Master Plan? Would the change in Site 10's underlying zoning designation require any sort of revision to the certified Bressi Ranch Master Plan EIR (SCH No. 1999041010) or would this SEIR be the appropriate CEQA document to use to assess future development on this site?</p>
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14	<p>6. Project Description: As detailed in Section 2.6 Required Approvals, it is assumed that future projects on the rezone sites will adhere to the CEQA mitigation measures identified in the Mitigation Monitoring and Reporting Program for this SEIR for the site to develop consistent with the purpose of the rezone and to ensure that future development reduces environmental impact to the extent feasible. The section then states that development consistent with the project description of the SEIR could proceed "by right" or could potential qualify to tier from the SEIR, as appropriate per CEQA Guidelines Sections 15152, 15162, and 15168. Please explain how this applies to the sites that fall within master or specific plan areas, especially since there are no details as to what these sites (e.g., sites 1, 2, 7, 10, 11, 14, 15, and 19) will be rezoned to under their governing land use plans or whether that action will require additional CEQA review related to each master or specific plan CEQA document.</p>

- 15 | 7. **Environmental Setting:** We request that **Table 3-1** be revised to include whether a Site is within a master or specific plan (e.g., sites 1, 2, 7, 10, 11, 14, 15, and 19).
- 16 | 8. **Environmental Setting:** As noted in **Table 3-1**, Site 10 has been pre-graded via prior master plan mass grading activity and its vegetation community is designated as Disturbed in Table 4.3-1 of the SEIR. We request this detail to be added to the description of Site 10 in Table 3-1.
- 17 | 9. **Section 4.1 Aesthetics, subsection 4.1.2 Regulatory Setting, c. Local:** On page 4.1-5 of the SEIR, Specific and Master Plans are very broadly discussed. A series of master plans (e.g., Aviara, Bressi Ranch, Calavera Hills, Rancho Carrillo, Robertson Ranch, and Villages of La Costa) are acknowledged as existing. Then there is the following sentence: “The Village Master Plan (described below) guides development *in that area*.” (emphasis added). The paragraph that follows then provides a short description of the Village Master Plan generally. However, it is not clear what area is being referred to in the preceding sentence. Furthermore, why aren’t the relevant master and specific plans being described, such as the Bressi Ranch Master Plan (sites 10 and 11) or The Shoppes Specific Plan (site 2)?
- 18 | 10. **Section 4.1 Aesthetics, subsection 4.1.3 Impact Analysis, c. Project Impacts and Mitigation Measures, Threshold 1:** In the third paragraph, soft language is used without explanation – “in most cases”, “most of the development on the rezone sites”, “many of the views” – and only sites 1, 2, 11, and 12 are detailed for building height maximums. Three of those sites are listed as being part of master or specific plans (1, 2, and 11), but again, there is no description of their future underlying zoning designation or resultant development standards. We request that the description be clarified with callouts or descriptions of all sites proposed for rezoning.
- 19 | 11. **Section 4.2 Air Quality, subsection 4.2.3 Impact Analysis, c. Project Impacts and Mitigation Measures, Threshold 2, Operation:** It is not clear what is meant by “full buildout of the proposed project”. Please refer to comment 4 above regarding potential approaches to explaining the estimated unit yield per site versus the assumed total unit yield of all new rezoned properties. An expanded discussion of the methodology for quantifying air quality impacts could help support the impact conclusions.
- 20 | 12. **Section 4.4 Cultural and Tribal Cultural Resources:** In Table 4.4-2 what is the difference between eligibility statuses of “N/A” versus “Unknown”. If a rezoned site, such as Site 10, is documented as vacant and has been previously disturbed with rough grading, why would its eligibility status be “unknown”? Furthermore, it is unclear if any previous CEQA review/documentation was reviewed to assist in the determination of potential historical resources at the rezone sites, specifically for those sites that are part of master or specific plans. If a site is listed as “unknown”, what would the future analyses process look like for a proposed project?
- 21 | 13. **Section 4.4 Cultural and Tribal Cultural Resources, subsection 4.4.4 Impact Analysis, c. Project Impacts and Mitigation Measures, Threshold 4s and 4b:** How can the conclusion be “less than significant” if consultation with tribes is on-going? If the tribes have mitigation requests for any of the rezone sites, how will the city ensure compliance with the agreed upon measures? If site specific measures get incorporated into the Carlsbad Cultural Resource Guidelines, shouldn’t there be a mitigation measure capturing that process in and of itself? What if consultation results in
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measures specific to one of the rezone sites, how will the property owners (and public generally) be notified?

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14. **Section 4.6 Greenhouse Gas Emissions:** Similar to comment 11 related to air quality modeling, how was the growth forecast determined? Please also refer to comment 4 above.

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15. **Section 4.6 Greenhouse Gas Emissions, subsection 4.6.3 Impact Analysis, c. Project Impacts and Mitigation Measures:** It was noted that the proposed project involves development beyond what was anticipated in the 2015 General Plan EIR. Therefore, the new units (i.e., 3,295 units) and their associated GHG emissions were not accounted for in the CAP analysis. The targets and measures in the existing CAP do not consider the growth accommodated by the proposed project and thus the proposed project would not be consistent with the existing City of Carlsbad CAP.

Furthermore, the SEIR presents, the 2015 General Plan EIR found that implementation of the CAP was required to reduce GHG impacts resulting from implementation of the General Plan. However, since the proposed project (i.e., 3,295 units) was not accounted for in the CAP analysis, *the proposed project would not be consistent with the General Plan until the CAP is updated.* This does not seem to make sense. While it is understood that the CAP would not apply to development of the sites listed for rezoning until it is updated, the project itself is meant to ensure consistency among city planning documents, including the General Plan. We ask that the city revise this statement for accuracy and possibly specify that the CAP is still valid if the total number of units developed does not exceed the assumptions contained in the analysis conducted as a part of the 2015 General Plan EIR.

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16. **Section 4.6 Greenhouse Gas Emissions, subsection 4.6.3 Impact Analysis, Summary and Mitigation Measure GHG-1:** The SEIR concludes that as the project would result in an increase in housing units that were not accounted for in the CAP analysis, which included setting emissions reductions targets and identifying measures to meet the targets, the proposed project would conflict with applicable plans, policies, and measures an agency adopted for the purpose of reducing emissions of GHG emissions and impacts would be potentially significant.

Mitigation Measure GHG-1 describes the steps the city must take to update the Climate Action Plan, but it appears to be broad in its scope, not just updating to account for the additional units under the proposed project, but to update the entirety of the CAP to account for new legislation. For example, what is AB 1279 and how is it related to the proposed project? It is discussed in the Regulatory Setting section as existing legislation, but no additional mention of it again until the mitigation measure.

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While it is understood that the CAP needs to be updated to account for GHG emissions from the additional units under this project (as well as generally requiring updating), there may be a more efficient way to accomplish this while still allowing for development of the rezoned site. For example, the existing CAP accounts for emissions from a total maximum number of units (i.e., full buildout of the General Plan), rather than pinpointing development of individual projects on individual lots. The city has an existing available housing capacity of 6,218 units (SEIR Section 2.4.8). Rather than viewing development on the rezone sites as individually impacting GHG emissions, the city could view development under the umbrella of the 6,218 available units citywide that are accounted for in the current CAP. Therefore, development can continue to be

25 cont		proposed on all eligible properties, including the rezone sites, as long as the total number of new units does not exceed 6,218 units citywide, while the CAP is being updated to account for the general increase in housing units and to address the new changes in legislation.
26	17.	Section 4.9 Land Use and Planning: We request that Table 4.9-1 Existing Land Use Designation include a detail to indicate whether a site is in a master or specific plan area and label which one as applicable.
27	18.	Section 4.9 Land Use and Planning, subsection 4.9.2 Regulatory Setting, c. Regional and Local: There is a brief description of specific and master plans, but no detail is provided. We request that descriptions of all relevant, impacted specific or master plans be included throughout the SEIR, but particularly in the Land Use and Planning Section as they are important to this section discussion.
28		In addition, there is no discussion of the city's Climate Action Plan as a regulatory document related to land use and planning. The CAP Consistency Checklist, which is used to ensure project compliance with citywide emissions reduction goals, includes specific design and operational requirements that projects must comply with as part of the project review process. Please explain why this document is not included in the list of Local regulatory documents or add it to this section.
29	19.	Section 4.9 Land Use and Planning, subsection 4.9.3 Project Impacts and Mitigation Measures, Threshold 2: How can the city conclude less than significant impacts to land use plans and policies with no disclosed review of any impacted master or specific plans? Please refer to comment 3 above. Furthermore, the implementation of the project results in a significant and unavoidable impact related to GHG emissions until the city's CAP is updated. Is the CAP not considered a land use plan or policy document? If it is, then how can the conclusion here be less than significant, whereas the conclusion to GHG Threshold 2 is significant and unavoidable?
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31	20.	Section 4.10 Noise, subsection 4.11.2 Regulatory Setting, c. Local: Please include a discussion of McClellan-Palomar Airport Land Use Compatibility Plan noise policies.
32	21.	Section 4.10 Noise, subsection 4.11.3 Project Impacts and Mitigation Measures, d. Cumulative Impacts, Airport Noise: The cumulative discussion of airport noise does not seem to be writ en correctly. It is implying that the proposed increase in residential development would not result in an increase in aircraft operations. This is impossible to know as it is feasible that an increase in local population could result in an increase in demand for flights out of or into the local airport. Since the related threshold asks if a project would expose more people to airport noise, logically a cumulative increase in population WOULD expose more people to airport noise. This conclusion should be rewrite n.
33	22.	Section 4.11 Population and Housing: The air quality section includes a mitigation measure to report the revised city of Carlsbad growth projections to SANDAG to ensure consistency with regional forecasting. Is the regional forecasting update part of the SANDAG 2021 Regional Plan? It would appear this should be discussed in the Pop and Housing section somewhere.
34	23.	Section 4.15 Wildfire Impact WF-1: Impact HAZ-5 (page 4.7-21) determined that development facilitated by the project would not impair implementation of or physically interfere with an

- 34 cont | adopted emergency response plan or emergency evacuation plan. Impact T-4 (page 4.13-19) determined development of the project would not result in inadequate emergency access. Why then, is the determination of Impact WF-1 (page 4.15-13) that development facilitated by the project “could result in changes to emergency evacuation routes or could increase roadway congestion such that the use of an evacuation route would be hindered”? The impact analysis discussion consistently concludes that there is no such hinderance or interference. This impact statement should be revised to reflect the analysis.
- 35 | 24. **All Section 4 Environmental Impact Analysis sections, subsection 4.xx.2 Regulatory Setting, c. Local:** Why is there no discussion of relevant master or specific plans in each section?
- 36 | 25. **All Section 4 Environmental Impact Analysis sections, subsection 4.xx.3 Impact Analysis, b. Prior Environmental Analysis:** Perhaps this is an appropriate place to include a discussion of master and specific plan CEQA documents that made impact determination of the relevant sites (e.g., sites 1, 2, 7, 10, 11, 14, 15, and 19) related to environmental impacts, as appropriate.
- 37 | 26. **All Section 4 Environmental Impact Analysis sections, subsection 4.xx.3 Impact Analysis, c. Project Impacts and Mitigation Measures introduction:** Provide more explanation as to how the lead agency has determined that future updates to the Master and Specific Plans, for consistency between the city’s planning documents, in and of themselves will not result in physical changes to the environment thereby not resulting in impacts, but then each analysis section focuses on impacts associated with implementation of the rezone program which would facilitate the development of 18 rezone sites listed in Table 2-4 in Section 2, *Project Description*. Either there are impacts from these rezones or there are not. Please refer to comment 3 above.
- 38 | 27. **General Comment:** We recommend doing a review of references to the City’s CAP throughout the document. Since the update to the CAP is a substantial mitigation measure (SU until completed), it should be disclosed that any referenced CAP measures may need to be revised or amended with the update. This concern is notable in **Section 4.14 Utilities and Service Systems** where multiple CAP policies are referenced in support of policies decreasing potential impacts.

Thank you for the opportunity to provide our comments and concerns. We look forward to receiving responses to our comments and continuing the conversation with the City of Carlsbad.

Sincerely, on behalf of Saahil Khandwala of Alps Group,



L. Stan Weiler - HWL

Cc via email:

Saahil Khandwala – Alps Group
Eric Munoz - HWL
Sally Schiffman - HWL

Letter B2

COMMENTER: Saahil Khandwala of Alps Group

DATE: August 28, 2023

Response B2-1

The commenter states that the owner of Site 10, Bressi Ranch Colt Place, has a vested interest in all changes proposed for their property. The commenter states that a condominium project was submitted for Preliminary Review and comments were received from the city on January 12, 2022, prior to issuance of the NOP for the Draft SEIR. The commenter states that the Planned Community (P-C) zoning of the site is covered by the Bressi Ranch Master Plan, which designates the site for Planned Industrial (P-M) uses. The commenter expresses that the current General Plan designation for the site is Planned Industrial (PI), which is proposed by the Housing Element Update to be amended to R-23.

This comment includes background information and does not directly relate to the analysis or conclusions in the Draft SEIR.

Response B2-2

Referring to the Executive Summary of the Draft SEIR, the commenter states that no mitigation measures are specifically required for development of Site 10. The commenter expresses his confusion whether general mitigation measures apply to all sites, and requests for clarification in the Draft SEIR.

Unless otherwise specified in the mitigation measure, all mitigation measures in the Draft SEIR would apply to Site 10. For example, Mitigation Measure BIO-1 lists which sites the measure is required for and Site 10 is not included. The Mitigation Monitoring and Reporting Program (MMRP) lists which mitigation measures apply to which rezone sites. The MMRP is included in Appendix A of this Final SEIR.

Response B2-3

Referring to Section 1, *Introduction*, of the Draft SEIR, the commenter states that Site 10 is called out in multiple public comments received during the public scoping period, such as for biological resources, transportation, and utilities and service systems. However, no direct discussion of Site 10 is provided. The commenter requests more direct language be included in the table or in sections to explicitly state that Site 10 will not result in impacts to the areas of concern stated in the public comments received during the NOP public scoping period.

As explained in Section 1, *Introduction*, because the Draft SEIR analyzes impacts associated with the proposed land use changes described in Section 2, *Project Description*, and does not analyze specific development projects, the Draft SEIR is a Program EIR. Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general or qualitative discussion of impacts, alternatives, and mitigation measures than a Project EIR. Therefore, impacts associated with development on the rezone sites are analyzed at the program level. For example, air quality impacts are assessed for the program as a whole. Nonetheless, some issue areas, such as biological resources, address site-specific impacts and those impacts are called out as appropriate. Table 1-1 of the Draft SEIR adequately summarizes

responses to the NOP and indicates where issue raised are addressed in the Draft SEIR. No revisions to the Draft EIR have been made in response to this comment.

Response B2-4

The commenter comments on Subsection 2.4.1 of the Draft SEIR and states that the Draft SEIR is not clear on when or how the amendments will be completed. The commenter recommends adding a statement in specifying when the master plan or specific plan amendments will be completed.

As discussed in Section 2, *Project Description*, of the Draft SEIR, several of the rezone sites are within master or specific plans. These plans require amendment as necessary to ensure consistency with the General Plan and Zoning Ordinance and Map as proposed by this project. Amendments to master and specific plans that are occurring to ensure internal consistency amongst city planning documents and to implement the Housing Element are occurring as part of the proposed project and will occur at the same time the other zoning and General Plan amendments would occur. In response to this comment, additional information has been provided in Section 2, *Project Description*, to further explain the proposed amendments to the master and specific plans. These revisions are detailed in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not constitute significant new information and recirculation of the Draft SEIR is not warranted. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response B2-5

The commenter states that Section 4.9, *Land Use*, of the Draft SEIR concludes no significant impacts or mitigation measures. However, changing the underlying zoning designations of sites inherently implies a potential conflict with the governing land use plan and associated policies. The commenter expresses the opinion that if it has been determined that the change in underlying zoning designations will not result in specific environmental impacts related to the change to master plans or specific plans, this should be explicitly stated to support the conclusion of less than significant without mitigation.

As acknowledged in Section 4.9, *Land Use and Planning*, of the Draft SEIR, the proposed project involves updates to master and specific plans that are being proposed as part of the project for consistency between the city's planning documents. These amendments are being proposed to ensure that the city's land use planning documents are internally consistent and that no conflicts between documents would result from implementation of the project. These amendments in and of themselves would not result in physical changes to the environment such that impacts would occur, but these amendments are intended to implement the Housing Element and ensure consistency among planning documents. The primary driver of the project that would result in physical environmental changes to the environment are the land use changes shown in Table 2-4 that would allow for increased development on the rezone sites compared to what would be allowed by the 2015 General Plan and as assumed in the 2015 General Plan EIR. The commenter has not provided substantial evidence that significant environmental land use impacts would occur and no changes to the Draft SEIR have been made in response to this comment.

Response B2-6

The commenter expresses the opinion that a mitigation measure similar to Mitigation Measure GHG-1 of the Draft SEIR should be added under Section 4.9, *Land Use*, to lay out the process of updating any impacted specific plans or master plans, such as the Bressi Ranch Master Plan.

Please see Response B2-4. The amendments to city land use plans are occurring at the same time as analyzed in the Draft SEIR and mitigation is not required.

Response B2-7

The commenter expresses the opinion that proposed updates to the master plans and specific plans as part of the proposed project should be discussed in the Project Description and any potential impacts addressed in each relevant environmental topic section. The commenter opines that it should be clarified whether amendments to master and specific plans would require subsequent environmental analysis under their corresponding environmental documents.

Section 2, *Project Description*, does explain that the proposed project involves amendments to several master and specific plans. Further, as discussed under the “Project Impacts and Mitigation” sections in each section within Section 4, *Environmental Impact Analysis*, of the Draft SEIR, these amendments themselves would not result in physical environmental impacts but are text changes to ensure internal consistency among city planning documents to implement the city’s Housing Element. Nonetheless, the Draft SEIR does analyze effects associated with buildout of the rezone sites that could occur after the land use amendments have been made because the development could result in physical environmental impacts and future development is a reasonably foreseeable outcome of the proposed project. No revisions to the Draft SEIR have been made in response to this comment.

Response B2-8

The commenter comments on Table 2-4 of the Project Description and requests a “no change” designator be included for any site that will not include a change in zoning designations (i.e., sites 10, 11, and 19), as is shown for sites 14 and 15.

In response to this comment, revisions have been made to Table 2-4 in Section 2, *Project Description*, of the Draft SEIR. These revisions are detailed in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response B2-9

The commenter requests for site sizes to be included in Table 2-4.

In response to this comment, revisions have been made to Table 2-4 in Section 2, *Project Description*, of the Draft SEIR. These revisions are detailed in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response B2-10

The commenter states that the baseline densities proposed in the Draft SEIR could be exceeded by pursuing the high-end of the density allowance of the R-23 designation implemented by the city, and then State Density Bonus units could be proposed on top of the density unit yield. The commenter expresses the opinion that Site 10 has the potential to yield up to 81 units rather than 49 units, and preliminary review of a residential project on the site that has already been initiated also includes up to 81 units on the property. The commenter questions how the Draft SEIR accounts for sites that will exceed mid-range baseline assumptions and apply State Density Bonus allowances. The commenter asks that since the Draft SEIR includes an estimated yield of 49 units on Site 10, if that would prevent future development from exceeding that number, or whether an amendment to the Draft SEIR would be required if a project on Site 10 proposes more than 49 units.

The Draft SEIR estimates buildout at each of the rezone sites based on the assumptions listed in Section 2, *Project Description*, of the Draft SEIR. This is consistent with an approach to estimate impacts on a variety of sites in a programmatic EIR and consistent with the approach taken by the 2015 General Plan EIR. This document does not change existing state law, including allowing for density bonus. Should future development on Site 10 exceed estimated buildout, future development would determine the level of CEQA analysis needed. As explained in Section 1, *Introduction*, of the Draft SEIR, the city intends to take full advantage of the CEQA streamlining provisions in order to encourage the construction of more housing options more quickly and efficiently. The SEIR will help facilitate the opportunity for projects to utilize Public Resource Code Section 21159.24, which allows urban infill residential development that meets certain criteria be exempt from CEQA. The city would also facilitate the statutory Infill Housing Exemption by providing updated community level environmental review, as defined by Public Resources Code Section 21159.20, for properties designated for residential development by the General Plan. In addition, the city may utilize the SB266 CEQA streamlining provisions that was adopted as part of CEQA Guidelines Section 15183.3 to streamline review for eligible infill projects by limiting the topic subject to review at the project level. Therefore, at the time a specific development project is proposed, the project proponent in coordination with the city will determine what level of additional CEQA review is needed. This may include CEQA streamlining or an Addendum to the SEIR or possibly a project level CEQA analysis, if warranted. No revisions to the Draft SEIR have been made in response to this comment.

Response B2-11

The commenter requests for the footnote that “unit yields are estimates only” under Table 2-4 to be expanded to clearly be applied to all site yield assumptions, expanded to explain why yields are estimates only, and/or include a new footnote or text paragraph that explains the use of total new unit yield (3,295 units) when analyzing certain topics versus the estimated yield per site and how the yield on individual sites may fluctuate and still be covered under the Draft SEIR, as long as the total number of projected new units is not exceeded.

As explained in Section 1, *Introduction*, of the Draft SEIR, the proposed project involves the implementation of a broad policy planning document. The project-level details for each of the 18 rezone sites analyzed under the proposed project are not known at the time of preparation of the Draft SEIR. In this case, the Program EIR still serves a valuable purpose as the first-tier environmental analysis. The Program EIR approach would provide a sufficient level of analysis for the broad nature of the proposed project and future development goals. The city intends to take full advantage of the CEQA streamlining provisions in order to encourage the construction of more

housing options quicker and more efficiently. Future projects will be able to determine consistency with the analysis of the Draft SEIR to determine what level of additional CEQA review may be needed. No revisions to the Draft SEIR have been made in response to this comment.

Response B2-12

The commenter states that Section 2.4.7 discusses the need to amend multiple master and specific plans in association with rezoning sites 1, 2, 7, 10, 11, 14, 15, and 19. However, the Draft SEIR does not elaborate how or when the amendments will be undertaken or if the amendments would require new environmental review under CEQA guidelines.

Please see Response B2-4.

Response B2-13

The commenter states that while Table 2-4 describes the change in land use designation and zoning, there is no description of the potential change in the master or specific plan designation of the site. The commenter provides Site 10 as an example, stating that it is currently zoned as Planned Industrial, but questions what the new designation of the site will be in the Bressi Ranch Master Plan. The commenter asks whether the change in Site 10's underlying zoning designation would require revisions to the certified Bressi Ranch Master Plan EIR or if the Draft SEIR would be the appropriate CEQA document to assess future development on the site.

Please see Response B2-4.

Response B2-14

The commenter states that Section 2.6, *Required Approvals*, of the Draft SEIR details that future rezone site projects would adhere to mitigation measures identified in the Mitigation Monitoring and Reporting Program. Additionally, development consistent with the project description of the SEIR could proceed "by right" or could potentially qualify to tier from the Draft SEIR. The commenter requests explanation of how this applies to sites that fall within master or specific plan areas, especially since there are no details as to what these sites (e.g., sites 1, 2, 7, 10, 11, 14, 15, and 19) will be rezoned to under their governing land use plans or whether that action will require additional CEQA review related to each master or specific plan CEQA document.

Please see Response B2-4. There is no difference in how sites within master and specific plans or those not in a master and specific plan would be treated under the proposed project. As discussed above, the master and specific plan amendments are occurring with the proposed project. No revisions to the Draft SEIR have been made in response to this comment.

Response B2-15

The commenter requests for Table 3-1 to be revised to include whether a site is within a master or specific plan (e.g. sites 1, 2, 7, 10, 11, 14, 15, and 19).

In response to this comment, Table 3-1 has been revised to state which sites are within a master or specific plan. These revisions are detailed in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response B2-16

The commenter states that Table 4.3-1 of the Draft SEIR notes that Site 10 has been pre-graded prior to master plan mass grading activity and its vegetation community is designated as Disturbed. The commenter requests for this to be added to the description of Site 10 on Table 3-1.

Table 3-1 already acknowledges that Site 10 has been previously graded. The table states “The site is a previously graded but vacant lot located between residential developments.” This table is an overview of the settings for each site whereas specific details are provided in the individual sections within Section 4 of the SEIR as needed. No revisions to the Draft SEIR have been made in response to this comment.

Response B2-17

Referring to Section 4.1, *Aesthetics*, of the Draft SEIR, the commenter states that specific and master plans are very broadly discussed on page 4.1-5 of the Draft SEIR. The commenter states that the sentence “The Village Master Plan (described below) guides development *in that area*.” (emphasis added) is unclear as to what area is being referred to. The commenter questions why the relevant master and specific plans such as the Bressi Ranch Master Plan or The Shoppes Specific Plan is not described.

In response to this comment, revisions have been made to Page 4.15 of the Draft SEIR to clarify the text and to add additional information relevant to the setting including a description of the Bressi Ranch Master Plan. These revisions are listed in Chapter 3, Revisions to the Draft SEIR. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response B2-18

The commenter comments on Section 4.1.3, *Aesthetics*, of the Draft SEIR, and expresses the opinion that soft language such as “in most cases”, “most of the development”, and “many of the views” are used without explanation and only sites 1, 2, 11, and 12 are detailed for building height maximums. The commenter states that three of the sites (1, 2, and 11) are listed as being a part of a master or specific plan, but there is no description of their future underlying zoning designation or resultant development standards. The commenter requests that the description be clarified with callout for descriptions of all sites proposed for rezoning.

As explained in Section 1, *Introduction*, because the Draft SEIR analyzes impacts associated with the proposed land use changes described in Section 2, *Project Description*, and does not analyze specific development projects because such projects have not been proposed at this time, the Draft SEIR is a Program EIR. Consistent with the CEQA requirements, development is analyzed conceptually and contains a more general or qualitative discussion of impacts associated with aesthetics than would be discussed in a Project EIR. Therefore, aesthetic impacts associated with development on the rezone sites are analyzed at the program level. The analysis does include additional info on rezone sites 1, 2, 11, and 12 because those are sites where the maximum allowed height would increase and therefore aesthetic impacts may occur. The commenter does not provide substantial evidence to contradict the findings or conclusions of the Draft SEIR and no changes have been made in response to this comment.

A description of the zoning changes is provided in Table 2-4 in Section 2, *Project Description*, of the SEIR at the level of detail known at this time.

Response B2-19

The commenter comments on Section 4.2.3, *Air Quality*, of the Draft SEIR and opines that it is unclear what is meant by “full buildout of the proposed project”, and points back to Comment B2-4. The commenter expresses the opinion that an expanded discussion of methodology for quantifying air quality impacts would help support the impact conclusions.

As discussed on Page 4.2-11 in Section 4.2, *Air Quality*, of the Draft SEIR, “For this SEIR, the methodology for determining the significance of air quality impacts is by analyzing impacts resulting from buildout of the 18 rezone sites identified in Table 2-4 in Section 2, *Project Description*....For modeling purposes, this evaluation assumes that buildout under the proposed project would be 3,295 units of mid-rise apartments...during the planning period.” Please also see Response B2-4. Methodology for the air quality analysis is provided on pages 4.2-11 – 4.2-12. The commenter is not clear on what additional information about the methodology is recommended and no revisions to the Draft SEIR have been made in response to this comment.

Response B2-20

The commenter comments on Section 4.4.4, *Cultural and Tribal Cultural Resources*, of the Draft SEIR and asks what the difference is between the eligibility statuses of “N/A” versus “Unknown” under Table 4.4-2. The commenter asks why Site 10’s eligibility status is “unknown” even though it is documented as vacant and has been previously disturbed with rough grading. The commenter states that it is unclear if any previous CEQA review/documentation was reviewed to assist in the determination of potential historical resources at the rezone sites, specifically for sites part of a master or specific plan. The commenter asks what future analyses would look like for a site listed as “unknown”.

On Table 4.4-2, “N/A” indicates there is no built environment feature or structure present, or no built environment structure or feature that would become of-age over the course of the project. Therefore, “N/A” indicates a built environment evaluation would not be applicable. “Unknown” indicates the site contains an of-age building or structure, but no eligibility information is available. In response to this comment, clarifications have been made to Table 4.4-2 to explain this information and a clarification has been made regarding Site 10. Please see Chapter 3, Revisions to the Draft SEIR. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

As explained in Section 4.4, a California Historical Resources Information System (CHRIS) records search was conducted by the South Coastal Information Center (SCIC) in July 2022 for the proposed project. In addition, existing historical databases were reviewed. As stated, the inventory presented in Table 4.4-2 may not be exhaustive and additional potential historical resources may be located on project sites pending site-specific analysis.

For sites indicated as “unknown” in the table, development facilitated by the project require an historical resources evaluation for developments involving a property that contains buildings or structures that are 45 years of age or older, per the Carlsbad Cultural Resource Guidelines.

Response B2-21

The commenter comments on Section 4.4.4, *Cultural and Tribal Cultural Resources*, of the Draft SEIR and asks how the conclusion can be “less than significant” if consultation with tribes is still ongoing. The commenter asks if tribes have mitigation requests for rezone sites, how will the city ensure

compliance with the agreed-upon measures. The commenter wonders if a mitigation measure capturing the process of incorporation of specific measures to the Carlsbad Cultural Resource Guidelines should be added. The commenter asks how property owners will be notified if consultation results in measures specific to one of the rezone sites.

Tribal consultation remains ongoing. The city continues to consult with the Rincon Band of Luiseno Indians, San Luis Rey Band of Mission Indians and the San Pasqual Band of Mission Indians. Upon conclusion of project consultation, future actions will be subject to additional consultation consistent with California Law.

Response B2-22

The commenter comments on Section 4.6, *Greenhouse Gas Emissions*, of the Draft SEIR and asks how growth forecast is determined.

As discussed on Page 4.6-16 in Section 4.6 of the Draft SEIR, “Long term emissions were analyzed quantitatively using the methodologies and assumptions presented in Section 4.2.2 (c), Air Quality Methodology. In the absence of an applicable quantitative threshold, emissions are presented for informational purposes, and the proposed project’s operational impacts are discussed qualitatively.” Please also see Response B2-19.

Response B2-23

Referring to Section 4.6.3, *Greenhouse Gas Emissions*, the commenter summarizes the conclusions of the Draft SEIR that because the new 3,295 units and their associated GHG emissions were not accounted for in the CAP analysis, the CAP targets and measures do not consider growth accommodated by the project and the project would not be consistent with the existing CAP. The commenter states that it does not make sense that the proposed project (i.e., 3,295 units) would not be consistent with the General Plan until the CAP is updated. The commenter states that this does not make sense, and states that while it is understood that the CAP would not apply to development of the sites listed for rezoning until it is updated, the project itself is meant to ensure consistency among city planning documents, including the General Plan. The commenter requests the city revise the statement and specify that the CAP is still valid if the total number of units developed does not exceed the assumptions contained in the analysis conducted as a part of the 2015 General Plan EIR.

As explained on Pages 4.6-17 – 4.6-18 of the Draft SEIR, the existing CAP was adopted with the 2015 General Plan. The Draft SEIR is a supplemental EIR tiering from the 2015 General Plan EIR and the 2015 General Plan EIR found that implementation of the CAP was needed to reduce GHG impacts resulting from implementation of the General Plan. Therefore, because the proposed project was not accounted for in the CAP analysis, the proposed project would not be consistent with the General Plan until the CAP is updated. Nonetheless, individual projects could still move forward and would be subject to the provisions of the existing CAP until the CAP is updated pursuant to Mitigation Measure GHG-1. As stated in Section 4.6, *Greenhouse Gas Emissions*, of the Draft EIR, impacts related to GHG emissions would be significant and unavoidable.

It should also be noted that the buildout assumption in the Draft SEIR of 3,295 units reflects a reasonably foreseeable maximum amount of development. It is not intended as a development cap that would restrict development on individual rezone sites. Rather, the Draft SEIR allows for flexibility in the quantity and profile of future development within each rezone site. Through the established planning and environmental review and permitting processes required of each

individual development in the City of Carlsbad under the proposed project, City of Carlsbad staff would monitor actual development. As stated in Section 1, *Introduction*, of the Draft SEIR, once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document needs to be prepared. However, if the Program EIR addresses the program's effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents may not be required (14 CCR 15168[c]).

Response B2-24

Referring to Section 4.6.3, *Greenhouse Gas Emissions*, of the Draft SEIR, the commenter reiterates the Draft SEIR conclusion that the project would result in an increase in housing units that were not accounted for in the CAP analysis, and would result in a potentially significant impact related to reducing GHG emissions. The commenter expresses the opinion that Mitigation Measure GHG-1 is broad in its scope. The commenter asks what AB 1279 is and how it is related to the project.

As discussed in Section 4.6.2b, *Greenhouse Gas Emissions – State Regulatory Setting*, of the Draft SEIR, AB 1279, "The California Climate Crisis Act," was passed on September 16, 2022 and declares the State would achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative greenhouse gas emissions thereafter. In addition, the bill states that the State would reduce GHG emissions by 85 percent below 1990 levels no later than 2045. CARB's new 2022 Scoping Plan lays out a path to achieve AB 1279 targets, and constitutes as a plan adopted for the purpose of reducing the emissions of greenhouse gases (Threshold 2). Impact GHG-1 of Section 4.6 analyzes consistency between the proposed project and the 2022 Scoping Plan, and finds that the proposed project would not conflict with the 2022 Scoping Plan. No revisions to the Draft SEIR have been made in response to this comment.

Response B2-25

The commenter states that the existing CAP accounts for emissions from a total maximum number of units rather than pinpointing development of individual projects on individual lots. The commenter expresses the opinion that rather than viewing development on the rezone sites as individually impacting GHG emissions, the city could view development under the umbrella of the 6,218 available units citywide that are accounted for in the current CAP. Therefore, on the rezone sites, as long as the total number of new units does not exceed 6,218 units citywide, development can continue while the CAP is being updated.

The commenter's suggestion is noted, but the proposed project analyzes impacts associated with development in addition to development under the city's General Plan. No revisions to the Draft SEIR have been made in response to this comment.

Response B2-26

The commenter requests for Table 4.9-1 in Section 4.9, *Land Use and Planning*, to include whether a site is in a master or specific plan area and label as applicable.

Table 4.9-1 in Section 4.9, is the existing General Plan land use designations for the sites. However, Section 2, *Project Description*, and Section 3, *Environmental Setting*, have been revised to state which sites are within master and specific plan areas. These revisions are listed in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft

SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response B2-27

Referring to Section 4.9.2, *Land Use and Planning*, of the Draft SEIR, the commenter requests descriptions of all relevant, impacted specific or master plans to be included throughout the Draft SEIR, and particularly in the Land Use and Planning section.

Section 2, *Project Description*, and Section 3, *Environmental Setting*, have been revised to state which sites are within master and specific plan areas. These revisions are listed in Chapter 3, Revisions to the Draft SEIR, of this document. Additional revisions to the Land Use and Planning Section have been made in response to this comment to add additional information about applicable master and specific plans and these revisions are listed in Chapter 3, Revisions to the Draft EIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response B2-28

Referring to Subsection 4.9.2, Regulatory Setting of Section 4.9.2, *Land Use and Planning*, of the Draft SEIR, the commenter states that the CAP should be discussed as part of the land use and planning section since projects must comply with the CAP Consistency Checklist as part of the project review process. The commenter asks why the document is not included in the list of regulatory documents or for it to be added to the section.

As discussed in Section 4.9, *Land Use and Planning*, of the Draft SEIR, the plan consistency analysis describes existing regional and local plans and policies and is intended to fulfill the requirements of *CEQA Guidelines* Section 15125(d). The emphasis of the analysis is on plan inconsistency and potential conflicts between the project and existing applicable land use plans, and whether any inconsistencies are significant environmental effects. Consistency with the CAP is discussed in Section 4.6, *Greenhouse Gas Emissions*, of the Draft SEIR because the CAP is a document that sets forth goals for GHG reductions in the city but it is not a document that guides land use decisions or sets land use standards. Future development under the proposed project would be required to assess consistency with the CAP Consistency Checklist as applicable. No revisions to the Draft SEIR have been made in response to this comment.

Response B2-29

The commenter comments on Section 4.9.3, *Land Use and Planning*, of the Draft SEIR and asks how the city can conclude less than significant impacts to land use plans and policies with no disclosed review of any impacted master or specific plans.

As stated in Section 4.9, *Land Use and Planning*, updates to the Master and Specific Plans that are being proposed as part of the project for consistency between the city's planning documents in and of themselves would not result in physical changes to the environment such that impacts would occur. It is unclear what impacts the commenter assumes could occur related to the master and specific plan amendments. The commenter does not provide substantial evidence to contradict the findings or conclusions of the Draft SEIR and no changes have been made in response to this comment.

Response B2-30

The commenter expresses the opinion that since the project would result in significant and unavoidable impacts related to GHG emissions until the CAP is updated, the conclusion in the Land Use and Planning section cannot be less than significant while the conclusion of GHG Threshold 2 is significant and unavoidable.

As stated in Section 4.9, *Land Use and Planning*, of the Draft SEIR, “For an impact to be considered significant, an inconsistency would also have to result in a significant adverse change in the environment **not already addressed in the other resource chapters of this EIR.**” (Emphasis added). The impact associated with CAP consistency was disclosed in Section 4.6, *Greenhouse Gas Emissions*, of the Draft SEIR and not discussed in the land use and planning section. See also Response B2-28.

Response B2-31

The commenter comments on Section 4.10.2, *Noise*, of the Draft SEIR and requests inclusion of McClellan-Palomar Airport Land Use Compatibility Plan noise policies.

In response to this comment Page 4.10-32 of the Draft SEIR has been revised as detailed in Chapter 3, Revisions to the Draft SEIR. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response B2-32

The commenter comments on Section 4.10.3, *Noise*, of the Draft SEIR and says that cumulative determination is incorrect since it is implying that the proposed increase in residential development would not result in an increase in aircraft operations, whereas the threshold asks if the project would expose more people to airport noise, which it would from a logical point of view.

Impact NOI-4 in Section 4.10, *Noise*, analyzes impacts associated with the proposed project potentially exposing people to excessive airport noise. As discussed, except for a small portion of Site 9, none of the rezone sites would be exposed to noise levels of more than 65 dBA CNEL due to airport noise. Therefore, the increased residential development associated with the proposed project would only subject a portion of one site to noise above 65 dBA CNEL. The project itself would not result in any additional growth that would expose more people to noise, nor would it increase airport operations such that noise associated with the airport would increase and affect a larger number of residents in the vicinity of the airport. Section 4.10.3d, *Noise – Cumulative Impacts*, states that “Although citywide growth could increase the number of people who are exposed to aircraft-related noise impacts, such impacts would be localized in nature... The project would have no contribution to a cumulative impact related to airport hazards or noise. Impacts related to airport or airstrip noise would not be cumulatively considerable and cumulative impacts would be less than significant.” The conclusion in this section is accurate and no changes to the Draft SEIR have been made in response to this comment.

Response B2-33

Referring to Section 4.11, *Population and Housing*, of the Draft SEIR, the commenter asks if regional forecasting update is part of the SANDAG 2021 Regional Plan. The commenter opines that this should be discussed.

As discussed in Section 4.11 of the Draft SEIR, the Housing Element is designed to accommodate regional growth anticipated by SANDAG's RHNA projections. In accordance with Mitigation Measure AQ-1, Housing Forecast Revisions, prior to the next update of the RHNA and within six months of the certification of the Final SEIR, a city planner will provide a revised housing forecast to SANDAG to ensure that any revisions to the population and employment projections used by SDAPCD in updating the RAQS and the SIP will accurately reflect anticipated growth due to the proposed project. It is assumed that SANDAG will update their regional growth forecasts as appropriate when the Regional Plan is next updated. The commenter does not provide substantial evidence to contradict the findings or conclusions of the Draft SEIR and no changes have been made in response to this comment.

Response B2-34

Referring to Section 4.15, *Wildfire*, of the Draft SEIR, the commenter asks why Impact WF-1 determined that development "could result in changes to emergency evacuation routes or could increase roadway congestion such that the use of an evacuation route would be hindered" if Impact HAZ-5 and T-4 determined that the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or result in inadequate emergency access.

The commenter selects one sentence in isolation that introduces the topic and explains that an impact could occur, but the full analysis under Impact WF-1 and Impact T-4 explains why the project would not result in a significant environmental impact due to the features of the project and existing laws and regulations that would address the impact. The commenter does not provide substantial evidence to contradict the findings or conclusions of the Draft SEIR and no changes have been made in response to this comment.

Response B2-35

The commenter asks why there is no discussion of relevant master or specific plans in each section.

Please see Response B2-17 and B2-27. Each environmental impact section provides adequate setting information to form the baseline of the environmental analysis as required by CEQA. Other than the revisions made to the Aesthetics and Land Use and Planning sections of the Draft SEIR, there are no other sections of the Draft SEIR where it is necessary to provide additional information on the master and specific plans as part of the setting where such information is not already provided as appropriate.

Response B2-36

The commenter expresses the opinion that each resource area should include a discussion master and specific plans under the regulatory setting section.

Please see Response B3-35.

Response B2-37

The commenter requests further explanation as to how the lead agency has determined that future updates to master and specific plans would not result in physical changes to the environment and not result in impacts, but each analysis section focuses on impacts associated with implementation of the rezone program which would facilitate the development of 18 sites.

Please see Response B2-4 and B2-5.

Response B2-38

The commenter recommends reviewing references to the CAP and disclosing that any referenced CAP measures may need to be revised or amended with the update. The commenter points to Section 4.14, *Utilities and Service Systems*, where multiple CAP policies are referenced in support of policies decreasing potential impacts.

The Draft SEIR has been reviewed in response to this comment and no further changes have been made. While Section 4.14, *Utilities and Service Systems*, does reference some CAP policies, these policies are not solely relied on in the impact analysis to ensure impacts would be less than significant. Impacts would be less than significant even without implementation of CAP policies.

August 28, 2023

Scott Donnell, Senior Planner
City of Carlsbad Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008
Scott.donnell@carlsbadca.gov

Re.: Housing EIR Comments from Brookfield

Dear Scott:

Brookfield, as owner of the Shoppes at Carlsbad mall, has reviewed the Draft Supplemental Environmental Impact Report dated July 2023 and has the following comments.

1. Land Use Designation: The entire 90+ acre mall currently has the zoning classification of C-2, General Neighborhood Commercial.
 - a. Brookfield requests the entire 90+ property is re-zoned for mixed use that will allow commercial, such as the C-2 classification, and hospitality or residential uses. The EIR only contemplates rezoning the parking fields and not the developed portions of the property. The comprehensive rezoning of the ninety 90+ acres will facilitate long term planning that may contain a mix of uses.
2. Rezone Site Characteristics: Table 3-1 Impacts of third-party ownership/city covenants (page 79) accurately states that the 57 acres included in the EIR *"is owned by the city and encompasses the parking lots for The Shoppes at Carlsbad mall and a North County Transit District transit station"*. However, is omits the fact that deed restriction limits this land for mall parking and any change of such use requires the mutual consent of the City and mall ownership.
 - a. Brookfield requests that this potential impact is identified in the EIR.
3. New Zoning (2-10, page 64): The EIR proposes *"addition of two new residential land use designations (R-35 and R-40) for the accommodation of higher density residential development, establishment of new minimum densities for some residential designations, miscellaneous, related changes to tables, text and policies, and changes to land use designations on multiple sites to accommodate the city's RHNA share"*. There are also some portions of the mall that are proposed to be rezoned to the R/R-40/R-23/OS and R/R-40/R-23 land use descriptions.
 - a. Brookfield requests that the existing developed land footprint also be designated with a mixed-use zoning. That should permit the existing commercial use and potential other future uses including residential. This zoning on the developed footprint should allow up the R-40 density, as well as permit lower density housing to provide a broad range of rental and ownership housing that is needed in the area. This will further allow any future housing to have the flexibility best integrate into adjoining land uses.
 - b. Residential housing should consider a range of uses inclusive of:

3, cont

- i. Small lot single family detached homes and duplexes with densities of 6-12 homes per acre. Typically, ownership housing.
- ii. Townhomes with densities of 12-24 homes per acre. Typically, ownership housing.
- iii. Three and four-story walk-up buildings with densities of 18-40 units per acre. Typically, apartments.
- iv. Wrap residential with densities over 40 units per acre. Typically, apartments.

4

4. Blending of Zoning: The EIR is silent on the ability to blend densities. Rather it sets minimum and maximum densities.
- a. Brookfield requests that within any zone, the development may have blended densities that take advantage of site topography and offer appropriate bulk and scale to the surrounding uses. This blending should be able to cross zoning designations on the entire 90+ acre property, provided the actual development falls within the overall density range.

5

5. On Site Transfer of Density: To address the blending of density noted in #4 above:
- a. Brookfield requests that densities may be transferred between zones on the entire 90+ acre property if that provides more appropriate bulk and scale of development in particular areas. The total transferred densities should not deviate from what densities would be without such density transfers.

6

6. Conversion of Existing Commercial to Other Land Uses: The EIR implies that the existing 1.1 million square feet of commercial development will remain. Changing market demand may not support this level or type of commercial.
- a. Brookfield requests that the EIR allow removal of existing commercial and replacement by other land uses that have the same or lower Impacts under the EIR. For example, every 100,000 square feet of commercial removed may be replaced by X housing units, or Y hotel rooms, or Z square feet of office, etc.

7

7. Off Site Residential Transfer: The 19 sites identified may prove to not be equally actionable for new housing. This may be a result of existing uses, site constraints, etc.
- a. Brookfield requests that should any of the 19 identified sites prove undevelopable, those units may be transferred to the 90+ acre mall site provided this does not change the impacts studied in this EIR.

8

8. Attachments: Attached are maps that show the parcels and City proposed zoning prepared by Brookfield.
- a. Brookfield requests that the city and Brookfield discuss the appropriate residential/commercial mixed-use zoning for those non-City owned parcels on the maps.

Please free to call or email me if you have any questions about our comments.

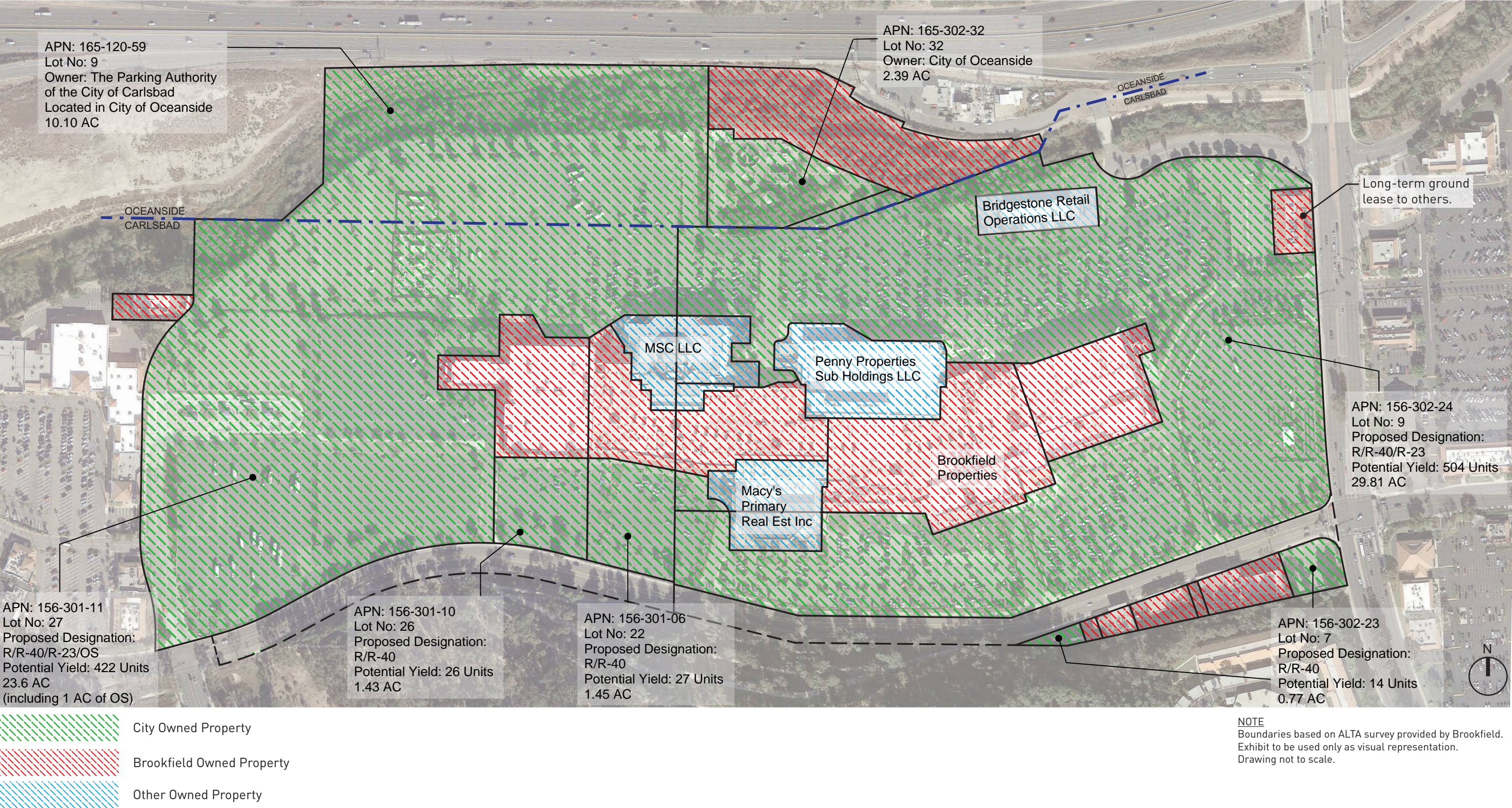
Best regards,

BROOKFIELD PROPERTIES DEVELOPMENT



Tony Pauker
Vice President of Acquisitions

PROPERTY OWNERSHIP EXHIBIT



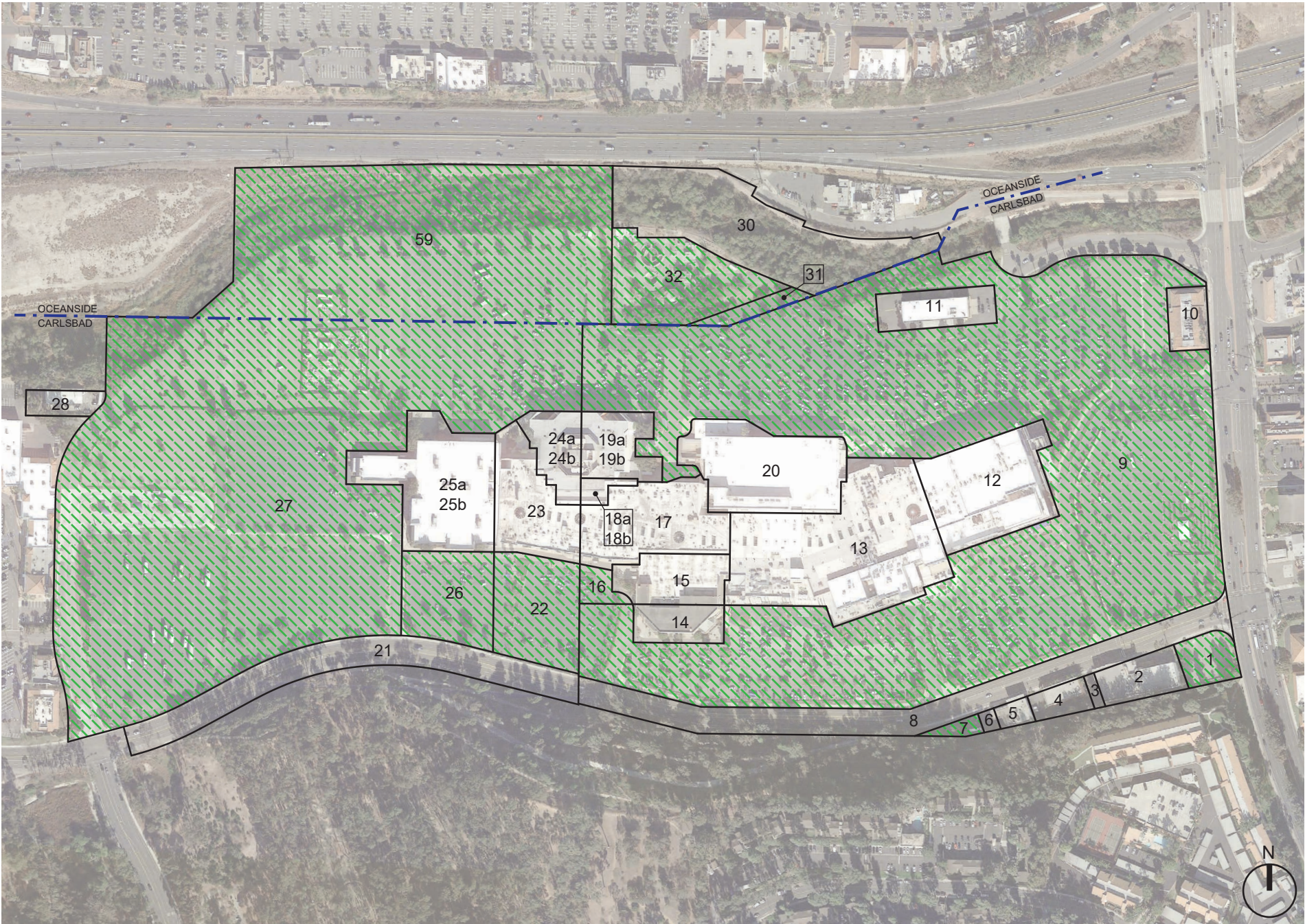
PROPERTY OWNERSHIP EXHIBIT

LOT NO.	APN	OWNERSHIP
1	156-302-23	City of Carlsbad
2	156-302-22	Brookfield Properties Inc.
3	156-302-21	Brookfield Properties Inc.
4	156-302-20	Brookfield Properties Inc.
5	156-302-19	Brookfield Properties Inc.
6	156-302-18	Brookfield Properties Inc.
7	156-302-17	City of Carlsbad
8	156-302-25	City of Carlsbad
9	156-302-24	City of Carlsbad
10	156-302-07	Brookfield Properties Inc. (Long-term ground lease to other)
11	156-302-06	Bridgestone Retail Operations LLC
12	156-302-08	Brookfield Properties Inc.
13	156-302-09	Brookfield Properties Inc.
14	156-302-16	Macy's Primary Real Estate
15	156-302-15	Macy's Primary Real Estate
16	156-302-14	The Parking Authority of the City of Carlsbad
17	156-302-27	Brookfield Properties Inc.
18a	156-302-12	MSC LLC
18b	156-302-12	MSC LLC
19a	156-302-26	MSC LLC
19b	156-302-26	MSC LLC
20	156-302-10	JC Penny
21	156-301-14	City of Carlsbad
22	156-301-06	The Parking Authority of the City of Carlsbad
23	156-301-07	Brookfield Properties Inc.
24a	156-301-08	MSC LLC
24b	156-301-08	MSC LLC
25a	156-301-09	Brookfield Properties Inc.
25b	156-301-09	Brookfield Properties Inc.
26	156-301-10	The Parking Authority of the City of Carlsbad
27	156-301-11	City of Carlsbad
28	156-301-12	Brookfield Properties Inc.
30	156-302-30	Brookfield Properties Inc.
31	156-302-31	City of Oceanside & City of Carlsbad
32	156-302-32*	City of Oceanside
59	165-120-59*	The Parking Authority of the City of Carlsbad**

* 0.43 acre discrepancy between Assessor Map and ALTA

** Owned by the City of Carlsbad but under City of Oceanside jurisdiction.

NOTE:
Data obtained from 1/18/2018 "Property Ownership Exhibit" by Hofman Planning & Engineering.



 City Owned Property

NOTE
Boundaries based on ALTA survey provided by Brookfield.
Exhibit to be used only as visual representation.
Drawing not to scale.

Letter B3

COMMENTER: Tony Pauker, Brookfield Properties Development

DATE: August 28, 2023

Response B3-1

The commenter identifies as Brookfield Properties, the owner of the Shoppes at Carlsbad mall. The commenter states that the Draft SEIR only proposes rezoning of the parking lots and not the developed portions of the property, and requests for the entire property to be rezoned to mixed-use that would allow for commercial and hospitality or residential uses.

The Draft SEIR analyzes the project as proposed and as summarized in Section 2, *Project Description*, of the Draft SEIR. The commenter's opinion about the project and proposed rezoning is noted and will be provided to city decision-makers for consideration. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

Response B3-2

The commenter states that Table 3-1 (Impacts of third-party ownership/city covenants) states that 57 acres included in the Draft SEIR "is owned by the city and encompasses the parking lots for The Shoppes at Carlsbad mall and a North County Transit District transit station." The commenter states that, however, this omits the fact that deed restriction limits this land for mall parking and any change of use requires mutual consent of the city and mall ownership. The commenter requests for this potential impact to be identified in the Draft SEIR.

While it is acknowledged that deed restrictions may be present, the city has the authority to rezone the site and rezoning and potential future development associated with the rezoning is analyzed throughout the Draft SEIR.

Response B3-3

The commenter states that certain portions of the mall are proposed to be rezoned to the R/R-40/R-23/OS and the R/R-40/R-23 land use designations. The commenter requests for the existing developed land to be designated mixed-use and allow up to the R-40 density as well as permit lower-density housing.

The Draft SEIR analyzes the project as proposed and as summarized in Section 2, *Project Description*, of the Draft SEIR. The commenter's opinion about the project and proposed rezoning is noted and will be provided to city decision-makers for consideration. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

Response B3-4

The commenter expresses the opinion that the Draft SEIR fails to blend densities and rather sets minimum and maximum densities. The commenter requests that development within any zone may have blended densities that take advantage of site topography and offer appropriate bulk and scale to surrounding uses.

The Draft SEIR analyzes the project as proposed and as summarized in Section 2, *Project Description*, of the Draft SEIR. The commenter's opinion about the project and proposed rezoning is noted and

will be provided to city decision-makers for consideration. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

Response B3-5

The commenter requests for densities to be transferred between zones on the entire property.

The Draft SEIR analyzes the project as proposed and as summarized in Section 2, *Project Description*, of the Draft SEIR. The commenter's opinion about the project and proposed rezoning is noted and will be provided to city decision-makers for consideration. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

Response B3-7

The commenter expresses the opinion that changing market demand may not support the notion from the Draft SEIR that the existing 1.1 million square feet of commercial development will remain. The commenter requests the Draft SEIR to allow removal of existing commercial and replacement by other land uses that have the same or lower impacts under the Draft SEIR.

The Draft SEIR analyzes the project as proposed and as summarized in Section 2, *Project Description*, of the Draft SEIR. The commenter's opinion about the project and proposed rezoning is noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no revisions to the SEIR are required.

Response B3-6

The commenter expresses the opinion that should any of the 19 identified sites prove undevelopable, units should be transferred to the 90-acre mall site provided that this does not change the impacts studied in the Draft SEIR.

The Draft SEIR analyzes the project as proposed and as summarized in Section 2, *Project Description*, of the Draft SEIR. The commenter's opinion about the project and proposed rezoning is noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no revisions to the SEIR are required.

Response B3-7

The commenter requests the city and Brookfield discuss the appropriate residential/commercial mixed-use zoning for non-city owned parcels on the maps attached to the letter.

This comment is noted and will be provided to city decision-makers for consideration. The comment does not pertain to the adequacy of the Draft SEIR and no revisions to the Draft SEIR are required.

August 22, 2023

Scott Donnell, Senior Planner
City of Carlsbad Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008

City of Carlsbad

AUG 30 2023

Planning Division

Dear Mr. Donnell:

1 This is a letter of opposition from the Rancho Carlsbad Owners' Association Board of Directors regarding the City's proposed zoning change for Site 4 (northeast corner of El Camino Real and College Blvd.) The Association represents 504 households with more than 800 voters who, along with so many others in this quadrant, will be directly and adversely impacted by the proposed changes.

2 * Site 4 was originally planned for commercial/shopping, then to mixed use - commercial/shopping and housing. A high density housing proposal not only removes sorely needed shopping services from the area, but would also compound an already intolerable traffic tangle at this intersection as well up and down El Camino Real and College Blvd. Traffic management must be a priority and developed before anymore residents can be "cornered" into traffic and parking purgatory. This is not just about inconvenience - it is about quality of living and greatly about safety as well.

3 * Another major concern for Rancho Carlsbad residents is that the new proposal could cut-off the Community's Emergency Exit route. Since the City of Carlsbad has failed to address lack of adequate ingress/egress to/from Rancho Carlsbad, the Community relies on an ad hoc dirt road as its' Emergency Route. Take that away and we are even more stranded.

4 * The City is well aware of the flood threats that The Agua Hedionda Creek poses for Rancho Carlsbad. Additional hardscape storm water run-off from high density development on Site 4 would only exacerbate and heighten the risk of loss of property, and potentially life, in our community.

5 These concerns highlight the existing problems and issues with the zoning changes. There is much more at stake in this proposal than finding a "spot" for meeting housing mandates. Rancho Carlsbad and this quadrant deserve and insist that this new Site 4 zoning proposal be rejected.

Raymond Bower

Raymond Bower, President
Rancho Carlsbad Owners' Association

Rancho Carlsbad Owners' Association
5200 El Camino Real, Carlsbad, CA 92010
Phone: 760-438-0332 FAX: 760-438-1808

Keith Blackburn, Mayor
Carolyn Luna, District 2, Council Member
Scott Chadwick, City Manager
Jason Haber, Director of Intergovernmental Affairs
Russ Kohl, Co-Chair, External Relations Committee
Seena Seward, Co-Chair, External Relations Committee
Nancy Dungan, Chair, Creek Control Committee
Board of Directors, Rancho Carlsbad Owners' Association

Letter B4

COMMENTER: Raymond Bower, Rancho Carlsbad Owners Association

DATE: July 27, 2023

Response B4-1

The commenter expresses the Rancho Carlsbad Owners' Association Board of Director's opposition to the city's proposed zoning change for Site 4.

The commenter's opinion about the project and proposed rezoning is noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no revisions to the SEIR are required.

Response B4-2

The commenter states that Site 4 was originally planned for commercial/shopping uses, and a high-density residential use as proposed would remove the needed shopping services from the area and would worsen traffic at the intersection as well as up and down El Camino Real and College Boulevard.

Pursuant to California Public Resources Code section 21099(b)(2) and CEQA Guidelines Section 15064.3, "a project's effect on automobile delay shall not constitute a significant environmental impact." Therefore, the Draft SEIR does not make significance conclusions with respect to impacts related to automobile delay, which is typically described as "Level of Service" (LOS). The commenter does not provide specific comments on the Draft SEIR or information or analysis to challenge its analysis or conclusions and no revisions to the Draft SEIR have been made in response to this comment.

Response B4-3

The commenter states that the new proposal for Site 4 would cut off the community's emergency exit route since the community currently relies on an ad hoc dirt road as its emergency route.

The emergency exit route that the commenter refers to is not a designated evacuation route. The commenter does not provide evidence that the community relies on a dirt road for emergency evacuation. As discussed under Impact HAZ-5 in Section 4.7, *Hazards and Hazardous Materials*, of the Draft SEIR, the city has adopted the "City of Carlsbad Emergency Operations Plan" prepared in conjunction with the Unified San Diego County Emergency Services Organization (USDCESO) which addresses the city's planned response to extraordinary emergency situations associated with any type of natural disaster, technological incident, or state of war emergency. The USDCESO has also prepared an Operational Area Emergency Plan which outlines determination of emergency evacuation routes during emergencies, and states that evacuation routes will be determined based on the location and extent of the incident and will include as many pre-designated transportation routes as possible.³

As discussed in Section 4.15, *Wildfire*, of the Draft SEIR, the Board of Forestry, via CCR Title 14, sets forth the minimum development standards for emergency access, fuel modification, setback,

³ USDCESO Operational Area Emergency Plan:

https://www.sandiegocounty.gov/oes/emergency_management/protected/docs/2010_Complete_Plan_w_Annexes.pdf

signage, and water supply; this help prevent loss of structures or life by reducing access limitations for purposes of accessing and suppressing wildfire locations. CCR Title 14 also sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply, which help prevent loss of structures or life by reducing wildfire hazards. Additionally, consistent with the San Diego County's Emergency Operations Plan's purpose to provide a system for effective management of emergency situations, development facilitated by the project would provide emergency vehicle access points and adequate fire truck and apparatus turning radii and clearance for purposes of adequate emergency access and response within Carlsbad in compliance with California Fire Code. Furthermore, the project does not propose physical changes such as realigned or closed-off roadways or changes in general transportation circulation and access that would interfere or impair emergency response or evacuation citywide. As such, the project would also not result in changes to emergency evacuation routes such that use of an evacuation route would be hindered.

The proposed project also includes updates to the Public Safety Element, which would ensure future development would not impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan through the addition of policies 6-P.48, 6-P.50 to 6-P.69. Future development would be required to undergo site-specific environmental review which would ensure less than significant impacts regarding emergency evacuation. Additionally, as found in the 2015 General Plan EIR, policies 3-P.12, 3-P.29, 3-P.30, and 3-P.33 would reduce impacts related to emergency access. Therefore, the proposed project would not result in inadequate emergency access.

Response B4-4

The commenter explains that the Agua Hedionda Creek poses a flood threat for the Rancho Carlsbad community and additional stormwater run-off from high-density development on Site 4 would exacerbate the risk of loss of property and potentially life in the community.

As discussed under Impact HYD-4 in Section 4.8, Hydrology and Water Quality, although a portion of Site 4 contains designated floodplain areas near Agua Hedionda Creek, development on this site would be required to comply with CMC Chapter 21.110, *Floodplain Management Regulations*, which sets forth design requirements in flood-prone areas such as elevating all residential structures at least two feet above the base flood elevation and constructed with materials that can resist strong hydrostatic and hydrodynamic loads. Additionally, all development would be required to comply with all regulations and requirements set forth by FEMA and the CMC, which would reduce impacts related to flood flows and the release of pollutants in flood-prone areas. Policies 6-P.1 through 6-P.12 of the Public Safety Element Update would also implement and develop flood control programs and require installation of protective structures to minimize impacts of flooding, resulting in less than significant impacts.

As discussed under Impact HYD-3, the proposed project would not alter the existing drainage patterns or contribute runoff water in a manner which would result in substantial erosion, siltation, or flooding, nor would it exceed the capacity of existing or planned stormwater drainage systems with compliance with applicable State and local regulations. No revisions to the SEIR have been made in response to this comment.

Response B4-5

The commenter expresses the opinion that the Site 4 proposal be rejected.

The commenter's opinion about the project and proposed rezoning is noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no revisions to the SEIR are required.

2.3 Individuals Comments and Responses

This section provides each letter received from individuals in response to the Draft SEIR, with specific comments identified with a comment code in the margin. Following the letters, responses to the comments are provided.

From: Sonck4@roadrunner.com
Sent: Saturday, July 15, 2023 6:52 AM
To: Scott Donnell
Subject: FW: Housing EIR available for review 🏠

Mr. Donnell,

I'm writing you again (did so 2 years ago) regarding proposed development of up to 150 residential unit on Site 8, specifically the current Cottage Row Apartments. NO!!!!!!!!!!!!!!!!!!!! NO!!!!!! NO!!!!!! The city is already over-developing this area with the two new MDU developments under construction at the intersection of Aviara Parkway and Palomar Airport Road!!!! This ridiculous density is killing our quality of life in the Aviara area!!!! The increased traffic and noise is already going to continue to worsen as these two units are occupied!!!! Aviara Parkway has become a frag racing strip and is DANGEROUS!! The city should have halted residential construction in this area following completion of the Laurel Tree Apartment complexes years ago!!!!

This is a family community with schools like Aviara Oaks Elementary & Middle Schools and Pacific Rim Elementary nearby! Traffic is already at a dangerous level due to over development! NO MORE!!!! Go east and in commercial areas for new residential construction!!!! Enough is enough!!!!

Donald Sonck
6482 Torreyanna Circle Carlsbad 92011-4211

Mobile: 760.330.0525

Letter C1

COMMENTER: Donald Sonck

DATE: July 15, 2023

Response C1-1

The commenter expresses opposition to the proposed development of up to 150 residential units on Site 8. The commenter states an opinion that the city is already overdeveloping this area with the two new MDU developments under construction at the intersection of Aviara Parkway and Palomar Airport Road.

Approval of the proposed project would not approve any physical development (e.g., construction of housing or infrastructure). However, the Draft SEIR assumes that such actions are reasonably foreseeable future outcomes of the proposed project because the proposed project. As required by CEQA, the Draft SEIR also analyzes cumulative impacts from development under the proposed project in combination with reasonably foreseeable development in the city. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Response C1-2

The commenter expresses an opinion that there is increased traffic and noise near Site 8 that will worsen with development on the site as part of the proposed project. The commenter expresses an opinion that the city should have halted residential construction in this area following the completion of the Laurel Tree Apartment complexes years ago. The commenter recommends new residential development be implemented in the east and in commercial areas.

As discussed under Section 4.10, *Noise*, of the Draft SEIR, operational activities for the proposed project, including Site 8, would be typical of the urban environment and would be required to comply with applicable noise standards in the Carlsbad Municipal Code. Furthermore, while development would generate vehicle trips in the city, the increase in mobile noise would not result in a perceptible 3-DBA increase. Therefore, operational noise impacts were found to be less than significant.

Pursuant to California Public Resources Code section 21099(b)(2) and CEQA Guidelines Section 15064.3, “a project’s effect on automobile delay shall not constitute a significant environmental impact.” Therefore, the Draft SEIR does not make significance conclusions with respect to impacts related to automobile delay, which is typically described as “Level of Service” (LOS). The commenter does not provide specific comments on the Draft SEIR or information or analysis to challenge its analysis or conclusions and no revisions to the Draft SEIR have been made in response to this comment.

From: Larry Hammer <lehammer38@yahoo.com>
Sent: Friday, July 21, 2023 7:20 PM
To: Scott Donnell
Subject: Input re: proposed housing

Letter C2

1. If the site mentioned in your on line site Cottage View Apts. has been removed from map 1, why are we receiving notice of that site as being considered, or is it still being considered?

1

2. If the need for 2600 low income units is mandated by the state, I have an idea. Sell the Crossings Golf Course which is operating from all I'm told at a net loss. If I'm wrong here can you provide me with the correct Info re: annual income vs expenditures. Put that land back on the tax role.

2

Respectfully Submitted, Larry Hammer, 1282 Mariposa Rd. Carlsbad, Ca. 92011

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Letter C2

COMMENTER: Larry Hammer

DATE: July 21, 2023

Response C2-1

The commenter asks for clarification regarding whether the Cottage View Apartment site is being considered as part of the proposed project.

The Cottage Row Apartments located on 1400 C, Flame Tree Lane, is Site 8 of the proposed project.

Response C2-2

The commenter expresses an opinion that the city should sell the Crossings Golf Course to develop the 2,600 required units on that site.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

From: Megan Gonzalez <hoamegan@yahoo.com>
Sent: Monday, July 24, 2023 11:34 AM
To: Planning
Cc: Scott Donnell
Subject: Re: Housing EIR available for review 🏠

Hello,
Concerned homeowners that live adjacent to site 10 would like an update.
Additional areas in the district have been identified for future planning, is site 10 a possibility to be removed and not developed?

1

Megan J González
(760) 809-0608
Hoamegan@yahoo.com
Board of Directors Kensington at the Square Homeowners Association

Letter C3

COMMENTER: Megan Gonzalez

DATE: July 24, 2023

Response C3-1

The commenter asks whether Site 10 would be removed from the inventory and not developed.

Rezoning of Site 10 is considered in the Draft SEIR. The Draft SEIR analyzes reasonably foreseeable development at this site. The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

From: Kervin Krause <kervinkrause@gmail.com>
Sent: Monday, July 24, 2023 1:15 PM
To: Scott Donnell; Planning
Subject: The Shoppes Mall Property

Hello,

This is our families input to, [Draft Environmental Impact Report](#) for potential new housing sites in Carlsbad for public review.

We enjoyed shopping at Westfield Mall since the late '80s. Although now we do most of our shopping online, in The Village or along the PCH101 - although we occasionally go to a movie or one of the restaurants at the Mall. We understand the city owns the parking lot, which is empty where Sears used to be, whenever we drive by. Our family feels this is an amazing location with so much potential. So close to the 5 & 78 yet much of the parking lot sits empty most of the time. The transit area is dystopian and even feels dangerous at night being so open and far away from everything else.

Here is some further info we found on the mall property:

Years ago, the city council denied an application to develop much-needed housing in such an amazing location!

And this would actually offer the much-needed "affordable housing" than the \$1.5-2M condos taking over "The Village".

"We would be taking a blighted area and a sea of asphalt into a walkable, livable community with additional green space for the community," Goldman said.

Brian Harper, CEO of Rouse Properties, sent a letter to the city in March explaining why this development is a positive for the city and Rouse.

"We see The Shoppes at Carlsbad as the premiere multi-dimensional experience in the area and we believe the current improvements are simply the foundation for a first-class property," Harper wrote. "The west end of the property, partially under city ownership, is currently a large and underutilized parking lot that represents surplus parking not required for the shopping center's operations or compliance with city parking codes."

<https://thecoastnews.com/carlsbad-denies-application-for-mixed-use-development>

Thank you,
Segovia-Krause Family
1220 Stratford Lane

Carlsbad Village by-the-Sea

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Letter C4

COMMENTER: Kervin Krause

DATE: July 24, 2023

Response C4-1

The commenter states an opinion that the Westfield Mall would be a good site to develop housing as part of the proposed project. The commenter states that the city previously denied an application for housing development on this site and cites a newspaper article which discusses the positive outcomes of developing this site with housing.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Letter C5

From: michelle miller <lmcarlsbad@att.net>
Sent: Saturday, July 29, 2023 12:03 PM
To: Scott Donnell
Subject: Site 4

Hi Scott,

Good Morning!

I'm a homeowner at the Terraces of Sunny Creek. I was wondering what the city was proposing as far as type (single family homes, apartments) and number of units for the area by College and El Camino Real. I see that they would like to change the zoning and increase the number of units. Could you provide more specific information? I was looking online but couldn't find anything specific beside just increasing the number. Also what number would be affordable housing in that zone?

Thank you so very much!

Michelle Miller

Sent from my iPhone

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Letter C5

COMMENTER: Michelle Miller

DATE: July 29, 2023

Response C5-1

The commenter asks how many and what type of housing (single family, apartments etc.) are being proposed at College Boulevard and El Camino Real. The commenter requests more information about the proposed zoning changes and unit number increases. The commenter also asks how many of these units would be affordable housing.

As discussed in Section 2, *Project Description*, of the Draft SEIR, the rezone site located off El Camino Real and College Boulevard is Site 4, which is made up of two properties. Property 1 proposes approximately 327 units with 115 units at 12 dwelling units per acre (based on the property's current R-15 designation) and 212 units at 26.5 units per acre (based on the proposed R-30 designation, which would replace the property's other current L (Local Shopping Center) designation. Property 2 proposes approximately 154 units at 26.5 dwelling units per acre, however, since Property 2 is located entirely within a flood zone, no units are counted to help meet the city's housing needs. On property 1, 212 units would be categorized as low-income, and 115 units would be categorized as moderate-income. Specific details of development on Site 4 are unknown at this time, because the proposed project involves rezoning the site but no specific development project has been proposed at this time.

From: Vicki Robertson <pvdgrob@hotmail.com>
Sent: Monday, July 31, 2023 9:49 AM
To: Scott Donnell
Subject: Impact on Coaster Parking

Scott and Carlsbad Planning,

As senior citizens in Carlsbad, we are very concerned about the proposal for additional housing at the Coaster parking area. We use the Coaster as our means of transportation as well as many other citizens and senior citizens here in Carlsbad.

The Coaster is a wonderful means of transportation and any proposal to reduce parking area for riders should not be considered. As gas prices skyrocket (and environmental concerns) and more of us are using public transportation, how could the city possibly propose anything that impacts the parking area of our two Coaster stops??

We understand that the city needs to provide affordable housing, but it should NOT have a negative impact on parking at the Coaster locations. Local streets in the area already have strict parking regulations and there are not alternative parking areas for Coaster riders.

Thank you,
Vicki Robertson

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Letter C6

COMMENTER: Vicki Roberston

DATE: July 31, 2023

Response C6-1

The commenter expresses concern for the housing proposed at the Coaster parking area. The commenter states they use the Coaster as a means of transportation along with many other senior citizens in Carlsbad. The commenter expresses an opinion that any proposal to reduce parking for the Coaster riders should not be considered. The commenter states that there are no alternative parking areas for Coaster riders.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. The provision of parking is not an environmental issue under CEQA. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

From: Kim Geraghty <kgeraghty@roadrunner.com>
Sent: Tuesday, August 1, 2023 10:03 AM
To: Scott Donnell
Subject: Housing EIR available for review - Cottage Row Apartments

Dear Mr. Donnell,

I'm writing you, and voicing my concern and opposition, to the proposed development of up to 150 residential unit on Site 8, specifically the current Cottage Row Apartments.

The city is already over-developing this area with the two new MDU developments under construction at the intersection of Aviara Parkway and Palomar Airport Road. The increased traffic and noise is already going to continue to worsen as these two units are occupied. The city should have halted residential construction in this area following completion of the Laurel Tree Apartment complexes years ago.

Traffic is already at a dangerous level due to over development! Please seriously consider other sites for more development.

A concerned community member,
Kim Geraghty

1

Letter C7

COMMENTER: Kim Geraghty

DATE: August 1, 2023

Response C7-1

The commenter expresses opposition to the proposed development on Site 8, specifically the Cottage Row Apartments.

The commenter states an opinion that the city is over-developing the area with two new MDU developments under construction at the intersection of Aviara Parkway and Palomar Airport Road. The commenter expresses concern over the increased traffic and noise they suspect will increase as these developments are occupied. The commenter expresses an opinion that the city should have halted residential construction in this area following completion of the Laurel Tree Apartment complexes. The commenter states an opinion that traffic is at a dangerous level due to over development and asks the city to consider other sites for development.

As discussed under Section 4.10, *Noise*, of the Draft SEIR, operational activities for the proposed project, including Site 8, would be typical of the urban environment and would be required to comply with applicable noise standards in the Carlsbad Municipal Code. Furthermore, while development would generate vehicle trips in the city, the increase in mobile noise would not result in a perceptible 3-DBA increase. Therefore, operational noise impacts were found to be less than significant.

Pursuant to California Public Resources Code section 21099(b)(2) and CEQA Guidelines Section 15064.3, “a project’s effect on automobile delay shall not constitute a significant environmental impact.” Therefore, the Draft SEIR does not make significance conclusions with respect to impacts related to automobile delay, which is typically described as “Level of Service” (LOS). The commenter does not provide specific comments on the Draft SEIR or information or analysis to challenge its analysis or conclusions and no revisions to the Draft SEIR have been made in response to this comment.

From: SHARYL RAE HESS <sharylrae@aol.com>
Sent: Tuesday, August 1, 2023 7:50 PM
To: Scott Donnell
Subject: Re: Housing EIR available for review 🏠

Thank you for your reply Scott.

I absolutely get that. Are you able to speak into my concerns of accepting monies from California bureaucrats at the demise of our "quaint" Carlsbad Village? California does not "demand" this, we succumb to it for the money.

1

Would you agree that we do not want to be another Dana Point? And that Del Mar and other San Diego cities protect their cities properly?

Thank you,

🌻 Sharyl

Sharyl Hess
(760) 275-3291

On Aug 1, 2023, at 4:12 PM, Scott Donnell <Scott.Donnell@carlsbadca.gov> wrote:

Dear Ms. Hess,

Thank you for your comments and taking the time to write. The EIR is a large document and is required by law to cover a variety of topics, which contributes to its large size.

Your comment will be included as part of the project's public record.

Scott Donnell
Senior Planner
1635 Faraday Avenue
Carlsbad, CA 92008-7314
www.carlsbadca.gov

442-339-2618 o | scott.donnell@carlsbadca.gov

From: Sharyl Hess <sharylrae@aol.com>
Sent: Saturday, July 22, 2023 2:18 PM
To: Scott Donnell <Scott.Donnell@carlsbadca.gov>
Subject: Re: Housing EIR available for review 🏠

Hello there,

I am writing today because I just looked over your 472 page Housing Implementation Update. First off, who the heck is going to read this? How do our Carlsbad Residents even know what you guys at the city are up to?

We do not need any more housing in Carlsbad. We do not need any more high rise housing of any kind in our beautiful Carlsbad Village. It is becoming another Dana Point. The citizens of Carlsbad continue to make this clear to the city.

We are aware that the "law" that our city of Carlsbad blames on our "California Gov't" ie; Newsom and the bunch, is not valid.

California does NOT require the City of Carlsbad to provide this housing. Carlsbad as a city is doing this for the money they receive from the government. If you abide by their liberal views, you get paid.

We don't want this to happen to our city. Cities like Del Mar, Encinitas, La Jolla are sticking to their guns and listening to their constituents.

We do not want any more building/housing in our city.

Please stop the madness and think about the people. Our quaint village is disappearing right before our eyes.

Thank you for listening,

 **Sharyl**

Sharyl Hess
(760) 275-3291
Carlsbad Resident for many decades

On Friday, July 14, 2023 at 04:45:21 PM PDT, City of Carlsbad <planning@carlsbadca.gov> wrote:

City of Carlsbad

Letter C8

COMMENTER: Sharyl Hess

DATE: August 1, 2023

Response C8-1

The commenter expresses an opinion that Carlsbad accepting money from California bureaucrats is contributing to the demise of the quaint Carlsbad village. The commenter states an opinion that California does not demand this development but rather succumbs to it for the money. The commenter compares Carlsbad to Dana Point and asks if the city agrees that Carlsbad does not want to become Dana Point. The commenter also asks if the city agrees that Del Mar and other San Diego cities protect their cities properly.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Response C8-2

The commenter expresses concern over how long the Housing Implementation Update is and asks who will read it and how will Carlsbad residents know what the city is up to. The commenter also expresses an opinion that there is no need for additional housing in Carlsbad.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Response C8-3

The commenter states an opinion that California does not require Carlsbad to provide additional housing and that Carlsbad is doing this for the money they receive from the government. The commenter states an opinion that cities like Del Mar, Encinitas, and La Jolla are listening to their constituents. The commenter states an opinion that they do not want more housing in the city and that their quaint village is disappearing.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Scott Donnell

From: Lori Robbins <silentmeowing@gmail.com>
Sent: Tuesday, August 8, 2023 10:53 AM
To: Scott Donnell
Subject: EIR citizen vote

Hi Scott

I would like to advocate for **Alternative One** in the Environmental Impact Report.

Alternative One spreads the new housing among the town more evenly.

1. New residents will not be isolated and will integrate better if they are spread throughout the community.
2. Multiple sites can be developed at the same time and multiple builders can benefit from new construction.
3. Spreading the housing would provide more diverse architectural projects and would ease traffic congestion and the use of utilities and infrastructure.

1

Thank you for your consideration.

Lori Robbins
Carlsbad Resident

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Letter C9

COMMENTER: Lori Robbins

DATE: August 8, 2023

Response C9-1

The commenter expresses support for Alternative 1 because it spreads housing out evenly throughout the city which will allow residents to integrate better, will allow multiple sites to be constructed at the same time, and would provide more diverse architectural projects. The commenter also expresses an opinion that Alternative 1 would ease traffic congestion and the use of utilities and infrastructure.

The commenters' statements about the alternatives and whether or not the project should be approved by the city will be provided to city decision-makers for consideration. Alternative 1 is the No Project Alternative, which is defined in the Draft SEIR as a land use pattern comprised of land use trends according to the 2015 General Plan. It assumes that regional growth trends and land use according to the 2015 General Plan would continue, without the Housing Element Implementation and Public Safety Element Update as proposed under the project. Under Alternative 1, the 18 rezone sites would not be developed at the same capacity under this scenario as it would under the proposed project. As land use under the current General Plan still has residential capacity (as well as capacity for new non-residential construction, such as new commercial and industrial buildings), the city would continue to grow in terms of housing units, population, non-residential square footage, and jobs. This alternative would not be consistent with the required programs of the 2021-2029 Housing Element and the city would be at risk of having the Housing Element "decertified" by the State if this program is not implemented. Alternative 1 would facilitate the fewest number of residential units (506), and therefore result in the fewest construction-related impacts and impacts associated with ground disturbance to areas such as air quality, biological resources, cultural and tribal cultural resources, geology and soils, GHG, hazards and hazardous materials, and hydrology and water quality. However, it should be noted that development at the sites could still occur. And, as a consequence of less compact development as under this alternative, per capita VMT would be greater with Alternative 1 as compared to the proposed project, which would increase operational impacts of air quality, noise, and traffic. Overall, Alternative 1 would eliminate the unavoidably significant GHG impact, but the significant and unavoidable impacts related to air quality, historical resources, construction noise, and transportation would remain. While some environmental benefits may occur by implementing Alternative 1, this alternative would not fulfill the goals of the project as it would not provide additional housing opportunities that will assist the city in meeting its RHNA requirements.

Pursuant to California Public Resources Code section 21099(b)(2) and CEQA Guidelines Section 15064.3, "a project's effect on automobile delay shall not constitute a significant environmental impact." Therefore, the Draft SEIR does not make significance conclusions for the proposed project or project alternatives related to traffic congestion. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Letter C10

From: Christine Amato <christinemamato@icloud.com>
Sent: Wednesday, August 9, 2023 7:00 AM
To: Scott Donnell
Subject: Affordable housing sites 10 & 11

Hello Scott,

I am a homeowner at Kensington at the Square in Carlsbad and my address is 6140 Colt Place, Unit 101, Carlsbad CA 92009.

My concerns are environmental—we have had power outages in this community this past summer. How will many more units affect and already overwhelmed electric grid? Emergency evacuations due to fire, earthquake and other natural disasters. There is no main road to exit. What, if any studies have been done about any of this. Adding more units of medium high density will further exacerbate - also we have a severe drought. We have had ongoing crime as evidenced by car break ins, home break ins, theft, trespassing, drug dealing and overdoses in and around our community. Parking is already a major issue on Colt.

Environmental concerns: emergency evacuations in a medium-high density residential/commercial area with no main road route exits.

Crime, trespassing, traffic implications in our private roads. People speeding through our community with children playing on the streets. We have people living in their cars on the road leading to the proposed site and into our community. They leave trash and do not pick up after their dogs. There is already very limited parking. In our entire community there are only 8 guest spaces and overflow for residents. The rest are open to the public. Many of us use the street where people live in their cars for overflow. The surrounding streets have very little parking due to the density of the homes and driveways. Bressi Ranch was designed with the small yards and in some cases no yards replaced with small parks. I implore you to consider another site for all of these reasons.

For all of the above reasons, please reevaluate sites 10 and 11 for affordable housing, and use the buffer sites.

Christine Amato
(C) 760.613.2868

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Letter C10

COMMENTER: Christine Amato

DATE: August 9, 2023

Response C10-1

The commenter states they are a homeowner at Kensington in the square in Carlsbad. The commenter states they have environmental concerns. The commenter states they have had power outages in their community this past summer and asks how more units will affect the electric grid.

As discussed in Section 4.16, *Effects Found Not to Be Significant*, of the Draft SEIR, all future development under the proposed project would be required to comply with the latest California Building Code (CBC) requirements, including CBC Energy Efficiency Standards, as well as all federal, State, and local rules and regulations pertaining to energy consumption and conservation. Additionally, as discussed in Section 4.14, *Utilities and Service Systems*, of the Draft SEIR, although development facilitated by the project may require installation of additional electrical and natural gas connections to SDG&E facilities, such connections would be installed during individual project construction and within the disturbance area of such projects or the rights-of-way of previously disturbed roadways; therefore, the construction of these infrastructure improvements would not substantially increase the project's disturbance area or otherwise cause significant environmental effects beyond those identified throughout the Draft SEIR. The commenter does not provide specific comments on the Draft SEIR or information or analysis to challenge its analysis or conclusions and no revisions to the Draft SEIR have been made in response to this comment.

Response C10-2

The commenter expresses concern over emergency evacuations and the fact that there is no main road to exit. The commenter asks what studies have been done to address this and opines that adding more medium high-density units will exacerbate this issue.

Please refer to Response B4-3.

Response C10-3

The commenter expresses concern over the severe drought in the area as well as crime, trespassing, drug dealing, overdoses, and parking in their community.

As discussed under Impact PS-2 in Section 4.12, *Public Services and Recreation*, CEQA is primarily concerned with physical environmental impacts associated with the proposed project. Crime itself is not a CEQA issue but a physical environmental impact could occur if the project resulted in the need for a new or expanded police station, the construction of which could cause an environmental impact. As explained in the Draft SEIR, policies in the Public Safety Element Update would ensure that there are adequate police staffing to meet existing service demands. Police protection service levels would continue to be evaluated and maintained by Carlsbad Police Department accordance with existing policies, procedures and practices as development occurs over the lifetime of the project. In addition, as discussed under Impact UTIL-2 in Section 4.14, *Utilities and Service Systems*, the Carlsbad Municipal Water District (CMWD), Vallecitos Water District (VWD), and Olivenhain Municipal Water District (OMWD) have all prepared a Water Shortage Contingency Plan (WSCP) which would help manage water demands during potential water shortages and droughts. Future

development facilitated by the proposed project would also be required to comply with water conservation regulations as well as 2015 General Plan policies 9-P.3 through 9-P.6 which would help maintain sufficient supplies. Therefore, no physical environmental impacts were found to occur as a result of the proposed project. The provision of parking is not considered an environmental impact under CEQA. The commenter does not provide specific comments on the Draft SEIR or information or analysis to challenge its analysis or conclusions and no revisions to the Draft SEIR have been made in response to this comment.

Response C10-4

The commenter expresses concern over emergency evacuation in this area due to it being a commercial area with no main road exists.

Please see Response C10-2.

Response C10-5

The commenter expresses concern over crime, trespassing, and traffic on private roads. The commenter states people speed through their community where children play and that there are people living in their cars on the road leading to the proposed site. The commenter states there is trash and limited parking on the road due to the high-density development already in this area. The commenter states Bressi Ranch was designed with small yards and in some cases no yards. The commenter asks the city to consider another site other than sites 10 and 11 for affordable housing for these reasons.

Please see Response C10-3.

Pursuant to California Public Resources Code section 21099(b)(2) and CEQA Guidelines Section 15064.3, “a project’s effect on automobile delay shall not constitute a significant environmental impact.” Therefore, the Draft SEIR does not make significance conclusions with respect to impacts related to automobile delay, which is typically described as “Level of Service” (LOS).

As discussed under Impact T-3 in Section 4.13, *Transportation*, land use proposals that would add traffic to streets not designed to current standards are evaluated through the environmental review process for consistency with Carlsbad standard processes and the Caltrans recommended guidance, LDIGR Safety Review Practitioners Guide. If needed, mitigation measures are identified therein, and the project is conditioned to construct or provide funding for an improvement that would minimize or eliminate the hazard. New and upgraded roadways needed to accommodate new development would be designed according to applicable Federal, State, and local design standards. Furthermore, policies 3-P.10, 3-P.12, 3-P.13, and 3-P.16 of the 2015 General Plan would reduce impacts related to traffic safety and hazards.

The commenter does not provide specific comments on the Draft SEIR or information or analysis to challenge its analysis or conclusions and no revisions to the Draft SEIR have been made in response to this comment.

From: laurie ♥ weinberger <boca2ny@aol.com>
Sent: Monday, August 14, 2023 2:59 PM
To: Scott Donnell
Subject: Environmental Impact Report

Scott,

My husband and myself would like to advocate for Alternative One in the Environmental Report. The new housing would be spread out in a better fashion and makes the most sense to us, as residents. 1

Thanks,
Laurie Weinberger
Larry Weinberger
2689 State St
Carlsbad, CA. 92008

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Letter C11

COMMENTER: Laurie Weinberger

DATE: August 14, 2023

Response C11-1

The commenter expresses support for Alternative 1 because they believe the housing would be spread out in a better fashion and would make more sense to them as residents.

Please see Response C9.1.

August 14, 2023

Scott Donnell, Senior Planner
City of Carlsbad Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008

Subject: *DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT - HOUSING ELEMENT UPDATE
IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE, JULY 2023*

Thank you for the opportunity to review and provide comments on the subject Draft SEIR. My comments are provided below for your consideration and action as may be appropriate.

1. GENERAL COMMENT REGARDING ACCESSORY DWELLING UNITS (ADUs)

In January 2021 the California State Legislature found and declared, by enacting Government Code 65852.2, that ADUs are an essential component of the state's housing supply and provide an alternative option to traditional market-rate home construction. This Code which allows and makes it easier for property owners to build ADUs **exempts** the construction of ADUs from the requirements of the California Environmental Quality Act (CEQA). Therefore, the subject Draft SEIR does **not** consider or account for number of ADUs and population increases associated therewith within the City Carlsbad.

Even though the impacts from ADUs are **not** required to be addressed in this Draft SEIR, it is my opinion that the City needs to account for the cumulative impacts associated with the expanded population the ADUs will create. It is further my opinion that to **not** account for ADUs in this Draft EIR would **not** be prudent on the part of the City's elected officials and Division Directors and would **not** be in the best interest of our Carlsbad citizens.

The City most certainly knows how many ADUs currently exist within the City and should have planning level estimates certainly of the potential number of ADUs that might be constructed within the City. These estimates need to factor into the City's overall planning for population increases and the City's ability to provide expanded public services to support this growth. These estimates should be identified for the benefit of our Carlsbad citizens.

2. EXECUTIVE SUMMARY – ALTERNATIVES

Alternative 1, No Project Alternative

The Alternative 1 population in the Plan Area for 2035 would be 133,410, consistent with the findings of the 2015 General Plan.

Request for Additional Text

Please add text to highlight that the Alternative 1 population of 133,410 does **not** include population associated with the California State Government Code 65852.2 ADU mandate as mentioned in Section 4.11.1 (page 319).

2 cont.

Alternative 2, Reduced Sites

The Alternative 2 population in the Plan Area for 2035 is **not** identified.

Request for Additional Text

Please add text to highlight that the Alternative 2 population will be 141,670 as mentioned in Section 5.1.2 (page 430) and does **not** include population associated with the California State Government Code 65852.2 ADU mandate *as mentioned in Section 4.11.1 (page 319)*. Also please add text that the Alternative 2 population of 141,670 is **not** consistent with the findings of the 2015 General Plan.

3

Table ES-1, Air Quality

Impact AQ-2 (page 14)

Request for Additional Text

Please identify how this significant and unavoidable impact compares with the Alternative 2, No Project Alternative.

4

Impact AQ-2 Mitigation Measures (page 15)

Request for Additional Text

Please provide information on the “planned networks of active transportation infrastructure”. Who generated the planned network documents? Where can these documents be found for review? How will “expansion” be funded and who will pay?

Please provide information on “implementation of EV charging infrastructure”. Are planning documents currently being developed? Who is generating these documents? Where can these documents be found for review? How will these charging infrastructure facilities be funded and who will pay?

Please clarify what “unbundling parking fee” means.

5

Impact AQ-4 (page 17)

Request for Additional Text

Please define and quantify what the “substantial number” is.

6

Impact GHG-1, Mitigation Measures (page 27)

Request for Additional Text

7

Please explain what “reach code” means.	7 cont.
Please provide information on “Expand charging infrastructure and parking for electric vehicles” “. Are planning documents currently being developed? Who is generating these documents? Where can these documents be found for review? How will these expanded charging infrastructure facilities be funded and who will pay?	8
Impact POP-2 (page 34)	
<i>Request for Additional Text</i>	
Please define how many is a “substantial number of people”. Please identify how many people are estimated will be displaced. Please identify who will pay to relocate the displaced people.	9
Impacts PS-1, PS-2 and PS-3 (page 35)	
<i>Request for Additional Text</i>	10
Please identify how the increase in demands will be funded and who will pay for these increased services. Also, please add some text that ADUs, which are not addressed in this Draft SEIR, will further increase services and will require additional funding beyond what will be required for this Project.	11
Impact T-2 (page 36)	
<i>Request for Clarification</i>	
The text under this impact states the Project has the “potential” to interfere with achievement of VMT reductions.	
Please clarify that this Project will increase population above those identified in the 2015 General Plan. This increase in population will result in the number of vehicles supporting the population increase and will interfere with achievement of VTM reductions set forth by the City unless the reduction strategies identified under Mitigation Measures are undertaken by the City. The costs for these reduction strategies and funding mechanisms are currently not known by the City.	12
Impact T-4 (page 38)	
<i>Request for Additional Text</i>	
How significant will the impact be? Please provide some text on what the consequences of this significant impact will be and provide a comparison of the impact to the No Project Alternative.	13

3. SECTION 1 INTRODUCTION

Request for Additional Text

Please direct the reader to Section 2, Project Description for a discussion on what the driving force is for this Project and what the justification is to deviate from the 2015 General Plan. Also, please discuss what changes in state law as stated in the 1st paragraph in Section 2 required the City to adopt the Housing Element Update 2021-2029.

14

Agency Comments – Caltrans (page 47)

The comment on page 47 “Suggests Carlsbad evaluate and potentially implement Complete Streets projects to improve bicycle and pedestrian access and safety.” I assume this comment and suggestion is specific to this Project

15

The response to this CALTRANS comment states that “Issues are discussed under Impact T-1 of Section 4.13, *Transportation*, of this SEIR”.

Request for Additional Text

I am unable to find any clear text in Section 4.13 that addresses CALTRANS’ suggestion to evaluate and potentially implement improvements for bicycle and pedestrian access and safety specific to this project. Please add text directing the reader to where in Section 4.13 this CALTRANS comment is specifically addressed.

Agency Comments – Transportation (page 49)

The comment on page 49 states that “Commenters express concern for potential traffic and congestion increases in the Village, on El Camino Real, College Blvd, Cannon Road, and other corridors and intersections.”

The response to this Transportation comment states “As discussed in Section 4.13, *Transportation*, of this SEIR, pursuant to SB 743, vehicle miles traveled (VMT) would replace level of service (LOS) as the metric for determining significance of transportation impacts. Therefore, this SEIR does not analyze LOS or congestion as they are non-CEQA issues.”

16

Request for Additional Text

Even though traffic and congestion are non-CEQUA issues they are significant issues to me and likely for most of the Carlsbad citizens. I believe the City is obligated to address these concerns for the benefit of our citizens. Please add text acknowledging these

traffic and congestion concerns and identifying when and how the City will address these concerns.

16 cont.

4. SECTION 2, PROJECT DESCRIPTION

Section 2.4.2, Core Value and Priority No. 5 (page 63)

Request for Clarification

Please define “intelligent transportation management” and provide examples of where “intelligent transportation management” has been implemented by Carlsbad to enhance mobility.

19

Section 2.4.2, Core Value and Priority No. 9 (page 63)

Request for Clarification

Please identify “link density to public transportation” strategies and facilities implemented by Carlsbad on other Projects.

20

Section 2.4.8, Anticipated Growth (page 75)

The 2nd paragraph under this section states that the number of Carlsbad housing units **excludes** accessory dwelling units. I am unable to find anywhere else in this SEIR where it is noted that ADUs are **excluded** from consideration.

Request for Additional Text

Please highlight the ADU exclusion somewhere in the Executive Summary for the benefit of Carlsbad citizens.

21

The last paragraph under this section identified that this project would result in a total for 56,516 housing units in Carlsbad.

Request for Additional Text

Please add text that highlighting that the number of housing units resulting from this project (56,516 units) exceeds the number of housing units identified in the 2015 General Plan (52,320 units) by 4,196 housing units and please highlight that ADUs are **not** accounted for in this SEIR.

22

5. SECTION 3, ENVIRONMENTAL SETTING

Section 3.2, Rezone Sites Setting, Table 3-1 (Page 79)

Request for Additional Text

23

<p>I believe it would be beneficial to the reader if Table 3-1 is expanded to include the number of new housing units and additional population for each site that would result from this Project.</p>	<p>23 cont.</p>
<p>6. Section 4.2.3, Impact AQ-4 Analysis (page 117)</p> <p><i>Request for Clarification</i></p> <p>Please define what a “substantial number” of people is. How many people does the City estimate will be affected?</p>	<p>24</p>
<p>7. Section 4.6.3, Impact GHG-1 Analysis (pages 218 and 219))</p> <p><i>Request for Additional Text</i></p> <p>Please add text acknowledging that ADUs will exacerbate the significant and unavoidable impacts on the meeting the City’s GHG emissions goals. Also, please identify whether the City’s plans to acknowledge and account for ADUs in the CAP Update discussed on page 222. Can this project be approved before the CAP Update is done?</p>	<p>25</p>
<p>8. Section 4.11.3, Impact ANALYSIS PH-1 (page 324)</p> <p><i>Request for Additional Text</i></p> <p>Please add text acknowledging that ADUs will constitute unplanned growth that could render this impact to be significant.</p>	<p>26</p>
<p>9. Section 4.11.3, Impact ANALYSIS PH-2 (page 325)</p> <p><i>Request for Additional Text</i></p> <p>Please define what a “substantial number” of people or housing is. How many people or housings does the City estimate will be affected?</p>	<p>27</p>
<p>10. Section 4.13.3, VMT Analysis Methodology (page 360)</p> <p><i>Request for Additional Text</i></p> <p>Please define under Item 5 what “infill” areas mean.</p>	<p>28</p>
<p>11. Section 4-14.1.d, Electrical Power (page 374)</p> <p>There is a statement that “by 2025 the use of electricity sourced from out-of-state coal generation will be eliminated. As this transition advances, the grid is also expanding to serve additional loads produced by building and vehicle electrification among other factors”.</p>	<p>29</p>

Request for Clarification: Please expand this discussion to include what percentage of the current total electrical power generation in California is supplied by these out-of-state coal generation facilities? Who is developing the plans and design documents for expanding the grid? When will the design for expanding the grid be done? When will the grid expansion be completed? How will this grid expansion being funded, and who will pay for this expansion? This discussion should also include estimates of the increase in electricity demand beyond current demands when State mandates to eliminate fossil fuels for vehicles goes into effect sometime before 2035.

29 cont.

30

It is my opinion that the Draft SEIR needs to acknowledge and consider future conditions that are known to be inevitable and that could impact or be impacted by the proposed Project.

31

12. Section 4.14.2, Regulatory Settings – Carlsbad Growth Management Plan (pages 380 and 381)

The 2nd paragraph on page 381 states that “recent State housing laws have preempted the city’s ability to require compliance with the dwelling caps or to stop development due to noncompliance, as acknowledged in adopted City Council Resolution 2021-074 (City of Carlsbad 2023c). It also states that The city is currently developing a new approach to managing growth”.

32

Request for Clarification

Please identify the “recent State housing laws” that preempt the City’s ability to require compliance with Carlsbad dwelling caps. Also, please identify what recourse the City might have to challenge these State mandates.

Thank you for the opportunity to review and provide my thoughts and comments of the subject draft SEIR.

Please feel free to contact me via email or phone if you have any questions about my comments.

Liberato Tortorici

Liberato Tortorici
6436 La Paloma Street
Carlsbad, CA 9200

Email Address: ldtortorici@gmail.com

Cell Phone: 619-559-7281

Letter C12

COMMENTER: Liberato Tortorici

DATE: August 14, 2023

Response C12-1

The commenter cites Government Code 65852.2 which exempts accessory dwelling units (ADUs) from CEQA requirements. The commenter states that the SEIR does not account for the number of ADUs or the population increase associated with ADUs in Carlsbad. The commenter states an opinion that the city needs to account for the cumulative impact of ADUs. The commenter expresses an opinion that to exclude ADUs in this Draft SEIR would not be prudent on the part of the city's elected officials and division directors and would not be in the best interest of Carlsbad citizens.

Section 2.4.8, *Project Description – Anticipated Growth*, of the Draft SEIR, states: “As of January 1, 2023, Carlsbad had 47,003 housing units, excluding accessory dwelling units. Therefore, as of release of this SEIR, the city had an available housing unit capacity of 6,218 (53,221 – 47,003) through the buildout year of 2035 under the existing General Plan.” The reference to housing units is intended to indicate the capacity for additional housing units based on what the General Plan residential density policies would allow. State law (California Government Code Section 65852.2) prohibits the city from counting ADUs in residential density calculations, and the law requires that they be considered accessory uses. The city does estimate the population living in ADUs when evaluating public facility needs, such as parks and libraries. The population estimates used in the Draft SEIR include the population in existing ADUs.

The proposed project would not change the number or locations of ADUs that could be constructed in the city. The Draft SEIR analyses effects associated with the land use changes at the 18 rezone sites listed in Table 2-4 of the Draft SEIR and it is assumed that residential units would be constructed on those sites, as allowed by the General Plan residential density policies. ADUs are allowed by right as an accessory use and the proposed project will not directly result in an increase in the number of ADUs allowed. The effects associated with the Housing Element adoption related to ADUs were analyzed in the Addendum prepared for the Housing Element. Therefore, the Draft SEIR is consistent with the city's unit calculation methodology, and consistent with the foreseeable impacts of project implementation.

Response C12-2

Referring to the Executive Summary of the Draft SEIR, the commenter states that the Alternative 1 population in the Plan Area for 2035 would be 133,410, consistent with the findings of the 2015 General Plan. The commenter requests that text be added to highlight the population of 133,410 does not include population growth associated with ADUs.

The commenter refers to the Executive Summary which is intended to be a brief summary of the analysis and conclusions of the Draft SEIR. This information is not necessary to be added to the Executive Summary. Please also see Response C12-1.

Response C12-3

Referring to the Executive Summary of the Draft SEIR, the commenter states that the Alternative 2 population in the Plan Area for 2035 is not stated. The commenter requests that text be added to explain that the alternative 2 population would be 141,670 as mentioned on page 430 of the Draft SEIR. The commenter also requests that text be added to highlight the population of 141,670 does not include population growth associated with ADUs and is not consistent with findings of the 2015 general plan.

The commenter refers to the Executive Summary which is intended to be a brief summary of the analysis and conclusions of the Draft SEIR. This information is not necessary to be added to the Executive Summary. Please also see Response C12-1.

Response C12-4

Referring to Table ES-1, Executive Summary of the Draft SEIR, the commenter requests text to be added under impact AQ-2 on page 14 of the Draft SEIR to identify how the significant and unavoidable impact compares to Alternative 2.

Table ES-1 summarizes impacts of the proposed project as analyzed in the Draft SEIR and the description of Impact AQ-2 is accurate and refers to the air quality analysis conclusions for the proposed project. Air quality impacts related to Alternative 2 are discussed in Section 6, *Alternatives*, of the Draft SEIR and not included in Table ES-1. As discussed in Section 6, *Alternatives*, compared to the proposed project, Alternative 2 would result in a net increase of 43 residential units, and would also result in slightly increased operational emissions (Table 6-2) compared to the proposed project. Therefore, as with the proposed project, air quality impacts for Alternative 2 would be significant and unavoidable.

Response C12-5

Referring to Table ES-1, Executive Summary of the Draft SEIR, the commenter requests text to be added on page 15 of the Draft SEIR to explain more about the “planned networks of active transportation infrastructure,” “implementation of EV charging infrastructure,” and what “unbundled parking fee” means.

Table ES-1 summarizes impacts of the Draft SEIR and lists the required mitigation measures, including Mitigation Measure AQ-2 which the commenter refers to. As stated in the measure, this measure requires future development to quantify operational emissions, and if emissions exceed threshold the measure provides a list of potential measures projects can incorporate to reduce air pollution emissions. As stated in the measure, this is not an exhaustive list of measures, and individual projects shall incorporate measures that best fit each project design. “Expand and facilitating completion of planned networks of active transportation infrastructure” means improving and expanding infrastructure for alternative modes of transportation. Implementation of EV charging infrastructure for residential development is mandated by the California Building Standards Commission. CalGreen standards are updated every three years. Current development would be required to comply with the 2022 CalGreen standards. Unbundled parking separates parking costs from housing costs and allows occupants that do not have a vehicle to pay less. No revisions to the Draft SEIR have been made in response to this comment.

Response C12-6

Referring to Table ES-1, Impact AQ-4, of the Executive Summary of the Draft SEIR, the commenter requests text to be added on page 17 of the Draft SEIR to define and quantify what the “substantial number” is.

The commenter refers to text that is a brief summary of impact conclusions. For additional information, please refer to Section 4.2, *Air Quality*, of the Draft SEIR which explains the significance threshold used for determining if the proposed project would create objectionable odors affecting a substantial number of people. Generally, the proposed project involves residential uses and would not create objectionable odors.

Response C12-7

Referring to Table ES-1, of the Executive Summary of the Draft SEIR, the commenter requests text to be added on page 27 of the Draft SEIR to explain what “reach code” means.

The commenter refers to text that is a brief summary of impact conclusions in the Executive Summary of the SEIR. For additional information, please refer to Section 4.6, *Greenhouse Gas Emissions*, of the Draft SEIR which explains the reach code. A reach code is a local building energy code that goes beyond State minimum requirements for energy use or GHG emissions in building design and construction.

Response C12-8

Referring to Table ES-1, of the Executive Summary of the Draft SEIR, the commenter requests text to be added on page 27 of the Draft SEIR to add more information on “expanding charging infrastructure and parking for electric vehicles.” The commenter also asks where these documents can be found for review, how will expansion be funded, and who will pay for it.

The commenter refers to Mitigation Measure GHG-1 listed in Table ES-1. This is a proposed measure to be added to the city’s updated Climate Action Plan and not a planning document currently being generated. This measure, if implemented as part of the Climate Action Plan update, would expand the EV network which would promote the usage of EVs and thereby reduce GHG emissions.

Response C12-9

Referring to Table ES-1, of the Executive Summary of the Draft SEIR, the commenter requests text to be added on page 34 of the Draft SEIR to explain what a “substantial number of people” is. The commenter asks that the Draft SEIR identify the number of people estimated to be displaced and who will pay to relocate displaced people.

As discussed under Impact PH-2 of Section 4.11, *Population and Housing*, of the Draft SEIR, “substantial” displacement would occur if the proposed project would displace more residences than would be accommodated through growth facilitated by the project. Future development would be required to comply with goals and policies under Section 10.7.4 of the 2021-2029 Housing Element which aims to affirmatively further fair housing and ensure all housing opportunities are offered in conformance with open housing policies and free of discriminatory. Furthermore, Program 4.3 and other programs of the 2021-2029 Housing Element ensures the minimization of the occurrence of displacement, especially within groups facing disproportionate housing needs, including but not limited to those with lower incomes.

Response C12-10

Referring to Table ES-1, of the Executive Summary of the Draft SEIR, the commenter requests text to be added on page 35 of the Draft SEIR to identify how the increase in demands for public services will be funded and who will pay for these increased services.

The commenter refers to text that is a brief summary of impact conclusions in the Executive Summary of the SEIR. For additional information, please refer to Section 4.12, *Public Services and Recreation*, of the Draft SEIR which explains the findings related to the provision of public services.

Response C12-11

Referring to Table ES-1, of the Executive Summary of the Draft SEIR, the commenter requests text to be added on page 35 of the Draft SEIR to explain that ADUs which are not addressed in the Draft SEIR will further increase services and require additional funding.

Please see Response C12-1.

Response C12-12

Referring to Table ES-1, of the Executive Summary of the Draft SEIR, the commenter requests text to be added on page 36 of the Draft SEIR to clarify that this Project will increase population above those identified in the 2015 General Plan. The commenter requests text to be added to explain that this increase in population will result in an increase in the number of vehicles supporting the population which will interfere with achievement of VMT reductions set forth by the city unless the reduction strategies identified under Mitigation Measures are undertaken by the city. The costs for these reduction strategies and funding mechanisms are currently not known by the city.

Population is discussed under Section 4.11, *Population and Housing*, of the Draft SEIR. As discussed in Section 4.11, the proposed project would exceed the housing units at buildout assumed in the 2015 General Plan EIR, hence why a Draft Supplemental EIR (Draft SEIR) was prepared.

As discussed under Impact T-2 of Section 4.13, *Transportation*, of the Draft SEIR, even with implementation of Mitigation Measure T-1, because of the uncertainty relating to the feasibility of on-site TDM measures and the implementation process for individual development projects in diverse project settings, the timing that it will take to implement those measures, and the lack of an off-site mitigation option, the effectiveness of reducing an individual project's VMT impact to a less than significant level cannot be determined as part of Draft SEIR, and VMT impacts would be significant and unavoidable.

Response C12-13

Referring to Table ES-1, of the Executive Summary of the Draft SEIR, the commenter requests text to be added on page 38 of the Draft SEIR to explain how significant the impact will be and what the consequences of this significant impact will be. The commenter requests text be added comparing this impact to the no project alternative.

Transportation impacts related to the No Project Alternative (Alternative 1) are discussed in Section 6, *Alternatives*, of the Draft SEIR, and not Section 4.13, *Transportation*. Future development under both the proposed project and Alternative 1 would be required to coordinate with the emergency service providers to ensure that emergency routes remain available. In the long-term, development would be required to provide adequate accommodation of fire access to structure frontages, multiple access points to development, as well as adequate width, height, and turning

radius of roadways and access points, pursuant to California Building Code and California Fire Code requirements. Development would also be required to comply with city and San Diego County standards and requirements and would undergo review by public safety officials as part of the approval process. Therefore, impacts related to inadequate emergency access would be less than significant for both the proposed project and Alternative 1.

Response C12-14

The commenter requests text to be added to Section 1, *Introduction*, of the Draft SEIR to direct the reader to Section 2, *Project Description*, for a discussion on what the driving force is for this project and what the justification is to deviate from the 2015 General Plan. The commenter also requests text be added to include a discussion of what changes in state law as stated in the first paragraph in Section 2 required the city to adopt the Housing Element Update 2021-2029.

Section 1.9, *Introduction – Baseline and Approach for Impact Analysis*, of the Draft SEIR explains the relationship between the proposed project and the 2015 General Plan. This project does not deviate from the 2015 General Plan, rather the Draft SEIR is being prepared to analyze only the changes to the General Plan or changes in circumstances under which the projects would be implemented since certification of the previous 2015 General Plan EIR which occurred on September 22, 2015.

Section 2.3, *Project Description – Background*, of the Draft SEIR, outlines the changes in State law including the State housing legislation and new State safety legislation which prompted the updating of the Housing Element and the Public Safety Element.

Response C12-16

The commenter summarizes Caltrans' comment on page 47 of the Draft SEIR and requests that text be added to Section 4.13 to show where the Draft SEIR clearly addresses Caltrans' suggestion to evaluate and potentially implement improvements for bicycle and pedestrian access and safety specific to this project.

As discussed under Impact T-1 in Section 4.13, *Transportation*, of the Draft SEIR, development under the project would not obstruct existing transit, bicycle, or pedestrian services or facilities, nor would it conflict with existing or planned facilities. All new development would be subject to city discretionary review, allowing the city to ensure that project designs would not interfere with transit operations or bicycle and pedestrian infrastructure. Caltrans suggests the city implement Complete Streets projects to improve bicycle pedestrian access and safety. This is not required for future developments and the city has noted this comment.

Response C12-16

The commenter summarizes the comment regarding traffic congestion and corresponding response indicating that pursuant to SB 743, vehicle miles traveled (VMT) would replace level of service (LOS) as the metric for determining significance of transportation impacts. Therefore, this SEIR does not analyze LOS or congestion as they are non-CEQA issues. The commenter expresses an opinion that even though traffic and congestion are not CEQA issues they are important to them and other citizens and therefore the city is obligated to address these concerns for the benefit of its citizens. The commenter requests text to be added to the Draft SEIR that address these concerns about traffic and congestion.

Pursuant to California Public Resources Code section 21099(b)(2) and CEQA Guidelines Section 15064.3, "a project's effect on automobile delay shall not constitute a significant environmental

impact.” Therefore, the Draft SEIR does not make significance conclusions with respect to impacts related to automobile delay, which is typically described as “Level of Service” (LOS).

Further, while not required for CEQA, a TIS (or Transportation Impact Analysis Report) was prepared for the project and is available: <https://www.carlsbadca.gov/departments/community-development/planning/agendas-minutes-notice>

Response C12-19

The commenter requests text to be added on page 63 of the Draft SEIR to define “intelligent transportation management” and to provide examples of where intelligent transportation management has been implemented in Carlsbad to enhance mobility.

This comment pertains to a description of the core values in the city’s General Plan and does not pertain to the adequacy of the analysis or conclusions of the Draft SEIR. The quote the commenter referenced is part of the General Plan’s vision and does not relate to the proposed project. Generally, intelligent transportation management refers to technology or infrastructure improvements that may help alleviate traffic congestion.

Response C12-20

The commenter requests strategies and facilities implemented by other projects in Carlsbad to link density to public transportation to be identified.

This comment pertains to a description of the core values in the city’s General Plan and does not pertain to the adequacy of the analysis or conclusions of the Draft SEIR. The quote the commenter referenced is part of the General Plan’s vision and does not relate to the proposed project. Generally, linking density to public transportation refers to placing high density housing near transit to encourage transit use.

Response C12-21

The commenter states that the second paragraph on page 75 states that the number of housing units excludes ADUs. The commenter requests text be added to the executive summary that highlights this.

Please see Response C12-1.

Response C12-22

Referring to Section 2 of the Draft SEIR, the commenter requests text be added to page 75 of the Draft SEIR highlighting that the number of housing units resulting from this project (56,516 units) exceeds the number of housing units identified in the 2015 General Plan (53,320 units). The commenter also requests that text be added to highlight that ADUs are not accounted for in the Draft SEIR.

The information requested by the commenter is provided in Section 4.11, *Population and Housing*, of the Draft SEIR. With respect to ADUs, please see Response C12-1.

Response C12-23

Referring to Section 3 of the Draft SEIR, the commenter requests text to be added in Table 3-1 on page 79 of the Draft SEIR to include the number of new housing units and additional population for each site that would result from this Project.

Section 3, *Environmental Setting*, of the Draft SEIR refers to the environmental setting of the project which is the baseline for the analysis prior to implementation of the proposed project. The number of housing units that could be developed under the proposed project is detailed under Section 2, *Project Description*. Population estimates for the proposed project is discussed under Section 4.11, *Population and Housing*, of the Draft SEIR. As discussed in Section 4.11, the proposed project would result in 8,260 new residents.

Response C12-24

Referring to Section 4.2.3 of the Draft SEIR, the commenter requests text to be added to page 117 of the Draft SEIR to define what a “substantial number” of people is and how many people will be affected.

The CEQA Guidelines do not specifically define what a “substantial” number of people is. The Air Quality analysis generally compares air pollution emissions to established thresholds to determine impacts. Please refer to the methodology, impact analysis, and conclusions in Section 4.2, *Air Quality*, of the Draft SEIR.

Response C12-25

Referring to Section 4.6.3 of the Draft SEIR, the commenter requests text to be added stating that ADUs will exacerbate the significant and unavoidable impact related to meeting the city’s GHG emissions goals. The commenter requests text to be added to clarify whether the city plans to account for ADUs in the CAP Update discussed on page 222. The commenter asks if this project can be approved before the CAP update is done.

Please see Response C12-1. As discussed under Impact GHG-1 in Section 4.6, *Greenhouse Gas Emissions*, of the Draft SEIR, individual projects could be developed prior to the adoption of the updated CAP as required by Mitigation Measure GHG-1, and would not be guaranteed to be consistent with State emissions goals. Therefore, until the city updates the CAP in accordance with Mitigation Measure GHG-1, the project’s impacts related to GHG emissions would be significant and unavoidable.

Response C12-26

Referring to Section 4.11.3 of the Draft SEIR, the commenter requests text to be added to indicate that ADUs will constitute unplanned growth that could render impact PH-1 to be significant.

Please see Response C12-1.

Response C12-27

Referring to Section 4.11.3 of the Draft SEIR, the commenter requests text to be added to define what a “substantial number” of people or housing is and to state how many people or housing units the city estimates to be affected.

The CEQA Guidelines do not specifically define what a “substantial” number of people is. Please refer to the methodology, impact analysis, and conclusions in Section 4.11, *Population and Housing*, of the Draft SEIR.

Response C12-28

Referring to Section 4.13.3 of the Draft SEIR, the commenter requests text to be added to define what “infill” areas mean.

The commenter’s request has been noted and page 2-21 of the Draft SEIR has been revised as described in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response C12-29

Referring to Section 4.14.1.d of the Draft SEIR, the commenter states there is text that reads “by 2025 the use of electricity sourced from out-of-state coal generation will be eliminated. As this transition advances, the grid is also expanding to serve additional loads produced by building and vehicle electrification among other factors”. The commenter requests text to be added to include what percentage of current total electrical power generation in California is supplied by out of state coal generation factories. The commenter asks who is developing plans and design documents for expanding the grid and when this expansion will be complete. The commenter asks how the grid expansion will be funded and by who.

The commenter’s request has been noted and page 4.14-4 of the Draft SEIR has been revised as listed in Chapter 3, Revisions to the Draft SEIR, of this document. These revisions do not change the findings of the Draft SEIR, do not result in new or substantially more severe significant impacts, and do not constitute significant new information warranting recirculation of the Draft SEIR.

Response C12-30

Referring to Section 4.13, the commenter requests text be added to include estimates of the increase in electricity demand that will occur when the State mandates the elimination of fossil fuels for vehicles.

It is unclear what mandate the commenter is referring to. This analysis would be speculative and this analysis is not provided in the Draft SEIR at this time. Nonetheless, impacts associated with energy use were found to be less than significant.

Response C12-31

Referring to Section 4.14, the commenter expresses an opinion that the Draft SEIR needs to acknowledge and consider future conditions that are known to be inevitable and that could impact or be impacted by the project.

The Draft SEIR does analyze impacts associated with project implementation through 2035, the horizon year of the city’s General Plan, based on known information. The commenter does not provide specifics of what information is needed and no changes to the Draft SEIR have been made in response to this comment.

Response C12-32

Referring to Section 4.14.2, Regulatory Setting, in the Utilities and Service System section of the Draft SEIR, the commenter requests text be added to identify which recent state housing laws have preempted the ability of the city to require compliance with the Carlsbad dwelling unit caps. The commenter asks what recourse the city has to challenge these mandates.

The recent State laws impacting the Growth Management Program are detailed in Section 4.11, *Population and Housing*, of the Draft SEIR and under the reference (City of Carlsbad 2023c) in Section 4.14, *Utilities and Service Systems*, of the Draft SEIR. The reference is the city's Fiscal Year 2021-2022 Growth Management Program Monitoring Report, and impacts of State Law can be found on pages 9 and 10.

(<https://www.carlsbadca.gov/home/showpublisheddocument/13525/638182837741030000>)

From: ROBERT RODEWALD <rorodewald@aol.com>
Sent: Friday, August 18, 2023 11:48 AM
To: Scott Donnell
Subject: Additional Housing Issue

Scott

If the State is demanding these additional dwelling units then they should provide State owned land for their construction. In addition, I thought we were in a dramatic drought and our allocation of Colorado river water was being reduced. How does that square with adding thousands of new dwelling units.

1
2

The people of Carlsbad sacrificed and worked hard to be able to afford to live here and this required program is altering the character of the neighborhoods we live in. If you must add additional housing stock, put it in the Shoppes of Carlsbad mall. There is significant vacancy there and that development no longer works as originally planned. As a bonus, you won't destroy the quality of the other neighborhoods that you want to alter.

3

Sincerely,

Robert Rodewald
3865 Skyline Road
Carlsbad, CA 92008
760-519-0262

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Letter C13

COMMENTER: Robert Rodewald

DATE: August 18, 2023

Response C13-1

The commenter states an opinion that if the state is demanding additional dwelling units they should provide state owned land for their construction.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Response C13-2

The commenter expresses concern over adding dwelling units when there is a drought and reduction of water being allocated to California from the Colorado River.

As discussed under Impact UTIL-1 in Section 4.14, *Utilities and Service Systems*, of the Draft SEIR, the proposed project would not require or result in the relocation or construction of new or expanded water facilities such that significant environmental effects beyond those already identified throughout the Draft SEIR would occur. As discussed under Impact UTIL-2, with compliance with existing State and local regulations aimed at water conservation, as well as Carlsbad Municipal Water District, Vallecitos Water District, and Olivenhain Municipal Water District Water Shortage Contingency Plans and ordinances, water supplies would be sufficient to accommodate the increase in demand for the proposed project. The commenter does not provide specific comments on the Draft SEIR or information or analysis to challenge its analysis or conclusions and no revisions to the Draft SEIR have been made in response to this comment.

Response C13-3

The commenter states an opinion that the program that requires additional housing in Carlsbad is altering the character of the neighborhoods in the city. The commenter suggests putting additional housing in the Shoppes of Carlsbad mall since there is vacancy there and development in that area would not destroy the quality of other neighborhoods.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Letter C14

From: Yolanda Higgins <higgins_yolanda@yahoo.com>
Sent: Friday, August 18, 2023 2:48 PM
To: Scott Donnell
Subject: Residential on commercial zoned land

I am Yolanda Higgins. I own the property T 5482 Wolverine Terrace in the community of Terraces at Sunnycreek.

I would much rather see an activity center for the children and adults who already reside in the community.

About a year ago I inquired about purchasing the land at the corner of ECR and College. I was hoping to collaborate with city and build a bowling alley and an indoor/outdoor skating rink. Around the holidays, I envisioned turning it into a holiday wonderland.

We need a safe place for the community children and adults to unite.

I can't think of a better place for community gathering for both, young and old alike.

My vote is no on allowing residential building on this commercially zoned land.

If you have any questions or comments , please feel free to contact me at (619) 721-9776.

[Sent from Yahoo Mail for iPhone](#)

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Letter C14

COMMENTER: Yolanda Higgins

DATE: August 18, 2023

Response C14-1

The commenter states that they would rather see an activity center be built for children and adults in the community. The commenter states they inquired about purchasing the land at the corner of El Camino Real and College and had hoped to build a bowling alley and skating rink there. The commenter states an opinion that there needs to be safe place for children and adults to unite and expresses opposition to allowing residential uses on this commercially zoned land.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Letter C15

From: Michelle Soos <msoos717@gmail.com>
Sent: Tuesday, August 22, 2023 10:08 AM
To: Scott Donnell
Subject: Opposition to site 14 - housing site plan

Hello,

I am writing in opposition to site 14 per the below link/map, which would convert the government owned coaster railway parking lots to residential property. This parking is needed for the village, which is already starting to see issues with parking in the streets and public parking, since the many additional condominiums have been built. Can you confirm if they have a plan to add parking if they convert those lots to residential property?

Please let me know if I should write or provide my opposition in another form and where I can find updates to which of these plans are going forward. Appreciate all you do! Thanks much!

Michelle Soos
Resident of carlsbad village

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

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Letter C15

COMMENTER: Michelle Soos

DATE: August 22, 2023

Response C15-1

The commenter expresses opposition to the inclusion of site 14 in the proposed project. The commenter states that the Coaster parking on this site is needed for the Village which is already experiencing parking issues due to the construction of condominiums. The commenter asks if there is a plan to add parking if they convert this lot to residential uses.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. The provision of parking is not an environmental issue under CEQA. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

From: Christopher Byrum <cb@chrisbyrum.com>
Sent: Wednesday, August 23, 2023 8:27 AM
To: Planning; Scott Donnell
Subject: Re: Reminder: Housing EIR available for review 🏠

To whom it may concern,

I've already provided my input on my opposition for site 3....extremely bad location for site density zoning changes. Map 2 would be the obvious choice.

1

Letter C16

COMMENTER: Christopher Byrum

DATE: August 23, 2023

Response C16-1

The commenter expresses opposition to development on site 3. The commenter states an opinion that this is a bad site for density zoning changes and map 2 would be the obvious choice.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Letter C17

From: Cheri White <cwrocky@hotmail.com>
Sent: Wednesday, August 23, 2023 3:50 PM
To: Scott Donnell
Subject: Carlsbad Housing

Dear Mr. Donnell,

I am in receipt of the flyer sent out concerning the rezoning of housing in Carlsbad. I have lived in Carlsbad for twenty five years. I moved to Carlsbad because it was a quaint little town. It no longer is and I as a homeowner am very frustrated with all the new construction. When will it stop? I live at 3684 Azure Circle. I know I am not the only homeowner that feels this way but what can we do to stop building more and more homes. You ask us to respond but will you really listen or is this just a waste of my time?

I truly am fed up!!!

Sincerely,

Cheri White

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Letter C17

COMMENTER: Cheri White

DATE: August 23, 2023

Response C17-1

The commenter states that they moved to Carlsbad because it was a quaint little town and expresses the opinion that it no longer is. The commenter expresses frustration with all the new construction and asks when it will stop.

The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Letter C18

From: Bradford Robbins <bradfordrobbins@gmail.com>
Sent: Thursday, August 24, 2023 9:09 PM
To: Scott Donnell
Subject: I vote for Alternative One as a better choice for diversity in Carlsbad.

I vote for Alternative One as a better choice for diversity in Carlsbad.

Brad Robbins
Resident.

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Letter C18

COMMENTER: Bradford Robbins

DATE: August 24, 2023

Response C18-1

The commenter expresses support for Alternative 1.

Please see Response C9.1.

From: D Lech <dilech@ymail.com>
Sent: Friday, August 25, 2023 12:33 PM
To: Scott Donnell
Subject: DEIR public comment

Dear Mr. Donnell,

I appreciate the opportunity to provide input on the draft environmental impact report for potential new housing sites within the Housing Element. The report is thorough, objective, and detailed. Thank you for putting this together and presenting it to the public for another opportunity to make comments.

I support Alternative 2 Reduced Sites, especially since it will allow for *more* residences (if needed in the future) than Alternative 1. If the City must comply with current and future RHNA mandates, then Alternative 2 would make the most sense.

As a homeowner living in the northeast quadrant of the City, I, along with many other residents, have been impacted by the continually increasing noise, poor air quality, and intense volume of traffic along El Camino Real between Highway 78 and Faraday Avenue during morning and evening rush hours, due to population growth, locally and throughout the region.

The proposed density increase at Site #3 at Chestnut Avenue and El Camino Real is highly inappropriate for this residential community. The project area is completely surrounded by one or two story single-family homes, with the exception of one discreet condo project on the northwest corner of this intersection. Currently, this intersection is extremely busy with 55+ MPH traffic, students on e-bikes, and pedestrians, as this intersection serves Carlsbad HS, Valley Middle School, and Magnolia Elementary. There is additional traffic heading to Hope Elementary and Kelly Elementary. Let's not forget about the hundreds of commuters using El Camino Real as an alternate to Highway 78 and Interstate 5, due to the failure of SANDAG to build the interchange we continue to pay for. These commuters from around the region will not be using a bus to get to work anytime soon.

This stretch of El Camino Real has gotten worse since the opening of Robertson Ranch in 2017, and is about to get even more intense with:

- 1) completion of Marja Acres with 294 additional residences on El Camino Real and Kelly Drive which will include retail.
- 2) future development of the vacant site at the corner of El Camino Real and Kelly Drive, adjacent to Robertson Ranch.

3) proposed future Robertson Ranch shopping center on El Camino Real and West Ranch Road.

4) proposed residential/commercial developments at El Camino Real and College Blvd. (Site #4).

With the increased traffic from these projects, the El Camino Real corridor could become impassable to the residents of both the northeast and northwest quadrants of the City, not to mention, delay by first responders trying to maneuver through the six lanes of traffic and the soon to be reduction of two lanes to a single lane on our east/west corridors of Carlsbad Village Drive and Tamarack Avenue.

It would be unnecessary and irresponsible to develop a project with the proposed density at Site #3, especially since choosing Alternative 2 Reduced Sites would provide for *more* housing units than Alternative 1.

Site 3 should remain zoned as it is currently designated, or be purchased by the City as open space to preserve the character of this neighborhood and the plant and wildlife species that call it home, while contributing to the City's Forest Canopy. Developing this parcel as proposed would be a safety issue which cannot be ignored. The people of Carlsbad have already expressed their disapproval of increasing the density of this site, along with disapproval of sites 8 and 15 during the public input collected in September and October of 2021. Please listen to the citizens of Carlsbad and do what they feel is safe and appropriate by choosing Alternative 2 Reduced Sites and remove Sites 3, 8, and 15 from the future housing plan.

Thank you for your consideration.

Sincerely,

D. Lech

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Letter C19

COMMENTER: D. Lech

DATE: August 25, 2023

Response C19-1

The commenter expresses appreciation for the opportunity to provide input on the Draft SEIR and state the report is thorough, objective, and detailed. The commenter expresses support for alternative 2 because it will allow for more residences than alternative 1.

The commenter's statements about the alternatives and the eventual project that should be approved by the city will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Response C19-2

The commenter states that as a homeowner living in the northeast quadrant of the city they have experienced continually increasing noise, air quality, and traffic issues. The commenter specifically expresses concern about the volume of traffic on El Camino Real between Highway 78 and Faraday Avenue during morning and evening rush hours. The commenter expresses the opinion that the proposed density increase at Site 3 is inappropriate due to the surrounding single-family homes and the traffic at the intersection of El Camino Real and Chestnut Ave.

Pursuant to California Public Resources Code section 21099(b)(2) and CEQA Guidelines Section 15064.3, "a project's effect on automobile delay shall not constitute a significant environmental impact." Therefore, the Draft SEIR does not make significance conclusions with respect to impacts related to automobile delay, which is typically described as "Level of Service" (LOS). The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Response C19-3

The commenter expresses concern that traffic on El Camino Real will get worse with the completion of Marja Acres on El Camino Real and Kelly Drive, future development of the vacant site at the corner of El Camino Real and Kelly Drive, proposed future Robertson Ranch shopping center on El Camino and West Ranch Road, and proposed development on site 4 on El Camino Real and College Blvd. as part of the proposed project. The commenter expresses concern that with increased traffic from these projects El Camino Real corridor could become impassable to residents of the northeast and northwest quadrants of the city.

Please see Response C19-2.

Response C19-4

The commenter expresses concern that first responders will be delayed by the increased traffic and the reduction of a lane on the east/west corridors of Carlsbad Village Drive and Tamarack Avenue.

As discussed under Impact T-4 in Section 4.13, *Transportation*, of the Draft SEIR, development facilitated by the project would be required to provide adequate accommodation of fire access to structure frontages, multiple access points to development, as well as adequate width, height, and

turning radius of roadways and access points, pursuant to California Building Code and California Fire Code requirements. Development facilitated by the project would be required to comply with city and San Diego County standards and requirements and would undergo review by public safety officials as part of the approval process. Additionally, as found in the 2015 General Plan EIR, policies 3-P.12, 3-P.29, 3-P.30, and 3-P.33 would reduce impacts related to emergency access. Therefore, the proposed project would not result in inadequate emergency access.

Please also see Response C19-2. The commenter's opinions are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Response C19-5

The commenter expresses an opinion that it would be unnecessary and irresponsible to develop a project with the proposed density at Site 3. The commenter reiterates their support for alternative 2 because it would provide for more housing than alternative 1.

The commenter's statements about the alternatives and the eventual project that should be approved by the city will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Response C19-6

The commenter expresses an opinion that site 3 should remain zoned as it currently is or it should be purchased by the city and converted to open space to support the character of the neighborhood and the plant and wildlife species in the area. The commenter expresses an opinion that to develop site 3 would be a safety issue and urges the city to listen to Carlsbad residents who have provided input indicating their disapproval of the project throughout September and October of 2021. The commenter urges the city to choose alternative 2 and remove sites 3, 8, and 15 from the future housing plan.

The commenter's statements about the alternatives and the eventual project that should be approved by the city will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

From: LUIGI P <astrojupiter.2000@gmail.com>
Sent: Friday, August 25, 2023 12:56 PM
To: Scott Donnell
Subject: Draft EIR

Thank you for allowing me to express my opinion regarding the Draft EIR for the 2021-2029 Housing Element. I am a home owner living in Carlsbad District 2 and I support Alternative 2 Reduced Sites. Most residents who responded to the survey in September and October 2021 objected to the increase density of sites 3, 8 and 15 . Alternative 2 would provide for more residences and at the same time, be agreeable to the local community residents.

Regards,

L. Persico

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Letter C20

COMMENTER: Luigi Persico

DATE: August 25, 2023

Response C20-1

The commenter expresses support for alternative 2. The commenter states that most residents who responded to the survey in September and October 2021 objected to the increase in density of sites 3, 8, and 15. The commenter states alternative 2 would provide more residences and be agreeable to the local community.

The commenter's statements about the alternatives and the eventual project that should be approved by the city will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Letter C21

From: Jeff Johnson <jjbio170@yahoo.com>
Sent: Sunday, August 27, 2023 12:42 PM
To: Scott Donnell
Subject: Regarding housing sites under consideration

Dear Mr. Donnell,

I am writing this letter regarding the rezoning of site 4 for higher density housing. I live in Sunny Creek, right across the street from site 4. I agree that Carlsbad needs to provide more affordable housing, but we need to provide it in a location that best serves the people who need this housing. Several sites, including site #4, are not appropriate locations for these proposed housing developments. Specifically, the reason site #4 is inappropriate (some of these reasons may apply to some of the other sites) are as follows:

1. The entire site sits within or adjacent to the highest severity fire zone.
2. Lack of community services (grocery stores, etc.) within walking distance. We already have one low income apartment housing unit behind the Sunny Creek housing development, and I watch many of these people take their wagons or carts to bring back groceries, etc. This same reasoning applies to parks, schools, and other essential services.
3. El Camino, at least at this location, is not a safe street for a residential complex to be co-located with. Unless the housing community is a walled-off, prison-like compound, people are going to get hurt. I have witnessed several accidents at the intersection of College Blvd. and El Camino due to excess speeds, and I've encountered young, unsupervised special-needs children playing in the streets who live in the existing apartment complex north of Sunny Creek.

I hope that we can place these housing units in a location that provides a real sense of community that is both safe and closer to essential services.

Thank you for your efforts on this challenging but important issue.

Best regards,

Jeffrey Johnson

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Letter C21

COMMENTER: Jeff Johnson

DATE: August 27, 2023

Response C21-1

The commenter expresses opposition to the construction of affordable housing on site 4 because the site sits within or adjacent to the highest fire severity zone, the site lacks community services like grocery stores, parks, and schools within walking distance, and is located near El Camino Real which the commenter opines is not a safe street for a residential complex to be co-located with.

As discussed under Impacts PS-3 through PS-5 in Section 4.12, *Public Services and Recreation*, the proposed project would not require the construction or expansion of schools, recreational facilities, or library facilities. The city would continue to implement policies 7-G.9 and 7-P.23 of the Arts, Culture, History, and Education Element of the 2015 General Plan, which would facilitate coordination with school districts to ensure school facilities have adequate and permanent capacity to accommodate projected future enrollment. The city would also continue to implement policies 4-P.5b and 4-P.20 through 4-P.39 of the Open Space, Conservation, and Recreation Element of the General Plan, which would ensure the city actively seeks to preserve and expand parks to meet the needs of Carlsbad residents as well as meet the park standards outlined in the Citywide Facilities and Improvements Plan of the GMP.

As discussed under Impact T-3 in Section 4.13, *Transportation*, land use proposals that would add traffic to streets not designed to current standards are evaluated through the environmental review process for consistency with Carlsbad standard processes and the Caltrans recommended guidance, LDIGR Safety Review Practitioners Guide. If needed, mitigation measures are identified therein, and the project is conditioned to construct or provide funding for an improvement that would minimize or eliminate the hazard. New and upgraded roadways needed to accommodate new development would be designed according to applicable Federal, State, and local design standards. Furthermore, policies 3-P.10, 3-P.12, 3-P.13, and 3-P.16 of the 2015 General Plan would reduce impacts related to traffic safety and hazards.

As discussed in Section 4.15, *Wildfire*, of the Draft SEIR, site 4 is partially located within an LRA Very High Fire Hazard Severity Zone. However, development facilitated by the project would be subject to the California Fire Code, which includes safety measures to minimize the threat of fire, such as noncombustible or ignition-resistant building materials for exterior from the surface of the ground to the roof system and sealing any gaps around doors, windows, eaves, and vents to prevent intrusion by flame or embers. Construction would also be required to meet CBC requirements, including CCR Title 24, Part 2, which includes specific requirements related to exterior wildfire exposure. Development facilitated by the proposed project would also be required to adhere to the California Fire Code, Part 9 of the CBC, which outlines standards for fire safety such as fire flow requirements for buildings, fire hydrant location, and distribution criteria. In addition, the Board of Forestry, via CCR Title 14, sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply; which would help prevent loss of structures or life by reducing access limitations for purposes of accessing and suppressing wildfire locations. Furthermore, the Board of Forestry, via CCR Title 14, sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply, which help prevent loss of structures or life by reducing wildfire hazards. Site 4 would be subject to these

requirements prior to approval and development. The Public Safety Element Update also includes new and updated policies that were designed to account for California Attorney General Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act, which would further reduce wildfire impacts to a less than significant level.

From: Chris Galindo <cfgalindo@roadrunner.com>
Sent: Sunday, August 27, 2023 1:03 PM
To: daleordas@gmail.com
Cc: Planning; Scott Donnell; City Clerk; Council Internet Email
Subject: RE: Housing EIR

Hi Dale,

Very well stated comments in your draft and I appreciate the comparisons you made to the Lahaina fire specially the escape routes that were impacted due to fleeing residents, narrow roads and emergency vehicles. The Pointsettia Fire is still fresh in our memories and regardless of all the safeguards and traffic calming measures, evacuating hundreds of residents from a high density development could be problematic.

I see no areas to change in your draft as I feel it appropriately addresses the issues.

Thank you for sending this to me to look at.

Best Regards,

Chris

On Aug 27, 2023 12:31 PM, daleordas@gmail.com wrote:

Per your request, attached are my comments regarding the proposed "Housing EIR."

If anything further is needed, let me know.

Dale Ordas

7325 Seafarer Pl
Carlsbad, CA 92011
760-613-9387

www.ordas.com

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1

From: City of Carlsbad <communications@carlsbadca.ccsend.com> **On Behalf Of** City of Carlsbad

Sent: Friday, August 18, 2023 10:01 AM

To: daleordas@gmail.com

Subject: Reminder: Housing EIR available for review 🏠

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Letter C22

COMMENTER: Chris Galindo

DATE: August 27, 2023

Response C22-1

The commenter expresses support for Dale Ordas' comments on the Draft SEIR including the comparisons to the Lahaina Fire which has escape routes that were impacted due to fleeing residents, narrow roads, and emergency vehicles. The commenter states the Poinsettia Fire is fresh in residents' memories and states that evacuating hundreds of residents from a high density development could be problematic.

As discussed under Impact T-4 in Section 4.13, *Transportation*, of the Draft SEIR, development facilitated by the project would be required to provide adequate accommodation of fire access to structure frontages, multiple access points to development, as well as adequate width, height, and turning radius of roadways and access points, pursuant to California Building Code and California Fire Code requirements. Development facilitated by the project would be required to comply with city and San Diego County standards and requirements and would undergo review by public safety officials as part of the approval process. Additionally, as found in the 2015 General Plan EIR, policies 3-P.12, 3-P.29, 3-P.30, and 3-P.33 would reduce impacts related to emergency access. Therefore, the proposed project would not result in inadequate emergency access. Please refer to Response B4-3 for additional information on emergency evacuation.

A response to Dale Ordas' letter is provided under Letter C24. Please see Response C24-1.

From: Mike Geraghty <michael.e.geraghty@gmail.com>
Sent: Sunday, August 27, 2023 1:08 PM
To: Scott Donnell
Subject: Fwd: Reminder: Housing EIR available for review 🏠

Mr Donnell - Please include my feedback below as part of the proposed zoning changes:

I want to share my feedback regarding proposed locations called "Site 8" and "Site 9" on the report.

As a 23 year resident of Carlsbad, I want to express my opposition for specifically considering Site 8 and Site 9 for R-23 zoning change to meet state requirements.

Changing the zoning of Site 8 and Site 9 would put a disproportional share of high density housing in a concentrated location.

The report did not clearly indicate where existing high density / affordable / low income housing exists. I support dispersing this type of housing/development throughout the city.

Currently, the area of Palomar Airport Road and Aviara Parkway has Laurel Tree apartments (138 units) and is adding additional 329 units with the construction of Aviara apartments for a total of 467 units concentrated in a tight area. This will bring increased traffic, parking, congestion and associated issues to an already busy intersection. Using Site 8 or Site 9 will put additional strain on this area of the city. My concern has always been the number of vehicles/parking availability that the proposed Aviara apartments will create - and adding additional housing in this area will make it even worse.

I would invite you to inspect the parking situation on Laurel Tree drive - which is already crowded and the new apartments under construction have not been completed. I predict much higher level of traffic and scarce parking availability.

Thank you
Mike Geraghty
1191 Mariposa Road
Carlsbad, CA 92011

Begin forwarded message:

From: City of Carlsbad <planning@carlsbadca.gov>
Subject: Reminder: Housing EIR available for review 🏠
Date: August 18, 2023 at 10:00:46 AM PDT
To: michael.e.geraghty@gmail.com
Reply-To: planning@carlsbadca.gov

OUR HOME OUR FUTURE



Reminder: Draft environmental impact report available for review through Aug. 28

You still have time to provide input on the [Draft Environmental Impact Report](#) for potential new housing sites in Carlsbad.

The report is required as part of the city's [Housing Element Update](#), a state-required plan approved in April 2021 for how Carlsbad will accommodate projected housing needs through 2029. Specifically, about every eight years, cities are provided with the number of homes needed to accommodate people of all income levels and stages of life, based on demographic data.

Community members can review the report and provide input via mail or email through 5 p.m. on Aug. 28, 2023. The report, appendices and related documents are available on the [project webpage](#).

Scott Donnell, Senior Planner
City of Carlsbad Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008
scott.donnell@carlsbadca.gov

About the sites

The city's housing plan includes proposed changes to zoning that would:

- Allow housing on certain properties currently zoned for commercial, industrial and public uses
- Increase the amount of housing on properties already zoned for residential development

After zoning changes are made and necessary approvals are obtained, it will be up to property owners to decide whether to build more housing on these sites and when. In all, the city needs to rezone property to accommodate about 2,600 higher density housing units by April 2024 to meet state requirements and guidelines.

Based on [input from the community](#), including people who own and live near properties that could be rezoned, the City Council directed staff to fully study the environmental impacts of two different map alternatives:

Map 1

[Map 1](#) includes the 18 sites reviewed by the public in late 2021 with one change. One of the parcels within Site 4, at the northeast corner of El Camino Real and College Boulevard, was removed from the map because one of the property owners did not want the property rezoned to increase the density to the level considered. The two remaining parcels of Site 4 were included in both maps.

Map 2

This map removes the additional following sites from Map 1:

- Site 3: Increasing the density allowed on vacant land already zoned for residential development at the southwest corner of El Camino Real and Chestnut Avenue.
- Site 8, currently home to Cottage Row Carlsbad apartments, southeast of the Palomar Airport Road and Aviara Parkway intersection. This land would be rezoned to increase density.
- Site 15: The site of a city public works yard at the corner of State and Oak streets in the Village.

This map would also increase density and number of housing units that could be considered on the properties at the Carlsbad Village and Poinsettia Coaster stations (Sites 14 and 17). The North County Transit District has expressed support for redeveloping these properties to allow for housing and transit parking, while maintaining the Coaster stations for transit.

About the environmental analysis

Before deciding which properties to rezone, the city needed to study potential environmental impacts, such as traffic, biological resources, aesthetics and greenhouse gas emissions.

Unrelated to the new housing sites, the environmental report also evaluates the impacts of state-mandated measures regarding wildfire and flooding prevention and evacuation routes in the Public Safety Element.

Next steps

- **Fall 2023:** Planning Commission public hearing to review the environmental report and public input. Commission recommends which sites to rezone.
- **Early 2024:** City Council public hearing to review the environmental report and public input. City Council decides which sites to rezone.

More information

- [Housing Plan Update project webpage](#)

- [Map of 18 potential housing sites considered](#)
- [General Plan](#)
- Scott Donnell, Senior Planner, scott.donnell@carlsbadca.gov, 442-339-2618



Visit the Website



City of Carlsbad | 1200 Carlsbad Village Drive, Carlsbad, CA 92008

[Unsubscribe michael.e.geraghty@gmail.com](#)

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Sent by planning@carlsbadca.gov

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Letter C23

COMMENTER: Mike Geraghty

DATE: August 27, 2023

Response C23-1

The commenter expresses opposition for zoning changes on site 8 and site 9 as part of the proposed project because it would put a disproportional share of high-density housing in a concentrated location. The commenter states that the Draft SEIR did not indicate where existing high density, affordable, and low-income housing exists in the city. The commenter expresses support for dispersing this type of housing throughout the city.

Existing land designated for high-density housing is shown on Figure 2-3 in Section 2, *Project Description*. The commenter's opinions on the project are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Response C23-2

The commenter states that Palomar Airport Road and Aviara Parkway currently has Laurel Tree Apartments which is 138 units and Aviara Apartments which is 329 units is being constructed in this area. The commenter states this will bring increased traffic, parking, and congestion issues to this intersection that is already busy. The commenter states that including site 8 or site 9 as part of the proposed project would put additional strain on this area of the city, specifically related to the number of vehicles and parking availability issues related to the Aviara apartments. The commenter invites the city to inspect the parking situation on Laurel Tree Drive and predicts higher levels of traffic and parking scarcity.

Pursuant to California Public Resources Code section 21099(b)(2) and CEQA Guidelines Section 15064.3, "a project's effect on automobile delay shall not constitute a significant environmental impact." Therefore, the Draft SEIR does not make significance conclusions with respect to impacts related to automobile delay, which is typically described as "Level of Service" (LOS). The provision of parking is not considered an environmental issue under CEQA. The commenter's opinions on the project are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Letter C24

August 25, 2023

Scott Donnell, Senior Planner
City of Carlsbad Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008

Re: Draft EIR Housing Element Update

Dear Mr. Donnell,

The problem with the Draft EIR Housing Element Update is the substantial **safety risk** to Carlsbad residents in the event of another fire like the Poinsettia fire May 15, 2014. It burned 400 acres with \$22.5 million in damage, which included four single-family homes, an 18-unit apartment complex and two commercial structures that were destroyed plus six other homes were damaged.

June 25, 2022, authorities asked residents to leave their homes in a Carlsbad as a brush fire moved through the nature area bordering a lagoon. The blaze started burning around 12:30 p.m. along the Buena Vista Lagoon, just west of Interstate 5, according to the Carlsbad Police Department. Small streets immediately surrounding the body of water, including parts of Buena Vista Circle, Kremeyer Circle and Laguna Drive were evacuated “out of caution.”

The August 10, 2023, fire in Lahaina, Hawaii was a tragic example of the risks created by dense development. The following are excerpts from a piece by Bonnie Kutch that appeared in the San Diego Union-Tribune August 12, 2023:

“Imagine being awakened by the smell of smoke ... You look out see flames coming toward your home. You get up, quickly dress, herd your family members and pets to the car, and grab what few possessions you can on your way out ... You reach the only exit road, where you’re met with gridlock. Cars aren’t moving because hundreds of high-density housing units have been added to your neighborhood, without roads being added or even widened. And because all these new rental units have been allowed to be built without on-premise resident parking, the streets are lined with parked cars, making it impossible to get around the line of traffic. Worse yet, the city has just reduced the main thoroughfare to one lane in each direction to create bike lanes.

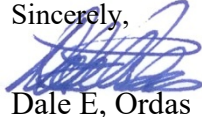
This isn’t merely an imagined scenario, but rather a probable disaster in the making if the city of San Diego continues its push for high-density housing and dense accessory dwelling unit, or ADU, development in high-risk fire zones, particularly on or near our many canyons ... The inferno that just unfolded on Maui, killing more than 100 people ... In San Diego, it’s predicted we will have wetter winters causing more vegetation overgrowth, followed by more intense heat waves and droughts. More wildfires can be expected ...”

These same hazards are present in the sites **proposed sites** 4, 6, 7, 8, 9, 12, 17 and in particular site 18 in the Ponto Area, where a reduction to one the lane in each direction on Carlsbad Blvd. is proposed.

Affordable housing is a laudable goal, but it should not be created in a manner that puts the safety of Carlsbad residents in jeopardy. Any such plan should incorporate measures that minimize the risk to the lives of residents in the event of “expected wildfires.”

1 cont.

Sincerely,



Dale E. Ordas

Letter C24

COMMENTER: Dale Ordas

DATE: August 25, 2023

Response C24-1

The commenter states that the Housing Element Update poses a safety risk to Carlsbad residents in the event of another fire like the Poinsettia Fire which burned 400 acres in May 2014. The commenter explains the damage to four single-family homes, an 18-unit apartment structure, and two commercial buildings that resulted from this fire. The commenter also cites an excerpt from the San Diego Union Tribune depicting the 2023 Lahaina, Hawaii fire. The commenter states that the same hazards present in Lahaina, Hawaii such as vegetation overgrowth and intense heatwaves and drought, are present on proposed sites 4, 6, 7, 8, 9, 12, 17, and 18. The commenter expresses specific concern over site 18 due to the proposed reduction of one lane in each direction on Carlsbad Boulevard. The commenter states that any plan to create affordable housing should incorporate measures that minimize the risk to the lives of residents in the event of wildfire.

The proposed reduction of one lane in each direction on Carlsbad Boulevard is not associated with the proposed project. Policy 3-P.20 of the 2015 General Plan aims to improve connectivity along Carlsbad Boulevard for pedestrians and bicyclists, such as a trail, and also aims to improve crossings for pedestrians across and along Carlsbad Boulevard.

As discussed in Section 4.15, *Wildfire*, of the Draft SEIR, Sites 1, 2, 4, 6, 7, 11, 12, and 19 are either in or less than 0.25 miles from a LRA Very High Fire Hazard Severity Zone. However, development facilitated by the project would be subject to the California Fire Code, which includes safety measures to minimize the threat of fire, such as noncombustible or ignition-resistant building materials for exterior from the surface of the ground to the roof system and sealing any gaps around doors, windows, eaves, and vents to prevent intrusion by flame or embers. Construction would also be required to meet CBC requirements, including CCR Title 24, Part 2, which includes specific requirements related to exterior wildfire exposure. Development facilitated by the proposed project would also be required to adhere to the California Fire Code, Part 9 of the CBC, which outlines standards for fire safety such as fire flow requirements for buildings, fire hydrant location, and distribution criteria. In addition, the Board of Forestry, via CCR Title 14, sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply; which would help prevent loss of structures or life by reducing access limitations for purposes of accessing and suppressing wildfire locations. Furthermore, the Board of Forestry, via CCR Title 14, sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply, which help prevent loss of structures or life by reducing wildfire hazards. Sites 1, 2, 4, 6, 7, 11, 12, and 19 would be subject to these requirements prior to approval and development. The Public Safety Element Update would also include new and updated policies that were designed to account for California Attorney General Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act, which would further reduce wildfire impacts to a less than significant level.

The proposed project also includes updates to the Public Safety Element, which would ensure future development would not impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan through the addition of policies 6-P.48, 6-P.50 to 6-

P.69. Future development would be required to undergo site-specific environmental review which would ensure less than significant impacts regarding emergency evacuation. Additionally, as found in the 2015 General Plan EIR, policies 3-P.12, 3-P.29, 3-P.30, and 3-P.33 would reduce impacts related to emergency access. Therefore, the proposed project would not result in inadequate emergency access.

From: Teri Jacobs <tjacobs86@pacbell.net>
Sent: Monday, August 28, 2023 2:08 PM
To: Scott Donnell
Subject: RHNA

Mr. Donnell,

While I don't think either of the plans are in the best interest of Carlsbad residents my choice would be the plan that limits as much density housing in the Village.

The impacts that the increased numbers of units in the Village Coaster Station is unconscionable. Dense housing near railroad tracks would not be safe for families. The assumption that dwellers there will use the trains and not have cars is unreasonable. Where are the jobs that they will be traveling to? Where will they shop for groceries, buy school clothes for their kids? A parking garage is not safe. If the way that property is currently cared for and monitored I can only imagine what housing and a parking structure will look like. NCTD properties are currently monitored by the SD Sheriff. Will CPD or the Sheriff be called?

Carlsbad Village is a very special place and residents want to keep it that way. Please consider the unintended consequences of the increased building in Dist 1 under the guise of transportation proximity.

Regards,
Teri Jacobs
Carlsbad Resident
Dist 1

Sent from my iPad

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Letter C25

COMMENTER: Teri Jacobs

DATE: August 28, 2023

Response C25-1

The commenter states the opinion that a plan that limits housing density in the village is in the best interest of Carlsbad residents.

The commenter's opinions on the project are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Response C25-2

The commenter expresses opposition to the use of the Village Coaster Station as part of the proposed project due to its proximity to railroad tracks. The commenter also states an opinion that the assumption that dwellers will use the trains and not have cars is unreasonable. The commenter expresses concern about where the jobs that these residents would be travelling to are and the limited access to grocery stores and other necessities in the area.

The commenter's opinions on the project are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Response C25-3

The commenter states the opinion that a parking garage would not be safe on the Village Coaster Station site. The commenter asks if the site would be monitored by the Carlsbad Police or the Sheriff's office. The commenter asks the city to consider the unintended consequences of increased building in district 1.

The commenter's opinions on the project are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

Scott Donnell

From: Ellen Fawls <snorkelbeach@sbcglobal.net>
Sent: Monday, August 28, 2023 2:13 PM
To: daleordas@gmail.com
Cc: Planning; Scott Donnell; City Clerk; Council Internet Email
Subject: Re: Housing EIR

Great letter. I hope it does some good to slow down the frantic construction going on in Carlsbad.

Sent from wireless

On Aug 27, 2023, at 12:31 PM, daleordas@gmail.com wrote:

Per your request, attached are my comments regarding the proposed "Housing EIR."
If anything further is needed, let me know.

Dale Ordas

7325 Seafarer Pl
Carlsbad, CA 92011
760-613-9387

www.ordas.com

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delete the electronic message.

From: City of Carlsbad <communications@carlsbadca.ccsend.com> **On Behalf Of** City of Carlsbad
Sent: Friday, August 18, 2023 10:01 AM
To: daleordas@gmail.com
Subject: Reminder: Housing EIR available for review 🏠

<Comments Carlsbad High Density Housing Plan .pdf>

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Letter C26

COMMENTER: Ellen Fawls

DATE: August 28, 2023

Response C26-1

The commenter agrees with the comments submitted by Dale Ordas and states they hope the letter slows down construction in Carlsbad.

The commenter's opinions on the project are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required. A response to Dale Ordas's letter is provided under Letter C24. Please see Response C24-1.

Letter C27

From: Christine Amato <christinemamato@icloud.com>
Sent: Monday, August 28, 2023 6:17 PM
To: Scott Donnell
Subject: Re: Affordable housing sites 10 & 11

Also want to share that there are concerns about fire evacuations. In light of what happened on Maui and having lived here for most of my life (35 plus years) and evacuated a few times, I shudder to think about more homes trying to evacuate. Is this being considered. We also have ongoing water pressure issues here at kensington at the square.

Christine Amato
(C) 760.613.2868

1

2

Letter C27

COMMENTER: Christine Amato

DATE: August 28, 2023

Response C27-1

The commenter expresses concern over fire evacuations with the increased residential development proposed by the project.

Please refer to Response B4-3 for a discussion on emergency evacuation. The commenter does not provide specific comments on the Draft SEIR or information or analysis to challenge its analysis or conclusions and no revisions to the Draft SEIR have been made in response to this comment.

Response C27-2

The commenter expresses concern over decreased water pressure at Kensington at the square.

As discussed under Impact UTIL-1 in Section 4.14, *Utilities and Service Systems*, of the Draft SEIR, the proposed project would not require or result in the relocation or construction of new or expanded water facilities such that significant environmental effects beyond those already identified throughout the Draft SEIR would occur. As discussed under Impact UTIL-2, with compliance with existing State and local regulations aimed at water conservation, as well as Carlsbad Municipal Water District, Vallecitos Water District, and Olivenhain Municipal Water District Water Shortage Contingency Plans and ordinances, water supplies would be sufficient to accommodate the increase in demand for the proposed project. As discussed under Impact WF-2 in Section 4.15, *Wildfire*, the Public Safety Element Update would include policies 6-P.50 and 6-P.51 which would ensure that water pressure for existing developed areas is adequate for firefighting purposes and that development is only permitted within areas that have adequate water resources available to include water pressure, onsite water storage, or fire flows. The commenter does not provide specific comments on the Draft SEIR or information or analysis to challenge its analysis or conclusions and no revisions to the Draft SEIR have been made in response to this comment.

From: Annette Swanton <annetteswanton@gmail.com>
Sent: Tuesday, August 29, 2023 3:05 PM
To: Scott Donnell
Subject: Environmental study Please choose alternative 1

scott.donnell@carlsbadca.gov
Re: Environmental Study

1 | I advocate for less housing in the Village: Alternate One
Thank You
Annette Swanton
Carlsbad Resident

Annette Swanton
HomeSmart Realty West

300 Carlsbad Village Dr. Ste 217
Carlsbad CA 92008
760-622-9046
CABRE # 00930835
Sent from my iPhone

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Letter C28

COMMENTER: Annette Swanton

DATE: August 29, 2023

Response C28-1

The commenter advocates for less housing in the Village and expresses support for Alternative 1.

Please see Response C9.1.

From: Patrick Kerins <pkerins662@gmail.com>
Sent: Thursday, August 31, 2023 11:41 AM
To: Scott Donnell
Subject: Traffic concern re: site 18

Scott,

1 I know the timeline for submitting feedback re: the new housing development in my area was on 8/28/23 but I need to share with you what I feel will be a traffic issue at site 18 which I believe is the planned condo/apartment complex at Ponto Rd and Ponto Dr..

2 The concern I have is the size of the development and the traffic that will be using the existing roads. The volume of traffic, I believe, will be using Ponto Rd. to access Carlsbad Blvd and then onto the Freeway via Poinsettia Lane. The current situation, with the volume of traffic now using the Ponto Rd will create traffic congestion and spillbacks especially in light of the hotel traffic that generates constant traffic flow from guests staying at the hotel, attending events and delivery vehicles on this small narrow two lane road. Obviously, this does not include the volume of traffic accessing and egressing from Hanover Beach Colony and traffic just using Ponto Rd. for other reasons. On a regular basis, tractor trailers making deliveries must park on Ponto Rd. to make its deliveries, literally shutting down one lane of traffic because the hotel's delivery bay is not large enough to accommodate the delivery vehicles. Today, either the delivery drivers or hotel staff shut off the southbound lane of Ponto Rd. to accommodate a delivery by a tractor trailer. An unauthorized person either from the delivery truck or the hotel was conducting traffic control by directing southbound traffic into the northbound lane. At the same time, another tractor trailer making a delivery to the hotel had to park in front of the hotel's entrance, blocking off access to residents trying to turn in and out from Leeward St onto Ponto. So you can imagine the significant increase in traffic by this development using Ponto Rd. between Carlsbad Blvd and Ponto Dr. under the current conditions. Most deliveries occur during peak times when people are coming and going for work, school and other activities. In addition, event activity at the hotel occurs when people are returning from their daily activities.

3 I recall that sometime ago, the plans for the development of the property along Ponto Dr. had a road with a controlled intersection included on Ponto Dr for traffic associated with the development to access Carlsbad Blvd.. Is that controlled intersection still in the plans for this development?

I appreciate any feedback you have to address my concerns.

Thank you,

Pat Kerins

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Letter C29

COMMENTER: Patrick Kerins

DATE: August 31, 2023

Response C29-1

The commenter acknowledges his comment letter is late but expresses the need to comment on the traffic issue at site 18.

Pursuant to California Public Resources Code section 21099(b)(2) and CEQA Guidelines Section 15064.3, “a project’s effect on automobile delay shall not constitute a significant environmental impact.” Therefore, the Draft SEIR does not make significance conclusions with respect to impacts related to automobile delay, which is typically described as “Level of Service” (LOS). The commenter does not provide specific comments on the Draft SEIR or information or analysis to challenge its analysis or conclusions and no revisions to the Draft SEIR have been made in response to this comment.

Response C29-2

The commenter expresses concern over the size of development and traffic volume on Ponto Road. The commenter states that the volume of traffic on Ponto Road from the proposed development coupled with hotel traffic would create traffic congestion and spillbacks. The commenter explains that tractor trailers making deliveries to the hotel would shut down one lane of traffic since the hotel’s delivery bay is not large enough to accommodate delivery vehicles, and deliveries often occur during peak hours which worsen traffic.

Please see Response C29-1.

Response C29-3

The commenter recalls plans for development of the property along Ponto Drive included a road with a controlled intersection and asks if this would still be included for the proposed development at Site 18.

No specific development project has been proposed at this time. The commenter’s opinions on the project are noted and will be provided to city decision-makers for consideration. This comment does not pertain to the adequacy of the Draft SEIR and no SEIR revisions are required.

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3 Revisions to the Draft SEIR

This chapter presents specific text changes made to the Draft SEIR since its publication and public review. The changes are presented in the order in which they appear in the original Draft SEIR and are identified by the Draft SEIR section and page number. Text deletions are shown in ~~strike through~~, and text additions are shown in underline.

The information contained within this chapter clarifies and expands on information in the Draft EIR and does not constitute “significant new information.” These revisions would not result in new or increased significant environmental impacts. No new significant impacts would occur, and no new mitigation measures would be required; therefore, no impacts beyond those identified in the SEIR would occur. No substantial revisions to the SEIR are required and therefore, pursuant to *CEQA Guidelines* Section 15088.5 recirculation of the SEIR is not warranted. (See Public Resources Code Section 21092.1; *CEQA Guidelines* Section 15088.5.)

Executive Summary

Table ES-1 has been revised as follows:

Table ES-1 Summary of Environmental Impacts

Impact	Mitigation Measure (s)	Residual Impact
Biological Resources		
Impact BIO-6. The proposed project (specifically Sites 4, 6, 9, and 17) may conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. This impact would be less than significant with mitigation incorporated.	BIO-7 HMP Minor Amendments. Prior to project approval at Site 4, 6, <u>7</u> , 9 and 17, each project shall be analyzed for consistency with the HMP <u>in coordination with responsible agencies including CDFW and USFW</u> . Development may not occur within an Existing or Proposed Hardline. Any revisions to the HMP hardline boundary to allow for development on these sites shall require a HMP minor amendment, to be processed as an Equivalency Finding. Such boundary revisions must not involve any revisions the HMP operations or implementation, produce any adverse effects on the environment that are new or significantly different from those previously analyzed, result in additional take not previously analyzed, or reduce the acreage or quality of the habitat within the HMP. Any loss of HMP hardline shall be replaced with equal or greater acres of hardline, adjacent to existing hardline elsewhere in the city, and preserved and managed in accordance with the HMP. Any development within the Standards Area portion of Site 4 shall require a HMP Minor Amendment, to be processed as a Consistency Finding, which requires consistency with the HMP Planning Standards for Local Facilities Management Zone 15. BIO-8 HMP Adjacency Standards. Projects within sites 1, 2, 4, 6, 7, 8, 9, 17, 18, 19 shall evaluate potential indirect impacts, such as wildfire, erosion, invasive species, unauthorized access, or predators, to habitat and species adjacent to the proposed development. Projects shall be consistent with the HMP Adjacency Standards (Section F-3).	Less than Significant with Mitigation.

Impact	Mitigation Measure (s)	Residual Impact
Cultural Resources		
<p>Impact CUL-4. Development facilitated by the proposed project could adversely impact tribal cultural resources. Consultation with Native American Tribal representatives is ongoing. This impact would be less than significant with adherence to the Carlsbad Cultural Resource Guidelines and implementation of mitigation.</p>	<p><u>Mitigation Measure CUL-1 Tribal Cultural Resources.</u> <u>Projects subject to discretionary actions shall comply with the city's Tribal, Cultural, and Paleontological Resources Guidelines. For ministerial projects, the city shall provide Traditionally and Culturally Affiliated Luiseño tribes ("TCA Tribe") with early notification and the opportunity to consult on development applications and identify and assess impacts to tribal and cultural resources. Further, before commencement of any ground-disturbing activities, the project developer shall comply with the following requirements to ensure the appropriate response to the presence of any tribal and cultural resources:</u></p> <ul style="list-style-type: none"> a. <u>Retain the services of a qualified archaeologist who shall be on-site for ground-disturbing activities. In the event cultural material is encountered, the archaeologist is empowered to temporarily divert or halt grading to allow for coordination with the Luiseño Native American monitor and to determine the significance of the discovery. The archaeologist shall follow all standard procedures for cultural materials that are not Tribal Cultural Resources.</u> b. <u>Enter into a Pre-Excavation Agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement, with a TCA tribe. This agreement will address provision of a Luiseño Native American monitor and contain provisions to address the proper treatment of any tribal cultural resources and/or Luiseño Native American human remains inadvertently discovered during the course of the project. The Agreement will outline the roles and powers of the Luiseño Native American monitors and the archaeologist and may include the following provisions.</u> <ul style="list-style-type: none"> i. <u>A Luiseño Native American monitor shall be present during all ground-disturbing activities. Ground disturbing activities may include, but are not limited to, archaeological studies, geotechnical investigations, exploratory geotechnical investigations/borings for contractor bidding purposes, clearing, grubbing, trenching, excavation, preparation for utilities and other infrastructure, and grading activities.</u> ii. <u>Any and all uncovered artifacts of Luiseño Native American cultural importance shall be returned to the San Luis Rey Band of Mission Indians or other Luiseño Tribe, and/or the Most Likely Descendant, if applicable, and not be curated, unless ordered to do so by a federal agency or a court of competent jurisdiction.</u> iii. <u>The Luiseño Native American monitor shall be present at the project's pre-construction meeting to consult with grading and excavation contractors concerning excavation schedules and safety issues, as well as to consult with the archaeologist PI</u> 	<p>Less than Significant without <u>Mitigation-with Mitigation.</u></p>

Impact	Mitigation Measure (s)	Residual Impact
	<p><u>(principal investigator) concerning the proposed archaeologist techniques and/or strategies for the project.</u></p> <p>iv. <u>Luiŋeño Native American monitors and archaeological monitors shall have joint authority to temporarily divert and/or halt construction activities. If tribal cultural resources are discovered during construction, all earthmoving activity within and around the immediate discovery area must be diverted until the Luiŋeño Native American monitor and the archaeologist can assess the nature and significance of the find.</u></p> <p>v. <u>If a significant tribal cultural resource(s) and/or unique archaeological resource(s) are discovered during ground-disturbing activities for this project, the San Luis Rey Band of Mission Indians or other Luiŋeño tribe shall be notified and consulted regarding the respectful and dignified treatment of those resources. Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological and tribal cultural resources. If, however, the Applicant is able to demonstrate that avoidance of a significant and/or unique cultural resource is infeasible and a data recovery plan is authorized by the City of Carlsbad as the lead agency, the San Luis Rey Band of Mission Indians or other Luiŋeño tribe shall be consulted regarding the drafting and finalization of any such recovery plan.</u></p> <p>vi. <u>When tribal cultural resources are discovered during the project, if the archaeologist collects such resources, a Luiŋeño Native American monitor must be present during any testing or cataloging of those resources. If the archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiŋeño Native American monitor may, at their discretion, collect said resources and provide them to the San Luis Rey Band of Mission Indians or other Luiŋeño tribe for dignified and respectful treatment in accordance with their cultural and spiritual traditions.</u></p> <p>vii. <u>If suspected Native American human remains are encountered, California Health and Safety Code Section 7050.5(b) states that no further disturbance shall occur until the San Diego County Medical Examiner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. Suspected Native American remains shall be examined in the field and kept in a secure location at the site. A Luiŋeño Native American monitor shall be present during the examination of the remains. If the San Diego County Medical Examiner determines the remains to be Native</u></p>	

Impact	Mitigation Measure (s)	Residual Impact
	<p><u>American, NAHC must be contacted by the Medical Examiner within 24 hours. The NAHC must then immediately notify the “Most Likely Descendant” about the discovery. The Most Likely Descendant shall then make recommendations within 48 hours and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98.</u></p> <p>viii. <u>In the event that fill material is imported into the project area, the fill shall be clean of tribal cultural resources and documented as such. Commercial sources of fill material are already permitted as appropriate and will be culturally sterile. If fill material is to be utilized and/or exported from areas within the project site, then that fill material shall be analyzed and confirmed by an archaeologist and Luiseño Native American monitor that such fill material does not contain tribal cultural resources.</u></p> <p>ix. <u>No testing, invasive or non-invasive, shall be permitted on any recovered tribal cultural resources without the written permission of the San Luis Rey Band of Mission Indians or other Luiseño tribe.</u></p> <p>x. <u>Prior to the completion of project construction, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis, and conclusions of the monitoring program shall be submitted by the Project Archaeologist, along with the Luiseño Native American monitor’s notes and comments, to the City of Carlsbad for approval, and shall be submitted to the South Coastal Information Center. Said report shall be subject to confidentiality as an exception to the Public Records Act and will not be available for public distribution.</u></p> <p>c. <u>Furthermore, the Agreement may include additional measures mutually agreed upon by the project developer, city, and TCA Tribe such as evaluation of the project site’s pre-construction conditions for the presence or potential presence of TCRs as well as other measures tailored to and deemed necessary for the specific project.</u></p>	

Section 2, Project Description

Table 2-4 on Page 2-15 (Section 2.4.3, *Proposed Amendments to the General Plan*) has been revised as follows:

Table 2-4 Proposed General Plan Land Use and Zoning Map Changes

Site # ¹	Location	Approximate Site Size	APN	Current Land Use Designation	Proposed Land Use Designation	Current Zoning Designation	Proposed Zoning Designation	Existing Units on Site	Unit Yields Permitted Under Existing General Plan Residential Designation, if Present	Proposed Unit Yield	Net Increase in Units (Proposed Unit Yield – Existing Units and/or Units Allowed by Existing Residential Land Use Designation) ¹
Site 1 ²	North County Plaza	<u>19 acres</u>	156-301-16	R/OS	R/R-40/OS	C-2/Q <u>C-2-Q</u>	RD-M-Q/C-2-Q/OS	0	0	240 units	240 units
Site 2	The Shoppes at Carlsbad parking lot	<u>57 acres</u>	156-301-11	R/OS	R/R-40/R-23/OS	C-2	RD-M/C-2/OS	0	0	993 units	993 units
			156-302-35	R	R/R-40/R-23	C-2	RD-M/C-2				
			156-301-06	R	R/R-40	C-2	RD-M/C-2				
			156-301-10	R	R/R-40	C-2	RD-M/C-2				
			156-302-23	R	R/R-40	C-2	RD-M/C-2				
			<u>156-302-14</u>	<u>R</u>	<u>R/R-40/R-23</u>	<u>C-2</u>	<u>RD-M/C-2</u>				
			<u>156-302-17</u>	<u>R</u>	<u>R/R-40</u>	<u>C-2</u>	<u>RD-M/C-2</u>				
Site 3	Chestnut at El Camino Real	<u>2.5 acres</u>	167-080-33, 34, 41 and 42	R-4	R-15	R-1-10000	RD-M	0	8	28 units (at 11.5 du/ac)	20 units

Site # ¹	Location	Approximate Site Size	APN	Current Land Use Designation	Proposed Land Use Designation	Current Zoning Designation	Proposed Zoning Designation	Existing Units on Site	Unit Yields Permitted Under Existing General Plan Residential Designation, if Present	Proposed Unit Yield	Net Increase in Units (Proposed Unit Yield – Existing Units and/or Units Allowed by Existing Residential Land Use Designation) ¹
Site 4	Zone 15 Cluster	<u>27.7 acres</u>	209-060-72	R-4/OS	R-30/OS	R-1-10000	RD-M	1	1	1 unit	0 units ²⁵
		<u>2 acres</u>	209-090-11	R-15/L	R-15/R-30	RD-M/C-L	RD-M	0	115	327 units (115 units at 12 du/ac and 212 units at 26.5 du/ac)	212 units
Site 5	Avenida Encinas Car Storage Lot	<u>11.4 acres</u>	210-090-24	PI	R-30	P-M	RD-M	0	0	53 units (at 26.5 du/ac)	53 units
Site 6	Crossings Golf Course Lot 5	<u>11.4 acres</u>	212-270-05	PI/O	R-30	P-M/O	RD-M	0	0	181 units (at 26.5 du/ac)	181 units
Site 7	Salk Avenue	<u>9.8 acres</u>	212-021-04	O	R-30	O	RD-M	0	0	259 units (at 26.5 du/ac)	259 units
Site 8	Cottage Row Apartments	<u>11.9 acres</u>	212-040-47	R-4	R-23/OS	R-1-10000-Q	RD-M- <u>Q/OS</u>	24	33	150 additional units (at 19 du/ac)	117 units

Site # ¹	Location	Approximate Site Size	APN	Current Land Use Designation	Proposed Land Use Designation	Current Zoning Designation	Proposed Zoning Designation	Existing Units on Site	Unit Yields Permitted Under Existing General Plan Residential Designation, if Present	Proposed Unit Yield	Net Increase in Units (Proposed Unit Yield – Existing Units Allowed by Existing Residential Land Use Designation) ¹
Site 9 ³	West Oaks Industrial	<u>10.8 acres</u>	212-040-26 and 212-110-01 to -08	PI and OS	R-30/OS	PI	RD-M/OS	0	192	192 units	0 units
Site 10	Bressi Ranch Colt Place	<u>2.6 acres</u>	213-262-17	PI	R-23	P-C	P-C (<u>no change</u>)	0	0	49 units (at 19 du/ac)	49 units
Site 11	Bressi Ranch Gateway Road	<u>5.3 acres</u>	213-263-19, 213-263-20	PI	R-40	P-C	P-C (<u>no change</u>)	0	0	199 units (at 37.5 du/ac)	199 units
Site 12	Industrial Sites East of Melrose	<u>14.1 acres</u>	221-015-08, 221-014-03	PI	R-35	P-M	RD-M	0	0	456 units (at 32.5 du/ac)	456 units
Site 14	Carlsbad Village COASTER Station	<u>7.8 acres</u>	155-200-11 and 12, 760-166-37, 203-296-12 155-200-11-00, 155-200-12-00, 203-054-28-00, and 203-296-12-00	V-B	V-B (no change)	V-B	V-B (no change)	0	93	93 units (at 28 du/ac) or 200 units (at under 30 du/ac)	0 units or 107 units ³⁶
Site 15	City's Oak Yard	<u>1.3 acres</u>	204-010-05, 204-010-06	V-B	V-B (no change)	V-B	V-B (no change)	0	24	24 units (at 18 du/ac)	0 units

Site # ¹	Location	Approximate Site Size	APN	Current Land Use Designation	Proposed Land Use Designation	Current Zoning Designation	Proposed Zoning Designation	Existing Units on Site	Unit Yields Permitted Under Existing General Plan Residential Designation, if Present	Proposed Unit Yield	Net Increase in Units (Proposed Unit Yield – Existing Units and/or Units Allowed by Existing Residential Land Use Designation) ¹
Site 16	Caltrans Maintenance Station/Pacific Sales	<u>6.9 acres</u>	211-050-08, 09	GC, P	R-30	RA-10,000/C-2	RD-M	0	0	183 units (at 26.5 du/ac)	182 units
Site 17	Poinsettia COASTER Station	<u>5.8 acres</u>	214-150-08-00, 214-150-20-00, 214-150-11	P-TG	R-23/P	RD-M-Q-T-G	RD-M-Q/T-C-Q	0	0	27 units or 100 units	27 units or 100 units ⁴²
Site 18 ⁴	North Ponto Parcels	<u>5.8 acres</u>	216-010-01, 02, 03, 04, 05; 214-160-25 and 28; 214-171-11	R-15, VC/R15, GC	R-23	C-2, RD-M-Q/C-T-Q, RD-M-Q	RD-M	0	40	90 units (at 19 du/ac)	50 units
Site 19	La Costa Glen/Forum	<u>7.8 acres</u>	255-012-05	R/OS	R-23/OS	P-C	P-C (<u>no change</u>)	0	0	76 units (at 19 du/ac)	76 units
Total											3,295 units

*Site 13: Removed from Housing Site Inventory and is not included within this SEIR.

*¹ Unit yields are estimates only. Net increase in units does not take into account units estimated from properties that are currently designated or partially designated as commercial (sites 1, 2, 4, 16, 18, 19).

*² Site 1: A private development application has been submitted. The 240 net increase in units reflects the units the application proposes.

*³ Site 9: A project has been approved for 192 units that includes its own project-level CEQA review. However, for a conservative programmatic analysis, this SEIR includes Site 9 in its analysis.

*⁴ Site 18: A private development application with 86 units (FPC Residential, SDP 2022-0003) has been approved on ~~a~~the portion of the site north of Ponto Drive (APNs 214-160-25, 214-160-28 and 214-171-11). Accordingly, the rezoning proposed as part of Site 18 would affect only the portion of the site south of Ponto Drive that consists of five vacant parcels (APNs 216-010-01 to 05) totaling

Site # ¹	Location	Approximate Site Size	APN	Current Land Use Designation	Proposed Land Use Designation	Current Zoning Designation	Proposed Zoning Designation	Existing Units on Site	Unit Yields Permitted Under Existing General Plan Residential Designation, if Present	Proposed Unit Yield	Net Increase in Units (Proposed Unit Yield – Existing Units and/or Units Allowed by Existing Residential Land Use Designation) ¹
slightly more than one acre. Unit yield from the reduced site area if rezoned is 22 units. The proposed land use designation would change from GC to R-23; the zoning would change from C-2 to RD-M.											
⁴ Net increase in units does not take into account units estimated from properties that are currently designated or partially designated as commercial (sites 1, 2, 4, 16, 18, 19).											
²⁵ Site “4a” (APN 209-060-72): Site could generate 154 units if rezoned to R-30. However, since the site is currently within a floodplain, the net increase in unit yield is 0.											
³⁶ Site 14: The City Council has directed the study of two different proposed unit yields for this site under Map 1 and Map 2. Map 1 has a proposed yield of 93 units, and Map 2 has a proposed yield of 200 units. The Map 1 yield of 93 units is an estimate of allowed units based on Village and Barrio Master Plan minimum density calculations (28 du/ac based on 50% of the developable area). The Map 2 yield is based on a higher density determined over the entire developable area and still within the density range allowed by the master plan (28-35 du/ac). The 107 units is the difference between the Map 2 and Map 1 unit yield estimates (200 - 93 = 107 units). This analysis assumes 107 units as a conservative estimate.											
⁴⁷ Site 17: The City Council has directed the study of two different proposed unit yields for this site under Map 1 and Map 2. Map 1 has a proposed yield of 27 units, and Map 2 has a proposed yield of 100 units. This analysis assumes 100 unit as a conservative estimate.											
Notes: du/ac = dwelling units per acre											

Page 2-21 (Section 2.4.7, *Amendment to Master and Specific Plans*) has been revised as follows:

Several of the rezone sites are within master or specific plans. These plans provide a comprehensive set of guidelines, regulations, and implementation programs for ensuring development of a specific site or area in accordance with the city's General Plan, CMC, and other applicable planning documents. Often, master and specific plans provide more tailored objectives and standards than possible through city-wide documents such as the Zoning Ordinance. Examples of such plans include the Bressi Ranch Master Plan, Village and Barrio Master Plan, and Westfield Carlsbad Specific Plan. Rezone sites 1, 2, 7, 10, 11, 14, 15 and 19 are all within master or specific plans. This includes:

- Site 1 – North County Plaza Specific Plan
- Site 2 – Westfield Carlsbad Specific Plan
- Site 7 – Fenton Carlsbad Center Specific Plan
- Site 10 – Bressi Ranch Master Plan
- Site 11 – Bressi Ranch Master Plan
- Site 14 – Village and Barrio Master Plan
- Site 15 – Village and Barrio Master Plan
- Site 19 – Green Valley Master Plan

These plans require amendment as necessary to ensure consistency with the General Plan and Zoning Ordinance and Map as proposed by this project. The plans that would be amended with the proposed project include the following (no changes to the Village and Barrio Master Plan are proposed as part of the project):

1. Bressi Ranch Master Plan
2. Green Valley Master Plan
3. Fenton Carlsbad Center Specific Plan
4. North County Plaza Specific Plan
5. Westfield Carlsbad Specific Plan

Section 3, Environmental Setting

Table 3-1 on pages 3-1 to 3-3 have been revised as follows:

Table 3-1 Rezone Site Characteristics

Site #	Location	Approximate Site Size	Existing Use and Site Features
Site 1	North County Plaza	19 acres	The site includes a shopping center (North County Plaza) developed with stores, restaurants and other businesses. The site is east of Buena Vista Lagoon and partially includes Buena Vista Creek. An application to develop a portion of the site with residential and new commercial uses has been submitted to the city. <u>This site is within the North County Plaza Specific Plan area. Most of the site is also in the Coastal Zone.</u>
Site 2	The Shoppes at Carlsbad parking lot	57 acres	The site is owned by the city and encompasses the parking lots for The Shoppes at Carlsbad mall and a North County Transit District transit station. The northwest corner of the site includes Buena Vista Creek and its associated riparian habitat and floodplain area. <u>This site is within the Westfield Carlsbad Specific Plan area.</u>
Site 3	Chestnut at El Camino Real	2.5 acres	The site consists of three vacant properties. The site contains slopes and potential biological resources.
Site 4	Zone 15 Cluster	27.7 acres	The site includes two separate properties currently used for an RV storage lot, a house, and outbuildings. The site is mostly undeveloped. The northern portion of the site includes a Proposed Hardline and a Standards Area, which are designated for future conservation in the Carlsbad Habitat Management Plan. The Proposed Hardline has been approved as a biological mitigation site for the future extension of College Blvd and is designated as Open Space. <u>This site is within a Very High Fire Hazard Severity Zone.</u>
Site 5	Avenida Encinas Car Storage Lot	2 acres	The site is currently occupied with a car storage lot. The site is almost entirely developed with paved surfaces. The site is in proximity of I-5 and the railway. It is also within 0.5-mile walking distance of the beach. <u>This site is within the Coastal Zone.</u>
Site 6	Crossings Golf Course Lot 5	11.4 acres	The site is a vacant and undeveloped City-owned property that was graded as part of the Carlsbad Golf Course development. A portion of the site is steeply sloped, and the developable portion of the site is approximately 6.8 acres. <u>This site is partially within the Coastal Zone.</u>
Site 7	Salk Avenue	9.8 acres	The site has been graded but is currently vacant and undeveloped. The site contains manufactured slopes and vegetation. <u>This site is within the Fenton Carlsbad Center Specific Plan area.</u>
Site 8	Cottage Row Apartments	11.9 acres	The site is developed with 24 duplex apartments. Portions of the site are undeveloped. The project site is in the Coastal Zone and undeveloped portions contain potential biological resources. The site includes a relatively flat area bordered by steep slopes. <u>This site is within the Coastal Zone.</u>
Site 9	West Oaks Industrial	10.8 acres	The site consists of nine separate but adjacent parcels, some of which have been graded, but are undeveloped. The westernmost parcel is an Existing Hardline, and a portion of the remaining lots north of West Oaks Way are a Proposed Hardline in the Carlsbad Habitat Management Plan. A powerline easement and Encinas Creek traverse the site. In 2021, the city approved "West Oaks," a

Site #	Location	Approximate Site Size	Existing Use and Site Features
			192-unit apartment project on this site. <u>Most of the site is within the Coastal Zone.</u>
Site 10	Bressi Ranch Colt Place	2.6 acres	The site is a previously graded but vacant lot located between residential developments. Approximately 0.6 acres of the site is restricted by McClellan-Palomar Airport Safety Zone 2. <u>This site is within the Bressi Ranch Master Plan area.</u>
Site 11	Bressi Ranch Gateway Road	5.3 acres	The site consists of two vacant and undeveloped parcels adjacent to industrial and commercial uses. <u>This site is within the Bressi Ranch Master Plan area.</u>
Site 12	Industrial Sites East of Melrose	14.1 acres	The site consists of two separate but adjacent properties north of Palomar Airport Road. One of the sites is undeveloped but has been previously graded. The other site is developed with a parking lot.
Site 14	Carlsbad Village COASTER Station	7.8 acres	The site is developed with a parking lot that serves the Carlsbad Village Coaster Station and also features vacant, graded land north of the parking lot. The site lies between the Carlsbad Boulevard bridge to a point approximately 200 feet north of the station. It is owned by North County Transit District. <u>This site is within the Village and Barrio Master Plan area.</u>
Site 15	City's Oak Yard	1.3 acres	The site is owned by the city and is currently developed with a public works maintenance and operations yard. The site is bordered by existing commercial and industrial development and, to the west, railroad tracks. It is three blocks south of the Carlsbad Village Train Station. <u>This site is within the Village and Barrio Master Plan area.</u>
Site 16	Caltrans Maintenance Station and Pacific Sales	6.9 acres	The site consists of two adjacent parcels. The northern parcel is developed with a Caltrans maintenance station and the southern, privately-owned parcel is occupied by commercial use. The eastern portion of the southern parcel is undeveloped and both sites are generally flat. <u>This site is within the Coastal Zone.</u>
Site 17	Poinsettia COASTER Station	5.8 acres	The site is developed with transit facilities and 341 parking spaces for transit riders and is owned by the North County Transit District. The site is bordered by railroad tracks to the west and mixed-use development to the east. <u>This site is within the Coastal Zone.</u>
Site 18	North Ponto Parcels	5.95 8 acres	The site consists of eight vacant properties which include self-storage and undeveloped areas. The site is generally flat and is bounded by railroad on the eastern side. The city approved 86 apartments on the north three parcels of Site 18 in May 2022 2023. <u>This site is within the Coastal Zone.</u>
Site 19	La Costa Glen/Forum	7.8 acres	The site is primarily vacant and partially developed with a parking lot. The site has been previously graded. There are no known physical constraints to development as previously present slopes within the project site have been graded. <u>This site is within the Coastal Zone, a Very High Fire Hazards Severity Zone, and within the Green Valley Master Plan area</u>
Note: Site 13 removed from Housing Site Inventory and is not included within this SEIR.			

Section 4.1, Aesthetics

Page 4.1-5 (Section 2.4.8, *Anticipated Growth*) has been revised as follows:

Specific and Master Plans

The city uses specific plans and master plans to coordinate development and infrastructure improvements on large sites or series of parcels. Specific plans and master plans must be consistent with the General Plan and are typically used to establish development plans and standards to achieve the design and development objectives for a particular area. Much of the residential areas in the southern and northeastern portions of the Carlsbad were developed as part of a master plan (e.g., Aviara, Bressi Ranch, Calavera Hills, Rancho Carrillo, Robertson Ranch, and Villages of La Costa). In addition to the large residential master plan areas, the city has several smaller residential specific plans and specific plans for commercial and industrial areas. The Village Master Plan (described below) guides development in that area. The North County Plaza Specific Plan, Westfield Carlsbad Specific Plan, Fenton Carlsbad Center Specific Plan, Bressi Ranch Master Plan, Village and Barrio Master Plan, and Green Valley Master Plan are described below. There are also many older specific plans and master plans that have been fully implemented.

North County Plaza Specific Plan, 2011

The purpose of this Specific Plan is to amend the previously adopted SP-41 (Ordinance No. 9334) and to provide a comprehensive development plan for the area between Marron Road and Buena Vista Creek, west of Plaza Camino Real. This plan is to ensure that development of this area takes into consideration adjacent and neighboring properties, existing developments, and future development. This Specific Plan is intended to be a tool to implement the goals and policies of the City's General Plan.

Westfield Carlsbad Specific Plan, 2014

The purpose of the Westfield Carlsbad Specific Plan (WCSP) is to provide a comprehensive set of development standards, guidelines, and implementation procedures to facilitate the redevelopment, revitalization and operations of Westfield Carlsbad (WC) consistent with the existing General Plan Designation of Regional Commercial. Westfield Carlsbad is a super regional shopping center with approximately 1,151,100 square feet of gross leasable area (1,348,500 square feet of gross floor area (including common access areas)) featuring major department stores, specialty retail shops and restaurants. The plan allows Westfield Carlsbad the flexibility to meet the progressive and changing commercial, entertainment and service needs of the residents of Carlsbad and coastal north county region. The plans and exhibits provided in this specific plan provide a framework for future development at Westfield Carlsbad. The WCSP provides development and design guidelines. In addition, the WCSP permits residential in a multi-family and mixed use format.

Fenton Carlsbad Center Specific Plan, 2008

The 48.54-acre Fenton Carlsbad Center Specific Plan area is located on Salk Avenue, between El Camino Real and College Boulevard. The purpose of this Fenton Carlsbad Center Specific Plan (FCCSP) is to address the need for a full mix of office and medical facilities within Carlsbad, to serve both residents and the daily workforce. FCCSP only seeks to define the allowable type of land uses and does not provide development standards or design standards above and beyond

those of the Office Zone; the plan does include several implementation measures that future projects will need to comply with in addition to those of the base zone.

Bressi Ranch Master Plan, 2016

The Bressi Ranch Master Plan covers 585.1 acres and is located at the southeast corner of Palomar Airport Road and El Camino Real within the southeast quadrant of the City of Carlsbad. The purpose of the Bressi Ranch Master Plan (also referred to as Master Plan) is to provide for a comprehensive set of guidelines, regulations and implementation programs for ensuring the development of Bressi Ranch in accordance with the City's General Plan, Municipal Code and other applicable planning documents. The Bressi Ranch Master Plan defines the allowable type and intensity of land uses, provides detailed development and design criteria, and describes how the Master Plan will be implemented.

Carlsbad Village and Barrio Master Plan, 2019

The Carlsbad Village and Barrio Master Plan (City of Carlsbad 2019) replaces the Village Master Plan and Design Manual which was originally approved in 1995 and most recently revised in 2017. The plan establishes the land use, zoning, design, and long-range strategy for the Carlsbad Village and Barrio areas. The Carlsbad Village and Barrio Master Plan, together with other implementing ordinances, also serve as the Local Coastal Program for the Coastal Zone-portions of the Carlsbad Village and Barrio, pursuant to requirements of the California Coastal Act. The Carlsbad Village and Barrio Master Plan articulates a vision for neighborhoods that:

- Serve as the historic heart of the city, honoring Carlsbad's past and creating a strong sense of community.
- Are connected in place and spirit, yet retain their unique personalities.
- Embody the principles of smart growth, with a mix of commercial and residential land uses, a variety of housing choices, walkable neighborhoods and multiple transportation options.
- Attract high quality, sustainable development that enhances vitality and local character.

Sites 14 and 15 are within the Carlsbad Village and Barrio Master Plan area.

Green Valley Master Plan, 1996

The Green Valley Master Plan serves as the development and preservation policy and design guidelines for the Green Valley property, which encompasses approximately 281 gross acres in southwestern Carlsbad. The Green Valley site is physically characterized by three distinct areas: (1) a linear riparian woodland area which is parallel and adjacent to El Camino Real; (2) an area of gently sloping open fields which is located to the west of the riparian woodland area; and (3) an area of moderate to steep slopes which is located in the western portion of the property. The western portion of Green Valley is characterized by moderate to steep slopes with three small canyons draining to the east. The highest elevations on-site are along the western boundary. Development of Green Valley is subject to all applicable ordinances, regulations, and policies of the City of Carlsbad, except as may be specifically discussed in this Master Plan and/or the Local Coastal Program. An objective of the Master Plan is to "Guide the visual transition from undeveloped to developed lands through the use of building form, color, and materials." The Master Plan includes general community design standards and specific design directions for each Planning Area.

Section 4.3, Biological Resources

Mitigation Measure BIO-7, HMP Minor Amendments, on Page 4.3-31, has been revised as follows:

BIO-7 HMP Minor Amendments

Prior to project approval at Site 4, 6, 7, 9 and 17, each project shall be analyzed for consistency with the HMP in coordination with responsible agencies including CDFW and USFWS. Development may not occur within an Existing or Proposed Hardline. Any revisions to the HMP hardline boundary to allow for development on these sites shall require a HMP Minor Amendment, to be processed as an Equivalency Finding. Such boundary revisions must not involve any revisions the HMP operations or implementation, produce any adverse effects on the environment that are new or significantly different from those previously analyzed, result in additional take not previously analyzed, or reduce the acreage or quality of the habitat within the HMP. Any loss of HMP hardline shall be replaced with equal or greater acres of hardline, adjacent to existing hardline elsewhere in the city, and preserved and managed in accordance with the HMP. Any development within the Standards Area portion of Site 4 shall require a HMP Minor Amendment, to be processed as a Consistency Finding, which requires consistency with the HMP Planning Standards for Local Facilities Management Zone 15.

Section 4.4, Cultural and Tribal Cultural Resources

Table 4.4-2 has been revised as follows:

Table 4.4-2 Inventory of Rezone Sites

Site	APN	Location	Construction Date	Eligibility Status
1	1563011600	North County Plaza, 1810 Marron Road	N/A	N/A
2	1563011100; 1563011000; 1563010600; 1563023500; 1563022300	The Shoppes at Carlsbad, 2525 El Camino Real	N/A	N/A
3	1670805000; 1670804900; 1670803400	Chestnut Avenue at El Camino Real	Vacant	N/A
4	2090901100; 2090607200	Zone 15 cluster, College Ave at El Camino Real, and 2820 Sunny Creek Rd	Circa 1978 (2090607200)	N/A <u>Unknown</u>
5	2100902400	Avenida Encinas car storage lot, Avenida Encinas at Cannon Road	N/A	N/A
6	2122700500	Crossings Golf Course Lot 5	Vacant	N/A

Site	APN	Location	Construction Date	Eligibility Status
7	2120210400	Salk Avenue parcel, Salk Avenue at Fermi Court	Vacant	N/A
8	2120404700	Cottage Row, 1400 Plame Tree Lane	Circa 1978	Unknown
9	2120402600; 2121100700; 2121100600; 2121100500; 2121100800; 2121100400; 2121100300; 2121100200; 2121100100	West Oaks industrial site	Circa 1964 transmission lines (2121100500, 2121100800, 2121100200, and 2121100100)	Unknown
10	2132621700	Bressi Ranch Colt Place industrial parcel, Palomar Airport Road east of Innovation Way	Vacant	Unknown N/A
11	2132631900; 2132632000	Bressi Ranch Gateway Road industrial parcels, Gateway Road at Palomar Airport Road	Vacant	Unknown N/A
12	2210140300; 2210150800	Industrial sites east of Melrose Drive, 5980 Eagle Dr	Vacant	Unknown N/A
14	1552001200; 7601663700	Carlsbad Village Train Station Parking Lot, near railroad tracks at Carlsbad Boulevard	Railroad tracks on parcels are pre-1937	Unknown
15	2040100500; 2040100600	City's Oak Yard, Oak Avenue and Tyler Street	Circa 1964 (2040100600); circa 1967 (2040100500)	Unknown
16	2110500900; 2110500800	Caltrans Maintenance Station & Pacific Sales, 6100 Paseo Del Norte	Circa 1978	Unknown
17	2141502000; 2141500800	NCTD Poinsettia Coaster Station, Costa Boulevard west of Embarcadero Lane	Circa 1995	Unknown
18	2141602800; 2141711100; 2141602500; 2160100100;	North Ponto Parcels, 7200 Ponto Drive	Circa 1964 (2141711100); circa 1978 (2141602500)	Unknown

Site	APN	Location	Construction Date	Eligibility Status
	2160100200; 2160100300; 2160100400; 2160100500			
19	2550120500	Vacant and parking lot for La Costa Glen/Forum, Calle Barcelona west of El Camino Real	N/A <u>Vacant</u>	N/A

Source: NETROnline 2022

Notes:

"Vacant" indicates no built environment structures present.

"N/A" indicates not available or not applicable. The site is vacant and no built environment structure is present; or, a built environment feature or structure is present but it would not become of-age over the course project.

"Unknown" indicates the site has an of-age building or structure for which no eligibility information is available. Therefore, it is unknown if the structure is eligible for listing on a historical resources list.

Pages 4.4-25 through 4.27 have been revised as follows:

<p>Threshold 4a: Would the project cause a substantial adverse change in the significance of a Tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?</p> <p>Threshold 4b: Would the project cause a substantial adverse change in the significance of a Tribal cultural resource as defined in Public Resources Code Section 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?</p>
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Impact CUL-4 DEVELOPMENT FACILITATED BY THE PROPOSED PROJECT COULD ADVERSELY IMPACT TRIBAL CULTURAL RESOURCES. CONSULTATION WITH NATIVE AMERICAN TRIBAL REPRESENTATIVES IS ONGOING. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH ADHERENCE TO THE CARLSBAD CULTURAL RESOURCE GUIDELINES AND WITH IMPLEMENTATION OF MITIGATION.

As part of its tribal cultural resources identification process under AB 52 and SB18, the city sent letters via certified mail to twenty-seven tribal contacts that were identified as traditionally and culturally affiliated with the project area. The Pala Band of Mission Indians, Rincon Band of Lusieno Indians, and San Luis Rey Band of Mission Indians have formally requested consultation and consultation with these tribes is ongoing. Although no specific tribal cultural resources on the rezone sites have been identified during the preparation of this document, tribal cultural resources are known to exist in Carlsbad. Development facilitated by the proposed project has the potential to adversely impact tribal cultural resources. The Carlsbad Cultural Resource Guidelines addresses identification and treatment of tribal cultural resources that may be impacted as a result of development associated with the proposed project. ~~Therefore, potential impacts to tribal cultural resources would be less than significant with adherence to the~~

Carlsbad Cultural Resource Guidelines. No mitigation is required. Nonetheless, this impact is potentially significant.

Mitigation Measures

No mitigation measures are required because, like under the 2015 General Plan EIR, impacts would be less than significant without mitigation. The following mitigation is required:

Mitigation Measure CUL-1 Tribal Cultural Resources

Projects subject to discretionary actions shall comply with the city's Tribal, Cultural, and Paleontological Resources Guidelines. For ministerial projects, the city shall provide Traditionally and Culturally Affiliated Luiseño tribes ("TCA Tribe") with early notification and the opportunity to consult on development applications and identify and assess impacts to tribal and cultural resources. Further, before commencement of any ground-disturbing activities, the project developer shall comply with the following requirements to ensure the appropriate response to the presence of any tribal and cultural resources:

- b. Retain the services of a qualified archaeologist who shall be on-site for ground-disturbing activities. In the event cultural material is encountered, the archaeologist is empowered to temporarily divert or halt grading to allow for coordination with the Luiseño Native American monitor and to determine the significance of the discovery. The archaeologist shall follow all standard procedures for cultural materials that are not Tribal Cultural Resources.
- d. Enter into a Pre-Excavation Agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement, with a TCA tribe. This agreement will address provision of a Luiseño Native American monitor and contain provisions to address the proper treatment of any tribal cultural resources and/or Luiseño Native American human remains inadvertently discovered during the course of the project. The Agreement will outline the roles and powers of the Luiseño Native American monitors and the archaeologist and may include the following provisions.
 - i. A Luiseño Native American monitor shall be present during all ground-disturbing activities. Ground disturbing activities may include, but are not limited to, archaeological studies, geotechnical investigations, exploratory geotechnical investigations/borings for contractor bidding purposes, clearing, grubbing, trenching, excavation, preparation for utilities and other infrastructure, and grading activities.
 - ii. Any and all uncovered artifacts of Luiseño Native American cultural importance shall be returned to the San Luis Rey Band of Mission Indians or other Luiseño Tribe, and/or the Most Likely Descendant, if applicable, and not be curated, unless ordered to do so by a federal agency or a court of competent jurisdiction.
 - iii. The Luiseño Native American monitor shall be present at the project's pre-construction meeting to consult with grading and excavation contractors concerning excavation schedules and safety issues, as well as to consult with the archaeologist PI (principal investigator) concerning the proposed archaeologist techniques and/or strategies for the project.
 - iv. Luiseño Native American monitors and archaeological monitors shall have joint authority to temporarily divert and/or halt construction activities. If tribal cultural

resources are discovered during construction, all earthmoving activity within and around the immediate discovery area must be diverted until the Luiseño Native American monitor and the archaeologist can assess the nature and significance of the find.

- v. If a significant tribal cultural resource(s) and/or unique archaeological resource(s) are discovered during ground-disturbing activities for this project, the San Luis Rey Band of Mission Indians or other Luiseño tribe shall be notified and consulted regarding the respectful and dignified treatment of those resources. Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological and tribal cultural resources. If, however, the Applicant is able to demonstrate that avoidance of a significant and/or unique cultural resource is infeasible and a data recovery plan is authorized by the City of Carlsbad as the lead agency, the San Luis Rey Band of Mission Indians or other Luiseño tribe shall be consulted regarding the drafting and finalization of any such recovery plan.
- vi. When tribal cultural resources are discovered during the project, if the archaeologist collects such resources, a Luiseño Native American monitor must be present during any testing or cataloging of those resources. If the archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor may, at their discretion, collect said resources and provide them to the San Luis Rey Band of Mission Indians or other Luiseño tribe for dignified and respectful treatment in accordance with their cultural and spiritual traditions.
- vii. If suspected Native American human remains are encountered, California Health and Safety Code Section 7050.5(b) states that no further disturbance shall occur until the San Diego County Medical Examiner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. Suspected Native American remains shall be examined in the field and kept in a secure location at the site. A Luiseño Native American monitor shall be present during the examination of the remains. If the San Diego County Medical Examiner determines the remains to be Native American, NAHC must be contacted by the Medical Examiner within 24 hours. The NAHC must then immediately notify the "Most Likely Descendant" about the discovery. The Most Likely Descendant shall then make recommendations within 48 hours and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98.
- viii. In the event that fill material is imported into the project area, the fill shall be clean of tribal cultural resources and documented as such. Commercial sources of fill material are already permitted as appropriate and will be culturally sterile. If fill material is to be utilized and/or exported from areas within the project site, then that fill material shall be analyzed and confirmed by an archaeologist and Luiseño Native American monitor that such fill material does not contain tribal cultural resources.
- ix. No testing, invasive or non-invasive, shall be permitted on any recovered tribal cultural resources without the written permission of the San Luis Rey Band of Mission Indians or other Luiseño tribe.

- x. Prior to the completion of project construction, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis, and conclusions of the monitoring program shall be submitted by the Project Archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Carlsbad for approval, and shall be submitted to the South Coastal Information Center. Said report shall be subject to confidentiality as an exception to the Public Records Act and will not be available for public distribution.
- e. Furthermore, the Agreement may include additional measures mutually agreed upon by the project developer, city, and TCA Tribe such as evaluation of the project site's pre-construction conditions for the presence or potential presence of TCRs as well as other measures tailored to and deemed necessary for the specific project.

Significance after Mitigation

Implementation of Mitigation Measure CUI-1 would reduce potential impacts to tribal cultural resources from development facilitated by the proposed project to less than significant levels.

c. Cumulative Impacts

The geographic scope for cumulative cultural resource impacts includes areas in the vicinity Carlsbad, including adjacent unincorporated County land and adjacent incorporated cities. This geographic scope is appropriate for cultural resources because such resources are regionally specific. The geographic scope for cumulative tribal cultural resource impacts includes Luiseño and Kumeyaay/Diegueño traditional territory. This geographic scope is appropriate for tribal cultural resources because tribal cultural resources are regionally specific and determined by the local tribes. Cumulative buildout in this region would have the potential to adversely impact cultural and tribal cultural resources.

It is possible that future cumulative projects would result in impacts to known or unknown historical resources. While impacts to such resources would be addressed on a case-by-case basis and would likely be subject to mitigation measures similar to those imposed for development facilitated by the project, cumulative development may result in direct or indirect impacts to historical resources. As such, cumulative historical impacts would be significant. Development facilitated by the project would adhere to the provisions of the Carlsbad Cultural Resource Guidelines related to historical resources. However, even after implementation of these guidelines, the proposed project would result in a considerable contribution to this cumulative impact.

Buildout of cumulative projects would result in significant cumulative impacts to unknown archaeological resources. In the event that individual cumulative projects would result in impacts to known or unknown cultural resources, impacts to such resources would be addressed on a case-by-case basis, and would likely be subject to mitigation measures similar to those imposed for development facilitated by the project. As such, cumulative archaeological impacts would be less than significant without mitigation as development facilitated by the project must adhere to the Carlsbad Cultural Resource Guidelines. With adherence to these guidelines, impacts to archaeological resources would be less than significant; therefore, the proposed project would not result in a considerable contribution to this cumulative impact.

Future projects and cumulative projects in the region would involve ground-disturbing activities which could encounter human remains. If human remains are found, the proposed project and cumulative projects would be required to comply with the State of California Health and Safety

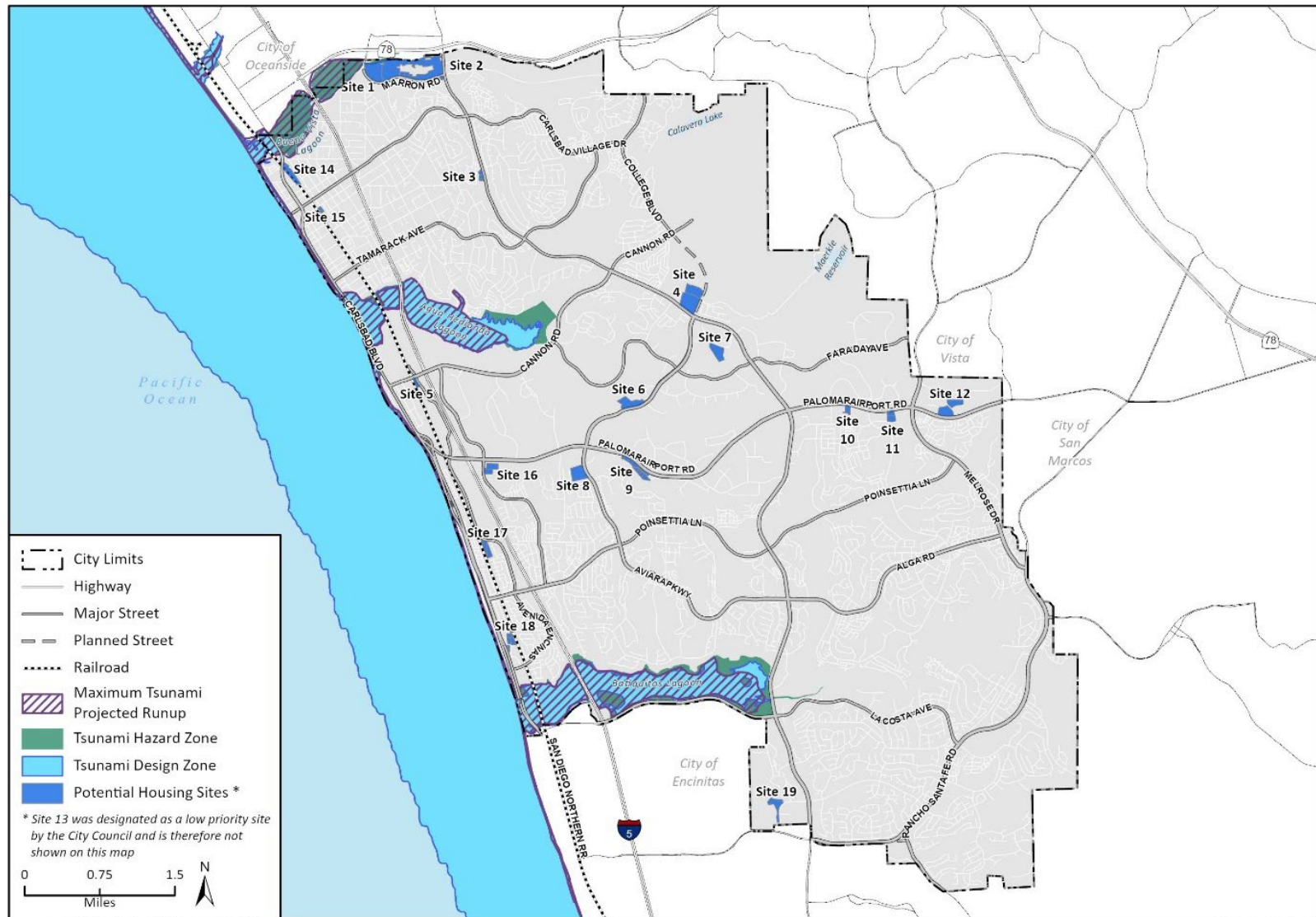
Code Section 7050.5, as described in Impact CUL-3, above. With adherence to the Carlsbad Cultural Resource Guidelines and existing regulations relating to human remains, cumulative impacts would be less than significant, and the proposed project would not result in a considerable contribution to this cumulative impact.

Cumulative development in the region would disturb areas with the potential to contain tribal cultural resources. Given the potential to damage these unknown tribal cultural resources, cumulative impacts could be significant. Cumulative projects are reviewed separately by the appropriate jurisdiction and undergo environmental review when it is determined that the potential for significant impacts exists. In the event that future cumulative projects would result in impacts to known or unknown tribal cultural resources, impacts to such resources would be addressed on a case-by-case basis, and would be subject to the Carlsbad Cultural Resource Guidelines. With adherence to these guidelines, and with implementation of project specific mitigation, cumulative impacts would be less than significant, and the proposed project would not result in a considerable contribution to this cumulative impact.

Section 4.8, Hydrology and Water Quality

Figure 4.8-4 on Page 4.8-7 (Section 4.8.1d, *Hydrologic Hazards – Flood Hazards*) has been updated to the following map:

Figure 4.8-1 Tsunami Hazard Areas in Carlsbad



Imagery provided by Esri and its licensors © 2023.
Additional data provided by City of Carlsbad, 2022; CGS, 2022; ASCE Tsunami Hazard Tool, 2022.

CSB Housing Sites Poster
Fig 4.5-6 Tsunami Hazards and Housing Sites

Section 4.9, Land Use and Planning

Page 4.4-9 has been revised as follows:

Specific and Master Plans

The city uses specific plans and master plans extensively to coordinate development and infrastructure improvements on large sites or series of parcels. Specific plans and master plans must be consistent with the general plan and are typically used to establish development plans and standards to achieve the design and development objectives for a particular area. Much of the residential areas in the southern and northeastern portions of the Carlsbad were developed as part of a master plan (e.g., Aviara, Bressi Ranch, Calavera Hills, Rancho Carrillo, Robertson Ranch, and Villages of La Costa). In addition to the large residential master plan areas, the city has several smaller residential specific plans and specific plans for commercial and industrial areas. ~~The Village and Barrio Master Plan was recently amended in 2021 and will continue to guide development in that area. There are also many older specific plans and master plans that have been fully implemented.~~ The North County Plaza Specific Plan, Westfield Carlsbad Specific Plan, Fenton Carlsbad Center Specific Plan, Bressi Ranch Master Plan, Village and Barrio Master Plan, and Green Valley Master Plan are described below.

North County Plaza Specific Plan, 2011

The purpose of this Specific Plan is to amend the previously adopted SP-41 (Ordinance No. 9334) and to provide a comprehensive development plan for the area between Marron Road and Buena Vista Creek, west of Plaza Camino Real. This plan is to ensure that development of this area takes into consideration adjacent and neighboring properties, existing developments, and future development. This Specific Plan is intended to be a tool to implement the goals and policies of the City's General Plan.

Westfield Carlsbad Specific Plan, 2014

The purpose of the Westfield Carlsbad Specific Plan (WCSP) is to provide a comprehensive set of development standards, guidelines, and implementation procedures to facilitate the redevelopment, revitalization and operations of Westfield Carlsbad (WC) consistent with the existing General Plan Designation of Regional Commercial. Westfield Carlsbad is a super regional shopping center with approximately 1,151,100 square feet of gross leasable area (1,348,500 square feet of gross floor area (including common access areas)) featuring major department stores, specialty retail shops and restaurants. The plan allows Westfield Carlsbad the flexibility to meet the progressive and changing commercial, entertainment and service needs of the residents of Carlsbad and coastal north county region. The plans and exhibits provided in this specific plan provide a framework for future development at Westfield Carlsbad. The WCSP defines allowable types and intensity of land uses. In addition, the WCSP permits residential in a multi-family and mixed use format.

Fenton Carlsbad Center Specific Plan, 2008

The 48.54-acre Fenton Carlsbad Center Specific Plan area is located on Salk Avenue, between El Camino Real and College Boulevard. The purpose of this Fenton Carlsbad Center Specific Plan (FCCSP) is to address the need for a full mix of office and medical facilities within Carlsbad, to serve both residents and the daily workforce. FCCSP only seeks to define the allowable type of

land uses and does not provide development standards or design standards above and beyond those of the Office Zone; the plan does include several implementation measures that future projects will need to comply with in addition to those of the base zone. The plan provides for a mix of office uses and proportional amount of medical office uses within the city's central employment area and also within close proximity to residentially zoned areas.

Bressi Ranch Master Plan, 2016

The Bressi Ranch Master Plan covers 585.1 acres and is located at the southeast corner of Palomar Airport Road and El Camino Real within the southeast quadrant of the City of Carlsbad. The purpose of the Bressi Ranch Master Plan is to provide for a comprehensive set of guidelines, regulations and implementation programs for ensuring the development of Bressi Ranch in accordance with the City's General Plan, Municipal Code and other applicable planning documents. The Bressi Ranch Master Plan defines the allowable type and intensity of land uses, provides detailed development and design criteria, and describes how the Master Plan will be implemented. A primary goal of the Bressi Ranch Master Plan is to create a pedestrian oriented community where the use of the automobile can be minimized. The Master Plan has a strong mixed-use component that includes residential, commercial and office/industrial uses in close proximity.

Carlsbad Village and Barrio Master Plan, 2019

The Carlsbad Village and Barrio Master Plan (City of Carlsbad 2019) replaces the Village Master Plan and Design Manual which was originally approved in 1995 and most recently revised in 2017. The plan establishes the land use, zoning, design, and long-range strategy for the Carlsbad Village and Barrio areas. The Carlsbad Village and Barrio Master Plan, together with other implementing ordinances, also serve as the Local Coastal Program for the Coastal Zone-portions of the Carlsbad Village and Barrio, pursuant to requirements of the California Coastal Act. The Carlsbad Village and Barrio Master Plan articulates a vision for neighborhoods that:

- Serve as the historic heart of the city, honoring Carlsbad's past and creating a strong sense of community.
- Are connected in place and spirit, yet retain their unique personalities.
- Embody the principles of smart growth, with a mix of commercial and residential land uses, a variety of housing choices, walkable neighborhoods and multiple transportation options.
- Attract high quality, sustainable development that enhances vitality and local character.

Sites 14 and 15 are within the Carlsbad Village and Barrio Master Plan area.

Green Valley Master Plan, 1996

The Green Valley Master Plan serves as the development and preservation policy and design guidelines for the Green Valley property, which encompasses approximately 281 gross acres in southwestern Carlsbad. Development of Green Valley is subject to all applicable ordinances, regulations, and policies of the City of Carlsbad, except as may be specifically discussed in this Master Plan and/or the Local Coastal Program. An objective of the Master Plan is to "Guide the visual transition from undeveloped to developed lands through the use of building form, color, and materials." The Master Plan includes general community design standards and specific design directions for each Planning Area. The goal of this Master Plan is to ensure a high quality

development which will preserve the Existing environmental resources, to the greatest extent possible, and to provide commercial retail and housing opportunities for area residents.

Section 4.10, Noise

Page 4.10-32 (Section 4.10.3c, *Project Impacts and Mitigation Measures Impact NOI-4*) has been revised as follows:

The McClellan-Palomar ALUCP includes development policies regarding the compatibility of development areas and exposure to noise ~~(e.g., residential infill development shall not be allowed where exposure to noise levels of more than 65 dBA CNEL may occur), such as Policy 2.11.1b(3) which states that residential infill development shall not be allowed where the dwellings would be exposed to noise levels of more than 70 dB CNEL; and Policy 3.3.3(b), which states that the maximum airport-related noise level considered compatible for new residential development in the environs of the Airport is 65 dB CNEL.~~ Although a small portion of Site 9 is within the 65-70 dB CNEL noise contour, a project has been approved at this site for 192 units that included its own project-level CEQA review.

Section 4.13, Transportation

Page 4.13-1 (Section 4.13.1b, *Bus Service*) has been revised as follows:

NCTD fixed-route bus service is referred to as ~~their~~ BREEZE service. BREEZE NCTD currently operates ~~approximately nine~~ twelve BREEZE bus routes within the city, including routes 101, 302, 304, 309, 315, 323, ~~315/325~~, 444, 445, 604, 609, and ~~632-623~~. Buses generally operate on ~~30-20~~-minute to 60-minute headways depending on the day of the week. NCTD also offers LIFT, a curb-to-curb service for ~~disabled~~ persons with disabilities who are unable to utilize ~~the BREEZE~~ serve fixed-route services and are certified as eligible to use the service, as required by the ADA.

Page 4.13-1 (Section 4.13.1b, *COASTER Commuter Rail*) has been revised as follows:

This is a north-south commuter rail transit service connecting from Oceanside to Santa Fe Depot in San Diego. Carlsbad is served by two COASTER stations, one located north of Poinsettia Lane (just west of I-5) and the other is located in the Village area. The COASTER service primarily operates southbound on headway times that vary from 20 minutes to 80 minutes from Monday to Friday with shorter headway times during busiest hours approximately 60 minute headways between 5:15 AM and 8:40 PM Monday through Friday. It operates northbound on headway times that vary from 20 minutes to 140 minutes from Monday to Friday with shorter headway times during busiest hours approximately 60 minute headways between 6:40AM and 10:20 PM. COASTER service is extended into the evening hours during weekends and holidays. It operates on reduced service hours on weekends and holidays with longer headways.

A footnote has been added to the text of Page 4.13-5 (Section 4.13.2b, *SB 743*) as follows:

This legislation also established that aesthetic and parking effects of residential, mixed-use residential, or employment center projects on an infill site¹ within a TPA are not significant impacts on the environment.

*Footnote 1: An infill site refers to a site with a building within unused and underutilized lands within existing development patterns.

Section 4.14, Utilities and Service Systems

Page 4.14-4 (Section 4.14.1d, *State Electric Power Supply*) has been revised as follows:

In 2021, California's in-state electricity generation totaled 277,764 gigawatt-hours (California Energy Commission [CEC] 2023a). Primary fuel sources for the state's electricity generation in 2021 included natural gas, hydroelectric, solar photovoltaic, wind, nuclear, geothermal, biomass, and solar thermal. Electricity imports accounted for approximately 30 percent of total system electric generation in 2021 (CEC 2023a).

Pages 4.14-13 – 4.14-14 (Section 4.14.2a, *Regulatory Setting - Water*) have been revised as follows:

~~Carlsbad~~ CMWD Recycled Water Master Plan Update

The ~~Carlsbad~~ Recycled Water Master Plan Update was adopted on July 15, 2019, as an update to the 2012 Recycled Water Master Plan. The Recycled Water Master Plan Update provides a system evaluation and capacity assessment of the recycled water system and recommends a capital improvement program to provide for continued reliable recycled water service through buildout conditions, which are projected to occur by 2040 (Carlsbad Municipal Water District 2019a).

Carlsbad's service areas for recycled water do not coincide with the City's municipal boundary. The potable and recycled water service areas are governed by the Carlsbad Municipal Water District (CMWD), a subsidiary district of the City of Carlsbad operating under the Municipal Water District Act of 1911. CMWD covers an area of 20,682 acres, approximately 32 square miles, and provides potable and recycled water supply to most of the City of Carlsbad. CMWD supplies potable water within its service area and currently receives 100 percent of its potable water supply from SDCWA. The potable water distribution system consists of 450 miles of pipeline, 71 pressure regulating stations, three pump stations, eight storage tanks, and one reservoir. CMWD supplies recycled water through two recycled water distribution systems, which include 77 miles of pipeline, six pressure zones, three storage tanks, three booster pumping stations, three supply sources with pumping stations, and five pressure regulating stations. Land uses within the service area are primarily residential with a mix of agricultural, light industrial and commercial (CMWD 2019a).

CMWD receives recycled water from reclamation plants within the Encina Wastewater Authority (EWA) service area. CMWD receives recycled water from ~~three~~ two reclamation plants: Carlsbad Water Recycling Facility (CWRF), and Meadowlark Water Reclamation Facility (WRF) ~~and Gafner Water Reclamation Plant (WRP)~~. CWRF has a permitted capacity of 7 mgd, and Meadowlark WRF has a permitted capacity of 5 mgd, ~~and the Gafner WRP has a permitted capacity of 1 mgd,~~ for a total capacity of ~~13~~ 12 mgd. Using the baseline year of 2014, the recycled water system demand for the Recycled Water Master Plan Update is approximately 4,650 AFY or 4.1 mgd. Assuming a peaking factor of 1.7 for maximum month, required WRF supplies would be approximately 7 mgd. CMWD is currently operating at about two-thirds capacity of their potential recycled water supplies. CMWD has sufficient available supply capacities, under its current agreements and assuming CMWD continues to purchase up to 3 mgd from VWD, to reliably meet existing and future demands of the recycled water system (CMWD 2019b).

Pages 4.4-26 through 4.14-27 under Impact UTIL-1 have been revised as follows:

Wastewater

Carlsbad is served by existing city wastewater conveyance facilities, including local sewer collection lines and trunk sewer lines. Development facilitated by the project may require increasing the size of existing facilities, installation of additional sewer mains, and new lateral connections on or adjacent to the rezone sites. Future development on the rezone sites would be required to prepare sewer studies based on the demand generated by the proposed number of units. Potential hydraulic impacts to the existing sewer collection system are required to be assessed by the developer and subject to reviewed by the city's Public Works Utilities Department, who would determine what upgrades would be needed. Future projects would be required to complete improvements as determined by Public Works staff the Utilities Department. Particular attention is brought to, but not limited to, the development sites listed below:

Sites 1 (North County Plaza) and 2 (The Shoppes at Carlsbad): These sites would be served by the Vista/Carlsbad Interceptor Sewer in which Carlsbad has capacity rights of approximately 10% of pipe-full capacity. The sewer pipe segment located west of El Camino Real is identified as deficient in capacity for future city of Vista sewer flows and is planned for upsizing in Carlsbad and Vista sewer master plans. The proposed housing unit yield and associated sewer demands will require evaluation for potential hydraulic impacts and the need for additional sewer capacity.

Site 6 – Crossings Golf Course Lot 5: The site is adjacent to an abandoned collector sewer. Sewer service to this site will require recommissioning of the abandoned sewer and the flow must be conveyed to either the Buena Interceptor Sewer or the Vallecitos Interceptor Sewer via a new connection. The addition of sewer demand to these interceptor sewers is subject to available capacity and requires the approval of the Buena Sanitation District or the Vallecitos Water District. These agencies may reserve existing available capacity for their future sewer demands.

Site 8 – Cottage Row Apartments: The proposed unit yield represents a 354% increase in the existing permitted unit yield. Sewer flows from this site must be conveyed to either the Buena Interceptor Sewer or the Vallecitos Interceptor Sewer. The addition of sewer demand to these interceptor sewers is subject to available capacity and may require the approval of the Buena Sanitation District or the Vallecitos Water District. These agencies may reserve existing available capacity for their future sewer demands.

Site 9 – West Oaks Industrial. Sewer flows from this site must be conveyed to either the Buena Interceptor Sewer or the Vallecitos Interceptor Sewer. The addition of sewer demand to these interceptor sewers is subject to available capacity and requires the approval of the Buena Sanitation District or the Vallecitos Water District. These agencies may reserve existing available capacity for their future sewer demands.

Site 16 – Caltrans Maintenance Station/Pacific Sales: The proposed net increase of 182 units and associated sewer demand requires evaluation of potential hydraulic impacts in the sewer collection system. Sewer flows from this site must be conveyed to either the Buena Interceptor Sewer or the Vallecitos Interceptor Sewer. The addition of sewer demand to these interceptor sewers is subject to available capacity and may require the approval of the Buena Sanitation

District or the Vallecitos Water District. These agencies may reserve existing available capacity for their future sewer demands.

Site 18 – North Ponto Parcels: This site is not currently served by a public sewer collection system and new sewer collection facilities must be constructed.

Site 19 – La Costa Glen/Forum: This site is served by the Leucadia Wastewater District. The addition of sewer demand is subject to available capacity and the approval of the Leucadia Wastewater District.

As with water facilities, sewer line extensions necessary to serve the future development would generally be installed within the already disturbed rights-of-way of existing roads or within the disturbance footprints of such projects. As such, the construction of these infrastructure improvements would not substantially increase the project's disturbance area or otherwise cause significant environmental effects beyond those identified throughout this SEIR.

The project would result in an increase in wastewater generation relative to existing conditions. Wastewater generated by future development would be treated at the Encina Wastewater Authority in Carlsbad, which has a ~~design~~ total treatment capacity of 40.5 mgd, and a remaining available capacity of 17.5 mgd. The City of Carlsbad owns 25.33 percent (10.26 mgd) of the total treatment capacity of the plant. Carlsbad's annual average daily flow for Fiscal year 2022-23 was recorded at 6.22 mgd, providing 4.04 mgd of available capacity. Based on a wastewater generation rate of 200 gallons per equivalent dwelling unit per day (City of Carlsbad 2023a), development under the project would generate a gross increase of approximately 659,000 gallons, or 0.66 mgd, average daily flow of wastewater (200 gallons per residential unit per day x 3,295 units). This analysis conservatively assumes all project-generated wastewater would be new wastewater generation and does not account for wastewater generation associated with existing development that would be demolished to accommodate new residential units.

Table 4.14-2 summarizes ~~the~~ Carlsbad's available capacity at the Encina Wastewater Authority and the percentage used by anticipated project wastewater generation based on average daily flow conditions. As shown therein, the project's gross increase in wastewater generation would comprise approximately 4 percent of the Encina Wastewater Authority's total remaining available wastewater treatment capacity and approximately 16 percent of Carlsbad's remaining capacity rights.¹ Even during peak flow conditions, where wastewater generation associated with development on the rezone sites could be up to 1.7 mgd (based on calculations from the City's Public Works Department), this could be accommodated within the 17.5 mgd of remaining available capacity.

¹ 0.4 mgd / 17.5 mgd x 100 = 4percent

Table 4.14-2 Wastewater Treatment Plant Capacity

Encina Wastewater Authority	
<u>Total Treatment Plant Capacity</u>	
<u>Total</u> Average Daily Treatment	23 MGD
Total Capacity ¹	40.5 MGD
<u>Total</u> Remaining Available Capacity	17.5 MGD
Project Wastewater Generation - Average Flow ²	0.7 MGD
Percent of <u>Total</u> Remaining Available Capacity Used by Project – Average Flow	4%
<u>City of Carlsbad Treatment Plant Capacity</u>	
<u>City of Carlsbad Daily Treatment Capacity Ownership</u>	<u>10.26 MGD (25.33%)</u>
<u>City of Carlsbad Average Annual Daily Flow FY 22-23</u>	<u>6.22 MGD</u>
<u>City of Carlsbad Remaining Capacity Available – Average Flow</u>	<u>4.04 MGD</u>
<u>Project Wastewater Generation - Average Flow²</u>	<u>0.7 MGD</u>
<u>City of Carlsbad Percentage of Remaining Capacity Used by Project – Average Flow</u>	<u>16%</u>
mgd = million gallons per day	
¹ The current design treatment capacity of the Encina Wastewater Authority is 40.5 mgd.	
² Reasonably foreseeable development under the project would generate a net increase in average daily flow of approximately 659,000 gallons, or 0.7 mgd (200 gallons per residential unit per day x 3295 units).	
Sources: Encina Wastewater Authority 2021	

Therefore, the Encina Wastewater Authority would have adequate capacity to serve development under the project. In addition, development would be responsible for constructing on and offsite improvements to wastewater conveyance systems and paying standard sewer connection fees, as necessary. Individual developments would be required to prepare site specific sewer studies to reflect actual development conditions which would be reviewed by the city and the applicable wastewater providers to determine if sufficient sewer capacity exists to serve the additional population that would be generated by the future projects. The city will continue to coordinate with the wastewater districts to ensure that new development, when proposed, would not exceed the capacity of wastewater conveyance and treatment facilities, and that new development would pay development fees to increase capacity of those facilities. Furthermore, as was found in the 2015 General Plan EIR, development would be subject to 2015 General Plan policies related to the provision of adequate wastewater services and facilities. Therefore, although the project may involve some infrastructure improvements to serve individual rezone sites, the project would not result in the relocation or construction of new or expanded wastewater facilities such that significant environmental effects beyond those already identified throughout this SEIR would occur. Impacts to wastewater would be less than significant.

Section 6, Alternatives

Page 6-10 has been revised as follows:

d. Cultural and Tribal Cultural Resources

Implementation of Alternative 2 would involve less ground disturbance than would occur under the proposed project due to the removal of rezone sites 3, 8, and 15. Under this alternative, density at rezone sites 14 and 17 would be increased and result in a net increase of 43 units compared to the proposed project, but ground disturbance would not change substantially as compared to the proposed project. Therefore, the potential to impact known and unknown cultural resources would be the same as compared to the proposed project. Because this alternative would include fewer development sites than the proposed project and would exclude site 15 located within the Carlsbad Village Historic District, potential impacts to historic structures would also be slightly decreased. However, since Alternative 2 would continue to develop site 14 which is located within the Carlsbad Village Historic District and in proximity to locally significant properties, impacts would remain significant and unavoidable. The potential to disturb tribal cultural resources, including ancestral remains and sacred sites, would be similar under this alternative as compared to the proposed project as ground disturbance would not change substantially compared to the proposed project. Similarly, impacts related to unknown tribal cultural resources would remain less than significant with incorporation of Mitigation Measure CUL-1. Alternative 2, like the proposed project, would result in greater levels of ground disturbance compared to the 2015 General Plan EIR due to the inclusion of the rezoning sites than that analyzed in the 2015 General Plan EIR. However, overall, impacts related to cultural and tribal cultural resources would be similar under this alternative than what could occur as a result of proposed project but would be greater than the impacts analyzed in the 2015 General Plan EIR.

4 CEQA Implications for Changes to the Proposed Project

This chapter provides a discussion of the CEQA implications of potential changes to the project that have been made after circulation of the Draft SEIR.

4.1 Project Changes and Clarifications

Proposed project changes include adding two parcels to Site 2: Assessor Parcel Number (APN) 156-302-14 and 156-302-17. Site 2 encompasses the parking lots for The Shoppes at Carlsbad mall and a North County Transit District transit station. APN 156-302-14 is part of The Shoppes parking lot, located southwest of loading dock for the Macy's and is approximately 0.23 acres in size. APN 156-302-17 is located south of Marron Road, is currently developed with surface parking (parking associated with Escape to VR), is approximately 0.1 acre in size. Overall, Site 2 would remain approximately 57 acres in size. These added parcels are within the boundaries of the Westfield Carlsbad Specific Plan area. Incorporating these parcels is not intended to increase housing capacity but simply to more accurately reflect parcels involved in Site 2.

It should also be noted that the Draft SEIR provides a conservative estimate of buildout. The Draft SEIR assumes an increase of 107 units at Site 14 (Village Coaster) and 73 units at Site 17 (Poinsettia Coaster). These unit increases reflect City Council direction to increase the assumed number of units counted at these two sites. Therefore, the total buildout of 3,295 units reported for the project results from counting all sites plus the additional units on the Coaster sites. Table 2-4 acknowledges this in the footnotes for both sites. As explained in footnotes 3 and 4, the City Council has directed the study of two different proposed unit yields for these sites. For Site 14, the analysis assumes 107 units as a conservative estimate and for Site 17, the analysis assumes a total of 100 units (an increase of 73) units as a conservative estimate. Further, the proposed project now involves only rezoning a portion of Site 18. A private development application with 86 units (FPC Residential, SDP 2022-0003) has been approved on the portion of Site 18 north of Ponto Drive (APNs 214-160-25, 214-160-28 and 214-171-11). Accordingly, the rezoning proposed as part of Site 18 would affect only the portion of the site south of Ponto Drive that consists of five vacant parcels (APNs 216-010-01 to 05) totaling slightly more than one acre. Unit yield from the reduced site area if rezoned would be 22 units instead of 50 units as analyzed in the Draft SEIR. Therefore, the assumed buildout for Site 18 is also conservative. The reduction in density and intensity of the potential development of Site 18 is immaterial to the EIR and does not affect the analysis or conclusions in the EIR.

4.2 Environmental Implications

Because incorporating these parcels is not intended to increase capacity but simply to more accurately reflect parcels involved in the project, the change in boundary for Site 2 would not change the projected overall buildout. With this change, the unit yield for Site 2 is still anticipated to be 993 units and the overall buildout under the project would still be 3,295 units, as shown on Table 2-4 in Chapter 3, Revisions to the Draft SEIR, of this document.

The Draft SEIR determined that the environmental impacts of the proposed project would be less than significant or could be reduced to below a level of significance with proposed mitigation

measures for most of the topical areas studied. Impacts related to air quality, cultural resources, greenhouse gas emissions, construction noise, and VMT, and cumulative impacts for these issue areas, were found to be significant and unavoidable. Overall, the proposed change to add two parcels would not change the objectives and goals of the proposed project, would not change the allowed uses under the proposed project, and would not increase the buildout assumptions analyzed in the Draft SEIR. These parcels are currently developed with surface parking lots and do not contain sensitive habitats or other environmental resources.

Therefore, the proposed project changes provides factual background information and do not raise an environmental issue within the meaning of CEQA and would not affect the findings and conclusions of the Draft SEIR with respect to aesthetics, agriculture and forestry resources, biological resources, cultural and tribal cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, public services, recreation, transportation, or utilities and service systems. Those impacts would remain less than significant, less than significant with mitigation, or in the case of project and cumulative air quality, cultural resources, greenhouse gas emissions, construction noise, and VMT impacts, significant and unavoidable.

The changes do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the California Environmental Quality Act (CEQA) Guidelines. Therefore, no impacts beyond those identified in the SEIR would occur. No substantial revisions to the SEIR are required and therefore, pursuant to CEQA Guidelines section 15088.5 recirculation of the SEIR is not warranted.

Appendix A

Mitigation Monitoring and Reporting Program

PROJECT NAME: Housing Element Implementation and Public Safety Element Update

PROJECT NO: GPA 2022-0001/ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015/AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND 2023-0012 and EIR 2022-0007 (PUB 2022-0010)

APPROVAL DATE/RESOLUTION NUMBER(S): _____

California Public Resources Code Section 21081.6 requires that, upon certification of an EIR, “the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.” This chapter contains the mitigation monitoring and reporting program (MMRP) that has been developed for the Housing Element Implementation and Public Safety Element. This MMRP has been developed in compliance with Public Resources Code Section 21081.6 and Section 15097 of the CEQA Guidelines. The City must adopt this MMRP, or an equally effective program, if it approves the proposed project with the mitigation measures that were adopted or made conditions of project approval.

The ability to mitigate significant environmental impacts or lessen the significance of environmental impacts are a key focus of CEQA. According to CEQA Guidelines Section 15126.4(a)(2), “Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design.” Therefore, to be sure that all the environmental commitments identified in this document are executed at the appropriate times for land development projects that implement the Housing Element Rezoning Program, the following mitigation measures would apply to those projects that are reviewed through discretionary process AND projects that are reviewed under a streamlined, ministerial approval process to ensure that the commitments contained in this MMRP are fulfilled.

All mitigation measures included are programmatic in nature. The specific rezone sites each mitigation measure applies to is notes in the “applicable rezone sites” column below. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented and fulfills the City’s monitoring requirements with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
AQ-1	<p>Housing Forecast Revisions. Prior to the next update of the Regional Housing Needs Assessment and within six months of the certification of the Final SEIR, the City Planner shall provide a revised housing forecast to SANDAG to ensure that any revisions to the population and employment projections used by SDAPCD in updating the RAQS and the SIP will accurately reflect anticipated growth due to the proposed project.</p>	All Rezone Sites	Project	PLN			
AQ-2	<p>Operational Emissions Reductions. During the project design and project-level review phases of development projects at the 18 rezone sites, the city shall require each project to determine operational air quality emissions from the project. For projects that exceed regulatory SDCAPCD thresholds, mitigation shall be implemented to reduce impacts to below the regulatory thresholds or to the maximum extent feasible implementing all feasible mitigation. The following represents some measures aimed at reducing air pollutant emissions from operational sources. This is not an exhaustive list of measures, and individual projects shall incorporate measures that best fit each project design.</p> <ul style="list-style-type: none"> ▪ Use architectural coating materials, as defined in SDAPCD Rule 67.0.1, that are zero-emission or have a low-VOC content (below 10 grams per liter). Where such VOC coatings are not available or feasible, the coating with the lowest VOC rating available shall be used. These measures shall be noted on all construction plans, and the city shall perform periodic site inspections during construction to verify compliance. ▪ Prohibit the installation of woodstoves, hearths, and fireplaces in new construction facilitated by the proposed project. ▪ Expand and facilitate completion of planned networks of active transportation infrastructure. ▪ Implement EV charging infrastructure beyond requirements set forth in the 2022 CalGreen mandatory measures. Such requirements would be equivalent to the Tier 2 voluntary measures set forth in the 2022 CalGreen standards. ▪ Implement traffic demand measures, such as unbundling parking fees from rent/lease options, encouraging/developing a ride-share program for the community, and provide car/bike sharing services, that will reduce daily individual car usage and reduce project VMT 	All Rezone Sites	Project	PLN			

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
AQ-3	<p>Construction Health Risk Assessment. For individual projects (excluding ADUs, single-family residences, and duplexes) where construction activities would occur within 1,000 feet of sensitive receptors, would last longer than two months, and would not utilize a fleet comprised of strictly EPA rated Tier 4 engines and/or alternative fuel construction equipment, it is required that a construction health risk assessment (HRA) be performed. The construction health risk shall be performed by a qualified air quality consultant coordinated through the City. The HRA shall be conducted following the Office of Environmental Health Hazards Association's (OEHHA) 2015 Health Risk Guidelines (OEHHA 2015) and SDAPCD guidelines to determine potential risk and compare the risk to the following SDAPCD thresholds:</p> <ul style="list-style-type: none"> Increased cancer risk of > 10.0 in a million; Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute); or <p>If risk exceeds the thresholds, measures such as requiring the use of Tier 4 and/or alternative fuel construction equipment are recommended to reduce the risk to appropriate levels. The incorporation of Tier 4 and/or alternative fuel construction equipment reduces the emissions of DPM from construction activities and therefore reduces the potential risk to nearby sensitive receptors.</p>	All Rezone Sites where construction is within 1000 feet of sensitive receptors, will last longer than two months, and would not use Tier 4 engines.	Project	PLN			
AQ-4	<p>Operational Health Risk Assessment. Consistent with the provisions contained in the <i>California Air Resources Board Air Quality and Land Use Handbook</i>, future development projects occurring on Site 2, Site 5, or Site 16 under the proposed project should implement the following:</p> <p>Project applicants shall retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the CARB and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of nearby sensitive receptors to emission sources resulting from the project. The HRA shall be submitted to the City of Carlsbad for review and approval. Project applicants shall implement the approved HRA recommendations to any nearby sensitive receptor, if any. Such measures may include, but are not limited to:</p> <ul style="list-style-type: none"> Install, operate, and maintain in good working order a central heating and ventilation system or other air take system in the building of a sensitive receptor that would be impacted by the project, or in each 	Sites 2, 5, and 16	Project	PLN			

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	<p>individual residential unit, that meets the efficiency standard of the minimum efficiency reporting value of 13. The heating and ventilation system should include the following features: installation of a high-efficiency filter and/or carbon filter to minimize particulate and other airborne chemical matter from entering the building. Either high-efficiency particulate absorption filters or American Society of Heating, Refrigeration, and Air-Conditioning Engineers 85 percent supply filters should be used.</p> <ul style="list-style-type: none"> ▪ Ensure that positive pressure occurs in the building. ▪ Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air. ▪ Achieve a performance standard of at least four air exchanges per hour of recirculation. ▪ Achieve a performance standard of 0.25 air exchanges per hour of unfiltered infiltration if the building is not positively pressurized. 						
BIO-1	<p>Biological Resources Technical Report. For development projects at Sites 1-4, 6-9, 17-19 that require vegetation removal, ground disturbance of unpaved areas, parking or staging of equipment or material on unpaved areas, access routes on unpaved areas, or any rehabilitation or construction staging within 100 feet of the property line (except for landscaped developed areas) that contain or have the potential to support special-status species, sensitive habitat, or suitable habitat to support special-status species, prior to the issuance of a grading permit, the applicant shall retain a qualified biologist to conduct a biological resources reconnaissance of the site, consistent with the requirements of General Plan Policy 4-P.9 and the HMP Guidelines for Biological Studies. All future projects shall be consistent with the HMP and the technical report shall include a consistency analysis, including compliance with the narrow endemic standards (MHCP Volume 1, Section 3.7 No. 5, and HMP Section D-6 for TLB, VP species) and special species standards (HMP Section D-6 for LBV and Harb Dun Skipper). The Biological Resources Technical Report shall address the presence/absence of suitable habitat for special-status plant and wildlife species, and any additional protocol surveys that may be needed to determine the potential presence/absence of special status species, sensitive plant communities and wetlands, and other special status biological resources protected under the</p>	Sites 1-4, 6-9, and 17-19	Project	PLN			

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	HMP. The report will further propose avoidance, minimization, and mitigation measures, consistent with HMP requirements, necessary to reduce potential impacts to special-status biological resources to less than significant.						
BIO-2	Pre-Construction Bird Surveys, Avoidance, and Notification. If construction activities are initiated during the bird nesting season (February 1 – August 31) involving removal of vegetation or other nesting bird habitat, including abandoned structures and other man-made features, a pre-construction nesting bird survey shall be conducted no more than three days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted on foot and shall include a 300-foot survey buffer around the construction site. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California coastal communities (i.e., qualified biologist). If active nests are found, an avoidance buffer shall be determined by a qualified biologist in coordination with the city. The avoidance buffer width will depend upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site, which shall be demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to demarcate the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within the buffer until the biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist on the basis that the encroachment will not be detrimental to an active nest. A report summarizing the pre-construction survey(s) shall be prepared by a qualified biologist and shall be submitted to the city prior to the commencement of construction activities.	All Rezone Sites	Project	PLN			

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
BIO-3	Habitat Buffers. For projects where native habitat may be present (specifically Sites 1, 2, 4, 6, 7, 8, 9, 17, 18, and 19) and if development cannot avoid native habitat, prior to the issuance of a grading permit, a qualified biologist shall be retained by the project applicant to conduct a vegetation community survey of the site. The qualified biologist shall map the extent of vegetation communities on the project site plus 100 feet and report on the findings. This survey and report can be combined with BIO-1, Biological Resources Technical Report. The report shall confirm potential impacts to riparian and wetland habitat have been sufficiently avoided or minimized to reduce impacts to less than significant. Housing development at any of the sites containing riparian or wetland habitat shall adhere to the HMP Guidelines for Riparian and Wetland Buffers. Housing developments at any of the sites within the coastal zone shall adhere to the upland and wetland buffer requirements pursuant to the HMP coastal zone standards. The Biological Resources technical report shall include a figure showing all required upland, riparian and wetland buffers.	Sites 1, 2, 4, 6, 7, 8, 9, 17, 18, and 19	Project	PLN			
BIO-4	Habitat impact Mitigation. For projects that will require mitigation through restoration of sensitive upland natural communities (e.g. coastal sage scrub) or wetland habitat, including streams, riparian, and other water bodies, specifically Sites 1, 2, 4, 6, 8, 9, 17, 18, and 19, mitigation through restoration, creation, or enhancement of in-kind habitats shall be implemented in accordance with ratios identified in the HMP (Table 11 and coastal zone standards Section D-7) and an approved mitigation plan. Prior to the issuance of grading permits, the applicant shall prepare and submit a Conceptual Restoration/Mitigation Plan (CRMP) consistent with the HMP Components of a Conceptual Restoration/Mitigation Plan and Guidelines for Habitat Creation and Restoration. The CRMP will provide the framework for compensating for impacts to sensitive riparian and coastal sage scrub habitat at a ratio consistent with HMP Table 11 and coastal zone standards.	Sites 1, 2, 4, 6, 8, 9, 17, 18, and 19	Project	PLN			

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
BIO-5	<p>Agency Coordination For projects on sites within potential jurisdictional features, including Sites 1, 2, 4, 9, and 17, permits, agreements, and/or water quality certifications from applicable state and federal agencies regarding compliance with state and federal laws governing work within jurisdictional features are required for submission to the city of Carlsbad with the grading permit application for the project. The project applicant shall satisfy all mitigation requirements of the above agencies. The applicant shall provide such permits and/or agreements prior to issuance of a grading permit.</p>	Sites 1, 2, 4, 9, and 17	Project	PLN			
BIO-6	<p>Protected Tree and Tree Canopy Survey. Prior to the issuance of a grading permit, a tree survey shall be conducted by a certified arborist prior to project construction to tag and assess all trees subject to the city's Trees and Shrubs Ordinance (Municipal Code Title 11.12) and/or CFMP. A city arborist will inspect the property and recommend approving or denying the application in a written report submitted to the city manager. The city shall post a letter of notification and a non-removable marking upon the subject tree a minimum of 30 days prior to its removal. The letter will be posted in a prominent location, visible from a public street and will include, the location of the tree, the reason for the trees removal, the date of the scheduled removal, the species of tree to be replanted, the size of the tree to be replanted, the date by which an appeal must be made to the parks and recreation commission, and a description of the appeal process.</p> <p>The following measures shall be implemented in addition to those required under the city's permits required for tree removal and maintenance ordinance Guidelines (Municipal Code Title 11.12.090) to avoid and/or compensate for potential indirect impacts to preserved sensitive natural communities and protected trees within Carlsbad before, during, and following construction activities.</p> <p>Pre-Construction</p> <ul style="list-style-type: none"> ▪ Fencing. Protective fencing at least three feet high with signs and flagging shall be erected around all preserved sensitive natural communities where adjacent to proposed vegetation clearing and grubbing, grading, or other construction activities. The protective fence shall be installed at a minimum of five feet beyond the tree canopy dripline. The intent of protection fencing is to prevent inadvertent 	All Rezone Sites	Project	PLN			

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	<p>limb/vegetation damage, root damage and/or compaction by construction equipment. The protective fencing shall be depicted on all construction plans and maps provided to contractors and labeled clearly to prohibit entry, and the placement of the fence in the field shall be approved by a qualified biologist prior to initiation of construction activities. The contractor shall maintain the fence to keep it upright, taut and aligned at all times. Fencing shall be removed only after all construction activities are completed.</p> <ul style="list-style-type: none"> ▪ Pre-Construction Meeting. A pre-construction meeting shall be held between all site contractors and a registered consulting arborist and/or a qualified biologist. All site contractors and their employees shall provide written acknowledgement of their receiving sensitive natural community protection training. This training shall include, but shall not be limited to, the following information: (1) the location and marking of protected sensitive natural communities; (2) the necessity of preventing damage to these sensitive natural communities; and (3) a discussion of work practices that shall accomplish such. <p>During Construction</p> <ul style="list-style-type: none"> ▪ Fence Monitoring. The protective fence shall be monitored regularly (at least weekly) during construction activities to ensure that the fencing remains intact and functional, and that no encroachment has occurred into the protected natural community; any repairs to the fence or encroachment correction shall be conducted immediately. ▪ Equipment Operation and Storage. Contractors shall avoid using heavy equipment around the sensitive natural communities. Operating heavy machinery around the root zones of trees would increase soil compaction, which decreases soil aeration and, subsequently, reduces water penetration into the soil. All heavy equipment and vehicles shall, at minimum, stay out of the fenced protected zones, unless where specifically approved in writing and under the supervision of a registered consulting arborist and/or a qualified biologist. ▪ Materials Storage and Disposal. Contractors shall not store or discard any construction materials within the fenced protected zones and shall remove all foreign debris within these areas. The contractors shall leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrient supply. Contractors shall avoid draining or 						

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	<p>leakage of equipment fluids near retained trees. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. The contractors shall ensure that equipment be parked at least 50 feet, and that equipment/vehicle refueling occur at least 100 feet, from fenced protected zones to avoid the possibility of leakage of equipment fluids into the soil.</p> <ul style="list-style-type: none"> ▪ Grade Changes. Contractors shall ensure that grade changes, including adding fill, shall not be permitted within the fenced protected zone without special written authorization and under supervision by a registered consulting arborist and/or a qualified biologist. Lowering the grade within the fenced protected zones could necessitate cutting main support and feeder roots, thus jeopardizing the health and structural integrity of the tree(s). Adding soil, even temporarily, on top of the existing grade could compact the soil further, and decrease both water and air availability to the tree roots. Contractors shall ensure that grade changes made outside of the fenced protected zone shall not create conditions that allow water to pond. ▪ Trenching. Except where specifically approved in writing beforehand, all trenching shall be outside of the fenced protected zone. Roots primarily extend in a horizontal direction forming a support base to the tree similar to the base of a wineglass. Where trenching is necessary in areas that contain roots from retained trees, contractors shall use trenching techniques that include the use of either a root pruner (Dosko root pruner or equivalent) or an Air-Spade to limit root impacts. An International Society of Arboriculture (ISA) certified arborist or American Society of Consulting Arborists (ASCA) registered consulting arborist shall ensure that all pruning cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. Root damage caused by backhoes, earthmovers, dozers, or graders is severe and may ultimately result in tree mortality. Use of both root pruning and Air-Spade equipment shall be accompanied only by hand tools to remove soil from trench locations. The trench shall be made no deeper than necessary. ▪ Erosion Control. Appropriate erosion control best management practices (BMPs) shall be implemented to protect preserved sensitive 						

MITIGATION MEASURE	Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>natural communities during and following project construction. Erosion control materials shall be certified as weed free.</p> <ul style="list-style-type: none"> ▪ Inspection. An ISA certified arborist or ASCA registered consulting arborist shall inspect the preserved trees adjacent to grading and construction activity on a monthly basis for the duration of the grading and construction activities. A report summarizing site conditions, observations, tree health, and recommendations for minimizing tree damage shall be submitted by the registered consulting arborist following each inspection. <p>Post-construction</p> <ul style="list-style-type: none"> ▪ Mulch. The contractors shall ensure that the natural duff layer under all trees adjacent to construction activities shall be maintained. This would stabilize soil temperatures in root zones, conserve soil moisture, and reduce erosion. The contractors shall ensure that the mulch be kept clear of the trunk base to avoid creating conditions favorable to the establishment and growth of decay causing fungal pathogens. Should it be necessary to add organic mulch beneath retained oak trees, packaged or commercial oak leaf mulch shall not be used as it may contain root fungus. Also, the use of redwood chips shall be avoided as certain inhibitive chemicals may be present in the wood. Other wood chips and crushed walnut shells can be used, but the best mulch that provides a source of nutrients for the tree is its own leaf litter. Any added organic mulch added by the contractors shall be applied to a maximum depth of 4 inches where possible. ▪ Watering Adjacent Plant Material. All installed landscaping plants near the preserved sensitive natural communities shall require moderate to low levels of water. The surrounding plants shall be watered infrequently with deep soaks and allowed to dry out in between, rather than frequent light irrigation. The soil shall not be allowed to become saturated or stay continually wet, nor should drainage allow ponding of water. Irrigation spray shall not hit the trunk of any tree. The contractors shall maintain a 30-inch dry-zone around all tree trunks. An above ground micro-spray irrigation system shall be used in lieu of typical underground pop-up sprays. ▪ Monitoring. An ISA certified arborist or ASCA registered consulting arborist shall inspect the trees preserved on the site adjacent to 						

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	construction activities for a period of two years following the completion of construction. Monitoring visits shall be completed quarterly, totaling eight visits. Following each monitoring visit, a report summarizing site conditions, observations, tree health, and recommendations for promoting tree health shall be submitted to the city. Additionally, any tree mortality shall be noted and any tree dying during the two year monitoring period shall be replaced at a minimum 3:1 ratio on-site in coordination with the city.						
BIO-7	HMP Minor Amendments. Prior to project approval at Site 4, 6, 7, 9 and 17, each project shall be analyzed for consistency with the HMP in coordination with responsible agencies including CDFW and USFWS. Development may not occur within an Existing or Proposed Hardline. Any revisions to the HMP hardline boundary to allow for development on these sites shall require a HMP minor amendment, to be processed as an Equivalency Finding. Such boundary revisions must not involve any revisions the HMP operations or implementation, produce any adverse effects on the environment that are new or significantly different from those previously analyzed, result in additional take not previously analyzed, or reduce the acreage or quality of the habitat within the HMP. Any loss of HMP hardline shall be replaced with equal or greater acres of hardline, adjacent to existing hardline elsewhere in the city, and preserved and managed in accordance with the HMP. Any development within the Standards Area portion of Site 4 shall require a HMP Minor Amendment, to be processed as a Consistency Finding, which requires consistency with the HMP Planning Standards for Local Facilities Management Zone 15	Sites 4, 6, 7, 9, and 17	Project	PLN			
BIO-8	HMP Adjacency Standards. Projects within sites 1, 2, 4, 6, 7, 8, 9, 17, 18, 19 shall evaluate potential indirect impacts, such as wildfire, erosion, invasive species, unauthorized access, or predators, to habitat and species adjacent to the proposed development. Projects shall be consistent with the HMP Adjacency Standards (Section F-3).	Sites 1, 2, 4, 6, 7, 8, 9, 17, 18, 19	Project	PLN			
CUL-1	Tribal Cultural Resources. Projects subject to discretionary actions shall comply with the city's Tribal, Cultural, and Paleontological Resources Guidelines. For ministerial projects, the city shall provide Traditionally and Culturally Affiliated Luiseño tribes ("TCA Tribe") with early notification and the opportunity to consult on development applications and identify and	All Rezone Sites	Project	PLN			

MITIGATION MEASURE	Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>assess impacts to tribal and cultural resources. Further, before commencement of any ground-disturbing activities, the project developer shall comply with the following requirements to ensure the appropriate response to the presence of any tribal and cultural resources:</p> <ul style="list-style-type: none"> a. Retain the services of a qualified archaeologist who shall be on-site for ground-disturbing activities. In the event cultural material is encountered, the archaeologist is empowered to temporarily divert or halt grading to allow for coordination with the Luiseño Native American monitor and to determine the significance of the discovery. The archaeologist shall follow all standard procedures for cultural materials that are not Tribal Cultural Resources. b. Enter into a Pre-Excavation Agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement, with a TCA tribe. This agreement will address provision of a Luiseño Native American monitor and contain provisions to address the proper treatment of any tribal cultural resources and/or Luiseño Native American human remains inadvertently discovered during the course of the project. The Agreement will outline the roles and powers of the Luiseño Native American monitors and the archaeologist and may include the following provisions. <ul style="list-style-type: none"> i. A Luiseño Native American monitor shall be present during all ground-disturbing activities. Ground disturbing activities may include, but are not limited to, archaeological studies, geotechnical investigations, exploratory geotechnical investigations/borings for contractor bidding purposes, clearing, grubbing, trenching, excavation, preparation for utilities and other infrastructure, and grading activities. ii. Any and all uncovered artifacts of Luiseño Native American cultural importance shall be returned to the San Luis Rey Band of Mission Indians or other Luiseño Tribe, and/or the Most Likely Descendant, if applicable, and not be curated, unless ordered to do so by a federal agency or a court of competent jurisdiction. iii. The Luiseño Native American monitor shall be present at the project's pre-construction meeting to consult with grading and excavation contractors concerning excavation schedules and safety issues, as well as to consult with the archaeologist PI (principal 						

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	<p>investigator) concerning the proposed archaeologist techniques and/or strategies for the project.</p> <p>iv. Luiseño Native American monitors and archaeological monitors shall have joint authority to temporarily divert and/or halt construction activities. If tribal cultural resources are discovered during construction, all earthmoving activity within and around the immediate discovery area must be diverted until the Luiseño Native American monitor and the archaeologist can assess the nature and significance of the find.</p> <p>v. If a significant tribal cultural resource(s) and/or unique archaeological resource(s) are discovered during ground-disturbing activities for this project, the San Luis Rey Band of Mission Indians or other Luiseño tribe shall be notified and consulted regarding the respectful and dignified treatment of those resources. Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological and tribal cultural resources. If, however, the Applicant is able to demonstrate that avoidance of a significant and/or unique cultural resource is infeasible and a data recovery plan is authorized by the City of Carlsbad as the lead agency, the San Luis Rey Band of Mission Indians or other Luiseño tribe shall be consulted regarding the drafting and finalization of any such recovery plan.</p> <p>vi. When tribal cultural resources are discovered during the project, if the archaeologist collects such resources, a Luiseño Native American monitor must be present during any testing or cataloging of those resources. If the archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor may, at their discretion, collect said resources and provide them to the San Luis Rey Band of Mission Indians or other Luiseño tribe for dignified and respectful treatment in accordance with their cultural and spiritual traditions.</p> <p>vii. If suspected Native American human remains are encountered, California Health and Safety Code Section 7050.5(b) states that no further disturbance shall occur until the San Diego County Medical Examiner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b)</p>						

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	<p>remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. Suspected Native American remains shall be examined in the field and kept in a secure location at the site. A Luiseño Native American monitor shall be present during the examination of the remains. If the San Diego County Medical Examiner determines the remains to be Native American, NAHC must be contacted by the Medical Examiner within 24 hours. The NAHC must then immediately notify the "Most Likely Descendant" about the discovery. The Most Likely Descendant shall then make recommendations within 48 hours and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98.</p> <p>viii. In the event that fill material is imported into the project area, the fill shall be clean of tribal cultural resources and documented as such. Commercial sources of fill material are already permitted as appropriate and will be culturally sterile. If fill material is to be utilized and/or exported from areas within the project site, then that fill material shall be analyzed and confirmed by an archaeologist and Luiseño Native American monitor that such fill material does not contain tribal cultural resources.</p> <p>ix. No testing, invasive or non-invasive, shall be permitted on any recovered tribal cultural resources without the written permission of the San Luis Rey Band of Mission Indians or other Luiseño tribe.</p> <p>x. Prior to the completion of project construction, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis, and conclusions of the monitoring program shall be submitted by the Project Archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Carlsbad for approval, and shall be submitted to the South Coastal Information Center. Said report shall be subject to confidentiality as an exception to the Public Records Act and will not be available for public distribution.</p> <p>c. Furthermore, the Agreement may include additional measures mutually agreed upon by the project developer, city, and TCA Tribe such as evaluation of the project site's pre-construction conditions for the</p>						

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	presence or potential presence of TCRs as well as other measures tailored to and deemed necessary for the specific project.						
GHG-1	<p>Update City of Carlsbad Climate Action Plan. The City shall draft and City Council shall adopt an updated Climate Action Plan (CAP) within 12-18 months of adoption of this SEIR. An updated CAP shall include targets that reflect those set by SB 32 to reduce GHG emissions by 40 percent below the 1990 levels by 2030 and AB 1279 reduce GHG emissions by 85 percent below 1990 levels by 2045. Implementation measures in an updated CAP to achieve the 2030 and 2045 targets shall include measures such as, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Develop and adopt an updated building energy efficiency ordinance, or “reach code” for existing and proposed structures; ▪ Expand charging infrastructure and parking for electric vehicles; ▪ Implement carbon sequestration by expanding the urban forest; and, ▪ Implement policies and measures included in the 2022 California Climate Change Scoping Plan, such as mobile source strategies for increasing clean transit options and zero emissions vehicles by providing electric vehicle charging stations. <p>As part of the updated CAP, the City shall establish CEQA GHG Emissions Thresholds of Significance and an updated CAP Consistency Checklist that are consistent with the updated CAP for use in future CEQA GHG emissions analyses through 2030 and consistent with SB 32. In addition, upon completion of future CAP updates and as necessary, the City shall update the CEQA GHG emissions thresholds of significance and CAP Consistency Checklist to be consistent with each CAP update</p>	All Rezone Sites	Ongoing	PLN			

MITIGATION MEASURE	Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<p>NOI-1</p> <p>Construction Noise Reduction Measures. The following construction noise reduction measures shall be implemented during project construction:</p> <ul style="list-style-type: none"> ▪ Shielding and Silencing. Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with noise shielding and silencing devices consistent with manufacturer's standards or the Best Available Control Technology. Equipment shall be properly maintained, and the project applicant or owner shall require construction contractors to keep documentation on-site during earthwork or construction activities demonstrating that the equipment has been maintained in accordance with manufacturer's specifications. ▪ Enclosures and Screening. Outdoor fixed mechanical equipment shall be enclosed or screened from off-site noise-sensitive uses to the extent feasible. The equipment enclosure or screen shall be impermeable (i.e., solid material with minimum weight of 2 pounds per square feet) and break the line-of-sight from the equipment and off-site noise-sensitive uses. ▪ Construction Staging Areas. Construction staging areas shall be located as far from noise-sensitive uses as reasonably feasible in consideration of site boundaries, topography, intervening roads and uses, and operational constraints. ▪ Smart Back-Up Alarms. Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction. ▪ Equipment Idling. Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use. ▪ Workers' Radios. All noise from workers' radios, including any on-site music, shall be controlled to a point that they are not audible at off-site noise-sensitive uses. ▪ Use of Driven Pile Systems. Driven (impact), sonic, or vibratory pile drivers shall not be used, except in locations where the underlying geology renders alternative methods infeasible, as determined by a soils or geotechnical engineer and documented in a soils report. 	<p>All Rezone Sites for development projects that include one or more of the following components within 500 feet of a noise-sensitive land uses (e.g., residences, schools, libraries, hospitals):</p> <ul style="list-style-type: none"> ▪ Two subterranean levels or more (generally more than 20,000 cubic yards of excavated soil material); ▪ Construction durations of 18 months or more (excluding interior finishing); ▪ Use of large, heavy-duty equipment rated 300 horsepower or greater; or ▪ The potential for pile driving. 	Project	PLN			

MITIGATION MEASURE	Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
<ul style="list-style-type: none"> ▪ Temporary Sound Barriers. Temporary sound barriers, such as walls or sound blankets, shall be positioned between construction activities and noise-sensitive uses when construction equipment is located within a line-of-sight to and within 500 feet of the ground-floor exterior use areas of off-site noise-sensitive uses. Sound barriers shall break the line-of-sight between the construction noise source and the ground-floor exterior use area receiver where modeled levels exceed applicable standards. Placement, orientation, size, and density of acoustical barriers shall be specified by a qualified acoustical consultant. ▪ Noise Complaint Response. Project applicants shall designate an on-site construction project manager who shall be responsible for responding to any complaints about construction noise. This person shall be responsible for responding to concerns of neighboring properties about construction noise disturbance and shall be available for responding to any construction noise complaints during the hours that construction is to take place. They shall also be responsible for determining the cause of the noise complaint (e.g., bad silencer) and shall require that reasonable measures be implemented to correct the problem. A toll-free telephone number and email address shall be posted in a highly visible manner on the construction site at all times and provided in all notices (mailed, online website, and construction site postings) for receiving questions or complaints during construction and shall also include procedures requiring that the on-site construction manager complaints pertaining to construction noise, ongoing throughout demolition, grading, and/or construction and shall notify the city's Community Development Director of each complaint occurrence. ▪ Project-Specific Construction Noise Study. A Construction Noise Study shall be prepared by a qualified noise expert. The Construction Noise Study shall characterize sources of construction noise, quantify noise levels at noise-sensitive uses (e.g., residences, schools, churches, and hospitals) and identify measures to reduce noise exposure. The Construction Noise Study shall identify reasonably available noise reduction devices or techniques to reduce noise levels to acceptable levels and/or durations including through reliance on any relevant federal, state or local standards or guidelines or accepted industry 						

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	<p>practices. Noise reduction devices or techniques may include but not be limited to silencers, enclosures, sound barriers, and/or placement of restrictions on equipment or construction techniques (e.g., alternative installation methods to pile driving such as cast-in-place systems or pile cushioning). Each measure in the Construction Noise Study shall identify anticipated noise reductions at noise-sensitive land uses.</p> <p>Project applicants shall be required to comply with all requirements listed above in addition to any additional requirements identified and recommended by the Construction Noise Study and shall maintain proof that notice of, as well as compliance with, the identified measures have been included in contractor agreements.</p>						
NOI-2	<p>Vibration Control Plan. For construction activities involving vibratory rollers within 50 feet of a structure or pile drivers (impact or sonic) within 140 feet of a structure, the applicant shall prepare a Vibration Control Plan prior to the commencement of construction activities. The Vibration Control Plan shall be prepared by a licensed structural engineer and shall include methods required to minimize vibration, including, but not limited to:</p> <ul style="list-style-type: none"> ▪ Alternative installation methods for pile driving (e.g., pile cushioning, drilled piles, cast-in-place systems) within 140 feet of a building to reduce impacts associated with seating the pile ▪ Vibration monitoring prior to and during pile driving operations occurring within 140 feet of a building ▪ Use of rubber-tired equipment rather than metal-tracked equipment ▪ Avoiding the use of vibrating equipment when allowed by best engineering practices <p>The Vibration Control Plan shall include a pre-construction survey letter establishing baseline conditions at potentially affected extremely fragile buildings/historical resources and/or residential structures. The survey letter shall determine conditions that exist prior to the commencement of construction activities for use in evaluating potential damages caused by construction. Fixtures and finishes susceptible to damage shall be documented photographically and in writing prior to construction. The survey letter shall provide a shoring design to protect such buildings and structures from potential damage. At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-up letter</p>	All Rezone Sites	Project	PLN			

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	describing damage, if any, to impacted buildings and structures. The letter shall include recommendations for any repair, as may be necessary, in conformance with the Secretary of the Interior Standards. Repairs shall be undertaken and completed by the contractor and monitored by a qualified structural engineer in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24). A Statement of Compliance signed by the applicant and owner shall be submitted to the city' Building and Safety Division at plan check and prior to the issuance of any permit. The Vibration Control Plan, prepared as outlined above shall be documented by a qualified structural engineer, and shall be provided to the city upon request.						
T-1	<p>Achieve VMT Reductions for Development Projects. During the project design and project-level review phases of development projects at the 18 rezone sites, the city shall review each project compared to the City of Carlsbad VMT Analysis Guidelines screening criteria to determine if the submitted project is eligible to be screened out of conducting project-level VMT analysis. If a project meets one or more of the screening criteria, the project is determined to have a less than significant impact to VMT in accordance with the city's VMT Analysis Guidelines. A project that has not been excluded from the VMT analysis screening process outlined above must undergo a quantitative VMT analysis to determine whether it will have a significant impact on VMT. If it is determined that the project would have a significant impact on VMT (i.e., it does not result in at least a 15 percent reduction in VMT compared to existing conditions), the city shall require the project to implement project-level VMT reduction measures, as noted below, prior to project approval and issuance of construction permits.</p> <p>Transportation Demand Management (TDM) measures and physical measures to reduce VMT are outlined in the <i>City's VMT Analysis Guidelines</i> and have been identified as potentially VMT reducing in the California Air Pollution Control Officers Association (CAPCOA) <i>Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity</i> (December 2021). The CAPCOA Handbook provides detailed requirements, calculation steps, and limitations for assessing the VMT reduction effectiveness of each measure, including reductions from combinations of measures.</p>	All Rezone Sites	Project	PLN			

MITIGATION MEASURE		Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	<p>Trip reduction strategies may include, but are not limited to, the following:</p> <ol style="list-style-type: none"> 1. Provision of bus stop improvements or on-site mobility hubs 2. Pedestrian improvements, on-site or off-site, to connect to nearby transit stops, services, schools, shops, etc. 3. Bicycle programs including bike purchase incentives, storage, maintenance programs, and on-site education program 4. Enhancements to the citywide bicycle network 5. Parking reductions and/or fees set at levels sufficient to incentivize transit, active transportation, or shared modes 6. Cash allowances, passes, or other public transit subsidies and purchase incentives 7. Providing enhanced, frequent bus service 8. Implementation of shuttle service <p>Other measures not listed in CAPCOA but are proven to be effective means of reducing the amount of VMT generated by residents include increasing the mix of uses by adding retail or services within a site or within convenient walking distance.¹ Although it is unlikely that TDM measures will fully mitigate the impact of the program to a less-than-significant level, CEQA mandates the implementation of feasible mitigation measures to reduce a project or program's level of impact. In this context, Fehr & Peers identified a list of recommended TDM measures from Appendix E of the city's VMT Analysis Guidelines to mitigate the project VMT impact to the extent feasible as presented in Table 4.13-3. The summary provides an estimate of the effectiveness of these measures and specifies which ones are applicable to areas that have adjacent or near transit.</p>						

MITIGATION MEASURE				Applicable Rezone Sites	Monitoring Type	Monitoring Department	Shown on Plans	Verified Implementation	Remarks
	Table 4.13-1 TDM Measures for Rezone Sites in Carlsbad								
	Measures	Maximum Percent Reduction in VMT ¹	Applicable to Sites Adjacent to or Near Transit						
	Implement Commute Trip Reduction Marketing	4%	-						
	Implement Subsidized or Discounted Transit Program	5.50%	Yes						
	Provide Ridesharing Program	8%	-						
	Integrate Affordable and Below Market Rate Housing (Construct the affordable housing at the city’s requirement, no payment of in lieu fees)	Approx. 4% if meeting city’s requirement. 28.60% if 100% affordable	-						
	Provide Bike Parking	Not Quantified	-						
	Improve Transit Access, Safety, and Comfort	Not Quantified	Yes						
	Provide Bike Parking Near Transit	Not Quantified	Yes						
	Orient Project Toward Non-Auto Corridor	Not Quantified	Yes						
	Source: City of Carlsbad Vehicle Miles Traveled (VMT) Analysis Guidelines, 2022; Fehr & Peers, 2023								
	Individual rezone sites (if their location based on the TAZ exceeds the city’s VMT threshold) should include all feasible mitigation measures from Table 4.13-3. Projects that are within a half mile of a transit stop should incorporate the measures that are applicable to encouraging transit.								

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**Findings of Fact and
Statement of Overriding Considerations
for the Carlsbad Housing Element Implementation
and Public Safety Element Update Project**

SCH # 2022090339

Prepared by:

City of Carlsbad

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1 Introduction

The City of Carlsbad's certified 2015 General Plan and Climate Action Plan Environmental Impact Report ("2015 General Plan EIR") analyzed impacts from the 2015 General Plan Update and the city's Climate Action Plan. As part of its approval of the Comprehensive General Plan Update on Sept. 22, 2015, the City Council adopted City Council Resolution No. 2015-242, certifying Environmental Impact Report (EIR 13-02) and adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program. Addendum #1 to the certified EIR was prepared for the 2020 Climate Action Plan Update, and was adopted by City Council Resolution No. 2020-146 on July 14, 2020. Addendum #2 to the certified EIR was prepared for the updated Housing Element by City Council Resolution No. 2021-073 on Aug. 6, 2021. Addendum #3 to the certified EIR was prepared for the Jefferson Mixed Use: Townhome and Professional Office Project by City Council Resolution No. 2022-256 on Nov. 8, 2022.

The 2015 General Plan EIR anticipated the addition of 6,798 new residential dwelling units by the horizon year of 2035. The 2015 General Plan EIR found less than significant impacts for aesthetics, agricultural resources, biological resources, cultural resources, energy, greenhouse gas emissions, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, population and housing, public services and recreation, tribal cultural resources, utilities and service systems, and wildfire; and significant and unavoidable impacts for air quality and transportation.

The proposed project consists of: amendments to the 2015 General Plan, including the Land Use and Community Design Element and Public Safety Element; revisions to Carlsbad Municipal Code (CMC) Title 21, the Zoning Ordinance; and updates to the Local Coastal Plan and several master and specific plans. The updates are necessary to implement the programs of the city's Housing Element Update 2021-2029 ("Housing Element"), which was adopted by the Carlsbad City Council on April 6, 2021, and to comply with changes in state law. Implementation of the rezone program under the proposed project would facilitate the development of 18 rezone sites. The development of these sites is estimated to result in a net increase of 3,295 new housing units to the city's housing stock compared to what is allowed today. A Supplemental EIR (SEIR) was prepared to analyze impacts associated with the proposed project.

The California Environmental Quality Act (CEQA) requires the City of Carlsbad (city) as the CEQA lead agency to: (1) make written findings when it approves a project for which an environmental impact report (EIR) was certified, and (2) identify overriding considerations for significant and unavoidable impacts identified in the SEIR. These findings explain how the city approaches the significant and potentially significant impacts identified in the SEIR prepared for the City of Carlsbad Housing Element Implementation and Safety Element Update Project ("proposed project"). These plans and amendments will be collectively referred to herein as the "proposed project." The statement of overriding considerations identifies economic, social, technological, and other benefits of the proposed project that override any significant environmental impacts that would result from the proposed project.

As required under CEQA, the Final SEIR includes the Draft SEIR, comments and responses to comments on the Draft SEIR, and revisions to the Draft SEIR and proposed project. In addition to analyzing potential environmental effects and identifying necessary mitigation measures, the Final SEIR examined two alternatives to the proposed project—namely Alternative 1 (No Project Alternative) and Alternative 2 (Reduced Sites).

The Findings of Fact and Statement of Overriding Considerations set forth below (“Findings”) are presented for adoption by the City Council (Council) as the city’s findings under CEQA (Public Resources Code, Section 21000 et seq.) and the *CEQA Guidelines* (California Code of Regulations, Title 14, Section 15000 et seq.) relating to the proposed project. The Findings provide the written analysis and conclusions of this Council regarding the proposed project’s environmental impacts, mitigating policies, alternatives to the proposed project, and the overriding considerations, which in this Council’s view, justify approval of the proposed project, despite its environmental effects.

2 Project Description

2.1 Project Location

The proposed project boundaries coincide with Carlsbad's city limits. Carlsbad is located on the coast of the Pacific Ocean in northwest San Diego County. In addition to the Pacific Ocean coastline along its western boundary, Carlsbad is surrounded by the cities of Oceanside to the north, Encinitas to the south, and Vista and San Marcos and unincorporated areas of San Diego County to the east. Along Carlsbad's northern edge, urban development abuts Highway 78, with the highway and Buena Vista Lagoon acting as a boundary between Carlsbad and Oceanside. Similarly, Batiquitos Lagoon along the city's southern edge acts as a boundary between Carlsbad and Encinitas. To the east, city boundaries are less distinctive, as a mix of hillsides and urban development are located adjacent to the cities of Vista and San Marcos and unincorporated county lands.

2.2 Project Characteristics

The proposed project consists of amendments to the Carlsbad General Plan adopted in 2015 ("2015 General Plan"), including the Land Use and Community Design Element and Public Safety Element, and revisions to Carlsbad Municipal Code (CMC) Title 21, the Zoning Ordinance. The updates are necessary to implement the programs of the city's Housing Element Update 2021-2029 ("Housing Element"), which was adopted by the Carlsbad City Council on April 6, 2021, and comply with changes in state law.

A major component of the project is the change of land use and zoning designations on 18 sites (herein referred to as the "rezone sites") throughout Carlsbad to facilitate residential development. These rezone sites, identified in the Housing Element and as further directed by the City Council, consist of single or multiple properties currently designated for low-density residential, commercial, industrial or public land uses. As proposed, the rezone sites would be partially or entirely redesignated to medium or high-density residential land use designations. This would require changes to the General Plan and Local Coastal Program land use maps, Zoning Ordinance and Zoning Map, and to various master and specific plans. The project proposes no development but involves land use changes that would facilitate development on the 18 rezone sites.

Overall, the project would:

- Amend the City of Carlsbad's General Plan by updating the Land Use and Community Design Element to implement programs of the Housing Element, including facilitating residential development on 18 rezone sites identified in the Housing Element and as further directed by the City Council on Feb. 15, 2022.
- Consistent with the project's General Plan changes, revise the Zoning Ordinance.

- Amend the Local Coastal Program as necessary to maintain consistency with the General Plan and Zoning Ordinance.
- Revise various master plans and specific plans as necessary to reflect amendments to the General Plan, Zoning Ordinance, and Local Coastal Program.
- Update the Public Safety Element to comply with State housing and safety legislation.

Implementation of the rezone program under the proposed project would facilitate the development of 18 rezone sites would result in an estimated net increase of 3,295 new housing units to the city's housing stock compared to what is allowed today. These new housing units would generate 8,260 new residents at buildout (see Section 4.11, *Population and Housing*, of the Draft SEIR for calculations). Combined with the available housing unit capacity under the existing General Plan (6,218 units), the 3,295 new units would result in a new housing capacity of 9,513 units or a total 56,516 units.

2.3 Project Objectives

The objectives of the proposed project are:

- Implement the Land Use and Community Design Element, Public Safety Element, and Zoning Ordinance, as amended by this project, to achieve adequate sites for all income groups;
- Provide adequate sites, zoned at appropriate densities and development standards, to facilitate residential development and affordability goals set forth in the 2021-2029 RHNA and as identified in the Housing Element.
- Pursue an infill strategy to foster compact development patterns, create walkable communities and preserve the natural environment and critical environmental areas;
- Expand housing choices to provide a diverse housing inventory to meet the changing needs of the Planning Area, which includes more affordable housing options;
- Update the Public Safety Element to comply with existing State laws.
- Ensure high level of public safety to protect the personal safety and welfare of people who live, work, and visit Carlsbad from crime, pollution, disasters, and other threats and emergencies.

3 Environmental Procedures

3.1 Lead Agency

Pursuant to *CEQA Guidelines* Section 15367, the city is the “lead agency” for the purpose of preparing the environmental review required by CEQA. The environmental review prepared by the city will be used by the Council and the Planning Commission in their respective decisions regarding the certification of the SEIR and the approval of the proposed project.

3.2 Environmental Impact Report

Pursuant to *CEQA Guidelines* Section 15163 et seq., the city prepared an SEIR to analyze the potential impacts of the proposed project on the environment. Pursuant to *CEQA Guidelines* Section 15163, the City of Carlsbad prepared this as a “Supplemental” EIR because only minor additions and changes would be necessary to make the previously certified 2015 General Plan EIR (SCH #2011011004) adequately apply to the project. An SEIR is the appropriate level of CEQA documentation for multiple reasons. First, the document incorporates updates to the *CEQA Guidelines* since 2015 and includes analysis of environmental issue areas added to the *CEQA Guidelines* and not included in the 2015 General Plan EIR. New environmental issue areas analyzed in this SEIR include energy, wildfire, vehicle miles traveled (VMT) and tribal cultural resources. Therefore, the City of Carlsbad has determined that the preparation of a SEIR is the appropriate approach to CEQA compliance. Consistent with *CEQA Guidelines* Section 15050, the 2015 General Plan EIR is incorporated into this document by reference.

The Final SEIR contains all of the information required by *CEQA Guidelines* Section 15132, including the Draft SEIR and the appendices to the Draft SEIR, all comment letters received, written responses to all comments, and revisions to the SEIR, and proposed project.

3.3 Public Participation

A Notice of Preparation (NOP) of an SEIR was published on September 14, 2022. The NOP and public comment period were advertised, and two public scoping meetings were held on September 26, 2022 (in-person) and September 28, 2022 (virtual). On October 13, 2022, the city issued an amended NOP extending the public comment period to October 26, 2022, and adding a third scoping meeting on October 19, 2022 (in-person). The scoping meetings were aimed at providing information about the proposed project to members of public agencies, interested stakeholders, residents, and community members. Awareness of the project and the first two scoping meetings was provided via mailers to all property owners and residents within a 600-foot radius of each housing site. Written comments were also received during the public comment period.

In accordance with CEQA, the Draft SEIR was distributed for a 45-day public review and comment period beginning on Friday, July 14, 2023, and ending on Monday, August 28, 2023. Copies of the Draft SEIR or notice of availability of the Draft SEIR were sent to various state, regional, and local

agencies, as well as interested organizations and individuals. In total, 39 comment letters were received from public agencies, organizations, and individuals.

The Final SEIR was completed and the city's comments were made available for review by October 12, 2023. Public hearings concerning certification of the Final SEIR were held by the City of Carlsbad Planning Commission and the City Council, at which interested agencies, organizations, and persons were given an opportunity to comment on the Final SEIR and the proposed project.

3.4 Record of Proceedings

For purposes of CEQA and the findings set forth below, the administrative record of the city's decision concerning certification of the Final SEIR for the proposed project include the following:

- The Draft SEIR (July 2023)
- The Final SEIR (October 2023)
- The appendices to the Draft SEIR and Final SEIR;
- All documents and other materials listed as references and/or incorporated by reference in the Draft SEIR and Final SEIR.
- All reports, maps, letters, and other documents prepared by the city's staff and consultants for the proposed project which are before the City Council as determined by the Clerk;
- All documents or other materials submitted by interested persons and public agencies in connection with the Draft SEIR and the Final SEIR; and
- The minutes, tape recordings, and verbatim transcripts, if any, of the public hearings held by the city concerning certification of the Final SEIR and approval of the proposed project.

All records and materials constituting the record of the proceedings upon which these Findings are based are available at the offices of the City of Carlsbad, located at 1635 Faraday Avenue, Carlsbad, CA 92008 (Public Resources Code Section 21081.6(a)(2)).

4 Overview and General Findings

The proposed project includes policies and programs that are designed to avoid or to minimize the potential environmental effects of future development. If significant impacts would occur despite conformance with the policies and programs of the proposed project, CEQA requires the city to identify feasible mitigation measures that would avoid or substantially lessen a project's potential significant impacts.

Table ES-1 of the Draft SEIR lists a summary of potential impacts and proposed mitigation measures that reduce the impacts. The Draft SEIR identifies significant and unavoidable effects on the environment that may occur as a result of implementation of the proposed project in the areas of air quality, cultural and tribal cultural resources, greenhouse gas emissions, noise, and transportation, which are described in detail below. Additionally, the Draft SEIR identifies significant impacts that can be mitigated to a less than significant impact that may occur as a result of the proposed project in the areas of air quality, biological resources, and noise are also describe in detail below.

Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects” (Emphasis added). The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid or substantially lessen* such significant effects” (Emphasis added). Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles set forth in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings concerning significant impacts before approving projects for which EIRs are required. (See Pub. Resources Code Section 21081, subd. (a); *CEQA Guidelines* Section 15091(a)). Specifically, *CEQA Guidelines* Section 15091(a) establishes the following requirements for findings:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final SEIR. (*CEQA Guidelines* Section 15091(a)(1)).

This finding shall be referred to as “Finding (1).”

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other

agency or can and should be adopted by such other agency. (*CEQA Guidelines* Section 15091(a)(2)).

This finding shall be referred to as “Finding (2).”

3. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR. (*CEQA Guidelines* Section 15091(a)(3)).

This finding shall be referred to as “Finding (3).”

Thus, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding making one or more of the three permissible findings described above. These findings constitute the city’s best efforts to set forth the evidentiary and other basis for its decision to approve the proposed project in a manner consistent with the requirements of CEQA. The Facts in Support of Findings, as set forth in the following sections, state the city’s reasons for making each finding and the evidence in support of the findings.

5 Findings and Recommendations Regarding Significant Impacts Mitigated to a Less Than Significant Level

The Final SEIR examined the environmental impacts of the proposed project in the areas of aesthetics; air quality; biological resources; cultural and tribal cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services and recreation, transportation, utilities and service systems, and wildfire. The Draft SEIR found potentially significant impacts which would be mitigated to a less than significant level in the areas of air quality, biological resources, noise, and tribal cultural resources.

In determining the significance of the environmental effects, it is important to emphasize that in issue areas when uncertainty surrounds impacts at a program level, the SEIR analysis uses a conservative approach to both assessment and conclusions.

The following subsections list each significant or potentially significant environmental impact by issue area in the order it appears in the Draft SEIR and includes proposed mitigation measures which reduce the impact to a less than significant level. A full documentation of the environmental analysis and conclusions is in the Final SEIR, which is incorporated by reference.

5.1 Air Quality

Impact AQ-1 **Similar to the development analyzed in the 2015 General Plan EIR, the proposed project would not conflict with or obstruct the San Diego Regional Air Quality Strategy or State Implementation Plan. This impact would be less than significant with mitigation incorporated.**

Facts in Support of Finding:

The project's potential impact associated with a conflict with the San Diego Regional Air Quality Strategy or State Implementation Plan would be mitigated to a level less than significant with the implementation of Mitigation Measure AQ-1 which would require a revised housing forecast to be reported to the San Diego Association of Governments (SANDAG) to ensure that any revisions to the population and employment projections used by the San Diego County Air Pollution Control District (SDAPCD) in updating the Regional Air Quality Strategy (RAQS) and the State Implementation Plan (SIP) will accurately reflect anticipated growth due to the proposed project.

Mitigation Measures:

MM AQ-1: Housing Forecast Revisions

Prior to the next update of the Regional Housing Needs Assessment and within six months of the certification of the Final SEIR, the City Planner shall provide a revised housing forecast to SANDAG to ensure that any revisions to the population and employment projections used by SDAPCD in updating the RAQS and the SIP will accurately reflect anticipated growth due to the proposed project.

Findings:

Based upon the Final SEIR and the entire record before the City Council, the council finds that implementation of mitigation measure AQ-1, which would require a revised housing forecast to be reported to SANDAG, would reduce impacts associated with obstruction of the San Diego RAQS or SIP. Pursuant to *CEQA Guidelines* Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effect identified in the Final SEIR as Impact AQ-1. Therefore, impacts would be less than significant with mitigation. **(Finding (1); CEQA Guidelines Section 15091(a)(1)).**

Impact AQ-3 **Development facilitated by the proposed project would not expose offsite sensitive receptors to substantial pollution concentrations. However, the project would site sensitive receptors within close proximity to sources of TAC emissions. This impact would be less than significant with mitigation incorporated.**

Facts in Support of Finding:

Implementation of Mitigation Measures AQ-3 and AQ-4 would reduce impacts related to potential health risks associated with exposure of sensitive receptors to substantial pollutant concentrations of diesel particulate matter (DPM) and toxic air contaminants (TACs). Mitigation Measure AQ-3 would ensure that construction activities would not result in exposure of offsite

sensitive receptors to substantial TAC concentrations. Mitigation Measure AQ-4 would ensure that new development facilitated by the project would not expose onsite sensitive receptors to substantial air pollutant concentrations. Implementation of these mitigation measures would reduce impacts from DPM and TACs to a less than significant level.

Mitigation Measures:

MM AQ-3: Construction Health Risk Assessment

For individual projects (excluding accessory dwelling units (ADUs), single-family residences, and duplexes) where construction activities would occur within 1,000 feet of sensitive receptors, would last longer than two months, and would not utilize a fleet comprised of strictly U.S. Environmental Protection Agency (EPA) rated Tier 4 engines and/or alternative fuel construction equipment, it is required that a construction health risk assessment (HRA) be performed.¹ The construction health risk shall be performed by a qualified air quality consultant coordinated through the City. The HRA shall be conducted following the Office of Environmental Health Hazards Association's (OEHHA) 2015 Health Risk Guidelines (OEHHA 2015) and SDAPCD guidelines to determine potential risk and compare the risk to the following SDAPCD thresholds:

- Increased cancer risk of > 10.0 in a million;
- Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute); or

If risk exceeds the thresholds, measures such as requiring the use of Tier 4 and/or alternative fuel construction equipment are recommended to reduce the risk to appropriate levels. The incorporation of Tier 4 and/or alternative fuel construction equipment reduces the emissions of DPM from construction activities and therefore reduces the potential risk to nearby sensitive receptors.

MM AQ-4: Operational Health Risk Assessment

Consistent with the provisions contained in the *California Air Resources Board Air Quality and Land Use Handbook*, future development projects occurring on Site 2, Site 5, or Site 16 under the proposed project should implement the following:

Project applicants shall retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the California Air Resources Board (CARB) and the OEHHA requirements to determine the exposure of nearby sensitive receptors to emission sources resulting from the project. The HRA shall be submitted to the City of Carlsbad for review and approval. Project applicants shall implement the approved HRA recommendations to any nearby sensitive receptor, if any. Such measures may include, but are not limited to:

¹ Sensitive receptors are that segment of the public most susceptible to respiratory distress as a result of poor air quality, such as children under 14, persons over 65, persons engaged in strenuous work or exercise, and people with pre-existing cardiovascular and chronic respiratory diseases. Locations of sensitive receptors include schools, parks and playgrounds, hospitals, day cares, assisted living facilities, and residential communities (CARB 2005)

- Install, operate, and maintain in good working order a central heating and ventilation system or other air take system in the building of a sensitive receptor that would be impacted by the project, or in each individual residential unit, that meets the efficiency standard of the minimum efficiency reporting value of 13. The heating and ventilation system should include the following features: installation of a high-efficiency filter and/or carbon filter to minimize particulate and other airborne chemical matter from entering the building. Either high-efficiency particulate absorption filters or American Society of Heating, Refrigeration, and Air-Conditioning Engineers 85 percent supply filters should be used.
- Ensure that positive pressure occurs in the building.
- Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air.
- Achieve a performance standard of at least four air exchanges per hour of recirculation.
- Achieve a performance standard of 0.25 air exchanges per hour of unfiltered infiltration if the building is not positively pressurized.

Findings:

Based upon the Final SEIR and the entire record before the City Council, the council finds that implementation of mitigation measure AQ-3 and AQ-4, which would require construction and operational health risk assessments to be performed for future development projects, would reduce impacts associated with sensitive receptors' exposure to pollutants. Pursuant to *CEQA Guidelines* Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effect identified in the Final SEIR as Impact AQ-3. Therefore, impacts would be less than significant with mitigation. **(Finding (1); CEQA Guidelines Section 15091(a)(1)).**

5.2 Biological Resources

Impact BIO-1 **The proposed project could potentially adversely impact special-status species or their habitat. Local special-status species and nesting birds could occur within the sites during potential construction periods and may potentially be affected by construction activity. This impact would be less than significant with mitigation incorporated.**

Facts in Support of Finding:

Implementation of mitigation measures BIO-1 and BIO-2 would reduce potential impacts to special-status and/or locally important species to a less than significant level, and assure compliance with the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFG) Section 3503, by requiring a biological study to document the presence or absence of special-status species on a project specific basis and determining measures to address impacts such as avoidance, minimization, restoration, or compensation to special-status should they be present, and by ensuring that active nests are identified and as necessary avoided.

Mitigation Measures:**MM BIO-1: Biological Resources Technical Report**

For development projects at Sites 1- 4, 6-9, 17-19 that require vegetation removal, ground disturbance of unpaved areas, parking or staging of equipment or material on unpaved areas, access routes on unpaved areas, or any rehabilitation or construction staging within 100 feet of the property line (except for landscaped developed areas) that contain or have the potential to support special-status species, sensitive habitat, or suitable habitat to support special-status species, prior to the issuance of a grading permit, the applicant shall retain a qualified biologist to conduct a biological resources reconnaissance of the site, consistent with the requirements of General Plan Policy 4-P.9 and the HMP Guidelines for Biological Studies. All future projects shall be consistent with the HMP and the technical report shall include a consistency analysis, including compliance with the narrow endemic standards (MHCP Volume 1, Section 3.7 No. 5, and HMP Section D-6 for TLB, VP species) and special species standards (HMP Section D-6 for LBV and Harb Dun Skipper). The Biological Resources Technical Report shall address the presence/absence of suitable habitat for special-status plant and wildlife species, and any additional protocol surveys that may be needed to determine the potential presence/absence of special status species, sensitive plant communities and wetlands, and other special status biological resources protected under the HMP. The report will further propose avoidance, minimization, and mitigation measures, consistent with HMP requirements, necessary to reduce potential impacts to special-status biological resources to less than significant.

MM BIO-2: Pre-Construction Bird Surveys, Avoidance, and Notification

If construction activities are initiated during the bird nesting season (February 1 – August 31) involving removal of vegetation or other nesting bird habitat, including abandoned structures and other man-made features, a pre-construction nesting bird survey shall be conducted no more than three days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted on foot and shall include a 300-foot buffer around the construction site. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California coastal communities (i.e., qualified biologist). If nests are found, an avoidance buffer shall be determined by a qualified biologist in coordination with the city. The avoidance buffer width will depend upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site, which shall be demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to demarcate the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within the buffer until the biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist on the basis that the encroachment will not be detrimental to an active nest. A report summarizing the pre-construction survey(s) shall be prepared by a qualified biologist and shall be submitted to the city prior to the commencement of construction activities.

Findings:

Based upon the Final SEIR and the entire record before the City Council, the council finds that implementation of mitigation measures BIO-1 and BIO-2, which would require a biological resources technical report and pre-construction bird surveys and avoidance for future development, would reduce impacts to special status species and their habitats. Pursuant to *CEQA Guidelines* Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effect identified in the Final SEIR as Impact BIO-1. Therefore, impacts would be less than significant with mitigation. **(Finding (1); CEQA Guidelines Section 15091(a)(1)).**

Impact BIO-2 Development resulting from the project could potentially adversely impact areas that support sensitive natural communities and riparian habitats. This impact would be less than significant with mitigation incorporated.

Facts in Support of Finding:

Implementation of Measures BIO-1 (listed under Impact BIO-1), BIO-3, and BIO-4 would reduce potential impacts to riparian and sensitive habitats to a less than significant level by ensuring that potential impacts are avoided, minimized, restored, or compensated for prior to obtaining a grading permit.

Mitigation Measures:

MM BIO-1 as described above under Impact BIO-1 would be applicable.

MM BIO-3: Habitat Buffers

For projects where native habitat may be present (specifically Sites 1, 2, 4, 6, 7, 8, 9, 17, 18, and 19) and if development cannot avoid native habitat, prior to the issuance of a grading permit, a qualified biologist shall be retained by the project applicant to conduct a vegetation community survey of the site. The qualified biologist shall map the extent of vegetation communities on the project site plus 100 feet and report on the findings. This survey and report can be combined with BIO-1, Biological Resources Technical Report. The report shall confirm potential impacts to riparian and wetland habitat have been sufficiently avoided or minimized to reduce impacts to less than significant. Housing development at any of the sites containing riparian or wetland habitat shall adhere to the HMP Guidelines for Riparian and Wetland Buffers. Housing developments at any of the sites within the coastal zone shall adhere to the upland and wetland buffer requirements pursuant to the HMP coastal zone standards. The Biological Resources technical report shall include a figure showing all required upland, riparian and wetland buffers.

MM BIO-4: Habitat Impact Mitigation

For projects that will require mitigation through restoration of sensitive upland natural communities (e.g. coastal sage scrub) or wetland habitat, including streams, riparian, and other water bodies, specifically Sites 1, 2, 4, 6, 8, 9, 17, 18, and 19, mitigation through restoration, creation, or enhancement of in-kind habitats shall be implemented in accordance with ratios identified in the HMP (Table 11 and coastal zone standards Section D-7) and an approved mitigation plan. Prior to the issuance of grading permits, the applicant shall prepare and submit a

Conceptual Restoration/Mitigation Plan (CRMP) consistent with the HMP Components of a Conceptual Restoration/Mitigation Plan and Guidelines for Habitat Creation and Restoration. The CRMP will provide the framework for compensating for impacts to sensitive riparian and coastal sage scrub habitat at a ratio consistent with HMP Table 11 and coastal zone standards.

Findings:

Based upon the Final SEIR and the entire record before the City Council, the council finds that implementation of mitigation measures BIO-3 and BIO-4, which would establish habitat buffers and require a CRMP to be created for projects that will require mitigation through restoration of sensitive upland natural communities, would reduce impacts to areas that support sensitive natural communities and riparian habitats. Pursuant to *CEQA Guidelines* Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effect identified in the Final SEIR as Impact BIO-2. Therefore, impacts would be less than significant with mitigation. **(Finding (1); CEQA Guidelines Section 15091(a)(1)).**

Impact BIO-3 Development resulting from the project could potentially adversely impact federally protected wetlands. This impact would be less than significant with mitigation incorporated.

Facts in Support of Finding:

Implementation of Measures BIO-1, BIO-3, BIO-4, and BIO-5 would reduce potential impacts to wetlands and protected waters to a less than significant level by ensuring that potential impacts are avoided, minimized, restored, or compensated for prior to obtaining a grading permit.

Mitigation Measures:

MM BIO-1, MM BIO-3, and MM BIO-4, as described above under Impact BIO-1 and Impact BIO-2 would be applicable.

MM BIO-5: Agency Coordination

For projects on sites within potential jurisdictional features, including Sites 1, 2, 4, 9, and 17, permits, agreements, and/or water quality certifications from applicable state and federal agencies regarding compliance with state and federal laws governing work within jurisdictional features are required for submission to the city of Carlsbad with the grading permit application for the project. The project applicant shall satisfy all mitigation requirements of the above agencies. The applicant shall provide such permits and/or agreements prior to issuance of a grading permit.

Findings

Based upon the Final SEIR and the entire record before the City Council, the council finds that implementation of mitigation measures BIO-1, BIO-3, BIO-4 (discussed under Impact BIO-1 and BIO-2 above), and BIO-5, which requires agency coordination for projects on sites within potential jurisdictional features, would reduce impacts to federally protected wetlands. Pursuant to *CEQA Guidelines* Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental

effect identified in the Final SEIR as Impact BIO-3. Therefore, impacts would be less than significant with mitigation. **(Finding (1); CEQA Guidelines Section 15091(a)(1)).**

Impact BIO-4 **Development under the proposed project would be primarily concentrated on sites in urban areas of Carlsbad that have been previously developed and disturbed, rather than adjacent to native habitats and potential wildlife corridors. Development under the project could result in significant impacts to potential local wildlife movement along watercourses such as Buena Vista Creek and Agua Hedionda Creek. This impact would be less than significant with mitigation incorporated.**

Facts in Support of Finding:

Implementation of mitigation measures BIO-1, BIO-3, and BIO-4 would reduce potential impacts to wildlife movement and nursery sites, to less than significant by requiring a project-specific biological evaluation to determine measures to address impacts such as avoidance, minimization, restoration, or compensation.

Mitigation Measures:

Mitigation Measures BIO-1, BIO-3, and BIO-4 which are discussed above under Impact BIO-1 and BIO-2, would be required.

Findings:

Based upon the Final SEIR and the entire record before the City Council, the council finds that implementation of mitigation measures BIO-1, BIO-3, and BIO-4, which would require a biological resources technical report, establish habitat buffers, and require a CRMP to be created for projects that will require mitigation through restoration of sensitive upland natural communities, would reduce impacts to local wildlife movement along watercourses. Pursuant to *CEQA Guidelines* Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effect identified in the Final SEIR as Impact BIO-4. Therefore, impacts would be less than significant with mitigation. **(Finding (1); CEQA Guidelines Section 15091(a)(1)).**

Impact BIO-5 **Development under the proposed project could potentially adversely impact areas that support protected trees or tree canopies. This impact would be less than significant with mitigation incorporated.**

Facts in Support of Finding:

Implementation of Mitigation Measure BIO-6 would assure consistency with local policy protecting trees and shrubs by requiring a project-specific tree survey to determine measures to address impacts such as avoidance, minimization, restoration, or compensation. Impacts would be mitigated to a less than significant level.

Mitigation Measures:

MM BIO-6: Protected Tree and Tree Canopy Survey

Prior to the issuance of a grading permit, a tree survey shall be conducted by a certified arborist prior to project construction to tag and assess all trees subject to the city's Trees and Shrubs Ordinance (Municipal Code Title 11.12) and/or CFMP. A city arborist will inspect the property and recommend approving or denying the application in a written report submitted to the city manager. The city shall post a letter of notification and a non-removable marking upon the subject tree a minimum of 30 days prior to its removal. The letter will be posted in a prominent location, visible from a public street and will include, the location of the tree, the reason for the trees removal, the date of the scheduled removal, the species of tree to be replanted, the size of the tree to be replanted, the date by which an appeal must be made to the parks and recreation commission, and a description of the appeal process.

The following measures shall be implemented in addition to those required under the city's permits required for tree removal and maintenance ordinance Guidelines (Municipal Code Title 11.12.090) to avoid and/or compensate for potential indirect impacts to preserved sensitive natural communities and protected trees within Carlsbad before, during, and following construction activities.

Pre-Construction

- **Fencing.** Protective fencing at least three feet high with signs and flagging shall be erected around all preserved sensitive natural communities where adjacent to proposed vegetation clearing and grubbing, grading, or other construction activities. The protective fence shall be installed at a minimum of five feet beyond the tree canopy dripline. The intent of protection fencing is to prevent inadvertent limb/vegetation damage, root damage and/or compaction by construction equipment. The protective fencing shall be depicted on all construction plans and maps provided to contractors and labeled clearly to prohibit entry, and the placement of the fence in the field shall be approved by a qualified biologist prior to initiation of construction activities. The contractor shall maintain the fence to keep it upright, taut and aligned at all times. Fencing shall be removed only after all construction activities are completed.
- **Pre-Construction Meeting.** A pre-construction meeting shall be held between all site contractors and a registered consulting arborist and/or a qualified biologist. All site contractors and their employees shall provide written acknowledgement of their receiving sensitive natural community protection training. This training shall include, but shall not be limited to, the following information: (1) the location and marking of protected sensitive natural communities; (2) the necessity of preventing damage to these sensitive natural communities; and (3) a discussion of work practices that shall accomplish such.

During Construction

- **Fence Monitoring.** The protective fence shall be monitored regularly (at least weekly) during construction activities to ensure that the fencing remains intact and functional, and that no encroachment has occurred into the protected natural community; any repairs to the fence or encroachment correction shall be conducted immediately.

- **Equipment Operation and Storage.** Contractors shall avoid using heavy equipment around the sensitive natural communities. Operating heavy machinery around the root zones of trees would increase soil compaction, which decreases soil aeration and, subsequently, reduces water penetration into the soil. All heavy equipment and vehicles shall, at minimum, stay out of the fenced protected zones, unless where specifically approved in writing and under the supervision of a registered consulting arborist and/or a qualified biologist.
- **Materials Storage and Disposal.** Contractors shall not store or discard any construction materials within the fenced protected zones and shall remove all foreign debris within these areas. The contractors shall leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrient supply. Contractors shall avoid draining or leakage of equipment fluids near retained trees. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. The contractors shall ensure that equipment be parked at least 50 feet, and that equipment/vehicle refueling occur at least 100 feet, from fenced protected zones to avoid the possibility of leakage of equipment fluids into the soil.
- **Grade Changes.** Contractors shall ensure that grade changes, including adding fill, shall not be permitted within the fenced protected zone without special written authorization and under supervision by a registered consulting arborist and/or a qualified biologist. Lowering the grade within the fenced protected zones could necessitate cutting main support and feeder roots, thus jeopardizing the health and structural integrity of the tree(s). Adding soil, even temporarily, on top of the existing grade could compact the soil further, and decrease both water and air availability to the tree roots. Contractors shall ensure that grade changes made outside of the fenced protected zone shall not create conditions that allow water to pond.
- **Trenching.** Except where specifically approved in writing beforehand, all trenching shall be outside of the fenced protected zone. Roots primarily extend in a horizontal direction forming a support base to the tree similar to the base of a wineglass. Where trenching is necessary in areas that contain roots from retained trees, contractors shall use trenching techniques that include the use of either a root pruner (Dosko root pruner or equivalent) or an Air-Spade to limit root impacts. An International Society of Arboriculture (ISA) certified arborist or American Society of Consulting Arborists (ASCA) registered consulting arborist shall ensure that all pruning cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. Root damage caused by backhoes, earthmovers, dozers, or graders is severe and may ultimately result in tree mortality. Use of both root pruning and Air-Spade equipment shall be accompanied only by hand tools to remove soil from trench locations. The trench shall be made no deeper than necessary.
- **Erosion Control.** Appropriate erosion control best management practices (BMPs) shall be implemented to protect preserved sensitive natural communities during and following project construction. Erosion control materials shall be certified as weed free.
- **Inspection.** An ISA certified arborist or ASCA registered consulting arborist shall inspect the preserved trees adjacent to grading and construction activity on a monthly basis for the duration of the grading and construction activities. A report summarizing site conditions, observations, tree health, and recommendations for minimizing tree damage shall be submitted by the registered consulting arborist following each inspection.

Post-construction

- **Mulch.** The contractors shall ensure that the natural duff layer under all trees adjacent to construction activities shall be maintained. This would stabilize soil temperatures in root zones, conserve soil moisture, and reduce erosion. The contractors shall ensure that the mulch be kept clear of the trunk base to avoid creating conditions favorable to the establishment and growth of decay causing fungal pathogens. Should it be necessary to add organic mulch beneath retained oak trees, packaged or commercial oak leaf mulch shall not be used as it may contain root fungus. Also, the use of redwood chips shall be avoided as certain inhibitive chemicals may be present in the wood. Other wood chips and crushed walnut shells can be used, but the best mulch that provides a source of nutrients for the tree is its own leaf litter. Any added organic mulch added by the contractors shall be applied to a maximum depth of 4 inches where possible.
- **Watering Adjacent Plant Material.** All installed landscaping plants near the preserved sensitive natural communities shall require moderate to low levels of water. The surrounding plants shall be watered infrequently with deep soaks and allowed to dry out in-between, rather than frequent light irrigation. The soil shall not be allowed to become saturated or stay continually wet, nor should drainage allow ponding of water. Irrigation spray shall not hit the trunk of any tree. The contractors shall maintain a 30-inch dry-zone around all tree trunks. An above ground micro-spray irrigation system shall be used in lieu of typical underground pop-up sprays.
- **Monitoring.** An ISA certified arborist or ASCA registered consulting arborist shall inspect the trees preserved on the site adjacent to construction activities for a period of two years following the completion of construction. Monitoring visits shall be completed quarterly, totaling eight visits. Following each monitoring visit, a report summarizing site conditions, observations, tree health, and recommendations for promoting tree health shall be submitted to the city. Additionally, any tree mortality shall be noted and any tree dying during the two-year monitoring period shall be replaced at a minimum 3:1 ratio on-site in coordination with the city.

Findings:

Based upon the Final SEIR and the entire record before the City Council, the council finds that implementation of mitigation measure BIO-6, which requires a tree survey to be conducted, and measures to be implemented prior to, during, and following construction, would reduce impacts to protected trees. Pursuant to *CEQA Guidelines* Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effect identified in the Final SEIR as Impact BIO-5. Therefore, impacts would be less than significant with mitigation. **(Finding (1); CEQA Guidelines Section 15091(a)(1)).**

Impact BIO-6 **The proposed project (specifically Sites 4, 6, 9, and 17) may conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. This impact would be less than significant with mitigation incorporated.**

Facts in Support of Finding:

Implementation of mitigation measures BIO-1, BIO-2, BIO-3, BIO-4 (listed under Impact BIO-1, Impact BIO-2) as well as mitigation measures BIO-7 and BIO-8 would reduce any conflicts with Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans to a less than significant level.

Mitigation Measures:

MM BIO-7: HMP Minor Amendments

Prior to project approval at Site 4, 6, 7, 9 and 17, each project shall be analyzed for consistency with the HMP in coordination with responsible agencies including CDFW and USFWS. Development may not occur within an Existing or Proposed Hardline. Any revisions to the HMP hardline boundary to allow for development on these sites shall require a HMP minor amendment, to be processed as an Equivalency Finding. Such boundary revisions must not involve any revisions the HMP operations or implementation, produce any adverse effects on the environment that are new or significantly different from those previously analyzed, result in additional take not previously analyzed, or reduce the acreage or quality of the habitat within the HMP. Any loss of HMP hardline shall be replaced with equal or greater acres of hardline, adjacent to existing hardline elsewhere in the city, and preserved and managed in accordance with the HMP. Any development within the Standards Area portion of Site 4 shall require a HMP Minor Amendment, to be processed as a Consistency Finding, which requires consistency with the HMP Planning Standards for Local Facilities Management Zone 15.

MM BIO-8: HMP Adjacency Standards

Projects within sites 1, 2, 4, 6, 7, 8, 9, 17, 18, 19 shall evaluate potential indirect impacts, such as wildfire, erosion, invasive species, unauthorized access, or predators, to habitat and species adjacent to the proposed development. Projects shall be consistent with the HMP Adjacency Standards (Section F-3).

Findings:

Based upon the Final SEIR and the entire record before the City Council, the council finds that implementation of mitigation measures BIO-1, BIO-2, BIO-3, BIO-4 (discussed above under Impact BIO-1, BIO-2), BIO-7 and BIO-8, which requires development on Sites 4, 6, 7, 9, and 17 to be analyzed for consistency with the HMP and for development on Sites 1, 2, 4, 6, 7, 8, 9, 17, 18, 19 to be evaluated for consistency with HMP Adjacency Standards, would reduce impacts related to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. Pursuant to *CEQA Guidelines* Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effect identified in the Final SEIR as Impact BIO-1. Therefore, impacts would be less than significant with mitigation. **(Finding (1); CEQA Guidelines Section 15091(a)(1)).**

5.3 Noise

Impact NOI-3 **Project development would not involve operational activities that would result in substantial vibration levels. However, use of pile driving or a vibratory roller could potentially generate vibration exceeding thresholds for buildings or structures susceptible to damage (e.g., historic structures). This impact would be less than significant with mitigation.**

Facts in Support of Finding:

Based upon the Final SEIR and the entire record before the City Council, the council finds that implementation of mitigation measure NOI-2, which requires the creation of a vibration control plan, would reduce impacts related to construction vibration to a less than significant level.

Mitigation Measures:

MM NOI-2: Vibration Control Plan

For construction activities involving vibratory rollers within 50 feet of a structure or pile drivers (impact or sonic) within 140 feet of a structure, the applicant shall prepare a Vibration Control Plan prior to the commencement of construction activities. The Vibration Control Plan shall be prepared by a licensed structural engineer and shall include methods required to minimize vibration, including, but not limited to:

- Alternative installation methods for pile driving (e.g., pile cushioning, drilled piles, cast-in-place systems) within 140 feet of a building to reduce impacts associated with seating the pile
- Vibration monitoring prior to and during pile driving operations occurring within 140 feet of a building
- Use of rubber-tired equipment rather than metal-tracked equipment
- Avoiding the use of vibrating equipment when allowed by best engineering practices

The Vibration Control Plan shall include a pre-construction survey letter establishing baseline conditions at potentially affected extremely fragile buildings/historical resources and/or residential structures. The survey letter shall determine conditions that exist prior to the commencement of construction activities for use in evaluating potential damages caused by construction. Fixtures and finishes susceptible to damage shall be documented photographically and in writing prior to construction. The survey letter shall provide a shoring design to protect such buildings and structures from potential damage. At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-up letter describing damage, if any, to impacted buildings and structures. The letter shall include recommendations for any repair, as may be necessary, in conformance with the Secretary of the Interior Standards. Repairs shall be undertaken and completed by the contractor and monitored by a qualified structural engineer in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24).

A Statement of Compliance signed by the applicant and owner shall be submitted to the city's Building and Safety Division at plan check and prior to the issuance of any permit. The Vibration Control Plan, prepared as outlined above shall be documented by a qualified structural engineer, and shall be provided to the city upon request.

Findings:

Pursuant to *CEQA Guidelines* Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effect identified in the Final SEIR as Impact NOI-3. Therefore, impacts would be less than significant with mitigation. **(Finding (1); CEQA Guidelines Section 15091(a)(1)).**

5.4 Cultural and Tribal Cultural Resources

Impact CUL-4 **Development facilitated by the proposed project could adversely impact tribal cultural resources. Consultation with Native American Tribal representatives is ongoing. This impact would be less than significant with adherence to the Carlsbad Cultural Resource Guidelines and with implementation of mitigation.**

Facts in Support of Finding:

The project's potential impacts to tribal cultural resources would be mitigated to a level less than significant with the implementation of Mitigation Measure CUL-1 which sets forth procedures for consultation with Native American Tribal representatives and treatment if identified resources.

Mitigation Measures:

MM CUL-1: Tribal Cultural Resources

Projects subject to discretionary actions shall comply with the city's Tribal, Cultural, and Paleontological Resources Guidelines. For ministerial projects, the city shall provide Traditionally and Culturally Affiliated Luiseño tribes ("TCA Tribe") with early notification and the opportunity to consult on development applications and identify and assess impacts to tribal and cultural resources. Further, before commencement of any ground-disturbing activities, the project developer shall comply with the following requirements to ensure the appropriate response to the presence of any tribal and cultural resources:

- a. Retain the services of a qualified archaeologist who shall be on-site for ground-disturbing activities. In the event cultural material is encountered, the archaeologist is empowered to temporarily divert or halt grading to allow for coordination with the Luiseño Native American monitor and to determine the significance of the discovery. The archaeologist shall follow all standard procedures for cultural materials that are not Tribal Cultural Resources.
- b. Enter into a Pre-Excavation Agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement, with a TCA tribe. This agreement will address provision of a Luiseño Native American monitor and contain provisions to address the

proper treatment of any tribal cultural resources and/or Luiseño Native American human remains inadvertently discovered during the course of the project. The Agreement will outline the roles and powers of the Luiseño Native American monitors and the archaeologist and may include the following provisions.

- i. A Luiseño Native American monitor shall be present during all ground-disturbing activities. Ground disturbing activities may include, but are not limited to, archaeological studies, geotechnical investigations, exploratory geotechnical investigations/borings for contractor bidding purposes, clearing, grubbing, trenching, excavation, preparation for utilities and other infrastructure, and grading activities.
- ii. Any and all uncovered artifacts of Luiseño Native American cultural importance shall be returned to the San Luis Rey Band of Mission Indians or other Luiseño Tribe, and/or the Most Likely Descendant, if applicable, and not be curated, unless ordered to do so by a federal agency or a court of competent jurisdiction.
- iii. The Luiseño Native American monitor shall be present at the project's pre-construction meeting to consult with grading and excavation contractors concerning excavation schedules and safety issues, as well as to consult with the archaeologist PI (principal investigator) concerning the proposed archaeologist techniques and/or strategies for the project.
- iv. Luiseño Native American monitors and archaeological monitors shall have joint authority to temporarily divert and/or halt construction activities. If tribal cultural resources are discovered during construction, all earthmoving activity within and around the immediate discovery area must be diverted until the Luiseño Native American monitor and the archaeologist can assess the nature and significance of the find.
- v. If a significant tribal cultural resource(s) and/or unique archaeological resource(s) are discovered during ground-disturbing activities for this project, the San Luis Rey Band of Mission Indians or other Luiseño tribe shall be notified and consulted regarding the respectful and dignified treatment of those resources. Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological and tribal cultural resources. If, however, the Applicant is able to demonstrate that avoidance of a significant and/or unique cultural resource is infeasible and a data recovery plan is authorized by the City of Carlsbad as the lead agency, the San Luis Rey Band of Mission Indians or other Luiseño tribe shall be consulted regarding the drafting and finalization of any such recovery plan.
- vi. When tribal cultural resources are discovered during the project, if the archaeologist collects such resources, a Luiseño Native American monitor must be present during any testing or cataloging of those resources. If the archaeologist does not collect the tribal cultural resources that are unearthed during the ground disturbing activities, the Luiseño Native American monitor may, at their discretion, collect said resources and provide them to the San Luis Rey Band of Mission Indians or other Luiseño tribe for dignified and respectful treatment in accordance with their cultural and spiritual traditions.

- vii. If suspected Native American human remains are encountered, California Health and Safety Code Section 7050.5(b) states that no further disturbance shall occur until the San Diego County Medical Examiner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. Suspected Native American remains shall be examined in the field and kept in a secure location at the site. A Luiseño Native American monitor shall be present during the examination of the remains. If the San Diego County Medical Examiner determines the remains to be Native American, NAHC must be contacted by the Medical Examiner within 24 hours. The NAHC must then immediately notify the “Most Likely Descendant” about the discovery. The Most Likely Descendant shall then make recommendations within 48 hours and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98.
 - viii. In the event that fill material is imported into the project area, the fill shall be clean of tribal cultural resources and documented as such. Commercial sources of fill material are already permitted as appropriate and will be culturally sterile. If fill material is to be utilized and/or exported from areas within the project site, then that fill material shall be analyzed and confirmed by an archaeologist and Luiseño Native American monitor that such fill material does not contain tribal cultural resources.
 - ix. No testing, invasive or non-invasive, shall be permitted on any recovered tribal cultural resources without the written permission of the San Luis Rey Band of Mission Indians or other Luiseño tribe.
 - x. Prior to the completion of project construction, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis, and conclusions of the monitoring program shall be submitted by the Project Archaeologist, along with the Luiseño Native American monitor’s notes and comments, to the City of Carlsbad for approval, and shall be submitted to the South Coastal Information Center. Said report shall be subject to confidentiality as an exception to the Public Records Act and will not be available for public distribution.
- c. Furthermore, the Agreement may include additional measures mutually agreed upon by the project developer, city, and TCA Tribe such as evaluation of the project site’s pre-construction conditions for the presence or potential presence of TCRs as well as other measures tailored to and deemed necessary for the specific project.

Findings

Based upon the Final SEIR and the entire record before the City Council, the council finds that implementation of mitigation measure CUL-1, which would require coordination with Native American Tribal representatives, would reduce impacts to tribal cultural resources. Pursuant to *CEQA Guidelines* Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effect identified in the Final SEIR as Impact CUL-4. Therefore, impacts would be less than significant with mitigation. **(Finding (1); CEQA Guidelines Section 15091(a)(1)).**

6 Findings and Recommendations Regarding Significant Impacts

The Final SEIR examined the environmental impacts of the proposed project in the areas of aesthetics; air quality; biological resources; cultural and tribal cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services and recreation, transportation, utilities and service systems, and wildfire. The Draft SEIR found potentially significant impacts in the areas of air quality, cultural and tribal cultural resources, greenhouse gas emissions, noise, and transportation. Despite identifying policies and mitigation measures that would reduce the potentially significant impacts, each of these significant impacts was considered significant and unavoidable.

In determining the significance of the environmental effects, it is important to emphasize that in issue areas when uncertainty surrounds impacts at a program level, the SEIR analysis uses a conservative approach to both assessment and conclusions.

Due to the program level of analysis in the SEIR and lack of project-specific development plans, it is not possible at this time to define the exact extent of potential impacts, so it is not possible to ascertain with certainty whether the identified mitigation measures will reduce impacts to levels considered “less than significant.” Future development proposals will be subject to site-specific, project-level environmental analysis pursuant to *CEQA Guidelines* Section 15168.

The following subsections list each significant or potentially significant environmental impact by issue area in the order it appears in the Draft SEIR and includes proposed mitigation measures. A full documentation of the environmental analysis and conclusions is in the Final EIR, which is incorporated by reference.

6.1 Air Quality

Impact AQ-2 **Implementation of the proposed project would violate air quality standards or contribute to an existing air quality violation because project-related emissions would exceed SDAPCD thresholds. Similarly, the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is nonattainment under applicable federal or state ambient air quality standards. This impact would be significant and unavoidable.**

Facts in Support of Finding:

Implementation of mitigation measure AQ-2 and compliance with applicable general plan policies would reduce impacts to the extent feasible, however it would be speculative to quantify such emissions at this time as the details of the individual projects are not known. Therefore, impacts would remain significant and unavoidable.

Mitigation Measures

MM AQ-2: Operational Emissions Reductions

During the project design and project-level review phases of development projects at the 18 rezone sites, the city shall require each project to determine operational air quality emissions from the project. For projects that exceed regulatory SDCAPCD thresholds, mitigation shall be implemented to reduce impacts to below the regulatory thresholds or to the maximum extent feasible implementing all feasible mitigation. The following represents some measures aimed at reducing air pollutant emissions from operational sources. This is not an exhaustive list of measures, and individual projects shall incorporate measures that best fit each project design. Use architectural coating materials, as defined in SDAPCD Rule 67.0.1, that are zero-emission or have a low-volatile organic compound (VOC) content (below 10 grams per liter). Where such VOC coatings are not available or feasible, the coating with the lowest VOC rating available shall be used. These measures shall be noted on all construction plans, and the city shall perform periodic site inspections during construction to verify compliance.

- Prohibit the installation of woodstoves, hearths, and fireplaces in new construction facilitated by the proposed project.
- Expand and facilitate completion of planned networks of active transportation infrastructure.
- Implement EV charging infrastructure beyond requirements set forth in the 2022 CalGreen mandatory measures. Such requirements would be equivalent to the Tier 2 voluntary measures set forth in the 2022 CalGreen standards.
- Implement traffic demand measures, such as unbundling parking fees from rent/lease options, encouraging/developing a ride-share program for the community, and provide car/bike sharing services, that will reduce daily individual car usage and reduce project VMT

Findings

Based upon the Final SEIR and the entire record before the City Council, the council finds that although implementation of mitigation measure AQ-2, which requires each project to determine operational air quality emissions from the project and incorporate measures to reduce emissions if the project would exceed regulatory SDCAPCD thresholds, would reduce operational emissions from future development under the proposed project, it would be speculative to quantify such emissions at this time as the details of the individual projects are not known. Pursuant to *CEQA Guidelines* Section 15091(a)(3), specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR, therefore, impacts would remain significant and unavoidable. **(Finding (3); CEQA Guidelines Section 15091(a)(3)).**

Overriding Considerations

The environmental, economic, social, and other benefits of the proposed project as stated more fully in the Statement of Overriding Considerations in Section 9, override any remaining significant adverse impact of the proposed project associated with impacts to operational air quality.

6.2 Cultural and Tribal Cultural Resources

Impact CUL-1 Development facilitated by the project could impact known and previously unidentified historical resources. Impacts to historical resources would be significant and unavoidable.

Facts in Support of Finding:

No feasible mitigation measures are required beyond adherence to applicable General Plan policies, the Historic Preservation Ordinance, and the relevant provisions of the Carlsbad Cultural Resource Guidelines. As explained in the SEIR, measures to reduce impacts outlined above would not in all cases avoid impacts to historical resources. Therefore, impacts to historical resources would be significant and unavoidable.

Mitigation Measures

No mitigation measures are required because adherence to the relevant General Plan policies, the Historic Preservation Ordinance, and the relevant provisions of the Carlsbad Cultural Resource Guidelines would reduce impacts to the maximum extent feasible. No other feasible mitigation measures are available.

Findings

Based upon the Final SEIR and the entire record before the City Council, the council finds that there are no feasible mitigation measures beyond adherence to the relevant General Plan policies, the Historic Preservation Ordinance, and the relevant provisions of the Carlsbad Tribal, Cultural and Paleontological Resources Guidelines. Adherence to these measures would not in all cases avoid impacts to historical resources. Pursuant to *CEQA Guidelines* Section 15091(a)(3), specific economic, legal, social, technological, or other considerations make infeasible the mitigation

measures or project alternatives identified in the final EIR, therefore, impacts would remain significant and unavoidable. **(Finding (3); CEQA Guidelines Section 15091(a)(3)).**

Overriding Considerations

The environmental, economic, social, and other benefits of the proposed project as stated more fully in the Statement of Overriding Considerations in Section 9, override any remaining significant adverse impact of the proposed project associated with impacts to historic resources.

6.3 Greenhouse Gas Emissions

Impact GHG-1 New residential development facilitated by the proposed project would generate temporary and long-term increases in GHG emissions. Because the proposed project includes additional housing not included in forecasting or reduction goals in those plans, the proposed project would conflict with the GHG emissions goals of the City of Carlsbad Climate Action Plan and 2015 General Plan. This impact would be significant and unavoidable.

Facts in Support of Finding:

Implementation of Mitigation Measure GHG-1 would ensure that the updated City of Carlsbad Climate Action Plan (CAP) includes the additional housing units included in the proposed project within its forecasts and emissions reduction goals and would ensure that development facilitated by the project after the CAP is updated would be consistent with State emissions goals. However, individual projects that may occur prior to the adoption of the updated CAP would not be guaranteed to be consistent with State emissions goals. Until the updated CAP and any emission thresholds or updated checklists are adopted, implementation of the proposed project would not be consistent with State GHG reduction plans. If and when the city's CAP is in accordance with statewide emissions targets and accounting for growth under the proposed project, this impact may be reduced to less than significant. Therefore, until the city updates the CAP in accordance with Mitigation Measure GHG-1, the project's impacts related to greenhouse gas (GHG) emissions would be significant and unavoidable.

Mitigation Measures

MM GHG-1: Update City of Carlsbad Climate Action Plan

The City shall draft and City Council shall adopt an updated CAP within 12-18 months of adoption of this SEIR. An updated CAP shall include targets that reflect those set by SB 32 to reduce GHG emissions by 40 percent below the 1990 levels by 2030 and AB 1279 reduce GHG emissions by 85 percent below 1990 levels by 2045. Implementation measures in an updated CAP to achieve the 2030 and 2045 targets shall include measures such as, but are not limited to, the following:

- Develop and adopt an updated building energy efficiency ordinance, or "reach code" for existing and proposed structures;
- Expand charging infrastructure and parking for electric vehicles;

- Implement carbon sequestration by expanding the urban forest; and,
- Implement policies and measures included in the 2022 California Climate Change Scoping Plan, such as mobile source strategies for increasing clean transit options and zero emissions vehicles by providing electric vehicle charging stations.

As part of the updated CAP, the City shall establish CEQA GHG Emissions Thresholds of Significance and an updated CAP Consistency Checklist that are consistent with the updated CAP for use in future CEQA GHG emissions analyses through 2030 and consistent with SB 32. In addition, upon completion of future CAP updates and as necessary, the City shall update the CEQA GHG emissions thresholds of significance and CAP Consistency Checklist to be consistent with each CAP update.

Findings

Based upon the Final SEIR and the entire record before the City Council, the council finds that although implementation of mitigation measure GHG-1, which requires an update to the Carlsbad CAP, would reduce greenhouse gas emissions, impacts would remain significant and unavoidable. Pursuant to *CEQA Guidelines* Section 15091(a)(3), specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR, therefore, impacts would remain significant and unavoidable. **(Finding (3); CEQA Guidelines Section 15091(a)(3)).**

Overriding Considerations

The environmental, economic, social, and other benefits of the proposed project, as stated more fully in the Statement of Overriding Considerations in Section 9, override any remaining significant adverse impact of the proposed project related to greenhouse gas emissions.

6.4 Noise

Impact NOI-1 **Construction would be required to comply with the allowed daytime construction hours regulated by the Carlsbad Municipal Code and, therefore, would not occur during nighttime hours when people are more sensitive to noise. Implementation of Mitigation Measure NOI-1 would reduce construction noise levels for larger developments; however, construction noise may still exceed thresholds and this impact would be significant and unavoidable.**

Facts in Support of Finding:

Mitigation Measure NOI-1 would reduce construction noise impacts whenever a development project is located within 500 feet of a noise-sensitive land use (e.g., residences, schools, libraries, hospitals) and includes one or more of the following components:

- Two subterranean levels or more (generally more than 20,000 cubic yards of excavated soil material);
- Construction durations of 18 months or more (excluding interior finishing);
- Use of large, heavy-duty equipment rated 300 horsepower or greater; or

- The potential for pile driving.

For example, measures such as a temporary noise barrier can reduce noise levels from 5 dBA to 15 dBA, which would reduce construction noise levels from typical development to below 80 dBA L_{eq} during an 8-hour period. However, given that exact details of future construction projects are unknown at this time, it is conservatively assumed that construction noise may exceed applicable thresholds, even with implementation of Mitigation Measure NOI-1, and this impact would be significant and unavoidable.

Mitigation Measures

MM NOI-1: Construction Noise Reduction Measures

The following construction noise reduction measures shall be implemented during project construction:

- **Shielding and Silencing.** Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with noise shielding and silencing devices consistent with manufacturer's standards or the Best Available Control Technology. Equipment shall be properly maintained, and the project applicant or owner shall require construction contractors to keep documentation on-site during earthwork or construction activities demonstrating that the equipment has been maintained in accordance with manufacturer's specifications.
- **Enclosures and Screening.** Outdoor fixed mechanical equipment shall be enclosed or screened from off-site noise-sensitive uses to the extent feasible. The equipment enclosure or screen shall be impermeable (i.e., solid material with minimum weight of 2 pounds per square feet) and break the line-of-sight from the equipment and off-site noise-sensitive uses.
- **Construction Staging Areas.** Construction staging areas shall be located as far from noise-sensitive uses as reasonably feasible in consideration of site boundaries, topography, intervening roads and uses, and operational constraints.
- **Smart Back-Up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction.
- **Equipment Idling.** Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use.
- **Workers' Radios.** All noise from workers' radios, including any on-site music, shall be controlled to a point that they are not audible at off-site noise-sensitive uses.
- **Use of Driven Pile Systems.** Driven (impact), sonic, or vibratory pile drivers shall not be used, except in locations where the underlying geology renders alternative methods

infeasible, as determined by a soils or geotechnical engineer and documented in a soils report.

- **Temporary Sound Barriers.** Temporary sound barriers, such as walls or sound blankets, shall be positioned between construction activities and noise-sensitive uses when construction equipment is located within a line-of-sight to and within 500 feet of the ground-floor exterior use areas of off-site noise-sensitive uses. Sound barriers shall break the line-of-sight between the construction noise source and the ground-floor exterior use area receiver where modeled levels exceed applicable standards. Placement, orientation, size, and density of acoustical barriers shall be specified by a qualified acoustical consultant.
- **Noise Complaint Response.** Project applicants shall designate an on-site construction project manager who shall be responsible for responding to any complaints about construction noise. This person shall be responsible for responding to concerns of neighboring properties about construction noise disturbance and shall be available for responding to any construction noise complaints during the hours that construction is to take place. They shall also be responsible for determining the cause of the noise complaint (e.g., bad silencer) and shall require that reasonable measures be implemented to correct the problem. A toll-free telephone number and email address shall be posted in a highly visible manner on the construction site at all times and provided in all notices (mailed, online website, and construction site postings) for receiving questions or complaints during construction and shall also include procedures requiring that the on-site construction manager to respond to callers and email messages. The on-site construction project manager shall be required to track complaints pertaining to construction noise, ongoing throughout demolition, grading, and/or construction and shall notify the city's Community Development Director of each complaint occurrence.
- **Project-Specific Construction Noise Study.** A Construction Noise Study shall be prepared by a qualified noise expert. The Construction Noise Study shall characterize sources of construction noise, quantify noise levels at noise-sensitive uses (e.g., residences, schools, churches, and hospitals) and identify measures to reduce noise exposure. The Construction Noise Study shall identify reasonably available noise reduction devices or techniques to reduce noise levels to acceptable levels and/or durations including through reliance on any relevant federal, state or local standards or guidelines or accepted industry practices. Noise reduction devices or techniques may include but not be limited to silencers, enclosures, sound barriers, and/or placement of restrictions on equipment or construction techniques (e.g., alternative installation methods to pile driving such as cast-in-place systems or pile cushioning). Each measure in the Construction Noise Study shall identify anticipated noise reductions at noise-sensitive land uses.

Project applicants shall be required to comply with all requirements listed above in addition to any additional requirements identified and recommended by the Construction Noise Study and shall maintain proof that notice of, as well as compliance with, the identified measures have been included in contractor agreements.

Findings

Based upon the Final SEIR and the entire record before the City Council, the council finds that although implementation of mitigation measure NOI-1, which requires the implementation of construction noise reduction measures, impacts would remain significant and unavoidable. Pursuant to *CEQA Guidelines* Section 15091(a)(3), specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR, therefore, impacts would remain significant and unavoidable (**Finding (3); CEQA Guidelines Section 15091(a)(3)**).

Overriding Considerations

The environmental, economic, social, and other benefits of the proposed project, as stated more fully in the Statement of Overriding Considerations in Section 9, override any remaining significant adverse impact of the proposed project related to noise.

6.5 Transportation

Impact T-2 **Development facilitated by the proposed project has the potential to interfere with achievement of the VMT reductions set forth in City of Carlsbad VMT Analysis Guidelines. This impact would be significant and unavoidable.**

Facts in Support of Finding:

Because the uncertainty relating to the feasibility of on-site transportation demand management (TDM) measures and the implementation process for individual development projects in diverse project settings, the timing that it will take to implement those measures, and the lack of an off-site mitigation option, the effectiveness of reducing an individual project's VMT impact to a less than significant level cannot be determined as part of this SEIR. As a result, this impact is identified conservatively as significant and unavoidable with mitigation given the possibility that some projects may not be able to identify and implement measures to reduce the VMT impact to a less-than-significant level.

Mitigation Measures

MM T-1: Achieve VMT Reductions for Development Projects

During the project design and project-level review phases of development projects at the 18 rezoned sites, the city shall review each project compared to the City of Carlsbad VMT Analysis Guidelines screening criteria to determine if the submitted project is eligible to be screened out of conducting project-level VMT analysis. If a project meets one or more of the screening criteria, the project is determined to have a less than significant impact to VMT in accordance with the city's VMT Analysis Guidelines. A project that has not been excluded from the VMT analysis screening process outlined above must undergo a quantitative VMT analysis to determine whether it will have a significant impact on VMT. If it is determined that the project would have a significant impact on VMT (i.e., it does not result in at least a 15 percent reduction in VMT compared to existing conditions), the city shall require the project to implement project-level

VTM reduction measures, as noted below, prior to project approval and issuance of construction permits.

TDM measures and physical measures to reduce VMT are outlined in the *City's VMT Analysis Guidelines* and have been identified as potentially VMT reducing in the California Air Pollution Control Officers Association (CAPCOA) *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity* (December 2021). The CAPCOA Handbook provides detailed requirements, calculation steps, and limitations for assessing the VMT reduction effectiveness of each measure, including reductions from combinations of measures.

Trip reduction strategies may include, but are not limited to, the following:

1. Provision of bus stop improvements or on-site mobility hubs
2. Pedestrian improvements, on-site or off-site, to connect to nearby transit stops, services, schools, shops, etc.
3. Bicycle programs including bike purchase incentives, storage, maintenance programs, and on-site education program
4. Enhancements to the citywide bicycle network
5. Parking reductions and/or fees set at levels sufficient to incentivize transit, active transportation, or shared modes
6. Cash allowances, passes, or other public transit subsidies and purchase incentives
7. Providing enhanced, frequent bus service
8. Implementation of shuttle service

Other measures not listed in CAPCOA but are proven to be effective means of reducing the amount of VMT generated by residents include increasing the mix of uses by adding retail or services within a site or within convenient walking distance.² Although it is unlikely that TDM measures will fully mitigate the impact of the program to a less-than-significant level, CEQA mandates the implementation of feasible mitigation measures to reduce a project or program's level of impact. In this context, Fehr & Peers identified a list of recommended TDM measures from Appendix E of the city's VMT Analysis Guidelines to mitigate the project VMT impact to the extent feasible [as presented in Table 4.13-3 of Section 4.13, Transportation, of this SEIR]. The summary provides an estimate of the effectiveness of these measures and specifies which ones are applicable to areas that have adjacent or near transit.

² American Planning Association PAS Memo, 2013. "Getting Trip Generation Right: Eliminating the Bias Against Mixed Use Development" by Jerry Walters, Brian Bochner, and Reid Ewing, May.

Findings

Based upon the Final SEIR and the entire record before the City Council, the council finds that although implementation of mitigation measure T-1, which requires project-specific VMT analysis and reduction, would reduce impacts to the extent feasible, impacts would remain significant and unavoidable. Pursuant to *CEQA Guidelines* Section 15091(a)(3), specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or project alternatives identified in the final EIR, therefore, impacts would remain significant and unavoidable (**Finding (3); CEQA Guidelines Section 15091(a)(3)**).

Overriding Considerations

The environmental, economic, social, and other benefits of the proposed project, as stated more fully in the Statement of Overriding Considerations in Section 9, override any remaining significant adverse impact of the proposed project related to noise.

7 Findings and Recommendations Regarding Cumulatively Considerable Impacts

An EIR is required to discuss the cumulative impacts of a project when the project's incremental effect is cumulatively considerable. *CEQA Guidelines* Section 15130(a). "Cumulatively considerable" means that the incremental effects of the project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. *CEQA Guidelines* Section 15065(a)(3); Pub. Resources Code Section 21083(b)(2). Section 4, Environmental Impact Analysis, of the Draft SEIR includes analyses of the cumulative impacts of the project in combination with reasonably foreseeable probable future projects which is described in Section 3, Environmental Setting, of the Draft SEIR. The findings in this section are based on the Draft SEIR, the discussion and analysis in which is hereby incorporated in full by this reference.

The City of Carlsbad finds that the proposed project will result in cumulatively considerable impacts to air quality, cultural and tribal cultural resources, noise, and transportation.

As discussed in Section 4.2, Air Quality, of the Draft SEIR, project related air pollution may combine with other cumulative projects (past, present, and reasonably foreseeable future) to violate criteria pollutant standards if the existing background sources cause nonattainment conditions. Air districts manage attainment of the criteria pollutant standards by adopting rules, regulations, and attainment plans, which comprise a multifaceted programmatic approach to such attainment. The geographic scope for analyzing cumulative air quality impacts is the San Diego Air Basin (SDAB). The SDAB is designated a nonattainment area for the ozone National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS), the particulate matter (PM₁₀) CAAQS, and the PM_{2.5} CAAQS. The SDAB is in attainment of all other NAAQS and CAAQS. Therefore, cumulative air quality impacts related to PM₁₀, PM_{2.5}, and ozone are potentially significant. Additionally, SDAPCD's approach for assessing cumulative impacts is based on consistency with the latest adopted RAQS. With implementation of Mitigation Measure AQ-1, the proposed project would be consistent with the RAQS. Additionally, SDAPCD best management practices are required for all grading activities in the SDAPCD's jurisdiction, which would reduce Citywide emissions of ozone precursors, PM₁₀, and PM_{2.5} from construction facilitated by the proposed project. However, operational emissions resulting from the proposed project would result in exceedances of SDAPCD thresholds, even with implementation of Mitigation Measure AQ-2, and thus would be significant and unavoidable. Therefore, the proposed project's contribution to cumulative air quality impacts would result in a cumulatively significant impact.

Development facilitated by the proposed project would have the potential to impact historical resources. The geographic scope for cumulative cultural resource impacts includes areas in the vicinity Carlsbad, including adjacent unincorporated County land and adjacent incorporated cities. This geographic scope is appropriate for cultural resources because such resources are regionally specific. The geographic scope for cumulative tribal cultural resource impacts includes Luiseño and Kumeyaay/Diegueño traditional territory. This geographic scope is appropriate for tribal cultural resources because tribal cultural resources are regionally specific and determined by the local tribes. Cumulative buildout in this region would have the potential to adversely impact

cultural and tribal cultural resources. It is possible that future cumulative projects would result in impacts to known or unknown historical resources. While impacts to such resources would be addressed on a case-by-case basis and would likely be subject to mitigation measures similar to those imposed for development facilitated by the project, cumulative development may result in direct or indirect impacts to historical resources. As such, cumulative historical impacts would be significant. Development facilitated by the project would adhere to the provisions of the Carlsbad Cultural Resource Guidelines related to historical resources. However, even after implementation of these guidelines, the proposed project would result in a considerable contribution to this cumulative impact.

As discussed in Section 4.10, Noise, of the Draft SEIR, construction of future development projects in the city would produce temporary noise impacts that would be localized to a project site and sensitive receivers within the immediate vicinity. Therefore, only sensitive receivers located in close proximity to each construction site would be potentially affected by each activity. Nonetheless, construction activities associated with individual housing development projects accommodated under the project may overlap for some time with construction activities for other development projects. Typically, if a development site is 500 feet or more away from another site then noise levels would have attenuated to a point that they would not combine to produce a cumulative noise impact. Therefore, construction noise levels would typically become cumulative only if two development sites were to have construction occurring within 500 feet of each other. However, under a worst-case scenario, noise from construction activities for two projects within 1,000 feet of each other could contribute to a cumulative noise impact for sensitive receivers located equidistant between the two construction sites with concurrent on-site activities. Construction activities associated with future development would comply with Chapter 8.48 of the CMC and would occur Monday through Friday from 7 a.m. to 6 p.m. and Saturday 8 a.m. to 6 p.m.; no work shall be conducted on Sundays and any federal holiday. It is anticipated that, with implementation of Mitigation Measure NOI-1, construction noise levels associated with housing development could be reduced below the applicable FTA noise limits for construction noise on a case-by-case basis. Nonetheless, larger development projects could combine together, or combine with smaller development projects, to substantially increase noise levels at specific neighboring noise-sensitive receivers. Mitigation Measure NOI-1 would reduce construction noise impacts from developments to the extent feasible. However, as exact construction details are unknown at this time, even with mitigation the project's contribution to a cumulative noise impact could be considerable.

As discussed in Section 4.13, Transportation, of the Draft SEIR, the analysis for the project is based on VMT per resident. As discussed under Impact T-2, project-specific VMT impacts would be significant which means implies that the project would also have a cumulatively considerable contribution to a significant cumulative impact. Since project-level significance thresholds were designed to support long-term environmental goals, they inherently also address potential cumulative VMT impacts. As such, VMT would be cumulatively considerable. Therefore, the cumulative impact related to VMT would be significant and unavoidable.

8 Project Alternatives

An EIR is required to identify a “range of potential alternatives to the project [which] shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects” (*CEQA Guidelines* Section 15126.6(c)). However, pursuant to CEQA Section 15163(b), “the supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.” There is no mandate to include project alternatives in a SEIR. The 2015 General Plan EIR included the evaluation of a range of alternatives selected for their potential to avoid or lessen environmental impacts of the 2015 General Plan. Although not required for a SEIR, in light of the public interest in the project and the anticipated impacts identified for comparison to the existing 2015 General Plan, the city has elected to prepare an alternatives analysis for informational purposes.

8.1 Alternative Analysis

The following is a brief summary of the alternatives to the proposed project considered in Section 6, *Alternatives*, of the Draft SEIR. Section 6 of the Draft SEIR contains a complete discussion of the alternatives and a comparative impact analysis of alternatives.

The evaluation of these scenarios will provide clear alternatives based on geography and allow the decision-making body to ultimately decide on one or the other or a hybrid of the two. The goal of the land use scenarios is to provide a comparative analysis, from which the city can "sculpt" the development patterns best suited to the city for inclusion in the Housing Element in conformance with State law. Ultimately, the intention of the Alternatives Analysis was to study alternatives that fully accommodated the RHNA allocation and some percentage of a buffer so the city was confident that the Housing Element can remain compliant with the No Net Loss provisions of State law throughout the remaining portion of the eight-year cycle.

ALTERNATIVE 1: NO PROJECT

The purpose of evaluating the No Project Alternative is to allow decision-makers to compare the potential impacts of approving the project with the potential impacts of not approving the project. The No Project analysis discusses both the existing conditions at the time the NOP is published as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved.

The No Project Alternative, Alternative 1, is defined as a land use pattern comprised of land use trends according to the 2015 General Plan. It assumes that regional growth trends and land use according to the 2015 General Plan would continue, without the Housing Element Implementation and Public Safety Element Update as proposed under the project. Under Alternative 1, population in the Plan Area for 2035 would be 133,410, consistent with the findings of the 2015 General Plan and acknowledging approved residential development since the General Plan's adoption. The 18 rezone sites would not be developed at the same capacity under this scenario as it would under the proposed project. Under existing zoning, Alternative 1 would result in the development of approximately 506 units on the 18 rezone sites, which would be 2,789 units fewer than the 3,295 units contemplated for the proposed project. Land use projects would be comprised of those that are currently in construction or are implemented through the 2015

General Plan updated to reflect current conditions. As land use under the current General Plan still has residential capacity (as well as capacity for new non-residential construction, such as new commercial and industrial buildings), the city would continue to grow in terms of housing units, population, non-residential square footage, and jobs.

Findings

The No Project Alternative is rejected as infeasible because it would not achieve the proposed project's objectives. While not an environmental impact under CEQA, this alternative would not be consistent with the required programs of the 2021-2029 Housing Element and the city would be at risk of having the Housing Element decertified by the State if this program is not implemented.

Though it may appear to be environmentally superior to the proposed project, as it would result in slightly less greenhouse gas emissions, it would still result in significant impacts related to air quality, cultural and tribal cultural resources, noise, and transportation.

ALTERNATIVE 2: REDUCED SITES

Alternative 2, Reduced Sites, would include development on most of the rezone sites as identified in the project. However, Alternative 2 would exclude development on rezone sites 3, 8, and 15, which, as identified in Table 2-4 of Section 2, *Project Description*, would accommodate a net increase (not including units already permitted under current designations) of 137 dwelling units total under the project. Additionally, the number of units on sites 14 and 17 would be increased to accommodate more housing (180 units more than analyzed under the project) near COASTER transit stations, which are operated by North County Transit District. Therefore, development under Alternative 2 would accommodate 43 more dwelling units than the proposed project. Alternative 2 would still achieve project objectives such as facilitating residential development to meet the 2021-2029 RHNA and pursuing an infill strategy to create walkable communities.

Findings

Alternative 2 is rejected as infeasible because it would not as effectively achieve all the objectives of the proposed project. It is not the environmentally superior alternative and would not avoid or substantially lessen the significant air quality, greenhouse gas, cultural and tribal cultural resources, noise, or transportation impacts of the proposed project.

9 Statement of Overriding Consideration

The City of Carlsbad has: (1) independently reviewed the information in the SEIR and the record of proceedings; (2) made a reasonable and good faith effort to avoid or substantially lessen the significant impacts resulting from the proposed project to the extent feasible by including mitigation measures in the SEIR that effectively mitigate potential environmental impacts to the greatest extent feasible; (3) considered the alternatives evaluated in the SEIR and determined that each of them is infeasible for the reasons stated in Section 8 above; and (4) balanced the proposed project's benefits against the proposed project's significant unavoidable impacts.

The city finds that the proposed project most fully implements the objectives (as stated in Section 2, *Project Description*, of the SEIR)

- Implement the Land Use and Community Design Element, Public Safety Element, and Zoning Ordinance, as amended by this project, to achieve adequate sites for all income groups;
- Provide adequate sites, zoned at appropriate densities and development standards, to facilitate residential development and affordability goals set forth in the 2021-2029 RHNA and as identified in the Housing Element.
- Pursue an infill strategy to foster compact development patterns, create walkable communities and preserve the natural environment and critical environmental areas;
- Expand housing choices to provide a diverse housing inventory to meet the changing needs of the Planning Area, which includes more affordable housing options;
- Update the Public Safety Element to comply with existing State laws; and,
- Ensure high level of public safety to protect the personal safety and welfare of people who live, work, and visit Carlsbad from crime, pollution, disasters, and other threats and emergencies.

The City Council declares that it has adopted all feasible mitigation measures to reduce the proposed project's environmental impacts to an insignificant level; considered the entire administrative record, including the Final SEIR; and weighed the proposed project's benefits against its environmental impacts. After doing so, the City Council has determined that the proposed project's benefits outweigh its significant environmental impacts on air quality, cultural and tribal cultural resources, greenhouse gas emissions, noise, and transportation, and deems them acceptable.

The City Council identified the following public benefits in making this determination. Each of these public benefits serves as an independent basis for overriding all unavoidable significant adverse environmental impacts identified in these Findings and the Final SEIR. The City Council considers these impacts to be acceptable, consistent with *CEQA Guidelines* Section 15093.

The City Council finds adoption and implementation of the proposed project would provide the following economic, social, legal, and other considerable benefits:

- The proposed project will ensure that the City of Carlsbad meets its State-mandated RHNA requirements, including the recommended buffer to comply with the State Housing Element Law.
- The proposed project will encourage housing affordability, which is desired by the community and will contribute toward alleviating a shortage of housing in Carlsbad and the region.
- The proposed project will encourage development of a variety of housing types at a range of income levels and balances the location of future development proposals with tangible, local benefits to residents in the area (e.g., creating opportunities for zoning for a variety of housing types particularly those that may be lacking from the community or neighborhood including multi-family housing, low-barrier navigation centers, group homes, supportive housing, and accessible units.)
- The proposed project will expand streamlined approval processes for developments that include affordable units.
- The proposed project will encourage the integrated development of housing and balanced living patterns with access to transit, jobs, services, and community benefits in a manner that distributes affordable and special needs housing, including in high resource neighborhoods, and that affirmatively furthers fair housing to ensure equitable access to opportunity.
- The proposed project will help sustain existing neighborhoods by allowing development on infill and previously vacant or underutilized sites in Carlsbad.
- The proposed project will prioritize sustainability and connectivity by allowing and encouraging housing options that are near public transportation within Carlsbad.
- The proposed project will increase Carlsbad's emergency preparedness and hazard mitigation measures by providing new and expanded safety-related information to residents and policy direction to developers and partner agencies.
- The proposed project will ensure that the Public Safety Element complies with existing state laws.

10 Conclusion

In summary, after balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the City Council finds that the unavoidable adverse environmental impacts identified may be considered “acceptable” due to the specific considerations listed above, which outweigh the unavoidable, adverse environmental impacts of the proposed project.

The City Council has considered information contained in the SEIR prepared for the proposed project as well as the public testimony and record of proceedings in which the project was considered. Recognizing that significant unavoidable air quality and transportation impacts may result from implementation of the proposed project, the Council finds that the benefits of the proposed project and overriding considerations outweigh the adverse effects of the proposed project. Having included all feasible mitigation measures and recognized all unavoidable significant impacts, the City Council hereby finds that each of the separate benefits of the proposed project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants adoption of the proposed project and outweighs and overrides its unavoidable significant effects, and thereby justifies the adoption of the proposed project.

In reaching this conclusion and approving the proposed project:

1. The City Council has considered the information contained in the Final SEIR and fully reviewed and considered all of the public testimony, documentation, exhibits, reports, and presentations included in the record of these proceedings. The City Council specifically finds and determines that this Statement of Overriding Considerations is based upon and supported by substantial evidence in the record.
2. The City Council has carefully weighed the benefits of the proposed project against any adverse impacts identified in the Final SEIR that could not be feasibly mitigated to a level of insignificance. While the Council have required all feasible mitigation measures, some impacts remain potentially significant.
3. This Statement of Overriding Considerations applies specifically to those impacts found to be potentially significant and unavoidable as set forth in the Final SEIR and the record of these proceedings.

PLANNING COMMISSION RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, RECOMMENDING APPROVAL OF AMENDMENTS TO THE GENERAL PLAN LAND USE AND COMMUNITY DESIGN ELEMENT, INCLUDING THE LAND USE MAP, AND THE ZONING MAP REGARDING SITE 4.

CASE NAME: HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE

CASE NO: GPA 2022-0001/ZC 2022-0001 (PUB 2022-0010)

WHEREAS, the **City Planner** has filed a verified application with the City of Carlsbad regarding amendments to the General Plan Land Use and Community Design Element (including the Land Use Map) and Zoning Map (“project”); and

WHEREAS, as provided in Government Code Section 65350 et. seq., Section 21.38.120, Section 21.52.020, and Section 21.54.125 of the Carlsbad Municipal Code, and Public Resources Code Section 30514 and Section 13551 of the California Code of Regulations Title 14, Division 5.5, said verified application constitutes a request for a General Plan Amendment and Zoning Ordinance Amendment for Site 4 only, which is identified as part of the project **GPA 2022-0001/ZC 2022-0001 – HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE**; and

WHEREAS, amendments to the Land Use and Community Design Element (GPA 2022-0001) are shown on Attachment A attached hereto; amendments to the General Plan Land Use Map (GPA 2022-0001) are shown on Attachment B attached hereto; and

WHEREAS, amendments to the Zoning Map (ZC 2022-0001) are shown as part of the draft City Council Ordinance attached hereto as Attachment C; and

WHEREAS, on July 24, 2015, as part of the 2015 General Plan Update, the Planning Commission adopted Planning Commission Resolution 7114, recommending that the City Council

approve density increases on certain residential properties and on non-residential properties rezoned to residential; and

WHEREAS, the Planning Commission recognized the density increases provided through Resolution 7114 were “substantial” and constituted an “offset” as defined by Carlsbad Municipal Code (CMC) Section 21.85.020; and

WHEREAS, accordingly, and in exchange for such an offset, the Planning Commission recommended any residential development (rental or for-sale) on those certain properties provide a minimum 20% of the total housing units on site as affordable to lower income households unless the city, at its sole discretion, approved an alternative to satisfy the lower income affordable housing requirement; and

WHEREAS, on Oct. 11, 2022, the City Council, as part of a report on possible programs to help entry-level homebuyers, directed staff by minute motion to apply the “increased inclusionary housing requirements” from Planning Commission Resolution 7114 to the rezone sites; and

WHEREAS, the Planning Commission did, on **Oct. 18, 2023**, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to the amendments to the Land Use and Community Design Element (including the Land Use Map) and Zoning Map; and

WHEREAS, the project, because it proposes land use changes in the Airport Influence Area, is subject to the Airport Land Use Compatibility Plan for the

McClellan-Palomar Airport (ALUCP), dated Jan. 25, 2010, and last amended Dec.

1, 2011.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Carlsbad, as follows:

- A) That the above recitations are true and correct.
- B) **The designation of residential land uses or density increases resulting from the project, pursuant to the approval of GPA 2022-0001/ ZC 2022-0001 – HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE, are substantial and constitute an “offset” as defined by Carlsbad Municipal Code Section 21.85.020. In exchange for making such offset available, the Planning Commission RECOMMENDS THAT it is appropriate to require, in accordance with Carlsbad Municipal Code Section 21.85.100, any residential development (rental or for-sale) on the properties that have received residential designations and density increases, pursuant to this project, to 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. On non-city-owned properties that have received residential designations or density increases, 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):**
 - 1. **A minimum of 15% of the total projects housing units shall be affordable to lower income households at 80% or below the San Diego County Area Median Income and an additional 10% shall be affordable to moderate income households at 100% or below of the San Diego County Area Median Income; or**
 - 2. **A minimum of 15% of the total project housing units shall be affordable to very low-income households at 50% or below the San Diego County Area Median Income.**
- C) That based on the evidence presented at the public hearing and based on the following findings, the Commission **RECOMMENDS APPROVAL** of:
 - 1. **GPA 2022-0001 as shown on Attachments A and B**
 - 2. **ZC 2022-0001 as shown on Attachment C (however, the City Planner may combine Attachment C with other related ordinances for efficient presentation to the City Council)**

Findings:

1. The Planning Commission finds that the project is in conformance with the elements of the city's General Plan, based on the facts set forth in the staff report dated Oct. 18, 2023, including but not limited to the following: the project consists of designating sites for residential development and increasing allowed residential densities to comply with state law and the city's Housing Element; the update ensures that all elements of the plan are internally consistent, as required by state law; in addition, the amendments to the Zoning Map ensure consistency with the General Plan's Land Use Map .
2. The project is consistent with the Citywide Facilities and Improvements Plan and all city public facility performance standards (city administrative facilities, circulation, drainage, fire, library, open space, parks, schools, sewer collection, wastewater treatment capacity, and water distribution system).
3. The proposed Zoning Map will provide consistency with the General Plan, in that the proposed Zoning Map changes ensure consistency with and will implement the Land Use Map changes.
4. An application for a determination of consistency with the McClellan-Palomar Airport Land Use Compatibility Plan has been filed with the San Diego Regional Airport Authority, acting as the Airport Land Use Commission; the determination finding will be reported to the City Council.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Carlsbad, California, held on **Oct. 18, 2023**, by the following vote, to wit:

AYES:

NAYES:

ABSENT:

ABSTAIN:

PETER MERZ, Chairperson
CARLSBAD PLANNING COMMISSION

ATTEST:

ERIC LARDY
City Planner

GPA 2022-0001

HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE

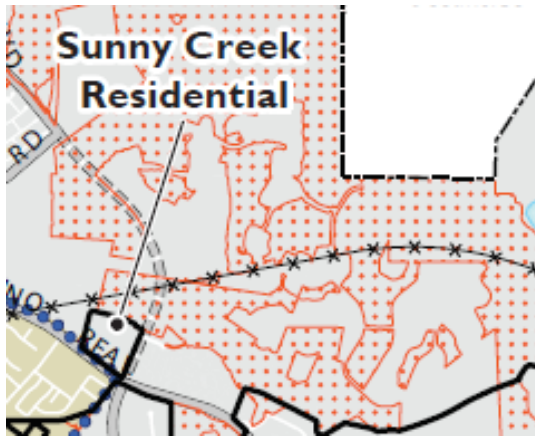
PROPOSED AMENDMENTS TO THE

GENERAL PLAN LAND USE AND COMMUNITY DESIGN ELEMENT REGARDING SITE 4

Underline/Strikeout Exhibit

Oct. 18, 2023

1. In Section 2.7, Special Planning Considerations, Figure 2-2 is amended to change the map callout from “Sunny Creek Commercial” to “Sunny Creek Residential” as shown below:



2. In Section 2.7, Special Planning Considerations, the text regarding Sunny Creek Commercial and the picture of the site accompany the text are amended as shown below:

Sunny Creek Residential

Two parcels at and near the northwest corner of El Camino Real and the future extension of College Boulevard. The larger of the two parcels, vacant and approximately 17.8 acres, borders both El Camino Real and College Boulevard and was identified during the 2021-2029 Housing Element Update as providing up to 327 housing units, with most of those units (212) resulting from a minimum eight acres of the site designated R-30 (26.5 – 30 dwelling units per acre). The remainder of the site is designated R-15 with a minimum density of 12 dwelling units per acre. The actual number of units that may be approved on the parcel under the R-30 and R-15 designations will be determined following submittal of development plans to the city, subject to meeting the R-15 and R-30 minimum density requirements.

The other, smaller parcel, located adjacent and to the northeast, is just under 10 acres and was the site of a former equestrian center. The portion of this property along Agua Hedionda Creek is designated Open Space. The remaining approximately six acres is designated R-30. Development of this smaller parcel is first dependent on the need to address flood constraints that are applicable to it.



Sunny Creek Residential

3. In Section 2.8, Goals and Policies, Policy 2-P.86 and its title are amended as shown below:

Sunny Creek Residential

(See Figure 2-2)

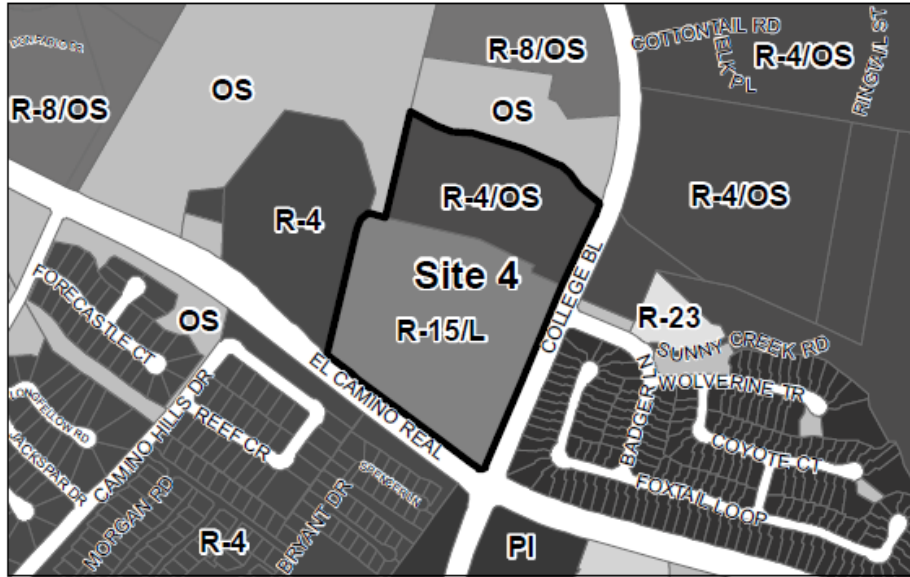
2-P.86 Foster development of this site as a mix of multi-family residential dwellings at medium and high densities.

- a. The location of R-15 and R-30 uses/land use designations shall be determined through review and approval of a site development plan.
- b. The area of land utilized for R-30 residential shall be a minimum of 8 acres in size.
- c. The R-15 portion of the site shall develop at a minimum density of 12 dwelling units per acre.

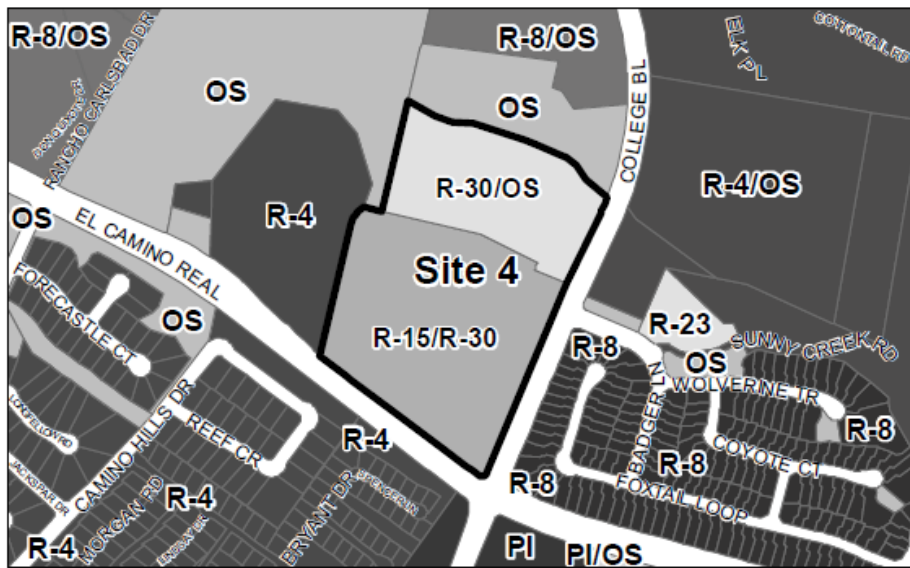
Exhibit “GPA 2022-0001”

October 18, 2023

Site 4 – ZONE 15 CLUSTER



EXISTING



PROPOSED

General Plan Map Designation Change		
Property APN	From:	To:
A. 209-060-72-00	R-4/OS	R-30/OS
B. 209-090-11-00	R-15/L	R-15/R-30

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA,
 APPROVING AN AMENDMENT TO THE ZONING MAP, TITLE 21 OF THE
 CARLSBAD MUNICIPAL CODE, TO IMPLEMENT PORTIONS OF OBJECTIVES B., C,
 AND D. OF HOUSING ELEMENT PROGRAM 1.1 – PROVIDE ADEQUATE SITES TO
 ACCOMMODATE THE RHNA – REGARDING SITE 4

CASE NAME: HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY
 ELEMENT UPDATE

CASE NO: ZC 2022-0001 (PUB 2022-0010)

WHEREAS, the City Council adopted an update to the General Plan Housing Element on April 6, 2021; and

WHEREAS, on July 13, 2021, the State Department of Housing and Community Development certified the city's adopted Housing Element as being in substantial compliance consistent with state housing law; and

WHEREAS, the certified Housing Element contains programs, further broken down into objectives, that identify specific actions the city must implement on an ongoing basis or by specific due dates; and

WHEREAS, to implement Housing Element Program 1.1, Provide Adequate Sites to Accommodate RHNA, and specifically objectives 1.1 b., 1.1 c. and 1.1 d., the City Planner has prepared amendments to the Zoning Map (Title 21 of the Carlsbad Municipal Code) for Site 4 only pursuant to Chapter 21.52 of the Carlsbad Municipal Code, Section 30514 of the Public Resources Code, and Section 13551 of California Code of Regulations Title 14, Division 5.5; and

WHEREAS, on Oct. 18, 2023, the Planning Commission held a duly noticed public hearing as prescribed by law to consider ZC 2022-0001; and

WHEREAS the Planning Commission adopted Planning Commission Resolution recommending to the City Council that ZC 2022-0001 be approved; and

WHEREAS, on [date], the Airport Land Use Commission reviewed and found that the proposed Zone Code Amendment is [determination] with the adopted McClellan-Palomar Airport Land Use Compatibility Plan; and

WHEREAS the City Council of the City of Carlsbad held a duly noticed public hearing as prescribed by law to consider ZC 2022-0001; and

WHEREAS at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the City Council considered all factors, including written public comments, if any, related to ZC 2022-0001.

NOW, THEREFORE, the City Council of the City of Carlsbad, California, ordains as follows that:

1. The above recitations are true and correct.
2. That the findings of the Planning Commission in Planning Commission Resolution shall also constitute the findings of the City Council.
3. That Section 21.05.030 of the Carlsbad Municipal Code, being the Zoning Map, is amended as shown on the maps marked "Exhibit ZC 2022-0001" dated Oct. 18, 2023, attached hereto as Attachment A and made a part hereof.

EFFECTIVE DATE OF THIS ORDINANCE APPLICABLE TO PROPERTIES OUTSIDE THE COASTAL ZONE:

This ordinance shall be effective thirty days after its adoption; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

INTRODUCED AND FIRST READ at a Regular Meeting of the Carlsbad City Council on the day of _____, 2023, and thereafter

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ___ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED AS TO FORM AND LEGALITY:

CINDIE K. McMAHON, City Attorney

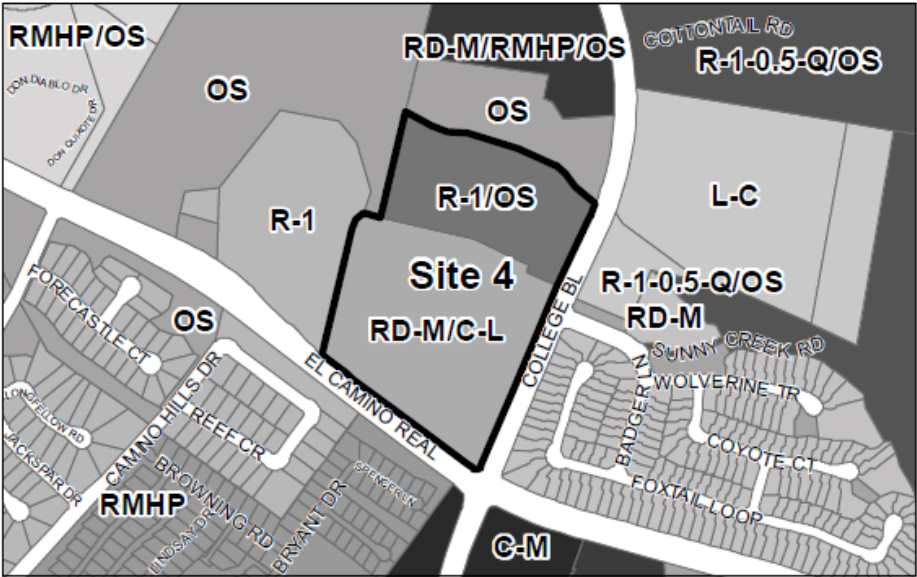
KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)

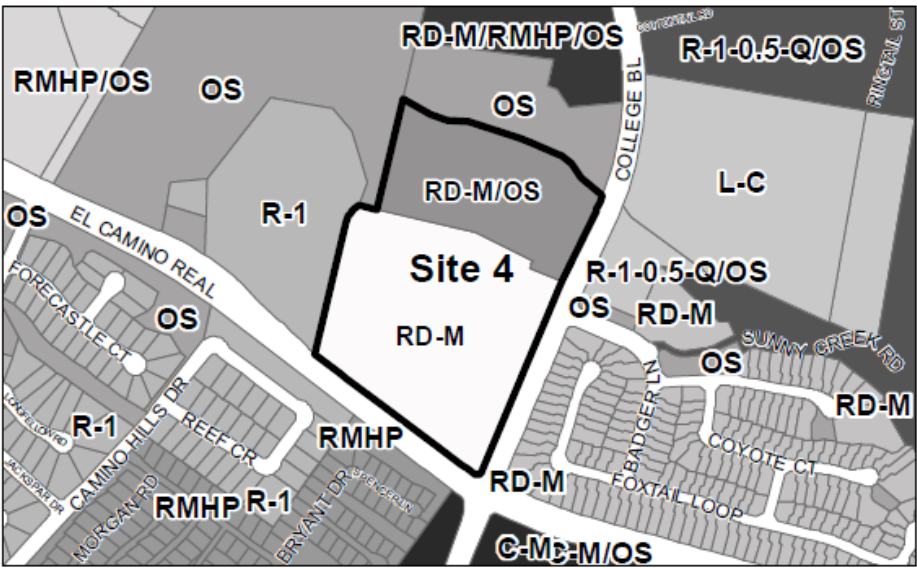
Exhibit “ZC 2022-0001”

October 18, 2023

Site 4 – ZONE 15 CLUSTER



EXISTING



PROPOSED

Zoning Map Designation Change		
Property APN	From:	To:
A. 209-060-72-00	R-1/OS	RD-M/OS
B. 209-090-11-00	RD-M/C-L	RD-M

PLANNING COMMISSION RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, RECOMMENDING APPROVAL OF AMENDMENTS TO THE GENERAL PLAN LAND USE AND COMMUNITY DESIGN ELEMENT, INCLUDING THE LAND USE MAP; THE GENERAL PLAN PUBLIC SAFETY ELEMENT; THE ZONING ORDINANCE AND ZONING MAP; THE LOCAL COASTAL PROGRAM; AND TO THE BRESSI RANCH MASTER PLAN, FENTON CARLSBAD CENTER SPECIFIC PLAN, GREEN VALLEY MASTER PLAN, NORTH COUNTY PLAZA SPECIFIC PLAN, AND WESTFIELD CARLSBAD SPECIFIC PLAN

CASE NAME: HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE

CASE NO: GPA 2022-0001/ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015/AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND 2023-0012 (PUB 2022-0010)

WHEREAS, the **City Planner** has filed a verified application with the City of Carlsbad regarding amendments to the General Plan Land Use and Community Design Element (including the Land Use Map), Public Safety Element, Zoning Ordinance, Zoning Map, Local Coastal Program (including land use and zoning and policy language), Bressi Ranch Master Plan, Fenton Carlsbad Center Specific Plan, Green Valley Master Plan, North County Plaza Specific Plan, and Westfield Carlsbad Specific Plan (“project”), which affects properties citywide; and

WHEREAS, as provided in Government Code Section 65350 et. seq., Section 21.38.120, Section 21.52.020, and Section 21.54.125 of the Carlsbad Municipal Code, and Public Resources Code Section 30514 and Section 13551 of the California Code of Regulations Title 14, Division 5.5, said verified application constitutes a request for a General Plan Amendment, Zoning Ordinance Amendment, Local Coastal Program Amendment, Master Plan Amendment and Specific Plan Amendment - **GPA 2022-0001/ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015/AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND**

2023-0012 – HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE;

and

WHEREAS, amendments to the Land Use and Community Design Element (GPA 2022-0001) are shown on Attachment A attached hereto; amendments to the General Plan Land Use Map and Local Coastal Program Land Use Map (GPA 2022-0001/LCPA 2022-0015) are shown on Attachment B attached hereto; and amendments to the Public Safety Element (GPA 2022-0001) are shown on Attachment C attached hereto; and

WHEREAS, amendments to the Local Coastal Program Land Use Plan East Batiquitos Lagoon/Hunt Properties Segment (LCPA 2022-0015) are shown on Attachment D attached hereto; and

WHEREAS, amendments to the Zoning Ordinance and Zoning Map (ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015) are shown as part of the draft City Council Ordinance attached hereto as Attachment E; and

WHEREAS, amendments to the Bressi Ranch Master Plan (AMEND 2023-0008), Fenton Carlsbad Center Specific Plan (AMEND 2023-0009), Green Valley Master Plan (AMEND 2023-0010/LCPA 2022-0015), North County Plaza Specific Plan (AMEND 2023-0011/LCPA 2022-0015), and Westfield Carlsbad Specific Plan (AMEND 2023-0012) are shown as part of the draft City Council Ordinance attached hereto as Attachment F; and

WHEREAS, on July 24, 2015, as part of the 2015 General Plan Update, the Planning Commission adopted Planning Commission Resolution 7114, recommending that the City Council approve density increases on certain residential properties and on non-residential properties rezoned to residential; and

WHEREAS, the Planning Commission recognized the density increases provided through Resolution 7114 were “substantial” and constituted an “offset” as defined by Carlsbad Municipal Code (CMC) Section 21.85.020; and

WHEREAS, accordingly, and in exchange for such an offset, the Planning Commission recommended any residential development (rental or for-sale) on those certain properties provide a minimum 20% of the total housing units on site as affordable to lower income households unless the city, at its sole discretion, approved an alternative to satisfy the lower income affordable housing requirement; and

WHEREAS, on Oct. 11, 2022, the City Council, as part of a report on possible programs to help entry-level homebuyers, directed staff by minute motion to apply the “increased inclusionary housing requirements” from Planning Commission Resolution 7114 to the rezone sites; and

WHEREAS, the Planning Commission did, on **Oct. 18, 2023**, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to the amendments to the Land Use and Community Design Element (including the Land Use Map), Public Safety Element, Zoning Ordinance, Zoning Map, Local Coastal Program, Bressi Ranch Master Plan, Green Valley Master Plan, Fenton Carlsbad Center Specific Plan, North County Plaza Specific Plan, and Westfield Carlsbad Specific Plan; and

WHEREAS, State Coastal Guidelines requires a six-week public review period for any amendment to the Local Coastal Program; and

WHEREAS, the project, because it proposes land use changes in the Airport Influence Area, is subject to the Airport Land Use Compatibility Plan for the McClellan-Palomar Airport (ALUCP), dated Jan. 25, 2010, and last amended Dec. 1, 2011.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Carlsbad, as follows:

- A) That the above recitations are true and correct.
- B) The state-mandated six-week review period for the Local Coastal Program Amendment (LCPA 2022-0015) will start in October 2023 and will end in December 2023; any comments received in response to the LCPA notice will be reported to the City Council.
- C) **The designation of residential land uses or density increases resulting from the project, pursuant to the approval of GPA 2022-0001/ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015/AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND 2023-0012 – HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE, are substantial and constitute an “offset” as defined by Carlsbad Municipal Code Section 21.85.020. In exchange for making such offset available, the Planning Commission RECOMMENDS THAT it is appropriate to require, in accordance with Carlsbad Municipal Code Section 21.85.100, any residential development (rental or for-sale) on the properties that have received residential designations and density increases, pursuant to this project, to 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. On non-city-owned properties that have received residential designations or density increases, 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):**
 - 1. **A minimum of 15% of the total projects housing units shall be affordable to lower income households at 80% or below the San Diego County Area Median Income and an additional 10% shall be affordable to moderate income households at 100% or below of the San Diego County Area Median Income; or**
 - 2. **A minimum of 15% of the total project housing units shall be affordable to very low-income households at 50% or below the San Diego County Area Median Income.**

This requirement does not apply to sites the City Council only identifies but does not rezone to help satisfy the city's Regional Housing Needs Assessment.

D) That based on the evidence presented at the public hearing and based on the following findings, the Commission **RECOMMENDS APPROVAL** of:

- 1. GPA 2022-0001 as shown on Attachments A, B and C**
- 2. ZCA 2022-0004 and ZC 2022-0001 as shown on Attachment E**
- 3. LCPA 2022-0015 as shown on Attachments B, D, E and F**
- 4. AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND 2023-0012 as shown on Attachment F**

Findings:

1. The Planning Commission finds that the project is in conformance with the elements of the city's General Plan, based on the facts set forth in the staff report dated Oct. 18, 2023, including but not limited to the following: the project consists of designating sites for residential development and increasing allowed residential densities to comply with state law and the city's Housing Element, and the project updates the Public Safety Element for consistency with state law; the update ensures that all elements of the plan are internally consistent, as required by state law; in addition, the amendments to the Zoning Ordinance, Zoning Map, master plans and specific plans ensure consistency with the General Plan's Land Use Map and density requirements; and, the Local Coastal Program amendment ensures consistency with the General Plan Land Use Map, the Zoning Map, Zoning Ordinance, and the master plans and specific plans.
2. The project is consistent with the Citywide Facilities and Improvements Plan and all city public facility performance standards (city administrative facilities, circulation, drainage, fire, library, open space, parks, schools, sewer collection, wastewater treatment capacity, and water distribution system).
3. The proposed Zoning Map and Zoning Ordinance Amendment will provide consistency with the General Plan, in that the proposed Zoning Map changes ensure consistency with and will implement the Land Use Map changes, and the proposed zoning regulations amendment will ensure consistency with General Plan policies related to residential density and residential uses.
5. The proposed master plan and specific plan amendments will provide consistency with the General Plan, in that the proposed master plan and specific plan amendments ensure consistency with and will implement the Land Use Map changes and General Plan policies related to residential density and residential uses.
6. The proposed amendment to the Carlsbad Local Coastal Program is required to bring it into consistency with the General Plan and Zoning Ordinance, and Local Coastal Program Amendment meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act and all applicable policies of the Carlsbad Local Coastal Program not being amended by this amendment, in that the amendments ensure consistency with the

Carlsbad General Plan and Zoning Ordinance and do not conflict with any coastal zone regulations or policies with which future development must comply.

7. An application for a determination of consistency with the McClellan-Palomar Airport Land Use Compatibility Plan has been filed with the San Deigo Regional Airport Authority, acting as the Airport Land Use Commission; the determination finding will be reported to the City Council.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Carlsbad, California, held on **Oct. 18, 2023**, by the following vote, to wit:

AYES:

NAYES:

ABSENT:

ABSTAIN:

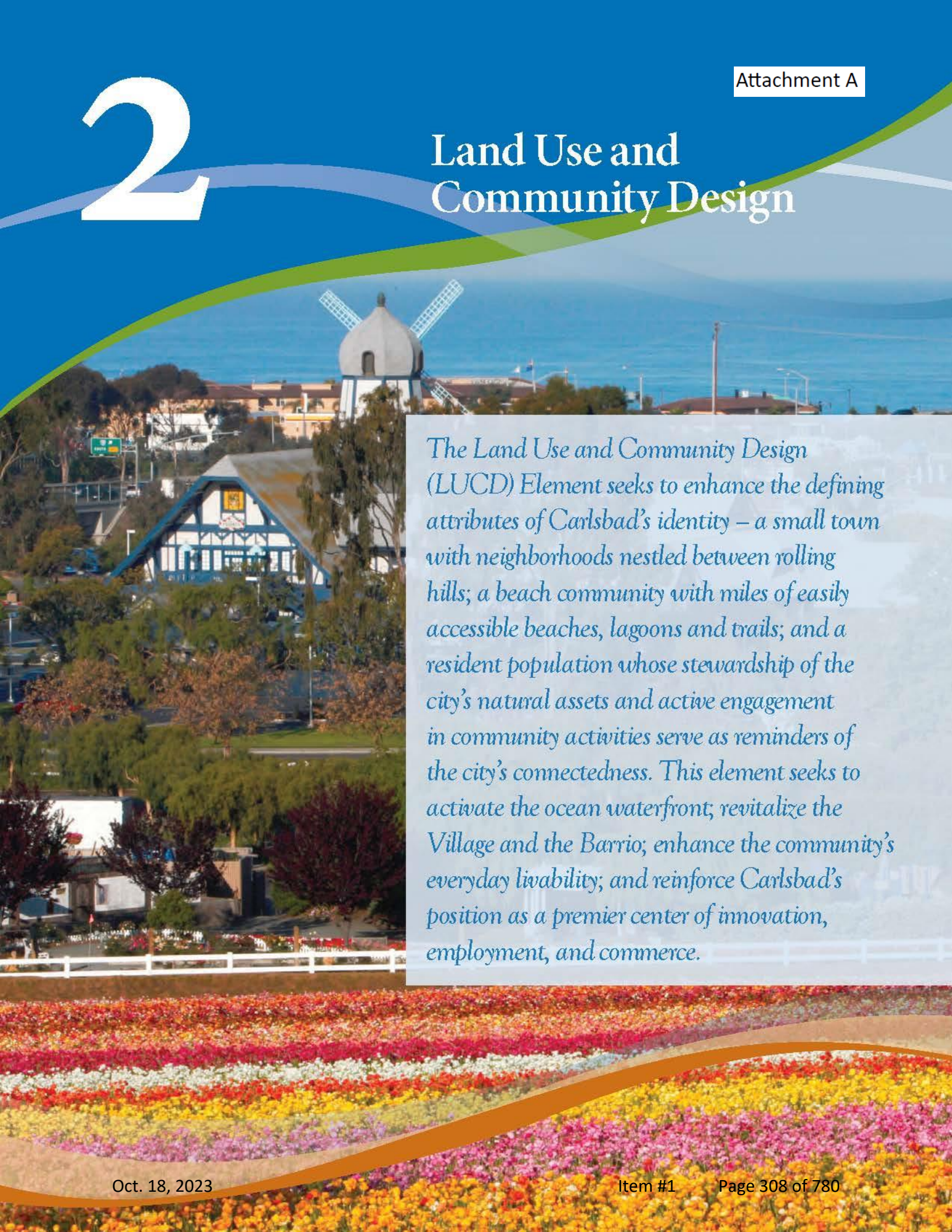
PETER MERZ, Chairperson
CARLSBAD PLANNING COMMISSION

ATTEST:

ERIC LARDY
City Planner

2

Land Use and Community Design



The Land Use and Community Design (LUCD) Element seeks to enhance the defining attributes of Carlsbad's identity – a small town with neighborhoods nestled between rolling hills; a beach community with miles of easily accessible beaches, lagoons and trails; and a resident population whose stewardship of the city's natural assets and active engagement in community activities serve as reminders of the city's connectedness. This element seeks to activate the ocean waterfront; revitalize the Village and the Barrio; enhance the community's everyday livability; and reinforce Carlsbad's position as a premier center of innovation, employment, and commerce.

This element provides a short context for Carlsbad's existing land use pattern and community design character, and highlights strategies and policies for optimal development patterns. Topics addressed include:

- *Overall city image, form, and structure (small town "feel")*
- *Land use vision*
- *Community connectedness; walkability and accessibility*
- *Beach access and activity*
- *Land use designations; density/intensity standards*
- *Likely buildout and jobs/housing balance*
- *Growth management and capacity*
- *Land use and community design policies*

2.1 Introduction

Background and Purpose

The LUCD Element directs the location, form, and character of future development, shaping where people will live, work, play, and shop in Carlsbad. It presents the desirable pattern for the ultimate development of the city for the General Plan horizon (year 2035), and seeks to ensure that land use planning reflects the community's evolution and changing demographics, conserves the natural environment, and promotes synergies between land uses to promote walking, biking, and sustainable lifestyles. The LUCD Element also includes policies for growth management, ensuring that growth is distributed across the community consistent with infrastructure capacity, and that infrastructure and public facilities keep pace with population growth.

The LUCD Element consists of narrative, goals and policies, as well as a Land Use Map and other figures and maps. It also includes land use designations that describe the uses shown on the Land Use Map. Text and maps should be considered collectively as project approvals or future amendments are made.

Relationship to State Law

State law (Government Code Section 65302(a)) requires general plans to include a Land Use Element. In accordance with state law, the LUCD Element designates the general distribution, location and extent of land for housing, business, industry, open space (including agriculture, natural resources, recreation, and enjoyment of scenic beauty), education, public facilities, and other categories of public and private uses of land. It also includes standards of population density and building intensity for the various areas covered by the General Plan.

Community Design is not a required element under state law. Community design policies in this element address topics such as the form, character, and quality of development, to advance the community's desire to enhance Carlsbad's setting and quality of life.

Relationship to Community Vision

While the LUCD Element responds to almost all of the core values of the Carlsbad Community Vision, most closely it furthers:

Core Value 1: Small Town Feel, Beach Community Character and Connectedness. Enhance Carlsbad's defining attributes—its small-town feel and beach community character. Build on the city's culture of civic engagement, volunteerism and philanthropy.

Relationship to Other General Plan Elements

The LUCD Element has the broadest scope of all the elements and plays the central role of correlating all land use issues into a set of coherent development policies. Other elements of the General Plan contain goals and policies related to land use, and therefore, must be referred to for a complete understanding of the purposes, intentions and development requirements embodied in the Land Use Element. The street system and design, and transportation improvements in the Mobility Element are closely tied to fulfill transportation needs resultant from the land use pattern, while the Noise Element reflects noise generated from resultant traffic. The Open Space, Conservation and Recreation Element outlines policies to achieve the overall open space system depicted on the Land Use Map and establishes policies and standards for recreation facilities to serve the population resulting from residential, employment and visitor serving land uses. Sites identified in the Housing Element reflect residential designations on the Land Use Map.

Relationship to Development Code

Carlsbad's codes governing development include the Zoning Ordinance, Environment Ordinance, Subdivisions Ordinance, Grading and Drainage Ordinances, California Building Code, and Fire Prevention Code. These codes regulate development as described below. In addition to these codes, there are other regulations that govern development in the city, including the Local Coastal Program, Habitat Management Plan and McClellan-Palomar Airport Land Use Compatibility Plan, which are discussed in Section 2.5.

1. **Zoning Ordinance (Carlsbad Municipal Code, Title 21).** This ordinance implements the General Plan by regulating the distribution and intensity of land uses in such categories as residential, commercial, and industrial. Regulations establish standards for minimum lot size; building height and setback limits; fence heights; parking; and other development parameters within each land use. In the event of an inconsistency between the Zoning Ordinance and the General Plan, the General Plan shall prevail.
2. **Environment Ordinance (Carlsbad Municipal Code, Title 19).** This ordinance provides for enhancement and protection of the environment within the city by establishing principles, criteria, and procedures for evaluating the environmental impacts of development, consistent with the General Plan, and ensures compliance with the California Environmental Quality Act (CEQA).
3. **Subdivisions Ordinance (Carlsbad Municipal Code, Title 20).** This ordinance implements Title 7, Division 2 of the California Government Code (Subdivision Map Act), and sets procedures to regulate the division of land. Both the General Plan and the Carlsbad Subdivision Ordinance govern the design of the subdivision, the size of its lots, and

the types of improvements that will be required as conditions of approval.

4. **Grading and Drainage Ordinances (Carlsbad Municipal Code, Title 15).** The purposes of the grading ordinance are to: establish minimum requirements for grading, including clearing and grubbing of vegetation, in a manner intended to protect life and property and promote the general welfare; enhance and improve the physical environment of the community; and preserve, subject to economic feasibility, the natural scenic character of the city. The purposes of the drainage ordinance are to: ensure the timely completion of planned local storm drainage, flood control and water pollution control improvements; and protect and enhance the water quality of the city's receiving waters and wetlands in a manner pursuant to and consistent with the Clean Water Act and municipal permit.
5. **California Building Code (Carlsbad Municipal Code, Title 18).** The purpose of this code is to provide standards to safeguard health, property and public welfare by regulating the design, construction, occupancy, and location of buildings within the city. This code is developed by the California Building Standards Commission based on the latest edition of the model codes promulgated by the International Code Council. The State of California also publishes a California Plumbing, Electrical, Mechanical and Energy Code. These California codes for construction are adopted by local jurisdictions throughout California. All residential, industrial and commercial development in the City of Carlsbad must conform to the provisions of these codes.
6. **Fire Prevention Code (Carlsbad Municipal Code Title 17).** The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide safety and assistance to fire fighters and emergency responders during emergency operations. This code incorporates by reference the California Fire Code, which is developed and updated every three years by the California Building Standards Commission. The city's Fire Prevention Code also incorporates a number of local amendments necessary to respond to local climatic, geographical, or topographic conditions.

2.2 Context: Existing Land Use Pattern

The geographically dominant land use in Carlsbad is single-family residential, with neighborhoods distributed throughout the city. Table 2-1 describes the extent of land uses that exist (on the ground), based on the geographic information systems (GIS) database compiled for the General Plan. Residential uses account for 29 percent of the city's land area, with the largest share attributable to single-family detached homes (21 percent of the city's land area). As of Jan. 1, 2023, there are 47,613 residential units in the city (Table 2-2).

Non-residential uses, including commercial, industrial and hotels, account for 9 percent of the city's land area. Commercial and industrial uses are primarily concentrated along Palomar Airport Road. Public and quasi-public uses, including city buildings and utilities, account for 5 percent of the city's total acreage. As shown in Table 2-2, there are 18.1 million square feet of industrial and research and development/flex space, and 5.6 million square feet of office space. Hotels are scattered throughout the city, taking advantage of freeway access, the airport and proximity to major activity and employment centers, including LEGOLAND, beaches, lagoons, golf courses, the Village, and business parks.

Natural vegetation remains in and around the three lagoons and on the higher, steeper-sloped, inland portions of the city. In fact, open space uses constitute the largest proportion of land use in the city. Five percent of the city's land area is used for parks and recreation, 2 percent for agriculture and 32 percent as other open space or natural areas. Three percent of land is undeveloped or vacant (this excludes the undeveloped areas designated as open space). Although some of the vacant land is available for development, some sections may not be developable due to site constraints, such as steep slopes or natural habitat that is protected pursuant to the city's Habitat Management Plan (HMP).

For detailed discussion regarding existing land use patterns and issues, see Envision Carlsbad Working Paper 6: Small Town Feel, Beach Community Character and Connectedness; Neighborhood Revitalization, Community Design and Livability.

TABLE 2-1: EXISTING (2022) LAND USES

LAND USE	ACRES	PERCENT OF TOTAL
Residential	7,220	29%
Spaced Rural Residential	67	<1%
Single Family Detached	5,204	21%
Single Family Multiple Units	886	4%
Mobile Homes	180	<1%
Multi-Family	879	4%
Residential Under Construction	5	<1%
Commercial/Industrial	2,276	9%
Shopping Centers	298	1%
Hotel, Motel, Resort	203	<1%
Commercial	204	<1%
Office	353	1%
Industrial	1,217	5%
Public/Quasi-Public	1,195	5%
Education/Institutional	579	2%
Transportation, Communication, Utilities	616	3%
Agriculture/Open Space/Recreation	9,813	39%
Agriculture	544	2%
Open Space	8,080	32%
Recreation	1,189	5%
Others	4,548	18%
Undeveloped/Vacant	826	3%
Mixed Use	10.55	<1%
ROW	3,711	15%
GRAND TOTAL	25,053	100%

Numbers and percentages may not add up due to rounding.

Planned land uses, such as open space, may differ from existing land uses shown in this table. In addition, some “undeveloped/vacant” land may have been developed since the date of SANDAG’s data, while some “under construction” may have been completed.

Source: SANDAG, 2023

TABLE 2-2: EXISTING INVENTORY OF RESIDENTIAL AND NON-RESIDENTIAL USES

	UNITS/SQUARE FEET
Residential (Units)	47,613
Single-family (attached and detached), multifamily, mobile homes, and mixed-use residential units	47,003
Accessory dwelling units	610 ¹
Non-Residential (square feet/hotel rooms)	28,282,930/5,067
Industrial and R&D/flex inventory	18,059,521
Office-inventory	5,653,775
Retail	4,569,634
Hotel rooms	5,067

1. Accessory dwelling units are not counted for Growth Management purposes as described in Section 2.6.

Source: City of Carlsbad, 2023

2.3 Vision and Strategies

Overall City Image, Form, and Structure

Rolling hills and other natural features and built infrastructure frame Carlsbad's physical form, affecting development opportunities and the circulation network. Natural areas and open spaces include lagoons and the ocean, hillsides, habitats, and parks. The coastline and beaches are prominent visual amenities that offer beautiful views and recreation opportunities. The railroad and Interstate-5 traverse the city lengthwise and are located one-quarter- and one-half-mile, respectively, from the ocean. The only major north-south roads are Carlsbad Boulevard (along the coast) and El Camino Real (approximately two and one-half miles east of the coast), while six major roads traverse east-west.

Interspersed between the natural features and this infrastructure are clusters of urban uses – the airport and the adjacent employment core at the geographic center of the community, surrounded by residential neighborhoods, shopping centers, hotels, and other uses. The northwest area of Carlsbad, generally north of Palomar Airport Road and west of El Camino Real, represents the original area of the city's incorporation in 1952; at the time, the city included a commercial center (the Village) and the city's original neighborhoods, which were built on a grid street system and primarily located west of Interstate-5 and north of Tamarack Avenue. Following incorporation in 1952, the city grew slowly until the 1980s when development rapidly expanded outward to the east and south in a dispersed urban form, resulting in the Village being located more than five miles from neighborhoods in the southern part of the city. (See Figure 1-2: City Evolution)

Looking ahead, the Carlsbad Community Vision core value of Small Town Feel, Beach Community Character, and Connectedness expresses a desire to reinforce the defining attributes of the city's identity. When juxtaposed onto the physical landscape, this means maintaining Carlsbad's image of a small town where neighborhoods are nestled between rolling hills; a beach community with miles of easily accessible beaches, lagoons and trails; and a resident population whose stewardship of the city's natural assets, heritage, public art, and active engagement in community activities serve as reminders of the city's connectedness. The General Plan seeks to ensure that Carlsbad's small-town "feel" will be maintained through the scale of development, and promotes planning practices that foster greater connections between neighborhoods and uses. Appropriately scaled development will ensure that mature trees and expansive open spaces dominate much of the city's landscape, with clustered opportunities for urban-scaled development.



Rolling hills, beaches, lagoons, and built infrastructure frame Carlsbad's physical form.

Land Use Vision

The General Plan guides Carlsbad's evolution toward an increasingly balanced community, with a full range and variety of land uses, housing for all income groups and lifestyles, and places for businesses large and small.

Much of Carlsbad—outside of the Village and the Barrio—was developed in an auto-centric era, with separation between uses. Looking ahead, the community envisions a future in which there is a **greater mix of uses, density is linked to public transportation**, and **services** are available closer to existing neighborhoods. The General Plan also seeks revitalization of older neighborhoods.

While much of the city will not change in the coming years, a **mix of activities in strategic locations** in closer proximity to one another, rather than isolated single uses, will reduce distances to destinations. The General Plan also encourages development of **housing and activities near public transportation and services**, as well as appropriate opportunities for **vertical mixed-use development** (such as housing or offices above retail) in the Village and mixed-use centers. Recreation facilities will be developed closer to or within existing neighborhoods, and **new neighborhood-scale services** will be provided in convenient and sensible locations compatible with the surrounding residential uses. These approaches will accommodate growth while protecting open space, community character, and quality of life, and recognizing that change may be limited in established neighborhoods.

The General Plan combines an active waterfront strategy with development of pedestrian-oriented shopping centers in strategic locations throughout the city, while maintaining the employment core in the McClellan-Palomar Airport area:

- The **active waterfront strategy** will enable new development along or close to the ocean coastline, along with a new public promenade and open spaces, enabling residences, restaurants, hotels, and other uses to be close to the ocean.
- The **neighborhood-centers strategy** will result in pedestrian-oriented shopping centers that are located to maximize accessibility from residential neighborhoods. Where appropriate, these centers would also include high and medium density housing surrounding the retail uses or integrated in mixed-use buildings.
- The **employment strategy** for the McClellan-Palomar Airport area will result in continued growth as the employment center of the city with residential uses in appropriate locations, enabling workers to live close to jobs.

Beach Access and Activity

The ocean and the beaches are some of Carlsbad's principal physical assets, giving the city its identity, and providing opportunities for recreation and scenic vistas from streets and buildings. Connections between the built form and the city's beaches and long coastline suggest a slower pace of life, projecting a "village by the sea" character that community members relish. However, the beach is difficult to access—in the Village, access to the beach is limited and often found along narrow stairways between residences that front the beach; connection from the Barrio to the beach is cutoff by the railroad tracks. From other neighborhoods east of I-5, accessing the beach can require circuitous travel along the limited number of east-west connections. The waterfront also lacks activities and uses, such as restaurants, cafés, stores, entertainment, and visitor uses that would serve as a draw and enhance the community's enjoyment of the city's waterfront location.

Through the Envision Carlsbad process, 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. Implementation of the General Plan will ensure that residents and visitors will enjoy more opportunities for dining, shopping, and recreating along the coastline. Access to the beach will be enhanced through new pedestrian and bicycle connections, additional visitor commercial uses, open space, parking, and amenities such as showers and bathrooms.

Community Connectedness

Despite its geographic size, Carlsbad has a small town feel and is family-oriented, progressive, multi-generational, and stable. Residents share a community spirit and culture of volunteerism and philanthropy, making relationships one of the most valuable aspects about the Carlsbad community. Community members value the cultural acceptance and diversity in the city, and the way old and new lifestyles come together.

The majority of Carlsbad's employment, shopping and visitor facilities are only accessible by car, which precludes walking or bicycling to nearby services and amenities—a common small-town quality. In general, the city's past land use policies have favored these larger, car-oriented shopping centers over smaller, neighborhood-serving commercial uses. This General Plan seeks to establish a physically more knitted community, which in turn would foster social connections.

Walkability and Accessibility

Community input during the Envision Carlsbad process emphasized the desire for enhanced walkability in the city by providing services and amenities closer to where people live, by providing more walking routes and by making existing routes safer and more appealing.



Coastal access and trail along the railroad corridor.

Particularly in older neighborhoods such as the Village and Barrio, community members walk to services, to and from school, utilizing the grid network of streets and sidewalks. While some new neighborhoods, such as Bressi Ranch, have been designed from the ground up with pedestrian-oriented neighborhood centers and a gridded street network, walkability remains a challenge in much of the rest of the city because of the dispersed, low-density development pattern that emphasizes separation of uses, and widely spaced streets. In the residential neighborhoods nestled in hillsides, walkability is more challenging, with hilly topography, fewer routes and longer distances to cover.

This General Plan promotes a multilayered strategy to promote walkability and accessibility:

- A greater mix and integration of uses in different parts of the community.
- Designation of commercial centers —with residential uses allowed on or near these sites—to provide essential commercial services closer to residents.
- New and enhanced pedestrian orientation between neighborhoods and between new shopping centers and adjacent neighborhoods, with development designed to foster greater pedestrian convenience and comfort.



Pedestrian-attracting land uses include the Village commercial areas and the coastline.

2.4 Land Use Designations and Density/Intensity Standards

Land Use Designations

The following descriptions apply to land use designations shown with color, shade, or symbol on Figure 2-1 Land Use. The designations in this section represent adopted city policy. They are meant to be broad enough to give the city flexibility in implementing the General Plan, but clear enough to provide sufficient direction regarding the expected type, location and relation of land uses planned in the city. The City's Zoning Ordinance contains more detailed provisions and standards. More than one zoning district may be consistent with a single General Plan land use designation. As specified in the Zoning Ordinance, all land use designations may include public facilities, such as community centers, city libraries, and parks and open spaces.

Residential

Residential land use designations are established to provide for development of a full range of housing types. Densities are stated as number of dwelling units per net acre of developable land—that is, parcel area exclusive of area subject to development constraints, as described later in this section. Residential development is required to be within the density range (both maximum and minimum) specified in the applicable designation, unless otherwise stated in this element. Growth management policies, as specified in this element, and development standards established in the Zoning Ordinance may limit attainment of maximum densities. Residential density shall not include accessory dwelling units permitted by the Zoning Ordinance.

Residential density is applied to overall parcel area, excluding land that is undevelopable (as described later in this section) and, in mixed-use developments, excluding area devoted to non-residential uses; clustering is permitted in all residential designations to encourage open space conservation and preservation of natural topography; this may result in portions of a site developed at a density higher than the applicable density range, which is acceptable as long as the density for the overall net development site is not exceeded. Allowable residential densities are shown in Table 2-3.

For some residential designations, housing types are specified in addition to density; in such cases development should be of the specified type. Regardless, if clustering is used to enhance open space conservation or reduce the need for grading, the city may permit housing types other than those specified, subject to specific review requirements.

R-1.5 Residential

Areas intended to be developed with detached single-family dwellings on parcels one-half acre or larger, at a density between 0 to 1.5 dwelling units per acre. The typical housing type will be detached single-family (one dwelling per lot); however, on sites containing sensitive biological resources, as identified in the Carlsbad Habitat Management Plan, development may be clustered on smaller lots and may consist of more than one detached single-family dwelling on a lot, two-family dwellings (two attached dwellings, including one unit above the other) or multi-family dwellings (three or more attached dwellings), subject to specific review and community design requirements.

R-4 Residential

Areas intended to be developed with detached single-family dwellings at a density between 0 to 4 dwelling units per acre. The typical housing type will be detached single-family (one dwelling per lot); however, on sites containing sensitive biological resources, as identified in the Carlsbad Habitat Management Plan, development may be clustered on smaller lots and may consist of more than one detached single-family dwelling on a lot, two-family dwellings (two attached dwellings, including one unit above the other) or multi-family dwellings (three or more attached dwellings), subject to specific review and community design requirements.

R-8 Residential

Areas intended to be developed with housing at a density between 4 to 8 dwelling units per acre. Housing types may include detached single-family dwellings (one or more dwellings per lot), two-family dwellings (two attached dwellings, including one unit above the other) and multi-family dwellings (three or more attached dwellings).

R-15 Residential

Areas intended to be developed with housing at a density between 11.5 to 15 dwelling units per acre. Housing types may include two-family dwellings (two attached dwellings, including one unit above the other) and multi-family dwellings (three or more attached dwellings); detached single-family dwellings may be permitted on small lots or when developed as two or more units on one lot, subject to specific review and community design requirements.

R-23 Residential

Areas intended to be developed with housing at a density between 19 to 23 dwelling units per acre. Housing types may include two-family dwellings (two attached dwellings, including one unit above the other) and multi-family dwellings (three or more attached dwellings); detached single-family dwellings may be permitted when developed as two or more units on one lot, subject to specific review and community design requirements.



New single-family and multi-family housing development in Carlsbad.



Village mixed uses, and commercial center with outdoor dining.

R-30 Residential

Areas intended to be developed with housing at a density between 26.5 to 30 dwelling units per acre. Housing types may include two-family dwellings (two attached dwellings, including one unit above the other) and multi-family dwellings (three or more attached dwellings); detached single-family dwellings may be permitted when developed as two or more units on one lot, subject to specific review and community design requirements.

R-35 Residential

Areas intended to be developed with housing at a density between 32.5 to 35 dwelling units per acre. Housing types may include multi-family dwellings (three or more attached dwellings), which are typical of high density housing. Detached single-family dwellings are not permitted.

R-40 Residential

Areas intended to be developed with housing at a density between 37.5 to 40 dwelling units per acre. Housing types may include multi-family dwellings (three or more attached dwellings), which are typical of high density housing. Detached single-family dwellings are not permitted.

Non-Residential and Mixed Use

Village-Barrio (V-B)

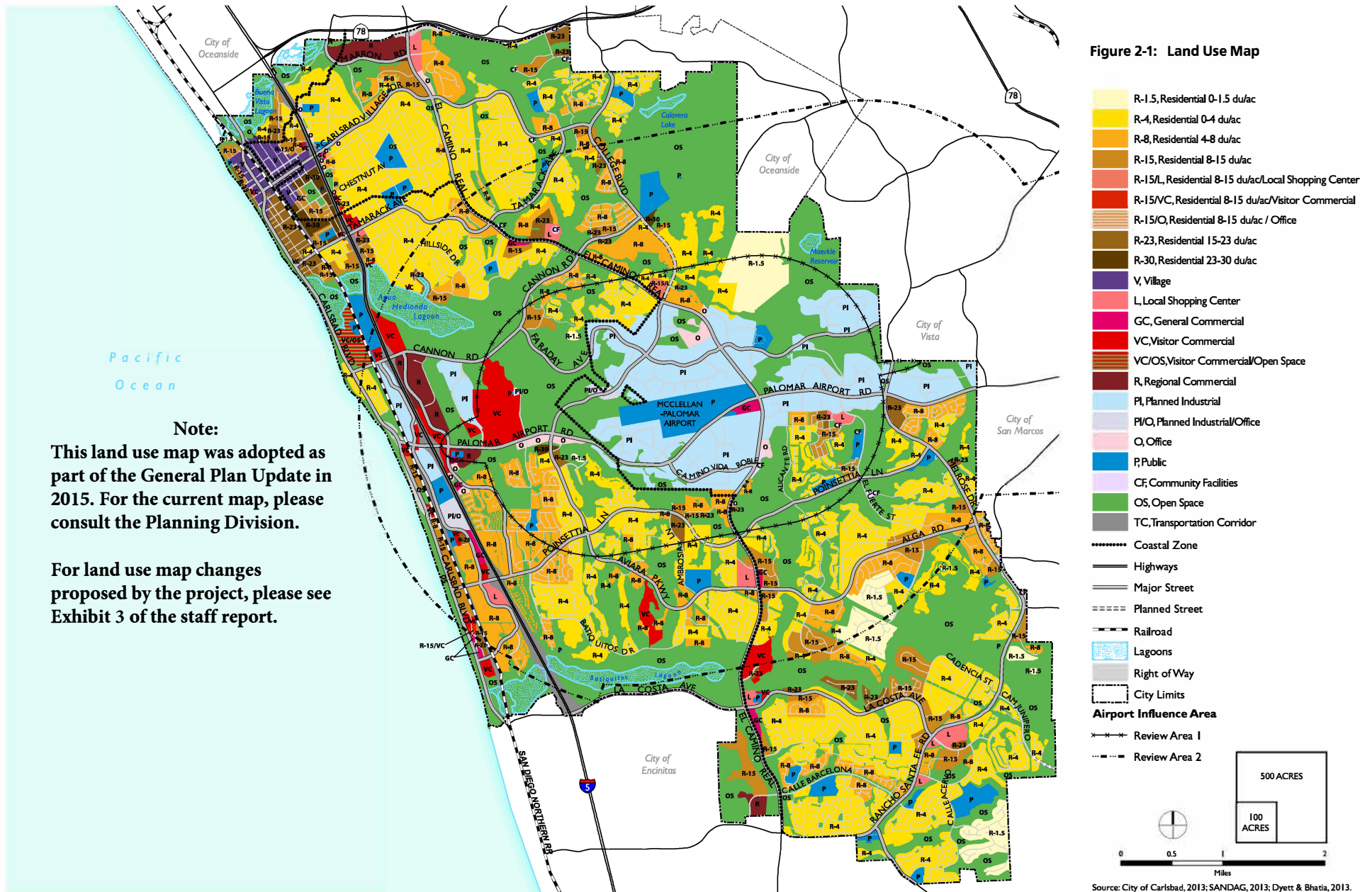
This designation applies to the heart of “old” Carlsbad, in the area sometimes also referred to as the “downtown,” as well as the adjacent Barrio neighborhood. Retail stores, offices, financial institutions, are permitted. The Village and Barrio area is regulated by the Village and Barrio Master Plan.

Local Shopping Center (L)

This designation includes shopping centers with tenants that serve the daily needs of the surrounding local neighborhoods, as described in Table 2-4. Uses that are more community serving in nature, as well as mixed use (neighborhood serving commercial uses and residential dwellings), may also be allowed.

General Commercial (GC)

This designation includes sites that provide general commercial uses that may be neighborhood serving and/or serve a broader area of the community than local shopping centers. Sites with this designation may be developed with a stand-alone general commercial use, two or more general commercial uses, or mixed use (general commercial uses and residential dwellings), as described in Table 2-4.



Regional Commercial (R)

This designation includes shopping centers with anchor and secondary tenants that are region-serving, as well as mixed use (regional commercial uses and residential dwellings), as described in Table 2-4.

Visitor Commercial (VC)

This designation is intended to provide sites for commercial uses that serve the travel, retail, shopping, entertainment, and recreation needs of visitors, tourists, and residents, as described in Table 2-4.

Office (O)

This designation provides for a wide range of general office, medical, and other professional uses. Ancillary commercial uses are also permitted.

Planned Industrial (PI)

This designation is intended to provide and protect industrial lands primarily for corporate office, research and development (R&D) and manufacturing uses. Ancillary commercial uses are also permitted.

Public (P)

This designation is intended to provide for schools, government facilities (civic buildings, libraries, maintenance yards, police and fire stations), public/quasi-public utilities, airport sites, and other facilities that have a public/quasi-public character.



A visitor commercial use.

Open Space (OS)

This designation includes natural resource areas (e.g. habitat, nature preserves, wetlands, floodplains, beaches¹, bluffs, natural steep slopes, and hillsides); areas for production of resources (e.g., agriculture, aquaculture,

¹ In the Terramar Beach area, the OS designation boundary for beach frontage properties shall be the area of any existing or future open space easements; otherwise it shall be the area west of the Mean Higher High Water line (MHHW), which is 5.33 feet in elevation for the La Jolla Tide Station according to a 2008 study titled "Tide and Sea Level Study for Southern California Buena Vista Lagoon Restoration".

and water reservoirs); and recreation and aesthetic areas (e.g., parks, beaches, greenways, trails, campgrounds, golf courses, and buffers between land uses).

Community Facilities

This designation is intended to provide community-serving facilities, such as child-care centers, places of worship, and youth and senior citizen centers.

Transportation Corridor

This designation is applied to major transportation corridors such as the Interstate-5 Freeway and the North County Transit District railroad and its right-of-way.

Density and Intensity Standards

The General Plan establishes density and intensity standards for various locations in Carlsbad by land use type. Table 2-3 presents a summary of these standards.

Density—the number of people or dwelling units in a given area—and intensity—measured as the amount of floor space in a given area—have implications in terms of community character as well as traffic generated and public facility impacts. It is a fundamental topic for land use planning, especially in a community that has limited available land and wants to preserve remaining open spaces.

Allowable Density and Development Constraints

Constraints due to environmental and physical factors reduce the potential for development on some sites. Potential constraints include locations within existing or proposed Habitat Management Plan (HMP) hardline conservation areas; existing or proposed HMP standards areas; 100-year flood zones; airport safety zones and noise impact areas; and areas that have steep slopes (defined as over 25 percent). Table 2-5 indicates constrained lands that are to be excluded from density calculations and/or are considered undevelopable.



Open space and community facility.

TABLE 2-3: DENSITY AND INTENSITY STANDARDS

LAND USE DESIGNATION	LABEL	RESIDENTIAL DENSITY RANGE (MINIMUM ² TO MAXIMUM DWELLING UNITS/ACRE)	GROWTH MANAGEMENT CONTROL POINT DENSITY ¹ (DWELLING UNITS/ACRE)	RESIDENTIAL DENSITY USED IN THE HOUSING ELEMENT ² (DWELLING UNITS/ACRE)	MAXIMUM PERMITTED FAR
Residential					
R-1.5 Residential	R-1.5	0 to 1.5	1	1	–
R-4 Residential	R-4	0 to 4	3.2	3.2	–
R-8 Residential	R-8	4 to 8	6	4	–
R-15 Residential	R-15	11.5 to 15	11.5	11.5	–
R-23 Residential	R-23	19 to 23	19	19	–
R-30 Residential	R-30	26.5 to 30	26.5	26.5	–
R-35 Residential	R-35	32.5-35	32.5	32.5	–
R-40 Residential	R-40	37.5-40	37.5	37.5	–
Village-Barrio	V-B	BP District: 23-30	25	23	–
		BC District: 8-15	11.5	8	
Non-Residential and Mixed Use					
Local Shopping Center	L	15-30 ⁵	–	15	0.5 ⁴
General Commercial	GC	15-30 ⁵	–	15	0.5 ⁴
Regional Commercial	R	15-30 ⁵	–	15	0.5 ⁴
Visitor Commercial	VC	15-30 ⁶	–	–	0.5 ⁴
Village-Barrio	V-B	VC, FC Districts: 28-35	–	VC, FC Districts: 28	1.2 ³
		VG, HOSP, PT Districts: 18-23	–	VG, HOSP, PT Districts: 18	
Office	O	–	–	–	0.6
Planned Industrial	PI	–	–	–	0.5

¹ See Section 2.6 of this element for more information on Growth Management.

² Residential development shall not be approved below this density, except as provided for by Policy 2-P.7 of this element, and shall be no less than the minimum established for a particular property as provided for by Policy 2-P.87.

³ Combined residential and non-residential FAR.

⁴ Non-residential only. No separate combined residential and non-residential FAR.

⁵ Residential dwellings are allowed as a secondary use at a minimum density of 15 dwelling units per acre (based on 25 percent of developable acreage).

⁶ Residential dwellings may be allowed as a secondary use at a minimum density of 15 dwelling units per acre (based on 25 percent of developable acreage), subject to approval of a specific plan, master plan or site development plan that demonstrates the primary use of the property is visitor-serving.

TABLE 2-4: CHARACTERISTICS OF COMMERCIAL LAND USES¹

TYPE OF COMMERCIAL LAND USE	LOCAL SHOPPING CENTER		GENERAL COMMERCIAL	REGIONAL SHOPPING CENTER	VISITOR COMMERCIAL
	REQUIRED OF ALL LOCAL SHOPPING CENTERS	POSSIBLE ADDITIONAL OPTION			
Primary Trade Area Focus	Local neighborhood	Community-serving	Local neighborhood and/or community-serving	Regional	Visitor-serving ²
Anchor Tenants (examples)	Provides daily goods - supermarket, grocery store, specialty market, drug store	Department stores, apparel stores, specialty-goods store, home improvement store, entertainment uses	Anchor and secondary tenants, if any (secondary tenants are not required), may include wholesale products, department stores, home improvement stores, offices, motels/hotels, entertainment uses, retail goods and commercial services. May be a standalone use.	Full-line department stores (2 or more), factory outlet center, "power center" of several high-volume retail uses, including general merchandise, automobile sales, apparel, furniture, home furnishings, etc.	Anchor and secondary tenants, if any (secondary tenants are not required), shall be a stand-alone use or a group of uses that attract and/ or serve the travel needs of visitors. Such uses may include, but are not limited to hotel/ motel, restaurant, recreation facilities, museums, travel support uses (e.g. gas station, car rental, grocery, convenience store, etc.), visitor-attracting/ serving retail, amusement parks, cinemas and other entertainment uses.
Secondary Tenants (examples)	Restaurants, small neighborhood serving retail and offices, personal grooming services, gas station, cleaners	Retail, commercial services, public facilities (i.e. library, post office)		Full range of specialty retail, restaurants, entertainment, convenience stores, service facilities, business and professional offices	
Mixed Use – Commercial and Residential (optional)	N/A	See note 3	See note 3	See note 3	See note 3
Site Size (acres)	8 – 20	To 30	Varies	30 – 100	Varies
Gross Lease Area	60,000 – 150,000 (sq. ft.)	Up to 400,000 (sq. ft.)	Varies	300,000 to 1.5 million (sq. ft.)	Varies
Primary Trade Area Drive Time	5 – 10 minutes	10 – 20 minutes	5 – 20 minutes	20 – 30 minutes	Varies
Primary Trade Area Radius	1.5 miles	3 – 5 miles	3 to 5 miles	8 – 12 miles	Varies
Primary Trade Area Population	10,000 – 40,000 people	40,000 – 150,000 people	Up to 150,000	150,000+ people	Varies

¹ This table provides the typical characteristics of commercial land uses and is intended to be utilized as a general guideline when implementing the General Plan.

² Primary use of the property must be visitor-serving.

³ Residential dwellings are allowed as a secondary use at a minimum density of 15 dwelling units per acre (based on 25 percent of developable acreage).

TABLE 2-5: LANDS EXCLUDED FROM DENSITY CALCULATIONS AND/OR CONSIDERED UNDEVELOPED

LAND TYPE	EXCLUDED FROM DENSITY CALCULATIONS	UNDEVELOPABLE ¹
Beaches	X	X
Permanent bodies of water	X	X
Floodways	X	X
Fifty percent of natural slopes with an inclination between 25 percent and 40 percent	X	
Natural slopes with an inclination greater than 40 percent	X	X
Significant wetlands	X	X
Significant riparian or woodland habitats	X	X
Land subject to major power transmission easements	X	X
Railroad track beds	X	X
Land upon which other significant environmental features are located, as determined by the environmental review process for a project		X ²
Habitat preserve areas as identified in the city's Habitat Management Plan		X ²

1. No residential development shall occur on these lands; however, the City Council may permit limited development of such property, if when considering the property as a whole, the prohibition against development would constitute an unconstitutional deprivation of property.

2. Consistent with Policy 2-P.11, in instances where a property owner is preserving open space for purposes of environmental enhancement, complying with the city Habitat Management Plan, or otherwise leaving developable property in its natural condition, the density/development potential of the property being left in open space shall be reserved for an used on the remainder of the project site or, through an agreement with the city, may be transferred to another property.



Slope and habitat are two of several constraints that reduce development potential on many sites.

2.5 Buildout and Jobs/Housing Balance

Potential Buildout

With the city approaching “built out” and the preservation of open space a priority, undeveloped land available for development is limited. Vacant sites exist throughout the city, but many of these sites are small, irregular in shape, or otherwise constrained due to natural or physical features (such as steep slope) that render development difficult. Therefore, much of the city’s future development will come from expanded development on sites with existing structures or redevelopment of sites and structures that come to the end of their useful life over the next 25 years.

Likely development under the General Plan is referred to as buildout. The General Plan has a 2035 horizon; however, the plan does not specify or anticipate when buildout will occur, as long-range demographic and economic trends are difficult to predict. The designation of a site for a certain use also does not necessarily mean that the site will be developed or redeveloped with that use during the planning period, as most development will depend on property owner initiative.

Table 2–6 shows potential development resulting from application of land uses shown on the Land Use Map on vacant and underutilized sites, according to analysis undertaken for this General Plan. This includes pipeline development—that is, development already permitted but not yet built. Table 2–7 shows existing and total development by broad categories. As shown in the tables, the Land Use Map provides for 56,336 dwelling units at buildout of the General Plan (see Section 1.4 of the General Plan Introduction), which is an increase of 19.85 percent (9,333 dwelling units) compared to the existing inventory of 47,003 dwelling units (as of 2023). Commercial, industrial, and hotel development is projected to increase in higher or lower proportions (29 percent, 6 percent, and 37 percent respectively), while office development is expected to increase more modestly (13 percent); at buildout, Carlsbad is projected to have approximately 6.0 million square feet of commercial space, 6.4 million square feet of office space, 19.2 million square feet of industrial space, and 6,962 hotel rooms.

Buildout Population

Between 2010 and 2020, Carlsbad’s population increased by 9,418, at an average annual growth rate of 0.89 percent, while the county as a whole grew at a rate of 0.9 percent. At buildout, Carlsbad’s population is projected to increase from 2020 by approximately 26,924 to 141,219, for an average annual growth rate of 1.5 percent. Table 2–8 shows Carlsbad’s 2010 and 2020 populations according to the US Census and estimated buildout population. With the county growing at a somewhat slower pace, Carlsbad’s

share of county population is expected to increase slightly, from 3.5 percent in 2020 to 3.9 percent at buildout.

TABLE 2-6: ESTIMATED NEW DEVELOPMENT BY QUADRANT (TO BUILDOUT¹)

	RESIDENTIAL (DWELLING UNITS) ²	COMMERCIAL (SQ FT)	OFFICE (SQ FT)	INDUSTRIAL (SQ FT)	HOTEL ROOMS
Northwest	4,297	786,633	84,880	300,021	1,020
Northeast	2,140	161,600	410,700	517,586	–
Southwest	2,113	413,215	240,045	288,800	795
Southeast	783	44,882	11,800	108,017	80
TOTAL	9,333	1,406,330	747,425	1,214,424	1,895

1. The dwelling unit and building area numbers in this table are estimates; site/project specific analysis will determine the actual development potential of individual project sites.

2. Excludes accessory dwelling units and commercial living units, which are not counted for purposes of the city's Growth Management described in Section 2.6.

Source: City of Carlsbad, 2023

TABLE 2-7: ESTIMATED TOTAL DEVELOPMENT

	RESIDENTIAL (DWELLING UNITS) ¹	COMMERCIAL (SQ FT)	OFFICE (SQ FT)	INDUSTRIAL (SQ FT)	HOTEL ROOMS
Existing Development	47,003	4,569,634	5,653,775	18,059,521	5,067
New Development	9,333	1,406,330	747,425	1,214,424	1,895
TOTAL FUTURE BUILDOUT ESTIMATE	56,336	5,975,964	6,401,200	19,273,945	6,962

1. Excludes accessory dwelling units and commercial living units, which are not counted for purposes of the city's Growth Management described in Section 2.6.

Sources: City of Carlsbad, 2023.

Jobs-Housing Balance

Jobs-housing balance refers to the condition in which a single community offers an equal supply of jobs and housing, which theoretically would reduce the need for people to commute in or out of town for work. In reality, the match of education, skills and interests is not always accommodated within the boundaries of one community. Still, a jobs-housing balance and matching workforce needs to availability of housing types and prices can discourage commute travel. To measure a community's jobs-housing balance, it is typical to look at employed residents rather than housing units. A jobs to employed residents ratio of 1.0 would indicate parity between jobs and housing, although because of regional inter-dependencies, inter-city commuting will still result.

Table 2–9 shows existing and projected jobs to employed residents ratio for Carlsbad. Precise information on the current ratio is difficult to firmly establish, as SANDAG estimates and projects a “jobs to housing” ratio rather than jobs to employed residents ratio. However, using SANDAG’s 2020 estimate of jobs in Carlsbad and US Census 2020 data, Carlsbad’s jobs to employed residents ratio in 2019-2020 was about 1.25. Based on development projected under the General Plan, this ratio is expected to be relatively constant increasing very slightly to 1.40, without accounting for aging population. Regional projections indicate that San Diego’s population between ages 15 and 69 is expected to decline from 73 percent presently to 67 percent in 2035. If the same proportionate change in employed residents were to result then the jobs to employed residents ratio would increase to 1.51.

TABLE 2–8: ESTIMATED BUILDOUT POPULATION¹

	2010	2020	2020 SHARE OF COUNTY	ANNUAL GROWTH RATE	2035 BUILDOUT POPULATION	SHARE OF COUNTY	ANNUAL GROWTH RATE
Carlsbad	105,328	114,746	3.5%	.89%	141,219	3.9%	1.5%
San Diego County	3,095,313	3,287,306	100%	0.9%	3,640,255	100%	0.7%

¹ See Section 1.4 of the General Plan Introduction for information regarding buildout assumptions.

Sources: US Census, 2010; and 2020; SANDAG 2050 Regional Growth Forecast; City of Carlsbad, 2023

TABLE 2–9: JOBS/EMPLOYED RESIDENTS’ BALANCE

	ESTIMATED 2020	BUILDOUT	BUILDOUT WITH LABOR FORCE PARTICIPATION DECLINE WITH AGING POPULATION
Jobs	70,228	103,979	103,979
Employed Residents	55,983	78,180	72,713
Jobs/Employed Residents	1.25	1.40	1.51

Sources SANDAG 2050 Regional Growth Forecast. 2035 jobs and employed residents projected by SANDAG, 2023.

2.6 Growth Management

In the mid-1980s, the city was experiencing an era of rapid growth, which raised community concerns about how growth would affect quality of life—the community’s “small town” identity, open space, natural habitat, and the adequacy of public facilities to serve new growth. In July 1986, to address these concerns, the city adopted the Growth Management Plan, which was ratified by voter approval of Proposition E in November 1986.

The Growth Management Plan requires adequate public facilities be provided concurrent with new growth. To ensure this, the Growth Management Plan identifies performance standards for 11 public facilities – city administration, library, wastewater treatment, parks, drainage, circulation, fire, open space, schools, sewer collection, and water distribution. The facility performance standards were based on the city’s residential dwelling unit capacity (existing and future units), which in 1986 was estimated to be 54,599 dwelling units.

Through Proposition E, voters limited the number of dwelling units in the city to the 54,599 dwelling unit estimate. As shown in Table 2-10, Proposition E established a maximum number of dwelling units that could be built after November 4, 1986 in each of the city’s four quadrants, which are located along El Camino Real and Palomar Airport Road. Pursuant to state law and city regulations, accessory dwelling units and commercial living units are not counted as dwellings for the purposes of Growth Management. California Government Code Section 65852.2 states that accessory dwelling units shall not be considered in the application of any local ordinance, policy or program that limits residential growth. In regard to commercial living units (e.g., professional care facilities, hotels and time-shares), Carlsbad Municipal Code Section 21.04.093 states that such units are not considered dwelling units due to the assistance/services provided in conjunction with the living unit and/or the use of the living unit for temporary lodging. In addition, pursuant to the city’s Citywide Facilities and Improvements Plan, hotels and time-share units that are not defined as a dwelling unit in the building code are not counted as dwelling units for purposes of Growth Management.

Compliance with the Growth Management Plan occurs through the Citywide Facilities and Improvements Plan, which identifies the performance standards for each of the 11 public facilities, divides the city into 25 local facility management zones (LFMZ) and identifies the city’s ultimate public facility needs. A local facilities management plan identifies the public facility needs for each LFMZ. Individual development projects must comply with the Citywide Facilities and Improvement Plan and the applicable local facilities management plan, which ensures that adequate public facilities are provided concurrent with development.

TABLE 2-10: PROPOSITION E - GROWTH MANAGEMENT

QUADRANT	ESTIMATED EXISTING UNITS IN NOV. 1986	PROP. E MAX. UNITS ALLOWED AFTER NOV. 4, 1986	GROWTH MANAGEMENT DWELLING UNIT CAP ESTIMATE ¹	
Northwest	9,526	5,844	15,370	
Northeast	2,876	6,166	9,042	
Southwest	2,192	10,677	12,859	
Southeast	6,527	10,801	17,328	
CITYWIDE	21,121	33,478	54,599	

¹ Excludes accessory dwelling units and commercial living units, which are not counted for purposes of the city's Growth Management dwelling unit limitations, as described above.

Density Control Points

To manage compliance with Growth Management dwelling unit limitations, the City Council established Growth Management Control Point (GMCP) densities for all residential land use designations in the city (for example, for the R-4 land use designation, the GMCP density is 3.2 dwelling units per acre). While the city cannot enforce Growth Management dwelling unit limitations due to changes in state law as explained below, GMCP densities help the city reasonably estimate potential dwelling unit yields for purposes of determining the future public facility needs created by new developments..

Changes in Laws that Affect Growth Management

The state of California has declared a housing crisis in the state and passed several new laws designed to make it easier to build housing, largely by reducing local cities' control over the approval process.

In 2017 the California Legislature passed SB 166, known as the No Net Loss Law, which requires local jurisdictions to ensure that their Housing Element inventories can accommodate, at all times throughout the housing element planning period, their remaining unmet share of the regional housing need.

In 2019, the legislature passed SB 330, the Housing Crisis Act of 2019, which prohibits local jurisdictions from imposing moratoriums and caps or limits on housing development. This extends to using the Growth Management residential housing caps or other limits to regulate the number of housing units built within a jurisdiction.

As a result of the housing laws noted above, in 2020 and 2021, the Carlsbad City Council adopted resolutions 2020-104 and 2021-074 finding that the Growth Management housing caps and any moratoriums new housing are unenforceable due to the new state laws.

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:

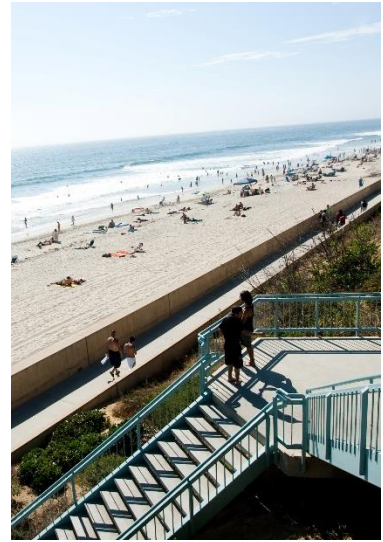
Coastal Zone Planning

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.



Habitat Management Plan (HMP)

For more information on the HMP, see the Open Space, Conservation and Recreation Element.

The City of Carlsbad and six other cities in northern San Diego County participated in the preparation of the Multiple Habitat Conservation Program (MHCP), which was adopted and certified by the San Diego Association of Governments (SANDAG) Board of Directors in March 2003.

The City of Carlsbad prepared a subarea plan as a part of the MHCP, called the Habitat Management Plan for Natural Communities in the City of Carlsbad (HMP) that was adopted by the City Council in November 2004.

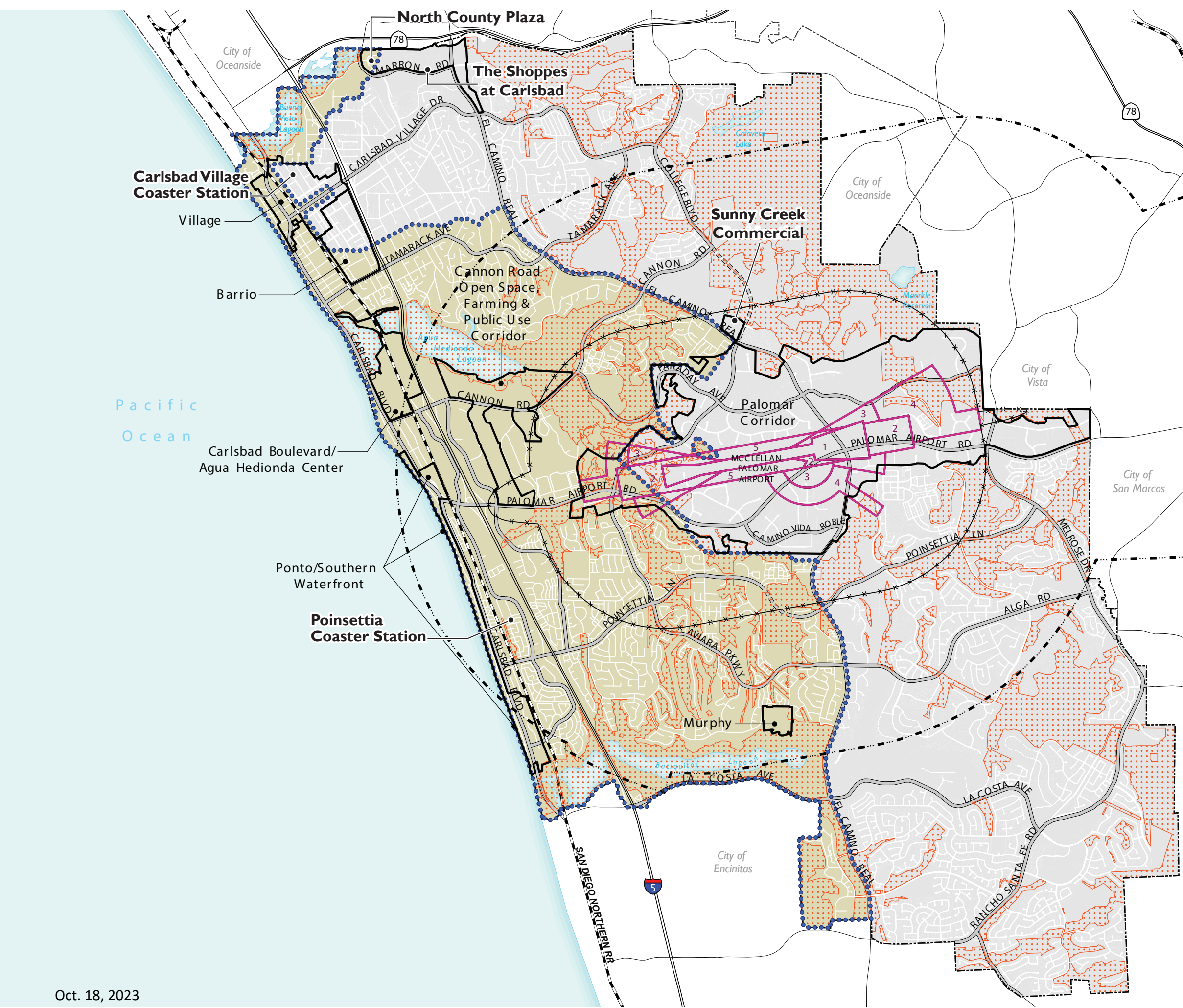
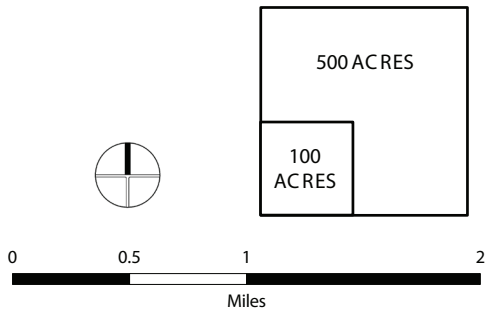


Figure 2-2: Special Planning Considerations

- Carlsbad Coastal Zone
- Areas Subject to the HMP
- Airport Influence Area**
- Review Area 1
- Review Area 2
- Airport Safety Zones (1-5)
- Highways
- Major Street
- Planned Street
- Railroad
- City Limits



Source: City of Carlsbad, 2013; SANDAG, 2013; Dyett & Bhatia, 2013.

The HMP outlines specific conservation, management, facility siting, land use, and other measures that the city will take to preserve the diversity of habitat and protect sensitive biological resources in the city while also allowing for additional development and growth as anticipated under the city's General Plan. As part of the HMP, a total of 6,478 acres of land within the city's jurisdictional boundaries is to be conserved for habitats and an additional 308 acres of habitat is to be conserved for the coastal California gnatcatcher outside of the city's jurisdiction.

McClellan-Palomar Airport

For more on transportation issues related to the airport, see the Mobility Element; for noise policies related to the airport, see the Noise Element; for safety policies related to the airport, see the Public Safety Element.

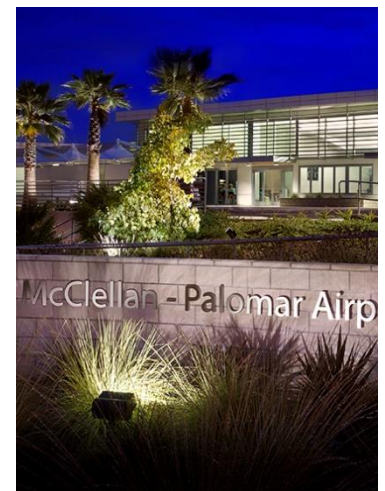
McClellan-Palomar Airport was built in 1959 atop the mesa just south of the Agua Hedionda valley and lagoon. Oriented to take advantage of the on-shore winds, the runway lies on an east-west axis. The associated glide path, crash hazard, and noise impact areas around the airport significantly influence the type and intensity of development across the entire central area of the city. This area of influence extends generally in a broad band east and west of the runway, and, to a lesser degree, north and south of the airport. For reasons of health and safety, residential development and most institutional land uses (hospitals, schools, etc.) must be limited in this area of airport influence.

The McClellan-Palomar Airport is owned by the County of San Diego, covering an area of about 470 acres, located in the geographic center of Carlsbad. In 2008, the airport had 192,960 aircraft operations, or an average of 529 per day. A new \$24 million airline terminal was opened in 2009.

Airport Land Use Compatibility

California law requires preparation of airport land use compatibility plans for all public-use airports, to promote compatibility between airports and the surrounding land uses. For McClellan-Palomar Airport, the San Diego County Regional Airport Authority Airport Land Use Commission has prepared and adopted the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP). State law requires Carlsbad's General Plan to be consistent with the adopted ALUCP. If the City Council chooses to overrule a finding of the Airport Land Use Commission as stated in the ALUCP, it may do so by a two-thirds vote if it makes specific findings that the General Plan is consistent with the intent of state airport land use planning statutes.

The General Plan is consistent with the ALUCP. To limit noise impacts on noise sensitive land uses, the General Plan retains areas surrounding the



airport principally for industrial and supporting commercial development, while sites have been identified as appropriate for residential and general commercial use. Airport compatibility and safety is addressed in greater detail in Section 6-5 of the Public Safety Element.

The Cannon Road Open Space, Farming and Public Use Corridor

In 2006, Carlsbad voters approved “Proposition D - Preserve the Flower and Strawberry Fields and Save Carlsbad Taxpayers’ Money.” The area affected by Proposition D is referred to as the Cannon Road Open Space, Farming and Public Use Corridor and is located along Cannon Road east of Interstate 5, as shown on Figure 2-2. Lands within the corridor currently consist primarily of open space and existing farming operations including the Flower Fields located to the south of Cannon Road and the existing strawberry fields located to the north of Cannon Road; approximately 49 acres of the existing strawberry fields located adjacent to the east side of Interstate 5 are not within the corridor and are not subject to Proposition D.

The open space areas within the corridor on the north side of Cannon Road provide spectacular views of the Agua Hedionda Lagoon and contain environmentally-sensitive natural habitat areas that need to be permanently protected. The existing flower fields and the strawberry fields as open space uses provide for productive use of portions of the corridor area that enhance the cultural heritage and history of the city. Although the flower fields are already protected and restricted to agricultural use, Proposition D requires the city to utilize all existing programs and land use protections and explore other possible new mechanisms to keep the flower fields in production. Proposition D also requires the city to ensure that other farming uses within the corridor, such as a portion of the existing strawberry fields, are allowed to continue as long as it is economically viable for the landowner to do so.



The area within the corridor is recognized for its significant open space opportunities; however, the area currently lacks adequate public access and public use areas so that the community can enjoy the open space opportunities provided in this area to their fullest potential. Proposition D identified that an interconnecting public trail through the area preferably linking the south shore of Agua Hedionda Lagoon with the existing flower fields could greatly enhance public access in the area. Proposition D also identified that park and recreation uses that allow public gathering spaces and are compatible with other open space uses could offer opportunities for more community use and enjoyment of the area.

Pursuant to Proposition D, residential use is not appropriate for the area within the corridor. Commercial and industrial-type uses other than those normally associated with farming operations are also not appropriate.

The Cannon Road Open Space, Farming and Public Use Corridor presents a unique opportunity for the city to create a sustainable, community-oriented open space area that balances social, economic and environmental values important to the community.

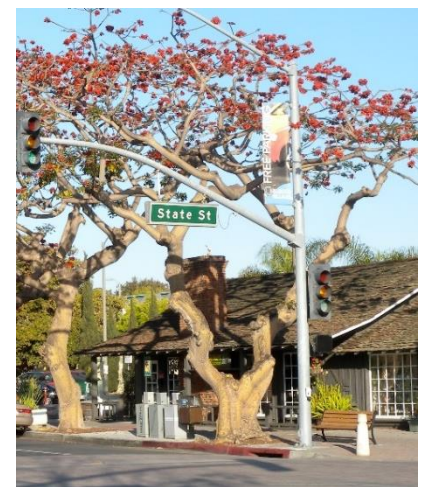
Following voter approval of Proposition D, the City Council adopted the Cannon Road Agricultural and Open Space Zone to implement the proposition. The zone was approved by the California Coastal Commission but only for the affected parcels south of Cannon Road.

Village

Carlsbad Village—the community’s downtown—is the oldest and the most walkable neighborhood in the city. The Village is home to the majority of Carlsbad’s historic and cultural resources, including the Carlsbad Theatre, Old Santa Fe Train Depot, Army and Navy Academy and multiple historic structures.

The Village has evolved into an eclectic neighborhood rich with character and diversity – both in its physical landscape and in its varied activities and land uses. It has great bones – a walkable street grid, location adjacent to the ocean, a bus and rail transit center, and mix of old and new buildings. The Village should be Carlsbad’s ideal choice for residents looking for a more urban, walkable, transit-connected lifestyle, and for visitors seeking a contrasting experience to hiking along the lagoons, surfing, or golfing.

Many sites in the Village are developed at a low intensity and designed to meet the needs of a car-oriented lifestyle, not in keeping with the vibrant, active, pedestrian-oriented core that many would like to see as defining the Village experience. As the Village continues to evolve, it will be important to redevelop and strategically focus improvements in the neighborhood to best express the city’s small-town beach-community lifestyle, take advantage of key opportunities to connect to transit, the ocean, and the Barrio neighborhood to the south, and add new residents and life into downtown Carlsbad.





The Village and Barrio Master Plan, adopted in 2018, provides a vision and guidance for design, land use, and redevelopment, and includes development standards and design guidelines. There are additional opportunities to expand on key elements like public art and identity through a signage and way-finding scheme as well as an expanded public arts program.

Barrio

The roughly 150-acre Barrio neighborhood is situated on the northwestern portion of the city, just south of the Village. Established in the 1920s, the Barrio neighborhood first served as a residential enclave for new immigrants supporting the agriculture economy of the city. Today, the Barrio reflects elements of its past in its many cultural markers and historic buildings, as well as in its long-time residents and cohesive community.

Land use in the Barrio neighborhood is primarily residential, with a wide range of housing types, from single-family and two-family dwellings on small lots within the center of the neighborhood along Roosevelt and Madison streets to higher density multi-family residential development located around the neighborhood's perimeter west of Interstate 5 and east of the railroad tracks. Other uses in the Barrio include public, institutional, recreation and limited commercial uses. One of the key community assets in the Barrio is the new Pine Avenue Park and Chase Field, as well as the adjacent City of Carlsbad Senior Center.

In 2013, the allowed residential densities in the Barrio were increased. The primary objective of the density increase was to encourage redevelopment (primarily around the perimeter of the neighborhood) while protecting the single-family/duplex character of the center of the neighborhood.

In 2018, the Village and Barrio Master Plan was adopted to provide a vision, standards and guidelines for both the Village and Barrio. The master plan recognizes the neighborhood's walkable, residential character, its history and cultural resources, and its objectives for calming traffic and increasing connections with the Village and beach. It will be important that future improvements are sensitive to these characteristics and objectives.

Carlsbad Boulevard/Agua Hedionda Center

This area formerly contained the Encina Power Station (EPS), whose 400-foot exhaust stack and 965 megawatt power plant had been a landmark near the edge of Agua Hedionda Lagoon and the ocean since the mid-1950s. Pursuant to a settlement agreement dated January 14, 2014, between and among the City of Carlsbad and the Carlsbad Municipal Water District (CMWD), Cabrillo Power I LLC and Carlsbad Energy Center LLC, and San Diego Gas and Electric Company (SDG&E), the EPS was decommissioned in 2018 and demolished in 2022. The General Plan envisions redevelopment of the EPS, as well as the adjacent SDG&E North Coast Service Center, with visitor-serving commercial and open space uses to provide residents and

visitors enhanced opportunities for coastal access and services, reflecting the California Coastal Act's goal of "maximizing public access to the coast."

East of the former EPS, between the railroad tracks and I-5 freeway, a new, approximately 500 megawatt facility, the Carlsbad Energy Center, completed construction in 2018, utilizing peaker-plant technology (rather than as a base load or combined-cycle facility). Compared to the former plant, the new power plant features a lower profile and has less impact on the environment by being constructed away from the coastline and partially below grade, and by utilizing current peaker-plant technology that significantly reduces its visual profile, hours of operation, noise, air pollutant and greenhouse gas emissions, and eliminates the use of ocean water for cooling.

A portion of the area west of the railroad tracks contains the Claude "Bud" Lewis Carlsbad Desalination Plant. The desalination project was completed in 2015 and provides a portion of the city's potable water needs. Also, SDG&E operates the Encina substation on approximately 10 acres of the EPS site west of the railroad tracks. The substation is expected to continue in operation for the foreseeable future.



Former Encina Power Station along Carlsbad Blvd.

The Shoppes at Carlsbad Commercial Area

The principal opportunity in this area is The Shoppes at Carlsbad mall, a 90-acre enclosed regional shopping mall, surrounded by surface parking lots owned by the city. The mall was redeveloped in 2014-2015.

As part of the 2021-2029 Housing Element update, the mall parking lots were identified as a city-controlled opportunity site that could be redeveloped to accommodate a portion of the city's share of the Regional Housing Needs Allocation (RHNA). The site has been identified to provide a minimum 993 housing units across the five parking lot parcels. Programs in the Housing Element call for the city to work closely with the owner of the Shoppes on redevelopment of the site to a mixed-use format center that includes a "high level of affordable housing (at least 20% of residential units)."

On March 14, 2023, the City Council designated a city staff team as responsible for exploring options for potential use of the city-owned parking lot properties, including complying with the state Surplus Land Act and working with representatives of the mall property owner or other parties identified through the Surplus Land Act toward the lease or sale of the properties.

To facilitate future mixed-used, mixed-income development, a combination of Regional Commercial and residential land use designations (R-23 and R-40) are applied to the parking lot parcels. The Regional Commercial designation requires regionally oriented retail uses, but also permits housing in a mixed-use setting. The R-23 and R-40 designations allow for higher density residential uses. Site details, including number of units, will be determined following submittal of development plans to the city and subject to minimum density requirements.

North County Plaza

East and west of the mall are locally-serving shopping centers and a cluster of offices; these may receive potential upgrading and reinvestment by property owners; for example, the shopping center to the west, North County Plaza, has been identified for potential mixed-use through the proposed addition of housing. Based on a project submitted, it is anticipated the site could redevelop with a minimum 240 units while maintaining commercial uses.

Sunny Creek Commercial

This is a strategically located site at the northwest corner of El Camino Real and the future extension of College Boulevard, consisting of a vacant site designated for a mix of residential and commercial uses. The General Plan envisions this area with a neighborhood-oriented commercial center designed to be pedestrian-oriented to surrounding residential uses. The commercial uses would serve a number of existing and future residential developments in the area, as well as office uses in the employment core to

the south. With a significant population within walking distance of this site, connectivity and pedestrian orientation will facilitate easy access from the surroundings.

Palomar Corridor

This area is the employment core of Carlsbad and one of north San Diego County's key employment centers, with a variety of industrial, research and development, and office uses, along with hotels and commercial uses. It also contains the McClellan-Palomar Airport and LEGOLAND amusement park. The General Plan maintains the industrial/research and development primacy of the area. While office, medical office, and residential uses would be desirable in the area to provide use diversity, their location in the corridor is challenged by airport noise and safety considerations, and the presence of several establishments authorized to use hazardous chemicals as part of regular business operations; the General Plan provides land use designations where these uses could be accommodated in selected locations.

Ponto/Southern Waterfront

This area has a scenic setting, with a 3.5-mile frontage north of Batiquitos Lagoon along the Pacific Ocean. In the northern portion of the area, a hotel and residential uses—mostly small single-family homes—line the east side of Carlsbad Boulevard. The largest development opportunity is in between Batiquitos Lagoon and Ponto Road, where the General Plan contemplates a mix of hotels, other commercial uses and residential uses, consistent with the Ponto Beachfront Village Vision Plan. The General Plan also contemplates smaller eating and drinking establishments along Carlsbad Boulevard as opportunities arise, to provide oceanfront dining.

The southbound portion of Carlsbad Boulevard is proposed to be realigned with a shift to the east, providing opportunity for a linear park/promenade along Carlsbad Boulevard, which is already popular with walkers, joggers, and bicyclists. The street realignment project may also provide additional park and gathering opportunities along the ocean.

Murphy

This area consists of three parcels totaling approximately 36 acres located north of Batiquitos Lagoon and east of Batiquitos Drive; the northern parcel is designated for low to medium density (0-4 dwelling units per acre) residential uses and open space, and the southern parcel is designated for medium density (4-6 dwelling units per acre) residential uses and open space; the General Plan envisions that the overall potential residential density of the site will be clustered to provide an open space buffer between development and the lagoon.

Sunny Creek Residential

Poinsettia and Village Coaster Stations

These transit centers are key mobility hubs providing access to Coaster train and Breeze bus services. The centers play a local and regional role, serving city residents by providing access to jobs and shopping destinations, and providing tourists and regional visitors access to Carlsbad attractions. Both the Poinsettia and Village Coaster Stations are owned by the North County Transit District (NCTD). Both stations are opportunity sites to help accommodate a portion of the city's share of the Regional Housing Needs Allocation (RHNA).

NCTD is considering redevelopment of both Coaster stations with non-transit uses, including residential, which will enhance their transit functions as well. On Jan. 19, 2023, the NCTD Board of Directors voted in favor of entering into Exclusive Negotiation Agreements with private developers for both Coaster stations. A Housing Element policy and program call for the city to support and work collaboratively with NCTD on its Village Coaster Station redevelopment efforts to include a mix of market rate and a "high level" of affordable units adjacent to transit services. Following submittal of any development plans to the city, project details regarding site layout, design, number of residential units and any other non-transit-oriented uses will be determined.

Poinsettia Station consists of two parcels totaling 5.83 acres located south and west of Avenida Encinas, west of Embarcadero Lane. While the transit center is the main use, both parcels are also designated for high density residential uses. As part of the 2021-2029 Housing Element update, a portion of the Poinsettia Station site was identified as a location that could provide up to 27 housing units.

The Carlsbad Village Station consists of two parcels totaling 7.75 acres located north of Grand Avenue, between State Street and Washington Street. While the transit center is the main use, both parcels are zoned Village-Barrio (V-B) and are part of the Village Center District (VC) governed by the Village-Barrio Master Plan. The Village Center District encompasses the core of the Village and includes a mix of commercial, attached residential that is high density (28-35 dwelling units per acre) in nature, and mixed-use building types. As part of the 2021-2029 Housing Element update, the Carlsbad Village Station site was identified as a location that could provide up to 93 housing units.

2.8 Goals and Policies

Goals

Land Use

- 2-G.1 Maintain a land use program with amount, design and arrangement of varied uses that serve to protect and enhance the character and image of the city as expressed in the Carlsbad Community Vision, and balance development with preservation and enhancement of open space.
- 2-G.2 Promote a diversity of compatible land uses throughout the city, to enable people to live close to job locations, adequate and convenient commercial services, and public support systems such as transit, parks, schools, and utilities.
- 2-G.3 Promote infill development that makes efficient use of limited land supply, while ensuring compatibility and integration with existing uses. Ensure that infill properties develop with uses and development intensities supporting a cohesive development pattern.



2-G.4 Provide balanced neighborhoods with a variety of housing types and density ranges to meet the diverse demographic, economic and social needs of residents, while ensuring a cohesive urban form with careful regard for compatibility.

2-G.5 Protect the neighborhood atmosphere and identity of existing residential areas.

2-G.6 Allow a range of mixed-use centers in strategic locations that maximize access to commercial services from transit and residential areas.



2-G.7 Ensure that neighborhood serving shopping and mixed-use centers include shopping as a pedestrian-oriented focus for the surrounding neighborhood, are physically integrated with the surroundings, and contain neighborhood-serving stores and small offices. Where appropriate, include in the centers high and medium density housing surrounding the retail core or integrated in mixed-use buildings.

2-G.8 Provide opportunities for continued economic growth and vitality that enhance Carlsbad's position as a premier regional employment center.

2-G.9 Accommodate a diversity of business establishments in appropriately-scaled settings, including large-scaled industrial and research and development establishments proximate to the McClellan-Palomar Airport,

regionally-scaled shopping centers, and neighborhood-serving commercial centers with smaller-sized stores, restaurants and offices to meet shopping, recreation, and service needs of residents and visitors.

- 2-G.10 Promote continued growth of visitor-oriented land uses, and provide enhanced opportunities for new hotels and visitor-services in desirable locations.
- 2-G.11 Provide industrial lands that can accommodate a wide range of air and water pollution-free industrial establishments, including those of relatively high intensity; research and development and related uses set in campus or park-like settings; as well as moderate to low intensity establishments capable of being located adjacent to residential areas with minimal buffering and attenuation measures.
- 2-G.12 Ensure adequate provision of community-serving facilities such as child daycare facilities, places of worship, educational institutions and schools.
- 2-G.13 Maintain land use compatibility between McClellan-Palomar Airport and surrounding land uses, and encourage the airport's continued operations while ensuring it does not unduly impact existing neighborhoods and communities.
- 2-G.14 Participate with other cities in the county, through the San Diego Association of Governments, in working towards solution of regional issues.
- 2-G.15 Support agricultural uses throughout the city while planning for the transition of agriculture to other uses.

Community Character, Design, and Connectedness

- 2-G.16 Enhance Carlsbad's character and image as a desirable residential, beach and open-space oriented community.
- 2-G.17 Ensure that the scale and character of new development is appropriate to the setting and intended use. Promote development that is scaled and sited to respect the natural terrain, where hills, public realm, parks, open space, trees, and distant vistas, rather than buildings, dominate the overall landscape, while developing the Village, Barrio, and commercial and industrial areas as concentrated urban-scaled nodes.
- 2-G.18 Ensure that new development fosters a sense of community and is designed with the focus on residents, including children, the disabled and the elderly, by providing: safe, pedestrian-friendly, tree-lined streets; walkways to common destinations such as schools, bikeways, trails, parks and stores;



homes that exhibit visual diversity, pedestrian-scale and prominence to the street; central gathering places; and recreation amenities for a variety of age groups.

- 2-G.19 Ensure that new neighborhood commercial centers are designed for pedestrian comfort, and integrated with the surrounding neighborhoods with new streets and paths.
- 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 dining, shopping, and recreating along the coastline. Develop public gathering places and recreational opportunities along the coastal corridor.

Growth Management

- 2-G.21 Ensure that adequate public facilities and services are provided in a timely manner to preserve the quality of life of residents.
- 2-G.22 Develop programs that correlate the projected population with the service capabilities of the city.

Cannon Road Open Space, Farming and Public Use Corridor

Goals 2-G.23 through 2-G.28 are in accordance with "Proposition D - Preserve the Flower and Strawberry Fields and Save Carlsbad Taxpayers' Money" and are applicable only to the area within the Cannon Road Open Space, Farming and Public Use Corridor (see Figure 2-2):

- 2-G.23 Create a unique, community-oriented open space area along the Cannon Road corridor located immediately to the east of the Interstate 5 freeway including the existing flower fields and strawberry fields.
- 2-G.24 Ensure that this area is permanently protected and preserved for open space uses.



2-G.25 Enhance the protection of the existing flower fields.

2-G.26 Allow farming operations in the area such as the existing strawberry fields and flower growing areas to continue.

2-G.27 Provide for the protection and preservation of environmental resources in the area.

2-G.28 Increase public access and use to the area primarily through the incorporation of public trails and active and passive recreation.



The Village

- 2-G.29 Maintain and enhance the Village as a center for residents and visitors with commercial, residential, dining, civic, cultural, and entertainment activities.
- 2-G.30 Develop a distinct identity for the Village by encouraging a variety of uses and activities, such as a mix of residential, commercial, office, restaurants and specialty retail shops, which traditionally locate in a pedestrian-oriented downtown area and attract visitors and residents from across the community by creating a lively, interesting social environment.

The Barrio

- 2-G.31 Promote rejuvenation of the Barrio while maintaining its walkable, residential character, and ensuring that new development enhances neighborhood quality and character.
- 2-G.32 Celebrate the Barrio's history and resources, and foster development of cohesive streetscapes with strategic improvements, including plazas where feasible.

Policies

Land Use

General

- 2-P.1 Maintain consistency between the General Plan and Title 21 of the Carlsbad Municipal Code (Zoning Ordinance and map).
- 2-P.2 Update the city's Local Coastal Program (LCP) to be consistent with the General Plan. Work with the California Coastal Commission to gain permitting authority for all areas of the city in the Coastal Zone.
- 2-P.3 Permit increased non-residential and mixed-use development allowances up to limits specified in the Transportation Demand Management (TDM) Ordinance when developed, where project proponents agree to compliance with the stipulations in the TDM Ordinance.
- 2-P.4 When uncertainty exists regarding the precise boundary of the various land use designations identified on the Land Use Map, such boundaries shall be interpreted as follows:
 - a. Where boundaries appear to follow the centerline of a street or highway, ownership boundary lines, or topographic features such as valleys, ridgelines, or top/bottom of bluffs/slopes then the boundaries shall be interpreted to follow the lines/features they appear to follow.

- b. Where boundaries appear to reflect environmental and resource management considerations, boundaries shall be interpreted in a manner which is consistent with the considerations that the boundary reflects.

2-P.5 Work with SANDAG through participation in its various standing committees on regional plans and initiatives. Adopt local implementing policies and programs when found to be consistent with the General Plan and in the best interests of Carlsbad's residents and businesses.

Residential

2-P.6 Encourage the provision of lower and moderate-income housing to meet the objectives of the Housing Element.

2-P.7 Do not permit residential development below the minimum of the density range, except in the following circumstances and subject to the findings required by California Government Code Section 65863:

- a. When one single-family dwelling is constructed on a legal lot that existed as of October 28, 2004.
- b. When one single-family dwelling is constructed on a lot that was created by consolidating two legal nonconforming lots into one lot (this only applies to lots that are nonconforming in lot area).
- c. When a legal lot is developed with one or more residential units that existed as of October 28, 2004; provided, the existing units are to remain and it is not feasible to construct the number of additional units needed to meet the minimum density without requiring the removal of the existing units.

In addition, specific sites rezoned by the City Council to meet RHNA requirements as detailed in the programs of the Housing Element are not subject to these exceptions and instead must be developed at or above the minimum of the density range.

2-P.8 Do not permit residential development to exceed the applicable Growth Management Control Point (GMCP) density unless the following findings are made:

- a. The project qualifies for and will receive an allocation of "excess" dwelling units, pursuant to City Council Policy No. 43.
- b. There have been sufficient residential projects approved at densities below the GMCP so the citywide and quadrant dwelling unit limits will not be exceeded as a result of the proposed project.

- c. All necessary public facilities required by the Citywide Facilities and Improvements Plan will be constructed, or are guaranteed to be constructed, concurrently with the need for them created by this development and in compliance with adopted city standards.³
- 2-P.9 Incentivize development of lower-income affordable housing by allowing residential development above maximum densities permitted by the General Plan, subject to an evaluation of the following: (a) the proposal's compatibility with adjacent land uses, and (b) the project site's proximity to a minimum of one of the following: freeway or major street; commercial center; employment opportunities; city park or open space; or commuter rail or transit center.
- 2-P.10 Development on slopes, when permitted, shall be designed to minimize grading and comply with the hillside development provisions of the Zoning Ordinance and the Carlsbad Local Coastal Program.
- 2-P.11 Consider density and development right transfers in instances where a property owner is preserving open space for purposes of environmental enhancement, complying with the city's Habitat Management Plan, or otherwise leaving developable property in its natural condition. The density/development potential of the property being left in open space shall be reserved for and used on the remainder of the project site or, through an agreement with the city, may be transferred to another property.
- 2-P.12 Encourage residential uses mixed in conjunction with commercial development on commercially designated sites and within the Village.
- 2-P.13 Encourage medium to higher density residential uses located in close proximity to commercial services, employment opportunities and major transportation corridors.
- 2-P.14 Require new and, as appropriate, existing master planned and residential specific plan developments to provide usable acres to be designated for community facilities such as daycare, worship, youth and senior citizen activities, educational institutions and schools.
- 2-P.15 Allow the development of a two-family dwelling on all lots which legally existed and were zoned R-2 as of December 1, 1986, regardless of the density allowed by the residential land use designation, provided the development of the dwellings complies with all

³ Note: 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.

applicable development standards in effect at the time of the development.

- 2-P.16 Allow residential development above the allowed maximum density on properties with an R-1.5 or R-4 land use designation when the implementing zone would permit a slightly higher dwelling unit yield than the allowed maximum density, subject to the following findings:
- a. The project is consistent with the intended uses of the applicable land use designation (R-1.5 or R-4) and other applicable goals and policies of this General Plan.
 - b. There is sufficient infrastructure to support the project.
 - c. The proposed density does not exceed the allowed maximum density by more than 25 percent.
 - d. .

Commercial Services

- 2-P.17 Locate commercial land uses as shown on the Land Use Map. Where applications for the re-designation of land to commercial land uses are submitted, these shall be accompanied by a conceptual development plan of the site and a market study that demonstrates the economic viability of using the land in the way being requested, as well as the impact on the viability of commercial uses designated on the Land Use Map that may compete within shared trade areas.
- 2-P.18 Except within the Village, commercial development shall occur in the form of discrete shopping centers, as opposed to generalized retail districts or linear “strip commercial” patterns (i.e. long corridors of commercial uses with numerous curb cuts, unsafe intersection spacing, disharmonious architectural styles, and a proliferation of signs) or as mixed use developments with an integrated mix of commercial and residential uses.
- 2-P.19 Ensure that all residential areas have convenient access to daily goods and services by locating local shopping centers centrally within their primary trade areas, as defined in Table 2–4. Such trade areas should minimize gaps between or overlaps with the trade areas of other local shopping centers.
- 2-P.20 New master plans and residential specific plans and other large development proposals shall evaluate whether there is a need to include a local shopping center within the development.
- 2-P.21 Sites designated for “regional commercial” use should generally be located where they are easily visible and accessible from highways and freeways. Local shopping centers and uses may be adjacent to or, as a secondary use, integrated into regional centers to also serve the daily convenience needs of customers utilizing the regional shopping center.

- 2-P.22 Sites designated for “general commercial” use should be limited to locations where such uses are appropriate and desirable, provided the development is designed to be architecturally unified and does not result in “strip commercial” development.
- 2-P.23 Sites designated for “visitor commercial” uses should generally be located near major transportation corridors and proximate to key tourist/visitor draws, such as hotels, the ocean, lagoons, the Village, LEGOLAND and other recreation venues, McClellan-Palomar Airport, and businesses in the Palomar Airport Road corridor. Regional, general and local shopping center uses may be adjacent to or, as a secondary use, integrated into a visitor commercial center to also serve the daily convenience needs of tourists, visitors and residents.
- 2-P.24 Build and operate commercial uses in such a way as to complement but not conflict with adjoining residential areas. This shall be accomplished by:
- Controlling lights, signage, and hours of operation to avoid adversely impacting surrounding uses.
 - Requiring adequate landscaped buffers between commercial and residential uses; exceptions may be permissible when both uses are comprehensively developed as a mixed use project.
 - Providing bicycle and pedestrian links between commercial centers and surrounding residential uses, and providing bicycle-parking racks.
 - Ensuring building mass does not adversely impact surrounding residences.
 - Where appropriate, commercial and residential uses can be mixed in a vertical or horizontal configuration.
- 2-P.25 Ensure that commercial development is designed to include:
- Integrated landscaping, parking, signs, and site and building design
 - Common ingress and egress, safe and convenient access and internal circulation, adequate off-street parking and loading facilities. Each commercial site should be easily accessible by pedestrians, bicyclists, and automobiles to nearby residential development.
 - Architecture that emphasizes establishing community identity while presenting tasteful, dignified and visually appealing designs compatible with their surroundings.
 - A variety of courtyards and pedestrian ways, bicycle facilities, landscaped parking lots, and the use of harmonious architecture in the construction of buildings.

- 2-P.26 When “community” tenants (see Table 2–4, earlier) are included in a local shopping center, they must be fully integrated into the overall function and design of the center, including the architecture, internal circulation and landscaping. The inclusion of such tenants should complement, not supplant the principal function of the center, which is to provide local goods and services.
- a. No community “anchor” tenant may be built as a stand-alone building. It must share (or appear to share) walls and its building facade with other tenants in the center.
 - b. No community “anchor” tenant or secondary tenant may feature corporate architecture or logos (excluding signage) that is not integrated into the overall design of the center.

Industrial and Office

- 2-P.27 Limit general industrial development within the community to those areas and uses with adequate transportation access. These areas should be compatible with surrounding land uses including residential neighborhoods.
- 2-P.28 The physical development of industrial areas shall ensure compatibility among a diverse range of industrial establishments.
- 2-P.29 Include provisions in the Zoning Ordinance to allow service and support uses in areas designated Planned Industrial; such uses may include but are not limited to commercial/retail uses that support planned industrial uses, office uses, places of worship, recreation facilities, education facilities, conference facilities, daycare centers, short-term lodging, and other service uses.
- 2-P.30 Require new industrial development to be located in modern, attractive, well-designed and landscaped industrial parks in which each site adequately provides for internal traffic, parking, loading, storage, and other operational needs.
- 2-P.31 Regulate industrial land uses on the basis of performance standards, including, but not limited to noise, air quality, odor, and glare.
- 2-P.32 Require private industrial developers to provide adequate outdoor dining/eating areas for employees.



2-P.33 Do not permit general or medical office uses on sites designated for industrial use, unless the site is re-designated through a General Plan amendment to the office or a commercial land use designation; approval of such re-designations shall be based on consideration of the following criteria:

- a. Contiguity with other established general or medical office uses, or an office or commercial zone;
- b. Separation from industrial uses, where establishment of a medical office use would not preclude establishment or continuation of an industrial use within the zone where industrial uses are intended to be located; and
- c. Location. It is preferable that general or medical office uses be located on sites that can be accessed without negatively impacting traffic on industrial streets.

Agriculture

2-P.34 Support agricultural uses throughout the city, including small-scale farms and community gardens.

2-P.35 Ensure the existing Flower Fields remain in flower production by utilizing all available methods and programs, including grants and other outside financial assistance.

2-P.36 Require utilization of soil and water conservation techniques in agricultural activities.

McClellan-Palomar Airport

2-P.37 Require new development located in the Airport Influence Area (AIA) to comply with applicable land use compatibility provisions of the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) through review and approval of a site development plan or other development permit. Unless otherwise approved by City Council, development proposals must be consistent or conditionally consistent with applicable land use compatibility policies with respect to noise, safety, airspace protection, and overflight notification, as contained in the McClellan-Palomar ALUCP. Additionally, development proposals must meet Federal Aviation Administration (FAA) requirements with respect to building height as well as the provision of obstruction lighting when appurtenances are permitted to penetrate the transitional surface (a 7:1 slope from the runway primary surface). Consider San Diego County Regional Airport Authority Airport Land Use Commission recommendations in the review of development proposals.

- 2-P.38 Coordinate with the San Diego County Regional Airport Authority, Airport Land Use Commission, and the FAA to protect public health, safety and welfare by ensuring the orderly operation of the airport and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around the airport.
- 2-P.39 Prohibit approval of any zone change, general plan amendment or other legislative action that authorizes expansion of McClellan-Palomar Airport, unless authorized to do so by a majority vote of the Carlsbad electorate. (Section 21.53.015, Carlsbad Municipal Code.)



Community Character and Design

See also policies in the Mobility Element related to walkability.

- 2-P.40 Establish development standards that will preserve natural features and characteristics, especially those within coastal, hillside and natural habitat areas.
- 2-P.41 Ensure that the review of future projects places a high priority on the compatibility of adjacent land uses along the interface of different residential density and non-residential intensity categories. Special attention should be given to buffering and transitional methods, especially, when reviewing properties where different residential densities or land uses are involved.
- 2-P.42 Ensure that development on hillsides, where permitted pursuant to the hillside development regulations of the Zoning Ordinance, is designed to preserve and/or enhance the visual quality of the pre-existing topography.
- 2-P.43 Where feasible, locate development away from visible ridges; larger buildings, such as large retail stores and office and industrial development, should be arranged to minimize the buildings' visual appearance from major transportation corridors and vistas.
- 2-P.44 Encourage clustering of development to preserve natural terrain and maximize open space areas around developments.
- 2-P.45 Evaluate each discretionary application for development of property with regard to the following specific criteria:
 - a. Site design and layout of the proposed buildings in terms of size, height and location, to foster harmony with landscape and adjacent development.
 - b. Site design and landscaping to provide buffers and screening where appropriate, conserve water, and reduce erosion and runoff.
 - c. Building design that enhances neighborhood quality, and incorporates considerations of visual quality from key vantage points, such as major transportation corridors and intersections, and scenic vistas.
 - d. Site and/or building design features that will reduce greenhouse gas emissions over the life of the project, as outlined in the Climate Action Plan.
 - e. Provision of public and/or private usable open space and/or pathways designated in the Open Space, Conservation, and Recreation Element.
 - f. Contributions to and extensions of existing systems of streets, foot or bicycle paths, trails, and the greenbelts provided for in



the Mobility, and Open Space, Conservation, and Recreation elements of the General Plan.

- g. Compliance with the performance standards of the Growth Management Plan.
 - h. Development proposals which are designed to provide safe, easy pedestrian and bicycle linkages to nearby transportation corridors.
 - i. Provision of housing affordable to lower and/or moderate-income households.
 - j. Policies and programs outlined in Local Coastal Program where applicable.
 - k. Consistency with applicable provisions of the Airport Land Use Compatibility Plan for McClellan-Palomar Airport.
- 2-P.46 Require new residential development to provide pedestrian and bicycle linkages, when feasible, which connect with nearby shopping centers, community centers, parks, schools, points of interest, major transportation corridors and the Carlsbad Trail System.
- 2-P.47 At the time existing shopping centers are renovated or redeveloped, where feasible, require connections to existing residential neighborhoods through new pedestrian pathways and entrances, mid-block crossings, new or wider sidewalks, and pedestrian-scaled street lighting.
- 2-P.48 Enhance walkability on a citywide scale by installing benches and transit shelters and adding landscaping, wayfinding signage, public art, and pedestrian-scaled lighting. Consider ways to improve rail and freeway overpass/ underpass areas, with lighting, sidewalk improvements and public art.
- 2-P.49 In design requirements for sites adjacent to pedestrian-oriented streets, consider how buildings address the street, through ample windows for display, outdoor eating areas, entryway design options and attractive signage.

Beach Access and Waterfront Activity

- 2-P.50 Improve beach access through a variety of mechanisms, including:
- a. In the Village and adjacent areas, identify the primary pedestrian connections and entrances to the beach through signage, a consistent landscaping scheme, change in paving materials, wider sidewalks and preservation of view corridors. Identify opportunities for additional access points as improved connectivity and facilities are provided, particularly if new beachfront activity areas are established.

- b. In the Barrio neighborhood, provide a pedestrian crossing under or over the rail corridor at Chestnut Avenue.
- c. Identify and implement more frequent pedestrian crossings along Carlsbad Boulevard. Identify and prioritize crossings from residential neighborhoods and existing bicycle and pedestrian trails.

For more detailed policies on pedestrian and bicycle movement, see Chapter 3: Mobility.

2-P.51 Promote development of new activity centers along the ocean waterfront—places where people can eat, shop, recreate and connect with the ocean while taking in the views of the sand, water and sunset. Potential locations for this include the Carlsbad Boulevard/Agua Hedionda Center (see Figure 2-2); near the intersection of Palomar Airport Road and Carlsbad Boulevard; the Ponto area; and other appropriate sites that may provide opportunities for the development of activity centers.

2-P.52 Work with the California Parks Department to enhance recreation, public access, visitor-commercial services, and activity in the Carlsbad Boulevard coastal corridor. Land could be made available by realigning the southbound lanes of Carlsbad Boulevard and by reconfiguring the Palomar Airport Road / Carlsbad Boulevard intersection. The principal objectives are to improve coastal access for all; conserve coastal resources; enhance public safety, including addressing threats to the campground from bluff erosion and sea level rise; and create additional recreational opportunities, waterfront amenities and services, including modernization and expansion of the campgrounds to serve as lower-cost visitor and recreational facilities.

2-P.53 Plan and design Carlsbad Boulevard and adjacent public land (Carlsbad Boulevard coastal corridor) according to the following guiding principles:

- a. Carlsbad Boulevard shall become more than a road. This transportation corridor shall provide for recreational, aesthetic and community gathering opportunities that equal the remarkable character of the land.
- b. Community safety shall be a high priority. Create destination that provides a safe public environment to recreate.
- c. Strategic public access and parking is a key to success. Development shall capitalize on opportunities to add/enhance multiple public access points and public parking for the beach and related recreational amenities.
- d. Open views are desirable and important to maintaining the character of the area. Preservation and enhancement of views



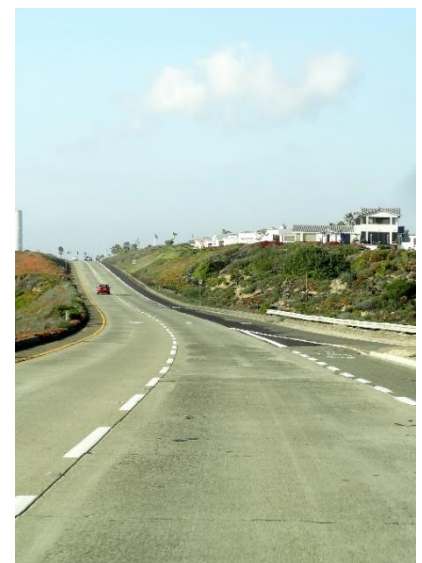
of ocean, lagoons, and other water bodies and beaches shall be a high priority in road, landscaping, and amenity design and development.

- e. Enhance the area's vitality through diversity of recreational land uses. Carlsbad Boulevard development shall provide for amenities, services and goods that attract a diversity of residents and visitors.
- f. Create vibrant and sustainable public spaces. Development shall provide for unique and vibrant coastal gathering spaces where people of all age groups and interests can gather to enjoy recreational and environmental amenities and supporting commercial uses.
- g. Connect community, place and spirit. Design shall complement and enhance connectivity between existing community and regional land uses.
- h. Environmentally sensitive design is a key objective. Environmentally sensitive development that respects existing coastal resources is of utmost importance.
- i. A signature scenic corridor shall be created through design that honors the coastline's natural beauty. The resulting improvements will capture the 'essence' of Carlsbad; making it a special place for people from throughout the region with its natural beauty and vibrant public spaces. Properly carried out, the realigned boulevard will maximize public views and encourage everyone to slow down and enjoy the scenery.
- j. Reimagining of Carlsbad Boulevard shall be visionary. The reimagined Carlsbad Boulevard corridor will incorporate core community values articulated in the Carlsbad Community Vision by providing: a) physical connectivity through multi-modal mobility improvements including bikeways, pedestrian trails, and a traffic-calmed street; b) social connectivity through creation of memorable public spaces; and c) economic vitality through a combination of visitor and local-serving commercial, civic, and recreational uses and services.

2-P.54 Work with the California Parks Department to provide beachfront amenities such as water fountains, bathrooms, and showers; ensure these are designed to be unobtrusive and harmonious with the natural character of the area.

Community Connectedness

2-P.55 Integrate disparate master planned communities and neighborhoods into a cohesive whole, by establishing streetscape schemes along key connector streets and arterials.



- 2-P.56 Encourage use of public space and rights-of-way for periodic community events such as farmers markets, street fairs, and athletic events.

Growth Management and Public Facilities⁴

- 2-P.57 Ensure the dwelling unit limitations of the Growth Management Plan are adhered to when approving any residential General Plan amendment, zone change, tentative subdivision map or other discretionary permit.
- 2-P.58 Require compliance with Growth Management Plan public facility performance standards, as specified in the Citywide Facilities and Improvements Plan, to ensure that adequate public facilities are provided prior to or concurrent with development.
- 2-P.59 Coordinate future development with the Capital Improvement Program (CIP) to ensure adequate funding for needed facilities and services; and prioritize the funding of CIP projects to provide facilities and services to infill areas, in transit priority or planned smart growth areas, and areas where existing deficiencies exist.
- 2-P.60 Maintain the Growth Management monitoring and annual reporting program, which: a) monitors the number of existing and future dwelling units compared to the growth management dwelling unit limitations, and b) measures the city's public service requirements against the rate of physical growth. Use this information to establish priorities for capital improvement funding, and when considering development requests.
- 2-P.61 The City Council or the Planning Commission shall not find that all necessary public facilities will be available concurrent with need as required by the Growth Management Plan unless the provision of such facilities is guaranteed. In guaranteeing that the facilities will be provided, funding shall be available for the necessary facilities prior to approval of development permits, and emphasis shall be given to ensuring a balanced circulation system, schools, parks, libraries, open space and recreational amenities. Public facilities may be added, however, the City Council shall not materially reduce public facilities without making corresponding reductions in development potential.

The Cannon Road Open Space, Farming and Public Use Corridor

Policies 2-P.62 through 2-P.68 are in accordance with "Proposition D - Preserve the Flower and Strawberry Fields and Save Carlsbad Taxpayers"

⁴ Note: 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.

Money” and are applicable only to the area within the Cannon Road Open Space, Farming and Public Use Corridor (see Figure 2-2).

- 2-P.62 In coordination with land owners, protect and preserve this area as an open space corridor. Permit only open space, farming and compatible public uses in the area. Permitted uses shall be as follows:
- a. Open space
 - b. Farming and other related agricultural support uses, including flower and strawberry production.
 - c. Public trails
 - d. Active and passive parks, recreation and similar public and private use facilities (except on the existing Flower Fields)
 - e. Electrical transmission facilities
- 2-P.63 Prohibit residential development in the area; and prohibit commercial and industrial-type uses in the area other than those normally associated with or in support of farming operations and open space uses.
- 2-P.64 Enhance public access and public use in the area by allowing compatible public trails, community gathering spaces and public and private, active and passive park and recreation uses.
- 2-P.65 Allow farming to continue in the area for as long as economically viable for the landowner.
- 2-P.66 Utilize all existing programs and land use protections and explore possible new mechanisms, as well as new grant programs and other outside financial assistance, to keep the existing Flower Fields in permanent farming and flower production.
- 2-P.67 If determined to be necessary, the city shall amend the Zoning Ordinance and adopt a Cannon Road Open Space, Farming and Public Use Corridor Overlay Zone to apply to the area that would provide more detail on permitted uses and land use regulations applicable to the area.

This policy was implemented with the adoption of City Council Ordinance No. CS-317 on March 28, 2017. Further, consistent with California Coastal Commission direction, the ordinance applies only to affected parcels south of Cannon Road.

- 2-P.68 The city shall initiate a public planning process with broad public participation to fully accomplish implementation of the goals, objectives and action programs listed above.

This policy was implemented with the public planning process that occurred from November 2007 through June 2008, which resulted in the

report titled “Creating a Community Vision for the Cannon Road Agriculture and Open Space (Prop D) Lands Final Report September 23, 2008.”

Village

(see Figure 2-2)

- 2-P.69 The Village and Barrio Master Plan is the guide for land use planning and design in the Village.
- 2-P.70 Seek an increased presence of both residents and activity in the Village with new development, particularly residential, including residential as part of mixed-use development, as well as commercial, entertainment and cultural uses that serve both residents and visitors.
- 2-P.71 Seek ways of strengthening existing establishments through façade and streetscape improvements, upgraded public and private landscaping and aesthetically upgraded signage and way-finding. Encourage outdoor dining, sidewalk cafes and limited outdoor displays of merchandise to enliven street-level activity.
- 2-P.72 Enhance the walkability and pedestrian orientation of the Village, including along Carlsbad Village Drive, to enhance the small, beach town atmosphere and improve access to and utilization of transit.
- 2-P.73 Enhance connections with the Barrio through streetscape improvements—including street trees, improved sidewalks, lighting and signage—and potentially mixed-use development along Roosevelt Street.
- 2-P.74 Encourage public art and community gatherings through a wide range of visual and physical forms—from banners on light posts, paving and artwork on sidewalks, light displays at night, music, and sculptures ranging from iconic to pedestrian scale, to the design and shaping of public spaces plazas—all of which set the stage for people to gather, play, and observe. Build on existing activities and events and incorporate cultural facilities, the beach, and a waterfront area where public art could be showcased.
- 2-P.75 Address parking demand by finding additional areas to provide parking for the Village and beach areas, and by developing creative parking management strategies, such as shared and leased parking, on-street parking reconfiguration, “smart” metering, transportation demand management strategies, etc. Evaluate and manage parking in the Village through regular monitoring of parking data.



2-P.76 Support Village revitalization by developing and implementing programs, policies and financing mechanisms to spur local investment and foot traffic, and increase private and public revenues in the Village through partnerships with property owners, businesses and other stakeholders (e.g. business organizations, local non-profit organizations, and residents).



*Barrio**(see Figure 2-2)*

- 2-P.77 Promote new investment by allowing opportunities for medium and high-density infill residential development, strategically located in the neighborhood consistent with the Village and Barrio Master Plan. Ensure that development is designed to enhance neighborhood quality, character, and vitality, and is sensitive to historic and cultural resources.
- 2-P.78 Focus revitalization efforts on renovations and façade improvements as well as enhancing the physical infrastructure of the community.
- 2-P.79 Create a cohesive, pedestrian-scale streetscape that includes improved sidewalks, streetscape, signage and way-finding, and which celebrates the Barrio's heritage and provides better connections between the Barrio and Village and across the railroad at Chestnut Avenue.
- 2-P.80 Foster development of community gathering spaces and a great public realm, such as by reclaiming portions of wide streets for sidewalks, curb bulb-outs, and small plazas in order to create a more pedestrian- friendly experience and encourage interaction among neighbors.
- 2-P.81 Prepare design, development, and parking standards that protect, enhance and provide flexibility to enhance neighborhood quality and character.
- 2-P.82 Develop cooperative neighborhood enhancement programs with the Barrio community that will result in improved resident connections, neighborhood dynamics and enhanced sense of community through better private-public liaison efforts and focus on completion of neighborhood desired improvements. These programs should be coordinated with Village revitalization efforts.

*Infill opportunity (left) and the Barrio historic core (below).*

*Carlsbad Boulevard/Agua Hedionda Center**(see Figure 2-2)***2-P.83 West of the railroad tracks:**

- Decommission, demolish, remove and remediate the Encina Power Station site, including the associated structures, the black start unit and exhaust stack according to the provisions of a settlement agreement dated January 14, 2014, between and among the City of Carlsbad and the Carlsbad Municipal Water District (CMWD), Cabrillo Power I LLC and Carlsbad Energy Center LLC, and San Diego Gas and Electric Company (SDG&E).
- The desalination plant shall remain on approximately 11 acres (six acres for the desalination plant and approximately five acres of non-exclusive easements) west of the railroad tracks.
- Redevelop the Encina Power Station site, along with the SDG&E North Coast Service Center site, with a mix of visitor-serving commercial uses, such as retail and hotel uses, and with new community-accessible open spaces along Agua Hedionda Lagoon and the waterfront (Carlsbad Boulevard). Encourage community gathering spaces, outdoor dining, and other features to maximize potential views of the ocean and the lagoon. Encourage shared parking arrangements so that a greater proportion of development can be active space rather than parking.
- Determine specific uses, development standards, infrastructure, public improvements, site planning and amenities through a comprehensive planning process (e.g., specific plan, master plan, etc.) resulting in a redevelopment plan approved by the City Council. The redevelopment plan boundaries should include the Encina Power Station and the SDG&E North Coast Service Center sites.
- Work with SDG&E to identify a mutually acceptable alternative location for Its North Coast Service Center. Work with SDG&E, as part of a long-term plan, to identify and ultimately permit an alternate site for its Encina substation.

2-P.84 Between I-5 and the railroad tracks:

- Operate the Carlsbad Energy Center as described in a settlement agreement dated January 14, 2014, between and among the City of Carlsbad and the Carlsbad Municipal Water District (CMWD), Cabrillo Power I LLC and Carlsbad Energy Center LLC, and San Diego Gas and Electric Company (SDG&E). The power plant includes the following characteristics:
- Power output will be limited to approximately 500 megawatts and will be constructed and operated utilizing peaker-plant



Carlsbad Boulevard/Agua Hedionda Center and former Encina Power Station

technology (rather than as a base load or combined-cycle facility).

- The power plant will not operate between the hours of midnight and 6 a.m., except to the extent reasonably required for reliability-related purposes or as otherwise required by the ISO tariff.
- Generator units will be placed below grade to minimize the power plant's visual profile.
- The power plant will utilize current peaker-plant technology that significantly reduces noise, air pollutant and greenhouse gas emissions, and eliminates the use of ocean water for cooling.
- Other features as described in said settlement agreement.
- Provide an open space buffer along the lagoon's south shore between the railroad tracks and I-5.

The Shoppes at Carlsbad Commercial Area

(see Figure 2-2)

- 2-P.85 Promote redevelopment or reuse of the mall as a vital, community-wide commercial destination, and encourage a pedestrian orientation. Leverage the city's parking-lot ownership and work collaboratively with The Shoppes' owner to develop a minimum 993 dwelling units to be part of the land use mix.

Sunny Creek Commercial

(see Figure 2-2)

- 2-P.86 Foster development of this site as a mix of multi-family residential dwellings and a local neighborhood-serving shopping center that provides daily goods and services for the surrounding neighborhoods.
- a. The location of commercial and residential uses/land use designations shall be determined through review and approval of a site development plan.
 - b. The area of land utilized for a local shopping center shall be a minimum of 8 acres in size.
 - c. A total of 115 dwelling units have been allocated to the site for growth management purposes (based on 9.6 acres developed at the minimum density of 12 dwelling units per acre, pursuant to Housing Element Appendix B).
 - d. Residential and commercial uses should be integrated in a walkable setting.

Palomar Corridor

(see Figure 2-2)

- 2-P.87 Reinforce the existing base of planned industrial uses with a strong cluster of bio- and high-technology sectors, and attract emerging technologies such as green industries.
- 2-P.88 Allow clusters of sites designated for office use in appropriate locations. Ensure that the Zoning Ordinance incorporates criteria regulating the use of hazardous materials around the sites shown for office uses and other sensitive uses.

Ponto/Southern Waterfront

(see Figure 2-2)

- 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.
- 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.

Murphy

(see Figure 2-2)

- 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.

Poinsettia and Village Coaster Stations

(see Figure 2-2)

- 2-P.93 Work collaboratively with NCTD to achieve a minimum 27 dwelling units at the Poinsettia Coaster Station and a minimum 93 dwelling units at the Village Coaster Station.

North County Plaza

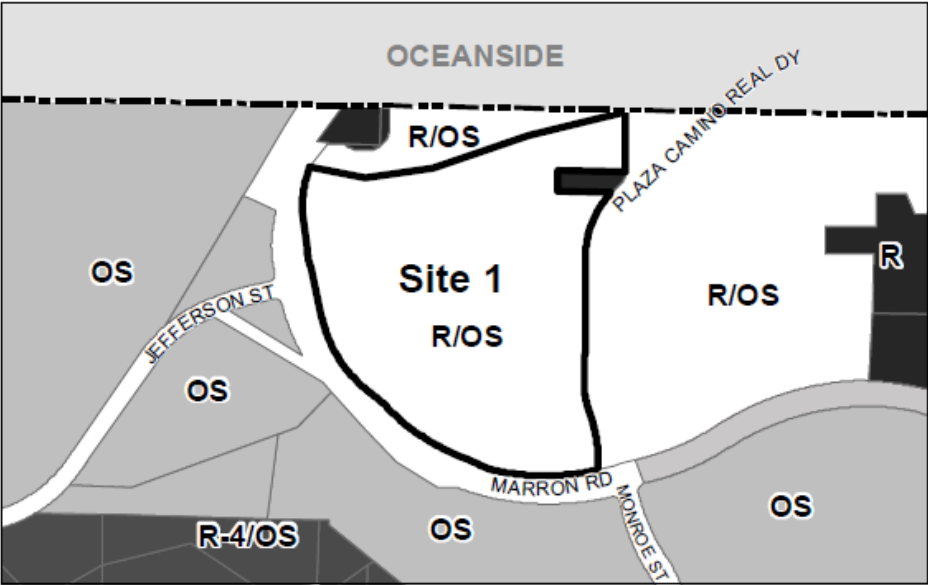
(see Figure 2-2)

- 2-P.94 The site shall develop with a minimum 240 dwelling units.

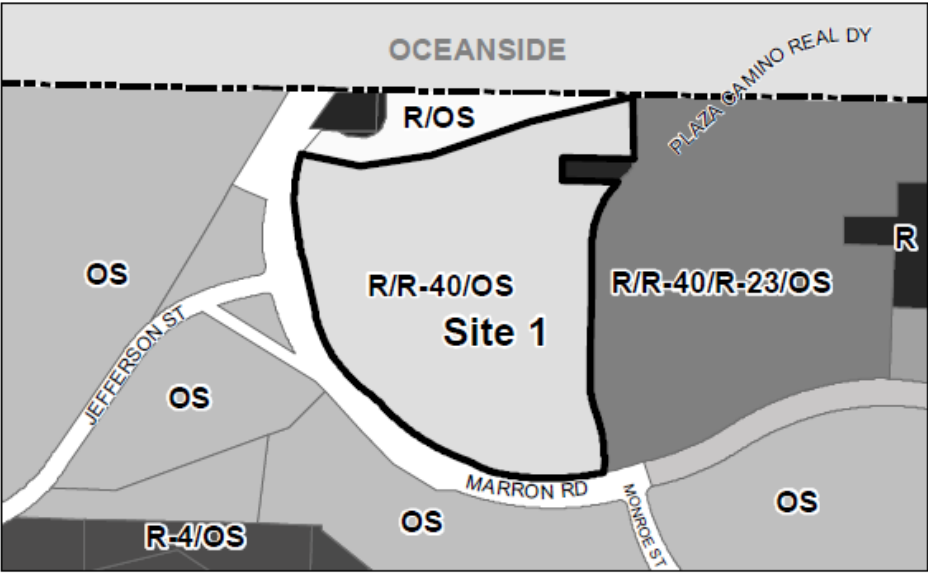
Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

Site 1 – NORTH COUNTY PLAZA



EXISTING



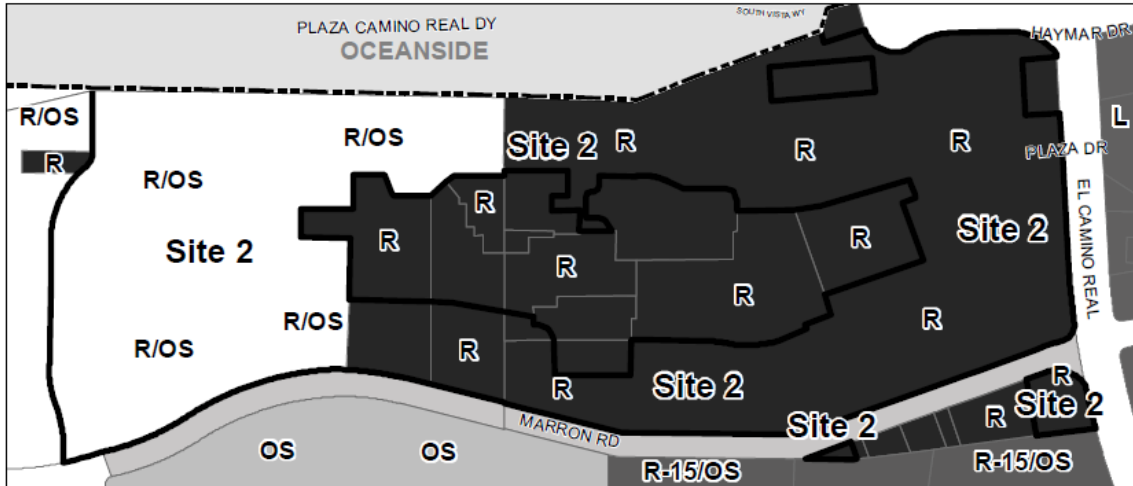
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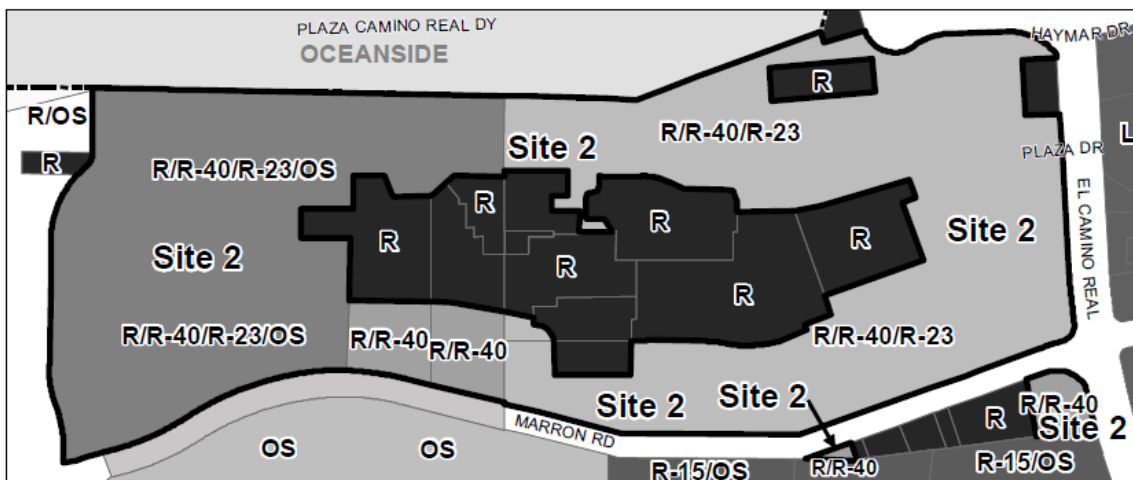
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October 18, 2023

Site 2 – THE SHOPPES AT CARLSBAD PARKING LOT



EXISTING



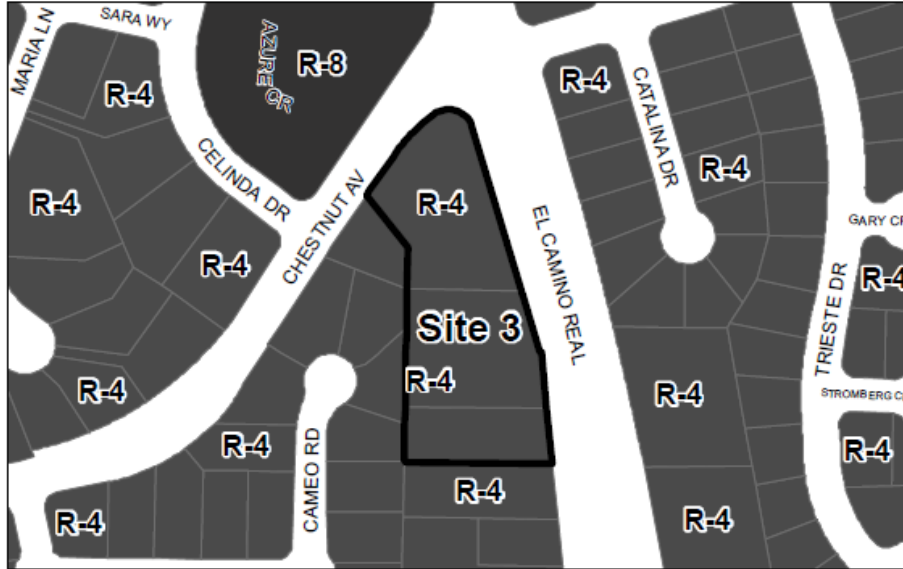
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C. 156-302-35-00	R	R/R-40/R-23
D. 156-301-06-00	R	R/R-40
E. 156-301-01-00	R	R/R-40
F. 156-302-23-00	R	R/R-40
G. 156-302-17-00	R	R/R-40

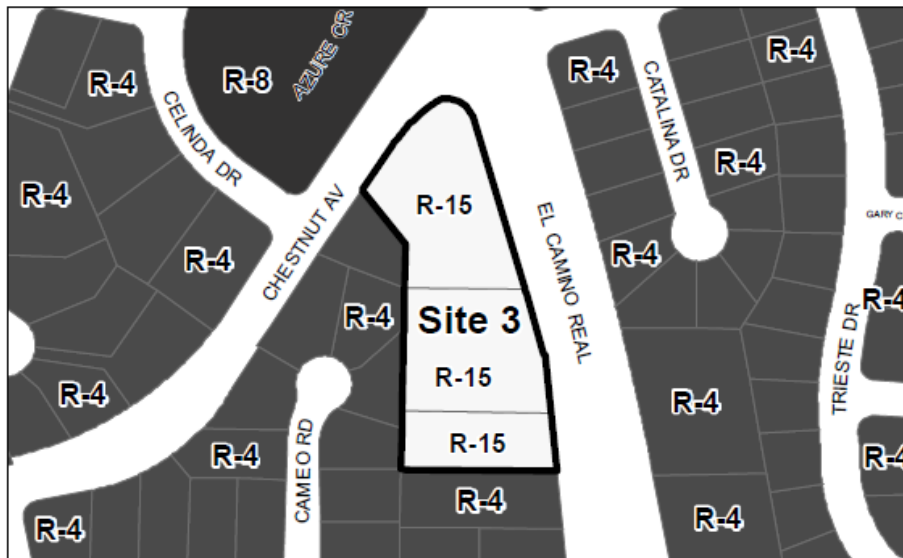
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October 18, 2023

Site 3 – CHESTNUT AT EL CAMINO REAL PARCEL



EXISTING



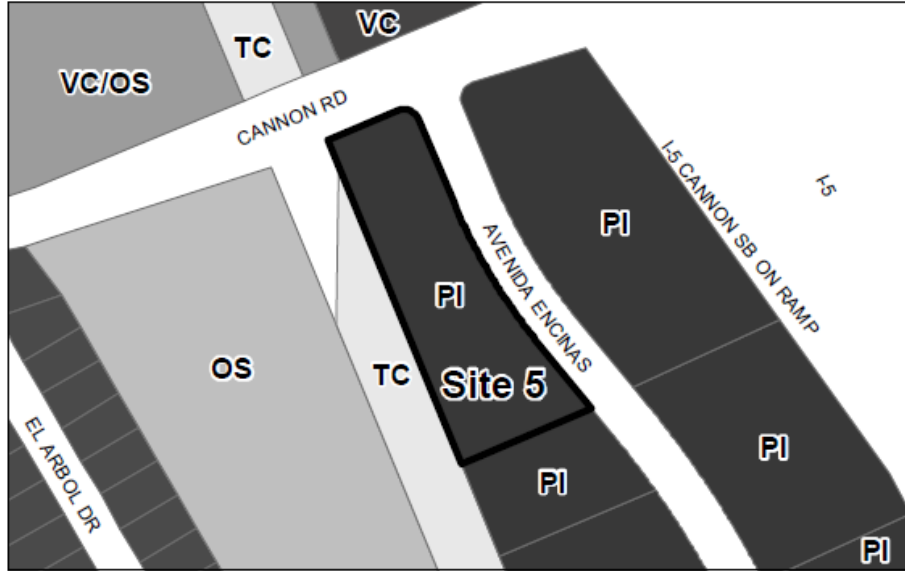
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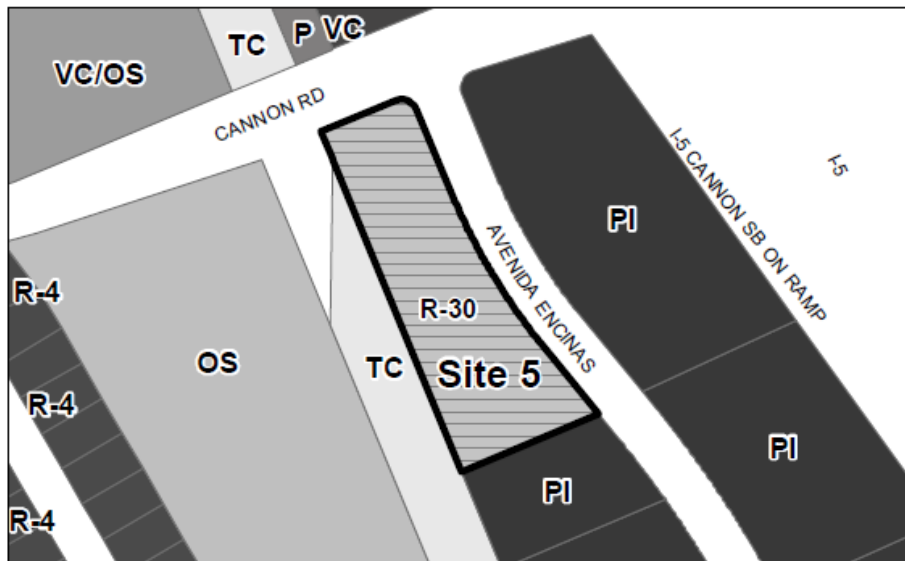
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October 18, 2023

Site 5 – AVENIDA ENCINAS CAR STORAGE LOT



EXISTING



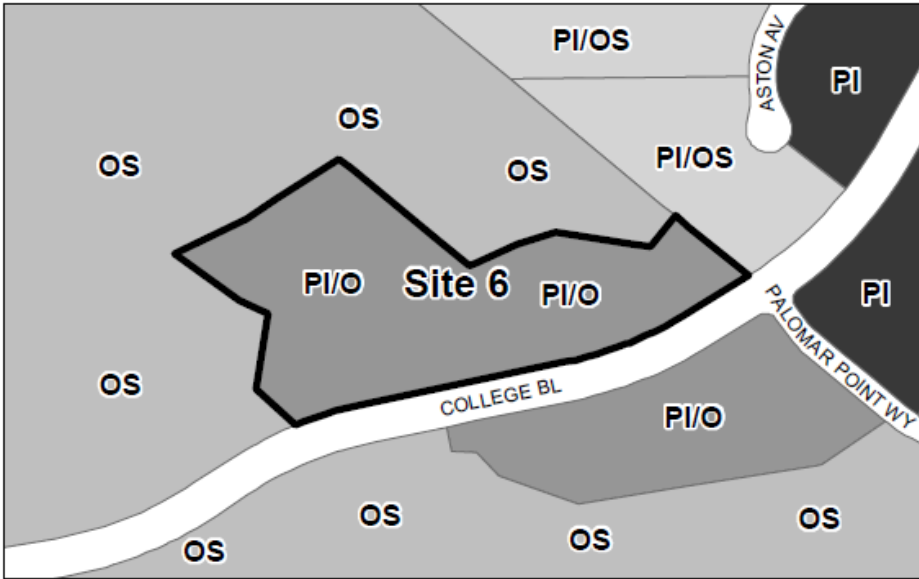
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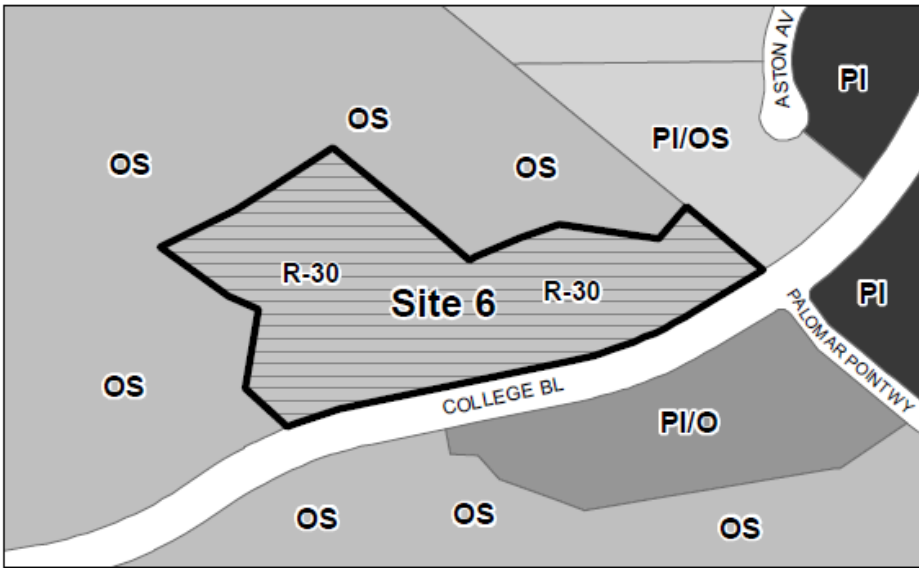
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October 18, 2023

Site 6 – CROSSINGS GOLF COURSE LOT 5



EXISTING



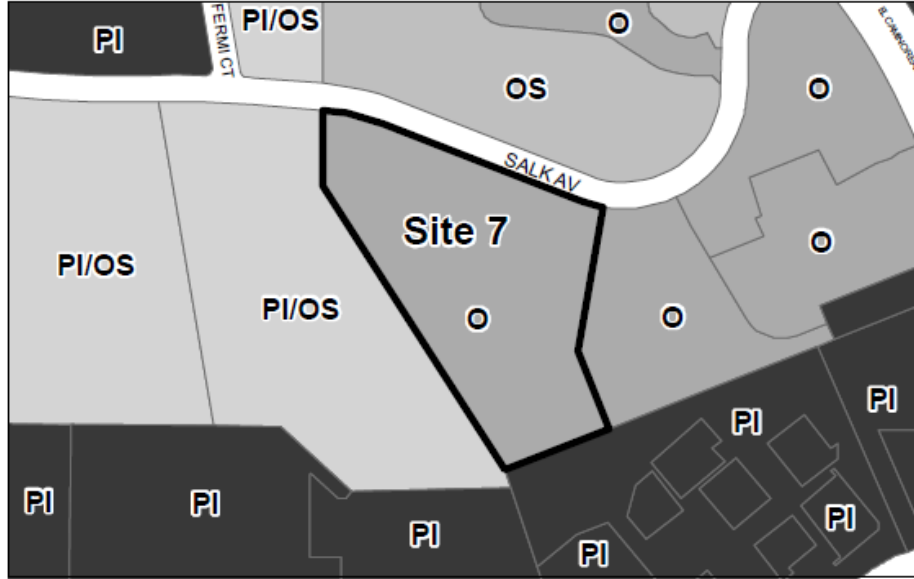
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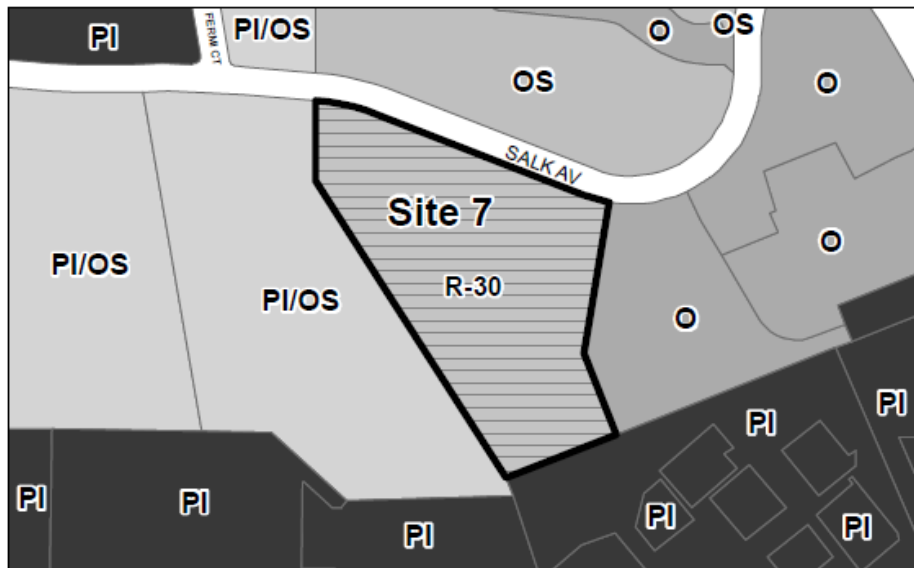
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October 18, 2023

Site 7 – SALK AVENUE PARCEL



EXISTING



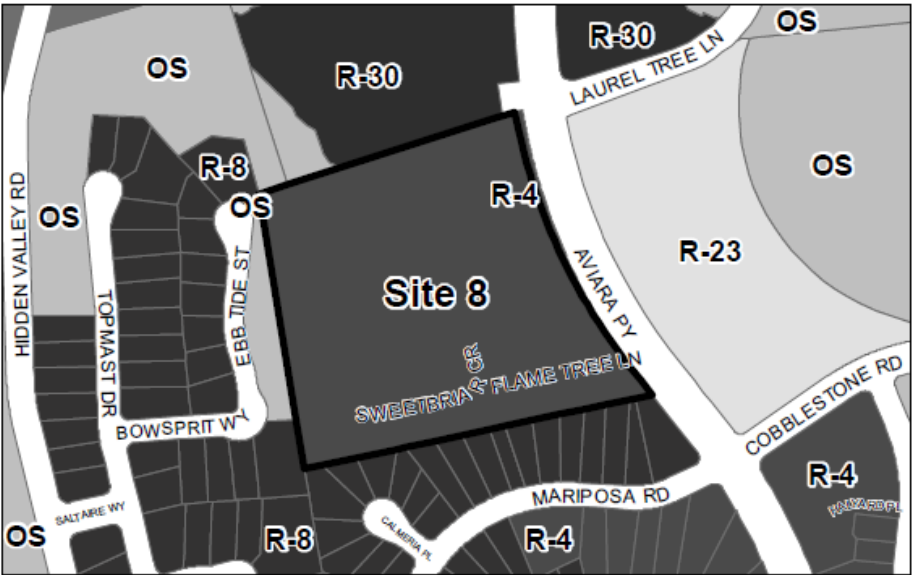
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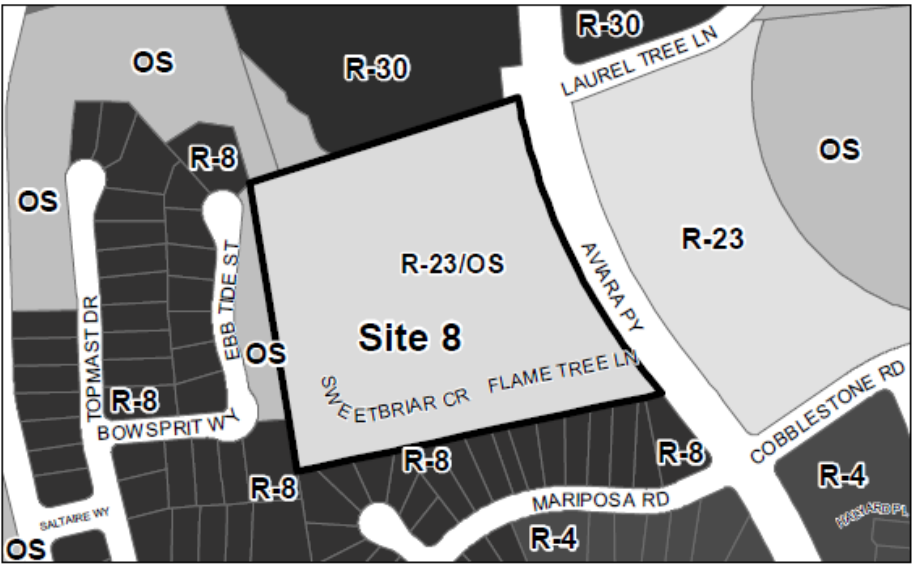
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October 18, 2023

Site 8 – COTTAGE ROW APARTMENTS



EXISTING



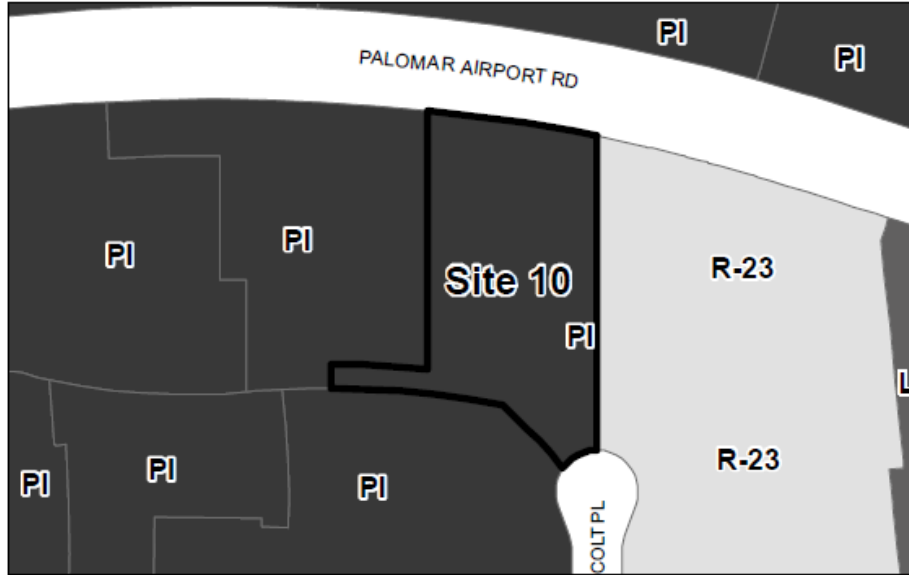
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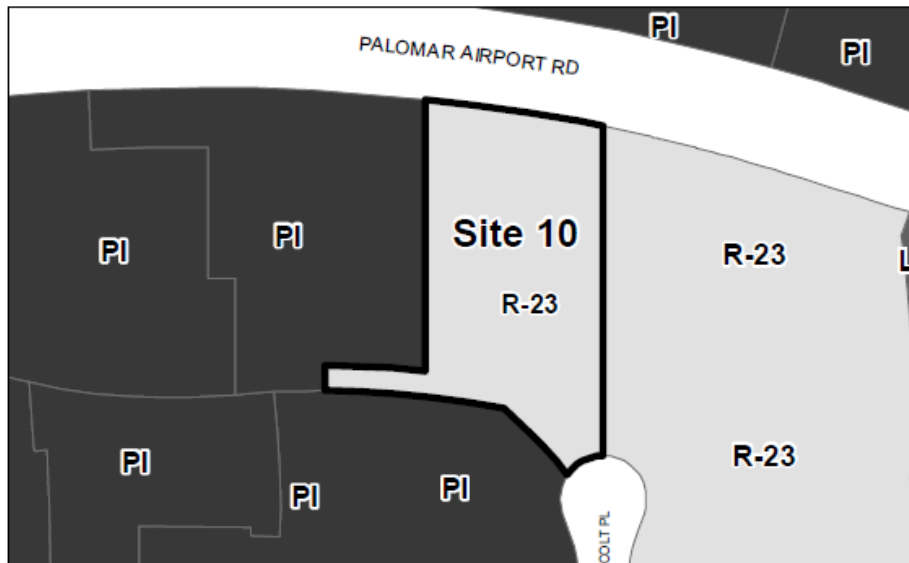
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October 18, 2023

Site 10 – BRESSI RANCH COLT PLACE INDUSTRIAL PARCEL



EXISTING



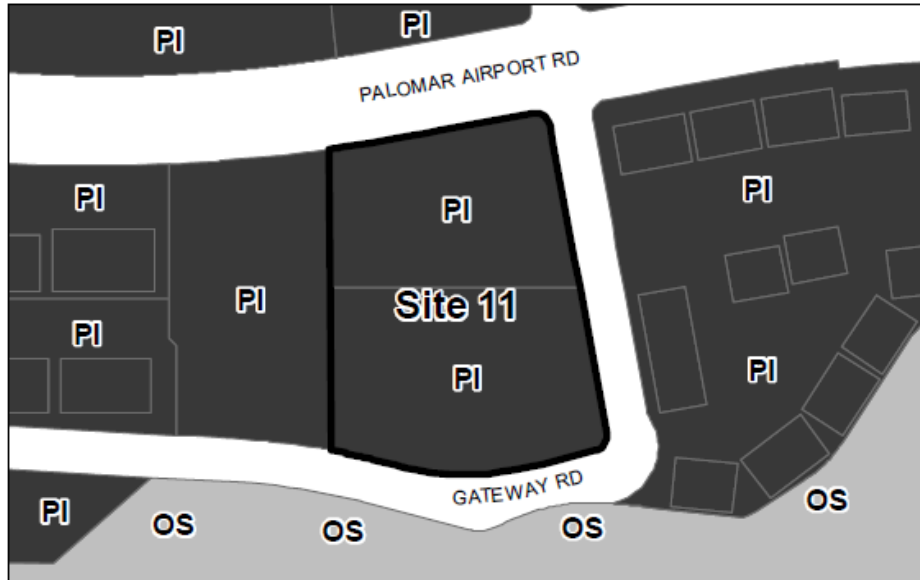
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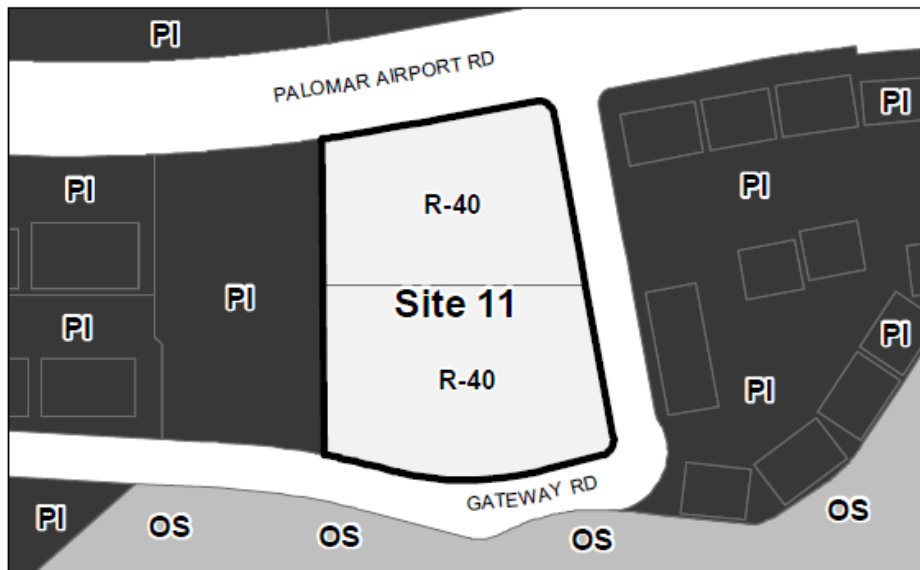
Exhibit “GPA 2022-0001”

October 18, 2023

Site 11 – BRESSI RANCH GATEWAY ROAD INDUSTRIAL PARCELS



EXISTING



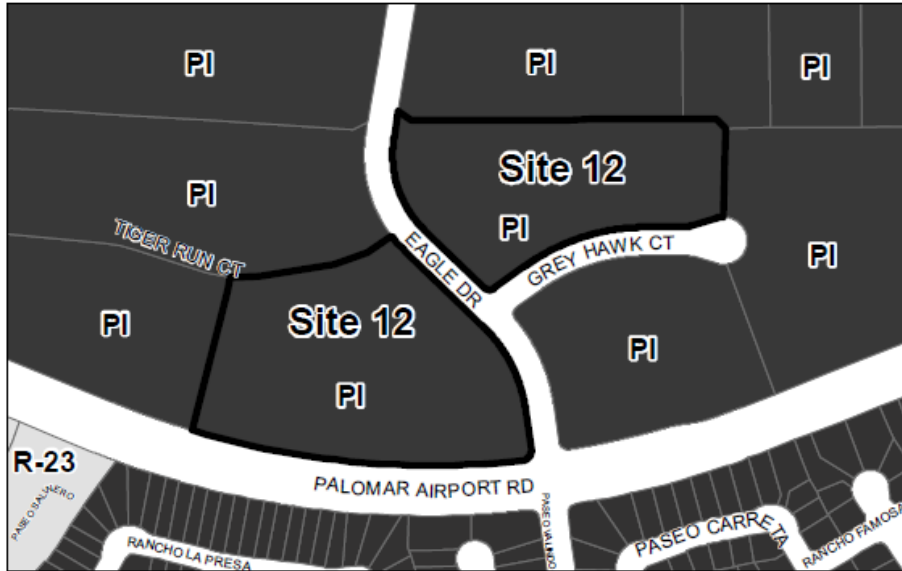
PROPOSED

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B. 213-263-20-00	PI	R-40

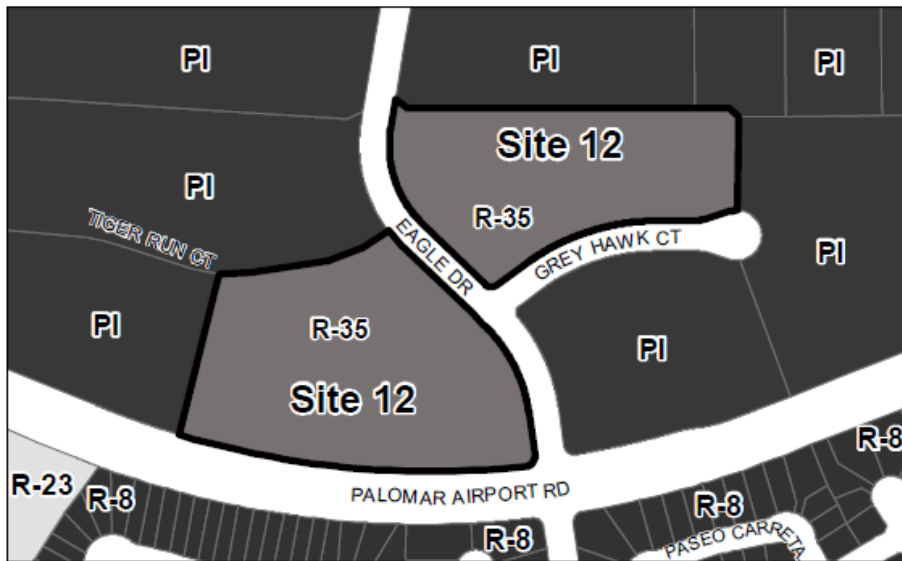
Exhibit “GPA 2022-0001”

October 18, 2023

Site 12 – INDUSTRIAL SITES EAST OF MELROSE DRIVE



EXISTING



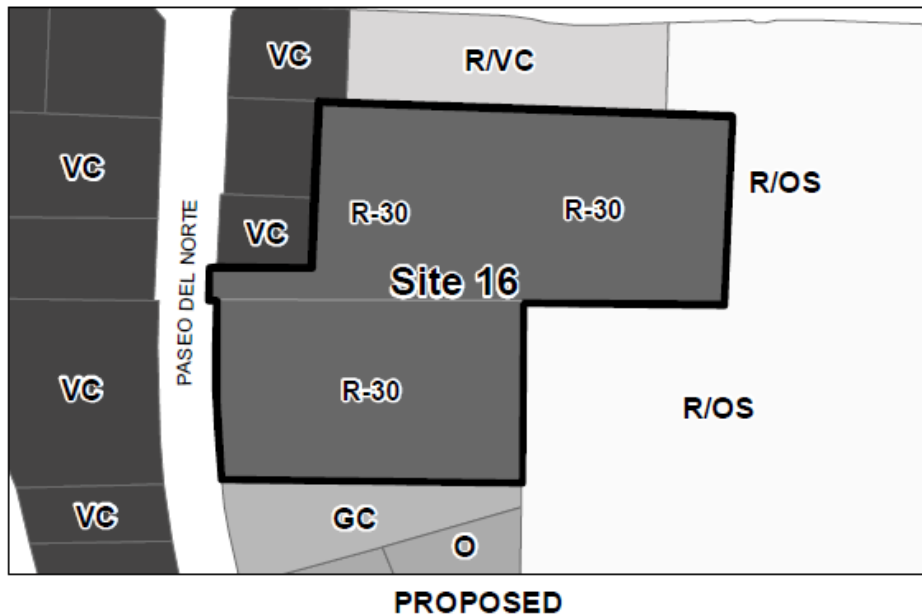
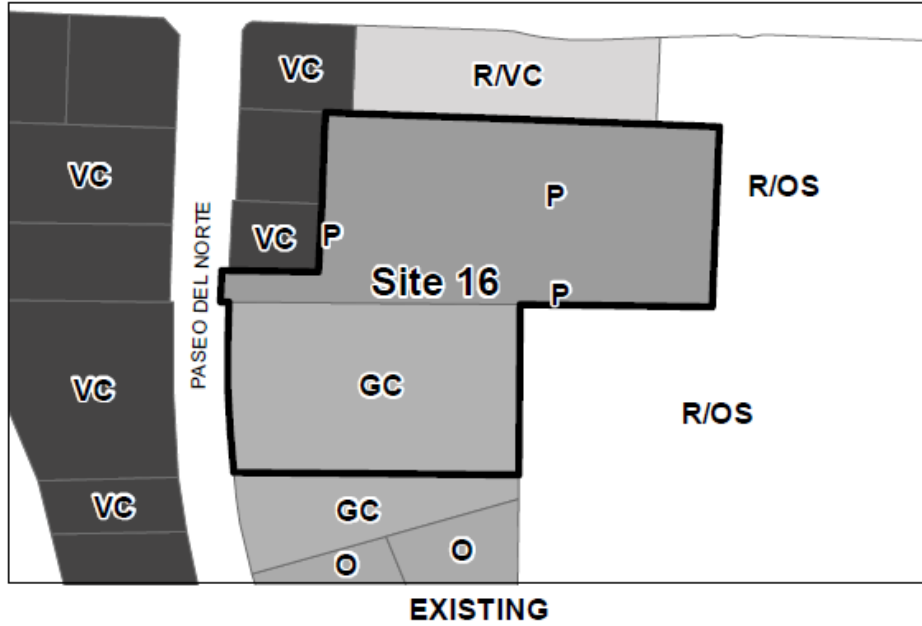
PROPOSED

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B. 221-014-03-00	PI	R-35

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

October 18, 2023

Site 16 – CALTRANS MAINTENANCE STATION AND PACIFIC SALES

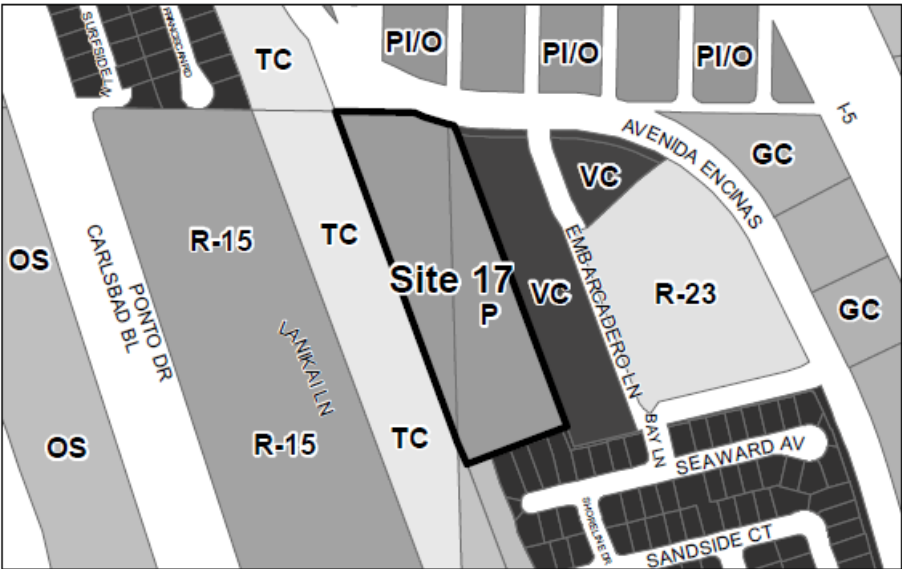


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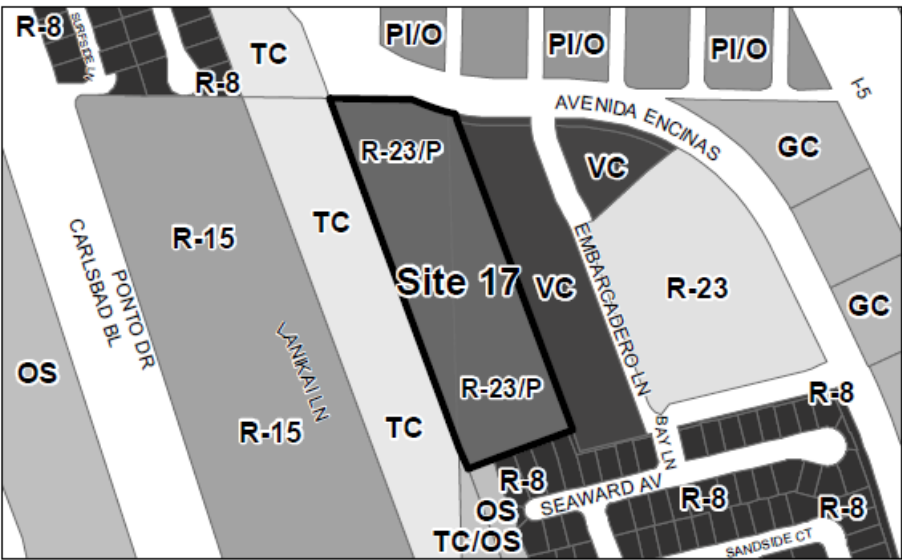
Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

Site 17 – NCTD POINTSETTIA COASTER STATION



EXISTING



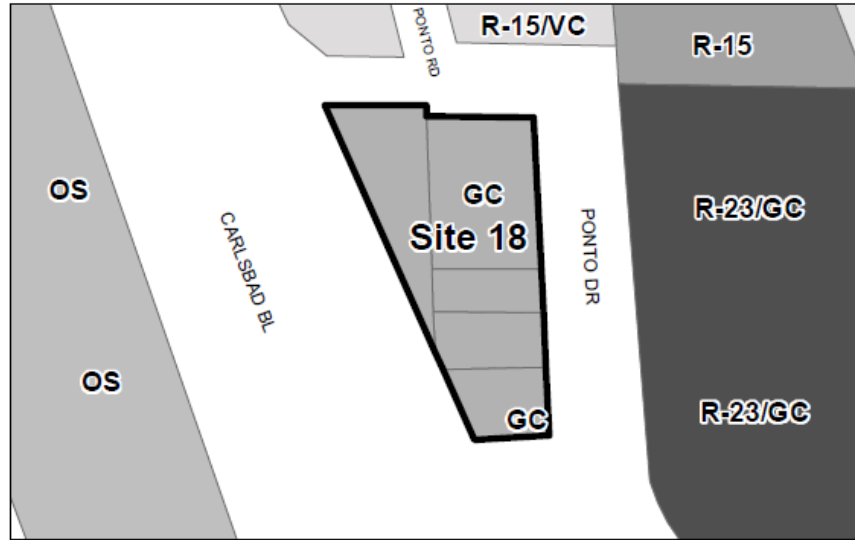
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B. 214-150-20-00	P	R-23/P

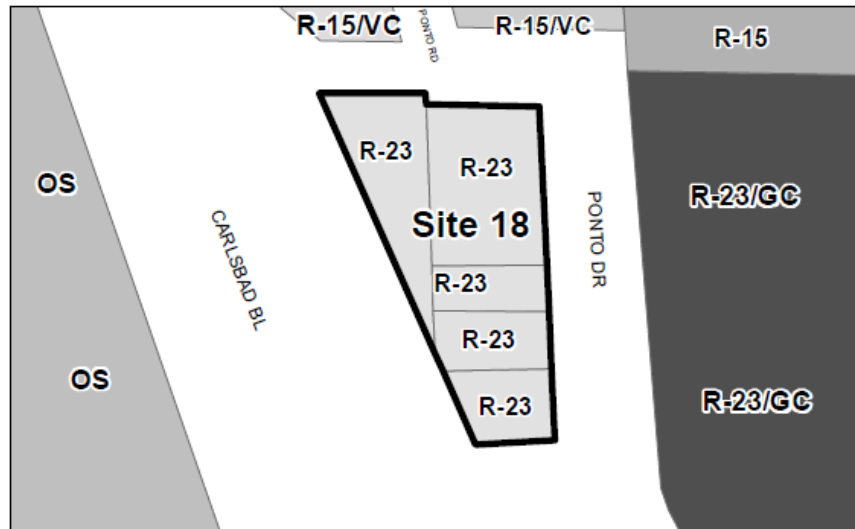
Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

Site 18 – NORTH PONTO PARCELS



EXISTING



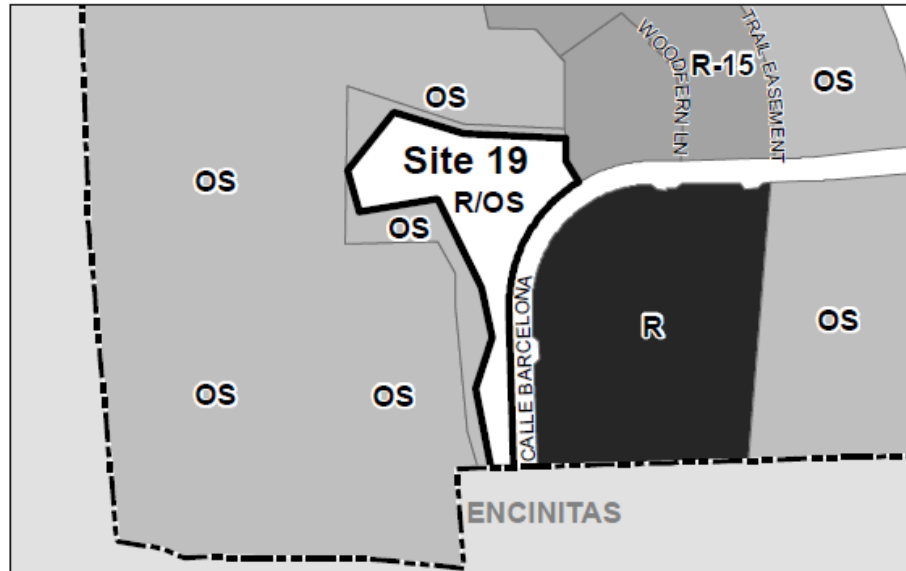
PROPOSED

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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

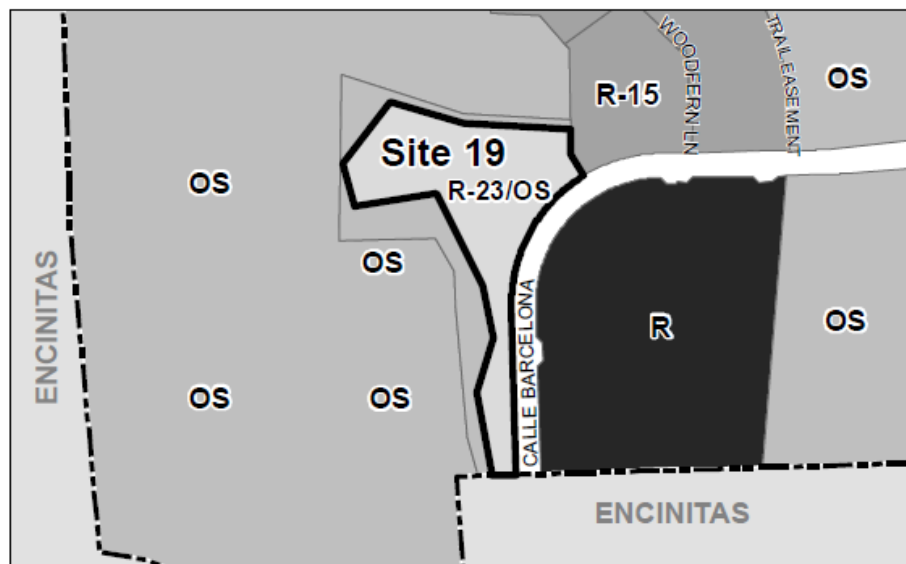
Exhibit “GPA 2022-0001/LCPA 2022-0015”

October 18, 2023

Site 19 – LA COSTA GLEN/FORUM



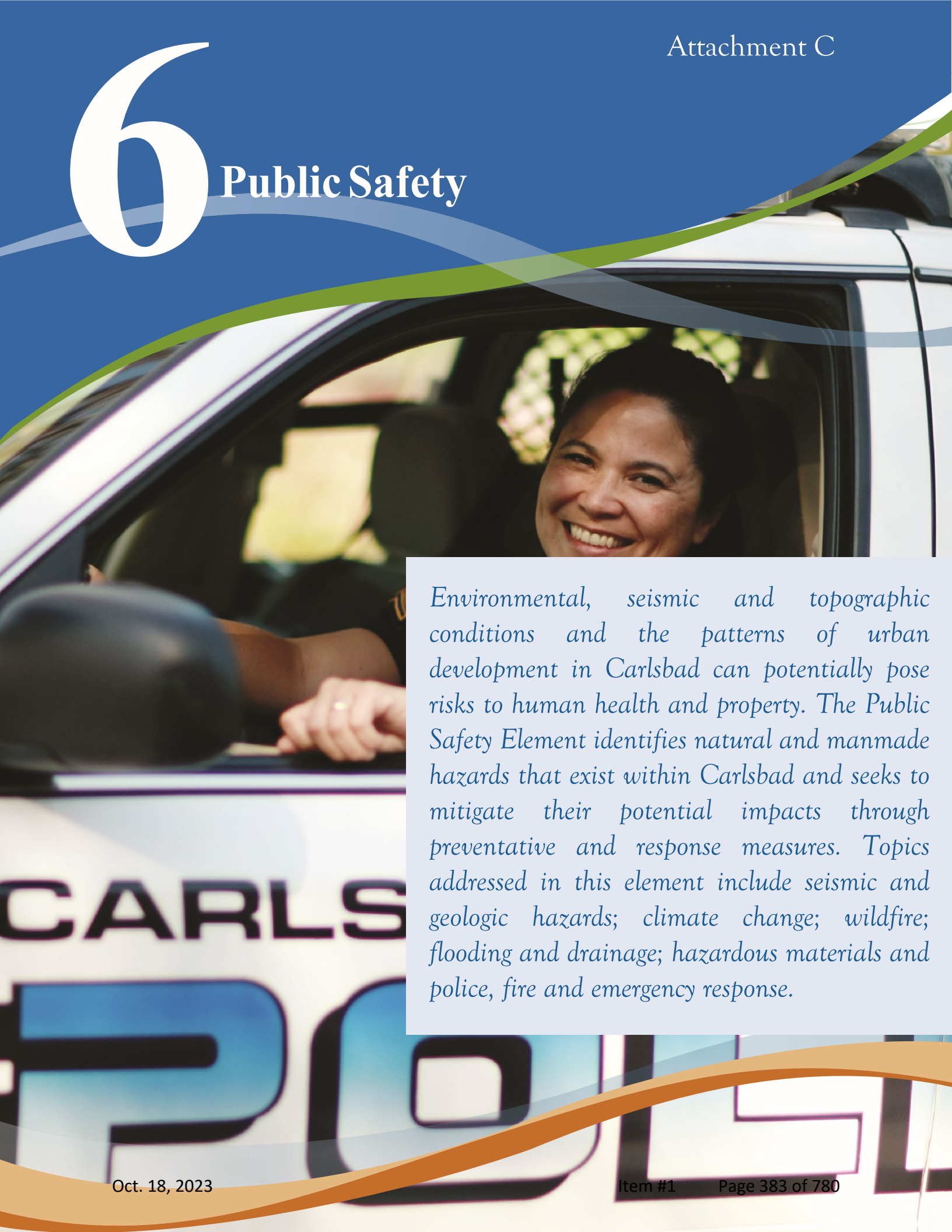
EXISTING



PROPOSED

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

6 Public Safety



Environmental, seismic and topographic conditions and the patterns of urban development in Carlsbad can potentially pose risks to human health and property. The Public Safety Element identifies natural and manmade hazards that exist within Carlsbad and seeks to mitigate their potential impacts through preventative and response measures. Topics addressed in this element include seismic and geologic hazards; climate change; wildfire; flooding and drainage; hazardous materials and police, fire and emergency response.

6.1 Introduction

Background and Purpose

The purpose of this element is to acknowledge the risk posed by hazards, and to reduce the risk of injury, loss of life, property damage, and economic and social dislocation resulting from natural and manmade hazards. The development pattern in the Land Use and Community Design Element incorporates consideration of flooding risk, seismic safety and other hazards. The Public Safety Element contains the city's goals and policies to reduce the risks associated with identified hazards and integrate mitigating measures into the city's development review process.

Relationship to State Law

Government Code Section 65302(g) requires each California city and county to include within its general plan a safety element that addresses the protection of the community from any unreasonable risks associated with the effects of seismic and other geologically induced hazards, flooding, and fires. The safety element is required to include mapping of known seismic and other geological hazards. Where applicable, it must also address evacuation routes, peak load water supply requirements, minimum road widths and clearances around structures.

Government Code Section 65302(g) (as amended by SB 379 (2015)) requires cities and counties to include climate adaptation and resiliency strategies — as applicable to that city or county — in the safety elements of their general plans. The City of Carlsbad prepared a Climate Change Vulnerability Assessment (CCVA) which is available on the city website at the following link: <https://www.carlsbadca.gov/departments/community-development/planning/general-plan/related-documents/-folder-769>.

The CCVA assesses how the community and natural and built assets in Carlsbad are vulnerable to climate change. The Public Safety Element of the General Plan includes adaptation implementation measures consistent with this legislation.

Government Code Section 65302(g) (as amended by SB 99 (2019)) requires a local government to identify residential developments in hazard areas that do not have at least two emergency evacuation routes. A residential emergency evacuation route analysis was conducted as part of this Public Safety Element update and is presented as Figure 6-13.

Government Code Section 65302(g) (as amended by SB 1035 (2018)) requires a jurisdiction's safety element to be revised to identify new information on fire hazards, flood hazards, and climate adaptation and resiliency strategies applicable to the city and county that was not

available during the previous revision of the safety element. The fire hazard and flood maps have been updated as Figure 6-1 and Figure 6-12.

State law also allows cities to address any other locally relevant issues in its safety element. In addition to those mentioned above, Carlsbad's Public Safety Element also addresses disaster preparedness and protection from other local health and safety hazards, such as fire, hazardous materials and airport hazards.

Relationship to Community Vision

The Public Safety Element is most closely tied to the following objective in the Community Vision:

Core Value 8: Support quality, comprehensive education and life-long learning opportunities, provide housing and community services for a changing population, and maintain a high standard for citywide public safety.

Relationship to Other General Plan Elements

The Public Safety Element is strongly correlated to the Land Use and Community Design Element and the Open Space, Conservation and Recreation Element. The Land Use and Community Design Element includes consideration of fire, seismic, flooding and other hazards in land use designations and their intensities. Through restrictions on the development of hazardous areas, identified by careful investigation as proposed in the Public Safety Element, the Land Use and Community Design Element supplements the policies of this element.

Related to the Open Space, Conservation and Recreation Element, areas subject to severe hazards, especially those related to seismic or flood-prone conditions, are designated for a reduced level of development or open space, or development is required to be set back from areas impacted by these factors.

Additionally, the Public Safety Element is related to the Mobility Element in that good street design and accessibility of the transportation system is vitally important in providing emergency services.

Furthermore, the Public Safety Element is related to the Housing Element and the Arts, History, Culture, and Education Element in that it identifies areas that may present hazardous conditions for residential structures and proposes precautionary measures related to older existing structures that may have historic or cultural significance.

Finally, the Public Safety Element is related to the Sustainability Element in that it establishes broad strategies to reduce local greenhouse gas emissions which contribute to climate change hazards that the Public Safety Element seeks to minimize. The Sustainability

Element promotes water conservation, reduction of the urban heat island effect, and energy efficiency which increase the city's resilience to climate change.

6.2 Regulatory Setting

Public safety is a topic that is subject to extensive federal, state, and local regulations that span a variety of safety topics. Some of the key regulations and regulatory agencies are summarized below. The city is not responsible for administering all of the regulations; rather, the following discussion provides examples of how public safety in Carlsbad is a shared responsibility among various government agencies. For a fuller discussion of the regulatory setting pertaining to safety, the Environmental Impact Report for the General Plan should be consulted.

Federal Programs and Regulations

Environmental Protection Agency

The United States Environmental Protection Agency (U.S. EPA) enforces the Federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA), which regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the “cradle to grave” system of regulating hazardous wastes (controlling hazardous waste from the time it is generated until its ultimate disposal). The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the HSWA.

The 1980 Comprehensive Environmental Response, Compensation, and Liability Act, commonly known as Superfund, provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment.

United States Department of Transportation

Transportation of chemicals and hazardous materials are governed by the United States Department of Transportation (DOT), which stipulates the types of containers, labeling, and other restrictions to be used in the movement of such material on interstate highways.

Federal Emergency Management Agency

The primary mission of the Federal Emergency Management Agency (FEMA) is to reduce the loss of life and property and to protect the nation from all hazards, including natural disasters, acts of terrorism, and other manmade disasters, by leading and supporting a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation.

Disaster Mitigation Act

The Disaster Mitigation Act of 2000 requires a state mitigation plan as a condition of disaster assistance, adding incentives for increased coordination and integration of mitigation activities at the state level.

State Regulations

California Environmental Protection Agency

The management of hazardous materials and waste within California is under the jurisdiction of the California Environmental Protection Agency (Cal EPA). Cal EPA is responsible for developing, implementing, and enforcing the state's environmental protection laws that ensure clean air, clean water, clean soil, safe pesticides and waste recycling and reduction. Within Cal EPA are various departments, three of which are described as follows:

Office of Environmental Health Hazard Assessment

The California Office of Environmental Health Hazard Assessment oversees implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as Proposition 65), which aims to protect California citizens and the state's drinking water sources from chemicals known to cause cancer, birth defects, or other reproductive harm and to inform citizens about exposures to such chemicals.

California Department of Toxic Substances Control

The California Department of Toxic Substances Control (DTSC) implements the California Code of Regulations Title 22, Division 4.5, which provides standards for the management of hazardous waste. The DTSC has the authority to delegate enforcement of the state's hazardous waste regulations to local jurisdictions.

State Water Resources Control Board

The State Water Resources Control Board (SWRCB), as well as nine regional water quality control boards, implements various laws related to the protection of both potable and recycled water quality. The state and regional boards regulate wastewater discharges to surface and ground water; storm water discharges from construction, industrial, and municipal activities; discharges from irrigated agriculture; dredge and fill activities; alteration of federal water bodies; and other activities that could degrade water quality.

California Department of Transportation

The California Department of Transportation (Caltrans) manages more than 50,000 miles of California's highway and freeway lanes, provides inter-city rail services, permits more than 400 public-use airports and special-use hospital heliports and works with local agencies. Caltrans is also the first responder for hazardous material spills and releases that occur on those highway and freeway lanes and inter-city rail services.

California Division of Safety of Dams

The California Department of Water Resources, Division of Safety of Dams supervises the construction, enlargement, alteration, repair, maintenance, operation, and removal of dams and reservoirs for the protection of life and property. Included in this authority is the approval of dam inundation maps to identify potential flood prone areas that may be critically impacted during a dam failure or emergency incident. Approved inundation maps are used to support emergency action plans that dam owners are required to prepare pursuant to Water Code Section 6161.

California Office of Emergency Services

The California Office of Emergency Services (Cal OES) is responsible for assuring the state's readiness to respond to and recover from all hazards, emergencies, and disasters. Cal OES assists local governments in developing their own emergency preparedness and response plans, in accordance with the Standardized Emergency Management System and the State Emergency Plan, for earthquakes, floods, fires, hazardous material incidents, nuclear power plant emergencies, dam breaks, and acts of terrorism. Cal OES also administers the State of California Multi-Hazard Mitigation Plan (SHMP), which presents goals, strategies, and actions for reducing future disaster losses throughout the state. The SHMP is a federal requirement under the Disaster Mitigation Act of 2000 in order for the state to receive federal funds for disaster assistance.

Safe School Plan (California Education Code Sections 32280 et seq.)

This statute requires public schools to prepare a school safety plan that identifies strategies and programs that will ensure a high level of school safety related to child abuse reporting; disaster procedures; on-campus violence; discrimination and harassment; safe ingress and egress to and from school; safe and orderly environment conducive to learning; and school discipline.

Local Regulations

County of San Diego Department of Environmental Health and Quality

The County of San Diego Department of Environmental Health and Quality (DEHQ) protects public health and environmental quality and implements and enforces local, state, and federal environmental laws. DEHQ regulates the following: retail food safety; public housing; public swimming pools; small drinking water systems; mobile-home parks; onsite wastewater systems; recreational water; recycled water; aboveground and underground storage tanks and cleanup oversight; and medical and hazardous materials and waste. In addition, DEHQ serves as the Solid Waste Local Enforcement Agency and prevents disease carried by rats and mosquitoes.

California Environmental Protection Agency's Unified Program

Cal EPA oversees a unified hazardous waste and hazardous materials management and regulatory program, commonly referred to as the Unified Program. The purpose of this program is to consolidate and coordinate six different hazardous materials and hazardous waste programs, and to ensure that they are consistently implemented throughout the state. State law requires local agencies to implement the Unified Program. The County of San Diego DEHQ, Hazardous Materials Division is the local agency in charge of implementing the program in the county certified by the EPA as Certified Unified Program Agencies (CUPAs).

San Diego County Multi-Jurisdictional Hazard Mitigation Plan

The San Diego Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) was developed in accordance with the Disaster Mitigation Act of 2000 and followed FEMA's Local Hazard Mitigation Plan guidance. Carlsbad is included in the MJHMP as an annex to the plan and can be found at this link:

https://www.sandiegocounty.gov/oes/emergency_management/oes_jlmitplan.html. The MJHMP incorporates a process where hazards are identified and profiled, the people and facilities at risk are analyzed, and mitigation actions are developed to reduce or eliminate hazard risk. The implementation of these mitigation actions, which include both short and long-term strategies, involve planning, policy changes, programs, projects, and other activities. The County of San Diego Office of Emergency Services is responsible for coordinating with local jurisdictions and participating agencies to monitor, evaluate, and update the MJHMP.

Through the MJHMP Carlsbad is compliant with Government Code Sections 65302.6 and 8685.9 (also known as Assembly Bill 2140 or AB 2140) which limits the State of California's share of disaster relief funds

paid out to local governments to 75 percent of the funds not paid for by federal disaster relief efforts unless the jurisdiction has adopted a valid hazard mitigation plan consistent with Disaster Mitigation Act of 2000 and has incorporated the hazard mitigation plan into the jurisdiction's General Plan. In these cases, the State may cover more than 75 percent of the remaining disaster relief costs.

McClellan-Palomar Airport Land Use Compatibility Plan

The McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) is prepared by the San Diego County Regional Airport Authority to protect the safety of the public from airport related hazards. The ALUCP promotes compatibility between McClellan Palomar Airport and the land uses that surround it by addressing noise, overflight, safety, and airspace protection concerns. The ALUCP prevents exposure to excessive noise and safety hazards within the airports influence area (AIA), provides for the orderly growth of the airport and the area surrounding the airport, and safeguards the general welfare of the inhabitants within the vicinity of the airport and the public in general.

Carlsbad Municipal Code

Chapter 6.03 of the Carlsbad Municipal Code incorporates by reference Chapters 9 and 11 of Division 8 of Title 6 of the San Diego County Code of Regulatory Ordinances, which designates the County of San Diego DEHQ as the local agency responsible for implementing the state's Unified Program and specifies reporting, disclosure and monitoring requirements for hazardous materials and hazardous waste establishments.

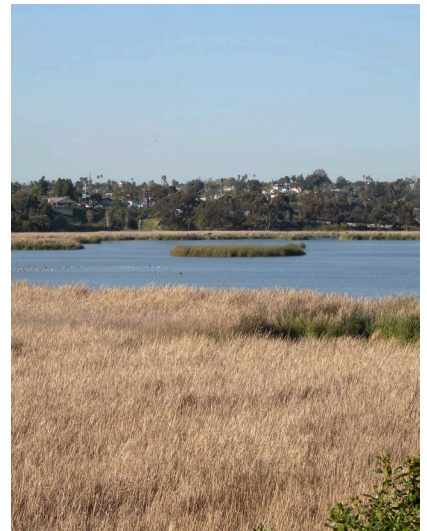
6.3 Flooding and Coastal Hazards

Surface Hydrology

The San Diego Region is divided into 11 hydrologic units that flow from elevated regions in the east toward coastal lagoons, estuaries, or bays in the west. Carlsbad is located within the Carlsbad Hydrologic Unit (HU), also referred to as the Carlsbad Watershed Management Area, which is approximately 210 square miles in area, extending from the headwaters above Lake Wohlford in the east to the Pacific Ocean in the west, and from Vista and Oceanside in the north to Solana Beach, Encinitas, and the community of Rancho Santa Fe to the south. The cities of Carlsbad, San Marcos, and Encinitas are entirely within this HU. There are numerous important surface hydrologic features within the Carlsbad HU including four unique coastal lagoons, three major creeks, and two large water storage reservoirs. Approximately 48% of the Carlsbad HU is urbanized. The dominant land uses are residential (29%), commercial/industrial (6%), freeways and roads (12%), agriculture (12%), and vacant/undeveloped (32%).¹

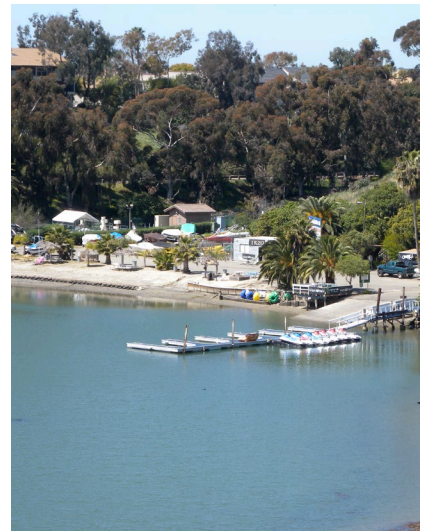
Buena Vista Lagoon

Buena Vista Lagoon is a 350-acre freshwater lagoon owned by the State of California and managed by the California Department of Fish and Wildlife (CDFW) as a nature reserve. Located on the border between Carlsbad and Oceanside, it became California's first ecological reserve in 1969. CDFW is the major property owner of the lagoon; however, a number of adjacent residential property owners have control of small portions of their properties adjacent to the lagoon's wetland boundary. Although the lagoon itself is maintained as a nature reserve, much of the Buena Vista hydrologic area is already developed.



Agua Hedionda Lagoon

Agua Hedionda Lagoon is situated between Tamarack Avenue and Cannon Road and is comprised of three inter-connected lagoons, divided by the Interstate-5 freeway and a railroad bridge. Cabrillo Power LLC owns the three lagoon sections; the 66-acre outer lagoon adjacent to the Pacific Ocean, which primarily provides cooling water for the electric producing generators at the Carlsbad Desalination Plant; the 27-acre middle lagoon is home to the North Coast YMCA Aquatic Park; and the 295-acre inner lagoon extends approximately 1,800 yards in a southeasterly direction from the Interstate-5 freeway bridge. The City of Carlsbad Parks & Recreation Department allows recreational activities on the inner lagoon including boating – permitted crafts include jet skis and powerboats (western portion) and passive vessels



¹ Project Clean Water Website 2012, www.projectcleanwater.org/html/ws_carlsbad.html, accessed September 21, 2012

like sailboats and kayaks (eastern portion). At the eastern end of the lagoon is the Agua Hedionda Ecological Reserve, which was acquired in 2000 by the CDFW and consists of 186 acres of wetlands.

Batiquitos Lagoon

The Batiquitos Lagoon consists of approximately 561 acres owned by both the CDFW and the California State Lands Commission and is protected as a game sanctuary and bird estuary. The lagoon was originally open to the ocean, but over time the construction of transportation corridors and other development resulted in sediment closing off the lagoon. Then, in the mid-1990s, a significant lagoon restoration and enhancement project, conducted by the City of Carlsbad, Port of Los Angeles and other cooperating agencies, allowed for the lagoon to open to the ocean again, as it exists today.

Stormwater Drainage

Much of the land area in Carlsbad is developed, resulting in impervious surfaces from the placement of roads, parking lots, buildings, and other infrastructure. These facilities reduce the amount of water infiltration into the ground, increase direct runoff into the city's creeks and lagoons, and cause soil erosion and sedimentation, which can result in water quality degradation and flooding concerns. Stormwater systems may be overwhelmed more frequently as more extreme rain events occur due to climate change, causing localized flooding which could impact properties and close streets, and impact water quality.

The City of Carlsbad currently employs a number of measures, including best management practices (BMPs), to prevent pollutants and hazardous materials from entering municipal stormwater conveyance systems. As storm drains are not connected to sanitary sewer infrastructure, water conveyed to these drains is not treated prior to discharging into creeks, lagoons and the ocean. Therefore, pollutants must be reduced and/or removed before entering urban conveyance systems. The city's Storm Water Protection Program covers all phases of development through planning, construction and existing development and educates and monitors developers, businesses, municipal facilities, residents, school children, and the general public to help prevent pollutants and other hazardous materials from entering storm drains. The city also implements its Jurisdictional Runoff Management Plan which includes strategies to reduce non-stormwater flows and illegal discharges to the storm drain system and was developed to implement the requirements of the City's Municipal Storm Water Permit.

Flood Zones

Floodplains are areas of land located adjacent to rivers or streams that are subject to recurring inundation, or flooding. Preserving or restoring natural floodplains helps with flood loss reduction benefits and improves water quality and habitat. Floods are typically described in terms of their statistical frequency. For example, a 100-year floodplain describes an area within which there is a one percent probability of a flood occurring in any given year. FEMA prepares Flood Insurance Rate Maps (FIRMs) that identify 100-year and 500-year flood zones. As shown in Figure 6-1, the potential flood hazard areas identified on the FIRM maps in Carlsbad include the entire coastline and the following major drainage basins:

- Buena Vista Creek and Buena Vista Lagoon
- Agua Hedionda Creek, its northern tributary, and the Agua Hedionda Lagoon
- San Marcos Creek and its northern tributary
- Batiquitos Lagoon
- Encinitas Creek

Most jurisdictions within San Diego County, including the City of Carlsbad, participate in the National Flood Insurance Program. Pursuant to the City of Carlsbad's Local Coastal Plan and Carlsbad Municipal Code Title 21 (Zoning), development is restricted within 100-year floodplain areas.

FEMA relies on historical data to calculate flood frequencies and flood extent. Climate change is expected to increase rates of precipitation and the frequency of extreme precipitation events. These changing conditions could result in more frequent and severe riverine flooding which could impact properties within flood zones as well as emergency services, power, wastewater, and storm drainage infrastructure, exacerbating public health concerns.

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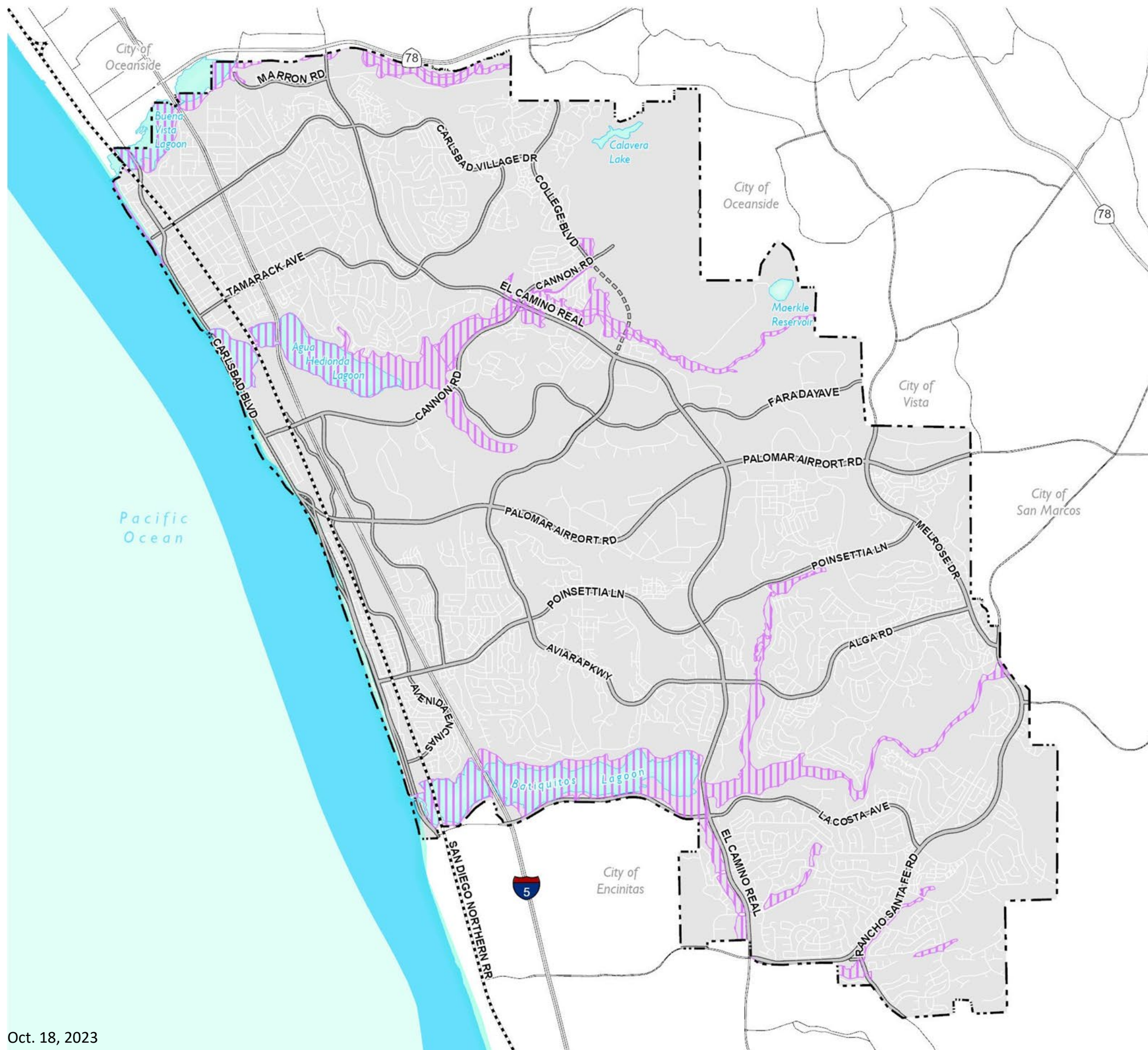







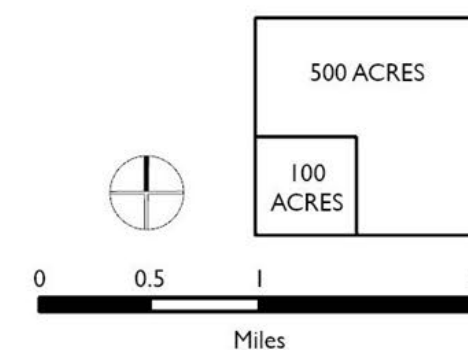


Figure 6-1: Potential Flood Hazards

-  1% Annual Chance Flood Zone (100 Year Flood - High Risk Areas)
-  1% Annual Chance Coastal Flood Zone (100 Year Flood - High Risk Coastal Areas)
-  Highways
-  Major Street
-  Planned Street
-  Railroad
-  City Limits



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Dam Inundation

Dam inundation can be caused by the release of impounded water from structural failure or overtopping of a dam. There are five dams and a reservoir located within or adjacent to the City of Carlsbad, as shown in Figure 6-2: the Calavera, Maerkle, Melrose Avenue, San Marcos, and Bressi dams, and the Stanley A. Mahr reservoir.

The San Diego County MJHMP identifies dam-failure risk levels based on dam inundation map data. The Calavera, Melrose Avenue and Stanley A. Mahr reservoir dams have been assigned high hazard ratings, Maerkle dam has an extremely high hazard rating, San Marcos dam has a significant hazard rating, and the Bressi dam has a low hazard rating. The California Division of Safety of Dams also classifies jurisdictional dams by downstream hazard potential. Calavera, Melrose Avenue, San Marcos and Stanley A. Mahr dams classify as high and Maerkle dam classifies as extremely high. Bressi dam is not a state jurisdictional dam.

The California Division of Safety of Dams jurisdictional dams and the reservoir have emergency action plans in place. Calavera dam is owned by Carlsbad and operated by Carlsbad Municipal Water District. Maerkle is both owned and operated by Carlsbad Municipal Water District. Dam owners are responsible for preparing emergency action plans. The other dams located within or adjacent to Carlsbad must coordinate with the city on the preparation of their emergency action plans. The San Marcos dam is owned and operated by Citizens Development Corporation, the Stanley A. Mahr Reservoir is owned by the public utility Vallecitos Water District, and the Melrose Avenue Dam is owned by the Rancho Carrillo Homeowners Association.

Dam owners are responsible for preparing Emergency Action Plans. These facilities are periodically inspected by the California Division of Safety of Dams.

Sea Level Rise

In California, sea levels have risen by as much as seven inches along the coast over the last century, resulting in eroded shorelines, deterioration of infrastructure, and depletion of natural resources. The San Diego County MJHMP identifies sea level rise as one of Carlsbad's primary climate change vulnerabilities. Carlsbad has prepared a Sea Level Rise Vulnerability Assessment (2017) which draws on several guiding documents to target adaptation planning efforts.

- California Coastal Commission adopted the *California Coastal Commission Sea Level Rise Policy Guidance*² which summarizes

² 2015 Sea Level Rise Policy Guidance, California Coastal Commission. https://documents.coastal.ca.gov/assets/slr/guidance/August2015/0a_ExecSumm_Adopted_Sea_

the best available science in predicting potential sea level rise impacts and recommends response strategies.

- Preparing for Climate Change: A Guidebook for Local, Regional, and State Governments, published by ICLEI-Local Governments for Sustainability (Snover, A.K. et al. 2007) describes strategies to address the impacts of sea level rise in communities.
- The California Adaptation Planning Guide, Planning for Adaptive Communities prepared by CalEMA, now known as CalOES, and the California Natural Resources Agency (CalEMA 2012)³.

According to Cal-Adapt, an online tool (developed by the California Natural Resources Agency along with others), the historical average maximum (1961-1990) temperature in the Carlsbad area of 73.4 degrees F could increase by 4.0 to 7.0 degrees by the end of century period (2070-2099), depending on various emissions scenarios. According to the 2017 Carlsbad Sea Level Rise Vulnerability Assessment, sea level in Carlsbad could rise by as much as 1.6 feet by 2050 and 6.6 feet by 2100.

Areas within Carlsbad that are particularly vulnerable to sea level rise are those areas immediately adjacent to the coast and the lagoons, which are similarly vulnerable to coastal storms. Potential strategies to reduce the impacts of sea-level rise on the city may include hard engineering (seawalls, breakwaters, levees) soft engineering (beach nourishment and/or replenishment, wetlands restoration) and restricting or reducing development near the coastal areas.

In 2011, FEMA initiated the California Coastal Analysis and Mapping Project/Open Pacific Coast Study, which involves over 1,200 miles of new coastal flood hazard mapping and base-flood elevation determinations. Under this initiative, many coastal communities, including Carlsbad, will have coastal flood data and mapping updated for the first time in over 20 years. This study will improve the quality of the coastal data used for both floodplain management and planning purposes.

Climate change is expected to increase the rate of sea level rise. The Carlsbad Sea Level Rise Vulnerability Assessment prepared in 2017 evaluated 1.6 feet of sea level rise by 2050 and 6.6 feet of sea level rise by 2100 as outlined in Figure 6-3. There are 5 hazard zones outlined within the Carlsbad Sea Level Rise Vulnerability Assessment:

Level_Rise_Policy_Guidance.pdf. As of preparation of this General Plan, a 2018 update of the Sea Level Rise Policy Guidance has been adopted but was not used for the 2017 Sea Level Rise Vulnerability Assessment.

³ 2012 California Adaptation Planning Guide, Planning for Adaptive Communities. As of preparation of this General Plan, a 2020 update of the Adaptation Planning Guide has been adopted but was not used for the 2017 Sea Level Rise Vulnerability Assessment

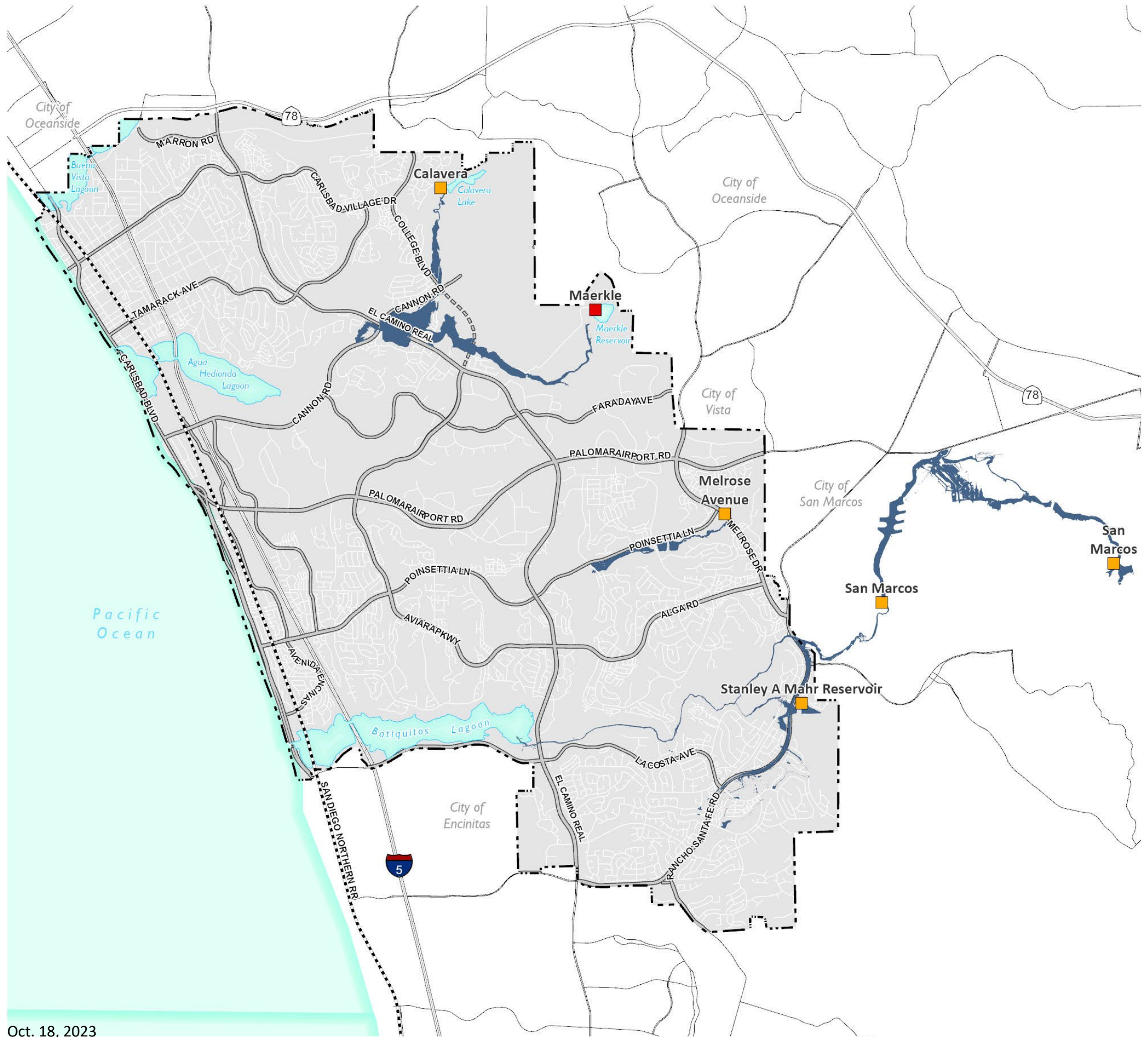










Figure 6-2: Dam Inundation Areas

-  Dam Inundation Areas
- Dam Downstream Hazard**
 -  Extremely High
 -  High
-  Highways
-  Major Street
-  Planned Street
-  Railroad
-  City Limits

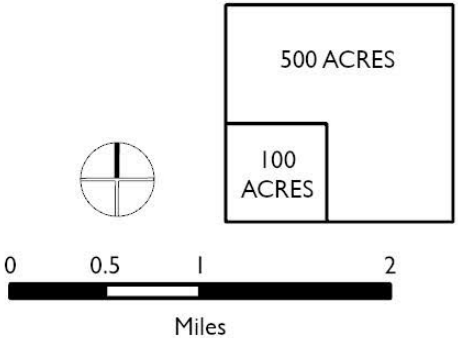
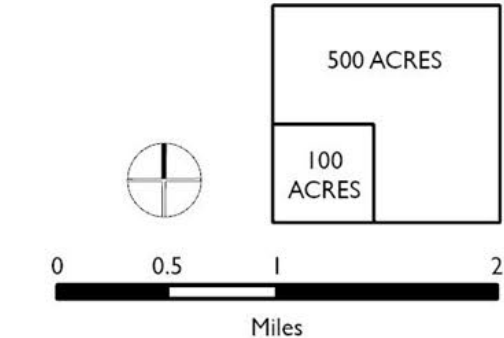
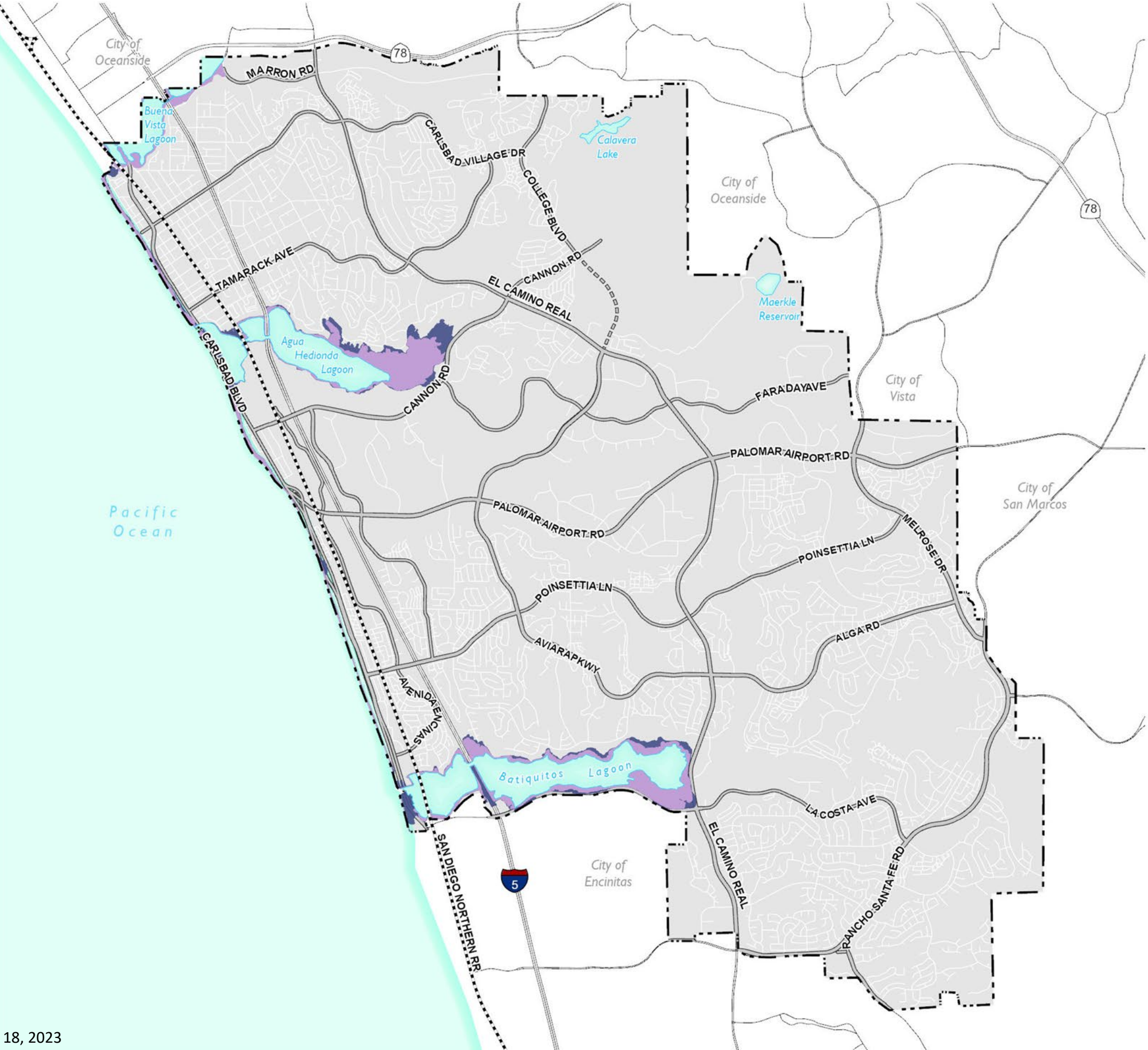


Figure 6-3: Sea Level Rise Projections



- Coastal Inundation Hazard Zone
- Lagoon Inundation Hazard Zone
- Bluff Hazard Zone
- Coastal Flood Hazard Zone
- Lagoon Flood Hazard Zone

Each of these hazard zones are based on modeling conducted to analyze impacts of sea level rise. The zones were used to better understand which assets would be affected.

According to the Carlsbad Sea Level Rise Vulnerability Assessment the following assets are considered to have moderate to high vulnerability to sea level rise:

- **Beaches:** Approximately seven acres of beach area is projected to be impacted by inundation/erosion in 2050. Vulnerability is rated high for the 2100 horizon due to the significant erosion expected as the beaches are squeezed between rising sea levels and bluffs or coastal structures
- **Public access ways:** A total of 12 vertical beach access ways exist within the Planning Zone of the Agua Hedionda Lagoon. A total of seven of these beach access ways were determined to be potentially impacted by coastal flooding by the year 2050. All 12 were found to be vulnerable to flooding and inundation by the year 2100. About 2.5 miles of horizontal access ways (trails) are vulnerable to flooding in the 2050-time horizon, and 7 miles of trails were found to be vulnerable by year 2100. Public access ways exist along the beach and lagoons in the city.
- **State parks:** The Tamarack State Beach parking lot becomes partially exposed to flooding during extreme storm events by 2050. Exposure to flooding increases in year 2100 and complete flooding of the Tamarack State Beach parking lot can be expected during extreme storms events.
- **Parcels:** A number of residential parcels in the vicinity of Terramar Point were determined to be exposed to bluff erosion hazards in the 2050 sea level rise scenario. Residential parcels along Terramar Point and the northern shoreline of Agua Hedionda Lagoon were found to be highly exposed to coastal hazards in 2100. The Hubbs Sea World Research Institute, the Carlsbad AquaFarm and the YMCA facility are also impacted as flood and tidal waters encroach onto these parcels.
- **Critical infrastructure:** There were no impacts to parcels identified as critical infrastructure for the 2050 planning horizon. The Encina Power Station and the Carlsbad Desalination Plant parcels were identified as being partially exposed to fluvial flooding from Agua Hedionda Lagoon as a result of sea level rise in 2100.

- **Transportation:** Approximately 4,229 linear feet of Carlsbad Boulevard within the Agua Hedionda Lagoon Planning Zone are exposed to bluff erosion hazards during the 2050 planning horizon (high exposure). Carlsbad Boulevard provides a vital north-south linkage within the city; thus, its sensitivity to sea level rise is high. Vulnerability remains high for the 2100 planning horizon as 15,326 linear feet of Carlsbad Boulevard are exposed to bluff erosion and flooding during an extreme storm event.
- **Environmentally sensitive lands:** Environmentally sensitive lands (e.g., lagoon, surrounding open lands, etc.) in the Agua Hedionda Lagoon area are exposed to increased tidal inundation and flooding with any rise in sea levels (high exposure). These assets are moderately sensitive to this exposure as wetland hydrology may be altered by the rising freshwater-saltwater interface and intertidal and subtidal ecosystems may be affected by changes in water depth and sunlight penetration.
- Additional, qualitative assessments were provided on impacts of sea level rise on visual resources, cultural resources, saltwater intrusion, and lifeguard services. Impacts were characterized as none to moderate.

The vulnerability of assets within Carlsbad to sea level rise are described below in Table 6-1.

TABLE 6-1: CITY WIDE VULNERABILITY ASSESSMENT FINDING

ASSET CATEGORY	HORIZON	IMPACTED ASSETS	OVERALL VULNERABILITY RATING
Beaches	2050	27 acres	Moderate
	2100	146 acres	High
2 Public Access Ways	2050	26 beach access ways 2.6 miles of lateral access ways	Moderate
	2100	37 beach access ways 7.3 miles of lateral access ways	Moderate
State Parks	2050	6 Parcels	Moderate-High
	2100	6 Parcels	Moderate-High
Parcels	2050	564 Parcels	Moderate
	2100	657 Parcels	High
Critical Infrastructure	2050	0 Parcels	Low
	2100	8 Parcels	Moderate
Transportation	2050	1.6 miles	High
	2100	5.8 miles	High
Environmentally Sensitive Lands	2050	1,088 acres	Moderate
	2100	1,164 acres	High

Source: City of Carlsbad Sea Level Rise Vulnerability Assessment. 2017.

Tsunamis and Seiches

Tsunamis are long wavelength ocean waves generated by sudden movements of the ocean bottom during events such as earthquakes, volcanic eruptions, or landslides. The County of San Diego maps zones of high risk for tsunami run-up. As shown in Figure 6-4, the only areas identified within the City of Carlsbad as having risk for tsunami run-up are the immediate vicinity of the Buena Vista, Agua Hedionda, and Batiquitos lagoons. The California Geological Survey Tsunami Hazard Areas also encompass all three lagoons but with upland areas immediately surrounding the waterbodies mapped as at-risk. These Tsunami Hazard Areas identify exposure to tsunami hazards to help inform coastal evacuation planning. Development of essential/critical or larger structures within the Tsunami Design Zone layer, also depicted in Figure 6-4, must meet design standards per the California Building Code.

Seiches are defined as wave-like oscillatory movements in enclosed or semi-enclosed bodies of water such as lakes or reservoirs. Potential effects from seiches include flooding damage and related hazards from spilling or sloshing water, as well as increased pressure on containment structures. The County of San Diego maps zones of high risk for dam inundation throughout the county. The high-risk areas are located in other communities upstream in the Carlsbad Watershed Management Area.

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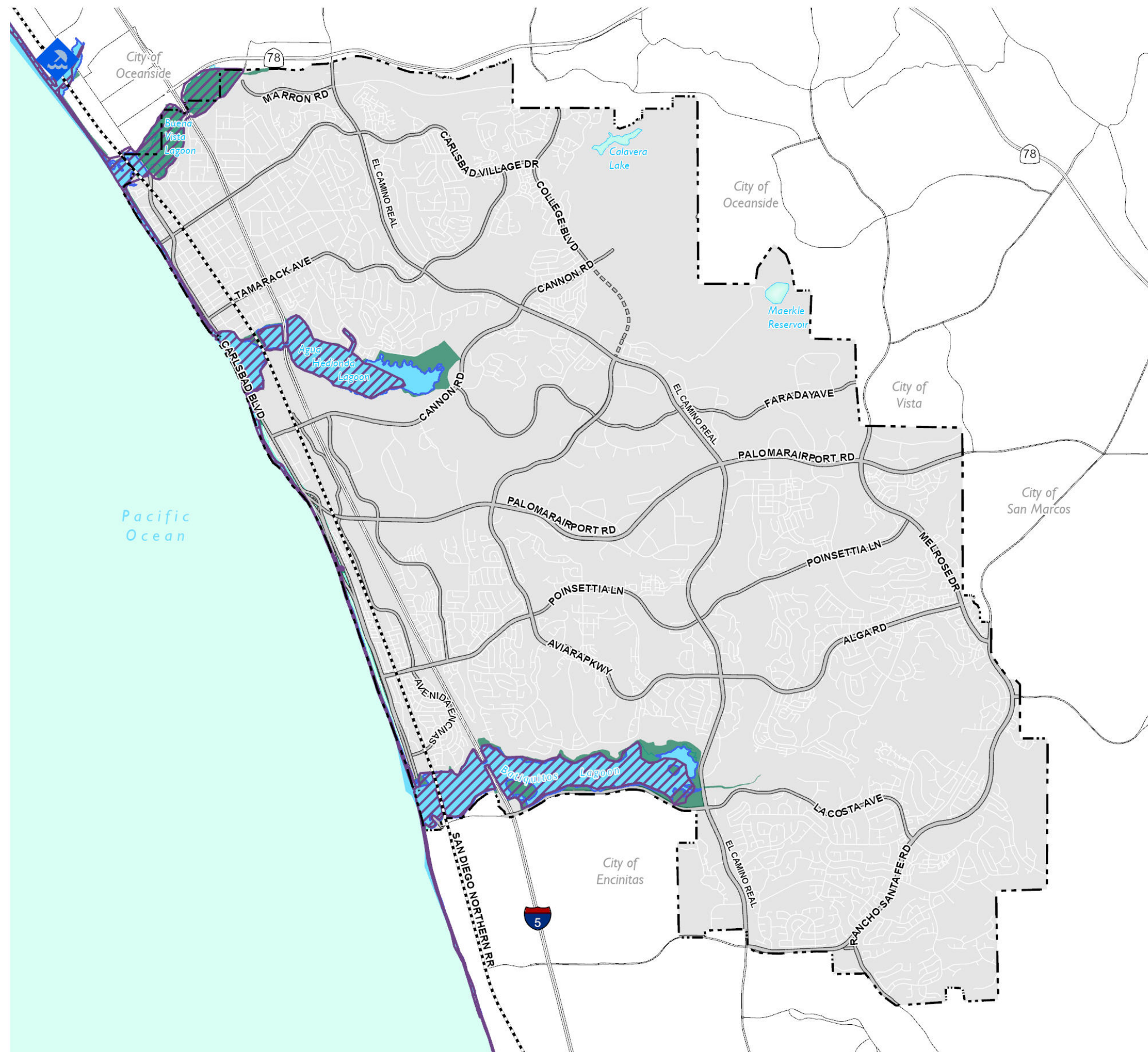
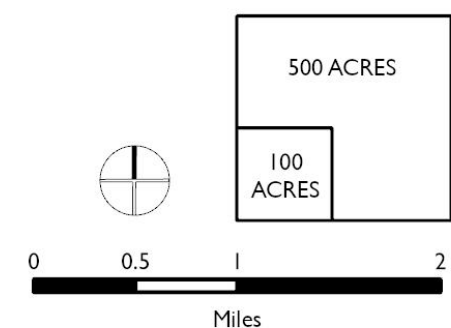


Figure 6-4: Maximum Tsunami Projected Run-Up

-  Historic Tsunami Effect Felt
-  Maximum Tsunami Projected Runup
-  Tsunami Hazard Area
-  Tsunami Design Zone
-  Highways
-  Major Street
-  Planned Street
-  Railroad
-  City Limits



Source: City of Carlsbad, 2022; CGS, 2022;
ASCE Tsunami Hazard Tool, 2022.

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6.4 Geologic and Seismic Hazards

Geology and Soils

The City of Carlsbad is within the coastal portion of the Peninsular Ranges Geomorphic Province, a region characterized by northwest-trending structural blocks and intervening fault zones. Topographically, the Peninsular Ranges Province is composed of generally parallel ranges of steep-sloping hills and mountains separated by alluvial valleys. More recent uplift and erosion has produced the characteristic canyon and mesa topography present today in western San Diego County, as well as the deposition of surficial materials including Quaternary-age (less than approximately two million years old) alluvium, colluvium, and topsoil.⁴ Figure 6-5 shows the local geology of Carlsbad.

Seismicity

There are no active faults that run directly through Carlsbad. Additionally, the California Geologic Survey does not include the City of Carlsbad on its list of cities affected by Alquist-Priolo Earthquake Fault Zones. The nearest fault to the city is the Newport-Inglewood-Rose Canyon Fault, which runs offshore of the western edge of the city and is considered active. Other faults in the region include the Coronado Bank, La Nacion, Elsinore, Agua Caliente, and San Jacinto.

Fault activity has the potential to result in ground shaking, which can be of varying intensity depending on the intensity of earthquake activity, proximity to that activity, and local soils and geology conditions. Although there are no active faults within Carlsbad, the city is located within a seismically active region and earthquakes have the potential to cause ground shaking of significant magnitude. Figure 6-6 shows the location and extent of the profiled earthquake faults within San Diego County based on a United States Geological Survey earthquake model that shows probabilistic peak ground acceleration. Although located near fault lines, Carlsbad lies within a medium-low probabilistic peak ground acceleration zone.

⁴ Ibid.

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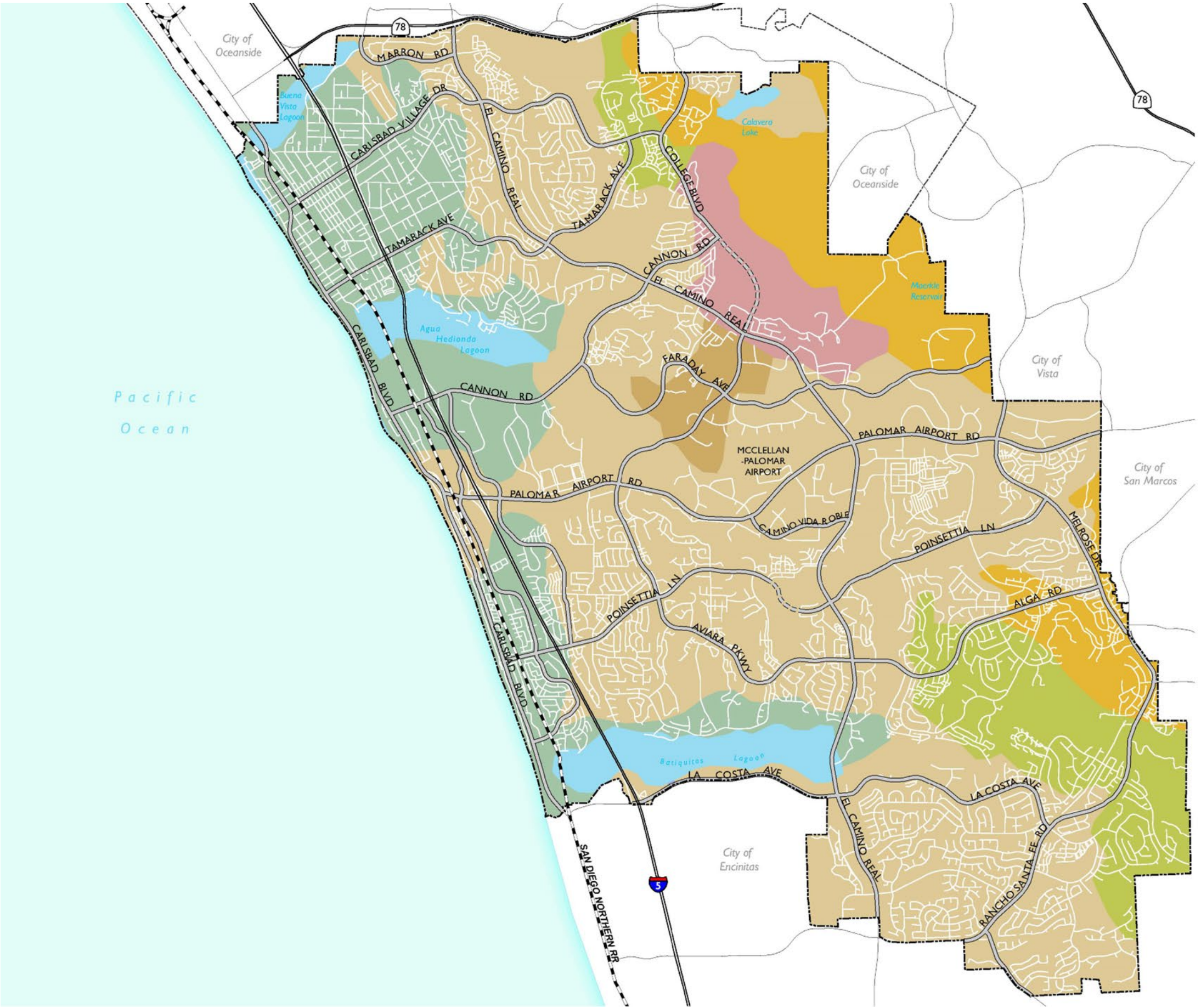
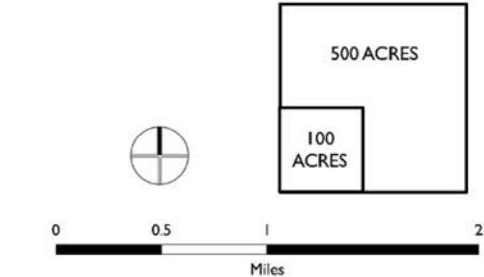


Figure 6-5: Geology

- Alluvium
- Cretaceous marine undivided
- Eocene marine
- Mesozoic granitic rocks
- Upper Cretaceous marine
- Mesozoic volcanic and metavolcanic
- Pliocene marine
- Water
- Highways
- Major Street
- Planned Street
- Railroad
- City Limits



Source: City of Carlsbad, 2013; DUDEK, 2013; SANDAG, 2013; Dyett & Bhatia, 2013.



Figure 6-6: Earthquake Faults

- Earthquake Fault Lines
- Freeway
- Major Highway
- Minor Highway/Major Street
- Passenger Rail Lines
- County Lines
- City of Carlsbad
- Urban Areas

0 3 6 12
Miles

Source: ESRI, 2009; City of Carlsbad, 2013; DUDEK, 2013; USGS, 2002; Dyett & Bhatia, 2013.

Historical documents record that an earthquake centered either on the Rose Canyon or Coronado Bank faults struck San Diego on May 27, 1862, damaging buildings in Old Town and causing ground rupture near the San Diego River mouth. This earthquake is believed to have had a magnitude of about 6.0 based on descriptions of the damage it caused. The strongest recorded earthquake in the San Diego area was a magnitude of 5.3 on the Richter scale that struck on July 13, 1986 on the Coronado Bank fault, 25 miles offshore of Solana Beach. There have been several moderate earthquakes recorded within the Rose Canyon Fault Zone as well. On June 17, 1985, three earthquakes hit San Diego measuring 3.9, 4.0, and 3.9, respectively, and on October 28, 1986, a stronger earthquake with a magnitude of 4.7 occurred.⁵

Seismic Risk to Development

Earthquake damage to structures can be caused by ground rupture, liquefaction, ground shaking, and possibly inundation from tsunamis (as discussed above). The level of damage at a location resulting from an earthquake will depend upon the magnitude of the event, the epicenter distance, the response of geologic materials, and the design and construction quality of structures.

During an earthquake, shaking of granular loose soil saturated with water can lead to liquefaction, a condition in which sediments below the water table temporarily lose strength during an earthquake and behave as a viscous liquid rather than a solid. As a result, this can cause structures to lose foundation-bearing capacity. Historically, seismic shaking levels in the San Diego region, including in Carlsbad, have not been sufficient enough to trigger liquefaction, and as such, the city generally has a low liquefaction risk. However, there are areas of the city that have a higher risk of liquefaction due to the presence of hydric soils or soils that are often saturated or characteristic of wetlands. These areas are limited to the immediate vicinity of the Buena Vista, Agua Hedionda, and Batiquitos Lagoons, as shown in Figure 6-7.

Additionally, in general, south facing slopes in Carlsbad are gentle grade and not prone to landslides, while north facing slopes are generally steeper and more susceptible to landslides. Areas where landslides could be induced by earthquakes are mapped as Figure 6-8.

Development in a liquefaction hazard zone requires adherence to the guidelines for evaluating and mitigating seismic hazards as required by California Public Resources Code Section 2695(a). Before a development permit can be granted for a site within a seismic hazard zone, a geotechnical investigation of the site must be conducted, and appropriate mitigation measures incorporated into the project design. Mitigation of liquefaction hazards can include edge containment

⁵ Deméré, Thomas A., Ph.D., San Diego Natural History Museum, Geology of San Diego County, California, <http://www.sdnhm.org/archive/research/paleontology/sdfaults.html>, accessed on September 25, 2012b

structures (e.g., berms, dikes, retaining walls, etc.), driving piles, removal or treatment of liquefiable soils, or modification of site geometry.

The city's Building Division implements and enforces the Carlsbad Municipal Code and the California Building Code regulations relative to seismic risk to development. Chapter 18.07 of the Carlsbad Municipal Code specifies the need and establishes guidelines for the seismic upgrade of unreinforced masonry buildings.

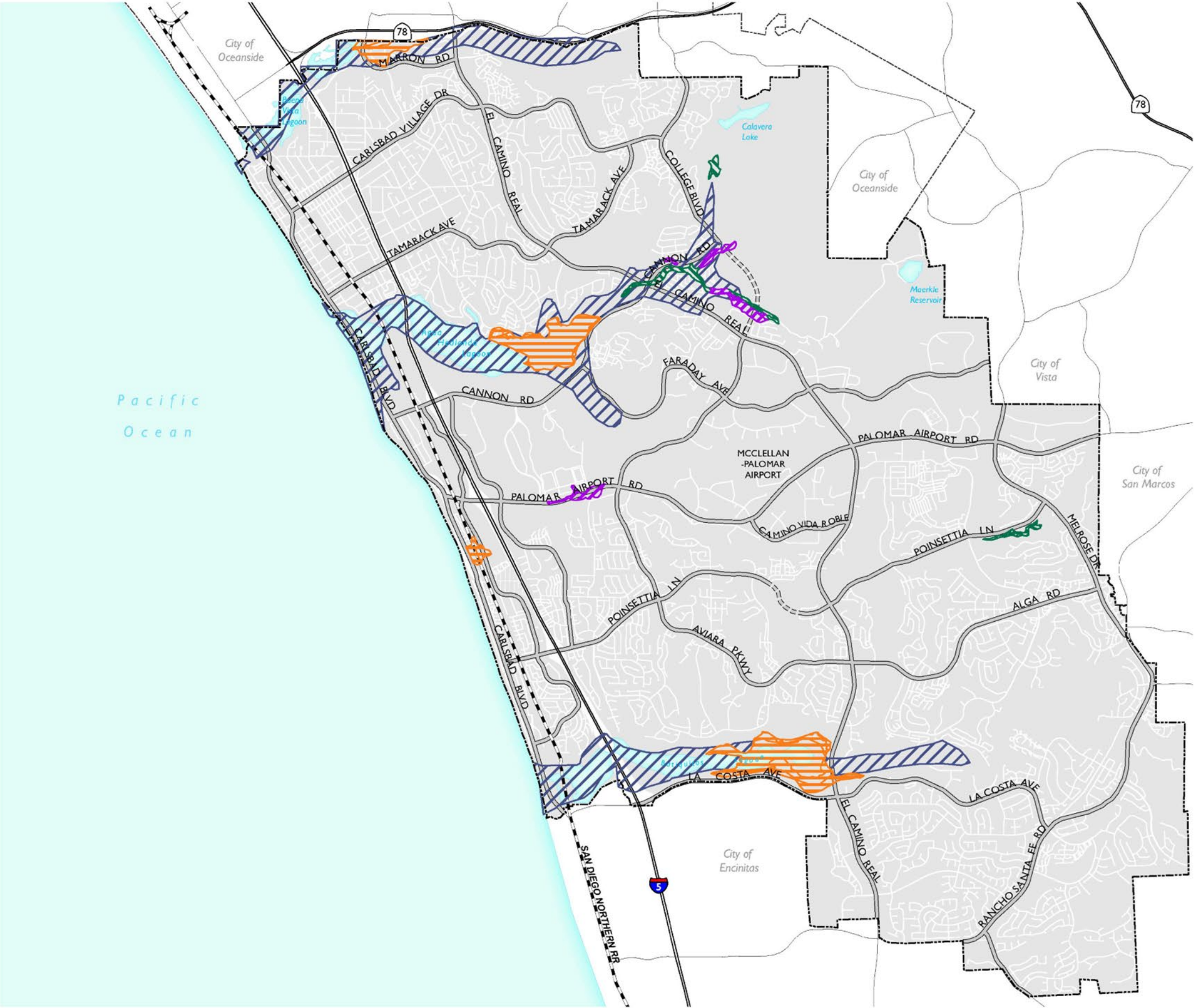
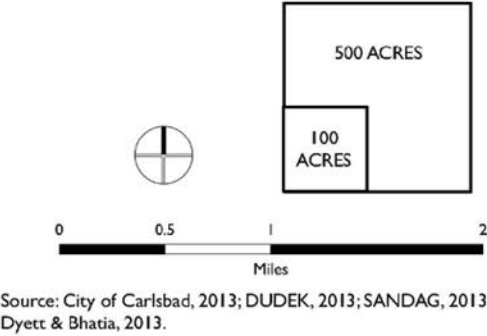
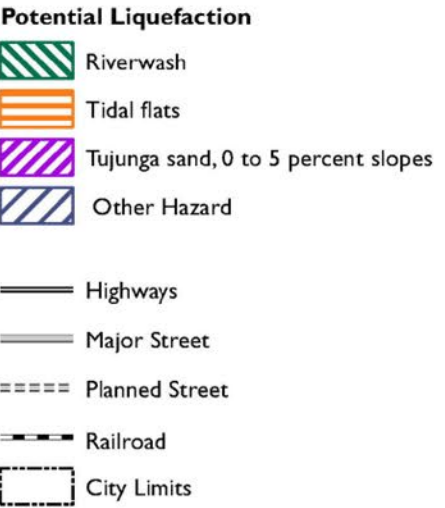


Figure 6-7: Liquefaction Hazards



Source: City of Carlsbad, 2013; DUDEK, 2013; SANDAG, 2013; Dyett & Bhatia, 2013.

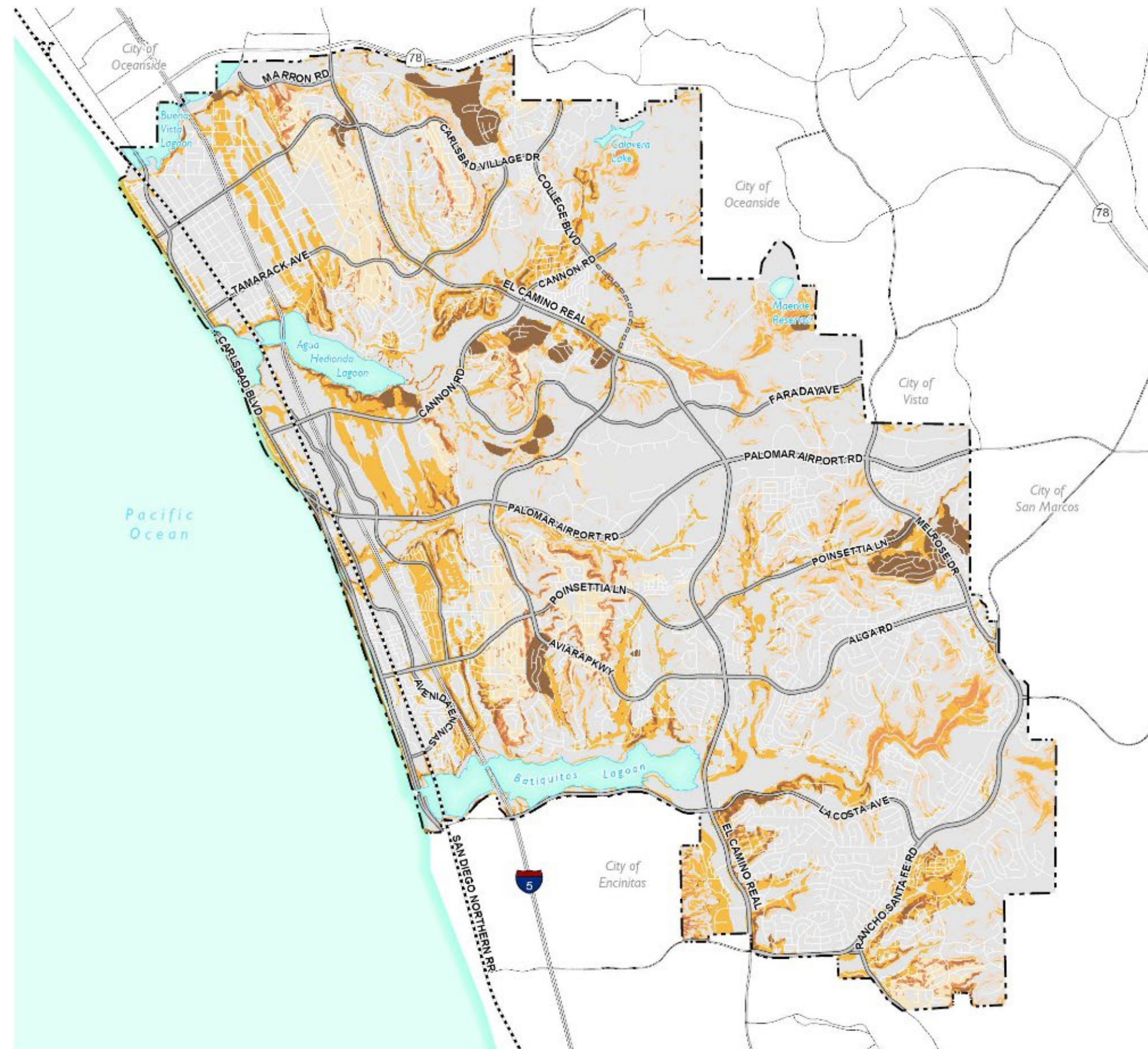
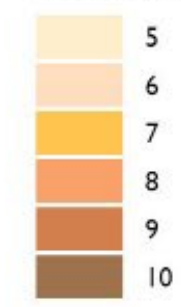
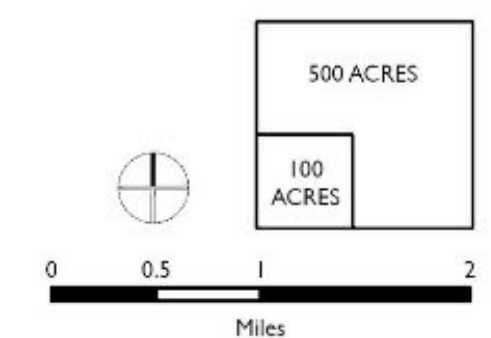


Figure 6-8: Landslide Susceptibility

Landslide Susceptibility



- Highways
- Major Street
- Planned Street
- Railroad
- City Limits



Source: City of Carlsbad, 2022; CGS, Map Sheet 58, 2018.

6.5 Airport Hazards

For land use policies related to the airport, see Chapter 2: Land Use and Community Design. For noise policies related to the airport, see Chapter 5: Noise Element.

The McClellan-Palomar Airport, located in Carlsbad, serves the northern part of San Diego County. The airport, owned and operated by the County of San Diego, is defined by the Federal Aviation Administration (FAA) as a commercial service airport that, in addition to private aircraft, has regularly scheduled commercial flights to Los Angeles International Airport (LAX). Long-term extension projects for the McClellan-Palomar Airport, including 800 feet of runway extension of Runway 6/24 and Taxiway A, are set forth in the McClellan-Palomar Airport Master Plan that was approved by the County of San Diego in October 2021.⁶ The McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) is prepared according to FAA requirements and adopted by the San Diego County Regional Airport Authority acting as the Airport Land Use Commission for the County of San Diego. The ALUCP provides measures to minimize the public's exposure to excessive noise and safety hazards within areas around the airport and identifies areas likely to be impacted by noise and flight activity created by aircraft operations at the airport. These impacted areas include the Airport Influence Area (AIA), the Clear Zone, and the Flight Activity Zone. The AIA, shown in Figure 6-9, includes a large portion of the City of Carlsbad, as well as portions of the cities of Vista, San Marcos, and Escondido.

Within the AIA, the ALUCP establishes six safety zones for the purpose of evaluating safety compatibility of new/future land use actions. The safety zone boundaries depict relative risk of aircraft accidents occurring near the airport and are derived from general aviation aircraft accident location data and data regarding the airport's runway configuration and airport operational procedures. The ALUCP limits development intensities in these zones by imposing floor area and lot coverage maximums, by incorporating risk reduction measures in the design and construction of buildings, and/or by restricting certain uses altogether. Generally, allowable uses and development intensities range from most restrictive in Safety Zone 1 to least restrictive in Safety Zone 6 (these are shown in Figure 6-9). For example, all residential and virtually all non-residential uses are considered incompatible land uses in Zone 1, while all land uses in Zone 6 are considered to be either compatible or conditionally compatible with the airport.

The FAA establishes airspace protection zones in the airspace above and surrounding airports in order to protect aircraft from obstructions such as buildings, towers, etc. in navigable airspace. Airspace protection

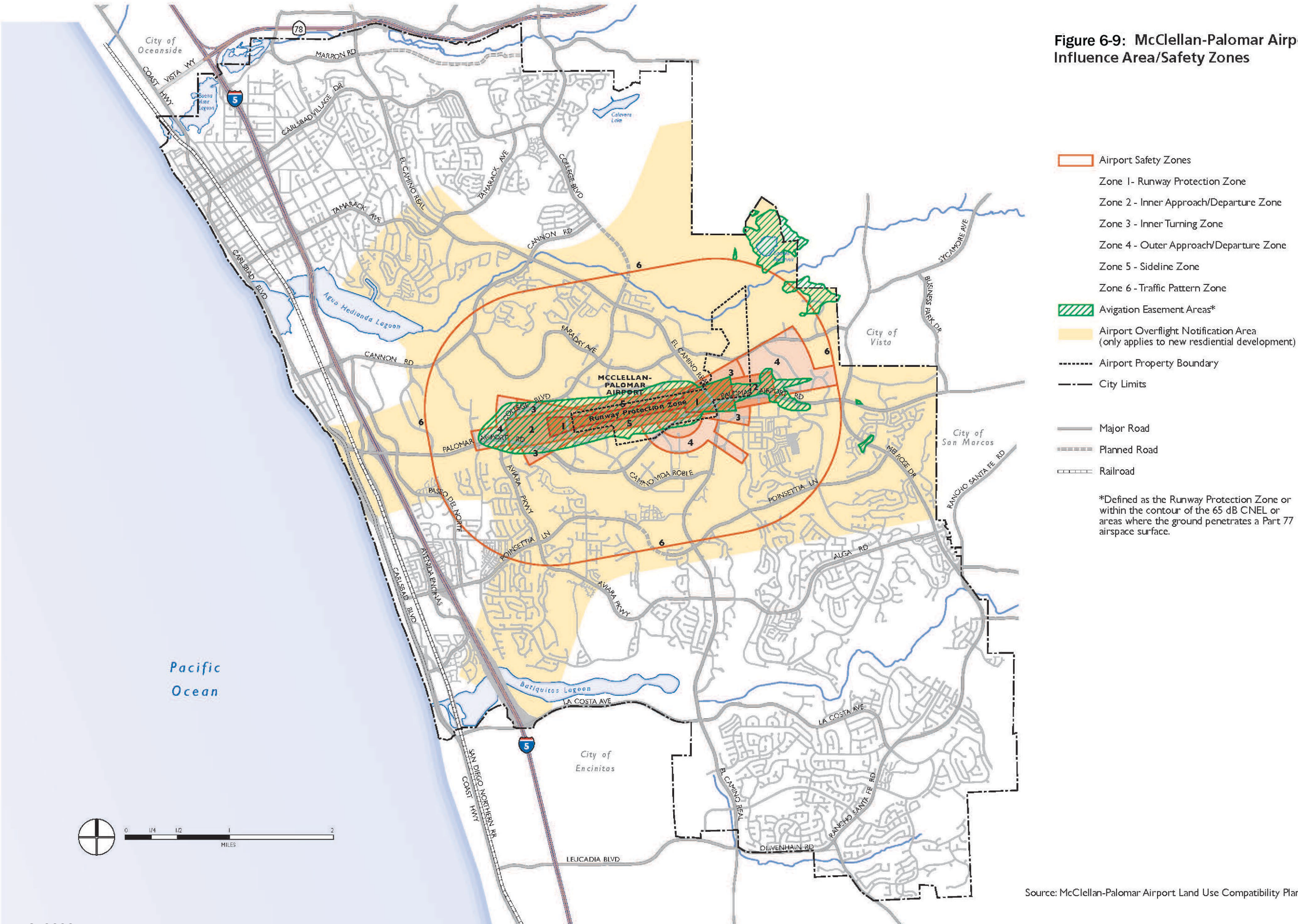
⁶ McClellan-Palomar Airport Master Plan Update. October 2021. https://www.sandiegocounty.gov/content/dam/sdc/dpw/AIRPORTS/palomar/documents/Master-Plan-Update/2021/H-Master_Plan_Update_2021.pdf

zones are defined in Part 77 of the Code of Federal Aviation Regulations; the protected airspace around McClellan-Palomar Airport is depicted in Figure 6-9.

The ALUCP also requires that certain development projects record overflight notification documents in order to provide constructive notice to current and prospective property owners of aircraft activity within the vicinity of the airport. Under certain circumstances, developers of specific properties may be required to grant aviation easements to the airport owner (County of San Diego). Among other things, an aviation easement grants the right of flight in the airspace above the property, allows the generation of noise and other impacts associated with overflight, restricts the height of structures, trees and other objects on the property, prohibits potential on ground flight hazards (sources of light/glare, etc.) and permits access to the property to remove or mark objects exceeding the established height limit. Figure 6-9 depicts the aviation easement and overflight notification areas surrounding the airport.

The city requires review of all proposed development projects within the AIA. New development proposals must process a site development plan, or other development permit, and be found to be consistent or conditionally consistent with applicable land use compatibility policies with respect to noise, safety, airspace protection, and overflight, as contained in the ALUCP. Additionally, development proposals are required to comply with FAA regulations concerning the construction or alteration of structures that may affect navigable airspace.

Figure 6-9: McClellan-Palomar Airport Influence Area/Safety Zones



Source: McClellan-Palomar Airport Land Use Compatibility Plan, 2010.

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6.6 Railroad Hazards

For Mobility policies related to the railroad, see Chapter 3: Mobility. For noise policies related to the railroad, see Chapter 5: Noise Element. Safety hazards related to transportation of hazardous materials are discussed in Section 6.7, below.

The North County Transit District (NCTD) owns the north/south railroad that parallels Carlsbad's entire seven-mile coastline, as well as Interstate-5 and Carlsbad Boulevard. NCTD operates the Coaster commuter rail service on this rail line and owns two passenger rail stations located within the city: Carlsbad Village and Carlsbad Poinsettia stations. The Atchison, Topeka & Santa Fe freight line and the Amtrak passenger service also use the rail line through the city.

The railroad, while providing a vital service for passenger transit and goods movement through the city, presents potential safety concerns in the city. The railroad acts as a barrier and restricts east/west access for emergency services; it also results in the potential for train collisions with automobiles, bicyclists and pedestrians. From 2018 through 2023, a total of 12 train incidents have occurred between the Carlsbad Village and Poinsettia Coaster stations, all involving pedestrians and all unfortunately fatal.

As part of the North Coast Corridor (NCC) Program, the San Diego Association of Governments (SANDAG) plans, during the next 20 years, to construct nearly \$820 million in improvements to the San Diego County rail corridor, including a primary effort to double track the corridor from Orange County to downtown San Diego. Double tracking the rail corridor through San Diego County will add the capacity for approximately 100 more railcars per day through the corridor. To date, the majority of the rail corridor has been double tracked with approximately two miles remaining as single-tracked through the City of Carlsbad: 1.1 miles through the Village from the Oceanside border on the north to Pine Avenue on the south and 0.75 miles near the southern border with Encinitas, including the Batiquitos Lagoon bridge.⁷ Other infrastructure improvements planned by SANDAG include bridge and track replacements, new platforms, pedestrian under-crossings, and other safety and operational enhancements.

Along the rail corridor through Carlsbad, SANDAG is considering two options for double tracking the railroad: at-grade tracks and grade-separated tracks (railroad tracks located in a trench below street grade). The city is working closely with SANDAG and other agencies to encourage and support the grade separated option, which would increase east-west crossings and improve east-west access for emergency services and would reduce the potential for train collisions with automobiles, bicyclists and pedestrians.

⁷ LOSSAN Coastal Rail Corridor. SANDAG. <https://lossanmap.sandag.org/>

6.7 Hazardous Materials

Hazardous materials include a wide variety of substances commonly used in households and businesses. Motor oil, paint, solvents, lawn care and gardening products, household cleaners, gasoline, and refrigerants are among the diverse range of substances classified as hazardous materials. Nearly all businesses and residences generate some amount of hazardous waste. Certain businesses and industries, including gas stations, automotive service and repair shops, printers, dry cleaners, and photo processors, generate larger amounts of such substances. Hospitals, clinics, and laboratories generate medical waste, much of which is also potentially hazardous.

Some hazardous materials present a radiation risk. Radioactive materials, if handled improperly, or if radiation is accidentally released into the environment, can be dangerous because of the harmful effects of certain types of radiation on the human body.

Hazardous Materials Transport

Major transportation routes within Carlsbad include Interstate 5 and State Route 78, surface streets, and the San Diego Northern railroad. There are high pressure fuel lines along El Camino Real and other areas, as shown in Figure 6-10. These transportation routes and pipelines are used to transport hazardous materials from suppliers to users. Transportation accidents involving hazardous materials could occur on any of the routes, potentially resulting in explosions, physical contact by emergency response personnel, environmental degradation, and exposure to the public.

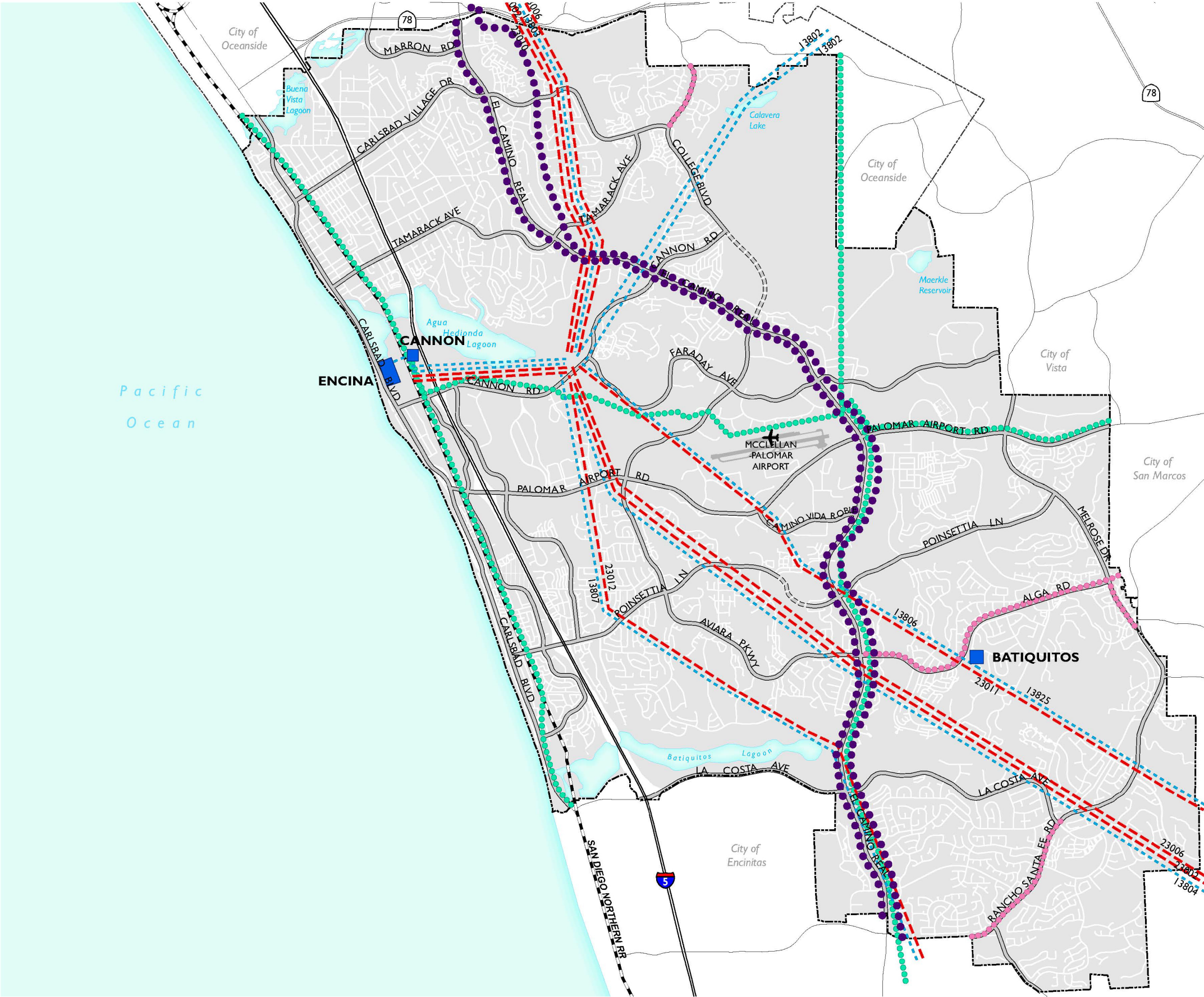
Hazardous Materials Facilities

The County of San Diego, through its Certified Unified Program Agency (CUPA), has recorded (as of 2012) approximately 338 facilities within Carlsbad that store and maintain chemical inventories that exceed mandatory disclosure amounts of any single chemical in excess of 55 gallons, 500 pounds or 200 cubic feet. In addition, there are 180 facilities within the city that are registered with the U.S. EPA as generators of hazardous waste.

Potential Environmental Hazards

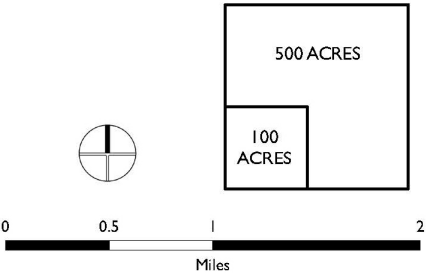
Sites within the City of Carlsbad where the presence of hazardous materials present potential environmental hazards were identified using information from state databases and a review of online regulatory files for select sites. The databases used were EnviroStor, which identifies hazardous waste facility and cleanup sites, and SWRCB GeoTracker, which identifies permitted underground storage tanks

Figure 6-10: Electric and Gas Transmission Lines



- Electric Substations
- Electric Transmission Lines***
 - 230 KV
 - 138 KV
- Gas Transmission Lines***
 - Above 200 psi
 - Above 60 psi
 - Petroleum Gas Mains
- Highways
- Major Street
- Planned Street
- Railroad
- City Limits

* Note that the location of electric transmission lines and gas transmission pipelines are approximate. The map provides a generalized guide and is not an authoritative depiction of where the risks are more likely. A site-specific study should be performed for detail analysis.



Source: City of Carlsbad, 1994; SANDAG, 2013; Dyett & Bhatia, 2013.

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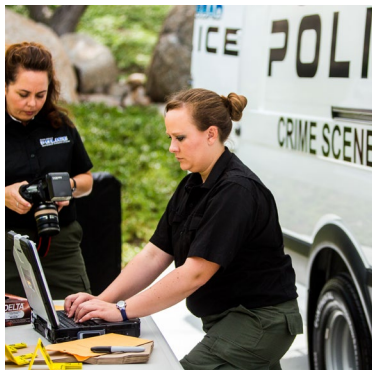
(UST) and cleanup sites. The databases included the following types of sites: release sites (cleanup sites), UST sites, permitted hazardous waste facilities, wastewater treatment tiered permit facilities, and proposed school sites evaluated by the California DTSC for the presence of hazardous materials.

The hazardous materials sites identified in the EnviroStor and GeoTracker databases were evaluated as part of the General Plan Environmental Impact Report (EIR) in order to rank the sites in terms of potential environmental concern.

Using the databases, a total of 214 hazardous materials sites with 126 unique listings were identified within Carlsbad (see the General Plan EIR for details of the listings). A total of 110 of those unique site listings have had known releases, while the remaining 16 have not had known releases. The San Diego Regional Water Quality Control Board's Geographic Environmental Information Management System is a data warehouse that tracks regulatory data about underground fuel tanks, fuel pipelines and public drinking water supplies using GeoTracker; as information in the database is periodically updated, the database should be consulted for current information.

6.8 Police, Fire, and Emergency Management

Police Services



The Carlsbad Police Department conducts its safety services out of the Carlsbad Police and Fire Headquarters located on Orion Way. The Police and Fire Headquarters location is depicted on Figure 6-11. The patrol division is the core of the Police Department's law enforcement services, responding to more than 100,000 calls for service annually. Although responding to 911 calls and street patrols are the majority of the patrol division's activity, other special services in the department include, the homeless outreach team, crime suppression team, investigations unit, traffic unit, school resource officers, canine units, bicycle patrol, crisis negotiations, bilingual services, SWAT and Psychiatric Emergency Response Teams (PERT).

In May 2012, the Carlsbad Safety Training Center was completed to provide necessary training for local police, fire and other safety workers. The training center is located next to the Police and Fire Headquarters, and includes classrooms, a shooting range and structures that can be used to simulate fires in residential and commercial buildings as well as help police conduct tactical training.

Anticipated Space Needs for the Police Department

To accommodate population growth, the Police Department expects to grow to a point where it will need to occupy the space inside the Police and Fire Headquarters that is currently occupied by the Fire Administration. Alternative solutions the Police Department is considering include relocating the Fire Administration to another facility or expanding the Police and Fire Headquarters to accommodate Police Department growth and the continued presence of Fire Administration. Also needed by the Police Department is a secure storage facility for evidence storage to include large pieces of evidence, such as vehicles.

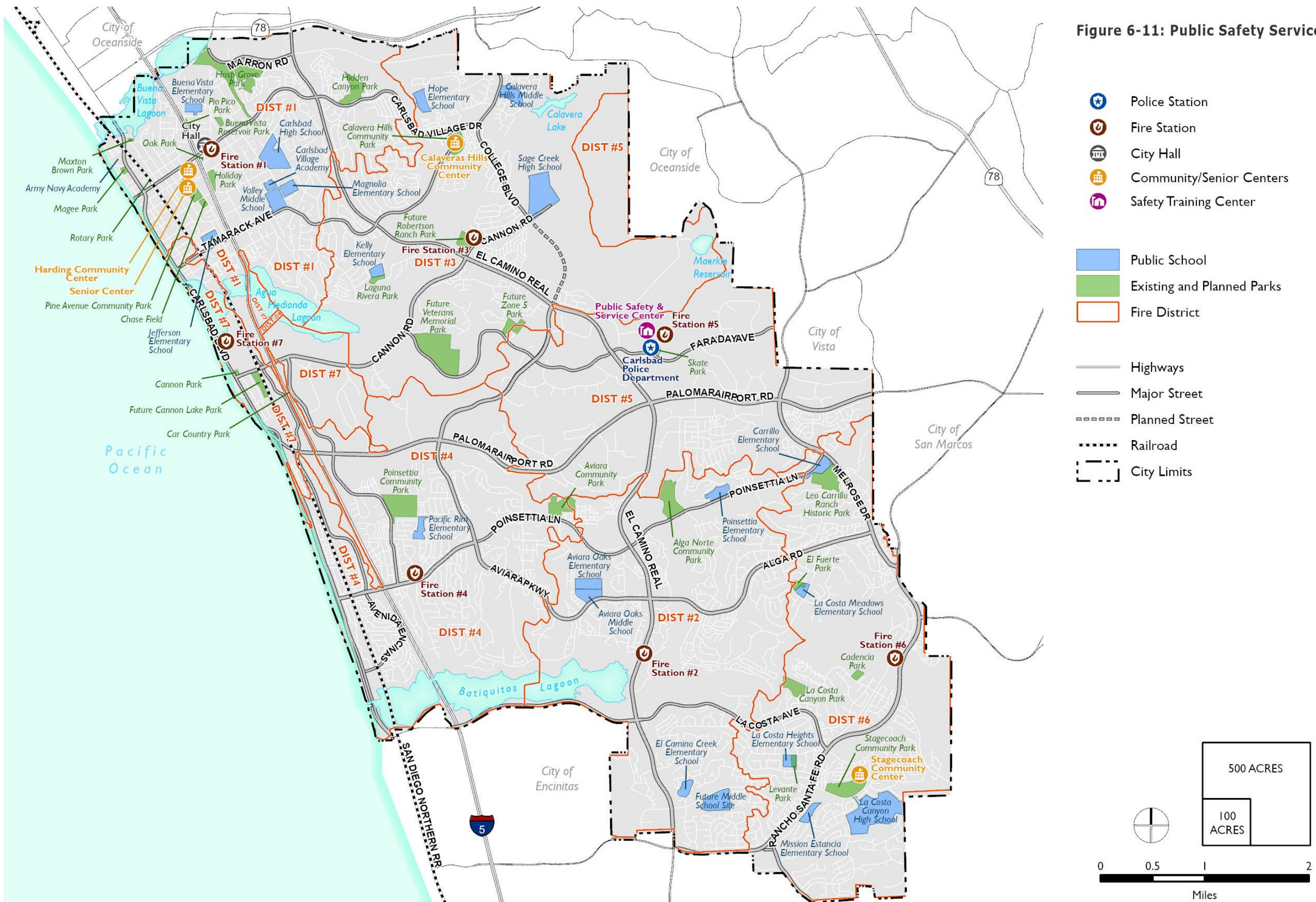


Fire and Emergency Medical Services

The City of Carlsbad has seven fire stations, indicated in Figure 6-11. The oldest of the stations was constructed in 1966, while the newest was completed in 2023.

The Fire Department is divided into two Bureaus, the Bureau of Fire Operations and Bureau of Community Risk Reduction and Resilience. Fire Operations is the largest Bureau within the Carlsbad Fire Department and is responsible for fire suppression, rescue, emergency medical service delivery, marine safety, and disaster mitigation. The

Figure 6-11: Public Safety Services



Source: City of Carlsbad, 2022.

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The Fire Department delivers advanced life support level care on all fire engines, fire ladder trucks and ambulances and provides advanced life support via lifeguard services along the city's northern most beach, commonly referred to as "North Beach". Currently, more than 75 percent of the city's fire suppression personnel are licensed paramedics; frequently multiple paramedics are available on-scene at emergency incidents.

City of Carlsbad SWAT medics are firefighter/paramedics on special assignment working alongside the Carlsbad Police Department SWAT team. SWAT medics are also deployed with Carlsbad police officers in support of other law enforcement units such as the San Diego Sheriff's SWAT team and the regional law enforcement task force.

TABLE 6-2: FIRE STATIONS SUMMARY

STATIONS	BUILT	ADDRESS	STAFFING DESCRIPTION
1	1966	1275 Carlsbad Village Dr.	Crew of five: captain, engineer, two paramedic / firefighters and one emergency medical technician
2	2022	1906 Arenal Rd.	Crew of five: captain, engineer, two paramedic/firefighters and one emergency medical technician
3	2016	3465 Trailblazer Way	Crew of five: captain, engineer, two paramedic/firefighters and one emergency medical technician
4	1986	6885 Batiquitos Dr.	Crew of three: captain, engineer and paramedic/firefighter
5	1988	2540 Orion Way	Crew of four: duty battalion chief, captain, engineer, and paramedic/firefighter
6	2009	7201 Rancho Santa Fe Rd.	Crew of five: captain, engineer, two paramedic/firefighters and one emergency medical technician
7	2023	4600 Carlsbad Blvd.	Crew of six: captain, engineer, three paramedic/firefighters and one emergency medical technician

Anticipated Space Needs for the Fire Department

Based on needs identified by the Carlsbad Police Department for additional space, considerations will need to be made for the relocation of Fire Administration in close proximity to Fire Station No. 5 and the Carlsbad Safety Training Center. Consideration of the relocation of Fire Prevention staff to the same location as Fire Administration should also be made.

The Fire Department completed its first Fire Station Master Plan in 2023 to help identify current and future fire station needs with city growth in mind. Increased service demands, changes in staffing, and the increasing size of fire apparatus require considerations for increasing the number and capabilities of these city facilities.

The Fire Station Master plan also incorporates the potential of adding additional fire stations based on recommendations of the Fire Department Standards of Coverage. The Standards of Coverage is a document used by fire departments to assess local risks and demographics and determine the level of protection needed to

minimize those risks. The current standards of coverage account for increases in growth and subsequent increases in demands for service by anticipating the need for two additional Fire Stations (station eight and nine) as growth occurs.

Wildland Fire Hazards

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped Fire Hazard Severity Zones throughout California. The Fire Hazard Severity Zone (FHSZ) maps are developed using a science-based and field-tested model that assigns a hazard score based on the factors that influence fire likelihood and fire behavior.⁸ Many factors are considered such as fire history, existing and potential fuel (natural vegetation), predicted flame length, blowing embers, terrain, and typical fire weather for the area. There are three levels of hazard in the State Responsibility Areas: moderate, high, and very high. Currently only Very High Fire Hazard Severity Zones (VHFHSZ) are identified in local government jurisdictions. The large amounts of open space and wildland make Carlsbad susceptible to brush fires year-round. The proximity of native vegetation and the climate of the region contribute to sections of the city having VHFHSZs, as illustrated in Figure 6-12. Specifically, the central and eastern portions of Carlsbad are mapped within VHFHSZs.⁹

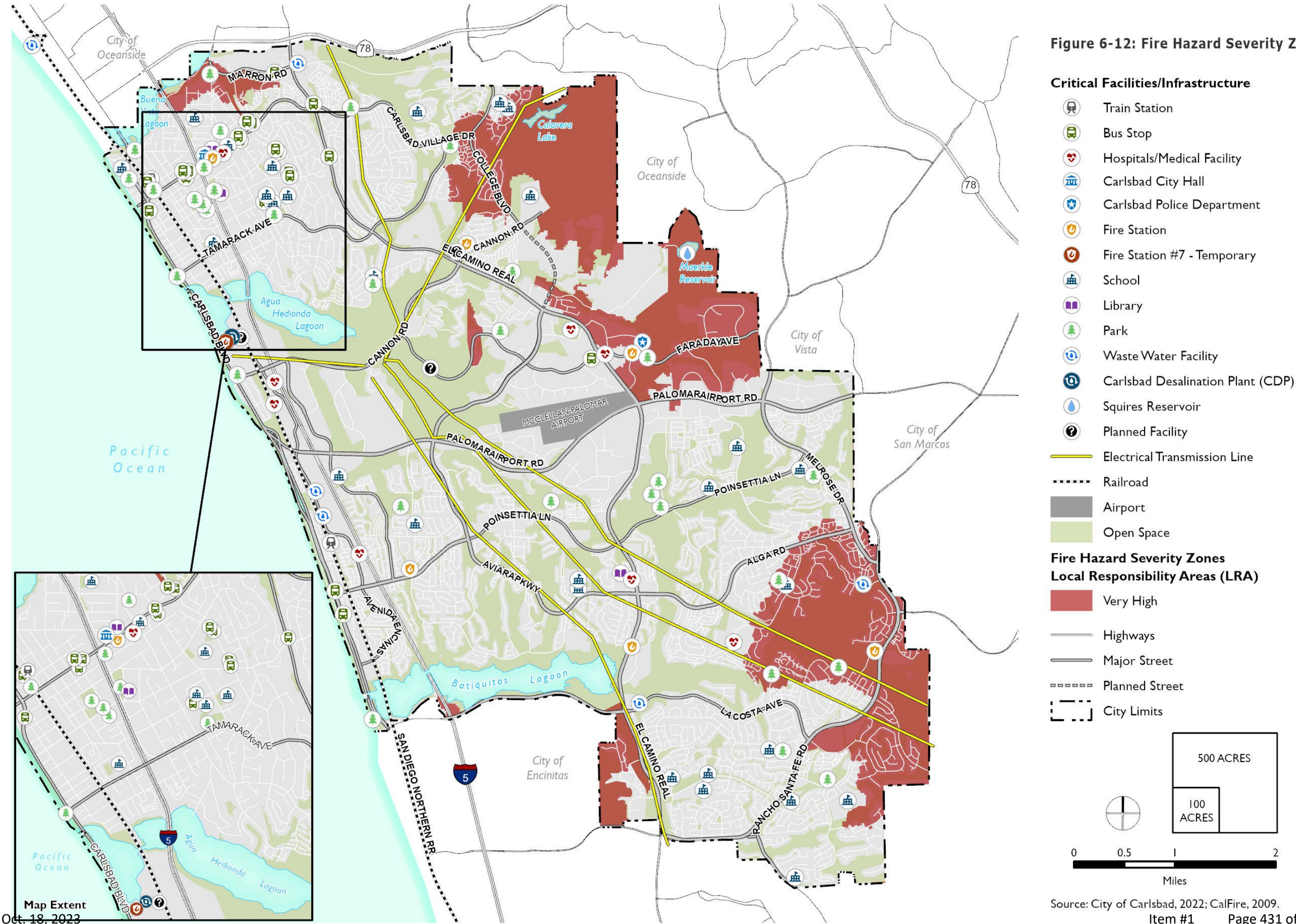
The frequency, area, and severity of wildfires have increased significantly within San Diego County over the past two decades. Recent fires of the Boulevard, Park, and Poinsettia fires have occurred in city limits in January 2022, January 2021, and May 2014 respectively. For Carlsbad this trend of increased wildfires is projected to continue through mid and end-century projections. Wildfire events are a product of temperature increases compounded with precipitation declines creating wildfire prone conditions. San Diego County's wildfires are influenced by Santa Ana Winds and fuel availability.

Critical facilities are facilities in either the public or private sector that provide essential products and services to the public, are otherwise necessary to preserve the welfare and quality of life in the city, or fulfills important public safety, emergency response, and/or disaster recovery functions. The city's critical facilities have been identified based on city staff designations. They include schools, fire stations, police stations, transportation systems, libraries, parks, city hall, hospitals, utility systems, and planned critical facilities.

⁸ County of San Diego, 2010, San Diego County Multi-Jurisdiction Hazard Mitigation Plan, page 4-89.

⁹ County of San Diego, 2010, San Diego County Multi-Jurisdiction Hazard Mitigation Plan, page 4-93 and 4-94.

Figure 6-12: Fire Hazard Severity Zones



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There are several critical facilities within the city's VHFHSZ including four parks, three schools, two fire stations, the police department, and the wastewater treatment facility. Several roads and residential areas are also located within the city's VHFHSZ. Several fires have afflicted the boundaries of Carlsbad including the Boulevard, Park, and Poinsettia fires. Wildfires can create risk of injury, death, or financial hardship if personal property is damaged as well as physical damage to all other assets. Wildfires can also result in cascading risks for vulnerable populations, such as when power or communication infrastructure is damaged.

Urban Fire Hazards

Urban fire risk in Carlsbad is greatest in older structures and neighborhoods built before modern building codes for fire safety and building systems were in place. Other factors affecting urban fire risk and relative likelihood of loss of life or property include building age, height and use; storage of flammable material; building construction materials; availability of sprinkler systems; and proximity to a fire station and hydrants.

Peakload Water Supply Requirement

The Carlsbad Fire Department requires a minimum flow of water for fire protection in accordance with the adopted amended California Fire Code and the Insurance Services Office standards. Certain standards are based on type of construction, type of use and any built-in fire protection (sprinklers, etc.).

There are sites within the city that are in need of fire flow capacity upgrades. As noted in the 2019 Water Master Plan, capital improvement projects regarding pipe upsizing have been identified at several sites in Carlsbad including at Robertson Ranch and within Quarry Creek. There are currently no known water flow pressure or supply deficiencies in Carlsbad. The Carlsbad Fire Marshal reviews proposed projects to ensure adequate fire hydrant locations, water flow pressure, and access for emergency vehicles is provided.

Minimum Road Widths and Clearances Around Structures

Clear emergency vehicle access to buildings is important. Such access is regulated by the adopted and amended California Fire Code and applicable Carlsbad engineering standards.

6.9 Emergency Management and Resilience

Coordination and Management

Chapter 6.04 of the Carlsbad Municipal Code defines the organization, power and duties of the City of Carlsbad emergency organization. The City of Carlsbad Fire Department's Office of Emergency Management and Resilience directs, conducts, and implements city-level emergency plans, programs, training, and exercises and coordinates multi-department citywide emergency operations. The strategic focus of the Emergency Management and Resilience program is contained in the mission statement: "To provide leadership to the City of Carlsbad and throughout the whole community to ensure each organization is prepared to prevent, protect against, mitigate, respond to, and recover from all threats and hazards."

By resolution, the city has adopted the State of California Standardized Emergency Management System (SEMS), National Incident Management System (NIMS) and Incident Command System (ICS) as its emergency management systems. The City of Carlsbad Emergency Operations Plan (EOP) establishes processes and procedures for coordinating multi-department and multi-jurisdictional emergency response, defines the city's organizational emergency response structure, and identifies roles and responsibilities. The city's EOP identifies the Emergency Operations Center (EOC) as the location from which centralized emergency management would be performed during a large-scale emergency or business disruption. The purpose of the Emergency Operations Center (EOC) is to coordinate and support city-level emergency operations. Primary functions of the EOC include information sharing and resource coordination, public information and public emergency notification, coordination with external agencies and EOCs, and implementation of executive decisions and priorities.

All City of Carlsbad employees are disaster service workers, and employees across multiple city departments are trained EOC responders and emergency shelter workers. Emergency preparedness and disaster response information is shared with the public through the City of Carlsbad's website, emergency mass notification systems, social media including the countywide "emergency" mobile application, and traditional media.

Evacuation Routes

Carlsbad is a participant in the Unified Disaster Council (UDC) San Diego Operational Area Emergency Operations Plan (September 2022) which contains evacuation routes resulting from a variety of emergencies. Evacuation routes in this document are incorporated by reference in

this General Plan; the document can be accessed at https://www.sandiegocounty.gov/content/dam/sdc/oes/emergency_management/plans/op-area-plan/2022/EOP2022_Complete%20Plan.pdf.

Single access points of entry and exit were identified in compliance with SB 99 (see Figure 6-13 and consistent with OPR's 2022 technical advisory document on Fire Hazard Planning. OPR's guidance clarifies that cities and counties must identify residential developments with less than two evacuation routes located in any hazard zone considered by the Safety Element. This analysis took a conservative approach and assessed all Carlsbad residential developments for single access entry and exit points, as most of the city is in at least one hazard risk zone.

The process to identify the residential developments that have less than two routes that can be used for emergency evacuation in Carlsbad included:

1. Identifying residential neighborhoods based on residential land use designations consistent with the Carlsbad General Plan Land Use Designations Map.
2. Identification of roads that connect to major and minor streets as identified by SANDAG by a single route were identified and marked.
3. The number of assessor parcel number boundaries adjacent to a marked road were counted.

In low density residential land use areas with single family homes, the number of parcels with driveway access to the street were counted and included as a single entry/exit neighborhood if there were 30 or more units serviced by the local road. The 30 or more units threshold is consistent with the California Public Resources Code Section 4290.5 which defines subdivision as an existing residential development of more than 30 dwelling units¹⁰.

4. Medium and high-density land use areas were evaluated using the same methodology of or more dwelling units.

Figure 6-13 identifies multiple residential developments in Carlsbad with a single access point of entry/exit. There are single access neighborhoods located throughout Carlsbad, including one adjacent to coastal hazard zones and six located within or adjacent to city designated Wildland Preplan areas. Wildland Preplan areas are areas within VHFHSZ with existing evacuation plans as determined by the city. Single access points, particularly in wildfire hazard zones, can make emergency evacuations problematic during an emergency, such as a wildfire.

¹⁰ Assembly Bill 2911 added Section 4290.5 to the Public Resources Code requiring the California Board of Forestry and Fire Protection to identify existing subdivisions with more than 30 dwelling units located in the State Responsibility Area or Local Responsibility Area Very High Fire Hazard Severity Zone without a secondary means of egress route that are at significant fire risk.

Figure 6-13 also illustrates the major evacuation routes within Carlsbad, including the routes outlined by the Police Department Evacuation Plans developed in 2011 identified in Table 6–3. The map of evacuation routes is further organized by Wildland Preplans in Carlsbad including Hosp Grove, Calavera Hills, Sunny Creek Road, Box Canyon, Dank Tank, and Green Valley. Additional evacuation routes identified in these preplan areas include connections to Interstate 5 from Sunny Creek Road, Rancho Santa Fe Road, La Costa Avenue, Levante St-El Camino Real, Calle Barcelona-Leucadia Boulevard, and Palomar Airport Road/West San Marcos Boulevard.

TABLE 6–3: POLICE DEPARTMENT EVACUATION PLANS (2011)

EVACUATION PLAN FOR WILDLAND PREPLAN AREAS	EVACUATION ROUTE(S)
Old Carlsbad (Beats 1,2 & 3)	<ul style="list-style-type: none"> • Carlsbad Village Drive to I-5 • Las Flores to I-5 • Tamarack Avenue to I-5 • Cannon to I-5 • Jefferson Street to Highway 78
Calavera Area (Beat 4)	<ul style="list-style-type: none"> • Carlsbad Village Drive to El Camino Real • College Boulevard to Highway 78 • Carlsbad Village Drive to I-5 • Tamarack Avenue to I-5 • El Camino Real to Cannon Road to I-5
Industrial Core Area (Beat 5)	<ul style="list-style-type: none"> • W/B Cannon to I-5 or E/B Cannon to El Camino Real. • W/B Faraday to Cannon to I-5 or E/B Faraday to El Camino Real to Melrose. • W/B Palomar Airport Rd to I-5 or E/B Palomar Airport Rd. to El Camino Real to Melrose and beyond.
La Costa – Olivenhain Area	<ul style="list-style-type: none"> • La Costa Ave. to I-5 • Rancho Santa Fe Road to Olivenhain Road to Leucadia Blvd. to I-5 • Levante St. to El Camino Real to La Costa Ave. to I-5 • Calle Barcelona to Leucadia Blvd. to I-5
Poinsettia West Area (Beat 6 & 7)	<ul style="list-style-type: none"> • Aviara Parkway to I-5 • El Camino Real to Palomar Airport Rd. • El Camino Real to La Costa Ave • El Camino Real to Poinsettia Ln.
Poinsettia East Area (Beat 6/7 East)	<ul style="list-style-type: none"> • Melrose Drive to Palomar Airport Road/Rancho Santa Fe. • El Fuerte to Palomar Airport Rd./Alga Rd. • Alicante to Poinsettia Ln./Alga Rd • El Camino Real to Palomar Airport Rd./La Costa Ave. • Palomar Airport Rd. to I-5/Business Park • Poinsettia Ln. to Alga Rd. or El Camino Real • Alga to Aviara Parkway/El Camino Real/Melrose Dr.

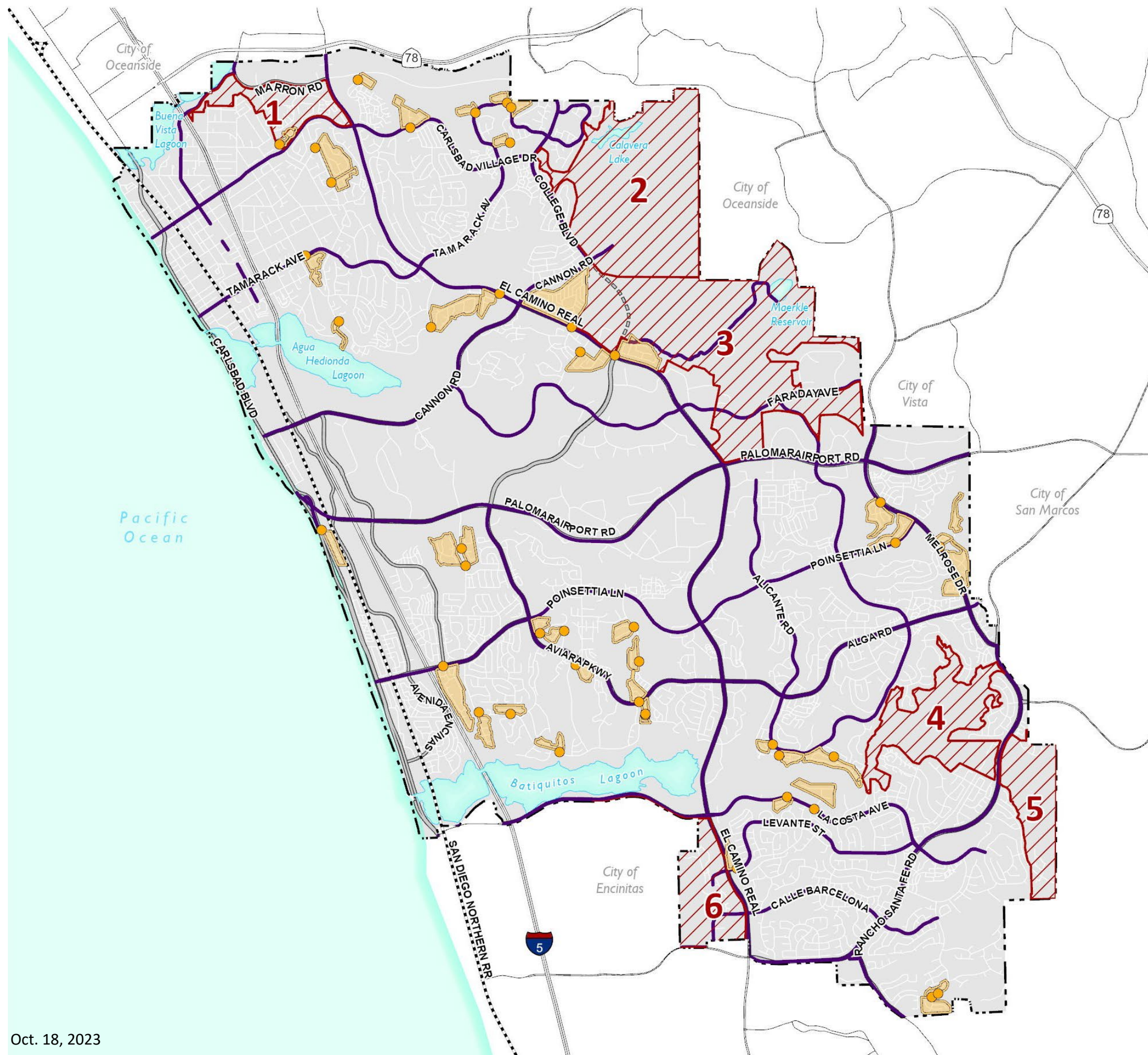
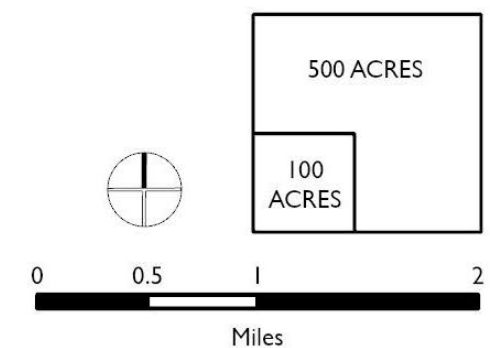


Figure 6-13: Single Access Roads

- Evacuation Routes
- Wildland Preplan Areas
- Single Entry and Exit Neighborhood
- Point of Single Entry and Exit
- Highways
- Major Street
- Planned Street
- Railroad
- City Limits



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Evacuation capacity, safety, and viability were analyzed in compliance with AB 747. The evacuation routes identified in Table 6-3 include a citywide network of arterial roadways with a maximum capacity of 1,800 vehicles per hour per lane that can be utilized in unique combinations to provide effective transportation during a range of emergency scenarios. Dependent on the type and location of the emergency, evacuation locations include the Pine, Stagecoach, and Calavera Hills community centers.

The performance standard for the city's circulation system is guided by the General Plan Mobility Element as follows:

- Implementing Policy 3-P.4: Implement the city's Multi-modal Level of Service methodology and maintain Level of Service D or better for each mode of travel for which the Multi-modal Level of Service standard is applicable....

The greatest threat to the capacity of identified evacuation routes is either an existing low volume design and/or over capacity utilization, typically associated with peak hour commute trips. Critical points would include intersections of major arterials, at-grade railroad crossings, and freeway interchanges.

Identified evacuation routes constrained due to low volume design (two lane roadways) include:

- Las Flores Drive
- Levante Street
- Jefferson Street

Morning/evening peak hour congestion, represented as failing level of service and documented in the Fiscal Year 2021-22 Growth Management Plan Monitoring Report Circulation Section in 2022, affects the following evacuation route segments:

- Palomar Airport Road between Avenida Encinas and Paseo del Norte (interchange at I-5)
- Cannon Road between Avenida Encinas and Paseo del Norte (interchange at I-5)
- El Camino Real between Marron Road and the border with Oceanside (interchange at SR 78)
- Palomar Airport Road between El Fuerte Street and Melrose Drive
- El Camino Real between Cannon Road and College Boulevard
- El Camino Real between Aviara Parkway and La Costa Avenue
- La Costa Parkway between I-5 and El Camino Real

The identified evacuation network is generally free from constraint due to physical hazards during emergencies. Over the past 20 years, only minor impacts to evacuation routes have been experienced in the form of flooding,

fire hazard, landslide, hillside collapse, downed trees/overhead utilities, etc. Even though multiple routes include either overpasses or underpasses, the threat of constraint from these features is low given the relatively young age of the infrastructure and lack of structural issues to date. None of the identified evacuation routes experiences regular or chronic constraints that would present a vulnerability to that route or the network as a whole.

The City of Carlsbad has emergency operations plans and mutual aid agreements with other responsive agencies that can, to a large extent, utilize the roadway network effectively through operational changes to maximize existing capacity in the most effective manner.

6.10 Climate Change

Climate change is already having, and will continue to have, myriad adverse impacts on the Earth's natural and built systems, resources, and the human populations that rely on them. While climate change is a global phenomenon, the effects will vary locally based on the natural and built environment and systems in place. Generally, climate change is anticipated to amplify existing hazards including but not limited to extreme heat, drought, wildfires, landslides, flooding, sea level rise, and air quality. The City of Carlsbad prepared a Climate Change Vulnerability Assessment (CCVA) which is available on the city website at this link: <https://www.carlsbadca.gov/departments/community-development/planning/general-plan/related-documents/-folder-769>. The CCVA assesses how the community and natural and built assets in Carlsbad are vulnerable to climate change. In Carlsbad, climate conditions and associated natural hazards are expected to change in the following ways:

- **Extreme heat:** Extreme heat days occur when the maximum temperature is above 92.5°F. The annual number of extreme heat days is projected to increase by as much as 22 days per year by 2100.
- **Drought:** Climate change will increase the likelihood that low-precipitation years will coincide with above-average temperature years. Warming temperatures increase seasonal dryness and the likelihood of drought due to decreased supply of moisture and increased atmospheric demand for moisture as evaporation from bare soils and evapotranspiration from plants increases.
- **Wildfire:** Carlsbad is expected to experience an increase in the number of days with extreme wildfire risk, from 14 days annually to 63 days by mid-century and 113 days by end-century.
- **Landslides:** Triggered by extreme bouts of precipitation on wildfire burn scars, the susceptibility of the larger San Diego region to landslides is projected to increase as precipitation variability increases and wildfires increase in frequency, area, and severity.
- **Riverine and Stormwater Flooding:** Climate change may cause low-lying areas throughout Carlsbad to experience more frequent flooding and could increase the extent of 100-year floods.
- **Air Quality:** Due to extended droughts, more frequent wildfires, increased ambient temperatures, and sporadic natural filtrations of fog and wind air quality in Carlsbad may decline significantly.

- **Sea Level Rise:** The Carlsbad Sea Level Rise Vulnerability Assessment anticipates 1.6 feet of sea level rise by 2050 and 6.6 feet of sea level rise by 2100. Impacts to coastal assets are described in detail under Section 6.3.

Though climate change affects everyone in a community, not all people are impacted equally. For example, historically disadvantaged communities, people of color, outdoor workers, elderly and very young community members, lower-income populations, and those with chronic health conditions tend to experience increased exposure and/or physiological sensitivity to climate hazards and a reduced capacity to adapt.¹¹ As recommended by the California Adaptation Planning Guide several data sources and tools were used in evaluating both population and climate hazard vulnerabilities including the U.S. Census 2015-2019 American Community Survey, Cal-Adapt, California's Fourth Climate Change Assessment, The California Healthy Places Index, and CalEnviroScreen 4.0. The following vulnerable populations have been identified in Carlsbad consistent with the California Adaptation Planning Guide and the Southern California Adaptation Planning Guide:

- **Individuals with High Outdoor Exposure**, including outdoor workers and people experiencing homelessness, face disproportionate direct exposure to climate hazards, causing them to be extremely vulnerable to the effects of climate change.
- **Under-resourced individuals** often do not have access or the ability to afford resources needed to prepare for, cope with, and recover from climate change impacts. Individuals who are unemployed or are low-income often face financial barriers when preparing for and recovering from climate change hazards. Individuals in these groups often live in homes that are less protected against climate hazards.
- **Individuals Facing Societal Barriers** also face additional impacts of climate change. Non-white individuals are more likely to live in high hazard risk areas and less likely to be homeowners, which leaves them vulnerable to climate hazards.
- **Individuals with chronic health conditions or health related sensitivities** are socially and physiologically vulnerable to climate change impacts and hazards. Older adults and individuals with disabilities may have limited or reduced mobility, mental function, or communication abilities, making it difficult to evacuate during or prepare for a climate hazard

¹¹ The California Adaptation Planning Guide describes factors that contribute to disproportionate impacts from climate change: "There are many reasons why some groups of people are more susceptible to climate related hazards—limited access to financial resources, health challenges or disabilities (physical, cognitive, behavioral, and all other forms), living or working conditions that result in greater exposure to hazard events, physical or social isolation, historical and current marginalization or deprivation of resources, and reduced agency or ability to make decisions. These are all factors that can lead to a greater potential for harm, and many people fall into more than one category." (Page 62)

event. They may also have medical needs for electricity which may be impacted during a public safety power shutoff or climate hazard event.

Natural and recreational resources, buildings and facilities, and infrastructure and critical services are also vulnerable to the effects of climate change and were evaluated in detail in the Climate Change Vulnerability Assessment:

- **Natural resources** are highly vulnerable to extreme heat, drought, wildfire, flooding, and sea level rise. Vulnerability for natural resources includes the risk of habitat conversions and damage, mortality, and scarcity of resources for plants and wildlife.
- **Buildings and facilities** in the city are highly vulnerable to sea level rise (detailed discussion provided in Section 6.3). Buildings and facilities located in inundation zones are at risk of structural damage from sea level rise. Several facilities are in the wildfire hazard severity zones of Carlsbad. These buildings and facilities are at risk of structural damage from wildfire.
- **Infrastructure and dependent populations** experience additional cascading impacts around power outages from downed utility lines, power safety shut offs and grid overload. All forms of power outages can affect how critical services are able to perform their needed functions during a hazard. Infrastructure and critical services are also highly vulnerable to extreme heat, flooding, and air quality

Table 6–4 below summarizes each asset grouping’s highest vulnerabilities by hazard along with corresponding policies that address the primary vulnerabilities in the Goals and Policies section.

TABLE 6–4: CLIMATE CHANGE VULNERABILITY ASSESSMENT HIGH VULNERABILITY FINDINGS

CLIMATE HAZARD	IMPACT SCORE	ADAPTIVE CAPACITY SCORE	VULNERABILITY SCORE	CORRESPONDING POLICY
Vulnerable Populations				
Extreme Heat	High	Medium	4-High	6-P.85
Wildfire	High	Medium	4-High	6-P.55, 6-P.66 6-P.79
Riverine and Stormwater Flooding	Medium	Low	4-High	6-P.1, 6-P.6
Air Quality	High	Low	5-High	6-P.82, 6-P.84, 6-P.85, 6-P.88
Sea Level Rise	High	Medium	4-High	6-P.79
Natural and Recreational Resources				
Extreme Heat	High	Low	5-High	6-P.80
Drought	High	Low	5-High	6-P.80, 6-P.81
Wildfire	High	Medium	4-High	6-P.80
Riverine and Stormwater Flooding	High	Medium	4-High	6-P.12
Air Quality	Medium	Low	4-High	6-P.81
Sea Level Rise	High	Medium	4-High	6-P.13
Buildings and Facilities				
Extreme Heat/Warm Nights	Medium	Low	4-High	6-P.84, 6-P.89
Sea Level Rise	Medium	Low	4-High	6-P.13
Infrastructure and Critical Facilities				
Extreme Heat	High	Low	5-High	6-P.89, 6-P.90
Drought	High	Medium	4-High	6-P.51
Riverine and Stormwater Flooding	High	Low	5-High	6-P.5, 6-P.89
Air Quality	High	Low	5-High	6-P.85, 6-P.89
Sea Level Rise	Medium	Low	4-High	6-P.13

Local actions can help to mitigate the additional risks associated with climate change and increase community resilience. Cities that plan now will have the best options for adapting to climate change. Carlsbad is currently preparing a comprehensive update to its Climate Action Plan (CAP), which is a roadmap identifying specific actions the city and its partners intend to take to reduce local greenhouse gas emissions. Implementation of the policies in the Public Safety Element and the measures and actions in the CAP are complementary and mutually beneficial, working to both reduce the city's carbon contributions and increase its resilience in the face of worsening climate change impacts.

The city has a long history of taking action to reduce the effects of climate change by cutting local greenhouse gas emissions, beginning with the adoption of the city's first Climate Action Plan in 2015. Since that time, the city has been active in implementing sustainability programs envisioned by the CAP, including steps being taken by the Sustainable Materials Management division to divert and reduce waste,

the Watershed Protection division to protect water resources, and the Habitat Management division to increase protection of natural habitats. As Carlsbad expands existing efforts in planning and implementation for responding to climate change, an opportunity exists to create stronger, more equitable communities for everyone. Many of the actions needed to reduce the impacts of climate change will provide additional co-benefits to the community, including but not limited to increased public safety and public health, reduced greenhouse gas emissions, and greater economic stability.

6.11 Goals and Policies

Goals

- 6-G.1 Minimize injury, loss of life, and damage to property resulting from fire, flood, sea-level rise, hazardous material release, or seismic disasters.
- 6-G.2 Minimize safety hazards related to aircraft operations in areas around the McClellan-Palomar Airport.
- 6-G.3 Maintain safety services that are responsive to citizens' needs to ensure a safe and secure environment for people and property in the community.
- 6-G.4 Minimize safety hazards related to emergency service, automobile, bicycle and pedestrian access across the railroad.
- 6-G.5 Adequately prepare for climate change-related hazards, including but not limited to sea-level rise, extended drought, extreme heat, and more frequent and severe flooding, extreme weather, and wildfires.

Policies

Flooding Hazards

- 6-P.1 Enforce the Cobey-Alquist Floodplain Management Act and the city's Floodplain Management Regulations to prohibit construction of structures in a designated floodway where such development would endanger life or significantly restrict the carrying capacity of the designated floodway; and to regulate development within other areas of special flood hazard, flood related erosion hazard and mudslide hazard to ensure such development does not adversely affect public health and safety due to water and erosion hazards, or result in damaging increases in erosion, flood height or velocities.
- 6-P.2 Continue to implement and pursue flood control programs that reduce flood hazards, such as the city's Grading Ordinance and the Floodplain Management Regulations.
- 6-P.3 Cooperate and coordinate with federal, state and local jurisdictions, and agencies involved in the mitigation of flood hazards from dam inundation, tsunamis, sea level rise, and major flood events.
- 6-P.4 Require all proposed public drainage facilities to comply with the city's Standard Design Criteria to ensure they are properly sized to handle 100-year flood conditions. Incorporate updated hydrology and hydraulic data as it becomes available.

- 6-P.5 Require installation of protective structures or other design measures to protect proposed building and development sites, existing infrastructure, and critical services from the effects of flooding. Utilize, where possible, nature-based solutions and pervious pavement to assist in protection.
- 6-P.6 Encourage the use of permeable materials and surfaces in new development and road repaving to decrease surface water runoff during storms.
- 6-P.7 Promote the use of green infrastructure such as swales to manage stormwater runoff.
- 6-P.8 Enforce the requirements of Carlsbad Municipal Code Titles 15, 18, 20, and 21 pertaining to drainage and flood control when reviewing applications for building permits and subdivisions.
- 6-P.9 Comply with all requirements of the California Department of Water Resources' Division of Safety of Dams and California Office of Emergency Services to ensure dam safety and adequate flood incident preparedness and response.
- 6-P.10 Comply with Federal Emergency Management Agency (FEMA) requirements to identify flood hazard areas and control development within these areas in order for residents to qualify for federal flood insurance. Cooperate with FEMA on shoreline flooding hazards and other mapping efforts.
- 6-P.11 Provide language-accessible materials to vulnerable populations on flood hazard exposure and available resources. Identify and improve access to flood mitigation and adaptation related services for vulnerable populations including evacuation-based transportation, home improvements, and resources to combat cascading impacts of negative economic and health impacts.
- 6-P.12 Monitor and research the potential impacts of climate change and flooding on local habitat and wildlife.

Sea Level Rise Hazards

- 6-P.13 Regulate new development, redevelopment and lot creation, which requires a coastal development permit, to avoid exposure to sea level rise hazards such as erosion, flooding, inundation, groundwater changes and shoreline migration throughout the lifespan of the proposed development.
- 6-P.14 Encourage development projects to deposit dredge spoils on the beach if the material is suitable for sand replenishment and is consistent with environmental protection policies.
- 6-P.15 Give priority to non-structural shoreline protection options and limit or prohibit hard shoreline protective devices.

- 6-P.16 Require removal or relocation of structures away from sea level rise hazards if public health and safety risks exist, if essential services can no longer be maintained, if the structures are no longer on private property due to migration of the public trust boundary, or if the development requires new or augmented shoreline protective devices that would not otherwise be permitted.
- 6-P.17 Develop sea level rise adaptation plans for assets vulnerable to sea level rise.
- 6-P.18 Collaborate with other local, regional, state, and federal entities to monitor sea level rise impacts and promote restoration or enhancement of natural ecosystems.
- 6-P.19 Continue to build community awareness about sea level rise hazards and future vulnerabilities.

Geology and Seismicity

- 6-P.20 Allow for consideration of seismic and geologic hazards at the earliest possible point in the development process, preferably before comprehensive engineering work has commenced.
- 6-P.21 Maintain geotechnical report guidelines identifying specific requirements for various levels of geotechnical evaluation, including reconnaissance studies, preliminary geotechnical investigation reports, and as-graded geotechnical reports.
- 6-P.22 Use information in Figure 6-5 as a generalized guideline for planning purposes and in determining the type and extent of geotechnical report to be required for a proposed development project. When a geotechnical report is required, submission of the report and demonstration that a project conforms to all mitigation measures recommended in the report prior to city approval of the proposed development (as required by state law).
- 6-P.23 Require a geotechnical investigation and report of all sites proposed for development in areas where geologic conditions or soil types are susceptible to liquefaction. Also require demonstration that a project conforms to all mitigation measures recommended in the geotechnical report prior to city approval of the proposed development (as required by state law).
- 6-P.24 Prohibit location of critical structures directly across known earthquake faults unless a geotechnical and/or seismic investigation is performed to show that the earthquake fault is neither active nor potentially active.
- 6-P.25 Require applicants to conduct detailed geologic and seismic investigations at sites where the construction of critical structures (high-occupancy structures and those that must

remain in operation during emergencies) and structures over four stories are under consideration.

- 6-P.26 In accordance with California state law, deny subdivision maps if a project site is not physically suitable for either the type or density of a proposed development because of specific, adverse impacts on public health and safety conditions, such as geologic, seismic, or other hazards and there is no feasible method to satisfactorily mitigate or avoid such adverse impacts.
- 6-P.27 Require qualified geotechnical engineering professionals to review grading plans and inspect areas of excavation during and after grading, to evaluate slope stability and other geotechnical conditions that may affect site development and public safety. In areas of known or suspected landslides and/or adverse geologic conditions, the following determinations should be made: extent of landslide, depth-to-slide plane, soil types and strengths, presence of clay seams and ground water conditions.
- 6-P.28 Continue to regulate development, including remodeling or structural rehabilitation, to ensure adequate mitigation of safety hazards on sites having a history or threat of seismic dangers, erosion, subsidence, or flooding.
- 6-P.29 Regularly inspect locations with high landslide susceptibility directly following major storm and atmospheric events.
- 6-P.30 Develop mitigation strategies for new areas deemed at risk to slope instability by considering the risks associated with climate change impacts which are anticipated to cause more frequent landslides from more extreme and frequent rain events and wildfires.
- 6-P.31 Minimize risks from landslides by requiring new development to be sited outside of hazard areas, when possible, and to incorporate design that minimizes the potential for damage.

Airport Hazards

- 6-P.32 Ensure that development in the McClellan-Palomar Airport Influence Area is consistent with the land use compatibility policies contained in the McClellan-Palomar Airport Land Use Compatibility Plan.

See also policies in the Land Use and Community Design Element related to McClellan-Palomar Airport.

Railroad Hazards

- 6-P.33 Gather historic incident data from police reports regarding pedestrian/bicycle and train incidents to develop a better understanding of the conditions resulting in collisions. Evaluate if there are any common factors, such as time, location, population group, point of entry and exit, and determine if there

are underlying causes contributing to the incidents. Evaluate a program to address underlying issues and the potential effectiveness of the program.

- 6-P.34 Coordinate with other agencies and private entities to investigate methods of improving service safety along and across the rail corridor, such as through development of a grade separated rail corridor that includes grade separated street crossings at Grand Avenue, Carlsbad Village Drive, Tamarack Avenue and Cannon Road, as well as new pedestrian and bicycle crossings at Chestnut Avenue, the Carlsbad Village and Poinsettia COASTER stations, and other appropriate locations.

See also policies in the Mobility and Noise Elements related to the railroad.

Soils and Hazardous Materials

- 6-P.35 Limit hazards associated with the manufacture, use, transfer, storage and disposal of hazardous materials and hazardous wastes through enforcement of applicable local, county, state and federal regulations.
- 6-P.36 Coordinate with the County of San Diego and use the San Diego County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) as a guide for implementing actions to reduce hazardous waste impacts.
- 6-P.37 Regulate locations for the manufacture, storage, and use of hazardous materials within the city through implementation of Carlsbad Municipal Code Title 21 (Zoning Ordinance).
- 6-P.38 Regulate development on sites with known contamination of soil and groundwater to ensure that construction workers, future occupants, and the environment as a whole, are adequately protected from hazards associated with contamination, and encourage cleanup of such sites. Provide documentation that development sites are not impacted by former/current site uses, including but not limited to, agricultural chemicals, aerially deposited lead, common railroad contaminants, and hazardous material storage and/or use.
- 6-P.39 Provide hazardous materials emergency incident responses. Coordinate such responses with applicable federal, state and county agencies.
- 6-P.40 Maintain regulations that require proper storage and disposal of hazardous materials to reduce the likelihood of leakage, explosions, or fire, and to properly contain potential spills from leaving the site.

- 6-P.41 Enhance and expand the use of desilting/pollutant basins to function as hazardous material spill control facilities to prevent the spread of contaminants to downstream areas.
- 6-P.42 Support public awareness and participation in household hazardous waste management, solid waste, and recycling programs.

Police, Fire and Emergency Management

- 6-P.43 Maintain adequate Police and Fire Department staff to provide adequate and timely response to all emergencies according to department standards, as well as continuous community outreach providing education for emergency situations.
- 6-P.44 Encourage physical planning and community design practices that deter crime and promote safety.
- 6-P.45 Maintain close coordination between planned improvements to the circulation system within the city and the location of fire stations to assure adequate levels of service and response times to all areas of the community.
- 6-P.46 Consider site constraints in terms of hazards and current levels of emergency service delivery capabilities when making land use decisions. In areas where population or building densities may be inappropriate to the hazards present, take measures to mitigate the risk of life and property loss.
- 6-P.47 Coordinate the delivery of fire protection services through auto aid and mutual aid agreements with other agencies when appropriate.
- 6-P.48 Enforce the most current California Building and Fire codes, adopted by the city, to provide fire protection standards for all existing and proposed structures.
- 6-P.49 When future development is proposed to be placed in fire hazard severity zones and/or adjacent to fire hazard severity zones, require applicants to comply with the city's adopted Landscape Manual, which includes requirements related to fire protection, and calls for preparation of a fire protection plan when a proposed project contains or is bounded by hazardous vegetation or is within an area bounded by a Very High Fire Hazard Severity Zone, or as determined by the Fire Code official or their representative.

Wildfires

- 6-P.50 Coordinate with Carlsbad Municipal Water District, Olivenhain Municipal Water District, and Vallecitos Water District to ensure that water pressure for existing developed areas is adequate for firefighting purposes during the season and time

of day when domestic water demand on a water system is at its peak.

- 6-P.51 Permit development only within areas that have adequate water resources available, to include water pressure, onsite water storage, or fire flows.
- 6-P.52 Maintain and implement Wildland/Urban Interface Guidelines for new and existing development within neighborhoods that are proximal to existing fire hazard severity zones. Decrease the extent and amount of edge or wildland urban interface where development is adjacent to fire hazard severity zones.
- 6-P.53 Use strategies, such as community organization volunteer partnerships and environmentally friendly fuel reduction and weed abatement approaches, as prevention measures to minimize the risk of fires. Engage in fire hazard reduction projects, including community fuel breaks and private road and public road clearance.
- 6-P.54 To increase resistance of structures to heat, flames, and embers, review current building code standards and other applicable statutes, regulations, requirements, and guidelines regarding construction, and specifically the use and maintenance of non-flammable materials (both residential and commercial). Promote the use of building materials and installation techniques beyond current building code requirements, to minimize wildfire impacts as well as fire protection plans for all development.
- 6-P.55 In planned developments that may occupy the wildland urban interface, High and Very High Fire Hazard Severity Zones, increase resilience during a potential wildfire evacuation through:
 - Enforcing visible address numbers painted on sidewalks.
 - Applying special construction features found in California Building Code Chapter 7A for developments in Very High Fire Hazard Severity Zones & High Fire Hazard Severity Zones areas.
 - Developing and/or adapting multiple language accessible materials for how to prepare your family and home for an evacuation and go kit.
 - Identifying and preparing at risk and vulnerable populations that may need assistance to evacuate.
 - Maintaining existing critical evacuation routes, community fuel breaks, emergency vehicle access.
 - Requiring adequate access (ingress, egress) to new development, including safe access for emergency response vehicles

- Identification of anticipated water supply for structural fire suppression.
 - Developing fuel modification plans for all new developments.
- 6-P.56 Evaluate soils and waterways for risks from flooding, water quality, and erosion to ensure that they are suitable to support redevelopment following a large fire.
- 6-P.57 In the event of a large fire, evaluate re-development within the impacted fire zone to conform to best practice wildfire mitigation.
- 6-P.58 Coordinate with telecommunication service entities and the San Diego County Communication Department to fire-harden communications.
- 6-P.59 Limit new development along steep slopes and amidst rugged terrain to limit rapid fire spread and increase accessibility for firefighting.
- 6-P.60 Develop and implement density management strategies that cluster residential developments and minimize low-density exurban development patterns to reduce amounts of flammable vegetation and collective exposure to wildfire risk. When feasible, require new residential development to be located outside of the Very High Fire Hazard Severity Zone (VHFHSZ). Should new residential development be located in VHFHSZ's, then require that it be built to the current California Building Code and Fire Code.
- 6-P.61 When feasible, site new critical facilities outside of the Very High Fire Hazard Severity Zone (VHFHSZ). Protect and harden critical facilities from natural hazards and minimize interruption of essential infrastructure, utilities, and services.
- 6-P.62 Site structures to maximize low-flammability landscape features to buffer against wildfire spread.
- 6-P.63 Require that new development and redevelopment have adequate fire protection, including proximity to adequate emergency services, adequate provisions for fire flow and emergency vehicle access and fire hardened communication, including high speed internet service.
- 6-P.64 Ensure that the Carlsbad Fire Department has complete access to all locations in the city, including gated residential communities and critical infrastructure.
- 6-P.65 Coordinate with San Diego Gas & Electric to implement an electrical undergrounding plan with a focus on critical evacuation roadways and areas with highest wildfire risk.

- 6-P.66 Provide fire hazard education and fire prevention programs to Carlsbad residents and businesses with targeted outreach to vulnerable populations and occupants of Moderate, High, and Very High Fire Hazard Severity Zones neighborhoods and/or single access neighborhoods.
- 6-P.67 Prioritize engagement with single access neighborhoods to encourage home retrofits to meet current standards on structure hardening and road standards, proactively enforce defensible space standards, and conduct emergency preparedness trainings.
- 6-P.68 Continue to maintain and update the city's Water Master Plan to identify and secure resources to meet future fire suppression needs and require future development to provide the water system improvements necessary to meet their demands.
- 6-P.69 Continue to maintain/contribute to updates to the Urban Area Security Strategy and the MJHMP to identify and prepare for future emergency service needs. For fire preparedness, continue to prepare a Standards of Coverage study to evaluate risks and prepare recommendations to mitigate those risks.

Emergency & Evacuation Preparedness

- 6-P.70 Implement and maintain the City of Carlsbad Emergency Operations Plan, the Multi-jurisdictional Hazard Mitigation Plan (MJHMP), and other relevant emergency plans, policies, and procedures.
- 6-P.71 Promote public awareness of potential natural and man-made hazards, measures that can be taken to protect lives and property.
- 6-P.72 Inform the public and contractors of the danger involved and the necessary precautions that must be taken when working on or near pipelines or utility transmission lines.
- 6-P.73 Ensure all new development complies with all applicable regulations regarding the provision of public utilities and facilities.
- 6-P.74 Maintain roadways that are likely to function as key evacuation routes.
- 6-P.75 Provide resources to City of Carlsbad staff regarding appropriate emergency preparedness and response activities as well as designed roles and responsibilities as Disaster Service Workers. Conduct routine trainings for all-hazards emergency preparedness and response.
- 6-P.76 Facilitate restriction of parking, construction permits, or right-of-way encroachment permits on high fire days in

neighborhoods in and near fire hazard zones and along critical evacuation routes.

- 6-P.77 Facilitate restriction of parking, construction permits or right-of-way encroachment on days with potential storm surges, atmospheric rivers, and king tide days in neighborhoods in and near flood hazard zones and along critical evacuation routes.
- 6-P.78 Develop and maintain emergency evacuation capabilities in conjunction with regional partners and regional plans such as the San Diego County Emergency Operations Plan.
- 6-P.79 Continue to communicate to the public on essential resources and procedures through a variety of communication tools and in multiple languages on topics including:
- Education on the California Standard Statewide Evacuation Terminology.
 - Emergency evacuation checklists for residents.
 - Creation and education of the public on evacuation maps.
 - Available transportation services.
 - Evacuation shelter and support service options.

Extreme Heat, Air Quality, and Drought

- 6-P.80 Protect vulnerable natural and recreational habitats and parks impacted by extreme heat through expansion of large continuous greenspaces wherever possible for greater cooling magnitude and extent. Include:
- A mix of drought tolerant and native habitat types for greatest cooling benefits.
 - Mitigation of risk of dried out vegetation and wildfire risk through drought tolerant and wildfire resilient landscaping on private property.
 - Facilitate mitigation projects through Carlsbad Habitat Management Division
- 6-P.81 Identify opportunities and expand the City's Landscape Manual to increase urban tree canopy and maintenance projects in coordination with existing efforts including the adopted Community Forest Management Plan.
- 6-P.82 Coordinate with San Diego County Public Health Services and local community organizations to establish extreme heat, drought, and air quality monitoring systems and develop accessible community education resources to prepare community members for increase extreme heat events and ambient air pollution.

- 6-P.83 Seek grant funding to pilot a project to install a cool roof on a city facility or cool pavement as part of a roadway project to showcase benefits to community members and local builders.
- 6-P.84 Encourage weatherization retrofits of private properties and retrofit all critical facilities with adequate cooling and air filtration in conjunction with the Carlsbad Climate Action Plan. Partner with the Home Energy Score Assessment program to facilitate retrofits.

See also policies in the Sustainability Element and Open Space, Conservation, and Recreation Element for policies related to Mitigating Drought, Urban Heat, and Green Infrastructure

Climate Change Governance Capacity

- 6-P.85 Broaden functions of cool zones to address a greater variety of needs as resilience hubs facilitating health, food, medical, and emergency services during climate hazards such as extreme heat events, flooding, wildfires, and poor air quality events.
- 6-P.86 Seek funding to plan and implement microgrids, cool roofs, resilience hubs, and other similar technology in areas with vulnerable populations.
- 6-P.87 Explore a climate equity analysis to prioritize programs that ensure the benefits of Environmental Sustainability programs are equitably distributed and prioritized to those most in need.
- 6-P.88 Distribute information on climate change impacts to the entire community with adapted communications for vulnerable populations, including but not limited to actions they can take to reduce exposure to unhealthy conditions associated with flood damaged properties, extreme heat, and bad air quality days. Increase the capacity/resilience of these populations by ensuring they have a role in decision-making surrounding climate change in their communities
- 6-P.89 Expand the resilience of new and existing critical buildings and infrastructure to function properly while subject to increased climate hazard frequency such as flooding, extreme heat, regional wildfires, and landslides.
- 6-P.90 Partner with utility companies and/or community choice energy entities to improve grid resilience and backup power for the community including but not limited to utility and/or community choice energy entity activities that seek to:
- Harden vulnerable overhead lines against winds and wildfires;
 - Protect energy infrastructure and increase redundancy of energy storage and distribution systems in surrounding hazard zones for wildfire;

- Invest in sustainable power sources to provide redundancy and continued services for critical facilities during periods of high demand during extreme heat events; and
- Continue exploring the feasibility of installing microgrids, battery storage, or other local energy storage options.

6-P.91 Develop a checklist for adaptation-based design features and assessment of needed retrofits for critical facilities.

See also policies in the Sustainability Element related to Climate Change

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LCPA 2022-0015
HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE
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 to read as follows:

- (b) Upland (approximately 240 acres) is designated for a combination of Residential (R-15 – 11.5-15 du/ac and R-23 – 19-23 du/ac), Regional Commercial (R), and Open Space 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.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING AN AMENDMENT TO THE ZONING ORDINANCE AND ZONING MAP, TITLE 21 OF THE CARLSBAD MUNICIPAL CODE, TO IMPLEMENT PORTIONS OF OBJECTIVES B., C, AND D. OF HOUSING ELEMENT PROGRAM 1.1 – PROVIDE ADEQUATE SITES TO ACCOMMODATE THE RHNA, AND OBJECTIVE B. OF HOUSING ELEMENT PROGRAM 1.3 - ALTERNATIVE HOUSING.

CASE NAME: HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE

CASE NO: ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015 (PUB 2022-0010)

WHEREAS, the City Council adopted an update to the General Plan Housing Element on April 6, 2021; and

WHEREAS, on July 13, 2021, the State Department of Housing and Community Development certified the city's adopted Housing Element as being in substantial compliance consistent with state housing law; and

WHEREAS, the certified Housing Element contains programs, further broken down into objectives, that identify specific actions the city must implement on an ongoing basis or by specific due dates; and

WHEREAS, to implement Housing Element Program 1.1, Provide Adequate Sites to Accommodate RHNA, and specifically objectives 1.1 b., 1.1 c. and 1.1 d.; and to implement Housing Element Program 1.3, Alternative housing, and specifically objective 1.3 b., the City Planner has prepared amendments to the Zoning Ordinance and Zoning Map (Title 21 of the Carlsbad Municipal Code) and to the Local Coastal Program (ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015) pursuant to Chapter 21.52 of the Carlsbad Municipal Code, Section 30514 of the Public Resources Code, and Section 13551 of California Code of Regulations Title 14, Division 5.5; and

WHEREAS, on Oct. 18, 2023, the Planning Commission held a duly noticed public hearing as prescribed by law to consider ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015; and

WHEREAS the Planning Commission adopted Planning Commission Resolution recommending to the City Council that ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015 be approved; and

WHEREAS, on [date], the Airport Land Use Commission reviewed and found that the proposed Zone Code Amendment is [determination] with the adopted McClellan-Palomar Airport Land Use Compatibility Plan; and

WHEREAS the City Council of the City of Carlsbad held a duly noticed public hearing as prescribed by law to consider ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015; and

WHEREAS at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the City Council considered all factors, including written public comments, if any, related to ZCA 2022-0004/ZC 2022-0001/LCPA 2022-0015.

NOW, THEREFORE, the City Council of the City of Carlsbad, California, ordains as follows that:

1. The above recitations are true and correct.
2. That the findings of the Planning Commission in Planning Commission Resolution shall also constitute the findings of the City Council.
3. That Section 21.05.030 of the Carlsbad Municipal Code, being the Zoning Map, and the Local Coastal Program Zoning Map are amended as shown on the maps marked "Exhibit ZC 2022-0001/LCPA 2022-0015" dated Oct. 18, 2023, attached hereto as Attachment A and made a part hereof.
4. That Ordinance CS-432 as adopted by the City Council on Sept. 27, 2022, is pending Coastal Commission review and is incorporated into this ordinance.
5. 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 11.5-15 du/ac) and R-23 (Residential 19-23 du/ac) land use designations of the Carlsbad general plan; and
6. That Section 21.18.010 A.1. of the Carlsbad Municipal Code is amended to read as follows:

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 11.5-15 du/ac) and R-23 (Residential 19-23 du/ac) land use designations of the Carlsbad general plan;
7. That Section 21.22.010 A. 1. of the Carlsbad Municipal Code is amended to read as follows:

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 19-23 du/ac) land use designation of the Carlsbad general plan;
8. That Section 21.24.010 A.1 of the Carlsbad Municipal Code is amended to read as follows:

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 11.5-15 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) and R-40 (Residential 37.5-40 du/ac) land use designations of the Carlsbad general plan; and
 9. 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, 3 and 7 below) (defined: Section 21.04.125)	X		
Dwelling, two-family (see note 7 below; defined: Section 21.04.130)	X		
Dwelling, multiple-family (see note 7 below; if the multiple-family dwelling is not subject to note 7, it shall be subject to Section 21.53.120 if more than 4 units are proposed; defined: Section 21.04.135)	X		

10. 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.

11. 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.

12. 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.

13. 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.

14. 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. (Ord. NS-718 § 14, 2004)

15. 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, or 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. (Ord. NS-718 § 14, 2004)

16. 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.

17. 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(5)	P
R-W	X	P
R-P	(6)	(7)
RMHP	P	P
P-C	(8)	(8)
V-B	(9)	(9)
Accessory Uses	(10)	(10)

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.

18. 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 ⁽¹⁾	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 ⁽¹⁾	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.
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19. 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 ^{(1), (7)}		
		Projects within the R-23 and R-30 general plan designations ^{(1), (7)}	40 feet, if roof pitch is 3:12 or greater	
			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 designations ⁽⁷⁾	45 feet, if roof pitch is 3:12 or greater	
			40 feet, if roof pitch is less than 3:12	
E.5	Minimum Building Setbacks	From a private or public street ^{(2), (3)}	Residential structure	10 feet
			Direct entry garage	20 feet
		From a drive-aisle ⁽⁴⁾	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.
				0 feet (residential structure and garage)

			Projects of 25 units or less within the R-15, R-23, R-30, R-35, and R-40 general plan designations	Garages facing directly onto a drive-aisle shall be equipped with an automatic garage door opener.
				0 feet
			Balconies/decks (unenclosed and uncovered)	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"> • Setbacks from property lines • Building separation • Fire and Engineering Department requirements
		From the perimeter property lines of the project site (not adjacent to a public/private street)	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.	
E.7	Resident Parking ⁽⁶⁾	All dwelling types	If a project is located within the R-23, R-30, R-35 or R-40 general plan designations, resident parking shall be provided as specified below, and may also be provided as follows: <ul style="list-style-type: none"> • 25% of the units in the project may include a tandem two-car garage (minimum 12 feet × 40 feet). • Calculations for this provision resulting in a fractional unit may be rounded up to the next whole number. 	
		One-family and two-family dwellings	2 spaces per unit, provided as either: <ul style="list-style-type: none"> • a two-car garage (minimum 20 feet × 20 feet), or • 2 separate one-car garages (minimum 12 feet × 20 feet each) • In the R-W Zone, the 2 required parking spaces may be provided as 1 covered space and 1 uncovered space⁽⁵⁾ 	
		Multiple-family dwellings	Studio and one-bedroom units	1.5 spaces per unit, 1 of which must be covered ⁽⁵⁾ 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.	
			Units with two or more bedrooms	2 spaces per unit, provided as either: <ul style="list-style-type: none">• a one-car garage (12 feet × 20 feet) and 1 covered or uncovered space; or⁽⁵⁾• a two-car garage (minimum 20 feet × 20 feet), or• 2 separate one-car garages (minimum 12 feet × 20 feet each)• 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⁽⁵⁾	
				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">• Each parking space shall maintain a standard stall size of 8.5 feet by 20 feet, exclusive of supporting columns; and• 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.	
				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, R-23, or R-30 general plan designations	400 square feet
				Projects within the R-15, R-23 or 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 or R-30 general plan designations	15 feet	
					Within the R-15, R-23 or 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">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).			
				<ul style="list-style-type: none">The length of the projection shall not be limited, except as required by any setback or lot coverage standards.			
				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, R-30, R-35, and R-40 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.
--	--	--	---

20. 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 the 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

General Plan Density Ranges	Growth Management Control Point
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 11.5—15.0	11.5
R-23 19.0—23.0	19.0
R-30 26.5—30.0	26.5
R-35 32.5—35	32.5
R-40 37.5—40	37.5

21. 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, and 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.

EFFECTIVE DATE OF THIS ORDINANCE APPLICABLE TO PROPERTIES OUTSIDE THE COASTAL ZONE:

This ordinance shall be effective thirty days after its adoption; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

EFFECTIVE DATE OF THIS ORDINANCE APPLICABLE TO PROPERTIES INSIDE THE COASTAL ZONE:

This ordinance shall be effective thirty days after its adoption or upon Coastal Commission approval of LCPA 2022-0015, whichever occurs later; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

INTRODUCED AND FIRST READ at a Regular Meeting of the Carlsbad City Council on the day of _____, 2023, and thereafter

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ___ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED AS TO FORM AND LEGALITY:

CINDIE K. McMAHON, City Attorney

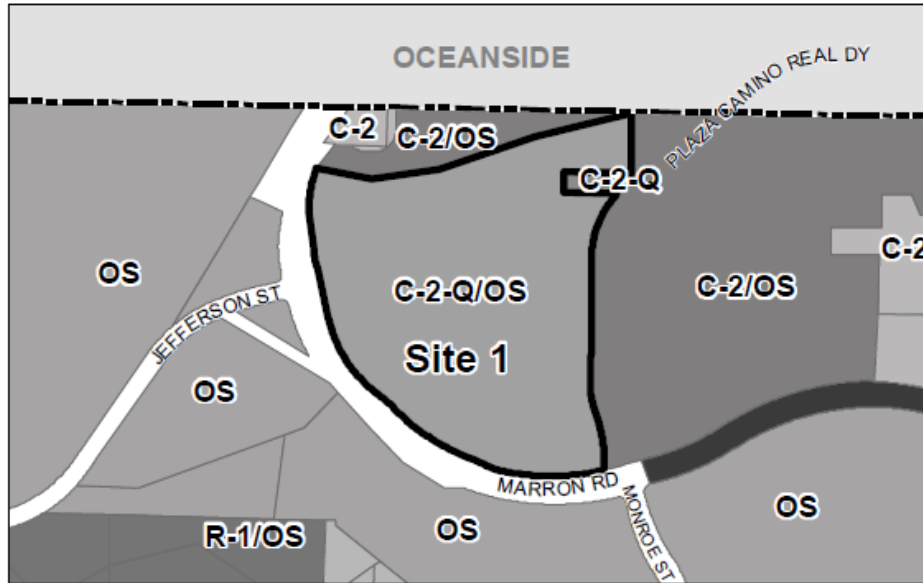
KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)

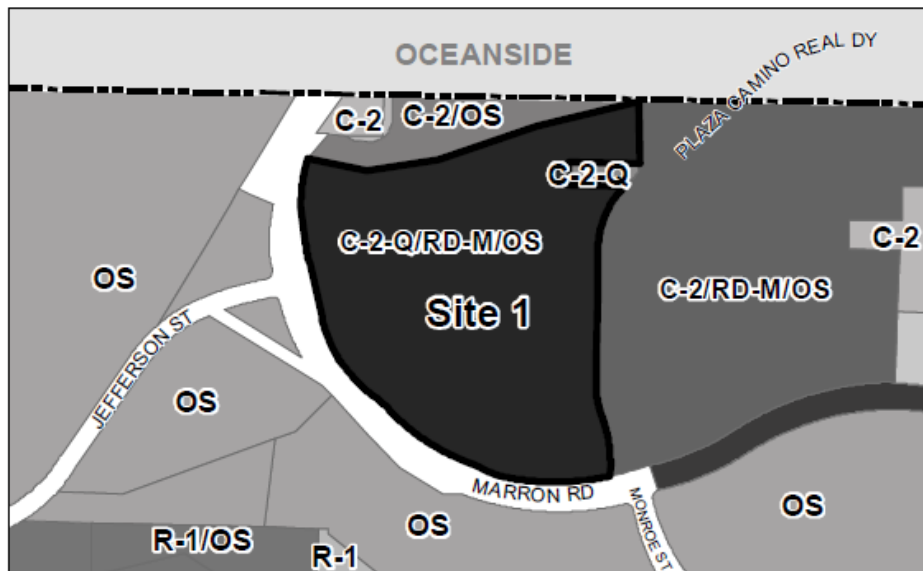
Exhibit “ZC 2022-0001/LCPA 2022-0015”

October 18, 2023

Site 1 – NORTH COUNTY PLAZA



EXISTING



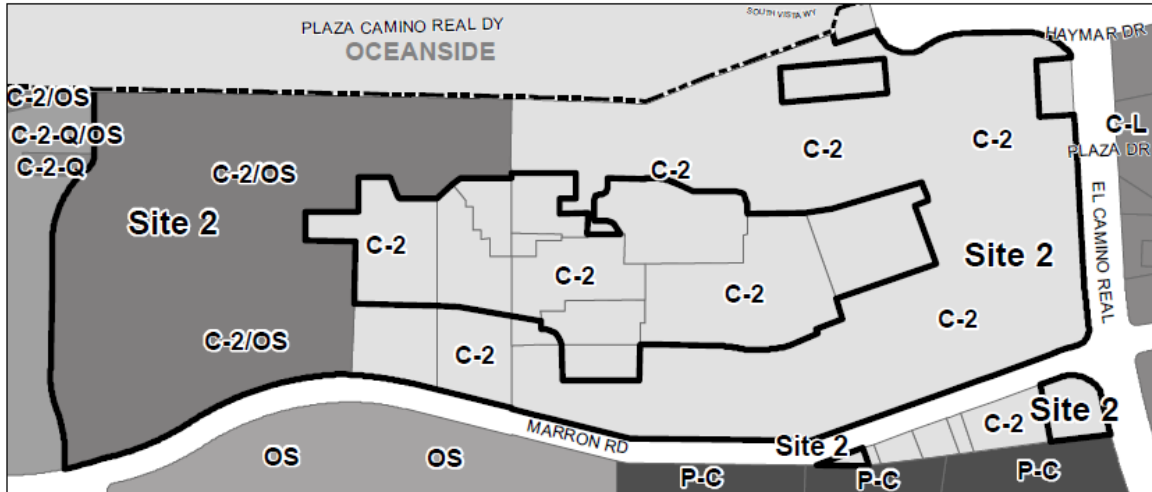
PROPOSED

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

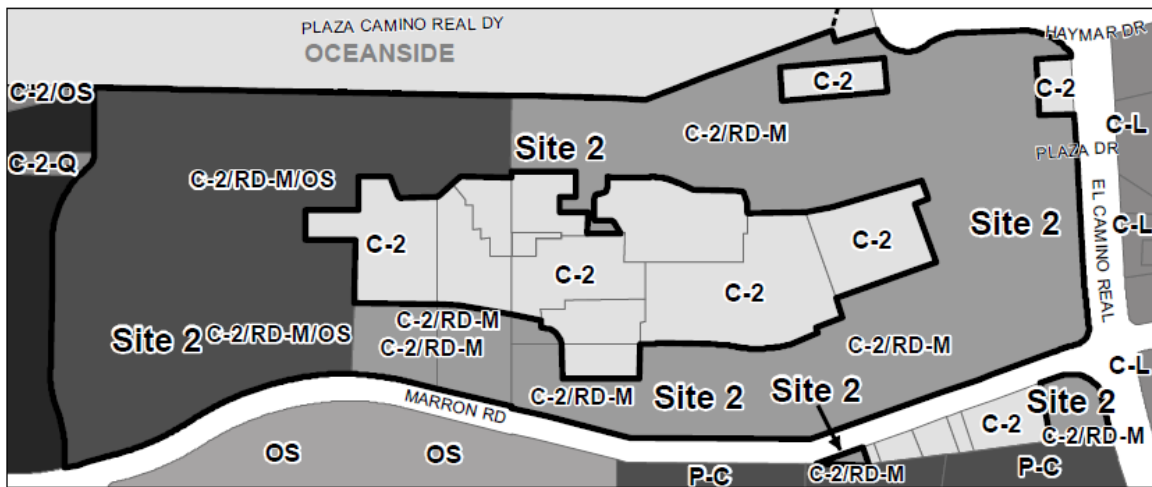
Exhibit “ZC 2022-0001”

October 18, 2023

Site 2 – THE SHOPPES AT CARLSBAD PARKING LOT



EXISTING



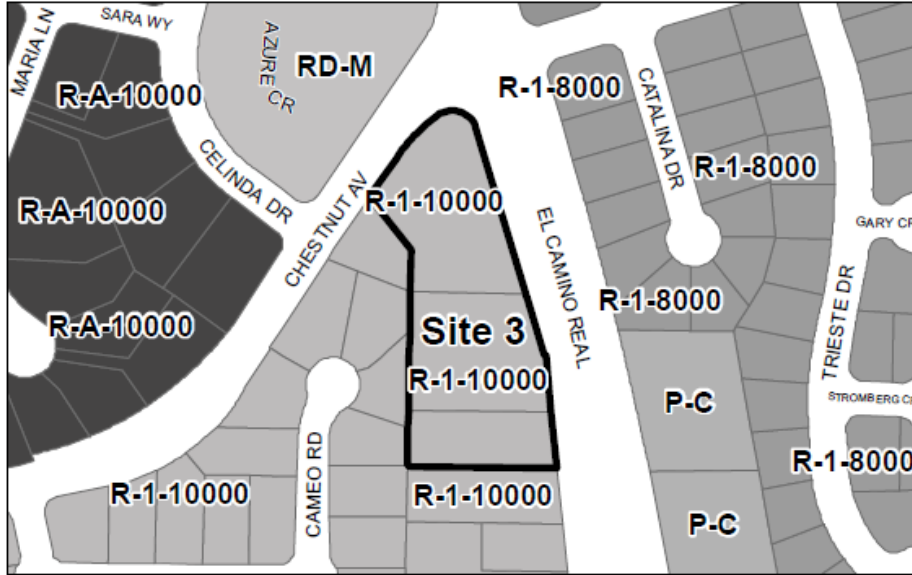
PROPOSED

Zoning Map Designation Change		
Property APN	From:	To:
A. 156-301-11-00	C-2/OS	C-2/RD-M/OS
B. 156-302-14-00	C-2	C-2/RD-M
C. 156-302-35-00	C-2	C-2/RD-M
D. 156-301-06-00	C-2	C-2/RD-M
E. 156-301-01-00	C-2	C-2/RD-M
F. 156-302-23-00	C-2	C-2/RD-M
G. 156-302-17-00	C-2	C-2/RD-M

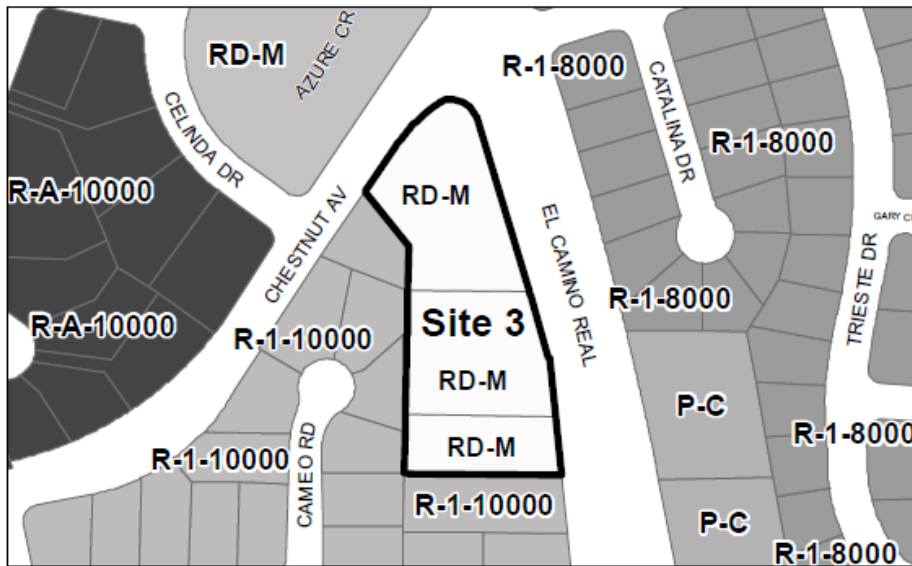
Exhibit “ZC 2022-0001”

October 18, 2023

Site 3 – CHESTNUT AT EL CAMINO REAL PARCEL



EXISTING



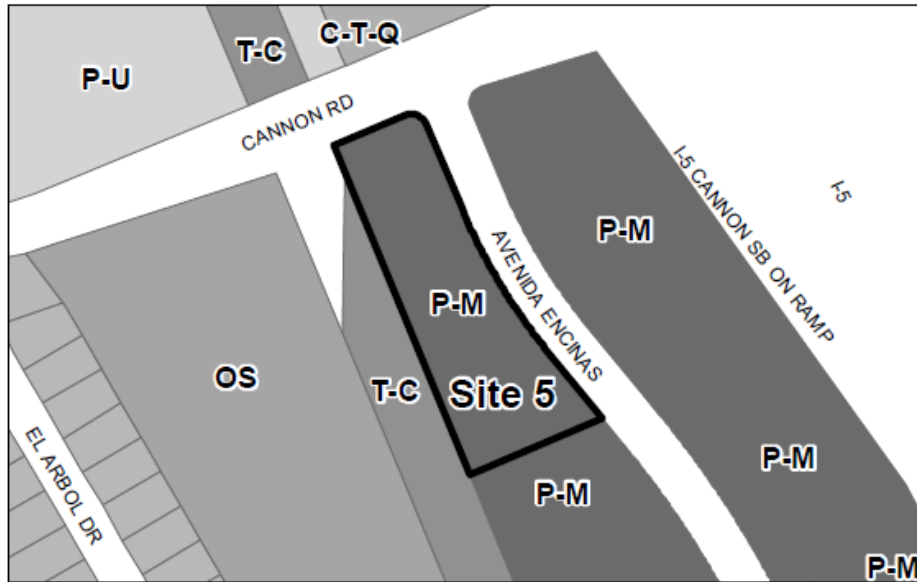
PROPOSED

Zoning Map Designation Change		
Property APN	From:	To:
A. 167-080-34-00	R-1-10000	RD-M
B. 167-080-49-00	R-1-10000	RD-M
C. 167-080-50-00	R-1-10000	RD-M

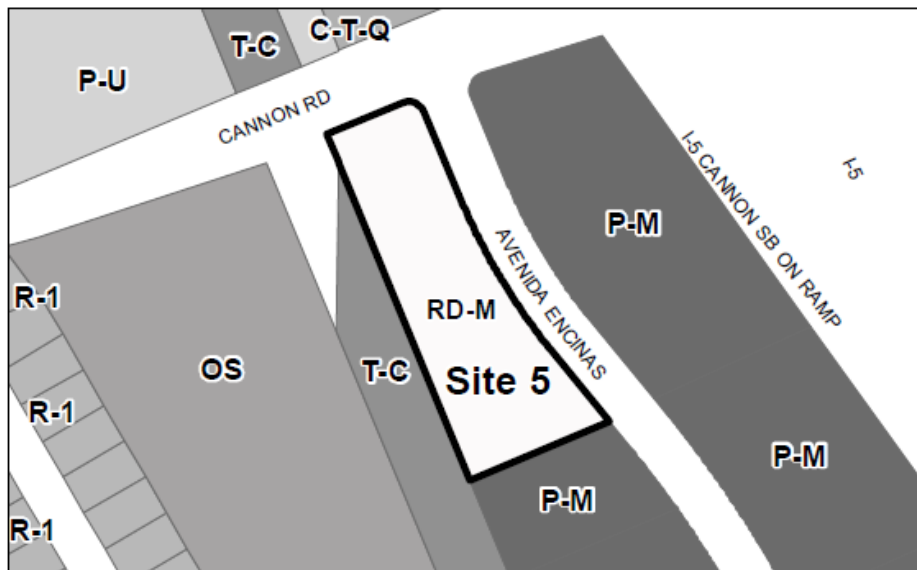
Exhibit “ZC 2022-0001/LCPA 2022-0015”

October 18, 2023

Site 5 – AVENIDA ENCINAS CAR STORAGE LOT



EXISTING



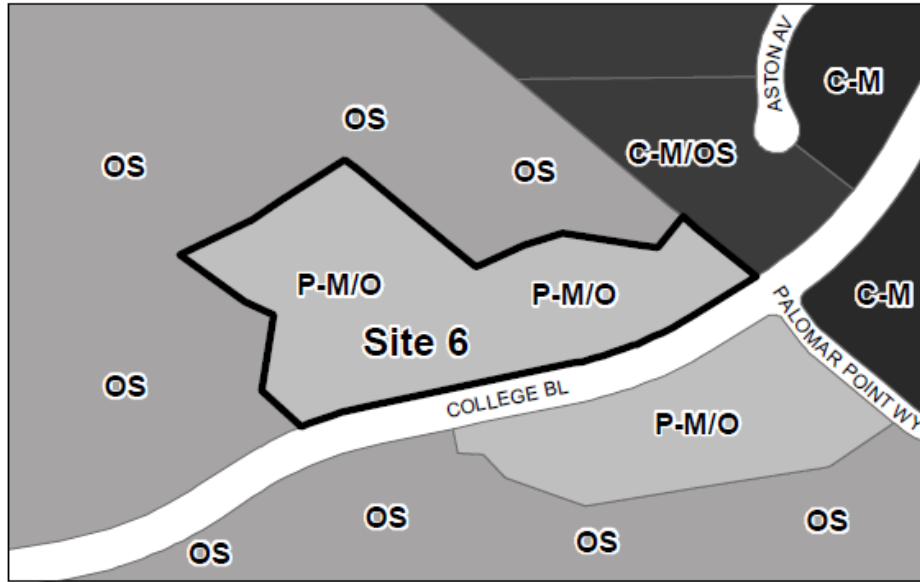
PROPOSED

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

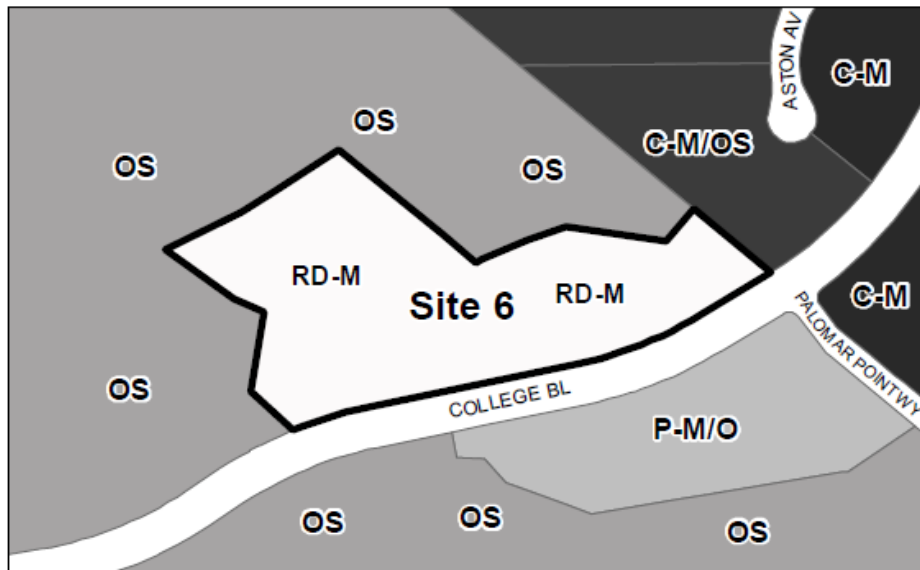
Exhibit “ZC 2022-0001/LCPA 2022-0015”

October 18, 2023

Site 6 – CROSSINGS GOLF COURSE LOT 5



EXISTING



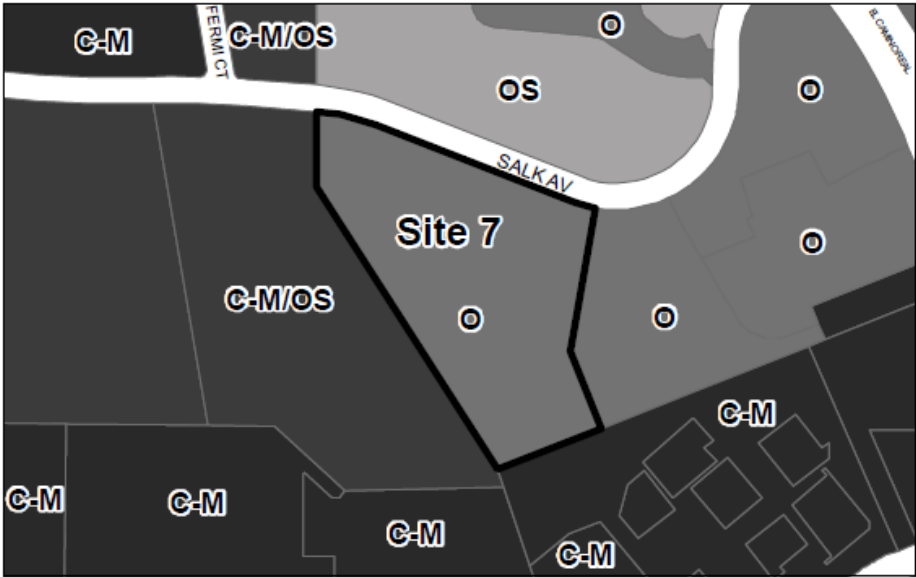
PROPOSED

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

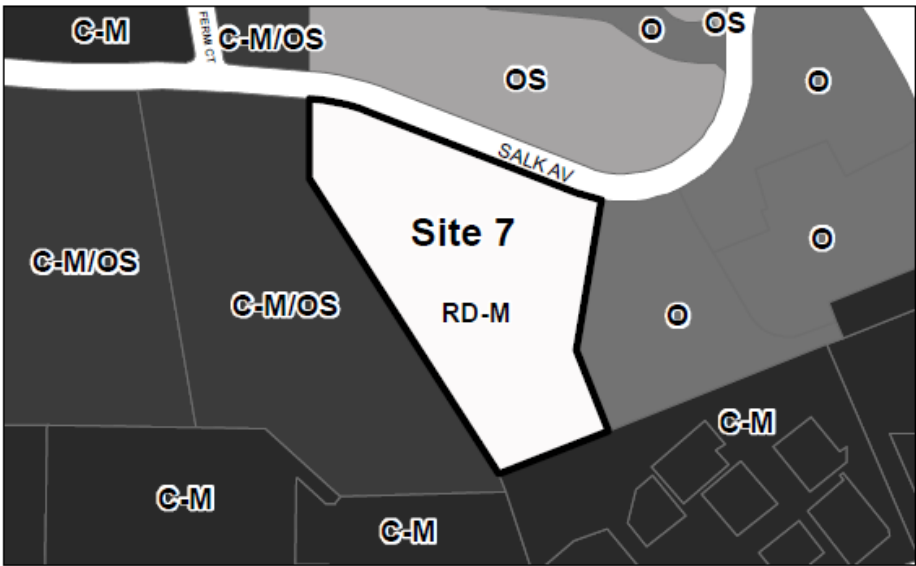
Exhibit “ZC 2022-0001”

October 18, 2023

Site 7 – SALK AVENUE PARCEL



EXISTING



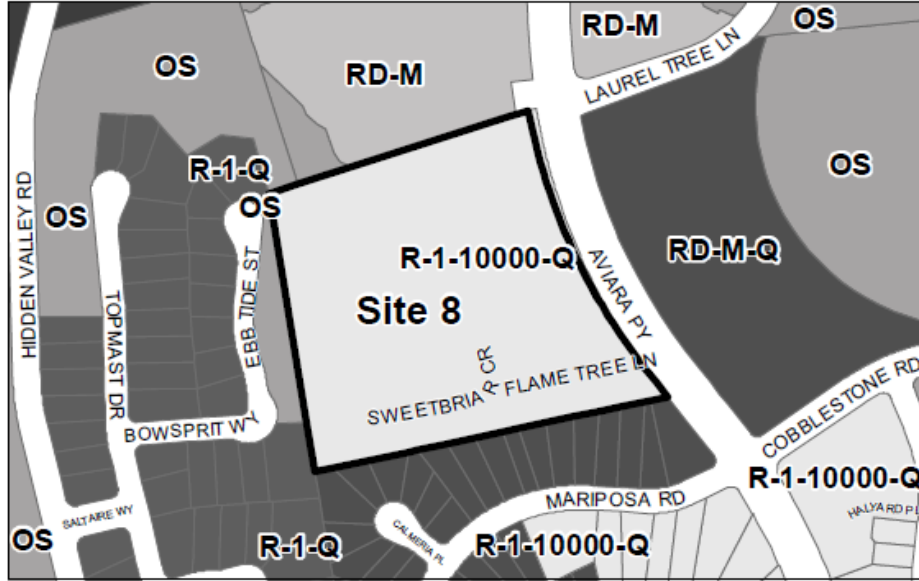
PROPOSED

Zoning Map Designation Change		
Property APN	From:	To:
A. 212-021-04-00	O	RD-M

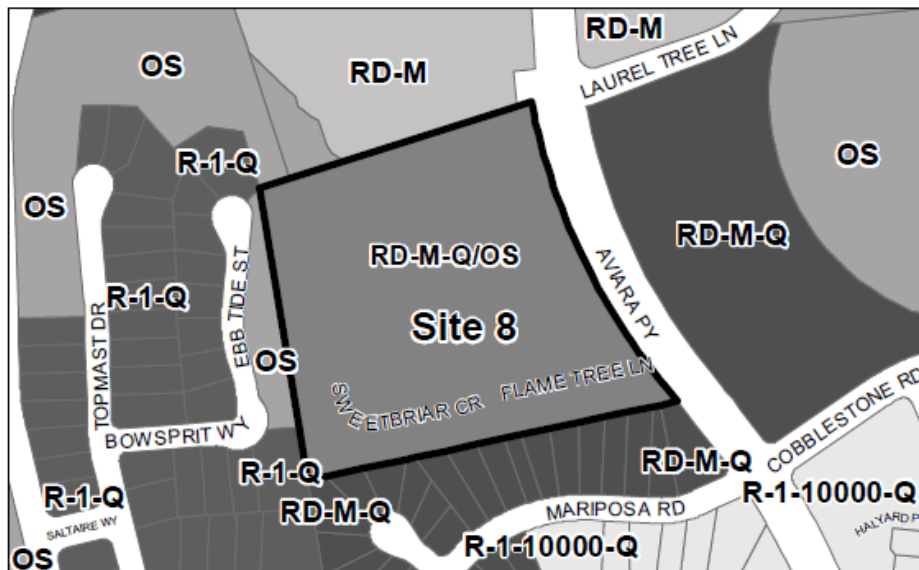
Exhibit “ZC 2022-0001/ LCPA 2022-0015”

October 18, 2023

Site 8 – COTTAGE ROW APARTMENTS



EXISTING



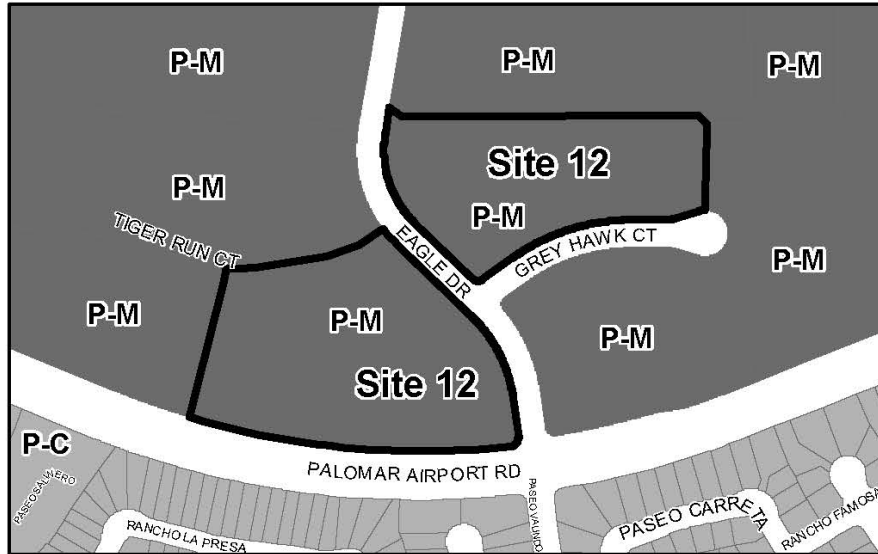
PROPOSED

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

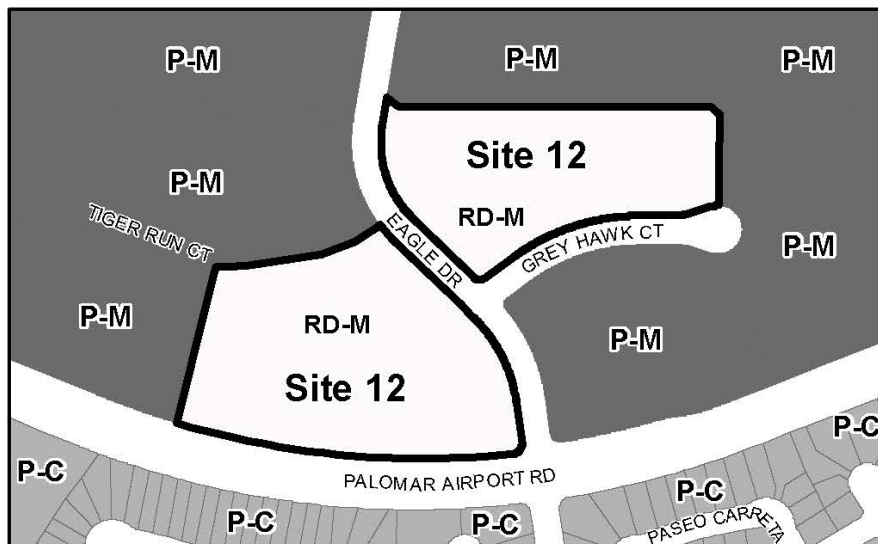
Exhibit “ZC 2022-0001”

October 18, 2023

Site 12 – INDUSTRIAL SITES EAST OF MELROSE DRIVE



EXISTING



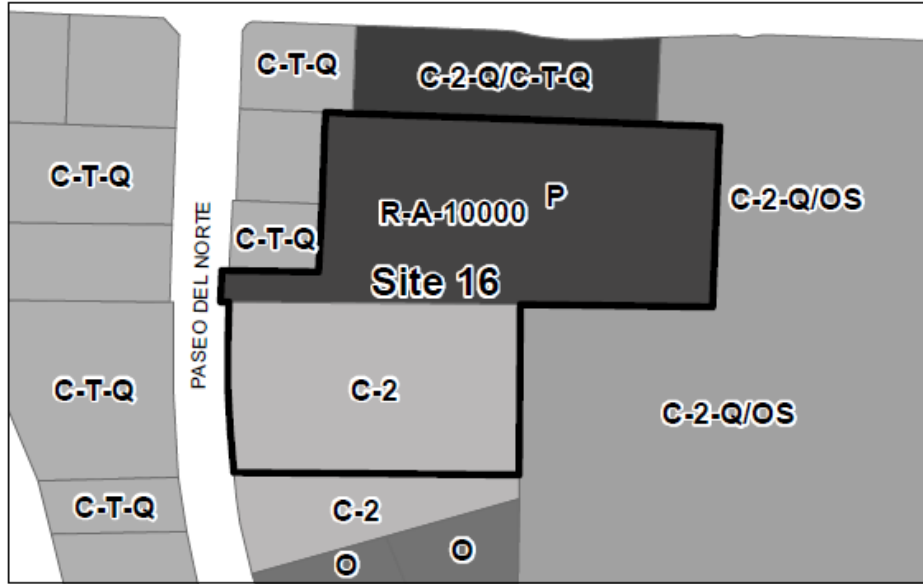
PROPOSED

General Plan Map Designation Change		
Property APN	From:	To:
A. 221-015-08-00	P-M	RD-M
B. 221-014-03-00	P-M	RD-M

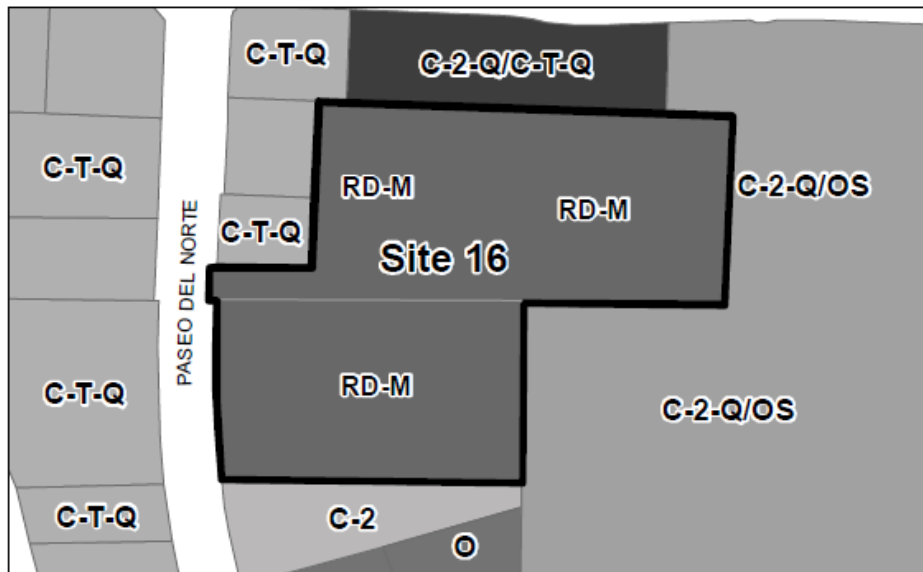
Exhibit “ZC 2022-0001/LCPA 2022-0015”

October 18, 2023

Site 16 – CALTRANS MAINTENACE STATION AND PACIFIC SALES



EXISTING



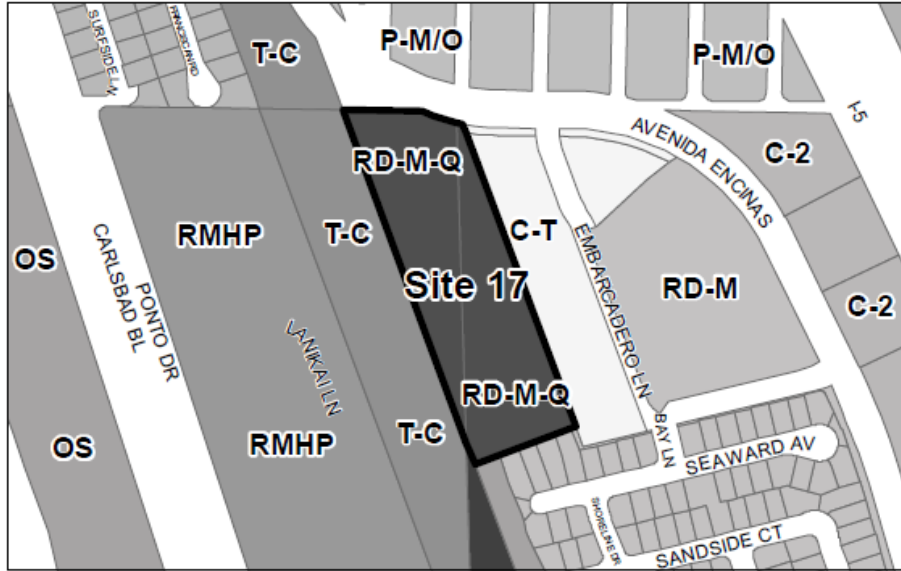
PROPOSED

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

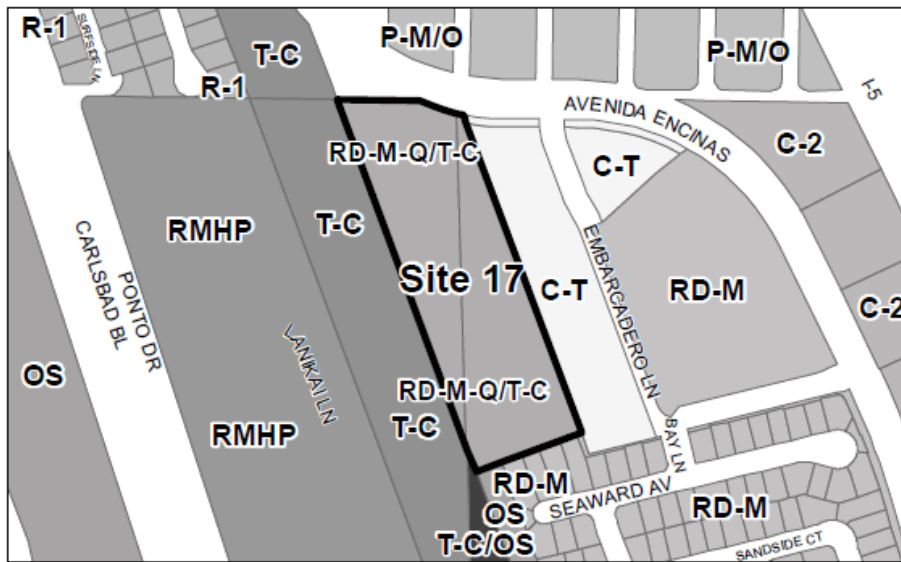
Exhibit “ZC 2022-0001/LCPA 2022-0015”

October 18, 2023

Site 17 – NCTD POINTSETTIA COASTER STATION



EXISTING



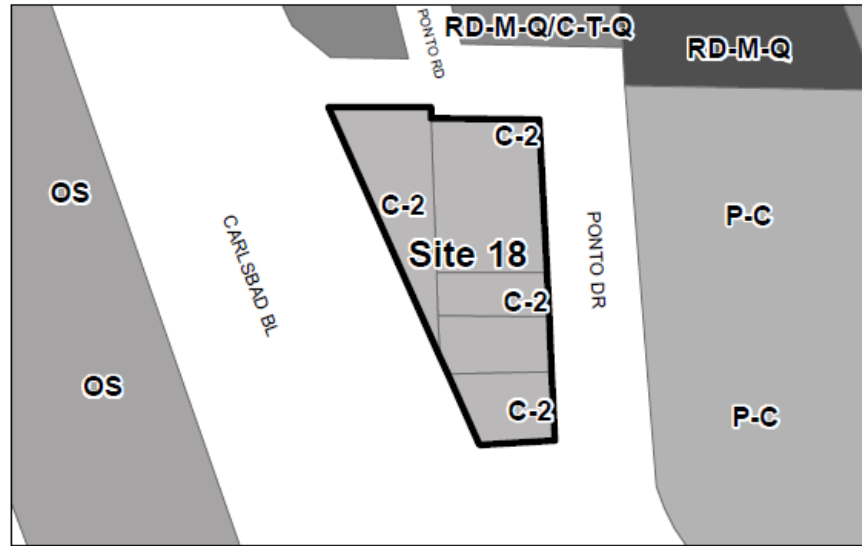
PROPOSED

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

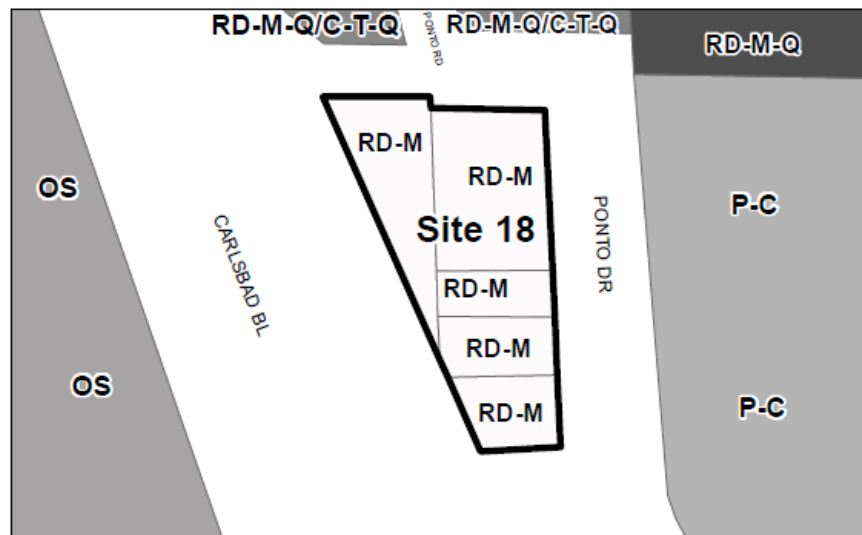
Exhibit “ZC 2022-0001/LCPA 2022-0015”

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

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING AMENDMENTS TO THE BRESSI RANCH MASTER PLAN, FENTON CARLSBAD CENTER SPECIFIC PLAN, GREEN VALLEY MASTER PLAN, NORTH COUNTY PLAZA SPECIFIC PLAN, AND WESTFIELD CARLSBAD SPECIFIC PLAN TO IMPLEMENT PORTIONS OF OBJECTIVES B., C, AND D. OF HOUSING ELEMENT PROGRAM 1.1 – PROVIDE ADEQUATE SITES TO ACCOMMODATE THE RHNA, AND OBJECTIVE B. OF HOUSING ELEMENT PROGRAM 1.3 - ALTERNATIVE HOUSING.

CASE NAME: HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE

CASE NO: AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND 2023-0012/LCPA 2022-0015 (PUB 2022-0010)

WHEREAS, the City Council adopted an update to the General Plan Housing Element on April 6, 2021; and

WHEREAS, on July 13, 2021, the State Department of Housing and Community Development certified the city's adopted Housing Element as being in substantial compliance consistent with state housing law; and

WHEREAS, the certified Housing Element contains programs, further broken down into objectives, that identify specific actions the city must implement on an ongoing basis or by specific due dates; and

WHEREAS, to implement Housing Element Program 1.1, Provide Adequate Sites to Accommodate RHNA, and specifically objectives 1.1 b., 1.1 c. and 1.1 d.; and to implement Housing Element Program 1.3, Alternative housing, and specifically objective 1.3 b., the City Planner has prepared amendments to the Bressi Ranch Master Plan, Fenton Carlsbad Center Specific Plan, Green Valley Master Plan, North County Plaza Specific Plan, and Westfield Carlsbad Specific Plan and to the Local Coastal Program (AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND 2023-0012/LCPA 2022-0015) pursuant to Chapters 21.38, 21.52 and 21.54 of the Carlsbad Municipal Code, Section 30514 of the Public Resources Code, and Section 13551 of California Code of Regulations Title 14, Division 5.5; and

WHEREAS, on Oct. 18, 2023, the Planning Commission held a duly noticed public hearing as prescribed by law to consider AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND 2023-0012/LCPA 2022-0015; and

WHEREAS the Planning Commission adopted Planning Commission Resolution recommending to the City Council that AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND 2023-0012/LCPA 2022-0015 be approved; and

WHEREAS, on [date], the Airport Land Use Commission reviewed and found that the proposed amendments to the Bressi Ranch Master Plan (AMEND 2023-0008) and Fenton Carlsbad Center Specific Plan (AMEND 2023-0009), both of which are within the Airport Influence Area of the adopted McClellan-Palomar Airport Land Use Compatibility Plan, are [determination] with said plan; and

WHEREAS the City Council of the City of Carlsbad held a duly noticed public hearing as prescribed by law to consider AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND 2023-0012/LCPA 2022-0015; and

WHEREAS at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the City Council considered all factors, including written public comments, if any, related to AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND 2023-0012/LCPA 2022-0015.

NOW, THEREFORE, the City Council of the City of Carlsbad, California, ordains as follows that:

1. The above recitations are true and correct.
2. That the findings of the Planning Commission in Planning Commission Resolution shall also constitute the findings of the City Council.
3. That the Bressi Ranch Master Plan, Fenton Carlsbad Center Specific Plan, Green Valley Master Plan, North County Plaza Specific Plan, and Westfield Carlsbad Specific Plan are amended as shown on the attached exhibit "AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/AMEND 2023-0011/AMEND 2023-0012, HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE, PROPOSED MASTER PLAN AND SPECIFIC PLAN AMENDMENTS" dated Oct. 18, 2023, hereto as Attachment A and made a part hereof.

EFFECTIVE DATE OF THIS ORDINANCE APPLICABLE TO PROPERTIES OUTSIDE THE COASTAL ZONE: This ordinance shall be effective thirty days after its adoption; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

EFFECTIVE DATE OF THIS ORDINANCE APPLICABLE TO PROPERTIES INSIDE THE COASTAL ZONE:

This ordinance shall be effective thirty days after its adoption or upon Coastal Commission approval of LCPA 2022-0015, whichever occurs later; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

INTRODUCED AND FIRST READ at a Regular Meeting of the Carlsbad City Council on the day of _____, 2023, and thereafter

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ___ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED AS TO FORM AND LEGALITY:

CINDIE K. McMAHON, City Attorney

KEITH BLACKBURN, Mayor

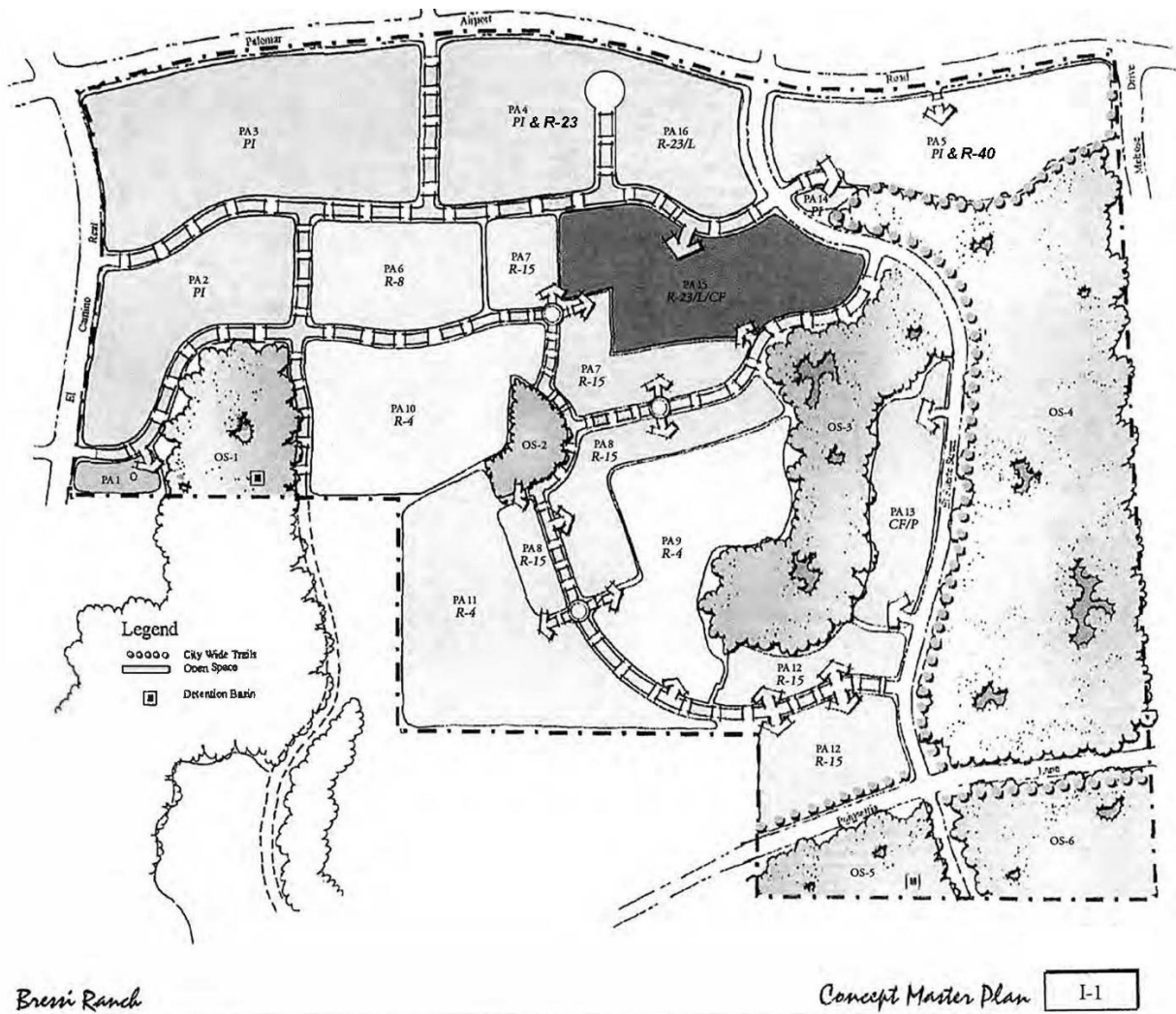
SHERRY FREISINGER, City Clerk
(SEAL)

**AMEND 2023-0008/AMEND 2023-0009/AMEND 2023-0010/
AMEND 2023-0011/AMEND 2023-0012/LCPA 2022-0015**

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

**PROPOSED MASTER PLAN AND SPECIFIC PLAN AMENDMENTS
Oct. 18, 2023**

1. Bressi Ranch Master Plan Exhibit I-1 is amended to read as follows:



2. Bressi Ranch Master Plan Exhibit I-2 is amended to read as follows:

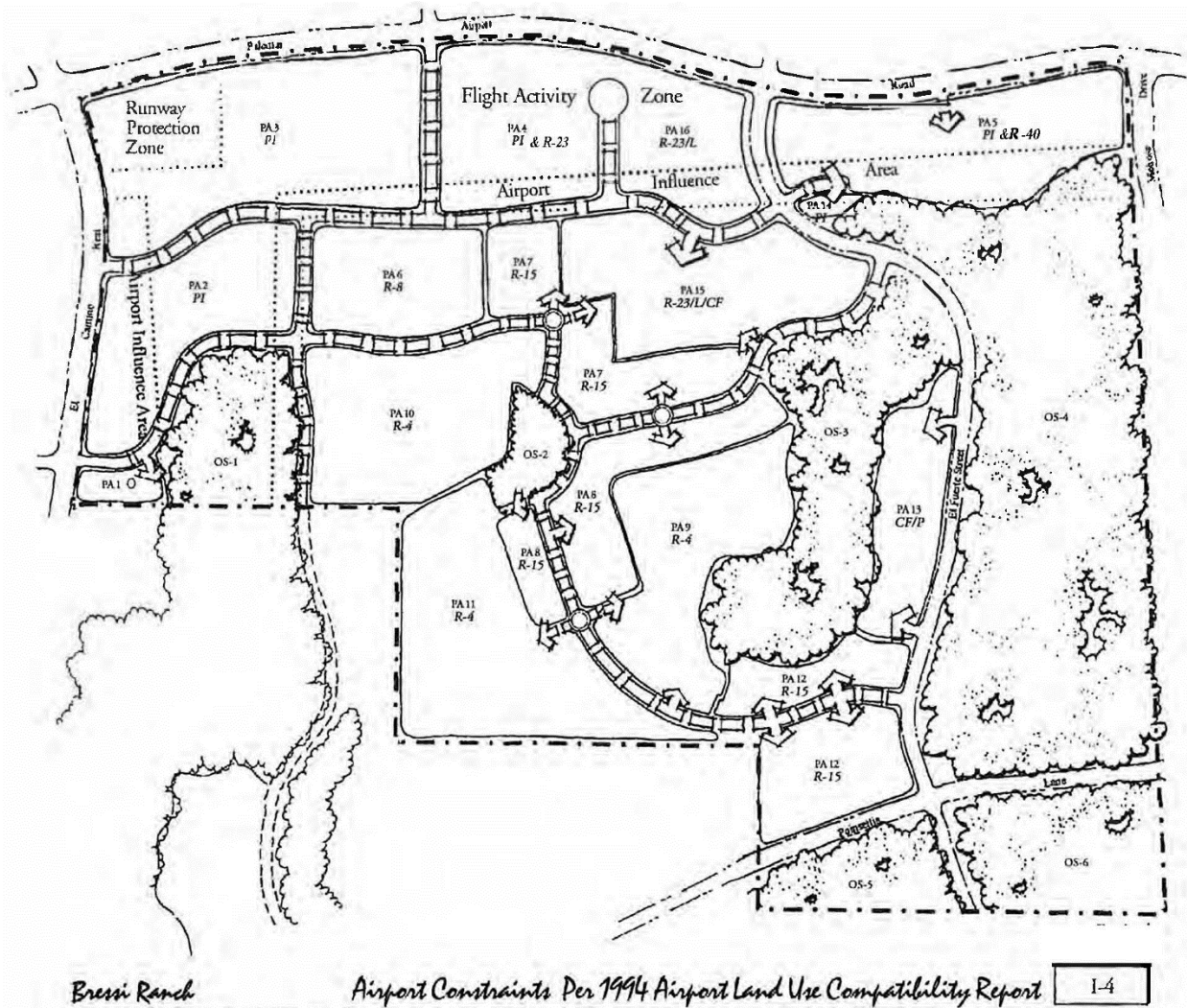
EXHIBIT I-2 Land Use Summary

Bressi Ranch Master Plan Land Use Summary

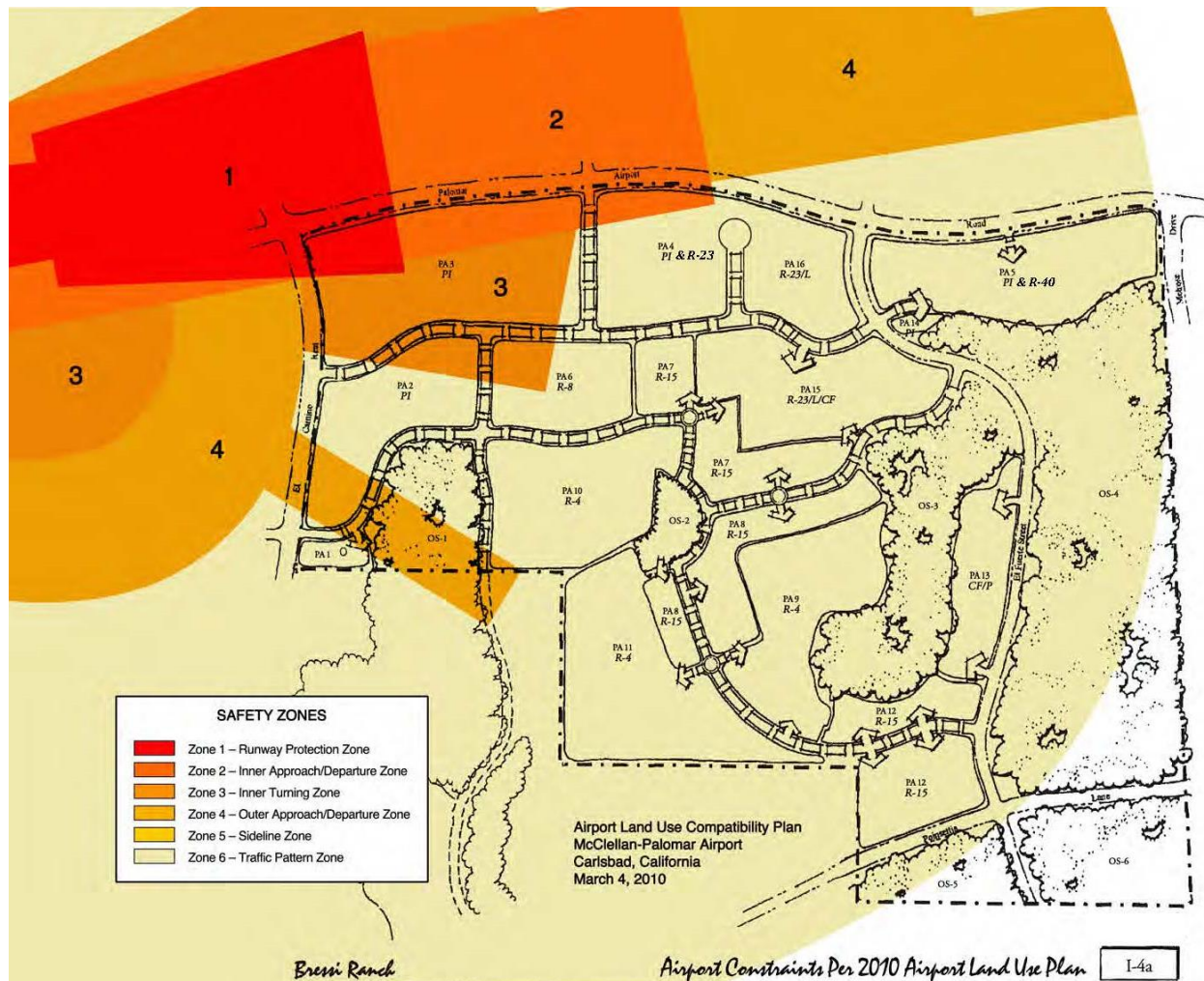
Planning Area/ Open Space Area	General Plan Designation	Zoning	Units (residential)	Sq. Ft. (non-res)	Acreage
Industrial & Office:					
PA 1	O	O	--	**	2.5
PA 2	PI	P-M	--	**	27.5
PA 3	PI	P-M	--	**	47
PA 4	PI & R-23	P-M	49	**	26
PA 5	PI & R-40	P-M	199	**	28
PA 14	PI	P-M	--	**	1.1
subtotal				1,900,000	132.1
Residential:					
PA 6	RM	RD-M	63		16.2
PA 7	RMH	RD-M	95		20
PA 8	RMH	RD-M	95		19.9
PA 9	RLM	R-1	70		26.8
PA 10	RLM	R-1	84		31.5
PA 11	RLM	R-1	25		36.4
PA 12	RMH	RD-M	91		24.1
subtotal					174.9
Community Facilities:					
PA 13	CF/P	CF		138,000	13.7
subtotal				138,000	13.7
Mixed Use:					
PA 15	RH/L/CF	RD-M/C-L/CF	100	130,000	27.7
PA 16	R-23/L	RD-M/C-L	125	91,414	18
subtotal				221,414	45.7
Open Space:					
OS 1	OS	OS	--	--	16.9
OS 2	OS	OS	--	--	4
OS 3	OS	OS	--	--	39.5
OS 4	OS	OS	--	--	98.9
OS 5	OS	OS	--	--	11
OS 6	OS	OS	--	--	20.4
subtotal					190.7
Roadways:					28
TOTAL:			996	2,259,414	585.1

** Total of 1,900,000 sq. ft. of non-residential space (PA 1-5 & 14)

3. Bressi Ranch Master Plan Exhibit I-4 is amended to read as follows:



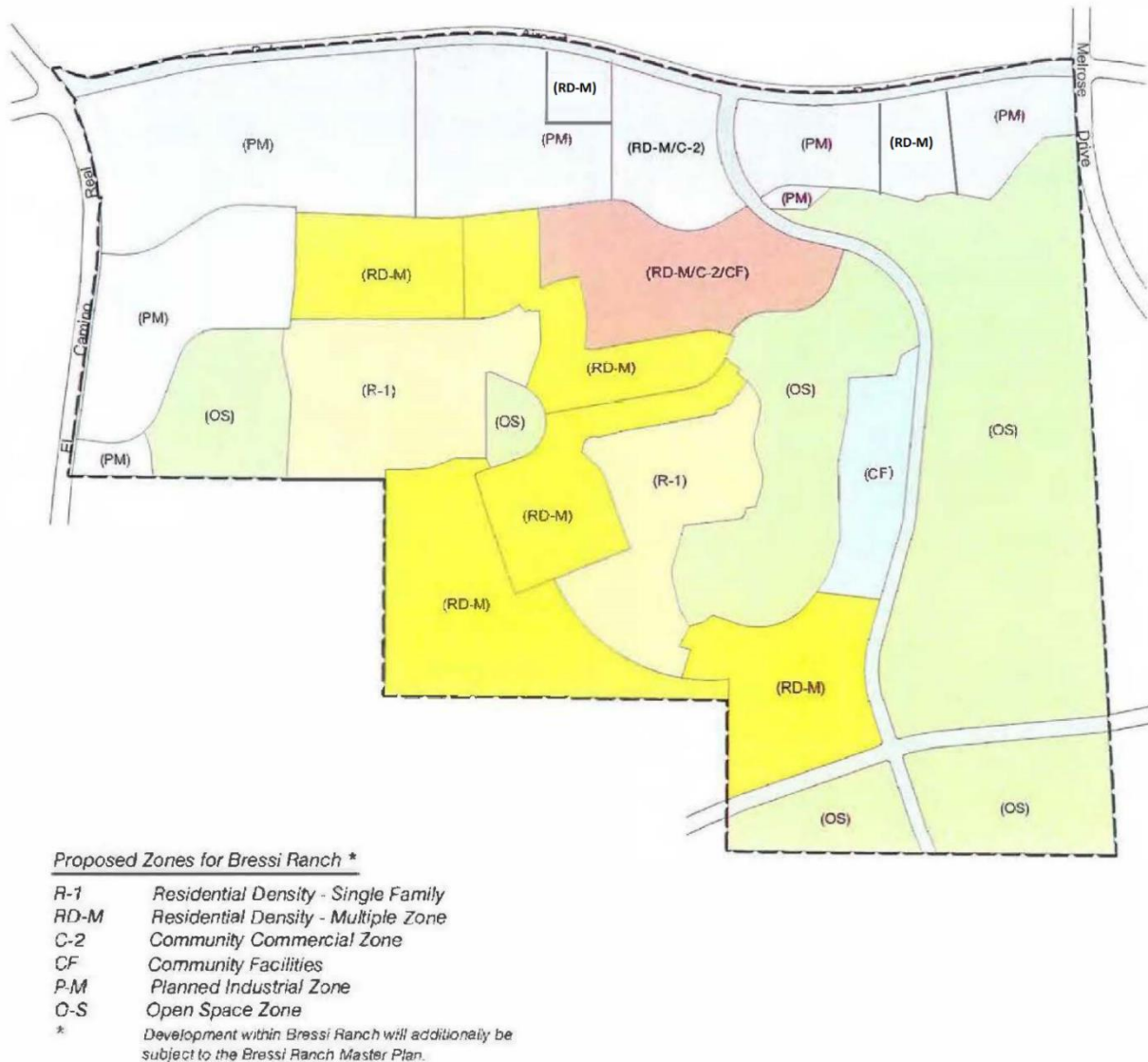
4. Bressi Ranch Master Plan Exhibit I-4a is amended to read as follows:



5. The second paragraph of Section I.D of the Bressi Ranch Master Plan is amended to read as follows:

Seven of the planning areas will be developed with a wide range of single-family detached homes on lots ranging in size from approximately 3,500 square feet to over 14,000 square feet in size. One hundred units of affordable multifamily apartments will be provided in Planning Area 15. Up to 20 market rate units may be located in Planning Area 15 if the total number of units approved for development in Planning Areas 6 through 12 is less than 523. Planning Area 16 proposes 125 townhome units. Planning Area 4 can accommodate approximately 49 multifamily units and Planning Area 5 can accommodate approximately 199 multifamily units. There will be approximately 996 dwelling units in the Bressi Ranch Master Plan at buildout. Exhibit I-5 on page I-9 shows a preliminary schematic site plan of Bressi Ranch.

6. Bressi Ranch Master Plan Exhibit I-9 is amended to read as follows:



Bressi Ranch

Zone 17 - Land Use Zoning ☐

7. The last paragraph of Section I.F.2 of the Bressi Ranch Master Plan is amended to read as follows:

Site Development Plan – Site Development Plans will be required to establish the design of the mixed-use areas, for the development of apartments/affordable apartments, commercial areas, a daycare facility, and the Village Green. In addition, pursuant to Chapter 21.34, a Site Development Plan must be processed for development in Planning Areas 1, 2, 3, 4, 5, 14 and 16.

8. Bressi Ranch Master Plan Section III.A.5 is amended to read as follows:

5. Number of Units

The original base number of units within the Master Plan was determined primarily by the City of Carlsbad Growth Management Ordinance. The existing Master Plan area's net developable acreage was multiplied by the corresponding growth control point based on the original land use designation of RLM. Using this methodology, a total of 498 base dwelling units was originally anticipated within the Bressi Ranch Master Plan area prior to preparation of the Master Plan.

The original maximum number of dwelling units for the Master Plan was determined by the application of California Government Code Section 65915 (State Density Bonus Ordinance), which permits a minimum additional 25% of the base dwelling units. In return for the density bonus, 20% of the base dwelling units ($20\% \times 498 = 100$) must be made affordable to lower income households. Through the use of the State ordinance, an additional 125 ($25\% \times 498$) dwelling units were allocated to the Master Plan for a total of 623 - 638 units when the Master Plan was first approved in 2002.

The Master Plan identifies an expected number of dwelling units for each planning area. Planning Areas 6-12 are exclusively residential and are anticipated to have 523 - 538 dwelling units. Planning Area 15 identifies 100 units as part of a mixed land use. Master Plan 178(I) revised the land use designation of 18 acres at the southwest corner of Palomar Airport Road and El Fuerte Street identified as PA-16 from Industrial to R-23 (Residential 19 -23 du/ ac) units per acre and Local Commercial (R-23/L) with 125 dwelling units. Master Plan Amendment (Amend 2023-0008) revised the land use designation of 2.6 acres in Planning Area 4 from Planned Industrial to R-23 (Residential 19 - 23 du/ac) and revised the land use designation of 5.3 acres in Planning Area 5 from Planned Industrial to R-40 (Residential 37.5 - 40 du/ac). The actual number of units for any planning area may increase or decrease through the detailed review process of each subsequent development proposal. The estimated total number of dwelling units in the Master Plan is 996.

9. Bressi Ranch Master Plan Section III.A.13.a.ii is amended to read as follows:

- ii. Planning Areas 4, 5, 15 & 16 (Residential) – If the housing/affordable housing projects to be located in Planning Areas 4, 5, 15 & 16 are built as a condominium project, then the developer shall establish a sub-area residential homeowners association and corresponding CC&Rs. Said CC&Rs shall be submitted to and approved by the City Planner prior to final Map approval. Prior to the first certificate of occupancy, the State will require establishment of the sub-area homeowner's association. The subarea homeowner's association shall be responsible for the maintenance of common facilities only within the limits of this residential condominium project.

10. Bressi Ranch Master Plan Section III.B is amended to read as follows:

B. General Plan

The General Plan designations of the Bressi Ranch Master Plan are:

- PI - Planned Industrial
- O - Office
- L - Local Shopping Center
- R-4 - Residential 0-4 du/ac
- R-8 - Residential 4-8 du/ac
- R-15 - Residential 11.5-15 du/ac
- R-23 - Residential 19-23 du/ac
- R-40 - Residential 37.5-40 du/ac
- OS - Open Space
- CF - Community Facilities
- P - Public

11. Bressi Ranch Master Section III.C is amended to read as follows:

C. Zoning

Concurrent with the approval of the Bressi Ranch Master Plan, the zoning of this site was changed from Limited Control (L-C) to Planned Community (P-C). Since the P-C Zone requires the designation of underlying zoning, each of the planning areas and open space areas has been assigned an underlying zoning designation. Pursuant to the powers of Chapter 21.38 of the Carlsbad Municipal Code (Planned Community Zone), this Master Plan shall constitute the zoning of all lands within the Master Plan. No person shall use or develop contrary to the provisions of the Master Plan. All provisions of the Master Plan are imposed as a condition of zoning. Approval of this document does not excuse compliance with all other applicable City ordinances in effect at the time building permits are issued. Unless modified by this Master Plan, or approval of a Planned Development Permit or Non-Residential Planned Development Permit, all development shall comply with the requirements of the underlying zoning as shown by Exhibit I-9 on page I-15. These underlying zoning designations are provided below:

<u>Planning Areas</u>	<u>Zone</u>
1	O (Office)
2, 3, 4, 5, 14	P-M (Planned Industrial)
4, 5, 6, 7, 8, 12	RD-M (Residential Density-Multiple)
9, 10, 11	R-1 (One Family Residential)
13	C-F (Community Facilities)
15	C-2/RD-M/C-L/C-F (General Commercial/Residential Density-Multiple/Local Shopping Center/Community Facilities)
16	RD-M/C-L (Residential Density Multiple/Local Shopping Center)
Open Space Areas	
1-6	O-S (Open Space)

12. Bressi Ranch Master Plan Exhibit III-1 is amended to read as follows:

Exhibit III-1

BRESSI RANCH

GENERAL PLAN STATISTICS BY PLANNING AREA*

Proposed General Plan

Planning Area/ Neighborhood	General Plan Designation	Zoning	Gross Acres	Constraints		Partially Constrained		Net Developable Acres	Growth Control Dwelling Units per Acre	General Plan Growth Control Dwelling Units	SF
				D	E & F	J	J/2				
PA 1	O	O	2.5	0.0	0.0	-	-	2.5			**
PA 2	PI	P-M	27.5	1.7	2.0	-	-	23.8			
PA 3	PI	P-M	47.0	0.0	0.0	-	-	47.0			
PA 4	PI & R-23	P-M & RD-M	26.3	0.0	0.0	-	-	23.7 (PI)/2.6 (R-23)	19.0	49	
PA 5	PI & R-40	P-M & RD-M	28.0	0.3	0.0	-	-	22.4 (PI)/5.3 (R-40)	37.5	199	
PA 6	R-8	RD-M	16.2	1.0	0.7	6.0	3.0	11.5	6.0	69	
PA 7	R-15	RD-M	20.0	0.2	0.6	1.8	0.9	18.3	11.5	210	
PA 8	R-15	RD-M	19.9	0.1	0.0	2.4	1.2	18.6	11.5	213	
PA 9	R-4	R-1	26.8	0.9	0.0	3.6	1.8	24.1	3.2	77	
PA 10	R-4	R-1	31.5	1.1	0.5	6.0	3.0	26.9	3.2	86	
PA 11	R-4	R-1	36.4	4.6	2.4	12.3	6.2	23.2	3.2	74	
PA 12	R-4	RD-M	24.1	1.0	0.0	2.2	1.7	21.4	11.5	246	
PA 13	CF/P	CF	13.7	0.0	0.1	-	-	13.6			138,000
SUBTOTAL										1,223	
PA 14	PI	P-M	1.1	0.0	0.0	-	-	1.1			
PA 15	R-23/L/CF	RD-M/ C-L/ CF	27.7	0.4	0.1	1.0	0.5	26.7	19	507	
PA 16	R-23/L	P-M	17.7	0.0	0.0	-	-	17.7	19	337	
OS 1	OS	OS	16.9	0.4	3.6	-	-	12.9			
OS 2	OS	OS	4.0	0.2	0.5	-	-	3.3			
OS 3	OS	OS	39.5	5.6	0.0	-	-	33.9			
OS 4	OS	OS	98.9	12.9	0.0	-	-	86.0			
OS 5	OS	OS	11.0	0.1	0.8	-	-	10.1			
OS 6	OS	OS	20.4	0.5	5.7	-	-	14.2			
Roads	Road		28.0	0.4	0.2	-	-	27.4			
Total			585.1							2,067	

* Acres are subject to engineering boundary verification.

** Total of 2,160,500 square feet, which equates to 15,000 ADT based on an assumption of 40% Light Industrial/40% Research and Development and 20% Office. This breakdown of uses was used for traffic modeling purposes. The percentages of the various uses may vary at the time of development, as long as the traffic generated by the uses in Planning Areas 1, 2, 3, 4 and 5 do not exceed 15,000 ADT.

*** Mixed use development – Max. 130,000 sf. of commercial, church, boys and girls club, day care, assisted living, and high density residential.

**** Although the net acreages of the residential planning area would allow for the development of up to 2067 dwelling units, the Master Plan estimates a total of 996 dwelling units.

Definitions: D = Slopes > 40%, E and F = Wetlands, including Tamarisk Scrub, and J = Slopes of 25% to 40%

13. Bressi Ranch Master Plan Section III.E.1 is amended to read as follows:

1. Planned Industrial (PI)

Due to their geographical locations, Planning Areas 1, 2, 3, 4, 5 and 14 have a designation of Planned Industrial (P-I) (portions of Planning Areas 4 and 5 are also designated residential, see below). These planning areas comprise part of the central industrial core of the City of Carlsbad, are bordered by regional arterials, and are located in close proximity to Palomar Airport and lie within the McClellan- Palomar Airport Influence Area. Planning Areas 1, 2, 3, 4 and 5 will be developed with a combination of corporate office, light manufacturing, and research and development, and residential uses, and Planning Area 14 may be developed with an industrial serving commercial use such as a service station/convenience store/car wash. The uses within these planning areas will be developed in accordance with the recommendations of SANDAG's Land Use Compatibility Plan for McClellan-Palomar Airport and the County's Airport Master Plan.

Portions of Planning Areas 2, 3, 4 and 5 are within the Flight Activity Zone of McClellan-Palomar Airport. A small part of Planning Area 3, near the intersection of Palomar Airport Road and El Camino Real, is also within the Runway Protection Zone. Development within these areas will be limited in scope in accordance with the recommendations of SANDAG's Land Use Compatibility Plan for McClellan-Palomar Airport. Exhibit I-4 on page I-6 shows the boundaries of the Airport Influence Area, Flight Activity Zone and Runway Protection Zone.

14. Bressi Ranch Master Plan Section III.E.5 is amended to read as follows:

5. Residential (R-4, R-8, R-15, R-23, R-40)

The central portion of the Bressi Ranch Master Plan has been divided into seven residential planning areas, which will be developed with a wide variety of single-family detached homes on lots ranging in size from 3,500 square feet to over 14,000 square feet in size. Exhibit I-1 on page I-2 shows the location of the various development types. Exhibit III-1 on page III-11 shows the potential units that have been assigned to each residential planning area. The exact number of units developed in each planning area will be determined at the time of tentative map approval.

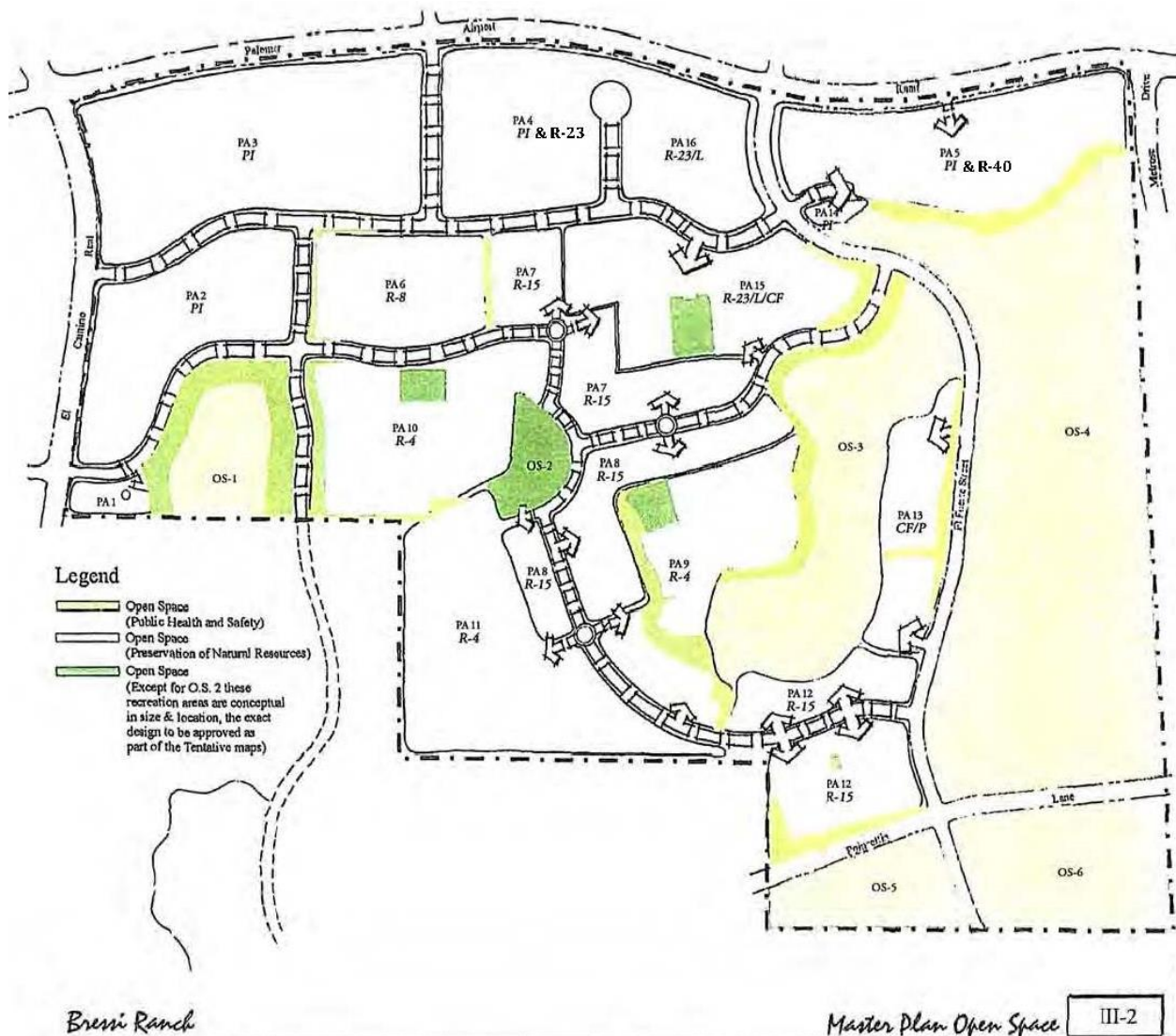
The location of the residential portion of the Master Plan will allow for the development of a community based on the Ahwahnee Principals. Most residences will be within a 5-minute walk of either jobs, the Village Center, the Village Green or community facilities. Residents will be close to major arterial roadways, yet no arterial roads will go through the residential portion of the site. The low volume roadways within the residential portion of the Master Plan will be designed with traffic calming devices to slow traffic and encourage pedestrian activity.

One hundred affordable apartments will be developed in Planning Area 15 adjacent to the Village Square. The site was chosen for the affordable units for a number of reasons, such as its close proximity to jobs, public transit stops, store and social/recreational opportunities located in this portion of the Master Plan.

In the northern portion of the Master Plan, within Planning Areas 4 and 5, are two sites designated for residential development. These sites were designated for residential use as part of AMEND 2023-0008 (Master Plan 178(L)), consistent with the 2021-2029 Housing Element Program 1.1.

All discretionary permits for residential development in the Master Plan will be conditioned to enter into an Affordable Housing Agreement pursuant to Section 21.38.120 of the Carlsbad Municipal Code. This agreement shall be approved by the City prior to recordation of the first residential final map or issuance of residential building permits, whichever occurs first. All relevant terms and conditions of any Affordable Housing Agreement shall be filed and recorded as a deed restriction on those individual lots or units of a project, which are designated for the location of Affordable Units.

15. Bressi Ranch Master Plan Exhibit III-2 is amended to read as follows:



16. The first paragraph of Section VI.B of the Bressi Ranch Master Plan is amended to read as follows:

B. Office and Industrial Planning Areas (PA 1-5 & 14)

One or more of the following administrative or discretionary applications shall be filed either concurrently with or subsequent to the application for a tentative map in Planning Areas 1-5 & 14. For residential development in PA 4 and PA 5, see Section VI. D below.

17. Bressi Ranch Master Plan Section VI.D is added to read as follows (all sections that follow shall be renumbered accordingly):

D. Residential in PA 4 & 5

Planned Development Permits

Subdivision of residential units for the purpose of separate ownership shall be processed in accordance with Carlsbad Municipal Code Chapter 21.45 "Planned Developments".

Site Development Plan

A Site Development Plan shall be required for for-rent residential uses.

18. Bressi Ranch Master Plan Section VI.G is amended to read as follows:

H. Amendments

Master Plan Amendments

Master Plan Amendments shall be processed pursuant to the requirements of Chapter 21.38.120 (P-C Zone) of the Carlsbad Municipal Code and all applicable City and Planning Division Policies. Minor Master Plan Amendments shall be reviewed and approved by the Planning Commission. Major Master Plan Amendments shall be reviewed and approved by the Planning Commission and City Council. A Minor Master Plan Amendment shall not change the densities of a planning area, the boundaries of the subject property, or involve an addition of a new use or group of uses not shown in the original Master Plan or rearrangement of uses within the Master Plan.

The Master Plan provides an estimate of the approximate number of units that will be developed within each Planning Area. The exact number of units that will be developed within each Planning Area will be determined during the subsequent review of the tentative maps that divide each Planning Area into individual residential lots. A Minor Master Plan Amendment shall be processed concurrently with each tentative map requesting 10% (or less) above or below the anticipated number of dwelling units stated for the Planning Areas. This amendment will revise Exhibit XIV-1 on page XIV-1 of the Master Plan to indicate exactly how many units have been approved in each Planning Area and how many remaining units exist in the Master Plan. If the number of units requested in an individual Planning Area varies by more than 10%, a Major Master Plan Amendment shall be processed concurrently with the proposed Tentative Map. In no case shall the number of dwelling units approved in an individual Planning Area exceed that allowed by its General Plan designation (see Exhibit III-1 on page III-11), unless a density bonus or density increase is approved per state law or city regulations.

Tentative Map/Planned Development Permit Amendments

Amendments to Tentative Maps and Planned Development Permits may be permitted in accordance with the requirements of Chapter 20 and Section 21.45.100 of the Carlsbad Municipal Code.

Site Development Plan Amendments

Amendments to Site Development Plans shall be processed in accordance with the requirements of Chapter 21.06 of the Carlsbad Municipal Code.

Substantial Conformance

Minor revisions to Tentative Maps, Parcel Maps, Planned Development Permits, Site Development Plans and Conditional Use Permits may be administratively approved by the City Planner subject to the requirements of the Planning Division's Substantial Conformance Policy in effect at the time of the proposed minor revision.

19. The "Description" subsection of Bressi Ranch Master Plan Section VII.F.4 is amended to read as follows:

Description

Planning Area 4 (see Exhibit VII-14 on page VII-31) is located at the southeast intersection of Palomar Airport Road and Innovation Way. Planning Area 16, a mixed multi-family residential and commercial area, is located east of Planning Area 4 and Planning Area 3, an industrial area, is located to the west. To the south of Planning Area 4 is a portion of residential Planning Area 6 and mixed-use Planning Area 15. Planning Area 4 has a gross area of 26.0 acres and a net developable area of 26.0 acres.

This section only addresses the portion of Planning Area 4 designated for planned industrial uses. For more information on the portion of the site that is designated for residential uses, please see Section X.E.8. on page X-46.

20. The "Implementation of Master plan Vision and Goals" subsection of Bressi Ranch Master Plan Section VII.F.4 is amended to read as follows:

Implementation of Master Plan Vision and Goals

The purpose of this planning area, including its design standards and allowed uses, is to provide for office or industrial/warehouse uses (Goal 5).

Planning Area 4 is designated as Planned Industrial due to its location at the intersection of Palomar Airport Road and Innovation Way (Goal 6) and its location within the Airport Influence Zone. Palomar Airport Road and Innovation Way provide convenient vehicular access to Planning Area 4, and transit stops located along Palomar Airport Road will be within easy walking distance to this planning area (Goal 3). Residents of the Master Plan may also access this area using the sidewalks along public streets or the internal pedestrian circulation system of the Master Plan (Goal 2). In addition, employees and residents of Planning Area 4 can conveniently utilize the Village Center for a variety of activities due to the close proximity of the two areas.

21. The “General Plan & Zoning” subsection of Bressi Ranch Master Plan Section VII.F.4 is amended to read as follows:

General Plan & Zoning (planned industrial areas only)

General Plan Land Use: Planned Industrial (PI)

Zoning: Planned Industrial (P-M)

22. The “Description” subsection of Bressi Ranch Master Plan Section VII.F.5 is amended to read as follows:

Description

Planning Area 5 (see Exhibit VII-15 on page VII-35) is located in the northeast corner of the Master Plan, south of Palomar Airport Road and bordered on the west by El Fuerte Street. Open Space Area 4 borders the southern boundary of Planning Area 5. Planning Area 4 is located across El Fuerte Street to the west of Planning Area 5. Planning Area 5 has a gross area of 28.0 acres and a net developable area of 27.7 acres.

This section only addresses the portion of Planning Area 5 designated for planned industrial uses. For more information on the portion of the site that is designated for residential uses, please see Section X.E.8. on page X-46.

23. The “Implementation of Master plan Vision and Goals” subsection of Bressi Ranch Master Plan Section VII.F.5 is amended to read as follows:

Implementation of Master Plan Vision and Goals

The purpose of this planning area, including its design standards and allowed uses, is to provide for office or industrial uses (Goal 5).

Planning Area 5 is designated as Planned Industrial due to its location within the Airport Influence Zone and its location near the intersection of Palomar Airport Road and El Fuerte Street, which provides for safe, convenient vehicular access (Goal 6). Residents of both the Bressi Ranch Master Plan and the affordable housing portion of the Rancho Carrillo Master Plan may also conveniently access this area using the sidewalks along the public streets (Goal 2). Employees and residents in Planning Area 5 will be able to take advantage of the proposed bus stop on Palomar Airport Road (Goal 3).

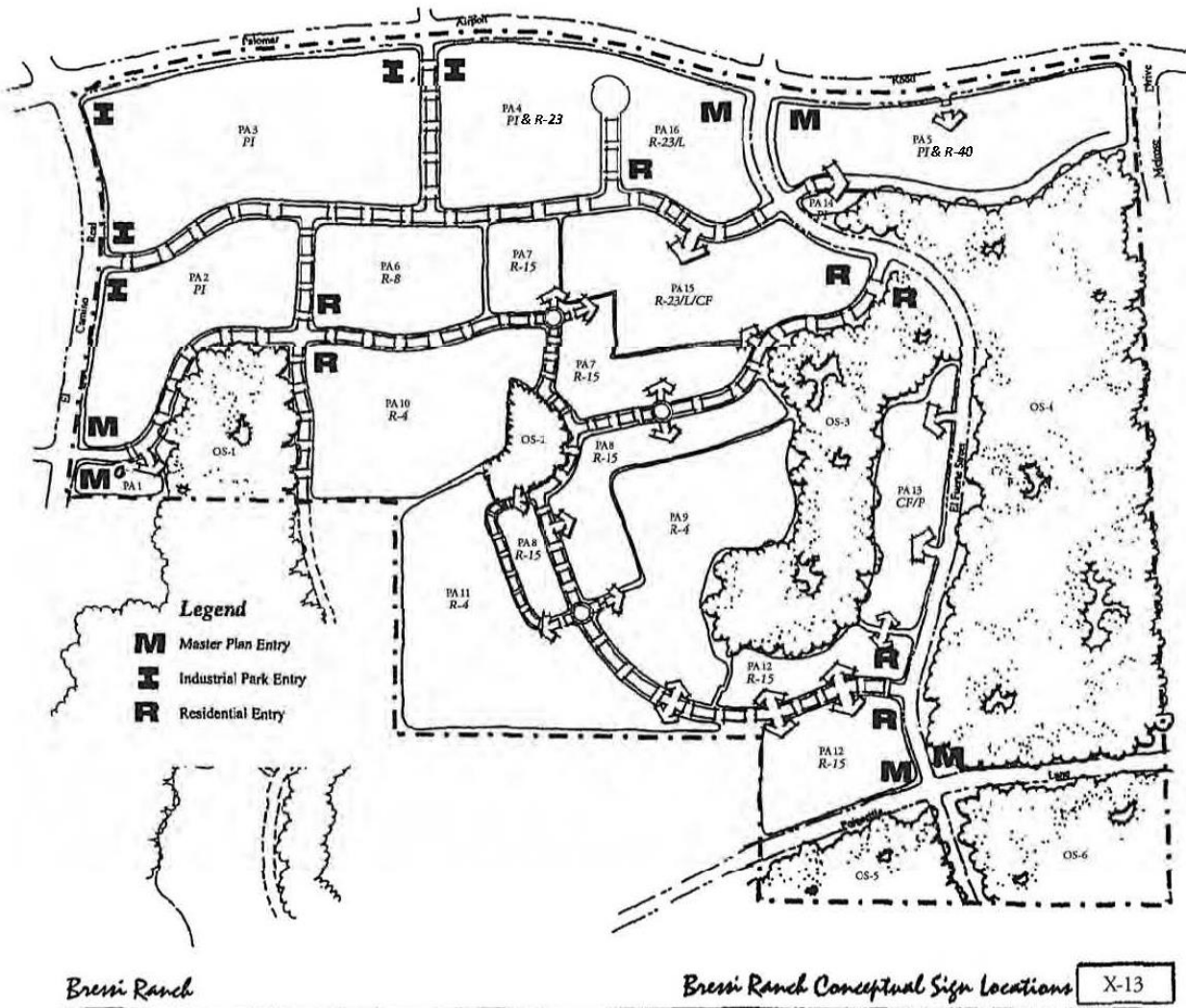
24. The “General Plan & Zoning” subsection of Bressi Ranch Master Plan Section VII.F.5 is amended to read as follows:

General Plan & Zoning (planned industrial areas only)

General Plan Land Use: Planned Industrial (PI)

Zoning: Planned Industrial (PM)

25. Bressi Ranch Master Plan Exhibit X-13 is amended to read as follows:



26. Bressi Ranch Master Plan Section X.E.8 is amended to read as follows:

Description

Planning Areas 4, 5 & 16 are located in the northern portion of the Master Plan area. The residential area in Planning Area 4 has a gross and net developable area of 2.6 acres. The residential area in Planning Area 5 has a gross and net developable area of 5.3 acres. Planning Area 16 has a gross area of 17.7 acres and a net developable area of 17.7 acres (see Exhibit VIII-4 on page VIII-18).

This section only addresses the portions of Planning Areas 4, 5 and 16 that will be developed with residential uses. For information on the portion of the sites in PA 4 and 5 that will be developed with planned industrial uses, see Section VII pages VII-30 to VII-37. For information on the portion of PA 16 that will be developed with commercial uses, please see Section VIII.A.3. on Page VIII-17.

Implementation of Master Plan Vision and Goals

The purpose of the R-23 and R-40 designated portions of Planning Areas 4 and 5 is to accommodate housing to meet the objectives of the Housing Element.

The purpose of Planning Area 16 is to allow for the creation of a unique mixed-use neighborhood that will provide additional residential units and expand the commercial and restaurant uses available within walking distance to many Bressi Ranch residents. The commercial component of Planning Area 16 will extend Finnila Place, and the main street feeling of the commercial center.

Many of the goals of the Bressi Ranch Master Plan will be incorporated into the design of or promoted by these planning areas. Housing, jobs, daily needs and other activities are all within easy walking (Goal 2). A variety of uses are also within easy walking distance of transit stops on El Fuerte (Goal 3). There will be a variety of job opportunities in Planning Area 16 (Goal 5) that are proximate to Planning Areas 4 and 5.

General Plan and Zoning (residential portions only)

General Plan Land Use: R-23 (PA4), R-40 (PA5), R-23 (PA16)

Zoning: RD-M (PA 4, 5 & 16)

Units: It is anticipated that Planning Area 4 will be developed with 49 dwelling units, Planning Area 5 will be developed with 199 dwelling units, and Planning Area 16 will be developed with 125 dwelling units.

Discretionary Permits Required for Development

All development proposals shall be processed in conformance with the requirements of the Carlsbad Municipal Code as detailed in Chapter VI of this Master Plan.

Uses Allowed

Residential - Multiple Family Attached

Design Criteria

In addition to complying with the neighborhood design criteria, residential development in Planning Areas 4, 5 and 16 shall comply with the following design criteria:

Development in Planning Area 16 should be designed to provide convenient pedestrian links to the adjacent retail center. Each planning area should also provide convenient links to other portions of the community.

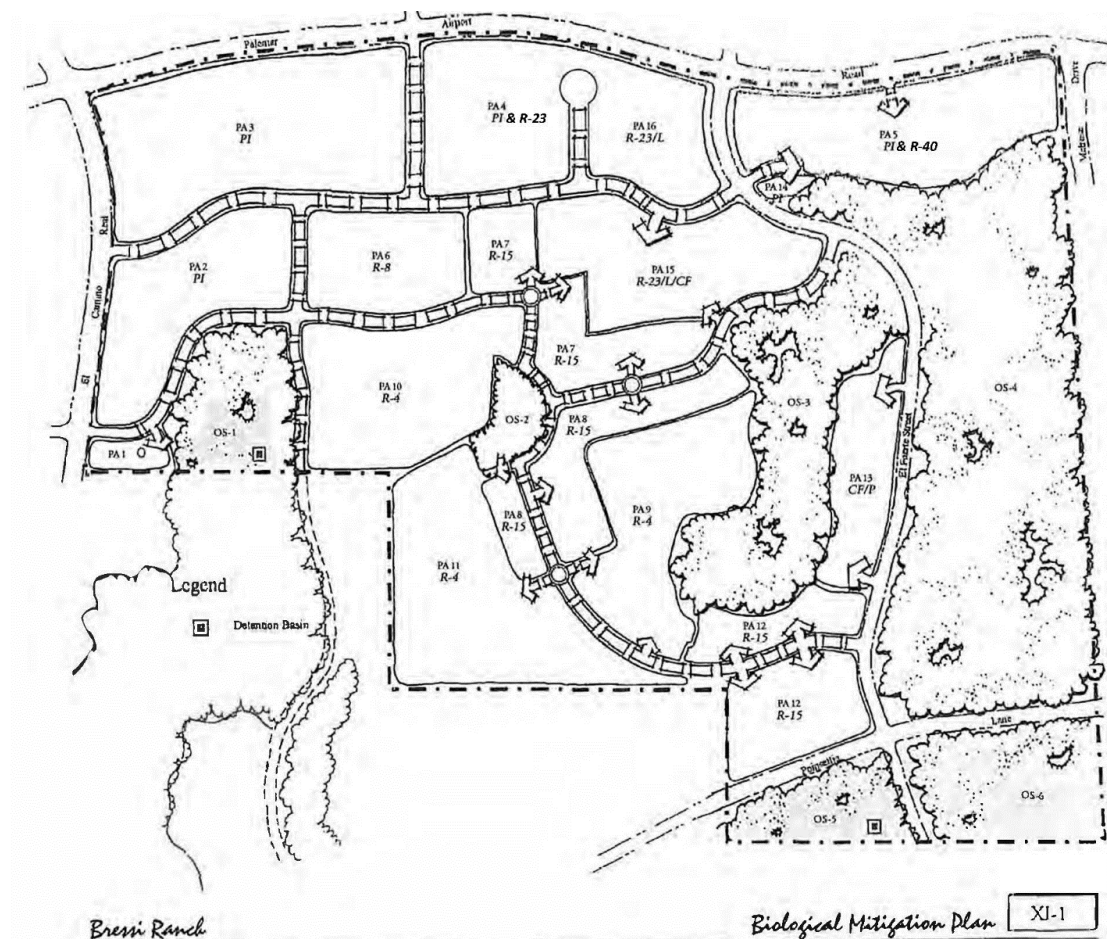
Development Standards

Residential development in Planning Areas 4, 5 and 16 shall comply with all applicable regulations and development standards of the Carlsbad Municipal Code, including the PUD requirements, except as modified by Section X.B of this Master Plan.

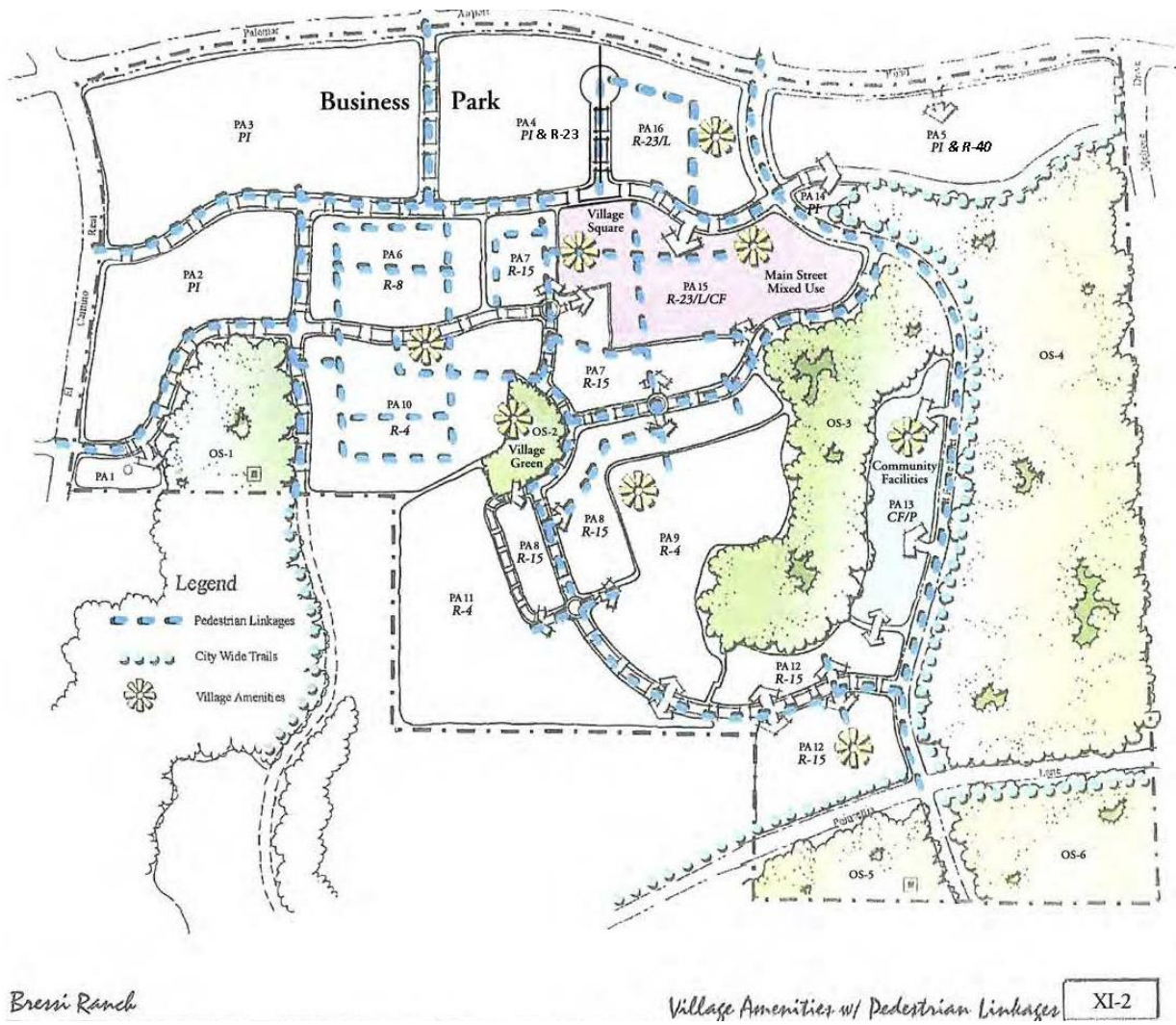
In Planning Areas 4 and 5 any residential development (rental or for-sale) shall enter into an affordable housing agreement with the City of Carlsbad to provide a minimum of 20 % of the total housing units on the site of the residential development as affordable to lower income households at 80% or below 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.

27. Bressi Ranch Master Plan Exhibit XI-1 is amended to read as follows:



28. Bressi Ranch Master Plan Exhibit XI-2 is amended to read as follows:



29. Bressi Ranch Master Plan Exhibit XIV-1 is amended to read as follows:

Exhibit XIV-1 Master Plan Amendment Log			
PLANNING AREA	UNITS ESTIMATED BY MASTER PLAN	UNITS APPROVED BY TENTATIVE MAP	UNITS TO TRANSFER TO/FROM ANOTHER PLANNING AREA
4	49		
5	199		
6	64	63	
7	99	95	
8	98	95	
9	72	70	
10	86	84	
11	10-25	25	
12	94	91	
15	100	100	
16	125	125	
TOTAL*:	996 - 1,011	748	

* The estimated cumulative number of dwelling units permitted in Planning Areas 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, and 16 is 996.

30. Fenton Carlsbad Center Specific Plan Section I.A is amended to read as follows:

A. PURPOSE AND SCOPE

The purpose of this Fenton Carlsbad Center Specific Plan (FCCSP) is to address the need for a full mix of office and medical facilities within Carlsbad, to serve both residents and the daily workforce, as well as provide housing close to jobs, including housing affordable to lower-income households. In doing so, the plan aims to achieve an objective of the City of Carlsbad's General Plan by reflecting the cultural values of the community. Some important values are providing affordable housing, maintaining a jobs-housing balance, providing for a healthy lifestyle, including the provision of services for adequate health care needs, and providing those who live and work in the City of Carlsbad, the right to convenient and readily accessible health care.

FCCSP only seeks to define the allowable type of land uses and does not provide development standards or design standards above and beyond those of the Office (O) Zone and Residential Density-Multiple (RD-M) Zone; the plan does include several implementation measures that future projects will need to comply with in addition to those of the base zones. The FCCSP is adopted pursuant to the provisions of Government Code Sections 65450 *et. seq.* and the Land Use Element of the City of Carlsbad General Plan.

31. Fenton Carlsbad Center Specific Plan Section I.C is amended to read as follows:

C. HISTORY

The Fenton Carlsbad Medical Center, formerly the Fox Miller Property, was subdivided and graded into five lots under CT 00-20 in 2002. Lots 1 through 4 were zoned PM for industrial use and Lot 5 was zoned as open space (OS). In 2006, Lot 1 of the FCMC was rezoned from Planned Industrial (PM) to Office (O) under GPA 06-01/ZC 06-017 SDP 06-03. SDP 06-03 allowed for the construction of a two-story 40,655 square foot Medical Office building on Lot 1.

In 2008, this specific plan was prepared in conjunction with a General Plan Amendment and Zone Change that changed uses in the FCCSP area from Planned Industrial to Office. The FCCSP limits medical office uses to lot 1 of the FCCSP.

In [year], this specific plan was amended to change the land use designation of lot 4 from Office to R-30 (Residential 26.5 – 30 du/ac), consistent with the 2021-2029 Housing Element Program 1.1.

The following are past approvals related to the FCCSP area:

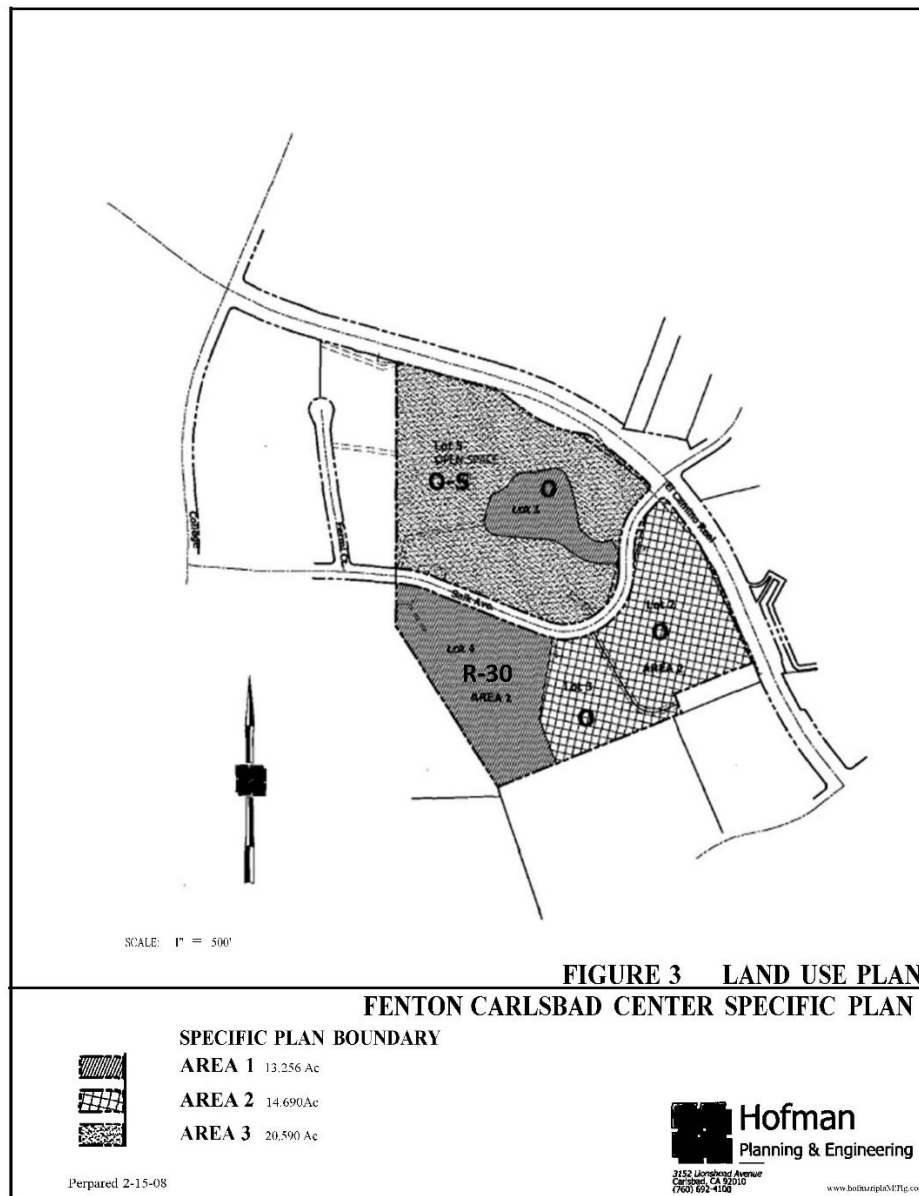
- GPA 00-05/ZC 00-07/CT 00-20/PIP 00-02/HDP 00-11/SUP 00-10
- GPA 06-01/ZC 06-017 SDP 06-03
- PIP 04-03/SUP 04-11
- PIP 06-06

32. Fenton Carlsbad Center Specific Plan Section I.D is amended to read as follows:

D. REGULATORY SPECIFIC PLAN

The FCCSP is a regulatory document that only manages land uses. It is not a policy document and does not introduce any new policy objectives. The plan provides for residential uses and a mix of office uses, including a proportional amount of medical office uses within the city's central employment area and also within close proximity to other residentially zoned areas.

33. Fenton Carlsbad Center Specific Plan Figure 3 is amended to read as follows:



34. Fenton Carlsbad Center Specific Plan Section I.E is amended to read as follows:

E. CONSISTENCY WITH THE GENERAL PLAN AND PLANS OF OTHER JURISDICTIONS

Lots 1-3 of the plan area are designated in the City of Carlsbad's General Plan as Office (O), Lot 4 is designated R-30 (Residential 26.5-30 du/ac), and Lot 5 is designated Open Space (OS). The Fenton Carlsbad Center Specific Plan is consistent with the elements of the Carlsbad General Plan. Consistent with the General Plan, this specific plan allows:

- Residential uses on Lot 4 at a density of 26.5 to 30 dwelling per acre.
- A full mix of office uses on Lots 1, 2 and 3 with a provision for medical offices on Lot 1, consistent with the Office land use designation.
- The continued use and protection of open space on Lot 5.

The following highlights some of the major General Plan goals and policies applicable to the Fenton Carlsbad Center Specific Plan.

1. Land Use & Community Design Element

- 2-G.2 Promote a diversity of compatible land uses throughout the city, to enable people to live close to job locations, adequate and convenient commercial services, and public support systems such as transit, parks, schools, and utilities.
- 2-P.6 Encourage the provision of lower and moderate-income housing to meet the objectives of the Housing Element.
- 2-P.13 Encourage medium to higher density residential uses located in close proximity to commercial services, employment opportunities and major transportation corridors.

The specific plan promotes a diversity of compatible land uses by allowing for residential uses and medical/professional office uses that enable people to live close to jobs and services. The specific plan allows for higher density residential uses, including lower income housing, in close proximity to services and employment opportunities.

2. 2021-2029 Housing Element

- 10-G.1 New housing developed with diversity of types, prices, tenures, densities, and locations, and in sufficient quantity to meet the demand of anticipated city and regional growth and to meet or exceed the city's established Regional Housing Needs Allocation (RHNA).
- 10-P.4 Encourage increased integration of housing with nonresidential development where appropriate and where residential development can be implemented in a way that is compatible with existing and planned uses.

The specific plan provides for higher density housing on Lot 4, including a requirement for affordable housing, which helps to meet the city's RHNA. The housing on Lot 4 is also integrated into an area comprised of nonresidential development.

3. Mobility Element

- 3-P.5 Require developers to construct or pay their fair share toward improvements for all travel modes consistent with this Mobility Element, the Growth Management Plan, and specific impacts associated with their development.

4. Noise Element

- 5-G.2 Ensure that new development is compatible with the noise environment, by continuing to use potential noise exposure as a criterion in land use planning.

The uses within the plan area will comply with interior noise standards, through the requirement to submit a letter from an acoustician detailing how specific construction measures attenuate the interior noise environment to 50 dBA CNEL (for office uses) and 45 dBA CNEL (for residential uses) or lower.

This plan implements the General Plan in conjunction with the Residential Density-Multiple (RD-M), Office (O) and Open Space (OS) Zoning classifications of the area. The permitted uses are primarily those specifically referenced in Section II of this document. The provisions of the RD-M and Office Zones (e.g., development standards, development permit requirements, etc.) and any amendments to it apply to the topics that are not covered in this plan. Approval of this plan does not vest any rights for future approvals of any licenses, discretionary acts or other entitlements necessary for future development in the plan area. Subsequent public works projects, tentative or parcel maps, discretionary acts, and zoning ordinances that affect the plan area must be consistent with the FCCSP. Pre-existing tentative or parcel maps, discretionary acts (e.g., Site Development Plans, Planned Industrial Permits, grading permit, etc.), ministerial acts (e.g., building permits, etc.) are deemed consistent with the FCCSP.

The FCCSP area is located within the Airport Influence Area and Flight Activity Zone of the *Airport Land Use Compatibility Plan for the McClellan-Palomar Airport* (ALCUP). A mix of residential, office and medical office uses allowed under the FCCSP is consistent with compatibility requirements of the existing *Airport Land Use Compatibility Plan for the McClellan-Palomar Airport*, as amended December 1, 2011, because of the area's location well outside the 60 dB CNEL noise contour. The FCCSP contains a requirement that all future development permits be consistent with the airport plan in effect at the time of the application for development permit. FCCSP was considered at the May 1, 2008, San Diego Airport Authority hearing and found to be conditionally consistent with the ALUCP. The Airport Authority conditioned the plan not to allow intensive development nor uses which involve the assembly of large groups of people (more than one hundred (100) persons per assembly area (as defined by the California Building Code Group A Occupancy). Furthermore, on [date], the San Diego Airport Authority found the residential R-30 designation of Lot 4 to be [add determination] with the ALUCP.

35. The first paragraph of Fenton Carlsbad Center Specific Plan Section II is amended to read as follows:

The Fenton Carlsbad Center Specific Plan provides for a mix of office uses on Lot 1 (Area 1) and Lots 2 and 3 (Area 2) with a provision for medical offices on Lot 1, consistent with the Office land use designation; residential uses on Lot 4 (Area 1); and open space on Lot 5 (Area 3) of the plan.

36. The first paragraph of Fenton Carlsbad Center Specific Plan Section II.A is amended to read as follows:

This section outlines the allowed residential uses in Area 1 and office uses in Areas 1 and 2 of the plan area, no development or design standards are proposed. All development in the O Zone, except child day care centers, shall require approval of a site development plan processed according to the provisions of Chapter 21.06 of the Carlsbad Municipal Code.

37. Fenton Carlsbad Center Specific Plan Section II.A.1 is amended to read as follows:

1. AREA 1 (LOT 4)

All uses allowed in the underlying Residential Density-Multiple (RD-M) zone are permitted in Area 1 (Lot 4), provided residential density is consistent with the General Plan R-30 land use designation (26.5 – 30 du/ac).

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.

2. AREA 1 (LOT 1)

All uses allowed in the underlying Office zone, which includes medical offices, are permitted in Area 1 (Lot 1). Additionally permitted appurtenant uses such as a cafeteria, flower or gift shop, and any other accessory uses determined by the Planning Director as relating to a primary use of medical offices, medical clinic and/or medical complex. Up to 150,000 square feet of medical offices/complex/clinic are permitted on Lot 4 and up to 47,000 square feet on Lot 1, provided that parking is consistent with the requirements of Chapter 21.44 of the Carlsbad Municipal Code. The maximum size of any future development of Lot 1 with offices allowed in the O Zone, other than medical offices, would be subject to the development standards of the O Zone.

38. Fenton Carlsbad Center Specific Plan Sections II.B.1 and II.B.2 are amended to read as follows:

1. The siting of buildings within the Fenton Carlsbad Center Specific Plan should capture the available views from the property. Changes in massing and articulation of each building should highlight its public entry.
2. On lots 1 through 3 only, all sides of the building facade should receive equal design attention. A building's exterior finish materials should include a generous amount of glass; smooth texture finishes such as plaster, pre-finished metal or concrete, and stone or masonry. Masonry may be utilized as a contrasting or complementary material to other hard surface materials such as glass or metal panels that may be used on the building. Masonry materials may include brick, stone, tile, or architectural concrete

block (such as burnished, split face or ribbed block). The materials selected should be consistent with the character of a corporate office building and consistent with the existing buildings in the Carlsbad Research Center.

39. Fenton Carlsbad Center Specific Plan Section III is amended to read as follows:

III. INFRASTRUCTURE PLAN AND IMPLEMENTATION MEASURES

The infrastructure improvements planned for and approved as part of Local Facilities Management Zone 5 and the City of Carlsbad Capital Improvement Plan, remain applicable and satisfactory for the FCCSP for all categories except for traffic circulation. FCCSP allows for and encourages the development of medical offices in Area 1 (lot 1) of the plan area. If medical offices, which have higher traffic generation rates than other types of offices, develop in this plan area, traffic circulation improvements will be necessary, as detailed below.

Implementation of the specific plan shall occur through the adherence of future development proposals to the permitting requirements and development standards of the underlying zoning (RD-M and Office Zones) and all other applicable requirements of the Carlsbad Municipal Code (e.g., Titles 19, 20, 21, etc.). Additionally, all future requests for development, whether administrative or discretionary, within the plan area shall comply with the following:

- Provide a letter from an acoustician detailing how specific construction measures attenuate the interior noise environment to 50 dBA CNEL (for office uses) and 45 dBA CNEL (for residential uses) or lower.
- Comply with the requirements of whichever McClellan-Palomar Airport Land Use Compatibility Plan is in effect at the time of subsequent development permit application. FCCSP was considered at the May 1, 2008, San Diego Airport Authority hearing and found to be conditionally consistent with the ALUCP. The Airport Authority found the Specific Plan consistent that the plan not to allow intensive development and all uses which involves the assembly of large groups of people (more than one hundred (100) persons per assembly area (as defined by the California Building Code Group A Occupancy). Furthermore, on [date], the San Diego Airport Authority found the residential R-30 designation of Lot 4 to be [add determination] with the ALUCP.
- Comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) (e.g., provision of Best Management Practices and Low Impact Development requirements) that are current at the time of project application.

40. Fenton Carlsbad Center Specific Plan Section V.A is amended to read as follows:

A. GENERAL NOTES

1. The developer(s) shall be responsible for implementing the mitigation measures which are based on the Fenton Carlsbad Center Specific Plan Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Planning Commission Resolution 6431).
2. Where questions arise regarding the interpretation of this Specific Plan, the City Planner shall resolve them in a manner consistent with the Municipal Code, adopted City plans, and City policy. Such decisions by the City Planner may be appealed to the Planning Commission and City Council.

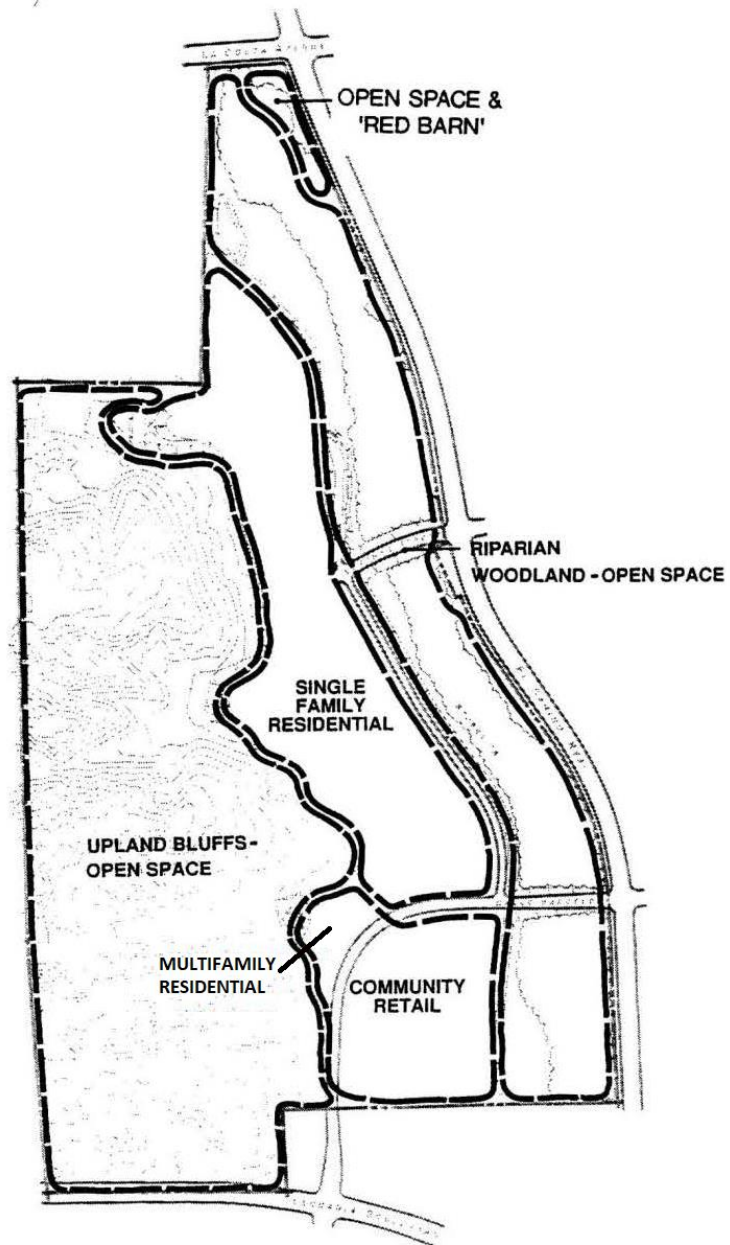
41. Fenton Carlsbad Center Specific Plan Section V.B is amended to read as follows:

B. MITIGATION MEASURES

1. San Diego Regional Airport Authority

As the project involves a General Plan Amendment, the project was submitted to the San Diego County Regional Airport Authority (SDCRAA) for a determination of consistency with the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) on May 1, 2008. The SDCRAA adopted Resolution 2008-0018 ALUC finding the project conditionally consistent with the ALUCP. The condition added was the restriction that all assembly areas within the proposed project that are located within the FAZ be limited (as defined by the Uniform Building Code Group A Occupancy) to no more than one hundred (100) persons per assembly area in order to be consistent with FAZ guidelines in the McClellan- Palomar Airport ALUCP. Furthermore, on [date], the San Diego Airport Authority found the residential R-30 designation of Lot 4 to be [add determination] with the ALUCP.

42. Green Valley Master Plan Figure I-5 is amended to read as follows:



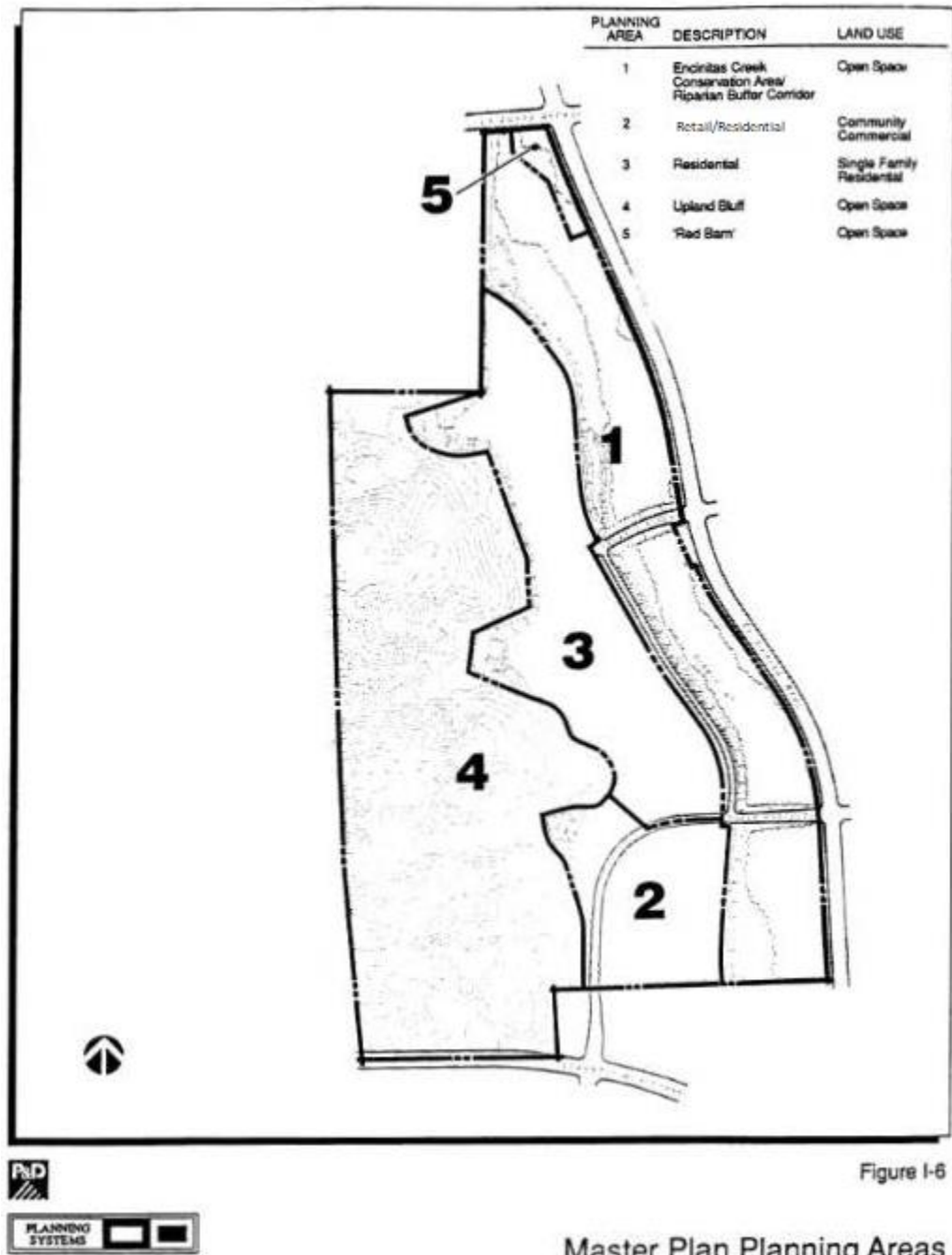
PLANNING
SYSTEMS



Figure 1-5

Master Plan Land Use

43. Green Valley Master Plan Figure I-6 is amended to read as follows:



44. Green Valley Master Plan Table I-1 is amended to read 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	-	-	22.3
3	-	55.8 NDA	-	-	55.8
4	-	-	122.8**	-	122.8
5			1.7		1.7
-				3.4	3.4
TOTAL	18.3 NDA	59.8 NDA	194.2**	12.9	285.2

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

45. The "Planning Area 2" subsection of Green Valley Master Plan Section I.C is amended to read as follows:

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

The 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.

46. Green Valley Master Plan Section II.B is amended to read 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 Regional Commercial (R), R-15 (Residential 11.5-15 du/ac), R-23 (Residential 19-23 du/ac), and Open Space (OS) (see Figure 11-1).

The R-15 and R-23 residential designations provide for residential development at a density of 11.5-15 (R-15) and 19-23 (R-23) dwelling units per developable acre. R-15 and R-23 residential areas are typically characterized by condominium or apartment developments.

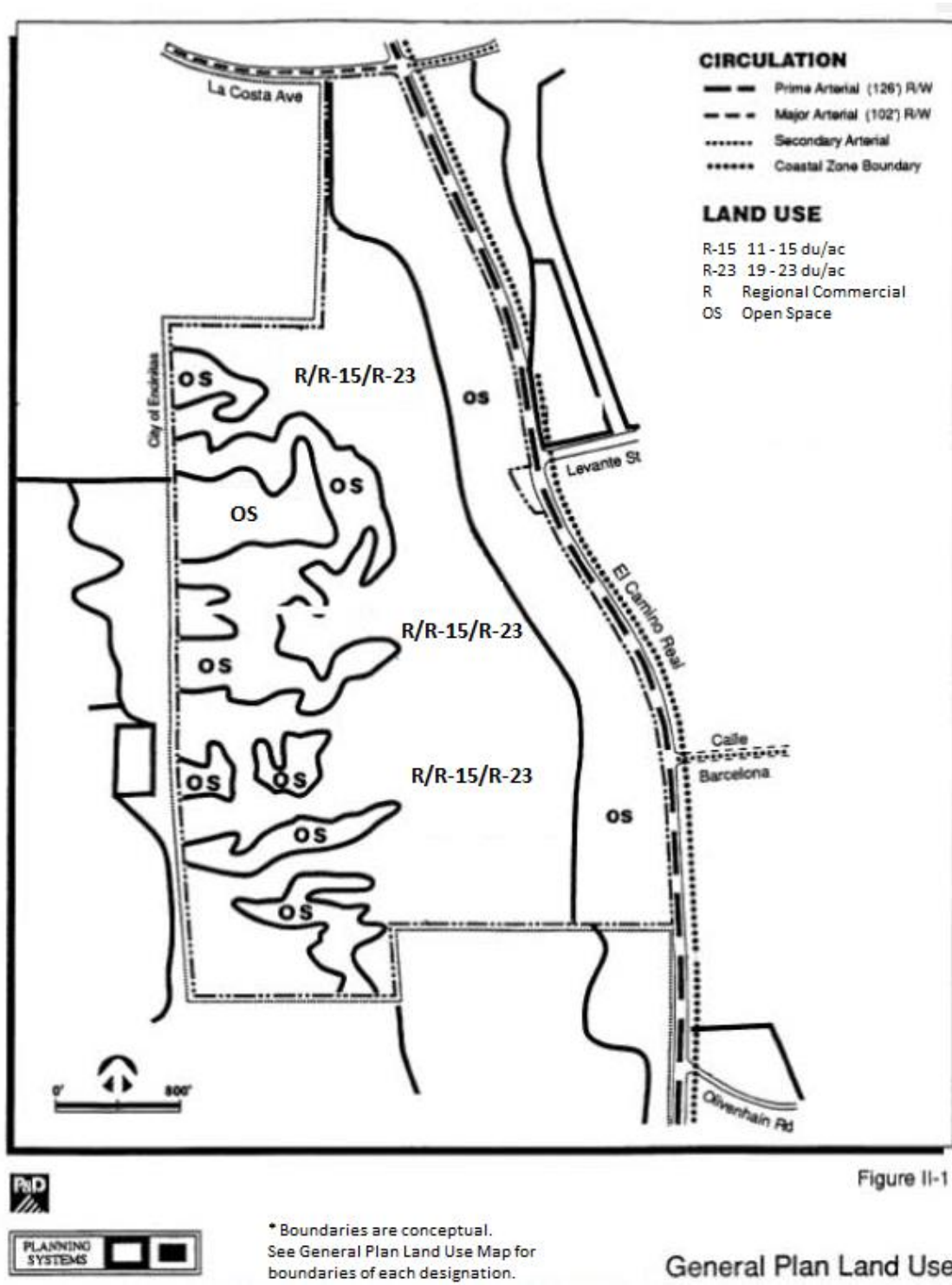
The project site is bordered on two sides by Circulation Element Roads. El Camino Real, which serves as the project's eastern boundary, is designated as a prime arterial, which at ultimate buildout is intended to have six travel lanes and a median divider within a 126-foot right-of-way. La Costa Avenue 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.

47. Green Valley Master Plan Figure II-1 is amended to read as follows:

1. Figure II-1 is amended as follows:



48. The “Residential” land uses subsection of Green Valley Master Plan Section II.F is amended to read 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 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 is located to the west of Street “A” and north of the retail center.

49. At the end of Green Valley Master Plan Section II.F, the following paragraph is added to read as follows:

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.

50. Green Valley Master Plan Table II-2 is amended to read 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.

51. The “Residential Land Use” and “Affordable Housing” subsections of Green Valley Master Plan Section II.H are amended to read 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 potential number of dwelling units for the residential areas is shown on Table 11-2, exclusive of any future density bonus under state law and/or chapter 21.86 of the Carlsbad Municipal Code.

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 Planning Area 3, 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.

52. The “General Plan” subsection of Green Valley Master Plan Section VI-B is amended to read as follows:

General Plan: OS

53. The “Description” subsection of Green Valley Master Plan Section VI.C is amended to read as follows:

C. PLANNING AREA 2 – RETAIL CENTER AND MULTIFAMILY RESIDENTIAL

Description

This planning area consists of a commercial area (approximately 18.3-acres) located south and east of Calle Barcelona, and a residential area (approximately 4 acres) located West of Calle Barcelona. The planning area extends from the 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.

54. The “Development Standards” subsection introduction in Green Valley Master Plan Section VI.C is amended to read as follows:

Development Standards

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

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).

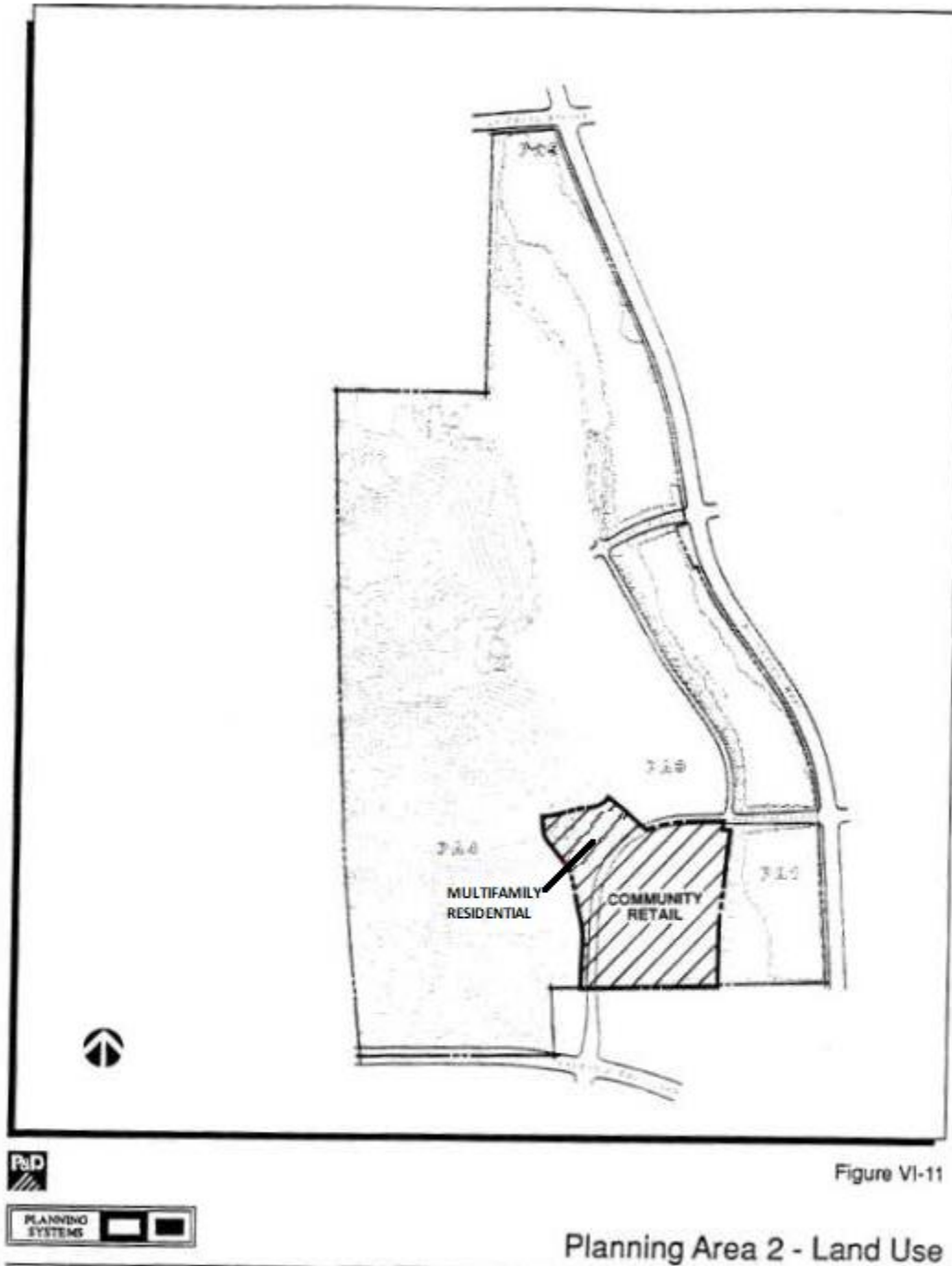
55. The “Zoning” and “General Plan” subsections of Green Valley Master Plan Section VI.C is amended to read as follows:

Zoning: C-2, RD-M and OS

General Plan: R, R-23, and OS

56. Green Valley Master Plan Figure VI-11 is amended to read as follows:

2. Figure VI-11 is amended as follows:



57. The following subsection headers in Green Valley Master Plan Section VI.C are amended to read 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)

58. The "Setbacks" subsection of Green Valley Master Plan Section VI.C is amended to add the following:

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.

59. The "Description" subsection of Green Valley Master Plan Section VI.D is amended to read 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).

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 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.

60. The “General Plan” subsection of Green Valley Master Plan Section VI.D is amended to read as follows:

General Plan: R-15

61. The “Use Allocation” subsection of Green Valley Master Plan Section VI.D is amended to read as follows:

Use Allocation

Based on the General Plan residential density range for R-15 (11.5 – 15 du/ac) the area may be developed with 400 single-family dwelling units, exclusive 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.

62. The “General Plan” subsection of Green Valley Master Plan Section VI.E is amended to read as follows:

General Plan: OS

63. The “General Plan” subsection of Green Valley Master Plan Section VI.F is amended to read as follows:

General Plan: OS

64. North County Plaza Specific Plan Section I is amended to read 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). The property is zoned C-2/RD-M/O-S (General Commercial/Residential Density-Multiple/Open Space).

65. North County Plaza Specific Plan Section II is amended to read as follows:

II. GENERAL DEVELOPMENT CONCEPT

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

66. North County Plaza Specific Plan Section IV is amended to read 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 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.
- D. Commercial uses - permitted.

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

- (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
- (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

E. Commercial Uses – conditionally permitted.

Subject to the provisions of Chapter 21.42, the following uses and structures are permitted by Conditional Use Permit. In addition to the findings required by Chapter 21.42, 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.

67. The first paragraph of North County Plaza Specific Plan Section V is amended to read 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.

68. North County Plaza Specific Plan Section V.A. (1) a) is amended to read 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. 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.

69. North County Plaza Specific Plan Section V.D is amended to read as follows:

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

70. North County Plaza Specific Plan Section V.E is amended to read as follows:

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

71. North County Plaza Specific Plan Section V.H is amended to read 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.

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.

72. North County Plaza Specific Plan Section V.N is added to read 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.

73. North County Plaza Specific Plan Section VII is added to read as follows:

1. Section VII. 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.

74. Westfield Carlsbad Specific Plan Section 1.1 is amended to read as follows:

1.1 PURPOSE AND SCOPE

The purpose of the Westfield Carlsbad Specific Plan (WCSP) is to provide a comprehensive set of development standards, guidelines, and implementation procedures to facilitate the redevelopment, revitalization and operations of Westfield Carlsbad (WC) consistent with the existing General Plan Designation of Regional Commercial (R) on the retail center and Regional Commercial (R)/R-40 (Residential 37.5-40 du/ac)/R-23 (Residential 19-23 du/ac)/Open Space (OS), R/R-40/R-23 and R/R-40 on the properties surrounding the retail center. Westfield Carlsbad is a super-regional shopping center with approximately 1,151,100 square feet of gross leasable area (1,348,500 square feet of gross floor area (including common access areas)) featuring major department stores, specialty retail shops and restaurants. The plan allows Westfield Carlsbad the flexibility to meet the progressive and changing commercial, entertainment and service needs of the residents of Carlsbad and coastal north county region and allows for housing development to meet the city's housing objectives. The plans and exhibits provided in this specific plan provide a framework for future development at Westfield Carlsbad. More detailed Site Development Plans or other entitlements may be required prior to actual development within the Specific Plan area.

The Westfield Carlsbad Specific Plan:

- Identifies existing development.
- Defines the allowable types and intensity of land uses.
- Provides development and design guidelines.
- Describes how the Specific Plan will be implemented and administered.
- Is compliant with all state laws and guidelines regarding the content and format of a specific plan.

City Council adoption of the WCSP establishes the development standards, design guidelines, and entitlement processes for development and land use within the specific plan area.

Adoption of the WCSP will ensure that the subject property is developed and redeveloped in accordance with the City of Carlsbad General Plan and the following regulations:

- General Plan land use designations: Regional Commercial (R), and Regional Commercial (R)/R-40 (Residential 37.5-40 du/ac)/R-23 (Residential 19-23 du/ac)/OS (Open Space), R/R-40/R-23, and R/R-40.
- Carlsbad Municipal Code, Chapters 21.28 General Commercial (C-2) and 21.24 Residential Density-Multiple (RD-M)
- Zone 1 Local Facilities Management Plan per Chapter 21.90
- Carlsbad Municipal Code, Chapter 21.40 (Scenic Preservation Overlay) and El Camino Real Corridor Standards
- Carlsbad Municipal Code, Chapter 21.46 (Yards)
- Carlsbad Municipal Code, Chapter 21.41 (Signs)
- Carlsbad Municipal Code, Chapter 21.44 (Parking)
- Carlsbad Landscape Manual

In some instances, the requirements of the specific plan will be different than the zoning regulations. In cases where the specific plan and the zoning regulations are in conflict, the specific plan, and the development standards and guidelines contained herein, shall prevail.

Revitalization of Westfield Carlsbad under the Specific Plan may entail the remodel and reconfiguration of existing commercial buildings, new exterior oriented retail space, and new commercial pads.

The WCSP is adopted pursuant to the provisions of Government Code Sections 65450 et. seq., the Land Use Element of the City of Carlsbad General Plan, and the Carlsbad Municipal Code.

75. Westfield Carlsbad Specific Plan Section 1.2 is amended to read as follows:

Goals

- Describe and codify the existing development at Westfield Carlsbad under the Specific Plan framework.
- Modernize and revitalize Westfield Carlsbad creating a contemporary, vibrant regional retail center, which enhances the shopping, entertainment and public gathering experience for Carlsbad residents and the surrounding community.
- Establish Westfield Carlsbad as a prominent regional retail center attractive to high quality retailers and fueling economic growth in the City while satisfying current consumer needs on a regional scale.
- Provide flexible development standards and review processes to allow for quick and efficient continuous improvements in response to market conditions.
- Allow for housing quantities and densities to meet the city's housing objectives, including densities considered affordable to lower and moderate-income households.

Objectives

- To establish development standards to address landscaping, parking, uses, signage and maintain building design criteria to ensure future redevelopments are compatible with the Specific Plan and Carlsbad General Plan.
- To enhance Westfield Carlsbad as a safe location for visitors through enhanced lighting and security standards, with contemporary retail projects that optimize public safety.
- To utilize the Westfield Carlsbad Specific Plan to regulate development to create a mix of retail, restaurant and entertainment opportunities, as well as residential uses.
- To provide a codified set of development regulations, design standards and processing procedures for the site.
- To offer a full range of goods, services, and entertainment to the residents of Carlsbad and the surrounding community.
- To improve the overall pedestrian experience by creating enhanced pedestrian connections and upgrading landscaping within parking lots as redevelopment occurs overtime. To allow for the modernization of Westfield Carlsbad while architecturally integrating the new development with the existing buildings to provide an overall enhanced design.
- To ensure that the revitalized Westfield Carlsbad provides a variety of pedestrian walkways, landscaped parking lots, and the use of harmonious architecture in the design of buildings.

- To provide a minimum 741 housing units at 37.5 dwelling units per acre (du/ac) (R-40) and a minimum 252 units at 19 du/ac (R-23).
- To incorporate a high level of affordable housing to lower income households (at least 20% of housing units).

76. Westfield Carlsbad Specific Plan Section 1.5 is amended to read as follows:

1.5 IMPLEMENTATION OF THE SPECIFIC PLAN AND SUBSEQUENT ACTIONS NECESSARY TO BE CONSISTENT WITH THE SPECIFIC PLAN

The Westfield Carlsbad Specific Plan (WCSP) implements the Regional Commercial (R), R-40 (Residential 37.5-40 du/ac), and R-23 (Residential 19-23 du/ac) General Plan Land Use designations in conjunction with the General Commercial (C-2), and Residential Density Multiple (RD-M) zoning. Permitted uses are listed in Section 3.1 of this document. The provisions of the C-2 and RD-M zoning districts per Chapters 21.28 and 21.24 of the Carlsbad Zoning Ordinance (e.g., uses, development standards, development permit requirements, etc.) and any future amendments apply to the regulatory topics not covered within this specific plan.

Approval of the WCSP does not vest any rights for future approvals of any licenses, discretionary acts, or other entitlements necessary for future development in the plan area. Subsequent public work projects, tentative or parcel maps, discretionary acts, and zoning ordinance amendments that affect the plan area must be consistent with the WCSP. With City Council adoption of WCSP the standards and review processes of the specific plan replace the existing requirements/processes as the processing mechanism for all future entitlements, development and operations. All prior Precise Plan consistency determinations and amendments, including PP-24, amendments A-K, are consistent with the specific plan and are vested and remain in full force and effect, except as they may be modified by future approvals pursuant to this specific plan.

77. The “General Plan and Zoning” subsection in Westfield Carlsbad Specific Plan Section 2.1 is amended to read as follows:

General Plan and Zoning

The retail center in the center of the Westfield Carlsbad Specific Plan area falls within the Regional Commercial (R) General Plan land use designation and the General Commercial (C-2) Zone; the areas surrounding the retail center fall within the Regional Commercial (R)/R-40 (Residential 37.5-40 du/ac)/R-23 (Residential 19-23 du/ac)/OS (Open Space), R/R-40/R-23 and R/R-40 General Plan Land Use designations and the General Commercial (C-2)/Residential Density Multiple (RD-M) Zones.

78. Westfield Carlsbad Specific Plan Section 2.2 is amended to read as follows:

2.2 CONCEPTUAL LAND USE PLAN

The Westfield Carlsbad regional retail center provides a blend of retail, restaurant, service, and entertainment to residents and visitors to the city.

The Westfield Carlsbad Specific Plan (WCSP) identifies a conceptual plan for redevelopment of the retail center. While the focus of the WCSP is on commercial use of the plan area, residential uses can be attached to the retail center or detached from the retail center within the current parking lot area.

The following outlines the conceptual plan for the commercial retail center:

Portions of the east end of the existing mall structure and some out-buildings are planned to be removed, renovated and/or redeveloped, and new commercial space will be added.

Table 2: Maximum Commercial Development Limits

	Main Mall (sq. ft.)	Out-Buildings (sq. ft.)	Total (sq. ft.)
Existing GLA	1,101,239	49,853	1,151,092
GLA to be demolished	(225,631)	0	(225,631)
Proposed New GLA	234,748	26,300	261,048
Total GLA Proposed	1,110,356	76,153	1,186,509
Net Change	9,117	26,300	35,417

Table 2 details the maximum development proposed under the WCSP and notes the maximum net increase in Westfield Carlsbad square footage. The table above breaks the square footage out between the mall and the outbuildings, but these numbers can shift between categories as long as the total GLA proposed, and the net change are not exceeded.

Westfield Carlsbad Specific Plan provides the framework for future commercial development/redevelopment of the site. The proposed site development plan that implements the elements laid out in the WCSP is conceptual at this stage and may change prior to final approval. Table 3 provides an idea of the proposed commercial changes that will occur but does not reflect exact square footage and does not reflect the potential for residential development. For purposes of the Specific Plan compliance for commercial development, the site development plan must adhere to the maximum square footage limits and net change reflected in Table 2.

For purposes of Specific Plan compliance for residential development, the development must adhere to the requirements of the C-2 zone (for the retail center designated (R) Regional Commercial) and the RD-M zone (for the areas surrounding the retail center and designated R/R-40/R-23/OS, R/R-40/R-23 and R/R-40) and other applicable requirements of Carlsbad Municipal Code Title 21, and the allowed General Plan densities for the R-23 and R-40 designations. The minimum and maximum number of dwellings shall be calculated based on the net developable acres of each lot or combination of lots, upon which the development is proposed. In cases where the specific plan and the zoning regulations are in conflict, the specific plan, and the development standards and guidelines contained herein, shall prevail.

Table 3: Proposed Commercial Site Development Plan

Existing			1,151,092 SF
Proposed			261,048 SF
Movie Theater		54,000 SF	
Gym		41,145 SF	
Mini-Anchor		26,280 SF	
Mini-Anchor 2 Lvl		34,160 SF	
Grocer		24,135 SF	
Restaurants		21,929 SF	
	Level 1	3,104 SF	
	Level 2	18,825 SF	
Retail		16,239 SF	
	Level 1	10,941 SF	
	Level 2	5,298 SF	
Food Court		16,860 SF	
Pads		26,300 SF	
	NE	10,000 SF	
	SE	7,500 SF	
	SW	8,800 SF	
Removed			(225,631) SF
Rob May		(148,159) SF	
Existing Retail/Reconfigured		(77,472) SF	
	Level 1	(38,558) SF	
	Level 2	(38,914) SF	
Total GLA after redevelopment			1,186,509 SF
Net added total GLA			35,417 SF

79. The title of Westfield Carlsbad Specific Plan Figure 4 is amended to read as follows:

COMMERCIAL LAND USE PLAN

80. The first paragraph of Westfield Carlsbad Specific Plan Section 2.3 is amended to read as follows:

The Westfield Carlsbad site has been divided into five planning areas to better define the commercial improvements and overall vision for the shopping center. Below is a brief description of each planning area and the planning areas are depicted in Figure 5. More detailed information regarding specific commercial development standards for the planning areas can be found in Section 5 of this document.

81. The first paragraph of Westfield Carlsbad Specific Plan Section 2.4 is amended to read as follows:

Land Use Element

The Westfield Carlsbad Specific Plan (WCSP) is designated by the Land Use Element for a mix of commercial and residential uses. The WCSP specifies requirements to ensure future residential development is consistent with the General Plan Land Use element and identifies a plan to redevelop the retail center consistent with the Land Use Element and the intent and characteristics of the Regional Commercial (R) Land Use designation. The Land Use Element cites tenant composition and specific characteristics as key factors in identifying a retail center type. Additional factors to consider in determining center type are building area, site size and trade area size. Below are a few key characteristics of Regional Commercial as described in the Commercial classifications section of the General Plan (C.3) followed by a compliance summary of how the specific plan complies with these characteristics.

82. The “Housing Element” subsection of Westfield Carlsbad Specific Plan Section 2.4 is amended to read as follows:

Housing Element

The 2021-2029 Housing Element identified the Westfield Carlsbad Specific Plan (WCSP) as a site to accommodate 993 units affordable to moderate- and lower- income households and required that the site be rezoned to allow more residential units than were previously allowed in the Regional Commercial (R) designation. The WCSP furthers the following 2021-2029 Housing Element goals, policies, and programs:

- New housing developed with diversity of types, prices, tenures, densities, and locations, and in sufficient quantity to meet the demand of anticipated city and regional growth and to meet or exceed the city's established Regional Housing Needs Allocation (RHNA). (Housing Element Goal 10.1)
- Ensure the availability of sufficient developable acreage in all residential densities to accommodate provide varied housing types and income levels as required to meet Carlsbad's 2021-2029 RHNA, as discussed in Section 10.3. (Housing Element Policy 10-P.1)
- Encourage increased integration of housing with nonresidential development where appropriate and where residential development can be implemented in a way that is compatible with existing and planned uses. (Housing Element Policy 10-P.4)
- Upon amendment of the city's Real Estate Strategic Plan (see Housing Element Program 1.1 e.) develop and implement a program to promote the residential development of city-owned sites within the planning period that is consistent with the strategic plan and that incorporates a high level of affordable housing (at least 20% of residential units). For city-owned properties at The Shoppes at Carlsbad, work collaboratively with The Shoppes' owner to facilitate a mixed-use development consistent with this objective. (Housing Element Program 1.1.f.)

Housing is permitted under the Specific Plan. Any future plans for housing at the Westfield Carlsbad site would be subject to CEQA review and a discretionary permit process through the City of Carlsbad.

83. Westfield Carlsbad Specific Plan Section 2.5 is amended to read as follows:

2.5 SPECIFIC PLAN RELATIONSHIP TO ZONING ORDINANCE

The Westfield Carlsbad Specific Plan (WCSP) shall serve as the zoning for the site. Unless otherwise modified in the Specific Plan, all development shall comply with the standards of the underlying General Commercial (C-2) and Residential Density Multiple (RD-M) zoning districts of the Carlsbad Municipal Code (Chapters 21.28 and 21.24). In the event of a conflict between the Specific Plan and the Zoning Ordinance, the Specific Plan shall prevail.

84. The “Regulation” subsection of Westfield Carlsbad Specific Plan Section 2.7 is amended to read as follows:

Regulation

Except as specifically stated in the Specific Plan, the requirements of the C-2 and RD-M Zones and all other applicable provisions of the zoning, subdivision, grading and building codes (and any amendments thereto) of the City of Carlsbad shall apply.

85. The first paragraph of Westfield Carlsbad Specific Plan Section 3 is amended to read as follows:

Commercial and residential uses are allowed. Regional shopping centers such as Westfield Carlsbad must provide the full depth and variety of contemporary retail, service, entertainment, and dining uses to create a vibrant destination shopping and entertainment experience. Westfield Carlsbad continues to benefit from a diversity of commercial uses on a highly accessible regional site.

86. Westfield Carlsbad Specific Plan Section 3.1 is amended to read as follows:

3.1 PERMITTED USES

The Westfield Carlsbad Specific Plan (WCSP) establishes a use classification framework to ensure continued grouping of diverse and compatible uses in Westfield Carlsbad, and to serve as an adaptable approach to land use administration within the specific plan boundaries. Each use classification contains one or more uses that have substantially similar characteristics. All possible uses are not listed in the use classifications, but it provides framework for review of individual uses. The City Planner shall determine if a specific use is substantially similar to one of the uses in the classification, and therefore considered an allowed use.

Table 4 on the following page lists the use classifications, provides examples of some similar uses within each use classification, and notes whether the use classifications are permitted by right, require a conditional use permit or require a site development plan.

The permitted residential uses identified in Table 4 are subject to the Inclusionary Housing Ordinance (Carlsbad Municipal Code Chapter 21.85), and the following:

- Residential development (rental or for-sale) in the area surrounding the retail center and designated R/R-40/R-23/OS, R/R-40/R-23 and R/R-40 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.

- The minimum and maximum number of dwellings shall be calculated based on the net developable acres of each lot or combination of lots, upon which the development is proposed, as follows:

If on a lot with commercial development:

- Minimum density shall be calculated based on 25% of the net developable acres.
- Maximum density shall be calculated based on the total net developable acres.

If on a lot with no commercial development (solely residential):

- Minimum and maximum density shall be calculated based on the total net developable area of the lot/lots.

87. Westfield Carlsbad Specific Plan Section 3.2 is amended to read as follows:

3.2 TEMPORARY USES

Temporary Parking Lot Events

Westfield Carlsbad's significant parking lot space (over 50 acres) and efficient regional access (e.g., from State Route 78, El Camino Real, and an on-site mass transit center) offer ample opportunity for temporary events. Properly programmed and managed events maximize both the use of the site and benefits to area residents, visitors and businesses contributing significantly to the overall vibrancy of the regional shopping center.

The following temporary events are allowed subject to the requirements as described in Section 6.3 of the specific plan:

- Automotive Demonstrations/Product Awareness with local Carlsbad dealers (excluding tent sales and used car sales)
- Bike/Skate Demonstration or Show
- Christmas Tree Lot
- City-wide Events (such as 4th of July Celebration or other holiday/seasonal events, MS Bike Ride, Carlsbad Marathon, etc.)
- Farmers' Markets
- Pumpkin Patch
- Seasonal Garden Centers
- Other similar events subject to mutual agreement between Plaza Camino Real, LLC and the City of Carlsbad

In conjunction with the temporary events listed above, retail stores at Westfield Carlsbad shall be able to setup and operate temporary booths/stalls in support of any events. The products/services offered in the temporary booths/stalls shall be complimentary and compatible with the primary special event, and the number and size of the booths/stalls shall be limited, such that they remain incidental and subordinate to the primary temporary event use.

All temporary events are to occur within one of the designated areas shown in Figure 6, provided the area is not developed with residential uses or the parking lot is not required parking for a residential use.

Any temporary events occurring within the public right-of-way may be allowed if they meet City of Carlsbad Police definition for Special Event per Section 8.17.020, and an application for a Special Event Permit is filed with and approved by the City of Carlsbad.

88. The first two paragraphs of Westfield Carlsbad Specific Plan Section 5 are amended to read as follows:

The following section lays out the applicable development standards contained in this specific plan. The section is organized into two parts “General Development Standards” and “Planning Area Requirements”. The General Development standards apply to the entire Westfield Carlsbad site and include parking, grading, lighting and signage standards. The Planning Area requirements describe standards that apply to each individual planning area.

The development standards established within the WCSP shall serve as the implementing zoning for the site. Unless otherwise modified in the Specific Plan:

- All commercial development, and residential development that is attached to commercial development, shall comply with the standards of the underlying General Commercial (C-2) zoning district of the Carlsbad Municipal Code (Chapter 21.28),
- All residential development that is detached from commercial development shall comply with the standards of the RD-M zone of the Carlsbad Municipal Code (Chapter 21.24), and
- All development shall comply with applicable sections of Chapter 21.44 Parking.

89. The “Parking” subsection of Westfield Carlsbad Specific Plan Section 5.1 is amended to read as follows:

Parking

The parking provided includes all parking lots and structures within the Specific Plan area, and the parking lot parcel located just north of the Specific Plan boundary, south of the Buena Vista Creek. This area holds 613 parking stalls constructed within the City of Oceanside, owned by the City of Carlsbad, and by agreement used solely for public parking.

As a regional shopping center Westfield Carlsbad contains a variety of commercial uses including anchor and specialty retail, restaurants, and a theater. Shared parking dynamics in such a situation are well documented and support the following parking ratios which represent commercial parking standards for Westfield Carlsbad established by the Specific Plan:

- 4 spaces/1,000 square feet of gross leasable area (GLA).

Based on standard above and the maximum allowable square footage for the total site of 1,186,509 square feet per Section 2.2:

Parking Required:	4,746 spaces
Parking Provided:	5,931 spaces
Surplus/(Deficit):	1,185 spaces

The number of parking spaces provided is based on the current proposal for the site development plan. While this is anticipated to remain the same, if changes to proposed layout/development occur, the final

number may vary slightly. For purposes of compliance with this specific plan, the number of commercial parking spaces provided must meet the required minimum based on the standard of 4/1,000 sf.

Parking for residential uses shall be provided as required by Carlsbad Municipal Code Chapter 21.44.

In addition to the parking standard, the following criteria shall apply:

- Parking spaces for all permitted commercial and ancillary uses shall be provided consistent with the parking ratios set forth in the Specific Plan.
- Minimum parking stall size for any new standard parking stalls shall be 8.5' by 19' (2' overhang can be included in the 19 ft. length) Existing stalls are permitted to remain as provided.
- Compact parking is permitted, and minimum parking dimensions shall be 8' by 15'. Up to 25% of the required parking spaces may be compact spaces. No overhang permitted.
- Parking for motorcycles shall be allowed and shall be counted toward the total required parking up to a maximum of 1 percent of the total parking required. Minimum parking stall size for motorcycles shall be 3.5' by 7'.
- Parking lot landscaping shall conform to the guidelines in Section 4 of this specific plan.

90. Westfield Carlsbad Specific Plan Section 5.1 is amended by the addition of the following paragraph at the beginning of the "Signs" subsection:

Residential uses shall be subject to the sign requirements of Carlsbad Municipal Code Chapter 21.41. The following requirements apply to the retail center.

91. Westfield Carlsbad Specific Plan Section 5.2 is amended by the addition of the following at the beginning of "Planning Area 1: Main Mall - East", "Planning Area 2: Outbuildings along El Camino Real", "Planning Area 3: Outbuildings on northern edge of Westfield Carlsbad", "Planning Area 4: Outbuildings south of Marron Road", and "Planning Area 5: Main Mall – West" subsections:

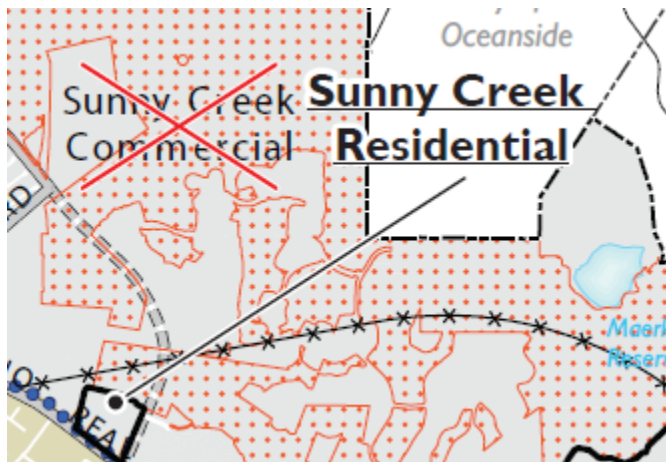
Commercial and residential uses:

GPA 2022-0001

HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE
PROPOSED AMENDMENTS TO THE
GENERAL PLAN LAND USE AND COMMUNITY DESIGN ELEMENT REGARDING SITE 4
Underline/Strikeout Exhibit

Oct. 18, 2023

1. In Section 2.7, Special Planning Considerations, Figure 2-2 is amended to change the map callout from “Sunny Creek Commercial” to “Sunny Creek Residential” as shown below:



2. In Section 2.7, Special Planning Considerations, the text regarding Sunny Creek Commercial and the picture of the site accompany the text are amended as shown below:

Sunny Creek ~~Commercial~~ Residential

~~This is a strategically located site. Two parcels at and near the northwest corner of El Camino Real and the future extension of College Boulevard, consisting of a vacant site designated for a mix of residential and commercial uses. The larger of the two parcels, vacant and approximately 17.8 acres, borders both El Camino Real and College Boulevard and was identified during the 2021-2029 Housing Element Update as providing up to 327 housing units, with most of those units (212) resulting from a minimum eight acres of the site designated R-30 (26.5 – 30 dwelling units per acre). The General Plan envisions this area with a neighborhood-oriented commercial center designed to be pedestrian-oriented to surrounding residential uses. The commercial uses would serve a number of existing and future residential developments in the area, as well as office uses in the employment core to the south. With a significant population within walking distance of this site, connectivity and pedestrian orientation will facilitate easy access from the surroundings. The remainder of the site is designated R-15 with a minimum density of 12 dwelling units per acre. The actual number of units that may be approved on the parcel under the R-30 and R-15 designations will be determined following submittal of development plans to the city, subject to meeting the R-15 and R-30 minimum density requirements.~~

The other, smaller parcel, located adjacent and to the northeast, is just under 10 acres and was the site of a former equestrian center. The portion of this property along Agua Hedionda Creek is designated Open Space. The remaining approximately six acres is designated R-30. Development of this smaller parcel is first dependent on the need to address flood constraints that are applicable to it.



Sunny Creek ~~Commercial~~ Residential

3. In Section 2.8, Goals and Policies, Policy 2-P.86 and its title are amended as shown below:

Sunny Creek ~~Commercial~~ Residential

(See Figure 2-2)

- 2-P.86** Foster development of this site as a mix of multi-family residential dwellings ~~and a local neighborhood-serving shopping center that provides daily goods and services for the surrounding neighborhoods at medium and high densities.~~
- The location of ~~commercial and residential~~ R-15 and R-30 uses/land use designations shall be determined through review and approval of a site development plan.
 - The area of land utilized for ~~a local shopping center~~ R-30 residential shall be a minimum of 8 acres in size.
 - ~~A total of 115 dwelling units have been allocated to the site for growth management purposes (based on 9.6 acres developed at the minimum density of 12 dwelling units per acre, pursuant to Housing Element Appendix B).~~ The R-15 portion of the site shall develop at a minimum density of 12 dwelling units per acre.
 - ~~Residential and commercial uses should be integrated in a walkable setting.~~

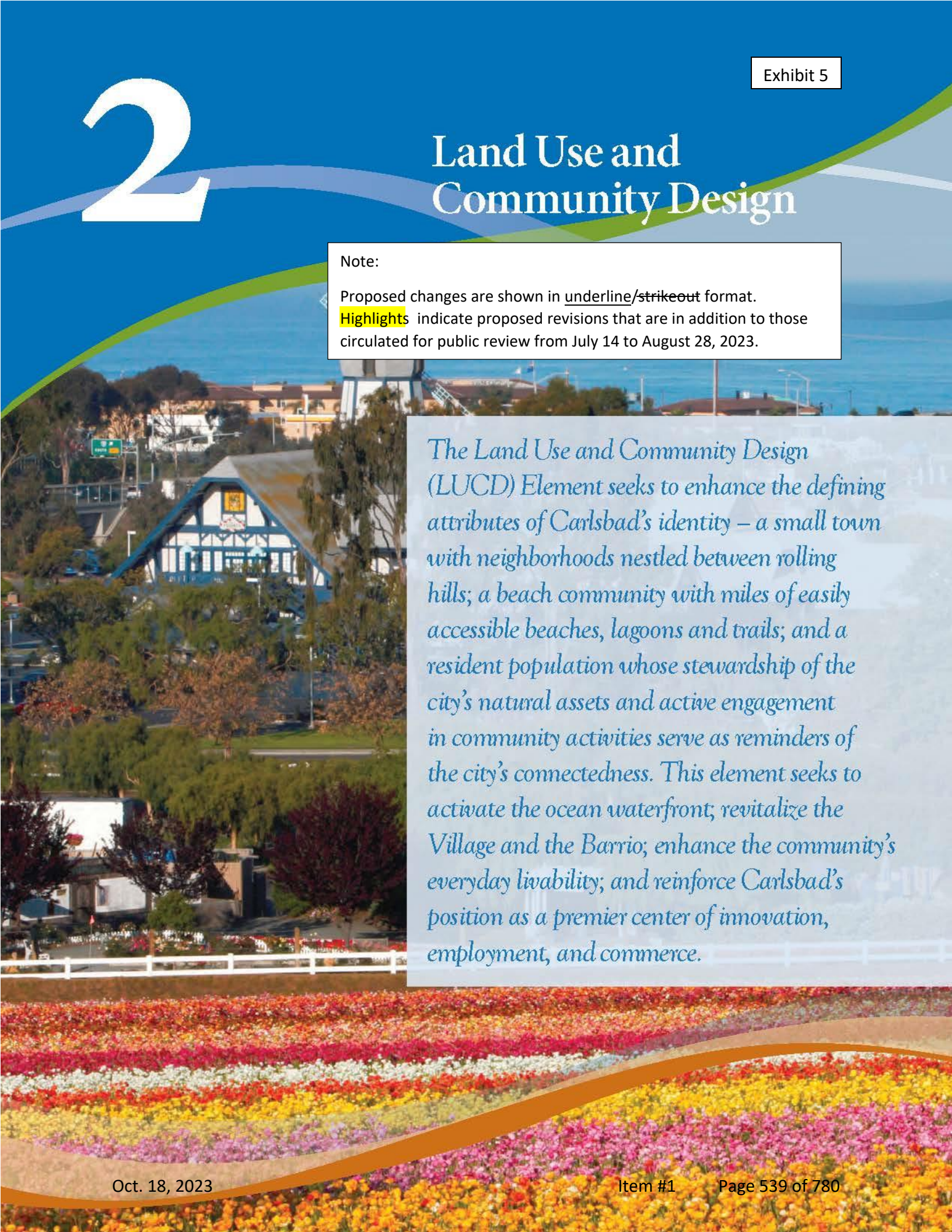
2

Land Use and Community Design

Note:

Proposed changes are shown in underline/~~strikeout~~ format.

Highlights indicate proposed revisions that are in addition to those circulated for public review from July 14 to August 28, 2023.



The Land Use and Community Design (LUCD) Element seeks to enhance the defining attributes of Carlsbad's identity – a small town with neighborhoods nestled between rolling hills; a beach community with miles of easily accessible beaches, lagoons and trails; and a resident population whose stewardship of the city's natural assets and active engagement in community activities serve as reminders of the city's connectedness. This element seeks to activate the ocean waterfront; revitalize the Village and the Barrio; enhance the community's everyday livability; and reinforce Carlsbad's position as a premier center of innovation, employment, and commerce.

This element provides a short context for Carlsbad's existing land use pattern and community design character, and highlights strategies and policies for optimal development patterns. Topics addressed include:

- *Overall city image, form, and structure (small town "feel")*
- *Land use vision*
- *Community connectedness; walkability and accessibility*
- *Beach access and activity*
- *Land use designations; density/intensity standards*
- *Likely buildout and jobs/housing balance*
- *Growth management and capacity*
- *Land use and community design policies*

2.1 Introduction

Background and Purpose

The LUCD Element directs the location, form, and character of future development, shaping where people will live, work, play, and shop in Carlsbad. It presents the desirable pattern for the ultimate development of the city for the General Plan horizon (year 2035), and seeks to ensure that land use planning reflects the community's evolution and changing demographics, conserves the natural environment, and promotes synergies between land uses to promote walking, biking, and sustainable lifestyles. The LUCD Element also includes policies for growth management, ensuring that growth is distributed across the community consistent with infrastructure capacity, and that infrastructure and public facilities keep pace with population growth.

The LUCD Element consists of narrative, goals and policies, as well as a Land Use Map and other figures and maps. It also includes land use designations that describe the uses shown on the Land Use Map. Text and maps should be considered collectively as project approvals or future amendments are made.

Relationship to State Law

State law (Government Code Section 65302(a)) requires general plans to include a Land Use Element. In accordance with state law, the LUCD Element designates the general distribution, location and extent of land for housing, business, industry, open space (including agriculture, natural resources, recreation, and enjoyment of scenic beauty), education, public facilities, and other categories of public and private uses of land. It also includes standards of population density and building intensity for the various areas covered by the General Plan.

Community Design is not a required element under state law. Community design policies in this element address topics such as the form, character, and quality of development, to advance the community's desire to enhance Carlsbad's setting and quality of life.

Relationship to Community Vision

While the LUCD Element responds to almost all of the core values of the Carlsbad Community Vision, most closely it furthers:

Core Value 1: Small Town Feel, Beach Community Character and Connectedness. Enhance Carlsbad's defining attributes—its small-town feel and beach community character. Build on the city's culture of civic engagement, volunteerism and philanthropy.

Relationship to Other General Plan Elements

The LUCD Element has the broadest scope of all the elements and plays the central role of correlating all land use issues into a set of coherent development policies. Other elements of the General Plan contain goals and policies related to land use, and therefore, must be referred to for a complete understanding of the purposes, intentions and development requirements embodied in the Land Use Element. The street system and design, and transportation improvements in the Mobility Element are closely tied to fulfill transportation needs resultant from the land use pattern, while the Noise Element reflects noise generated from resultant traffic. The Open Space, Conservation and Recreation Element outlines policies to achieve the overall open space system depicted on the Land Use Map and establishes policies and standards for recreation facilities to serve the population resulting from residential, employment and visitor serving land uses. Sites identified in the Housing Element reflect residential designations on the Land Use Map.

Relationship to Development Code

Carlsbad's codes governing development include the Zoning Ordinance, Environment Ordinance, Subdivisions Ordinance, Grading and Drainage Ordinances, California Building Code, and Fire Prevention Code. These codes regulate development as described below. In addition to these codes, there are other regulations that govern development in the city, including the Local Coastal Program, Habitat Management Plan and McClellan-Palomar Airport Land Use Compatibility Plan, which are discussed in Section 2.5.

1. **Zoning Ordinance (Carlsbad Municipal Code, Title 21).** This ordinance implements the General Plan by regulating the distribution and intensity of land uses in such categories as residential, commercial, and industrial. Regulations establish standards for minimum lot size; building height and setback limits; fence heights; parking; and other development parameters within each land use. In the event of an inconsistency between the Zoning Ordinance and the General Plan, the General Plan shall prevail.
2. **Environment Ordinance (Carlsbad Municipal Code, Title 19).** This ordinance provides for enhancement and protection of the environment within the city by establishing principles, criteria, and procedures for evaluating the environmental impacts of development, consistent with the General Plan, and ensures compliance with the California Environmental Quality Act (CEQA).
3. **Subdivisions Ordinance (Carlsbad Municipal Code, Title 20).** This ordinance implements Title 7, Division 2 of the California Government Code (Subdivision Map Act), and sets procedures to regulate the division of land. Both the General Plan and the Carlsbad Subdivision Ordinance govern the design of the subdivision, the size of its lots, and

the types of improvements that will be required as conditions of approval.

4. **Grading and Drainage Ordinances (Carlsbad Municipal Code, Title 15).** The purposes of the grading ordinance are to: establish minimum requirements for grading, including clearing and grubbing of vegetation, in a manner intended to protect life and property and promote the general welfare; enhance and improve the physical environment of the community; and preserve, subject to economic feasibility, the natural scenic character of the city. The purposes of the drainage ordinance are to: ensure the timely completion of planned local storm drainage, flood control and water pollution control improvements; and protect and enhance the water quality of the city's receiving waters and wetlands in a manner pursuant to and consistent with the Clean Water Act and municipal permit.
5. **California Building Code (Carlsbad Municipal Code, Title 18).** The purpose of this code is to provide standards to safeguard health, property and public welfare by regulating the design, construction, occupancy, and location of buildings within the city. This code is developed by the California Building Standards Commission based on the latest edition of the model codes promulgated by the International Code Council. The State of California also publishes a California Plumbing, Electrical, Mechanical and Energy Code. These California codes for construction are adopted by local jurisdictions throughout California. All residential, industrial and commercial development in the City of Carlsbad must conform to the provisions of these codes.
6. **Fire Prevention Code (Carlsbad Municipal Code Title 17).** The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide safety and assistance to fire fighters and emergency responders during emergency operations. This code incorporates by reference the California Fire Code, which is developed and updated every three years by the California Building Standards Commission. The city's Fire Prevention Code also incorporates a number of local amendments necessary to respond to local climatic, geographical, or topographic conditions.

2.2 Context: Existing Land Use Pattern

The geographically dominant land use in Carlsbad is single-family residential, with neighborhoods distributed throughout the city. ~~Table 2-1~~ describes the extent of land uses that exist (on the ground), based on the geographic information systems (GIS) database compiled for the General Plan. Residential uses account for ~~2927~~ percent of the city's land area, with the largest share attributable to single-family detached homes (~~20-21 percent of the city's land area~~). ~~According to the California Department of Finance 2013 estimates, As of Jan. 1, 2023, there are 47,61345,522 residential units in the city (Table 2-2Table 2-2), which consist of 31,650 single family detached and attached (two family) units (69.5percent of the total residential units), 12,592 multi-family units (28percent) and 1,280 mobile homes (2.8 percent).~~

Non-residential uses, including commercial, industrial and hotels, account for ~~89~~ percent of the city's land area. Commercial and industrial uses are primarily concentrated along Palomar Airport Road. Public and quasi-public uses, including city buildings and utilities, account for ~~56~~ percent of the city's total acreage. As shown in ~~Table 2-2Table 2-2~~, there are ~~18.114.9~~ million square feet of industrial and research and development/flex space, and 5.6 million square feet of office space. Hotels are scattered throughout the city, taking advantage of freeway access, the airport and proximity to major activity and employment centers, including LEGOLAND, beaches, lagoons, golf courses, the Village, and business parks.

Natural vegetation remains in and around the three lagoons and on the higher, steeper-sloped, inland portions of the city. In fact, open space uses constitute the largest proportion of land use in the city. ~~FiveEight~~ percent of the city's land area is used for parks and recreation, ~~4-2~~ percent for agriculture and ~~3225~~ percent as other open space or natural areas. ~~ThreeNine~~ percent of land is undeveloped or vacant (this excludes the undeveloped areas designated as open space). Although some of the vacant land is available for development, some sections may not be developable due to site constraints, such as steep slopes or natural habitat that is protected pursuant to the city's Habitat Management Plan (HMP).

For detailed discussion regarding existing land use patterns and issues, see Envision Carlsbad Working Paper 6: Small Town Feel, Beach Community Character and Connectedness; Neighborhood Revitalization, Community Design and Livability.

TABLE 2-1: EXISTING (2012/2022) LAND USES

LAND USE	ACRES	PERCENT OF TOTAL
Residential	6,797 7,220	27% 29%
Spaced Rural Residential	87 67	<1%
Single Family Detached	5,084 5,204	20% 21%
Single Family Attached (two-family) Multiple Units	646 886	3% 4%
Mobile Homes	180	<1%
Multi-Family	800 879	3% 4%
<u>Residential Under Construction</u>	<u>5</u>	<u><1%</u>
Commercial/Industrial	2,104 2,276	8% 9%
Shopping Centers	131 298	<1%
Hotel, Motel, Resort	223 203	<1%
Commercial	326 204	<1%
Office	270 353	<1%
Industrial	1,154 1,217	5%
Public/Quasi-Public	1,415 1,195	6% 5%
Education/Institutional	485 579	2%
Transportation, Communication, Utilities	930 616	4% 3%
Agriculture/Open Space/Recreation	9,252 9,813	37% 39%
Agriculture	935 544	4% 2%
Open Space	6,243 8,080	25% 32%
Recreation	2,074 1,189	8% 5%
Others	5,453 4,548	22% 18%
Undeveloped/Vacant	2,218 826	9% 3%
<u>Mixed Use</u>	<u>10.55</u>	<u><1%</u>
ROW	3,235 3,711	13% 15%
GRAND TOTAL	25,021 25,053	100%

Numbers and percentages may not add up due to rounding.

Planned land uses, such as open space, may differ from existing land uses shown in this table. In addition, some "undeveloped/vacant" land may have been developed since the date of SANDAG's data, while some "under construction" may have been completed.

Source: SANDAG, 2008-2023 City of Carlsbad Planning Department, 2011; Dyett & Bhatia, 2012

TABLE 2-2: EXISTING INVENTORY OF RESIDENTIAL AND NON-RESIDENTIAL USES

	UNITS/SQUARE FEET
Residential (Units)	45,522¹ 47,613
Single-Family (attached and detached) and Two-Family, multifamily, mobile homes, and mixed-use residential units	31,656 ¹ 47,003
Multi-Family Accessory dwelling units	12,592 ¹ 610 ¹
Non-Residential (square feet/hotel rooms)	24,373,400 28,282,930/5,067
Industrial and R&D/Flex inventory	14,910,100 18,059,521
Office inventory	5,622,700 5,653,775
Retail	3,840,600 4,569,634
Hotel Rooms	4,065 5,067

1. Includes Accessory dwelling units that are not counted for Growth Management purposes as described in Section 2.6 (i.e., second dwelling units, commercial living units); as of 2013, 44,440 dwelling units exist for the purposes of the Growth Management dwelling unit limitations described in Section 2.7.

Source: Residential: City of Carlsbad, 2023 California Department of Finance, 2013. Non-Residential: Colliers International (Q2 2010) and City of Carlsbad Planning Department (Envision Carlsbad Working Paper 6), City of Carlsbad Planning Division (2014 hotel rooms)

2.3 Vision and Strategies

Overall City Image, Form, and Structure

Rolling hills and other natural features and built infrastructure frame Carlsbad's physical form, affecting development opportunities and the circulation network. Natural areas and open spaces include lagoons and the ocean, hillsides, habitats, and parks. The coastline and beaches are prominent visual amenities that offer beautiful views and recreation opportunities. The railroad and Interstate-5 traverse the city lengthwise and are located one-quarter- and one-half-mile, respectively, from the ocean. The only major north-south roads are Carlsbad Boulevard (along the coast) and El Camino Real (approximately two and one-half miles east of the coast), while six major roads traverse east-west.

Interspersed between the natural features and this infrastructure are clusters of urban uses – the airport and the adjacent employment core at the geographic center of the community, surrounded by residential neighborhoods, shopping centers, hotels, and other uses. The northwest area of Carlsbad, generally north of Palomar Airport Road and west of El Camino Real, represents the original area of the city's incorporation in 1952; at the time, the city included a commercial center (the Village) and the city's original neighborhoods, which were built on a grid street system and primarily located west of Interstate-5 and north of Tamarack Avenue. Following incorporation in 1952, the city grew slowly until the 1980s when development rapidly expanded outward to the east and south in a dispersed urban form, resulting in the Village being located more than five miles from neighborhoods in the southern part of the city. (See Figure 1-2: City Evolution)

Looking ahead, the Carlsbad Community Vision core value of Small Town Feel, Beach Community Character, and Connectedness expresses a desire to reinforce the defining attributes of the city's identity. When juxtaposed onto the physical landscape, this means maintaining Carlsbad's image of a small town where neighborhoods are nestled between rolling hills; a beach community with miles of easily accessible beaches, lagoons and trails; and a resident population whose stewardship of the city's natural assets, heritage, public art, and active engagement in community activities serve as reminders of the city's connectedness. The General Plan seeks to ensure that Carlsbad's small-town "feel" will be maintained through the scale of development, and promotes planning practices that foster greater connections between neighborhoods and uses. Appropriately scaled development will ensure that mature trees and expansive open spaces dominate much of the city's landscape, with clustered opportunities for urban-scaled development.



Rolling hills, beaches, lagoons, and built infrastructure frame Carlsbad's physical form.

Land Use Vision

The General Plan guides Carlsbad's evolution toward an increasingly balanced community, with a full range and variety of land uses, housing for all income groups and lifestyles, and places for businesses large and small.

Much of Carlsbad—outside of the Village and the Barrio—was developed in an auto-centric era, with separation between uses. Looking ahead, the community envisions a future in which there is a **greater mix of uses, density is linked to public transportation**, and **services** are available closer to existing neighborhoods. The General Plan also seeks revitalization of older neighborhoods.

While much of the city will not change in the coming years, a **mix of activities in strategic locations** in closer proximity to one another, rather than isolated single uses, will reduce distances to destinations. The General Plan also encourages development of **housing and activities near public transportation and services**, as well as appropriate opportunities for **vertical mixed-use development** (such as housing or offices above retail) in the Village and mixed-use centers. Recreation facilities will be developed closer to or within existing neighborhoods, and **new neighborhood-scale services** will be provided in convenient and sensible locations compatible with the surrounding residential uses. These approaches will accommodate growth while protecting open space, community character, and quality of life, and recognizing that change may be limited in established neighborhoods.

The General Plan combines an active waterfront strategy with development of pedestrian-oriented shopping centers in strategic locations throughout the city, while maintaining the employment core in the McClellan-Palomar Airport area:

- The **active waterfront strategy** will enable new development along or close to the ocean coastline, along with a new public promenade and open spaces, enabling residences, restaurants, hotels, and other uses to be close to the ocean.
- The **neighborhood-centers strategy** will result in pedestrian-oriented shopping centers that are located to maximize accessibility from residential neighborhoods. Where appropriate, these centers would also include high and medium density housing surrounding the retail uses or integrated in mixed-use buildings.
- The **employment strategy** for the McClellan-Palomar Airport area will result in continued growth as the employment center of the city with residential uses in appropriate locations, enabling workers to live close to jobs.

Beach Access and Activity

The ocean and the beaches are some of Carlsbad's principal physical assets, giving the city its identity, and providing opportunities for recreation and scenic vistas from streets and buildings. Connections between the built form and the city's beaches and long coastline suggest a slower pace of life, projecting a "village by the sea" character that community members relish. However, the beach is difficult to access—in the Village, access to the beach is limited and often found along narrow stairways between residences that front the beach; connection from the Barrio to the beach is cutoff by the railroad tracks. From other neighborhoods east of I-5, accessing the beach can require circuitous travel along the limited number of east-west connections. The waterfront also lacks activities and uses, such as restaurants, cafés, stores, entertainment, and visitor uses that would serve as a draw and enhance the community's enjoyment of the city's waterfront location.

Through the Envision Carlsbad process, 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. Implementation of the General Plan will ensure that residents and visitors will enjoy more opportunities for dining, shopping, and recreating along the coastline. Access to the beach will be enhanced through new pedestrian and bicycle connections, additional visitor commercial uses, open space, parking, and amenities such as showers and bathrooms.

Community Connectedness

Despite its geographic size, Carlsbad has a small town feel and is family-oriented, progressive, multi-generational, and stable. Residents share a community spirit and culture of volunteerism and philanthropy, making relationships one of the most valuable aspects about the Carlsbad community. Community members value the cultural acceptance and diversity in the city, and the way old and new lifestyles come together.

The majority of Carlsbad's employment, shopping and visitor facilities are only accessible by car, which precludes walking or bicycling to nearby services and amenities—a common small-town quality. In general, the city's past land use policies have favored these larger, car-oriented shopping centers over smaller, neighborhood-serving commercial uses. This General Plan seeks to establish a physically more knitted community, which in turn would foster social connections.

Walkability and Accessibility

Community input during the Envision Carlsbad process emphasized the desire for enhanced walkability in the city by providing services and amenities closer to where people live, by providing more walking routes and by making existing routes safer and more appealing.



Coastal access and trail along the railroad corridor.

Particularly in older neighborhoods such as the Village and Barrio, community members walk to services, to and from school, utilizing the grid network of streets and sidewalks. While some new neighborhoods, such as Bressi Ranch, have been designed from the ground up with pedestrian-oriented neighborhood centers and a gridded street network, walkability remains a challenge in much of the rest of the city because of the dispersed, low-density development pattern that emphasizes separation of uses, and widely spaced streets. In the residential neighborhoods nestled in hillsides, walkability is more challenging, with hilly topography, fewer routes and longer distances to cover.

This General Plan promotes a multilayered strategy to promote walkability and accessibility:

- A greater mix and integration of uses in different parts of the community.
- Designation of commercial centers —with residential uses allowed on or near these sites—to provide essential commercial services closer to residents.
- New and enhanced pedestrian orientation between neighborhoods and between new shopping centers and adjacent neighborhoods, with development designed to foster greater pedestrian convenience and comfort.



Pedestrian-attracting land uses include the Village commercial areas and the coastline.

2.4 Land Use Designations and Density/Intensity Standards

Land Use Designations

The following descriptions apply to land use designations shown with color, shade, or symbol on Figure 2-1 Land Use. The designations in this section represent adopted city policy. They are meant to be broad enough to give the city flexibility in implementing the General Plan, but clear enough to provide sufficient direction regarding the expected type, location and relation of land uses planned in the city. The City's Zoning Ordinance contains more detailed provisions and standards. More than one zoning district may be consistent with a single General Plan land use designation. As specified in the Zoning Ordinance, all land use designations may include public facilities, such as community centers, city libraries, and parks and open spaces.

Residential

Residential land use designations are established to provide for development of a full range of housing types. Densities are stated as number of dwelling units per net acre of developable land—that is, parcel area exclusive of area subject to development constraints, as described later in this section. Residential development is required to be within the density range (both maximum and minimum) specified in the applicable designation, unless otherwise stated in this element. Growth management policies, as specified in this element, and development standards established in the Zoning Ordinance may limit attainment of maximum densities. Residential density shall not include ~~accessory~~^{second} dwelling units permitted by the Zoning Ordinance.

Residential density is applied to overall parcel area, excluding land that is undevelopable (as described later in this section) and, in mixed-use developments, excluding area devoted to non-residential uses; clustering is permitted in all residential designations to encourage open space conservation and preservation of natural topography; this may result in portions of a site developed at a density higher than the applicable density range, which is acceptable as long as the density for the overall net development site is not exceeded. Allowable residential densities are shown in ~~Table 2-3~~^{Table 2-3}.

For some residential designations, housing types are specified in addition to density; in such cases development should be of the specified type. Regardless, if clustering is used to enhance open space conservation or reduce the need for grading, the city may permit housing types other than those specified, subject to specific review requirements.

R-1.5 Residential

Areas intended to be developed with detached single-family dwellings on parcels one-half acre or larger, at a density between 0 to 1.5 dwelling units per acre. The typical housing type will be detached single-family (one dwelling per lot); however, on sites containing sensitive biological resources, as identified in the Carlsbad Habitat Management Plan, development may be clustered on smaller lots and may consist of more than one detached single-family dwelling on a lot, two-family dwellings (two attached dwellings, including one unit above the other) or multi-family dwellings (three or more attached dwellings), subject to specific review and community design requirements.

R-4 Residential

Areas intended to be developed with detached single-family dwellings at a density between 0 to 4 dwelling units per acre. The typical housing type will be detached single-family (one dwelling per lot); however, on sites containing sensitive biological resources, as identified in the Carlsbad Habitat Management Plan, development may be clustered on smaller lots and may consist of more than one detached single-family dwelling on a lot, two-family dwellings (two attached dwellings, including one unit above the other) or multi-family dwellings (three or more attached dwellings), subject to specific review and community design requirements.

R-8 Residential

Areas intended to be developed with housing at a density between 4 to 8 dwelling units per acre. Housing types may include detached single-family dwellings (one or more dwellings per lot), two-family dwellings (two attached dwellings, including one unit above the other) and multi-family dwellings (three or more attached dwellings).

R-15 Residential

Areas intended to be developed with housing at a density between ~~8~~11.5 to 15 dwelling units per acre. Housing types may include two-family dwellings (two attached dwellings, including one unit above the other) and multi-family dwellings (three or more attached dwellings); detached single-family dwellings may be permitted on small lots or when developed as two or more units on one lot, subject to specific review and community design requirements.

R-23 Residential

Areas intended to be developed with housing at a density between ~~15~~19 to 23 dwelling units per acre. Housing types may include two-family dwellings (two attached dwellings, including one unit above the other) and multi-family dwellings (three or more attached dwellings); detached single-family dwellings may be permitted when developed as two or more units on one lot, subject to specific review and community design requirements.



New single-family and multi-family housing development in Carlsbad.



Village mixed uses, and commercial center with outdoor dining.

R-30 Residential

Areas intended to be developed with housing at a density between 23-26.5 to 30 dwelling units per acre. Housing types may include two-family dwellings (two attached dwellings, including one unit above the other) and multi-family dwellings (three or more attached dwellings); detached single-family dwellings may be permitted when developed as two or more units on one lot, subject to specific review and community design requirements.

R-35 Residential

Areas intended to be developed with housing at a density between 32.5 to 35 dwelling units per acre. Housing types may include multi-family dwellings (three or more attached dwellings), which are typical of high density housing. Detached single-family dwellings are not permitted.

R-40 Residential

Areas intended to be developed with housing at a density between 37.5 to 40 dwelling units per acre. Housing types may include multi-family dwellings (three or more attached dwellings), which are typical of high density housing. Detached single-family dwellings are not permitted.

Non-Residential and Mixed Use

Village-Barrio (V-B)

This designation applies to the heart of “old” Carlsbad, in the area sometimes also referred to as the “downtown,” as well as the adjacent Barrio neighborhood. Retail stores, offices, financial institutions, are permitted. The Village and Barrio area is regulated by the Village and Barrio Master Plan.

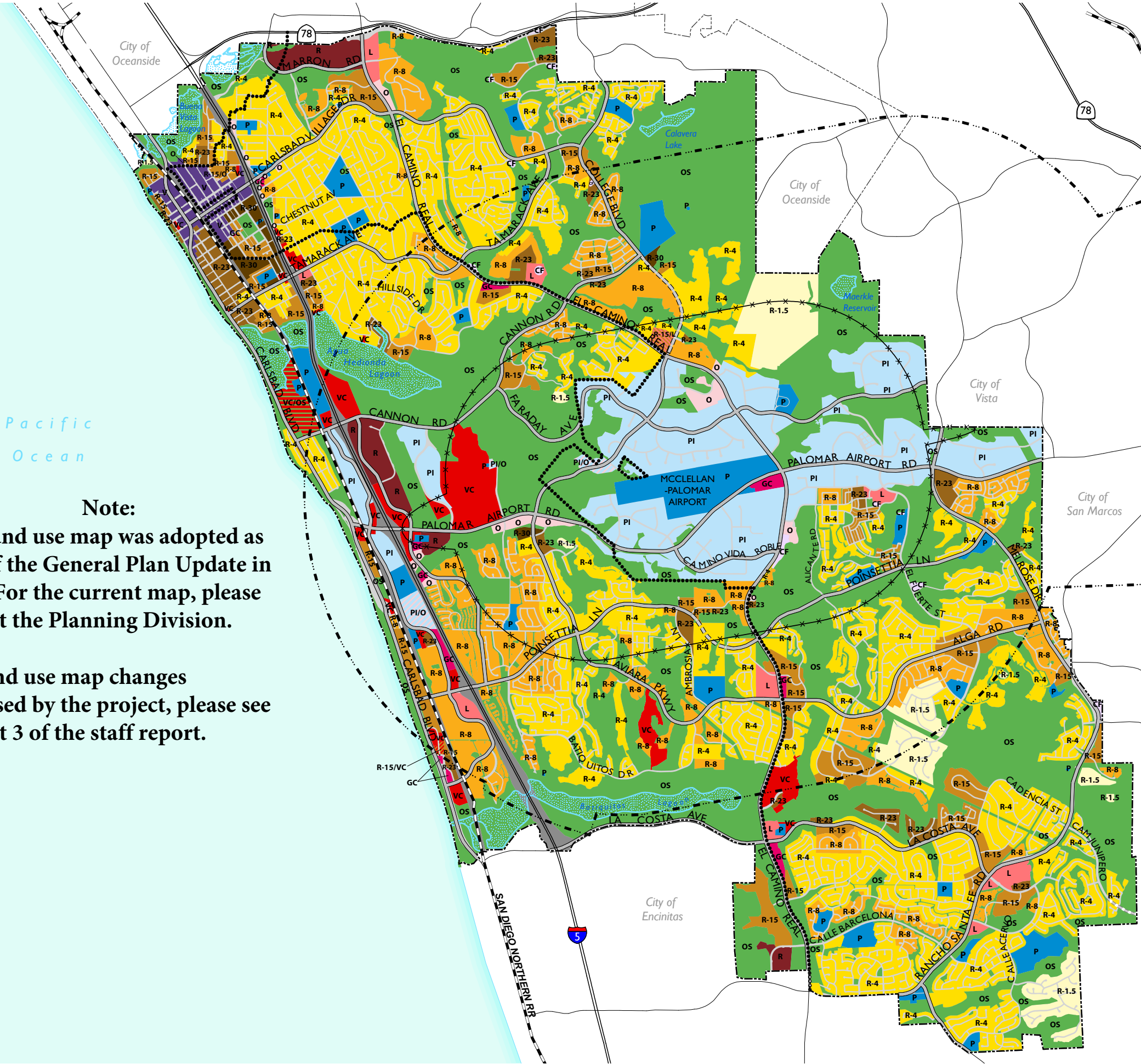
Local Shopping Center (L)

This designation includes shopping centers with tenants that serve the daily needs of the surrounding local neighborhoods, as described in Table 2-4. Uses that are more community serving in nature, as well as mixed use (neighborhood serving commercial uses and residential dwellings), may also be allowed.

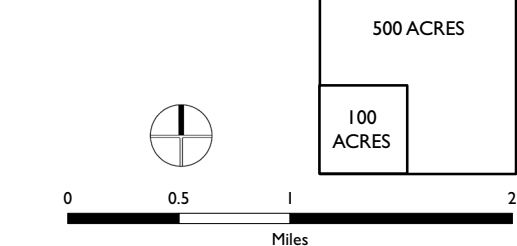
General Commercial (GC)

This designation includes sites that provide general commercial uses that may be neighborhood serving and/or serve a broader area of the community than local shopping centers. Sites with this designation may be developed with a stand-alone general commercial use, two or more general commercial uses, or mixed use (general commercial uses and residential dwellings), as described in Table 2-4.

Figure 2-1: Land Use Map



- R-1.5, Residential 0-1.5 du/ac
- R-4, Residential 0-4 du/ac
- R-8, Residential 4-8 du/ac
- R-15, Residential 8-15 du/ac
- R-15/L, Residential 8-15 du/ac/Local Shopping Center
- R-15/VC, Residential 8-15 du/ac/Visitor Commercial
- R-15/O, Residential 8-15 du/ac / Office
- R-23, Residential 15-23 du/ac
- R-30, Residential 23-30 du/ac
- V, Village
- L, Local Shopping Center
- GC, General Commercial
- VC, Visitor Commercial
- VC/OS, Visitor Commercial/Open Space
- R, Regional Commercial
- PI, Planned Industrial
- PI/O, Planned Industrial/Office
- O, Office
- P, Public
- CF, Community Facilities
- OS, Open Space
- TC, Transportation Corridor
- Coastal Zone
- Highways
- Major Street
- ==== Planned Street
- Railroad
- ▨ Lagoons
- ▨ Right of Way
- ▭ City Limits
- Airport Influence Area**
- ××× Review Area 1
- Review Area 2



Source: City of Carlsbad, 2013; SANDAG, 2013; Dyett & Bhatia, 2013.

Note:
This land use map was adopted as part of the General Plan Update in 2015. For the current map, please consult the Planning Division.

For land use map changes proposed by the project, please see Exhibit 3 of the staff report.

Regional Commercial (R)

This designation includes shopping centers with anchor and secondary tenants that are region-serving, as well as mixed use (regional commercial uses and residential dwellings), as described in [Table 2-4](#) ~~Table 2-4~~.

Visitor Commercial (VC)

This designation is intended to provide sites for commercial uses that serve the travel, retail, shopping, entertainment, and recreation needs of visitors, tourists, and residents, as described in [Table 2-4](#) ~~Table 2-4~~.

Office (O)

This designation provides for a wide range of general office, medical, and other professional uses. Ancillary commercial uses are also permitted.

Planned Industrial (PI)

This designation is intended to provide and protect industrial lands primarily for corporate office, research and development (R&D) and manufacturing uses. Ancillary commercial uses are also permitted.

Public (P)

This designation is intended to provide for schools, government facilities (civic buildings, libraries, maintenance yards, police and fire stations), public/quasi-public utilities, airport sites, and other facilities that have a public/quasi-public character.



A visitor commercial use.

Open Space (OS)

This designation includes natural resource areas (e.g. habitat, nature preserves, wetlands, floodplains, beaches¹, bluffs, natural steep slopes, and hillsides); areas for production of resources (e.g., agriculture, aquaculture,

¹ In the Terramar Beach area, the OS designation boundary for beach frontage properties shall be the area of any existing or future open space easements; otherwise it shall be the area west of the Mean Higher High Water line (MHHW), which is 5.33 feet in elevation for the La Jolla Tide Station according to a 2008 study titled "Tide and Sea Level Study for Southern California Buena Vista Lagoon Restoration".

and water reservoirs); and recreation and aesthetic areas (e.g., parks, beaches, greenways, trails, campgrounds, golf courses, and buffers between land uses).

Community Facilities

This designation is intended to provide community-serving facilities, such as child-care centers, places of worship, and youth and senior citizen centers.

Transportation Corridor

This designation is applied to major transportation corridors such as the Interstate-5 Freeway and the North County Transit District railroad and its right-of-way.

Density and Intensity Standards

The General Plan establishes density and intensity standards for various locations in Carlsbad by land use type. ~~Table 2-3~~ [Table 2-3](#) presents a summary of these standards.

Density—the number of people or dwelling units in a given area—and intensity—measured as the amount of floor space in a given area—have implications in terms of community character as well as traffic generated and public facility impacts. It is a fundamental topic for land use planning, especially in a community that has limited available land and wants to preserve remaining open spaces.

Allowable Density and Development Constraints

Constraints due to environmental and physical factors reduce the potential for development on some sites. Potential constraints include locations within existing or proposed Habitat Management Plan (HMP) hardline conservation areas; existing or proposed HMP standards areas; 100-year flood zones; airport safety zones and noise impact areas; and areas that have steep slopes (defined as over 25 percent). ~~Table 2-5~~ [Table 2-5](#) indicates constrained lands that are to be excluded from density calculations and/or are considered undevelopable.



Open space and community facility.

TABLE 2-3: DENSITY AND INTENSITY STANDARDS

LAND USE DESIGNATION	LABEL		RESIDENTIAL DENSITY RANGE (MINIMUM ² TO MAXIMUM DWELLING UNITS/ACRE)	GROWTH MANAGEMENT CONTROL POINT DENSITY ¹ (DWELLING UNITS/ACRE)	RESIDENTIAL DENSITY USED IN THE HOUSING ELEMENT ² (DWELLING UNITS/ACRE)	MAXIMUM PERMITTED FAR
Residential						
R-1.5 Residential	R	1.5	0 to 1.5	1	1	–
R-4 Residential	R	4	0 to 4	3.2	3.2	–
R-8 Residential	R	8	4 to 8	6	4	–
R-15 Residential	R	15	8-11.5 to 15	11.5	8-11.5	–
R-23 Residential	R	23	15-19 to 23	19	15-19	–
R-30 Residential	R	30	23-26.5 to 30	25-26.5	26.5-23	–
<u>R-35 Residential</u>	<u>R</u>	<u>35</u>	<u>32.5-35</u>	<u>32.5</u>	<u>32.5</u>	<u>=</u>
<u>R-40 Residential</u>	<u>R</u>	<u>40</u>	<u>37.5-40</u>	<u>37.5</u>	<u>37.5</u>	<u>=</u>
Village-Barrio	V	B	BP District: 23-30	25	23	–
			BC District: 8-15	11.5	8	
Non-Residential and Mixed Use						
Local Shopping Center		L	15-30 ⁵	–	15	0.5 ⁴
General Commercial		GC	15-30 ⁵	–	15	0.5 ⁴
Regional Commercial		R	15-30 ⁵	–	15	0.5 ⁴
Visitor Commercial		VC	15-30 ⁶	–	–	0.5 ⁴
Village-Barrio	V	B	VC, FC Districts: 28-35	–	VC, FC Districts: 28	1.2 ³
			VG, HOSP, PT Districts: 18-23	–	VG, HOSP, PT Districts: 18	
Office		O	–	–	–	0.6
Planned Industrial		PI	–	–	–	0.5

~~1 Residential development shall not be approved above this density, except as provided for by Policy 2-P.8 of this element. See Section 2-72.6 of this element for more information on Growth Management.~~

~~2 Please refer to Housing Element Appendix B, which specifies a higher minimum density for individual properties. Residential development shall not be approved below this density or the density specified in the Housing Element, whichever is higher, except as provided for by Policy 2-P.7 of this element, and shall be no less than the minimum established for a particular property as provided for by Policy 2-P.8.7.~~

~~3 Combined residential and non-residential FAR.~~

~~4 Non-residential only. No separate combined residential and non-residential FAR.~~

~~5 Residential dwellings are allowed as a secondary use at a minimum density of 15 dwelling units per acre (based on 25 percent of developable acreage).~~

~~6 Residential dwellings may be allowed as a secondary use at a minimum density of 15 dwelling units per acre (based on 25 percent of developable acreage), subject to approval of a specific plan, master plan or site development plan that demonstrates the primary use of the property is visitor-serving.~~

TABLE 2-4: CHARACTERISTICS OF COMMERCIAL LAND USES¹

TYPE OF COMMERCIAL LAND USE	LOCAL SHOPPING CENTER		GENERAL COMMERCIAL	REGIONAL SHOPPING CENTER	VISITOR COMMERCIAL
	REQUIRED OF ALL LOCAL SHOPPING CENTERS	POSSIBLE ADDITIONAL OPTION			
Primary Trade Area Focus	Local neighborhood	Community-serving	Local neighborhood and/or community-serving	Regional	Visitor-serving ²
Anchor Tenants (examples)	Provides daily goods - supermarket, grocery store, specialty market, drug store	Department stores, apparel stores, specialty-goods store, home improvement store, entertainment uses	Anchor and secondary tenants, if any (secondary tenants are not required), may include wholesale products, department stores, home improvement stores, offices, motels/hotels, entertainment uses, retail goods and commercial services. May be a standalone use.	Full-line department stores (2 or more), factory outlet center, "power center" of several high-volume retail uses, including general merchandise, automobile sales, apparel, furniture, home furnishings, etc.	Anchor and secondary tenants, if any (secondary tenants are not required), shall be a stand-alone use or a group of uses that attract and/ or serve the travel needs of visitors. Such uses may include, but are not limited to hotel/ motel, restaurant, recreation facilities, museums, travel support uses (e.g. gas station, car rental, grocery, convenience store, etc.), visitor-attracting/ serving retail, amusement parks, cinemas and other entertainment uses.
Secondary Tenants (examples)	Restaurants, small neighborhood serving retail and offices, personal grooming services, gas station, cleaners	Retail, commercial services, public facilities (i.e. library, post office)		Full range of specialty retail, restaurants, entertainment, convenience stores, service facilities, business and professional offices	
Mixed Use – Commercial and Residential (optional)	N/A	See note 3	See note 3	See note 3	See note 3
Site Size (acres)	8 – 20	To 30	Varies	30 – 100	Varies
Gross Lease Area	60,000 – 150,000 (sq. ft.)	Up to 400,000 (sq. ft.)	Varies	300,000 to 1.5 million (sq. ft.)	Varies
Primary Trade Area Drive Time	5 – 10 minutes	10 – 20 minutes	5 – 20 minutes	20 – 30 minutes	Varies
Primary Trade Area Radius	1.5 miles	3 – 5 miles	3 to 5 miles	8 – 12 miles	Varies
Primary Trade Area Population	10,000 – 40,000 people	40,000 – 150,000 people	Up to 150,000	150,000+ people	Varies

¹ This table provides the typical characteristics of commercial land uses and is intended to be utilized as a general guideline when implementing the General Plan.

² Primary use of the property must be visitor-serving.

³ Residential dwellings are allowed as a secondary use at a minimum density of 15 dwelling units per acre (based on 25 percent of developable acreage).

TABLE 2-5: LANDS EXCLUDED FROM DENSITY CALCULATIONS AND/OR CONSIDERED UNDEVELOPED

LAND TYPE	EXCLUDED FROM DENSITY CALCULATIONS	UNDEVELOPABLE ¹
Beaches	X	X
Permanent bodies of water	X	X
Floodways	X	X
Fifty percent of natural slopes with an inclination between 25 percent and 40 percent	X	
Natural slopes with an inclination greater than 40 percent	X	X
Significant wetlands	X	X
Significant riparian or woodland habitats	X	X
Land subject to major power transmission easements	X	X
Railroad track beds	X	X
Land upon which other significant environmental features are located, as determined by the environmental review process for a project		X ²
Habitat preserve areas as identified in the city's Habitat Management Plan		X ²

1. No residential development shall occur on these lands; however, the City Council may permit limited development of such property, if when considering the property as a whole, the prohibition against development would constitute an unconstitutional deprivation of property.

2. Consistent with Policy 2-P.11, in instances where a property owner is preserving open space for purposes of environmental enhancement, complying with the city Habitat Management Plan, or otherwise leaving developable property in its natural condition, the density/development potential of the property being left in open space shall be reserved for an use on the remainder of the project site or, through an agreement with the city, may be transferred to another property.



Slope and habitat are two of several constraints that reduce development potential on many sites.

2.5 Buildout and Jobs/Housing Balance

Potential Buildout

With the city approaching “built out” and the preservation of open space a priority, undeveloped land available for development is limited. Vacant sites exist throughout the city, but many of these sites are small, irregular in shape, or otherwise constrained due to natural or physical features (such as steep slope) that render development difficult. Therefore, much of the city’s future development will come from expanded development on sites with existing structures or redevelopment of sites and structures that come to the end of their useful life over the next 25 years.

Likely development under the General Plan is referred to as buildout. The General Plan has a 2035 horizon; however, the plan does not specify or anticipate when buildout will occur, as long-range demographic and economic trends are difficult to predict. The designation of a site for a certain use also does not necessarily mean that the site will be developed or redeveloped with that use during the planning period, as most development will depend on property owner initiative.

~~Table 2-6~~Table 2-6 shows potential development resulting from application of land uses shown on the Land Use Map on vacant and underutilized sites, according to analysis undertaken for this General Plan. This includes pipeline development—that is, development already permitted but not yet built. ~~Table 2-7~~Table 2-7 shows existing and total development by broad categories. As shown in the tables, the Land Use Map provides for ~~51,821~~~~56,516~~~~56,336~~ dwelling units at buildout of the General Plan (see Section 1.4 of the General Plan Introduction), which is an increase of ~~16.6~~~~20.2~~~~19.85~~ percent (~~7,381~~~~9,512~~~~9,333~~ dwelling units) compared to the existing inventory of ~~44,440~~~~47,003~~ dwelling units (as of ~~2023~~~~2013~~). Commercial, industrial, and hotel development is projected to increase in higher ~~or lower~~ proportions (~~56.29~~ percent, ~~31.6~~ percent, and ~~47.37~~ percent respectively), while office development is expected to increase more modestly (~~14.13~~ percent); at buildout, Carlsbad is projected to have approximately 6.0 million square feet of commercial space, 6.4 million square feet of office space, 19.5~~2~~ million square feet of industrial space, and ~~5,960~~~~6,962~~ hotel rooms.

Buildout Population

Between 20~~1000~~ and 20~~2013~~, Carlsbad’s population increased by ~~just one person shy of 30,000~~ ~~9,418~~, at an average annual growth rate of ~~2.5~~~~0.89~~ percent, while the county as a whole grew at a ~~much slower rate of~~ ~~0.9~~ percent). At buildout, Carlsbad’s population is projected to increase ~~from 2020~~ by approximately ~~21,655~~~~26,924~~ to ~~129,901~~~~141,670~~~~141,219~~, for an average annual growth rate of ~~0.9~~~~1.5~~ percent. ~~Table 2-8~~Table 2-8 shows

Carlsbad's ~~existing (2013)~~ **2010 and 2020 populations according to the US Census** and **estimated** buildout population. With the county growing at a somewhat slower pace, Carlsbad's share of county population is expected to increase slightly, from ~~3.45~~ percent in ~~2013~~ **2020** to ~~3.96~~ percent at buildout.

TABLE 2-6: ESTIMATED NEW DEVELOPMENT BY QUADRANT (TO BUILDOUT¹)

	RESIDENTIAL (DWELLING UNITS) ²	COMMERCIAL (SQ FT)	OFFICE (SQ FT)	INDUSTRIAL (SQ FT)	HOTEL ROOMS
Northwest	2,893 4,404,297	1,063,200 786,633	96,600 84,880	478,700 300,021	1,020
Northeast	3,012 2,140	203,600 161,600	421,200 410,700	2,606,900 517,586	—
Southwest	937 2,186,113	480,100 413,215	240,900 240,045	380,800 288,800	795
Southeast	539 783	385,300 44,882	19,800 11,800	1,134,000 108,017	80
TOTAL	7,381 9,513,333	2,132,200 1,406,330	778,500 747,425	4,600,400 1,214,424	1,895

1. The dwelling unit and building area numbers in this table are estimates; site/project specific analysis will determine the actual development potential of individual project sites.

2. Excludes ~~accessory second~~ dwelling units and commercial living units, which are not counted for purposes of the city's Growth Management ~~dwelling-unit limitations~~ described in Section 2.6.

Source: City of Carlsbad, 2023

TABLE 2-7: ESTIMATED TOTAL DEVELOPMENT

	RESIDENTIAL (DWELLING UNITS) ¹	COMMERCIAL (SQ FT)	OFFICE (SQ FT)	INDUSTRIAL (SQ FT)	HOTEL ROOMS
Existing Development	44,440 47,003	3,840,600 4,569,634	5,622,700 5,653,775	14,910,100 18,059,521	4,065 5,067
New Development	7,381 9,513,333	2,132,200 1,406,330	778,500 747,425	4,600,400 1,214,424	1,895
TOTAL FUTURE BUILDOUT ESTIMATE	51,821 56,516,336	5,972,800 5,975,964	6,401,200	19,510,500 19,273,945	5,960 6,962

1. Excludes ~~second accessory~~ dwelling units and commercial living units, which are not counted for purposes of the city's Growth Management ~~dwelling-unit limitations~~ described in Section 2.6.

Sources: City of Carlsbad, 2023 - Existing residential units as of 20213 - Existing non-residential development as of 2010 by SANDAG.

Jobs-Housing Balance

Jobs-housing balance refers to the condition in which a single community offers an equal supply of jobs and housing, which theoretically would reduce the need for people to commute in or out of town for work. In reality, the match of education, skills and interests is not always accommodated within the boundaries of one community. Still, a jobs-housing balance and matching workforce needs to availability of housing types and prices can discourage commute travel. To measure a community's jobs-housing balance, it is typical to look at employed residents rather than housing units.

A jobs to employed residents ratio of 1.0 would indicate parity between jobs and housing, although because of regional inter-dependencies, inter-city commuting will still result.

~~Table 2-9~~ ~~Table 2-9~~ shows existing and projected jobs to employed residents ratio for Carlsbad. Precise information on the current ratio is difficult to firmly establish, as SANDAG estimates and projects a “jobs to housing” ratio rather than jobs to employed residents ratio. However, using SANDAG’s ~~2008-2020~~ estimate of jobs in Carlsbad and ~~the American Community Survey’s employed residents numbers averaged over the years 2007 to 2011~~ US Census 2020 data, Carlsbad’s jobs to employed residents ratio in ~~2019-2020~~ ~~08-2009~~ was about 1.25~~30~~. Based on development projected under the General Plan, this ratio is expected to be relatively constant increasing very slightly to 1.40, without accounting for aging population. Regional projections indicate that San Diego’s population between ages 15 and 69 is expected to decline from 73 percent presently to 67 percent in 2035. If the same proportionate change in employed residents were to result then the jobs to employed residents ratio would increase to 1.51.

TABLE 2-8: ESTIMATED BUILDOUT POPULATION¹

	201000	202013	2013-2020 SHARE OF COUNTY	ANNUAL GROWTH RATE	2035 BUILDOUT POPULATION	SHARE OF COUNTY	ANNUAL GROWTH RATE
Carlsbad	78,247 <u>105,328</u>	108,246 <u>114,746</u>	3.4% <u>3.5%</u>	2.5% <u>1.5.89%</u>	129,901 <u>141,670</u> <u>141,219</u>	3.6% <u>3.9%</u>	0.91.5%
San Diego County	2,813,833 <u>3,095,313</u>	3,150,178 <u>3,287,306</u>	100%	0.9% <u>0.5%</u>	3,640,255	100%	0.7%

¹ See Section 1.4 of the General Plan Introduction for information regarding buildout assumptions.

Sources: US Census, ~~201000~~; and 2020 ~~California Department of Finance, 2013~~; SANDAG 2050 Regional Growth Forecast; City of Carlsbad, 2023 ~~Dyett & Bhatia 2013~~.

TABLE 2-9: JOBS/EMPLOYED RESIDENTS’ BALANCE

	ESTIMATED 2008- 20092020	BUILDOUT	BUILDOUT WITH LABOR FORCE PARTICIPATION DECLINE WITH AGING POPULATION
Jobs	61,999 <u>70,228</u>	85,216 <u>103,979</u>	85,216 <u>103,979</u>
Employed Residents	47,628 <u>55,983</u>	61,011 <u>78,180</u>	56,529 <u>72,713</u>
Jobs/Employed Residents	1.30 <u>1.25</u>	1.40	1.51

Sources: SANDAG 2050 Regional Growth Forecast; ~~Jobs 2008 from SANDAG. Employed Residents 2007-2011 from American Community Survey.~~ 2035 jobs and employed residents projected by Dyett & Bhatia, 2013 SANDAG, 2023.

2.6 Growth Management

~~Housing Unit Limitation and Concurrent Public Facilities Planning~~

In the mid-1980s, the city was experiencing an era of rapid growth, which raised community concerns about how growth would affect quality of life—the community’s “small town” identity, open space, natural habitat, and the adequacy of public facilities to serve new growth. In July 1986, to address these concerns, the city adopted the Growth Management Plan, which was ratified by voter approval of Proposition E in November 1986.

The Growth Management Plan requires adequate public facilities be provided concurrent with new growth. To ensure this, the Growth Management Plan identifies performance standards for 11 public facilities – city administration, library, wastewater treatment, parks, drainage, circulation, fire, open space, schools, sewer collection, and water distribution. The facility performance standards were based on the city’s residential dwelling unit capacity (existing and future units), which in 1986 was estimated to be 54,599 dwelling units.

Through Proposition E, voters limited the number of dwelling units in the city to the 54,599 dwelling unit estimate. As shown in ~~Table 2-10~~~~Table 2-10~~, Proposition E established a maximum number of dwelling units that could be built after November 4, 1986 in each of the city’s four quadrants, which are located along El Camino Real and Palomar Airport Road. ~~Table 2-10 also shows the estimated number of dwelling units that existed in November 1986 and the estimated total units allowed in each quadrant and citywide.~~

~~Pursuant to Proposition E, the city cannot approve any General Plan amendment, zone change, subdivision map or other discretionary permit that could result in residential development that exceeds the dwelling unit limit in each quadrant. To increase the Proposition E dwelling unit limit in any city quadrant requires approval by Carlsbad voters.~~

~~Table 2-10 shows the dwelling units by city quadrant that will result from the General Plan. Residential land uses have been carefully analyzed to ensure that the residential dwelling units resulting from this General Plan will not exceed the number of units allowed by the Growth Management Plan (citywide and in each quadrant).~~

Pursuant to state law and city regulations, ~~accessorysecond~~ dwelling units and commercial living units are not counted as dwellings for the purposes of Growth Management. California Government Code Section 65852.2 states that ~~accessorysecond~~ dwelling units shall not be considered in the application of any local ordinance, policy or program that limits residential growth. In regard to commercial living units (e.g., professional care facilities, hotels and time-shares), Carlsbad Municipal Code Section 21.04.093 states that such units are not considered dwelling units due to the assistance/services provided in conjunction with the living unit and/or the use of the living unit for temporary lodging. In addition, pursuant to the

city's Citywide Facilities and Improvements Plan, hotels, ~~and~~ time-shares ~~and~~ units that are not defined as a dwelling unit in the building code are not counted as dwelling units for purposes of Growth Management.

Compliance with the Growth Management Plan occurs through the Citywide Facilities and Improvements Plan, which identifies the performance standards for each of the 11 public facilities, divides the city into 25 local facility management zones (LFMZ) and identifies the city's ultimate public facility needs. A local facilities management plan identifies the public facility needs for each LFMZ. Individual development projects must comply with the Citywide Facilities and Improvement Plan and the applicable local facilities management plan, which ensures that adequate public facilities are provided concurrent with development.

TABLE 2-10: PROPOSITION E - GROWTH MANAGEMENT

QUADRANT	ESTIMATED EXISTING UNITS IN NOV. 1986	PROP. E MAX. UNITS ALLOWED AFTER NOV. 4, 1986	GROWTH MANAGEMENT DWELLING UNIT CAP ESTIMATE ¹	ESTIMATED DWELLING UNITS AT GENERAL PLAN CAPACITY ¹
Northwest	9,526	5,844	15,370	15,121
Northeast	2,876	6,166	9,042	8,945
Southwest	2,192	10,677	12,859	11,088
Southeast	6,527	10,801	17,328	16,667
CITYWIDE	21,121	33,478	54,599	51,821

¹ Excludes ~~accessory~~~~seene~~ dwelling units and commercial living units, which are not counted for purposes of the city's Growth Management dwelling unit limitations, as described above.

Density Control Points ~~and Excess Units~~

To manage compliance with Growth Management dwelling unit limitations, the City Council established Growth Management Control Point (GMCP) densities for all residential land use designations in the city (for example, for the R-4 land use designation, the GMCP density is 3.2 dwelling units per acre). ~~While the city cannot enforce Growth Management dwelling unit limitations due to changes in state law as explained below, All residential development must, on average, not exceed the GMCP densities. GMCP densities help the city reasonably estimate potential dwelling unit yields for purposes of determining the future public facility needs created by new developments.~~

~~When development occurs below the GMCP, the "excess" number of units (difference between the potential number of units at the GMCP density and the number of units built) are available for other residential developments that provide affordable housing, to enable them to be constructed at a density that exceeds the GMCP density.~~

Changes in Laws that Affect Growth Management

The state of California has declared a housing crisis in the state and passed several new laws designed to make it easier to build housing, largely by reducing local cities' control over the approval process.

In 2017 the California Legislature passed SB 166, known as the No Net Loss Law, which requires local jurisdictions to ensure that their Housing Element inventories can accommodate, at all times throughout the housing element planning period, their remaining unmet share of the regional housing need.

In 2019, the legislature passed SB 330, the Housing Crisis Act of 2019, which prohibits local jurisdictions from imposing moratoriums and caps or limits on housing development. This extends to using the Growth Management residential housing caps or other limits to regulate the number of housing units built within a jurisdiction.

As a result of the housing laws noted above, in 2020 and 2021, the Carlsbad City Council adopted resolutions 2020-104 and 2021-074 finding that the Growth Management housing caps and any moratoriums new housing are unenforceable due to the new state laws.

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:

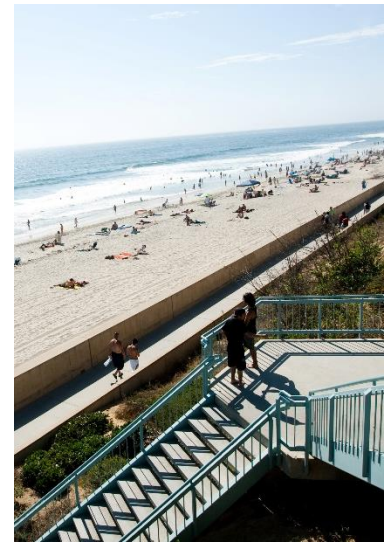
Coastal Zone Planning

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.



Habitat Management Plan (HMP)

For more information on the HMP, see the Open Space, Conservation and Recreation Element.

The City of Carlsbad and six other cities in northern San Diego County participated in the preparation of the Multiple Habitat Conservation Program (MHCP), which was adopted and certified by the San Diego Association of Governments (SANDAG) Board of Directors in March 2003. The City of Carlsbad prepared a subarea plan as a part of the MHCP, called the Habitat Management Plan for Natural Communities in the City of Carlsbad (HMP) that was adopted by the City Council in November 2004.

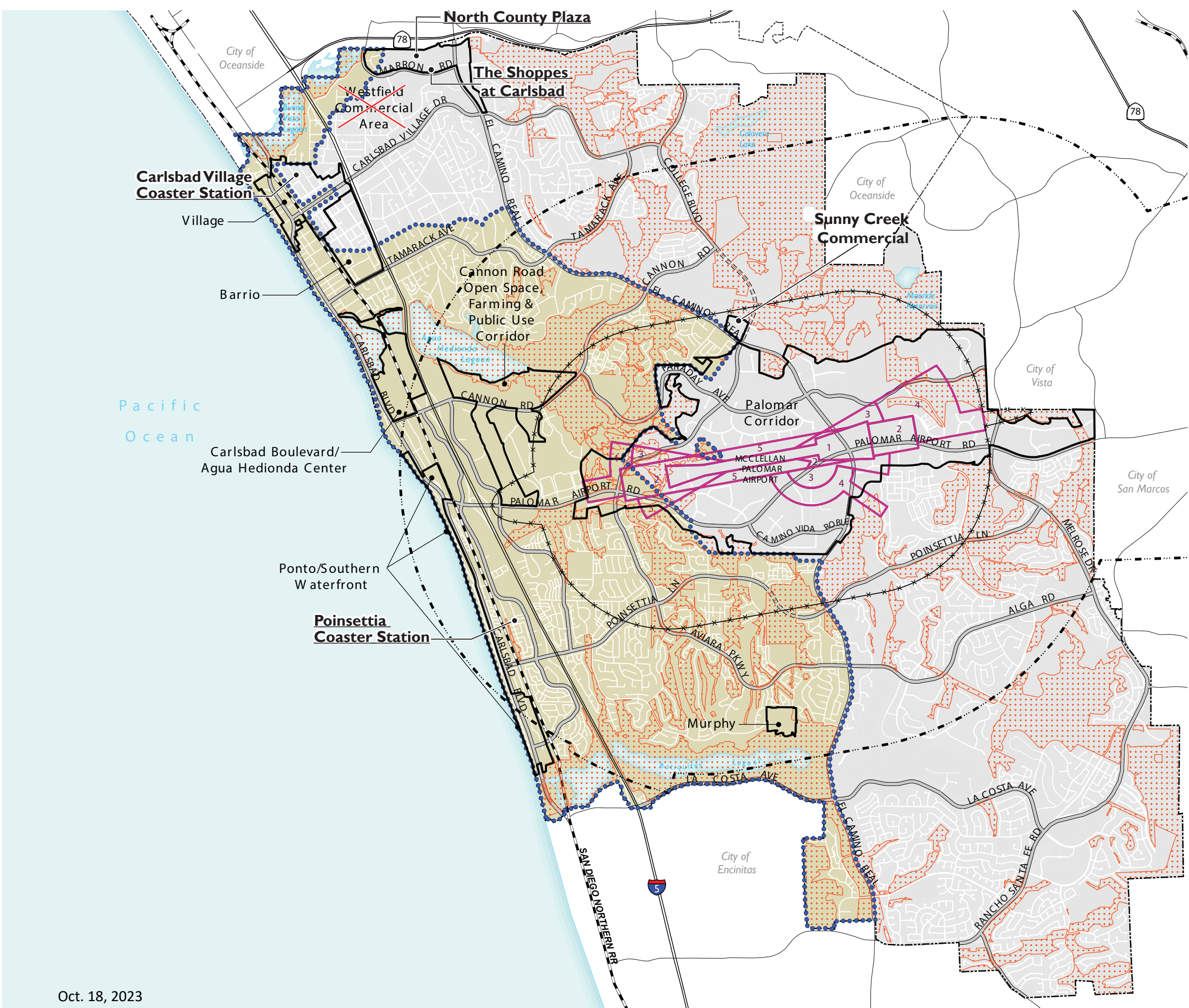


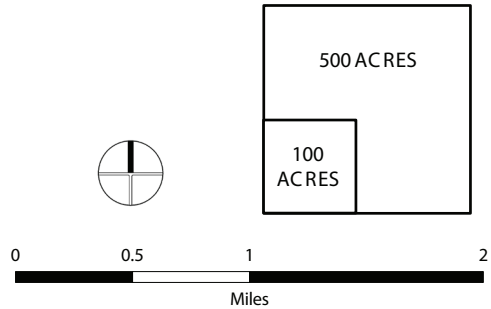
Figure 2-2: Special Planning Considerations

- Carlsbad Coastal Zone
- Areas Subject to the HMP

Airport Influence Area

- Review Area 1
- Review Area 2
- Airport Safety Zones (1-5)

- Highways
- Major Street
- Planned Street
- Railroad
- City Limits



Source: City of Carlsbad, 2013; SANDAG, 2013; Dyett & Bhatia, 2013.

The HMP outlines specific conservation, management, facility siting, land use, and other measures that the city will take to preserve the diversity of habitat and protect sensitive biological resources in the city while also allowing for additional development and growth as anticipated under the city's General Plan. As part of the HMP, a total of 6,478 acres of land within the city's jurisdictional boundaries is to be conserved for habitats and an additional 308 acres of habitat is to be conserved for the coastal California gnatcatcher outside of the city's jurisdiction.

McClellan-Palomar Airport

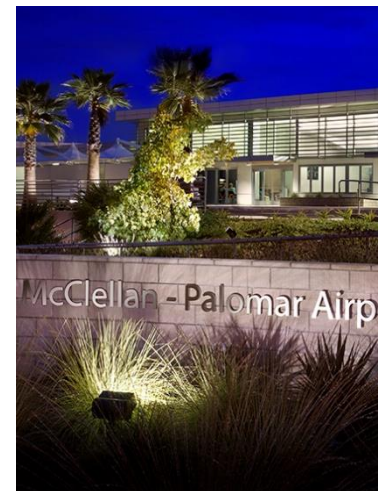
For more on transportation issues related to the airport, see the Mobility Element; for noise policies related to the airport, see the Noise Element; for safety policies related to the airport, see the Public Safety Element.

McClellan-Palomar Airport was built in 1959 atop the mesa just south of the Agua Hedionda valley and lagoon. Oriented to take advantage of the on-shore winds, the runway lies on an east-west axis. The associated glide path, crash hazard, and noise impact areas around the airport significantly influence the type and intensity of development across the entire central area of the city. This area of influence extends generally in a broad band east and west of the runway, and, to a lesser degree, north and south of the airport. For reasons of health and safety, residential development and most institutional land uses (hospitals, schools, etc.) must be limited in this area of airport influence.

The McClellan-Palomar Airport is owned by the County of San Diego, covering an area of about 470 acres, located in the geographic center of Carlsbad. In 2008, the airport had 192,960 aircraft operations, or an average of 529 per day. A new \$24 million airline terminal was opened in 2009. ~~As of 2012, United Express runs a service to LAX, and plans are underway for a new airline based at the airport.~~

Airport Land Use Compatibility

California law requires preparation of airport land use compatibility plans for all public-use airports, to promote compatibility between airports and the surrounding land uses. For McClellan-Palomar Airport, the San Diego County Regional Airport Authority Airport Land Use Commission has prepared and adopted the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP). State law requires Carlsbad's General Plan to be consistent with the adopted ALUCP. If the City Council chooses to overrule a finding of the Airport Land Use Commission as stated in the ALUCP, it may do so by a two-thirds vote if it makes specific findings that the General Plan is consistent with the intent of state airport land use planning statutes.



The General Plan is consistent with the ALUCP. To limit noise impacts on noise sensitive land uses, the General Plan retains areas surrounding the airport principally for industrial and supporting commercial development, while sites have been identified as appropriate for residential and general commercial use. Airport compatibility and safety is addressed in greater detail in Section 6-5 of the Public Safety Element.

The Cannon Road Open Space, Farming and Public Use Corridor

In 2006, Carlsbad voters approved “Proposition D - Preserve the Flower and Strawberry Fields and Save Carlsbad Taxpayers’ Money.” The area affected by Proposition D is referred to as the Cannon Road Open Space, Farming and Public Use Corridor and is located along Cannon Road east of Interstate 5, as shown on Figure 2-2. Lands within the corridor currently consist primarily of open space and existing farming operations including the Flower Fields located to the south of Cannon Road and the existing strawberry fields located to the north of Cannon Road; approximately 49 acres of the existing strawberry fields located adjacent to the east side of Interstate 5 are not within the corridor and are not subject to Proposition D.

The open space areas within the corridor on the north side of Cannon Road provide spectacular views of the Agua Hedionda Lagoon and contain environmentally-sensitive natural habitat areas that need to be permanently protected. The existing flower fields and the strawberry fields as open space uses provide for productive use of portions of the corridor area that enhance the cultural heritage and history of the city. Although the flower fields are already protected and restricted to agricultural use, Proposition D requires the city to utilize all existing programs and land use protections and explore other possible new mechanisms to keep the flower fields in production. Proposition D also requires the city to ensure that other farming uses within the corridor, such as a portion of the existing strawberry fields, are allowed to continue as long as it is economically viable for the landowner to do so.



The area within the corridor is recognized for its significant open space opportunities; however, the area currently lacks adequate public access and public use areas so that the community can enjoy the open space opportunities provided in this area to their fullest potential. Proposition D identified that an interconnecting public trail through the area preferably linking the south shore of Agua Hedionda Lagoon with the existing flower fields could greatly enhance public access in the area. Proposition D also identified that park and recreation uses that allow public gathering spaces and are compatible with other open space uses could offer opportunities for more community use and enjoyment of the area.

Pursuant to Proposition D, residential use is not appropriate for the area within the corridor. Commercial and industrial-type uses other than those normally associated with farming operations are also not appropriate.

The Cannon Road Open Space, Farming and Public Use Corridor presents a unique opportunity for the city to create a sustainable, community-oriented open space area that balances social, economic and environmental values important to the community.

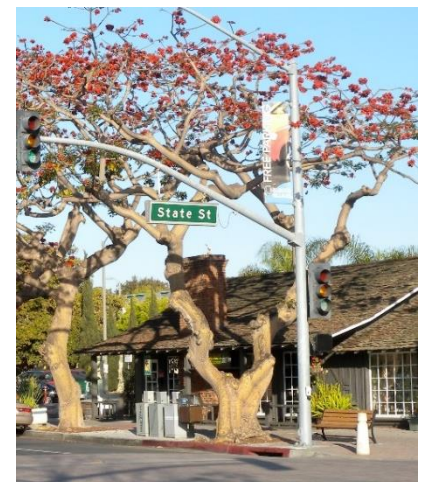
Following voter approval of Proposition D, the City Council adopted the Cannon Road Agricultural and Open Space Zone to implement the proposition. The ~~new zone will become effective when the associated LCP amendment is was~~ approved by the California Coastal Commission ~~but only for the affected parcels south of Cannon Road.~~

Village

Carlsbad Village—the community’s downtown—is the oldest and the most walkable neighborhood in the city. The Village is home to the majority of Carlsbad’s historic and cultural resources, including the Carlsbad Theatre, Old Santa Fe Train Depot, Army and Navy Academy and multiple historic structures.

The Village has evolved into an eclectic neighborhood rich with character and diversity – both in its physical landscape and in its varied activities and land uses. It has great bones – a walkable street grid, location adjacent to the ocean, a bus and rail transit center, and mix of old and new buildings. The Village should be Carlsbad’s ideal choice for residents looking for a more urban, walkable, transit-connected lifestyle, and for visitors seeking a contrasting experience to hiking along the lagoons, surfing, or golfing.

Many sites in the Village are developed at a low intensity and designed to meet the needs of a car-oriented lifestyle, not in keeping with the vibrant, active, pedestrian-oriented core that many would like to see as defining the Village experience. As the Village continues to evolve, it will be important to redevelop and strategically focus improvements in the neighborhood to best express the city’s small-town beach-community lifestyle, take advantage of key opportunities to connect to transit, the ocean, and the Barrio neighborhood to the south, and add new residents and life into downtown Carlsbad.





The Village and Barrio Master Plan, adopted in 2018, provides a vision and guidance for design, land use, and redevelopment, and includes development standards and design guidelines. There are additional opportunities to expand on key elements like public art and identity through a signage and way-finding scheme as well as an expanded public arts program.

Barrio

The roughly 150-acre Barrio neighborhood is situated on the northwestern portion of the city, just south of the Village. Established in the 1920s, the Barrio neighborhood first served as a residential enclave for new immigrants supporting the agriculture economy of the city. Today, the Barrio reflects elements of its past in its many cultural markers and historic buildings, as well as in its long-time residents and cohesive community.

Land use in the Barrio neighborhood is primarily residential, with a wide range of housing types, from single-family and two-family dwellings on small lots within the center of the neighborhood along Roosevelt and Madison streets to higher density multi-family residential development located around the neighborhood's perimeter west of Interstate 5 and east of the railroad tracks. Other uses in the Barrio include public, institutional, recreation and limited commercial uses. One of the key community assets in the Barrio is the new Pine Avenue Park and Chase Field, as well as the adjacent City of Carlsbad Senior Center.

In 2013, the allowed residential densities in the Barrio were increased. The primary objective of the density increase was to encourage redevelopment (primarily around the perimeter of the neighborhood) while protecting the single-family/duplex character of the center of the neighborhood.

In 2018, the Village and Barrio Master Plan was adopted to provide a vision, standards and guidelines for both the Village and Barrio. The master plan recognizes the neighborhood's walkable, residential character, its history and cultural resources, and its objectives for calming traffic and increasing connections with the Village and beach. It will be important that future improvements are sensitive to these characteristics and objectives.

Carlsbad Boulevard/Agua Hedionda Center

This area ~~currently formerly contained~~ contains the Encina Power Station (EPS), whose 400-foot exhaust stack and 965 megawatt power plant ~~has had~~ been a landmark near the edge of Agua Hedionda Lagoon and the ocean since the mid-1950s. Pursuant to a settlement agreement dated January 14, 2014, between and among the City of Carlsbad and the Carlsbad Municipal Water District (CMWD), Cabrillo Power I LLC and Carlsbad Energy Center LLC, and San Diego Gas and Electric Company (SDG&E), the EPS ~~is slated for decommissioning and demolition in the near future~~ was decommissioned in 2018 and demolished in 2022. The General Plan envisions redevelopment of the EPS, as well as the adjacent SDG&E North Coast Service Center, with visitor-serving commercial and open space uses to provide residents and

visitors enhanced opportunities for coastal access and services, reflecting the California Coastal Act's goal of "maximizing public access to the coast."

~~The General Plan also envisions that a new power plant will be built in an area East of the former EPS, between the railroad tracks and I-5 freeway, a. The new, approximately 600-500 megawatt facility, the Carlsbad Energy Center, completed construction in 2018, will be constructed and operated~~ utilizing peaker-plant technology (rather than as a base load or combined-cycle facility). Compared to the ~~existing-former~~ plant, the new power plant ~~will be features~~ a lower profile and ~~have has~~ less impact on the environment by being constructed away from the coastline and partially below grade, and by utilizing current peaker-plant technology that significantly reduces its visual profile, hours of operation, noise, air pollutant and greenhouse gas emissions, and eliminates the use of ocean water for cooling.

A portion of the area west of the railroad tracks contains the ~~site where the Claude "Bud" Lewis Carlsbad seawater desalination project is being built~~ Desalination Plant. The desalination project was ~~approved in November 2012~~ completed in 2015 and ~~will provides~~ a portion of the city's potable water needs. ~~The desalination project is under construction and is due to be completed in 2016.~~ Also, SDG&E operates the Encina substation on approximately 10 acres of the EPS site west of the railroad tracks. The substation is expected to continue in operation for the foreseeable future.



Former Encina Power Station along Carlsbad Blvd.

Westfield-The Shoppes at Carlsbad Commercial Area

The principal opportunity in this area is ~~the The Shoppes at Carlsbad Westfield~~ mall, a 90-acre enclosed regional shopping mall, surrounded by surface parking lots owned by the city. The mall ~~is being redeveloped (2014) as an exciting, contemporary pedestrian-oriented destination~~ was redeveloped in 2014-2015.

As part of the 2021-2029 Housing Element update, the mall parking lots were identified as a city-controlled opportunity site that could be redeveloped to accommodate a portion of the city's share of the Regional Housing Needs Allocation (RHNA). The site has been identified to provide a minimum 993 housing units across the **seven five** parking lot parcels. Programs in the Housing Element call for the city to work closely with the owner of the Shoppes on redevelopment of the site to a mixed-use format center that includes a "high level of affordable housing (at least 20% of residential units)."

On March 14, 2023, the City Council designated a city staff team as responsible for exploring options for potential use of the city-owned parking lot properties, including complying with the state Surplus Land Act and working with representatives of the mall property owner or other parties identified through the Surplus Land Act toward the lease or sale of the properties.

To facilitate future mixed-used, mixed-income development, a combination of Regional Commercial and residential land use designations (R-23 and R-40) are applied to the parking lot parcels. The General Plan maintains a Regional Commercial designation, which requires regionally oriented retail uses, but also permits housing in a mixed-use setting. East and west of the mall are locally-serving shopping centers and a cluster of offices; these are anticipated to remain in their present use, with potential upgrading and reinvestment by property owners. The R-23 and R-40 designations allow for higher density residential uses. Site details, including number of units, will be determined following submittal of development plans to the city and subject to minimum density requirements.

North County Plaza

East and west of the mall are locally-serving shopping centers and a cluster of offices; these may receive potential upgrading and reinvestment by property owners; for example, the shopping center to the west, North County Plaza, has been identified for potential mixed-use through the proposed addition of housing. Based on a project submitted, it is anticipated the site could redevelop with a minimum 240 units while maintaining commercial uses.

Sunny Creek Commercial

This is a strategically located site at the northwest corner of El Camino Real and the future extension of College Boulevard, consisting of a vacant site designated for a mix of residential and commercial uses. The General Plan envisions this area with a neighborhood-oriented commercial center designed to be pedestrian-oriented to surrounding residential uses. The commercial uses would serve a number of existing and future residential developments in the area, as well as office uses in the employment core to the south. With a significant population within walking distance of this site, connectivity and pedestrian orientation will facilitate easy access from the surroundings.

Palomar Corridor

This area is the employment core of Carlsbad and one of north San Diego County's key employment centers, with a variety of industrial, research and development, and office uses, along with hotels and commercial uses. It also contains the McClellan-Palomar Airport and LEGOLAND amusement park. The General Plan maintains the industrial/research and development primacy of the area. While office, medical office, and residential uses would be desirable in the area to provide use diversity, their location in the corridor is challenged by airport noise and safety considerations, and the presence of several establishments authorized to use hazardous chemicals as part of regular business operations; the General Plan provides land use designations where these uses could be accommodated in selected locations.

Ponto/Southern Waterfront

This area has a scenic setting, with a 3.5-mile frontage north of Batiquitos Lagoon along the Pacific Ocean. In the northern portion of the area, a hotel and residential uses—mostly small single-family homes—line the east side



Sunny Creek Commercial

of Carlsbad Boulevard. The largest development opportunity is in between Batiquitos Lagoon and Ponto Road, where the General Plan contemplates a mix of hotels, other commercial uses and residential uses, consistent with the Ponto Beachfront Village Vision Plan. The General Plan also contemplates smaller eating and drinking establishments along Carlsbad Boulevard as opportunities arise, to provide oceanfront dining.

The southbound portion of Carlsbad Boulevard is proposed to be realigned with a shift to the east, providing opportunity for a linear park/promenade along Carlsbad Boulevard, which is already popular with walkers, joggers, and bicyclists. The street realignment project may also provide additional park and gathering opportunities along the ocean.

Murphy

This area consists of three parcels totaling approximately 36 acres located north of Batiquitos Lagoon and east of Batiquitos Drive; the northern parcel is designated for low to medium density (0-4 dwelling units per acre) residential uses and open space, and the southern parcel is designated for medium density (4-6 dwelling units per acre) residential uses and open space; the General Plan envisions that the overall potential residential density of the site will be clustered to provide an open space buffer between development and the lagoon.

Poinsettia and Carlsbad Village Coaster Stations

These transit centers are key mobility hubs providing access to Coaster train and Breeze bus services. The centers play a local and regional role, serving city residents by providing access to jobs and shopping destinations, and providing tourists and regional visitors access to Carlsbad attractions. Both the Poinsettia and Village Coaster Stations are owned by the North County Transit District (NCTD). Both stations are opportunity sites to help accommodate a portion of the city's share of the Regional Housing Needs Allocation (RHNA).

NCTD is considering redevelopment of both Coaster stations with non-transit uses, including residential, which will enhance their transit functions as well. On Jan. 19, 2023, the NCTD Board of Directors voted in favor of entering into Exclusive Negotiation Agreements with private developers for both Coaster stations. A Housing Element policy and program call for the city to support and work collaboratively with NCTD on its Village Coaster Station redevelopment efforts to include a mix of market rate and a "high level" of affordable units adjacent to transit services. Following submittal of any development plans to the city, project details regarding site layout, design, number of residential units and any other non-transit-oriented uses will be determined.

Poinsettia Station consists of two parcels totaling 5.83 acres located south and west of Avenida Encinas, west of Embarcadero Lane. While the transit center is the main use, both parcels are also designated for high density residential uses. As part of the 2021-2029 Housing Element update, a

portion of the Poinsettia Station site was identified as a location that could provide up to 27 housing units.

The Carlsbad Village Station consists of two parcels totaling 7.75 acres located north of Grand Avenue, between State Street and Washington Street. While the transit center is the main use, both parcels are zoned Village-Barrio (V-B) and are part of the Village Center District (VC), governed by the Village-Barrio Master Plan. The Village Center District encompasses the core of the Village and includes a mix of commercial, attached residential that is high density (28-35 dwelling units per acre) in nature, and mixed-use building types. As part of the 2021-2029 Housing Element update, the Carlsbad Village Station site was identified as a location that could provide up to 93 housing units.

2.8 Goals and Policies

Goals

Land Use

- 2-G.1 Maintain a land use program with amount, design and arrangement of varied uses that serve to protect and enhance the character and image of the city as expressed in the Carlsbad Community Vision, and balance development with preservation and enhancement of open space.
- 2-G.2 Promote a diversity of compatible land uses throughout the city, to enable people to live close to job locations, adequate and convenient commercial services, and public support systems such as transit, parks, schools, and utilities.
- 2-G.3 Promote infill development that makes efficient use of limited land supply, while ensuring compatibility and integration with existing uses. Ensure that infill properties develop with uses and development intensities supporting a cohesive development pattern.
- 2-G.4 Provide balanced neighborhoods with a variety of housing types and density ranges to meet the diverse demographic, economic and social needs of residents, while ensuring a cohesive urban form with careful regard for compatibility.
- 2-G.5 Protect the neighborhood atmosphere and identity of existing residential areas.
- 2-G.6 Allow a range of mixed-use centers in strategic locations that maximize access to commercial services from transit and residential areas.
- 2-G.7 Ensure that neighborhood serving shopping and mixed-use centers include shopping as a pedestrian-oriented focus for the surrounding neighborhood, are physically integrated with the surroundings, and contain neighborhood-serving stores and small offices. Where appropriate, include in the centers high and medium density housing surrounding the retail core or integrated in mixed-use buildings.
- 2-G.8 Provide opportunities for continued economic growth and vitality that enhance Carlsbad's position as a premier regional employment center.
- 2-G.9 Accommodate a diversity of business establishments in appropriately-scaled settings, including large-scaled industrial and research and development establishments proximate to the McClellan-Palomar Airport, regionally-scaled shopping centers, and neighborhood-serving commercial centers with smaller-sized



stores, restaurants and offices to meet shopping, recreation, and service needs of residents and visitors.

- 2-G.10 Promote continued growth of visitor-oriented land uses, and provide enhanced opportunities for new hotels and visitor-services in desirable locations.
- 2-G.11 Provide industrial lands that can accommodate a wide range of air and water pollution-free industrial establishments, including those of relatively high intensity; research and development and related uses set in campus or park-like settings; as well as moderate to low intensity establishments capable of being located adjacent to residential areas with minimal buffering and attenuation measures.
- 2-G.12 Ensure adequate provision of community-serving facilities such as child daycare facilities, places of worship, educational institutions and schools.
- 2-G.13 Maintain land use compatibility between McClellan-Palomar Airport and surrounding land uses, and encourage the airport's continued operations while ensuring it does not unduly impact existing neighborhoods and communities.
- 2-G.14 Participate with other cities in the county, through the San Diego Association of Governments, in working towards solution of regional issues.
- 2-G.15 Support agricultural uses throughout the city while planning for the transition of agriculture to other uses.

Community Character, Design, and Connectedness

- 2-G.16 Enhance Carlsbad's character and image as a desirable residential, beach and open-space oriented community.
- 2-G.17 Ensure that the scale and character of new development is appropriate to the setting and intended use. Promote development that is scaled and sited to respect the natural terrain, where hills, public realm, parks, open space, trees, and distant vistas, rather than buildings, dominate the overall landscape, while developing the Village, Barrio, and commercial and industrial areas as concentrated urban-scaled nodes.
- 2-G.18 Ensure that new development fosters a sense of community and is designed with the focus on residents, including children, the disabled and the elderly, by providing: safe, pedestrian-friendly, tree-lined streets; walkways to common destinations such as schools, bikeways, trails, parks and stores; homes that exhibit visual diversity, pedestrian-scale and prominence to the street; central gathering places; and recreation amenities for a variety of age groups.



- 2-G.19 Ensure that new neighborhood commercial centers are designed for pedestrian comfort, and integrated with the surrounding neighborhoods with new streets and paths.
- 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 dining, shopping, and recreating along the coastline. Develop public gathering places and recreational opportunities along the coastal corridor.

Growth Management

- 2-G.21 Ensure that adequate public facilities and services are provided in a timely manner to preserve the quality of life of residents.
- 2-G.22 Develop programs that correlate the projected population with the service capabilities of the city.

Cannon Road Open Space, Farming and Public Use Corridor

Goals 2-G.23 through 2-G.28 are in accordance with "Proposition D - Preserve the Flower and Strawberry Fields and Save Carlsbad Taxpayers' Money" and are applicable only to the area within the Cannon Road Open Space, Farming and Public Use Corridor (see Figure 2-2):

- 2-G.23 Create a unique, community-oriented open space area along the Cannon Road corridor located immediately to the east of the Interstate 5 freeway including the existing flower fields and strawberry fields.
- 2-G.24 Ensure that this area is permanently protected and preserved for open space uses.
- 2-G.25 Enhance the protection of the existing flower fields.
- 2-G.26 Allow farming operations in the area such as the existing strawberry fields and flower growing areas to continue.
- 2-G.27 Provide for the protection and preservation of environmental resources in the area.
- 2-G.28 Increase public access and use to the area primarily through the incorporation of public trails and active and passive recreation.



The Village

- 2-G.29 Maintain and enhance the Village as a center for residents and visitors with commercial, residential, dining, civic, cultural, and entertainment activities.
- 2-G.30 Develop a distinct identity for the Village by encouraging a variety of uses and activities, such as a mix of residential, commercial, office, restaurants and specialty retail shops, which traditionally

locate in a pedestrian-oriented downtown area and attract visitors and residents from across the community by creating a lively, interesting social environment.

The Barrio

- 2-G.31 Promote rejuvenation of the Barrio while maintaining its walkable, residential character, and ensuring that new development enhances neighborhood quality and character.
- 2-G.32 Celebrate the Barrio's history and resources, and foster development of cohesive streetscapes with strategic improvements, including plazas where feasible.

Policies

Land Use

General

- 2-P.1 Maintain consistency between the General Plan and Title 21 of the Carlsbad Municipal Code (Zoning Ordinance and map).
- 2-P.2 Update the city's Local Coastal Program (LCP) to be consistent with the General Plan. Work with the California Coastal Commission to gain permitting authority for all areas of the city in the Coastal Zone.
- 2-P.3 Permit increased non-residential and mixed-use development allowances up to limits specified in the Transportation Demand Management (TDM) Ordinance when developed, where project proponents agree to compliance with the stipulations in the TDM Ordinance.
- 2-P.4 When uncertainty exists regarding the precise boundary of the various land use designations identified on the Land Use Map, such boundaries shall be interpreted as follows:
 - a. Where boundaries appear to follow the centerline of a street or highway, ownership boundary lines, or topographic features such as valleys, ridgelines, or top/bottom of bluffs/slopes then the boundaries shall be interpreted to follow the lines/features they appear to follow.
 - b. Where boundaries appear to reflect environmental and resource management considerations, boundaries shall be interpreted in a manner which is consistent with the considerations that the boundary reflects.
- 2-P.5 Work with SANDAG through participation in its various standing committees on regional plans and initiatives. Adopt local implementing policies and programs when found to be consistent with the General Plan and in the best interests of Carlsbad's residents and businesses.

Residential

- 2-P.6 Encourage the provision of lower and moderate-income housing to meet the objectives of the Housing Element.
- 2-P.7 Do not permit residential development below the minimum of the density range, except in the following circumstances and subject to the findings required by California Government Code Section 65863:
- When one single-family dwelling is constructed on a legal lot that existed as of October 28, 2004.
 - When one single-family dwelling is constructed on a lot that was created by consolidating two legal nonconforming lots into one lot (this only applies to lots that are nonconforming in lot area).
 - When a legal lot is developed with one or more residential units that existed as of October 28, 2004; provided, the existing units are to remain and it is not feasible to construct the number of additional units needed to meet the minimum density without requiring the removal of the existing units.

In addition, specific sites rezoned by the City Council to meet RHNA requirements as detailed in the programs of the Housing Element are not subject to these exceptions and instead must be developed at or above the minimum of the density range.

- 2-P.8 Do not permit residential development to exceed the applicable Growth Management Control Point (GMCP) density unless the following findings are made:
- The project qualifies for and will receive an allocation of “excess” dwelling units, pursuant to City Council Policy No. 43.
 - There have been sufficient residential projects approved at densities below the GMCP so the citywide and quadrant dwelling unit limits will not be exceeded as a result of the proposed project.
 - All necessary public facilities required by the Citywide Facilities and Improvements Plan will be constructed, or are guaranteed to be constructed, concurrently with the need for them created by this development and in compliance with adopted city standards.³

³ Note: 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.

- 2-P.9 Incentivize development of lower-income affordable housing by allowing residential development above ~~the GMCP and~~ maximum densities permitted by the General Plan, subject to ~~the findings specified in 2-P.8, above, and~~ an evaluation of the following: (a) the proposal's compatibility with adjacent land uses, and (b) the project site's proximity to a minimum of one of the following: freeway or major street; commercial center; employment opportunities; city park or open space; or commuter rail or transit center.
- 2-P.10 Development on slopes, when permitted, shall be designed to minimize grading and comply with the hillside development provisions of the Zoning Ordinance and the Carlsbad Local Coastal Program.
- 2-P.11 Consider density and development right transfers in instances where a property owner is preserving open space for purposes of environmental enhancement, complying with the city's Habitat Management Plan, or otherwise leaving developable property in its natural condition. The density/development potential of the property being left in open space shall be reserved for and used on the remainder of the project site or, through an agreement with the city, may be transferred to another property.
- 2-P.12 Encourage residential uses mixed in conjunction with commercial development on commercially designated sites and within the Village, ~~provided that "excess" dwelling units are available, pursuant to City Council Policy No. 43, and the findings stated in 2-P.8 are made.~~
- 2-P.13 Encourage medium to higher density residential uses located in close proximity to commercial services, employment opportunities and major transportation corridors.
- 2-P.14 Require new and, as appropriate, existing master planned and residential specific plan developments to provide usable acres to be designated for community facilities such as daycare, worship, youth and senior citizen activities, educational institutions and schools.
- 2-P.15 Allow the development of a two-family dwelling on all lots which legally existed and were zoned R-2 as of December 1, 1986, regardless of the density allowed by the residential land use designation, provided the development of the dwellings complies with all applicable development standards in effect at the time of the development ~~and subject to the findings required in Policy 2-P.8, if applicable.~~
- 2-P.16 Allow residential development above the allowed maximum density on properties with an R-1.5 or R-4 land use designation when the implementing zone would permit a slightly higher dwelling unit yield than the allowed maximum density, subject to the following findings:

- a. The project is consistent with the intended uses of the applicable land use designation (R-1.5 or R-4) and other applicable goals and policies of this General Plan.
- b. There is sufficient infrastructure to support the project.
- c. The proposed density does not exceed the allowed maximum density by more than 25 percent.
- d. ~~The project qualifies for and will receive an allocation of "excess" dwelling units, pursuant to City Council Policy No. 43.~~

Commercial Services

- 2-P.17 Locate commercial land uses as shown on the Land Use Map. Where applications for the re-designation of land to commercial land uses are submitted, these shall be accompanied by a conceptual development plan of the site and a market study that demonstrates the economic viability of using the land in the way being requested, as well as the impact on the viability of commercial uses designated on the Land Use Map that may compete within shared trade areas.
- 2-P.18 Except within the Village, commercial development shall occur in the form of discrete shopping centers, as opposed to generalized retail districts or linear "strip commercial" patterns (i.e. long corridors of commercial uses with numerous curb cuts, unsafe intersection spacing, disharmonious architectural styles, and a proliferation of signs) or as mixed use developments with an integrated mix of commercial and residential uses.
- 2-P.19 Ensure that all residential areas have convenient access to daily goods and services by locating local shopping centers centrally within their primary trade areas, as defined in ~~Table 2-4~~Table 2-4. Such trade areas should minimize gaps between or overlaps with the trade areas of other local shopping centers.
- 2-P.20 New master plans and residential specific plans and other large development proposals shall evaluate whether there is a need to include a local shopping center within the development.
- 2-P.21 Sites designated for "regional commercial" use should generally be located where they are easily visible and accessible from highways and freeways. Local shopping centers and uses may be adjacent to or, as a secondary use, integrated into regional centers to also serve the daily convenience needs of customers utilizing the regional shopping center.
- 2-P.22 Sites designated for "general commercial" use should be limited to locations where such uses are appropriate and desirable, provided the development is designed to be architecturally unified and does not result in "strip commercial" development.
- 2-P.23 Sites designated for "visitor commercial" uses should generally be located near major transportation corridors and proximate to key

tourist/visitor draws, such as hotels, the ocean, lagoons, the Village, LEGOLAND and other recreation venues, McClellan-Palomar Airport, and businesses in the Palomar Airport Road corridor. Regional, general and local shopping center uses may be adjacent to or, as a secondary use, integrated into a visitor commercial center to also serve the daily convenience needs of tourists, visitors and residents.

2-P.24 Build and operate commercial uses in such a way as to complement but not conflict with adjoining residential areas. This shall be accomplished by:

- a. Controlling lights, signage, and hours of operation to avoid adversely impacting surrounding uses.
- b. Requiring adequate landscaped buffers between commercial and residential uses; exceptions may be permissible when both uses are comprehensively developed as a mixed use project.
- c. Providing bicycle and pedestrian links between commercial centers and surrounding residential uses, and providing bicycle-parking racks.
- d. Ensuring building mass does not adversely impact surrounding residences.
- e. Where appropriate, commercial and residential uses can be mixed in a vertical or horizontal configuration.

2-P.25 Ensure that commercial development is designed to include:

- a. Integrated landscaping, parking, signs, and site and building design
- b. Common ingress and egress, safe and convenient access and internal circulation, adequate off-street parking and loading facilities. Each commercial site should be easily accessible by pedestrians, bicyclists, and automobiles to nearby residential development.
- c. Architecture that emphasizes establishing community identity while presenting tasteful, dignified and visually appealing designs compatible with their surroundings.
- d. A variety of courtyards and pedestrian ways, bicycle facilities, landscaped parking lots, and the use of harmonious architecture in the construction of buildings.

2-P.26 When “community” tenants (see Table 2-4 ~~Table 2-4~~, earlier) are included in a local shopping center, they must be fully integrated into the overall function and design of the center, including the architecture, internal circulation and landscaping. The inclusion of such tenants should complement, not supplant the principal function of the center, which is to provide local goods and services.

- a. No community “anchor” tenant may be built as a stand-alone building. It must share (or appear to share) walls and its building facade with other tenants in the center.
- b. No community “anchor” tenant or secondary tenant may feature corporate architecture or logos (excluding signage) that is not integrated into the overall design of the center.

Industrial and Office

- 2-P.27 Limit general industrial development within the community to those areas and uses with adequate transportation access. These areas should be compatible with surrounding land uses including residential neighborhoods.
- 2-P.28 The physical development of industrial areas shall ensure compatibility among a diverse range of industrial establishments.
- 2-P.29 Include provisions in the Zoning Ordinance to allow service and support uses in areas designated Planned Industrial; such uses may include but are not limited to commercial/retail uses that support planned industrial uses, office uses, places of worship, recreation facilities, education facilities, conference facilities, daycare centers, short-term lodging, and other service uses.
- 2-P.30 Require new industrial development to be located in modern, attractive, well-designed and landscaped industrial parks in which each site adequately provides for internal traffic, parking, loading, storage, and other operational needs.
- 2-P.31 Regulate industrial land uses on the basis of performance standards, including, but not limited to noise, air quality, odor, and glare.
- 2-P.32 Require private industrial developers to provide adequate outdoor dining/eating areas for employees.
- 2-P.33 Do not permit general or medical office uses on sites designated for industrial use, unless the site is re-designated through a General Plan amendment to the office or a commercial land use designation; approval of such re-designations shall be based on consideration of the following criteria:
 - a. Contiguity with other established general or medical office uses, or an office or commercial zone;
 - b. Separation from industrial uses, where establishment of a medical office use would not preclude establishment or continuation of an industrial use within the zone where industrial uses are intended to be located; and
 - c. Location. It is preferable that general or medical office uses be located on sites that can be accessed without negatively impacting traffic on industrial streets.



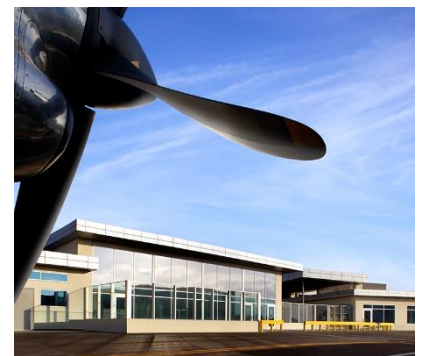
~~2-P.34 If residential uses are allowed, design and build residential uses in such a way as to complement but not conflict with industrial uses.~~

Agriculture

- 2-P.34 Support agricultural uses throughout the city, including small-scale farms and community gardens.
- 2-P.35 Ensure the existing Flower Fields remain in flower production by utilizing all available methods and programs, including grants and other outside financial assistance.
- 2-P.36 Require utilization of soil and water conservation techniques in agricultural activities.

McClellan-Palomar Airport

- 2-P.37 Require new development located in the Airport Influence Area (AIA) to comply with applicable land use compatibility provisions of the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) through review and approval of a site development plan or other development permit. Unless otherwise approved by City Council, development proposals must be consistent or conditionally consistent with applicable land use compatibility policies with respect to noise, safety, airspace protection, and overflight notification, as contained in the McClellan-Palomar ALUCP. Additionally, development proposals must meet Federal Aviation Administration (FAA) requirements with respect to building height as well as the provision of obstruction lighting when appurtenances are permitted to penetrate the transitional surface (a 7:1 slope from the runway primary surface). Consider San Diego County Regional Airport Authority Airport Land Use Commission recommendations in the review of development proposals.
- 2-P.38 Coordinate with the San Diego County Regional Airport Authority, Airport Land Use Commission, and the FAA to protect public health, safety and welfare by ensuring the orderly operation of the airport and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around the airport.
- 2-P.39 Prohibit approval of any zone change, general plan amendment or other legislative action that authorizes expansion of McClellan-Palomar Airport, unless authorized to do so by a majority vote of the Carlsbad electorate. (Section 21.53.015, Carlsbad Municipal Code.)



Community Character and Design

See also policies in the Mobility Element related to walkability.

- 2-P.40 Establish development standards that will preserve natural features and characteristics, especially those within coastal, hillside and natural habitat areas.
- 2-P.41 Ensure that the review of future projects places a high priority on the compatibility of adjacent land uses along the interface of different residential density and non-residential intensity categories. Special attention should be given to buffering and transitional methods, especially, when reviewing properties where different residential densities or land uses are involved.
- 2-P.42 Ensure that development on hillsides, where permitted pursuant to the hillside development regulations of the Zoning Ordinance, is designed to preserve and/or enhance the visual quality of the pre-existing topography.
- 2-P.43 Where feasible, locate development away from visible ridges; larger buildings, such as large retail stores and office and industrial development, should be arranged to minimize the buildings' visual appearance from major transportation corridors and vistas.
- 2-P.44 Encourage clustering of development to preserve natural terrain and maximize open space areas around developments.
- 2-P.45 Evaluate each discretionary application for development of property with regard to the following specific criteria:
 - a. Site design and layout of the proposed buildings in terms of size, height and location, to foster harmony with landscape and adjacent development.
 - b. Site design and landscaping to provide buffers and screening where appropriate, conserve water, and reduce erosion and runoff.
 - c. Building design that enhances neighborhood quality, and incorporates considerations of visual quality from key vantage points, such as major transportation corridors and intersections, and scenic vistas.
 - d. Site and/or building design features that will reduce greenhouse gas emissions over the life of the project, as outlined in the Climate Action Plan.
 - e. Provision of public and/or private usable open space and/or pathways designated in the Open Space, Conservation, and Recreation Element.
 - f. Contributions to and extensions of existing systems of streets, foot or bicycle paths, trails, and the greenbelts provided for in



the Mobility, and Open Space, Conservation, and Recreation elements of the General Plan.

- g. Compliance with the performance standards of the Growth Management Plan.
 - h. Development proposals which are designed to provide safe, easy pedestrian and bicycle linkages to nearby transportation corridors.
 - i. Provision of housing affordable to lower and/or moderate-income households.
 - j. Policies and programs outlined in Local Coastal Program where applicable.
 - k. Consistency with applicable provisions of the Airport Land Use Compatibility Plan for McClellan-Palomar Airport.
- 2-P.46 Require new residential development to provide pedestrian and bicycle linkages, when feasible, which connect with nearby shopping centers, community centers, parks, schools, points of interest, major transportation corridors and the Carlsbad Trail System.
- 2-P.47 At the time existing shopping centers are renovated or redeveloped, where feasible, require connections to existing residential neighborhoods through new pedestrian pathways and entrances, mid-block crossings, new or wider sidewalks, and pedestrian-scaled street lighting.
- 2-P.48 Enhance walkability on a citywide scale by installing benches and transit shelters and adding landscaping, wayfinding signage, public art, and pedestrian-scaled lighting. Consider ways to improve rail and freeway overpass/ underpass areas, with lighting, sidewalk improvements and public art.
- 2-P.49 In design requirements for sites adjacent to pedestrian-oriented streets, consider how buildings address the street, through ample windows for display, outdoor eating areas, entryway design options and attractive signage.

Beach Access and Waterfront Activity

- 2-P.50 Improve beach access through a variety of mechanisms, including:
- a. In the Village and adjacent areas, identify the primary pedestrian connections and entrances to the beach through signage, a consistent landscaping scheme, change in paving materials, wider sidewalks and preservation of view corridors. Identify opportunities for additional access points as improved connectivity and facilities are provided, particularly if new beachfront activity areas are established.

- b. In the Barrio neighborhood, provide a pedestrian crossing under or over the rail corridor at Chestnut Avenue.
- c. Identify and implement more frequent pedestrian crossings along Carlsbad Boulevard. Identify and prioritize crossings from residential neighborhoods and existing bicycle and pedestrian trails.

For more detailed policies on pedestrian and bicycle movement, see Chapter 3: Mobility.

2-P.51 Promote development of new activity centers along the ocean waterfront—places where people can eat, shop, recreate and connect with the ocean while taking in the views of the sand, water and sunset. Potential locations for this include the Carlsbad Boulevard/Agua Hedionda Center (see Figure 2-2); near the intersection of Palomar Airport Road and Carlsbad Boulevard; the Ponto area; and other appropriate sites that may provide opportunities for the development of activity centers.

2-P.52 Work with the California Parks Department to enhance recreation, public access, visitor-commercial services, and activity in the Carlsbad Boulevard coastal corridor. Land could be made available by realigning the southbound lanes of Carlsbad Boulevard and by reconfiguring the Palomar Airport Road / Carlsbad Boulevard intersection. The principal objectives are to improve coastal access for all; conserve coastal resources; enhance public safety, including addressing threats to the campground from bluff erosion and sea level rise; and create additional recreational opportunities, waterfront amenities and services, including modernization and expansion of the campgrounds to serve as lower-cost visitor and recreational facilities.

2-P.53 Plan and design Carlsbad Boulevard and adjacent public land (Carlsbad Boulevard coastal corridor) according to the following guiding principles:

- a. Carlsbad Boulevard shall become more than a road. This transportation corridor shall provide for recreational, aesthetic and community gathering opportunities that equal the remarkable character of the land.
- b. Community safety shall be a high priority. Create destination that provides a safe public environment to recreate.
- c. Strategic public access and parking is a key to success. Development shall capitalize on opportunities to add/enhance multiple public access points and public parking for the beach and related recreational amenities.
- d. Open views are desirable and important to maintaining the character of the area. Preservation and enhancement of views



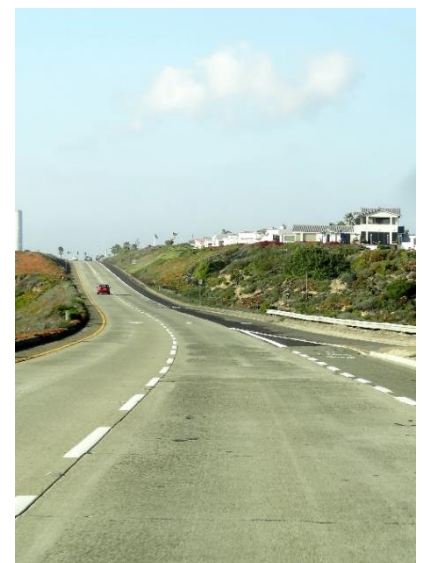
of ocean, lagoons, and other water bodies and beaches shall be a high priority in road, landscaping, and amenity design and development.

- e. Enhance the area's vitality through diversity of recreational land uses. Carlsbad Boulevard development shall provide for amenities, services and goods that attract a diversity of residents and visitors.
- f. Create vibrant and sustainable public spaces. Development shall provide for unique and vibrant coastal gathering spaces where people of all age groups and interests can gather to enjoy recreational and environmental amenities and supporting commercial uses.
- g. Connect community, place and spirit. Design shall complement and enhance connectivity between existing community and regional land uses.
- h. Environmentally sensitive design is a key objective. Environmentally sensitive development that respects existing coastal resources is of utmost importance.
- i. A signature scenic corridor shall be created through design that honors the coastline's natural beauty. The resulting improvements will capture the 'essence' of Carlsbad; making it a special place for people from throughout the region with its natural beauty and vibrant public spaces. Properly carried out, the realigned boulevard will maximize public views and encourage everyone to slow down and enjoy the scenery.
- j. Reimagining of Carlsbad Boulevard shall be visionary. The reimagined Carlsbad Boulevard corridor will incorporate core community values articulated in the Carlsbad Community Vision by providing: a) physical connectivity through multi-modal mobility improvements including bikeways, pedestrian trails, and a traffic-calmed street; b) social connectivity through creation of memorable public spaces; and c) economic vitality through a combination of visitor and local-serving commercial, civic, and recreational uses and services.

- 2-P.54 Work with the California Parks Department to provide beachfront amenities such as water fountains, bathrooms, and showers; ensure these are designed to be unobtrusive and harmonious with the natural character of the area.

Community Connectedness

- 2-P.55 Integrate disparate master planned communities and neighborhoods into a cohesive whole, by establishing streetscape schemes along key connector streets and arterials.



- 2-P.56 Encourage use of public space and rights-of-way for periodic community events such as farmers markets, street fairs, and athletic events.

Growth Management and Public Facilities⁴

- 2-P.57 Ensure the dwelling unit limitations of the Growth Management Plan are adhered to when approving any residential General Plan amendment, zone change, tentative subdivision map or other discretionary permit.
- 2-P.58 Require compliance with Growth Management Plan public facility performance standards, as specified in the Citywide Facilities and Improvements Plan, to ensure that adequate public facilities are provided prior to or concurrent with development.
- 2-P.59 Coordinate future development with the Capital Improvement Program (CIP) to ensure adequate funding for needed facilities and services; and prioritize the funding of CIP projects to provide facilities and services to infill areas, in transit priority or planned smart growth areas, and areas where existing deficiencies exist.
- 2-P.60 Maintain the Growth Management monitoring and annual reporting program, which: a) monitors the number of existing and future dwelling units compared to the growth management dwelling unit limitations, and b) measures the city's public service requirements against the rate of physical growth. Use this information to establish priorities for capital improvement funding, and when considering development requests.
- 2-P.61 The City Council or the Planning Commission shall not find that all necessary public facilities will be available concurrent with need as required by the Growth Management Plan unless the provision of such facilities is guaranteed. In guaranteeing that the facilities will be provided, funding shall be available for the necessary facilities prior to approval of development permits, and emphasis shall be given to ensuring a balanced circulation system, schools, parks, libraries, open space and recreational amenities. Public facilities may be added, however, the City Council shall not materially reduce public facilities without making corresponding reductions in development potential.

The Cannon Road Open Space, Farming and Public Use Corridor

Policies 2-P.62 through 2-P.68 are in accordance with "Proposition D - Preserve the Flower and Strawberry Fields and Save Carlsbad Taxpayers"

⁴ Note: 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.

Money” and are applicable only to the area within the Cannon Road Open Space, Farming and Public Use Corridor (see Figure 2-2).

- 2-P.62 In coordination with land owners, protect and preserve this area as an open space corridor. Permit only open space, farming and compatible public uses in the area. Permitted uses shall be as follows:
- a. Open space
 - b. Farming and other related agricultural support uses, including flower and strawberry production.
 - c. Public trails
 - d. Active and passive parks, recreation and similar public and private use facilities (except on the existing Flower Fields)
 - e. Electrical transmission facilities
- 2-P.63 Prohibit residential development in the area; and prohibit commercial and industrial-type uses in the area other than those normally associated with or in support of farming operations and open space uses.
- 2-P.64 Enhance public access and public use in the area by allowing compatible public trails, community gathering spaces and public and private, active and passive park and recreation uses.
- 2-P.65 Allow farming to continue in the area for as long as economically viable for the landowner.
- 2-P.66 Utilize all existing programs and land use protections and explore possible new mechanisms, as well as new grant programs and other outside financial assistance, to keep the existing Flower Fields in permanent farming and flower production.
- 2-P.67 If determined to be necessary, the city shall amend the Zoning Ordinance and adopt a Cannon Road Open Space, Farming and Public Use Corridor Overlay Zone to apply to the area that would provide more detail on permitted uses and land use regulations applicable to the area.

This policy was implemented with the adoption of City Council Ordinance No. CS-145 on June 7, 2011 No. CS-317 on March 28, 2017. Further, consistent with California Coastal Commission direction, the ordinance applies only to affected parcels south of Cannon Road.

- 2-P.68 The city shall initiate a public planning process with broad public participation to fully accomplish implementation of the goals, objectives and action programs listed above.

This policy was implemented with the public planning process that occurred from November 2007 through June 2008, which resulted in the

report titled “Creating a Community Vision for the Cannon Road Agriculture and Open Space (Prop D) Lands Final Report September 23, 2008.”

Village

(see Figure 2-2)

- 2-P.69 The Village and Barrio Master Plan is the guide for land use planning and design in the Village.
- 2-P.70 Seek an increased presence of both residents and activity in the Village with new development, particularly residential, including residential as part of mixed-use development, as well as commercial, entertainment and cultural uses that serve both residents and visitors.
- 2-P.71 Seek ways of strengthening existing establishments through façade and streetscape improvements, upgraded public and private landscaping and aesthetically upgraded signage and way-finding. Encourage outdoor dining, sidewalk cafes and limited outdoor displays of merchandise to enliven street-level activity.
- 2-P.72 Enhance the walkability and pedestrian orientation of the Village, including along Carlsbad Village Drive, to enhance the small, beach town atmosphere and improve access to and utilization of transit.
- 2-P.73 Enhance connections with the Barrio through streetscape improvements—including street trees, improved sidewalks, lighting and signage—and potentially mixed-use development along Roosevelt Street.
- 2-P.74 Encourage public art and community gatherings through a wide range of visual and physical forms—from banners on light posts, paving and artwork on sidewalks, light displays at night, music, and sculptures ranging from iconic to pedestrian scale, to the design and shaping of public spaces plazas—all of which set the stage for people to gather, play, and observe. Build on existing activities and events and incorporate cultural facilities, the beach, and a waterfront area where public art could be showcased.
- 2-P.75 Address parking demand by finding additional areas to provide parking for the Village and beach areas, and by developing creative parking management strategies, such as shared and leased parking, on-street parking reconfiguration, “smart” metering, transportation demand management strategies, etc. Evaluate and manage parking in the Village through regular monitoring of parking data—and programs such as the Parking In-Lieu Fee Program.



- 2-P.76 Support Village revitalization by developing and implementing programs, policies and financing mechanisms to spur local investment and foot traffic, and increase private and public revenues in the Village through partnerships with property owners, businesses and other stakeholders (e.g. business organizations, local non-profit organizations, and residents).



*Barrio**(see Figure 2-2)*

- 2-P.77 Promote new investment by allowing opportunities for medium and high-density infill residential development, strategically located in the neighborhood consistent with the Village and Barrio Master Plan. Ensure that development is designed to enhance neighborhood quality, character, and vitality, and is sensitive to historic and cultural resources.
- 2-P.78 Focus revitalization efforts on renovations and façade improvements as well as enhancing the physical infrastructure of the community.
- 2-P.79 Create a cohesive, pedestrian-scale streetscape that includes improved sidewalks, streetscape, signage and way-finding, and which celebrates the Barrio's heritage and provides better connections between the Barrio and Village and across the railroad at Chestnut Avenue.
- 2-P.80 Foster development of community gathering spaces and a great public realm, such as by reclaiming portions of wide streets for sidewalks, curb bulb-outs, and small plazas in order to create a more pedestrian- friendly experience and encourage interaction among neighbors.
- 2-P.81 Prepare design, development, and parking standards that protect, enhance and provide flexibility to enhance neighborhood quality and character.
- 2-P.82 Develop cooperative neighborhood enhancement programs with the Barrio community that will result in improved resident connections, neighborhood dynamics and enhanced sense of community through better private-public liaison efforts and focus on completion of neighborhood desired improvements. These programs should be coordinated with Village revitalization efforts.

*Infill opportunity (left) and the Barrio historic core (below).*

*Carlsbad Boulevard/Agua Hedionda Center**(see Figure 2-2)*

2-P.83 West of the railroad tracks:

- Decommission, demolish, remove and remediate the Encina Power Station site, including the associated structures, the black start unit and exhaust stack according to the provisions of a settlement agreement dated January 14, 2014, between and among the City of Carlsbad and the Carlsbad Municipal Water District (CMWD), Cabrillo Power I LLC and Carlsbad Energy Center LLC, and San Diego Gas and Electric Company (SDG&E).
- The desalination plant shall remain on approximately 11 acres (six acres for the desalination plant and approximately five acres of non-exclusive easements) west of the railroad tracks.
- Redevelop the Encina Power Station site, along with the SDG&E North Coast Service Center site, with a mix of visitor-serving commercial uses, such as retail and hotel uses, and with new community-accessible open spaces along Agua Hedionda Lagoon and the waterfront (Carlsbad Boulevard). Encourage community gathering spaces, outdoor dining, and other features to maximize potential views of the ocean and the lagoon. Encourage shared parking arrangements so that a greater proportion of development can be active space rather than parking.
- Determine specific uses, development standards, infrastructure, public improvements, site planning and amenities through a comprehensive planning process (e.g., specific plan, master plan, etc.) resulting in a redevelopment plan approved by the City Council. The redevelopment plan boundaries should include the Encina Power Station and the SDG&E North Coast Service Center sites.
- Work with SDG&E to identify a mutually acceptable alternative location for Its North Coast Service Center. Work with SDG&E, as part of a long-term plan, to identify and ultimately permit an alternate site for its Encina substation.

2-P.84 Between I-5 and the railroad tracks:

- Operate the Carlsbad Energy Center ~~Support construction of a new power plant~~ as described in a settlement agreement dated January 14, 2014, between and among the City of Carlsbad and the Carlsbad Municipal Water District (CMWD), Cabrillo Power I LLC and Carlsbad Energy Center LLC, and San Diego Gas and Electric Company (SDG&E). The ~~new~~-power plant ~~will~~ includes the following characteristics:
- Power output will be limited to approximately **600–500** megawatts and will be constructed and operated utilizing



Carlsbad Boulevard/Agua Hedionda Center and former Encina Power Station

peaker-plant technology (rather than as a base load or combined-cycle facility).

- The power plant will not operate between the hours of midnight and 6 a.m., except to the extent reasonably required for reliability-related purposes or as otherwise required by the ISO tariff.
- Generator units will be placed below grade to minimize the power plant's visual profile.
- The power plant will utilize current peaker-plant technology that significantly reduces noise, air pollutant and greenhouse gas emissions, and eliminates the use of ocean water for cooling.
- Other features as described in said settlement agreement.
- Provide an open space buffer along the lagoon's south shore between the railroad tracks and I-5.

Westfield-The Shoppes at Carlsbad Commercial Area

(see Figure 2-2)

- 2-P.85 Promote redevelopment or reuse of the ~~Westfield~~ mall as a vital, community-wide commercial destination, and encourage a pedestrian orientation. Leverage the city's parking-lot ownership and work collaboratively with The Shoppes' owner to encourage develop a minimum 993 dwelling units~~residential uses~~ to be part of the land use mix.

Sunny Creek Commercial

(see Figure 2-2)

- 2-P.86 Foster development of this site as a mix of multi-family residential dwellings and a local neighborhood-serving shopping center that provides daily goods and services for the surrounding neighborhoods.

- a. The location of commercial and residential uses/land use designations shall be determined through review and approval of a site development plan.
- b. The area of land utilized for a local shopping center shall be a minimum of 8 acres in size.
- c. A total of 115 dwelling units have been allocated to the site for growth management purposes (based on 9.6 acres developed at the minimum density of 12 dwelling units per acre, pursuant to Housing Element Appendix B).
- d. Residential and commercial uses should be integrated in a walkable setting.

*Palomar Corridor**(see Figure 2-2)*

- 2-P.87 Reinforce the existing base of planned industrial uses with a strong cluster of bio- and high-technology sectors, and attract emerging technologies such as green industries.
- 2-P.88 Allow clusters of sites designated for office use in appropriate locations. Ensure that the Zoning Ordinance incorporates criteria regulating the use of hazardous materials around the sites shown for office uses and other sensitive uses.

*Ponto/Southern Waterfront**(see Figure 2-2)*

- 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.
- 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.

*Murphy**(see Figure 2-2)*

- 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.

*Poinsettia and Carlsbad Village Coaster Stations**(see Figure 2-2)*


- 2-P.92 Work collaboratively with NCTD to achieve a minimum 27 dwelling units at the Poinsettia Coaster Station and a minimum 93 dwelling units at the Village Coaster Station.

*North County Plaza**(see Figure 2-2)*

- 2-P.93 The site shall develop with a minimum 240 dwelling units.

6

Public Safety



Environmental, seismic and topographic conditions and the patterns of urban development in Carlsbad can potentially pose risks to human health and property. The Public Safety Element identifies natural and manmade hazards that exist within Carlsbad and seeks to mitigate their potential impacts through preventative and response measures. Topics addressed in this element include seismic and geologic hazards; climate change; wildfire; flooding and drainage; hazardous materials and police, fire and emergency response.

6.1 Introduction

Background and Purpose

The purpose of this element is to acknowledge the risk posed by hazards, and to reduce the risk of injury, loss of life, property damage, and economic and social dislocation resulting from natural and manmade hazards. The ~~proposed overall~~ development pattern in the Land Use and Community Design Element incorporates consideration of flooding risk, seismic safety and other hazards. The Public Safety Element contains the city's goals and policies to reduce the risks associated with identified hazards and integrate mitigating measures into the city's development review process.

Relationship to State Law

Government Code Section 65302(g) requires each California city and county to include within its general plan a ~~public-safety~~ element that addresses the protection of the community from any unreasonable risks associated with the effects of seismic and other geologically induced hazards, flooding, and fires. The ~~safety element~~ Public Safety Element is required to include mapping of known seismic and other geological hazards. Where applicable, it must also address evacuation routes, peak load water supply requirements, minimum road widths and clearances around structures.

Government Code Section 65302(g) (as amended by SB 379 (2015)) requires cities and counties to include climate adaptation and resiliency strategies — as applicable to that city or county — in the safety elements of their general plans. The City of Carlsbad prepared a Climate Change Vulnerability Assessment (CCVA) which is available on the city website at the following link: <https://www.carlsbadca.gov/departments/community-development/planning/general-plan/related-documents/-folder-769>. The CCVA assesses how the community and natural and built assets in Carlsbad are vulnerable to climate change. The Public Safety Element of the General Plan includes adaptation implementation measures consistent with this legislation.

Government Code Section 65302(g) (as amended by SB 99 (2019)) requires a local government to identify residential developments in hazard areas that do not have at least two emergency evacuation routes. A residential emergency evacuation route analysis was conducted as part of this Public Safety Element update and is presented as Figure 6-11.

Government Code Section 65302(g) (as amended by SB 1035 (2018)) requires a jurisdiction's safety element to be revised to identify new information on fire hazards, flood hazards, and climate adaptation and resiliency strategies applicable to the city and county that was not

available during the previous revision of the safety element. The fire hazard and flood maps have been updated as

Figure 6-1 and Figure 6-10.

State law also allows cities to address any other locally relevant issues in its ~~public~~-safety element. In addition to those mentioned above, Carlsbad's Public Safety Element also addresses disaster preparedness and ~~the~~ protection from other local health and safety hazards, such as fire, hazardous materials and airport hazards. ~~)(g))~~

Relationship to Community Vision

The Public Safety Element is most closely tied to the following objective in the Community Vision:

~~Core Value 8: Support quality, comprehensive education and life-long learning opportunities, provide housing and community services for a changing population, and maintain a high standard for citywide public safety.~~

Relationship to Other General Plan Elements

The Public Safety Element is strongly correlated to the Land Use and Community Design Element and the Open Space, Conservation and Recreation Element. The Land Use and Community Design Element includes consideration of fire, seismic, flooding and other hazards in land use designations and their ~~intensities~~intensity. Through restrictions on the development of hazardous areas, identified by careful investigation as proposed in the Public Safety Element, the Land Use and Community Design Element supplements the policies of this element.

Related to the Open Space, Conservation and Recreation Element, areas subject to severe hazards, especially those related to seismic or flood-prone conditions, are designated for a reduced level of development or open space, or development is required to be set back from areas impacted by these factors.

Additionally, the Public Safety Element is related to the Mobility Element in that good street design and accessibility of the transportation system is vitally important in providing emergency services.

~~Furthermore~~Finally, the Public Safety Element is related to the Housing Element and the Arts, History, Culture, and Education Element in that it identifies areas that may present hazardous conditions for residential structures and proposes precautionary measures related to older existing structures that may have historic or cultural significance.

Finally, the Public Safety Element is related to the Sustainability Element in that it establishes broad strategies to reduce local greenhouse gas emissions which contribute to climate change hazards

that the Public Safety Element seeks to minimize. The Sustainability Element promotes water conservation, reduction of the urban heat island effect, and energy efficiency which increase the city's resilience to climate change.

6.2 Regulatory Setting

Public safety is a topic that is subject to extensive federal, state, and local regulations that span a variety of safety topics. Some of the key regulations and regulatory agencies are summarized below. The city is not responsible for administering all of the regulations; rather, the following discussion provides examples of how public safety in Carlsbad is a shared responsibility among various government agencies. For a fuller discussion of the regulatory setting pertaining to safety, the Environmental Impact Report for the General Plan should be consulted.

Federal Programs and Regulations

Environmental Protection Agency

The United States Environmental Protection Agency (U.S. EPA) enforces the Federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA), which regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the “cradle to grave” system of regulating hazardous wastes (controlling hazardous waste from the time it is generated until its ultimate disposal). The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the HSWA.

The 1980 Comprehensive Environmental Response, Compensation, and Liability Act, commonly known as Superfund, provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment.

United States Department of Transportation

Transportation of chemicals and hazardous materials are governed by the United States Department of Transportation (DOT), which stipulates the types of containers, labeling, and other restrictions to be used in the movement of such material on interstate highways.

Federal Emergency Management Agency

The primary mission of the Federal Emergency Management Agency (FEMA) is to reduce the loss of life and property and to protect the nation from all hazards, including natural disasters, acts of terrorism, and other manmade disasters, by leading and supporting a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation. ~~FEMA maps floodplains, and is currently (2013) in the process of preparing new floodplain mapping along much of the California coastline, including Carlsbad.~~

Disaster Mitigation Act

The Disaster Mitigation Act of 2000 requires a state mitigation plan as a condition of disaster assistance, adding incentives for increased coordination and integration of mitigation activities at the state level.

State Regulations

California Environmental Protection Agency

The management of hazardous materials and waste within California is under the jurisdiction of the California Environmental Protection Agency (Cal EPA). Cal EPA is responsible for developing, implementing, and enforcing the state's environmental protection laws that ensure clean air, clean water, clean soil, safe pesticides and waste recycling and reduction. Within Cal EPA are various departments, three of which are described as follows:

Office of Environmental Health Hazard Assessment

The California Office of Environmental Health Hazard Assessment oversees implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as Proposition 65), which aims to protect California citizens and the state's drinking water sources from chemicals known to cause cancer, birth defects, or other reproductive harm and to inform citizens about exposures to such chemicals.

~~The~~ California Department of Toxic Substances Control

The California Department of Toxic Substances Control (DTSC) implements the California Code of Regulations Title 22, Division 4.5, which provides standards for the management of hazardous waste. The DTSC has the authority to delegate enforcement of the state's hazardous waste regulations to local jurisdictions.

State Water Resources Control Board

The State Water Resources Control Board (SWRCB), as well as nine regional water quality control boards, implements various laws related to the protection of both potable and recycled water quality. The state and regional boards regulate wastewater discharges to surface and ground water; storm water discharges from construction, industrial, and municipal activities; discharges from irrigated agriculture; dredge and fill activities; alteration of federal water bodies; and other activities that could degrade water quality.

The California Department of Transportation

The California Department of Transportation (Caltrans) manages more than 50,000 miles of California's highway and freeway lanes, provides inter-city rail services, permits more than 400 public-use airports and special-use hospital heliports and works with local agencies. Caltrans is also the first responder for hazardous material spills and releases that occur on those highway and freeway lanes and inter-city rail services.

California Division of Safety of Dams ~~Emergency Management Agency~~

The California Department of Water Resources, Division of Safety of Dams supervises the construction, enlargement, alteration, repair, maintenance, operation, and removal of dams and reservoirs for the protection of life and property. Included in this authority is the approval of dam inundation maps to identify potential flood prone areas that may be critically impacted during a dam failure or emergency incident. Approved inundation maps are used to support emergency action plans that dam owners are required to prepare pursuant to Water Code Section 6161.

California Office of Emergency Services

The California Office of Emergency Services ~~Management Agency~~ (Cal OESEMA) is responsible for assuring the state's readiness to respond to and recover from all hazards, ~~— natural, manmade, war-caused~~ emergencies, and disasters. Cal OESEMA assists local governments in developing their own emergency preparedness and response plans, in accordance with the Standardized Emergency Management System and the State Emergency Plan, for earthquakes, floods, fires, hazardous material incidents, nuclear power plant emergencies, dam breaks, and acts of terrorism. Cal OESEMA also administers the State of California Multi-Hazard Mitigation Plan (SHMP), which presents goals, strategies, and actions for reducing future disaster losses throughout the state. The SHMP is a federal requirement under the Disaster Mitigation Act of 2000 in order for the state to receive federal funds for disaster assistance.

Safe School Plan (California Education Code Sections 32280 et seq.)

This statute requires public schools to prepare a school safety plan that identifies strategies and programs that will ensure a high level of school safety related to: child abuse reporting; disaster procedures; on-campus violence; discrimination and harassment; safe ingress and egress to and from school; safe and orderly environment conducive to learning; and school discipline.

Local Regulations

County of San Diego Department of Environmental Health and Quality

The County of San Diego Department of Environmental Health and Quality (DEHQ/DEH) protects public health and environmental quality and implements and enforces local, state, and federal environmental laws. ~~DEHQ~~The DEH regulates the following: retail food safety; public housing; public swimming pools; small drinking water systems; mobile-home parks; onsite wastewater systems; recreational water; recycled water; aboveground and underground storage tanks and cleanup oversight; and medical and hazardous materials and waste. In addition, ~~DEHQ~~DEH serves as the Solid Waste Local Enforcement Agency and prevents disease carried by rats and mosquitoes.

California Environmental Protection Agency's Unified Program

Cal EPA oversees a unified hazardous waste and hazardous materials management and regulatory program, commonly referred to as the Unified Program. The purpose of this program is to consolidate and coordinate six different hazardous materials and hazardous waste programs, and to ensure that they are consistently implemented throughout the state. State law requires local agencies to implement the Unified Program. The County of San Diego ~~DEHQ~~DEH, Hazardous Materials Division is the local agency in charge of implementing the program in the county certified by the EPA as Certified Unified Program Agencies (CUPAs).

San Diego County Multi-Jurisdictional Hazard Mitigation Plan

The San Diego Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) was developed in accordance with the Disaster Mitigation Act of 2000 and followed FEMA's Local Hazard Mitigation Plan guidance. Carlsbad is included in the MJHMP as an annex to the plan and can be found at this link:

[https://www.sandiegocounty.gov/oes/emergency management/oes.j l mitplan.html](https://www.sandiegocounty.gov/oes/emergency%20management/oes%20mitplan.html). The MJHMP incorporates a process where hazards are identified and profiled, the people and facilities at risk are analyzed, and mitigation actions are developed to reduce or eliminate hazard risk. The implementation of these mitigation actions, which include both short and long-term strategies, involve planning, policy changes, programs, projects, and other activities. Long-term prevention, mitigation efforts and risk-based preparedness related to specific hazards within the city are addressed in the 2018 San Diego County Multi-Jurisdictional Hazard Mitigation Plan (HAZMIT Plan). The HAZMIT Plan identifies specific risks for San Diego County and provides methods to help minimize damage caused by natural and manmade disasters. The final list of hazards profiled for San Diego County was determined as wildfire/structure fire, flood, coastal storms/erosion/tsunami,

earthquake/liquefaction, rain-induced landslide, dam failure, hazardous materials incidents, nuclear materials release, and terrorism. Currently, the city is in the process of updating its mitigation strategies and action programs within the HAZMIT Plan. The County of San Diego Office of Emergency Services is responsible for coordinating with local jurisdictions and participating agencies to monitor, evaluate, and update the MJHMP San Diego County Multi-Jurisdictional Hazard Mitigation Plan as necessary.

Through the MJHMP Carlsbad is compliant with Government Code Sections 65302.6 and 8685.9 (also known as Assembly Bill 2140 or AB 2140) which limits the State of California's share of disaster relief funds paid out to local governments to 75 percent of the funds not paid for by federal disaster relief efforts unless the jurisdiction has adopted a valid hazard mitigation plan consistent with Disaster Mitigation Act of 2000 and has incorporated the hazard mitigation plan into the jurisdiction's General Plan. In these cases, the State may cover more than 75 percent of the remaining disaster relief costs.

McClellan-Palomar Airport Land Use Compatibility Plan

The McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) is prepared by the San Diego County Regional Airport Authority to protect the safety of the public from airport related hazards. The ALUCP promotes compatibility between McClellan Palomar Airport and the land uses that surround it by addressing noise, overflight, safety, and airspace protection concerns. The ALUCP prevents exposure to excessive noise and safety hazards within the airports influence area (AIA), provides for the orderly growth of the airport and the area surrounding the airport, and safeguards the general welfare of the inhabitants within the vicinity of the airport and the public in general.

Carlsbad Municipal Code

Chapter 6.03 of the Carlsbad Municipal Code incorporates by reference Chapters 9 and 11 of Division 8 of Title 6 of the San Diego County Code of Regulatory Ordinances, which designates the County of San Diego DEHQDEH as the local agency responsible for implementing the state's Unified Program and specifies reporting, disclosure and monitoring requirements for hazardous materials and hazardous waste establishments.

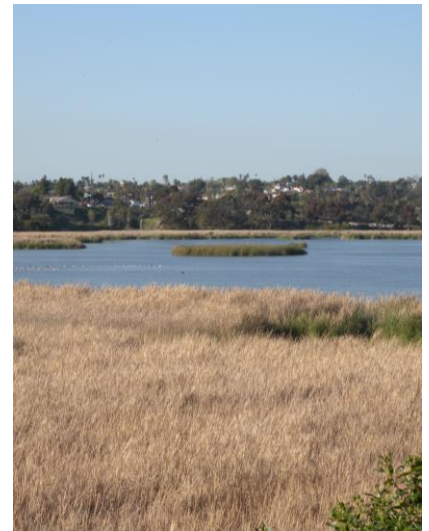
6.3 Flooding and Coastal Hazards

Surface Hydrology

The San Diego Region is divided into 11 hydrologic units that flow from elevated regions in the east toward coastal lagoons, estuaries, or bays in the west. Carlsbad is located within the Carlsbad Hydrologic Unit (HU), also referred to as the Carlsbad Watershed Management Area, which is approximately 210 square miles in area, extending from the headwaters above Lake Wohlford in the east to the Pacific Ocean in the west, and from Vista and Oceanside in the north to Solana Beach, Encinitas, and the community of Rancho Santa Fe to the south. The cities of Carlsbad, San Marcos, and Encinitas are entirely within this HU. There are numerous important surface hydrologic features within the Carlsbad HU including four unique coastal lagoons, three major creeks, and two large water storage reservoirs. Approximately 48% of the Carlsbad HU is urbanized. The dominant land uses are residential (29%), commercial/industrial (6%), freeways and roads (12%), agriculture (12%), and vacant/undeveloped (32%).¹

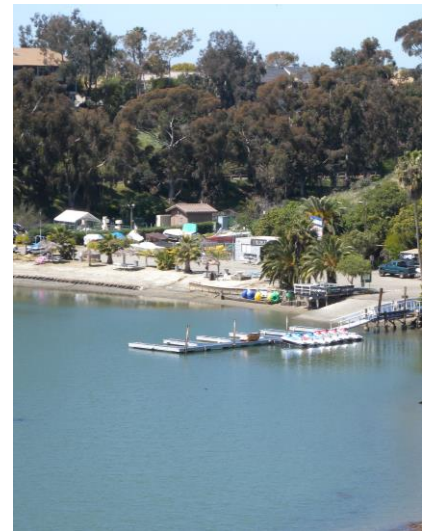
Buena Vista Lagoon

Buena Vista Lagoon is a 350-acre ~~freshwater~~ ~~fresh-water~~ lagoon owned by the State of California and managed by the California Department of Fish and Wildlife (CDFW) as a nature reserve. Located on the border between Carlsbad and Oceanside, it became California's first ecological reserve in 1969. CDFW is the major property owner of the lagoon; however, a number of adjacent residential property owners have control of small portions of their ~~properties~~ ~~property~~ adjacent to the lagoon's wetland boundary. Although the lagoon itself is maintained as a nature reserve, much of the Buena Vista hydrologic area is already developed.



Agua Hedionda Lagoon

Agua Hedionda Lagoon is situated between Tamarack Avenue and Cannon Road and is comprised of three inter-connected lagoons, divided by the Interstate-5 freeway and a railroad bridge. Cabrillo Power LLC owns the three lagoon sections; the 66-acre outer lagoon adjacent to the Pacific Ocean, which primarily provides cooling water for the electric producing generators at the Carlsbad Desalination ~~Encina Power~~ Plant; the 27-acre middle lagoon is home to the North Coast YMCA Aquatic Park; and the 295-acre inner lagoon extends approximately 1,800 yards in a southeasterly direction from the Interstate-5 freeway bridge. The City of Carlsbad Parks & Recreation Department allows recreational activities on the inner lagoon



¹—Project Clean Water Website 2012, www.projectcleanwater.org/html/ws_carlsbad.html, accessed September 21, 2012

including may be used for boating – permitted crafts include jet skis and powerboats (western portion) and passive vessels like sailboats and kayaks (eastern portion). At the eastern end of the lagoon is the Agua Hedionda Ecological Reserve, which was acquired in 2000 by the CDFW and consists of 186 acres of wetlands.

Batiquitos Lagoon

The Batiquitos Lagoon consists of approximately 561 acres owned by both the CDFW and the California State Lands Commission and is protected as a game sanctuary and bird estuary. The lagoon was originally open to the ocean, but over time the construction of transportation corridors and other development resulted in sediment closing off the lagoon. Then, in the mid-1990s, a significant lagoon restoration and enhancement project, conducted by the City of Carlsbad, Port of Los Angeles and other cooperating agencies, allowed for the lagoon to open to the ocean again, as it exists today.

Stormwater Drainage

Much of the land area in Carlsbad is developed, resulting in impervious surfaces from the placement of roads, parking lots, buildings, and other infrastructure. These facilities reduce the amount of water infiltration into the ground, increase direct runoff into the city's creeks and lagoons, and cause soil erosion and sedimentation, which can result in water quality degradation and flooding concerns. Stormwater systems may be overwhelmed more frequently as more extreme rain events occur due to climate change, causing localized flooding which could impact properties and close streets, and impact water quality.

The City of Carlsbad currently employs a number of measures, including best management practices (BMPs), to prevent pollutants and hazardous materials from entering municipal stormwater conveyance systems. As storm drains are not connected to sanitary sewer infrastructure, water conveyed to these drains is not treated prior to discharging into creeks, lagoons and the ocean. Therefore, pollutants must be reduced and/or removed before entering urban conveyance systems. The city's Storm Water Protection Program covers all phases of development through planning, construction and existing development and educates and monitors developers, businesses, municipal facilities, residents, school children, and the general public to help prevent pollutants and other hazardous materials from entering storm drains. The city also implements its Jurisdictional Runoff Management Plan which includes strategies to reduce non-stormwater flows and illegal discharges to the storm drain system and was developed to implement the requirements of the City's Municipal Storm Water Permit.

Flood Zones

Floodplains are areas of land located adjacent to rivers or streams that are subject to recurring inundation, or flooding. Preserving or restoring natural floodplains helps with flood loss reduction benefits and improves water quality and habitat. Floods are typically described in terms of their statistical frequency. For example, a 100-year floodplain describes an area within which there is a one percent probability of a flood occurring in any given year. FEMA prepares Flood Insurance Rate Maps (FIRMs) that identify 100-year and 500-year flood zones. As shown in

Figure 6-1, the potential flood hazard areas identified on the FIRM maps in Carlsbad include the entire coastline and the following major drainage basins:

- ◆ ■ Buena Vista Creek and Buena Vista Lagoon
- ◆ ■ Agua Hedionda Creek, its northern tributary, and the Agua Hedionda Lagoon
- ◆ ■ San Marcos Creek and its northern tributary
- ◆ ■ Batiquitos Lagoon
- ◆ ■ Encinitas Creek

Most jurisdictions within San Diego County, including the City of Carlsbad, participate in the National Flood Insurance Program. Pursuant to the City of Carlsbad's Local Coastal Plan and Carlsbad Municipal Code Title 21 (Zoning), development is restricted within 100-year floodplain areas.

FEMA relies on historical data to calculate flood frequencies and flood extent. Climate change is expected to increase rates of precipitation and the frequency of extreme precipitation events. These changing conditions could result in more frequent and severe riverine flooding which could impact properties within flood zones as well as emergency services, power, wastewater, and storm drainage infrastructure, exacerbating public health concerns.

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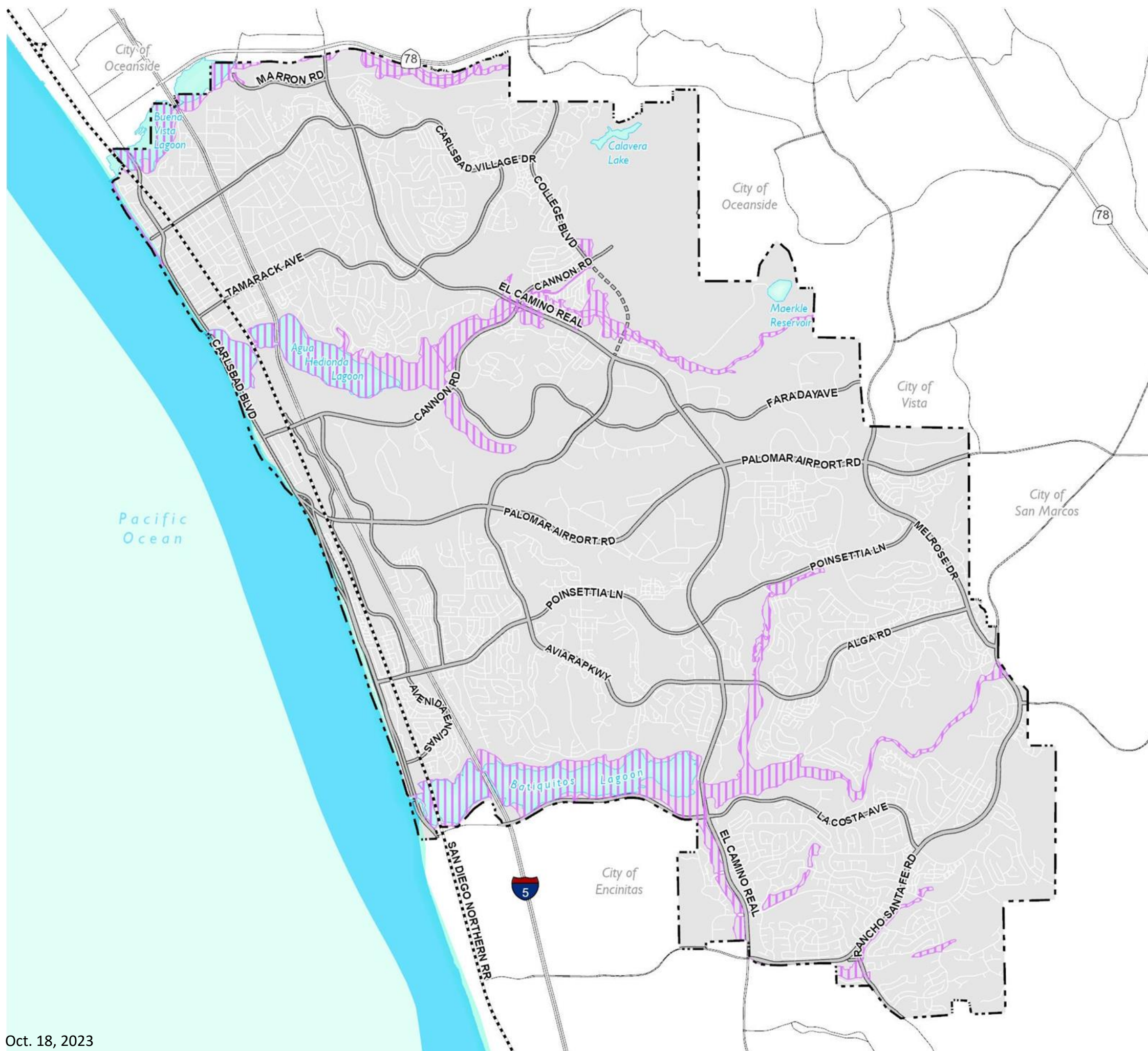







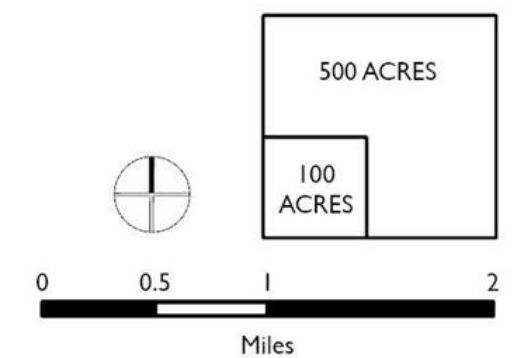


Figure 6-1: Potential Flood Hazards

-  1% Annual Chance Flood Zone (100 Year Flood - High Risk Areas)
-  1% Annual Chance Coastal Flood Zone (100 Year Flood - High Risk Coastal Areas)
-  Highways
-  Major Street
-  Planned Street
-  Railroad
-  City Limits



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Dam Inundation

Dam inundation can be caused by the release of impounded water from structural failure or overtopping of a dam. ~~The San Diego County HAZMIT Plan identifies dam failure risk levels based on dam inundation map data. There are fivefour dams and a reservoir located within or adjacent to the City of Carlsbad, as shown in Figure 6-2: the Calavera, Maerkle, Melrose Avenue, San Marcos, and Bressi dams, and the Stanley A. Mahr reservoir. The Calavera and Maerkle dams and Stanley A Mahr reservoir have been assigned high hazard ratings, San Marcos dam has a significant hazard rating, and the Bressi dam has a low hazard rating. All four dams and the reservoir have emergency action plans in place. These facilities are periodically inspected by the State of California Division of Dam Safety.~~

The San Diego County MJHMP identifies dam-failure risk levels based on dam inundation map data. The Calavera, Melrose Avenue and Stanley A. Mahr reservoir dams have been assigned high hazard ratings. Maerkle dam has an extremely high hazard rating, San Marcos dam has a significant hazard rating, and the Bressi dam has a low hazard rating. The California Division of Safety of Dams also classifies jurisdictional dams by downstream hazard potential. Calavera, Melrose Avenue, San Marcos and Stanley A. Mahr dams classify as high and Maerkle dam classifies as extremely high. Bressi dam is not a state jurisdictional dam.

The California Division of Safety of Dams jurisdictional dams and the reservoir have emergency action plans in place. Calavera dam is owned by Carlsbad and operated by Carlsbad Municipal Water District. Maerkle is both owned and operated by Carlsbad Municipal Water District. Dam owners are responsible for preparing emergency action plans. The other dams located within or adjacent to Carlsbad must coordinate with the city on the preparation of their emergency action plans. The San Marcos dam is owned and operated by Citizens Development Corporation, the Stanley A. Mahr Reservoir is owned by the public utility Vallecitos Water District, and the Melrose Avenue Dam is owned by the Rancho Carrillo Homeowners Association.

Dam owners are responsible for preparing Emergency Action Plans. These facilities are periodically inspected by the California Division of Safety of Dams.

Sea Level Rise

In California, sea levels have risen by as much as seven inches along the coast over the last century, resulting in eroded shorelines, deterioration of infrastructure, and depletion of natural resources. The San Diego County MJHMP identifies sea level rise as one of Carlsbad's primary climate change vulnerabilities. Carlsbad has prepared a Sea Level Rise Vulnerability Assessment (2017) which draws on several guiding documents to target adaptation planning efforts.

- In 2009, California Coastal Commission adopted the California Coastal Commission Sea Level Rise Policy Guidance², a Climate Adaptation Strategy³, which summarizes the best available most recent science in predicting potential sea level rise climate change impacts and recommends response strategies.
- Preparing for Climate Change: A Guidebook for Local, Regional, and State Governments, published by ICLEI-Local Governments for Sustainability (Snober, A.K. et al. 2007). The California Energy Commission's 2009 White Paper entitled, The Impacts of Sea Level Rise on the California Coast also describes strategies to address the impacts of sea level rise in California communities.
- The California Adaptation Planning Guide, Planning for Adaptive Communities prepared by CalEMA, now known as CalOES. The San Diego County HAZMIT Plan has identified sea level rise as one of Carlsbad's (and other coastal cities) three primary climate change vulnerabilities (the other two being drought and the California Natural Resources Agency (CalEMA 2012)⁴.

fire). According to Cal-Adapt, an online tool (developed by the California Natural Resources Agency along with others), the historical average maximum baseline (1961-1990) temperature in the Carlsbad area of 73.463.0 degrees F could increase by 4.03.6 to 76.0 degrees by the end of century period (2070-20992090), depending on various emissions scenarios. According to the 2017 Carlsbad Sea Level Rise Vulnerability Assessment Adaptation Strategy for San Diego Bay (south of Carlsbad) prepared in 2012 by a consortium of cities, sea level in Carlsbad the bay could rise by as much as 1.6 feet 17 inches by 2050 and 6.6 five feet by 2100.

Areas within Carlsbad that are particularly vulnerable to sea level rise are those areas immediately adjacent to the coast and the lagoons, which are similarly vulnerable to coastal storms. Potential strategies to reduce the impacts of sea-level rise on the city may include hard engineering (seawalls, breakwaters, levees) soft engineering (beach nourishment and/or replenishment, wetlands restoration) and restricting or reducing development near the coastal areas.

² 2015 Sea Level Rise Policy Guidance, California Coastal Commission. https://documents.coastal.ca.gov/assets/slr/guidance/August2015/0a_ExecSumm_Adopted_Sea_Level_Rise_Policy_Guidance.pdf. As of preparation of this General Plan, a 2018 update of the Sea Level Rise Policy Guidance has been adopted but was not used for the 2017 Sea Level Rise Vulnerability Assessment.

³ 2009 California Climate Adaptation Strategy, California Natural Resources Agency. http://resources.ca.gov/climate_adaptation/docs/Statewide_Adaptation_Strategy.pdf. As of preparation of this General Plan, a 2013 update of the Adaptation Strategy is underway.

⁴ 2012 California Adaptation Planning Guide, Planning for Adaptive Communities. As of preparation of this General Plan, a 2020 update of the Adaptation Planning Guide has been adopted but was not used for the 2017 Sea Level Rise Vulnerability Assessment

In 2011, FEMA initiated the California Coastal Analysis and Mapping Project/Open Pacific Coast Study, which involves over 1,200 miles of new coastal flood hazard mapping and base-flood elevation determinations. Under this initiative, many coastal communities, including Carlsbad, will have coastal flood data and mapping updated for the first time in over 20 years. This study will improve the quality of the coastal data used for both floodplain management and planning purposes.

Climate change is expected to increase the rate of sea level rise. The Carlsbad Sea Level Rise Vulnerability Assessment prepared in 2017 evaluated 1.6 feet of sea level rise by 2050 and 6.6 feet of sea level rise by 2100 as outlined in Figure 6-3. There are 5 hazard zones outlined within the Carlsbad Sea Level Rise Vulnerability Assessment:

Figure 6-2: Dam Inundation Areas

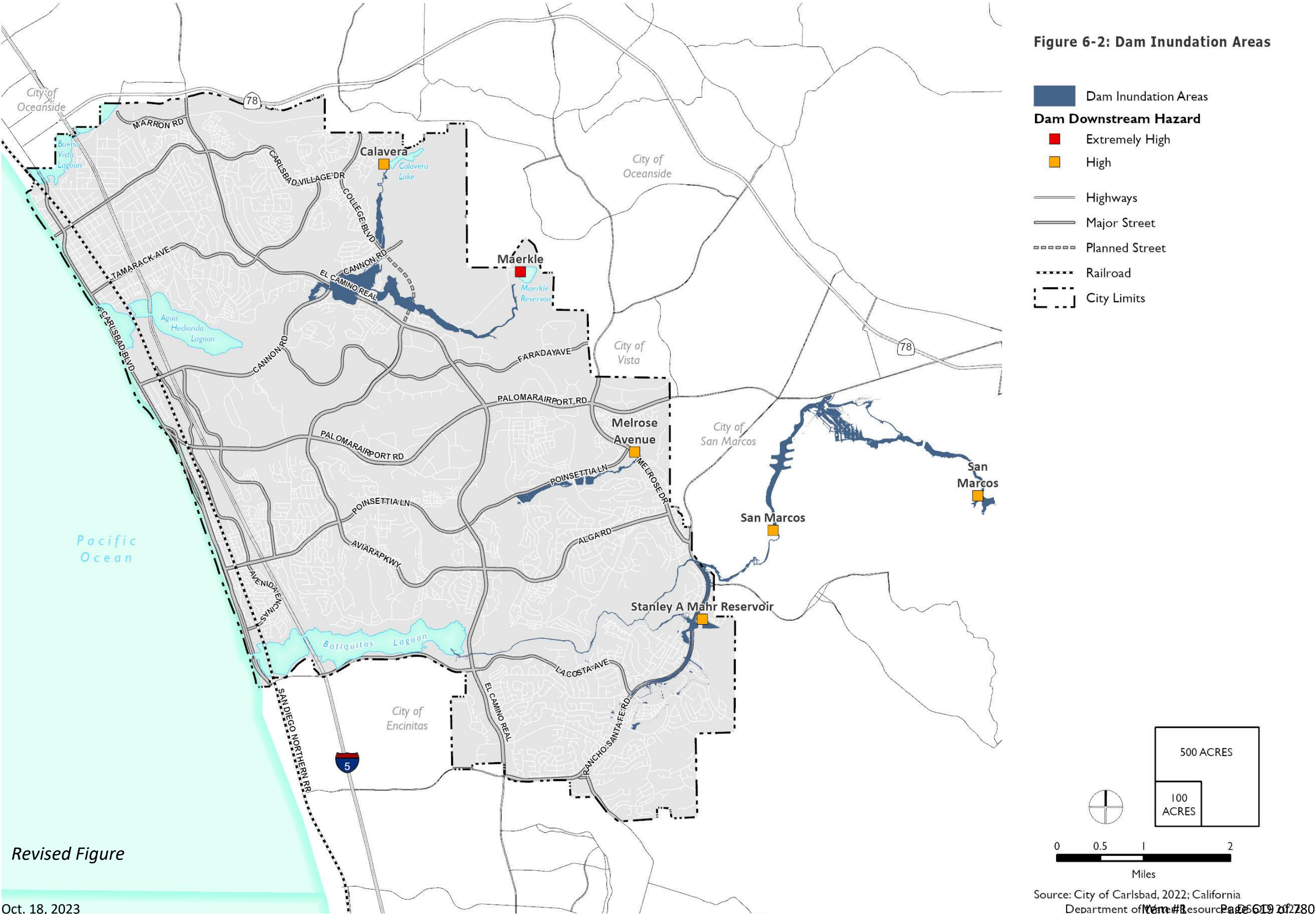
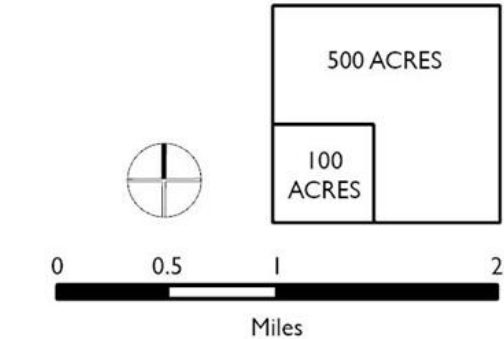
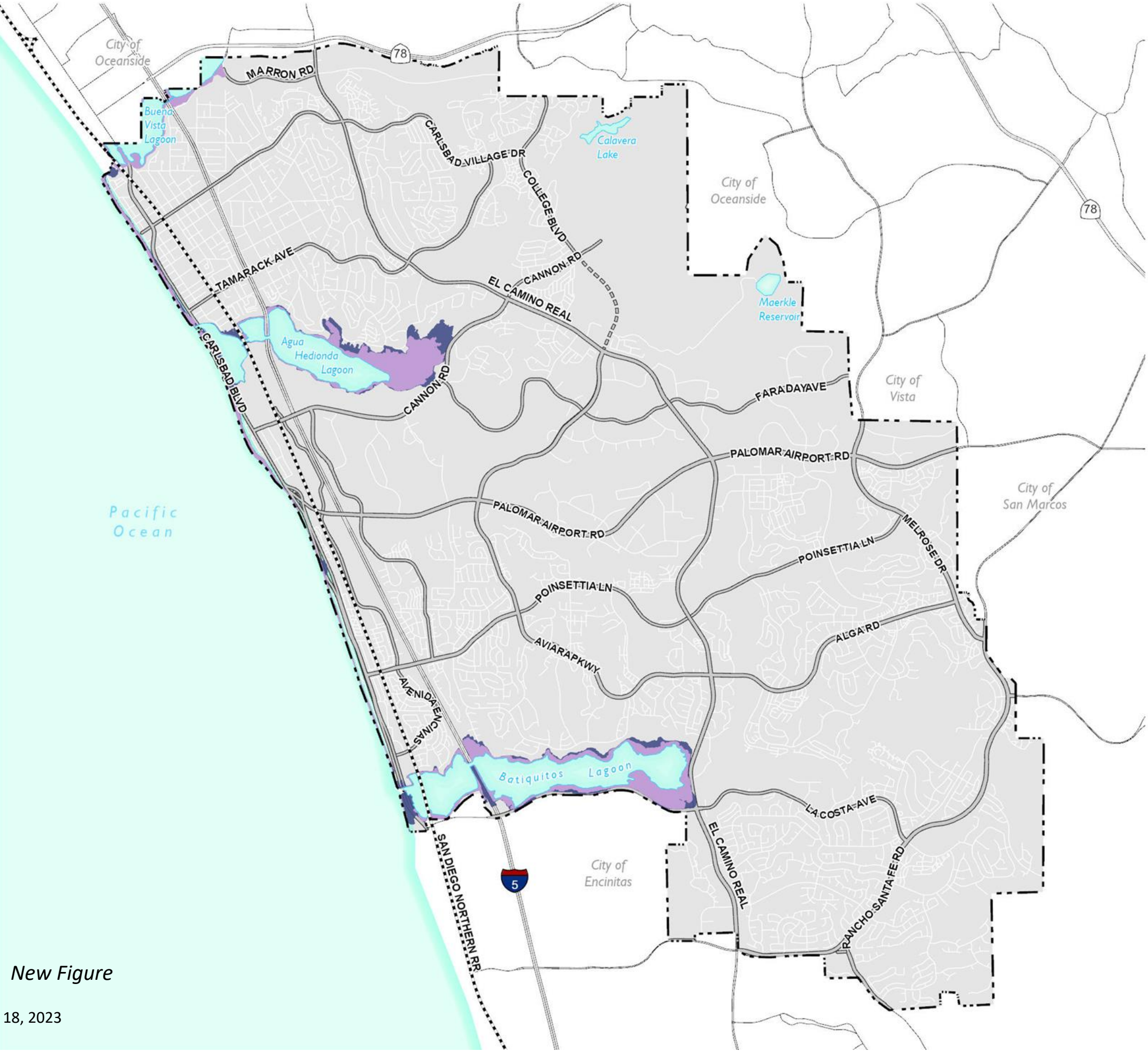


Figure 6-3: Sea Level Rise Projections

- Sea Level Rise (2050) - 1.6 ft (0.5 m)
- Sea Level Rise (2100) - 6.6 ft (2 m)
- Highways
- Major Street
- Planned Street
- Railroad
- City Limits



New Figure

- Coastal Inundation Hazard Zone
- Lagoon Inundation Hazard Zone
- Bluff Hazard Zone
- Coastal Flood Hazard Zone
- Lagoon Flood Hazard Zone

Each of these hazard zones are based on modeling conducted to analyze impacts of sea level rise. The zones were used to better understand which assets would be affected.

According to the Carlsbad Sea Level Rise Vulnerability Assessment the following assets are considered to have moderate to high vulnerability to sea level rise:

- **Beaches:** Approximately seven acres of beach area is projected to be impacted by inundation/erosion in 2050. Vulnerability is rated high for the 2100 horizon due to the significant erosion expected as the beaches are squeezed between rising sea levels and bluffs or coastal structures
- **Public access ways:** A total of 12 vertical beach access ways exist within the Planning Zone of the Agua Hedionda Lagoon. A total of seven of these beach access ways were determined to be potentially impacted by coastal flooding by the year 2050. All 12 were found to be vulnerable to flooding and inundation by the year 2100. About 2.5 miles of horizontal access ways (trails) are vulnerable to flooding in the 2050-time horizon, and 7 miles of trails were found to be vulnerable by year 2100. Public access ways exist along the beach and lagoons in the city.
- **State parks:** The Tamarack State Beach parking lot becomes partially exposed to flooding during extreme storm events by 2050. Exposure to flooding increases in year 2100 and complete flooding of the Tamarack State Beach parking lot can be expected during extreme storms events.
- **Parcels:** A number of residential parcels in the vicinity of Terramar Point were determined to be exposed to bluff erosion hazards in the 2050 sea level rise scenario. Residential parcels along Terramar Point and the northern shoreline of Agua Hedionda Lagoon were found to be highly exposed to coastal hazards in 2100. The Hubbs Sea World Research Institute, the Carlsbad AquaFarm and the YMCA facility are also impacted as flood and tidal waters encroach onto these parcels.
- **Critical infrastructure:** There were no impacts to parcels identified as critical infrastructure for the 2050 planning horizon. The Encina Power Station and the Carlsbad Desalination Plant parcels were identified as being partially exposed to fluvial flooding from Agua Hedionda Lagoon as a result of sea level rise in 2100.

- **Transportation:** Approximately 4,229 linear feet of Carlsbad Boulevard within the Agua Hedionda Lagoon Planning Zone are exposed to bluff erosion hazards during the 2050 planning horizon (high exposure). Carlsbad Boulevard provides a vital north-south linkage within the city; thus, its sensitivity to sea level rise is high. Vulnerability remains high for the 2100 planning horizon as 15,326 linear feet of Carlsbad Boulevard are exposed to bluff erosion and flooding during an extreme storm event.
- **Environmentally sensitive lands:** Environmentally sensitive lands (e.g., lagoon, surrounding open lands, etc.) in the Agua Hedionda Lagoon area are exposed to increased tidal inundation and flooding with any rise in sea levels (high exposure). These assets are moderately sensitive to this exposure as wetland hydrology may be altered by the rising freshwater-saltwater interface and intertidal and subtidal ecosystems may be affected by changes in water depth and sunlight penetration.
- Additional, qualitative assessments were provided on impacts of sea level rise on visual resources, cultural resources, saltwater intrusion, and lifeguard services. Impacts were characterized as none to moderate.

The vulnerability of assets within Carlsbad to sea level rise are described below in Table 6-1.

TABLE 6-1: CITY WIDE VULNERABILITY ASSESSMENT FINDING

ASSET CATEGORY	HORIZON	IMPACTED ASSETS	OVERALL VULNERABILITY RATING
<u>Beaches</u>	<u>2050</u>	<u>27 acres</u>	<u>Moderate</u>
	<u>2100</u>	<u>146 acres</u>	<u>High</u>
<u>2 Public Access Ways</u>	<u>2050</u>	<u>26 beach access ways</u> <u>2.6 miles of lateral access ways</u>	<u>Moderate</u>
	<u>2100</u>	<u>37 beach access ways</u> <u>7.3 miles of lateral access ways</u>	<u>Moderate</u>
<u>State Parks</u>	<u>2050</u>	<u>6 Parcels</u>	<u>Moderate-High</u>
	<u>2100</u>	<u>6 Parcels</u>	<u>Moderate-High</u>
<u>Parcels</u>	<u>2050</u>	<u>564 Parcels</u>	<u>Moderate</u>
	<u>2100</u>	<u>657 Parcels</u>	<u>High</u>
<u>Critical Infrastructure</u>	<u>2050</u>	<u>0 Parcels</u>	<u>Low</u>
	<u>2100</u>	<u>8 Parcels</u>	<u>Moderate</u>
<u>Transportation</u>	<u>2050</u>	<u>1.6 miles</u>	<u>High</u>

	<u>2100</u>	<u>5.8 miles</u>	<u>High</u>
<u>Environmentally Sensitive Lands</u>	<u>2050</u>	<u>1,088 acres</u>	<u>Moderate</u>
	<u>2100</u>	<u>1,164 acres</u>	<u>High</u>

Source: City of Carlsbad Sea Level Rise Vulnerability Assessment. 2017.

Tsunamis and Seiches

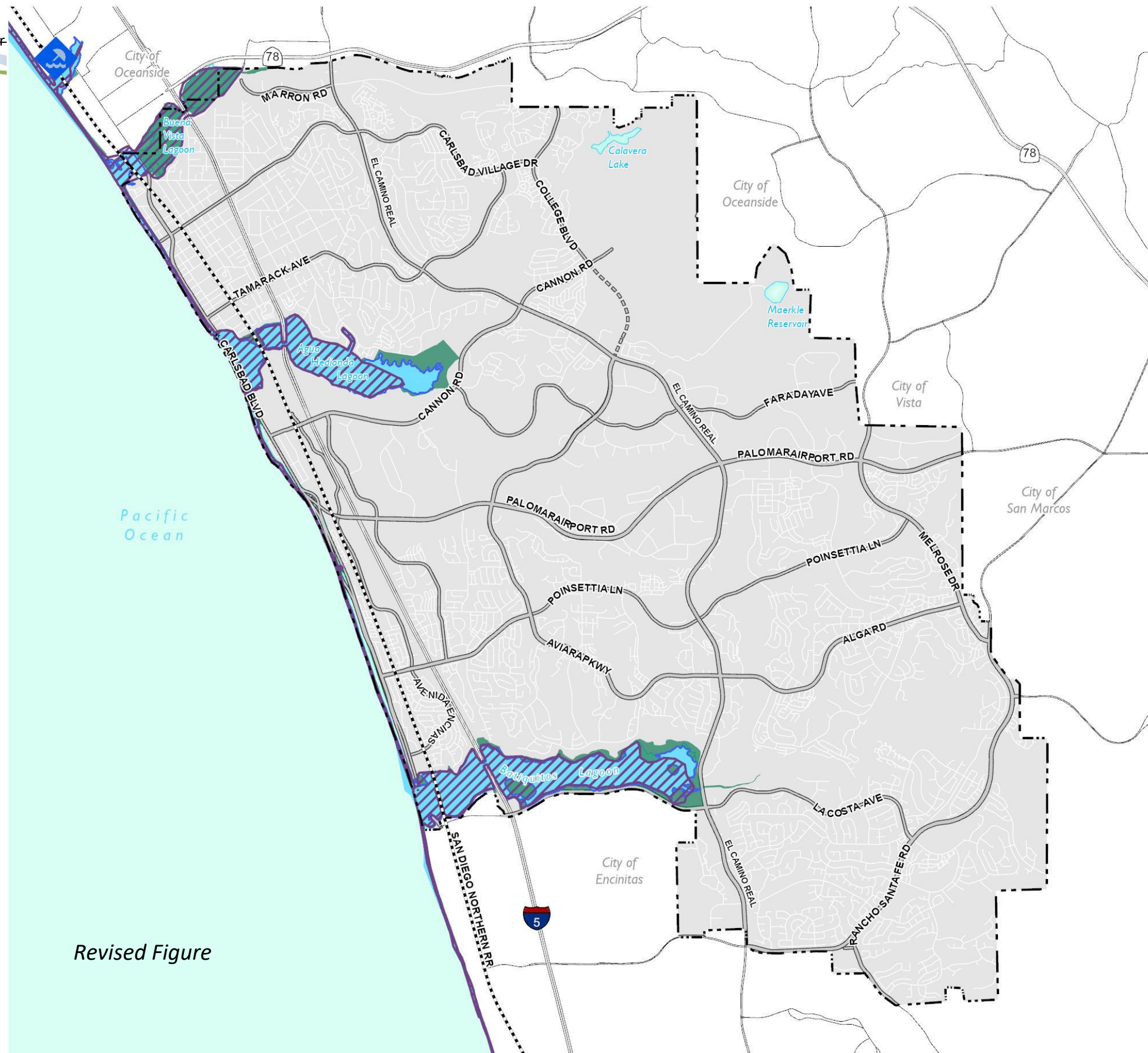
Tsunamis are long wavelength ocean waves generated by sudden movements of the ocean bottom during events such as earthquakes, volcanic eruptions, or landslides. The County of San Diego maps zones of high risk for tsunami run-up. As shown in

Figure 6-4, Figure 6-3, the only areas identified within the City of Carlsbad as having risk for tsunami run-up are the immediate vicinity of the Buena Vista, Agua Hedionda, and Batiquitos lagoons. The California Geological Survey Tsunami Hazard Areas also encompass all three lagoons but with upland areas immediately surrounding the waterbodies mapped as at-risk. These Tsunami Hazard Areas identify exposure to tsunami hazards to help inform coastal evacuation planning. Development of essential/critical or larger structures within the Tsunami Design Zone layer, also depicted in Figure 6-4, must meet design standards per the California Building Code.

Seiches are defined as wave-like oscillatory movements in enclosed or semi-enclosed bodies of water such as lakes or reservoirs. Potential effects from seiches include flooding damage and related hazards from spilling or sloshing water, as well as increased pressure on containment structures. The County of San Diego maps zones of high risk for dam inundation throughout the county. The high-risk areas are located in other communities upstream in the Carlsbad Watershed Management Area.

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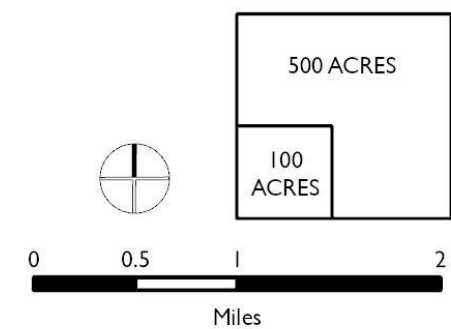
City of Carlsbad



Revised Figure

Figure 6-4: Maximum Tsunami Projected Run-Up

- Historic Tsunami Effect Felt
- Maximum Tsunami Projected Runup
- Tsunami Hazard Area
- Tsunami Design Zone
- Highways
- Major Street
- Planned Street
- Railroad
- City Limits



Source: City of Carlsbad, 2022; CGS, 2022; ASCE Tsunami Hazard Tool, 2022.

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6.4 Geologic and Seismic Hazards

Geology and Soils

The City of Carlsbad is within the coastal portion of the Peninsular Ranges Geomorphic Province, a region characterized by northwest-trending structural blocks and intervening fault zones. Topographically, the Peninsular Ranges Province is composed of generally parallel ranges of steep-sloping hills and mountains separated by alluvial valleys. More recent uplift and erosion has produced the characteristic canyon and mesa topography present today in western San Diego County, as well as the deposition of surficial materials including Quaternary-age (less than approximately two million years old) alluvium, colluvium, and topsoil.⁵ ~~Figure 6-5~~ ~~Figure 6-4~~ shows the local geology of Carlsbad.

Seismicity

There are no active faults that run directly through Carlsbad. Additionally, the California Geologic Survey does not include the City of Carlsbad on its list of cities affected by Alquist-Priolo Earthquake Fault Zones. The nearest fault to the city is the Newport-Inglewood-Rose Canyon Fault, which runs offshore of the western edge of the city and is considered active. Other faults in the region include the Coronado Bank, La Nacion, Elsinore, Agua Caliente, and San Jacinto.

Fault activity has the potential to result in ground shaking, which can be of varying intensity depending on the intensity of earthquake activity, proximity to that activity, and local soils and geology conditions. Although there are no active faults within Carlsbad, the city is located within a seismically active region and earthquakes have the potential to cause ground shaking of significant magnitude. ~~Figure 6-6~~ ~~Figure 6-5~~ shows the location and extent of the profiled earthquake faults within San Diego County based on a United States Geological Survey earthquake model that shows probabilistic peak ground acceleration. Although located near fault lines, Carlsbad lies within a medium-low probabilistic peak ground acceleration zone.

⁵ Ibid.

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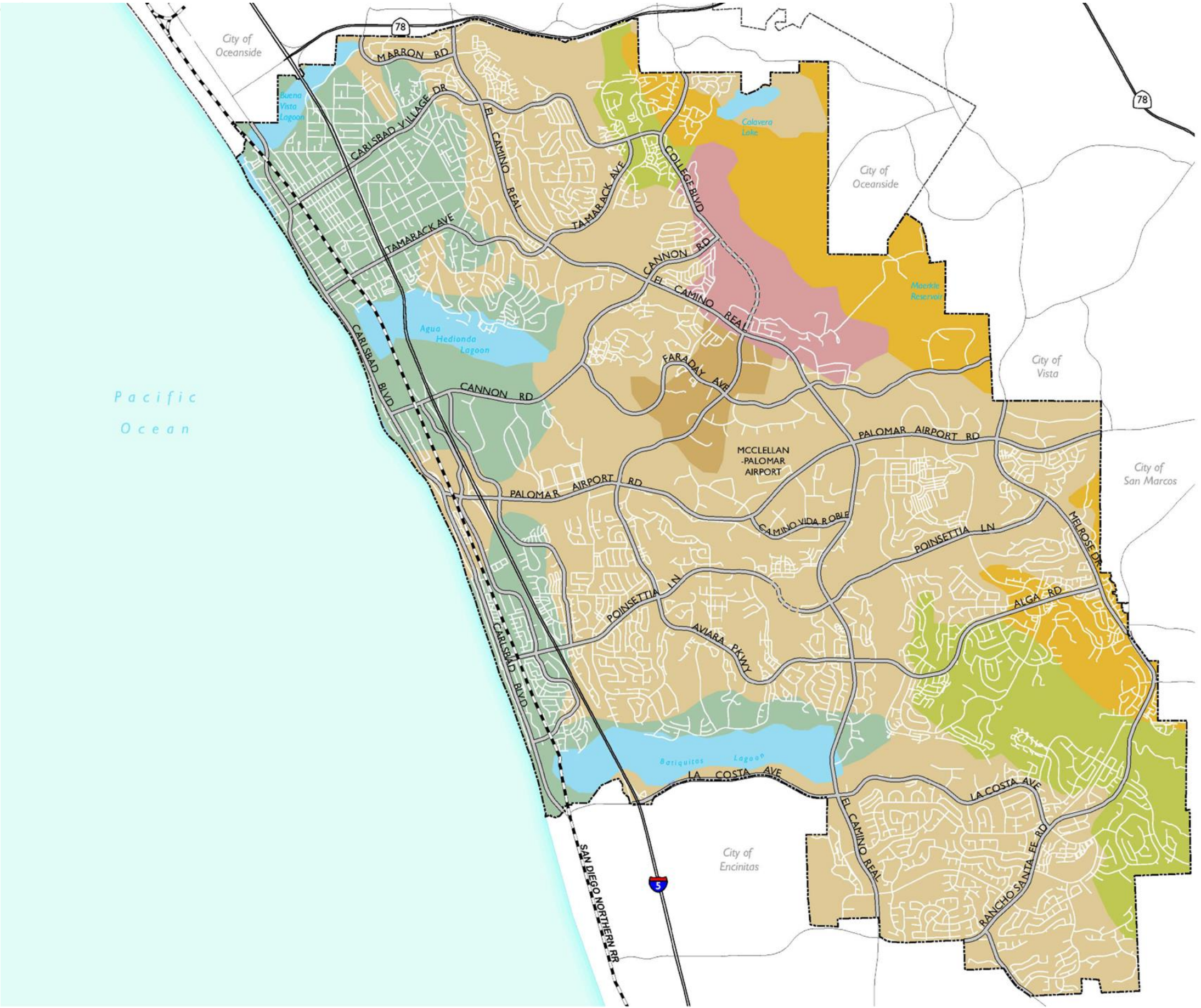
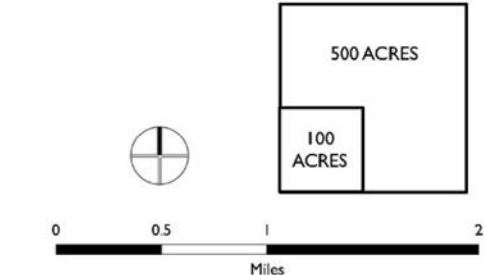


Figure 6-5: Geology

- Alluvium
- Cretaceous marine undivided
- Eocene marine
- Mesozoic granitic rocks
- Upper Cretaceous marine
- Mesozoic volcanic and metavolcanic
- Pliocene marine
- Water

- Highways
- Major Street
- Planned Street
- Railroad
- City Limits



Source: City of Carlsbad, 2013; DUDEK, 2013; SANDAG, 2013; Dyett & Bhatia, 2013.

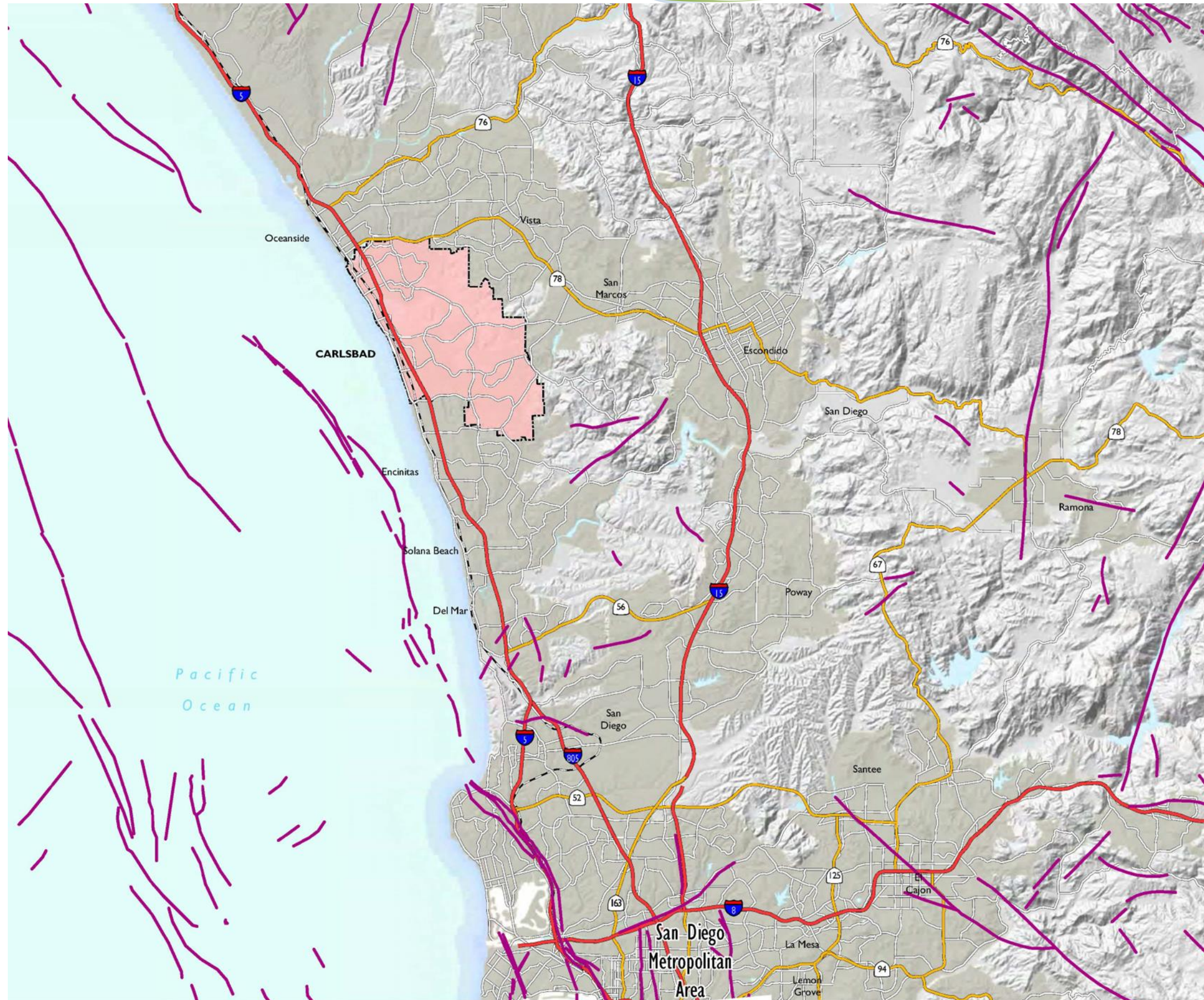
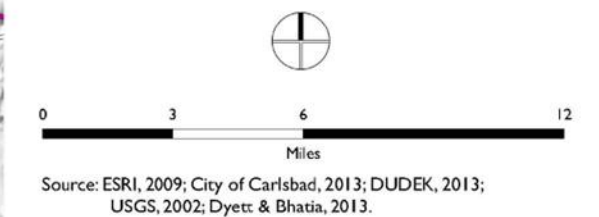


Figure 6-6: Earthquake Faults

- Earthquake Fault Lines
- Freeway
- Major Highway
- Minor Highway/Major Street
- Passenger Rail Lines
- County Lines
- City of Carlsbad
- Urban Areas



Historical documents record that an earthquake centered either on the Rose Canyon or Coronado Bank faults struck San Diego on May 27, 1862, damaging buildings in Old Town and causing ground rupture near the San Diego River mouth. This earthquake is believed to have had a magnitude of about 6.0 based on descriptions of the damage it caused. The strongest recorded earthquake in the San Diego area was a magnitude of 5.3 on the Richter scale that struck on July 13, 1986 on the Coronado Bank fault, 25 miles offshore of Solana Beach. There have been several moderate earthquakes recorded within the Rose Canyon Fault Zone as well. On June 17, 1985, three earthquakes hit San Diego measuring 3.9, 4.0, and 3.9, respectively, and on October 28, 1986, a stronger earthquake with a magnitude of 4.7 occurred.⁶

Seismic Risk to Development

Earthquake damage to structures can be caused by ground rupture, liquefaction, ground shaking, and possibly inundation from tsunamis (as discussed above). The level of damage at a location resulting from an earthquake will depend upon the magnitude of the event, the epicenter distance, the response of geologic materials, and the design and construction quality of structures.

During an earthquake, shaking of granular loose soil saturated with water can lead to liquefaction, a condition in which sediments below the water table temporarily lose strength during an earthquake and behave as a viscous liquid rather than a solid. As a result, this can cause structures to lose foundation-bearing capacity. Historically, seismic shaking levels in the San Diego region, including in Carlsbad, have not been sufficient enough to trigger liquefaction, and as such, the city generally has a low liquefaction risk. However, there are areas of the city that have a higher risk of liquefaction due to the presence of hydric soils or soils that are often saturated or characteristic of wetlands. These areas are limited to the immediate vicinity of the Buena Vista, Agua Hedionda, and Batiquitos Lagoons, as shown in [Figure 6-7](#).

~~Figure 6-6.~~ Additionally, in general, south facing slopes in Carlsbad are gentle grade and not prone to landslides, while north facing slopes are generally steeper and more susceptible to landslides. Areas where landslides could be induced by earthquakes are mapped as [Figure 6-8](#).

Development in a liquefaction hazard zone requires adherence to the guidelines for evaluating and mitigating seismic hazards as required by California Public Resources Code Section 2695(a). Before a development permit can be granted for a site within a seismic hazard zone, a geotechnical investigation of the site must be conducted, and appropriate mitigation measures incorporated into the project design.

⁶—Deméré, Thomas A., Ph.D., San Diego Natural History Museum, Geology of San Diego County, California, <http://www.sdnhm.org/archive/research/paleontology/sdfaults.html>, accessed on September 25, 2012b

Mitigation of liquefaction hazards can include edge containment structures (e.g., berms, dikes, retaining walls, etc.), driving piles, removal or treatment of liquefiable soils, or modification of site geometry.

The city's Building Division implements and enforces the Carlsbad Municipal Code and the California Building Code regulations relative to seismic risk to development. Chapter 18.07 of the Carlsbad Municipal Code specifies the need and establishes guidelines for the seismic upgrade of unreinforced masonry buildings.

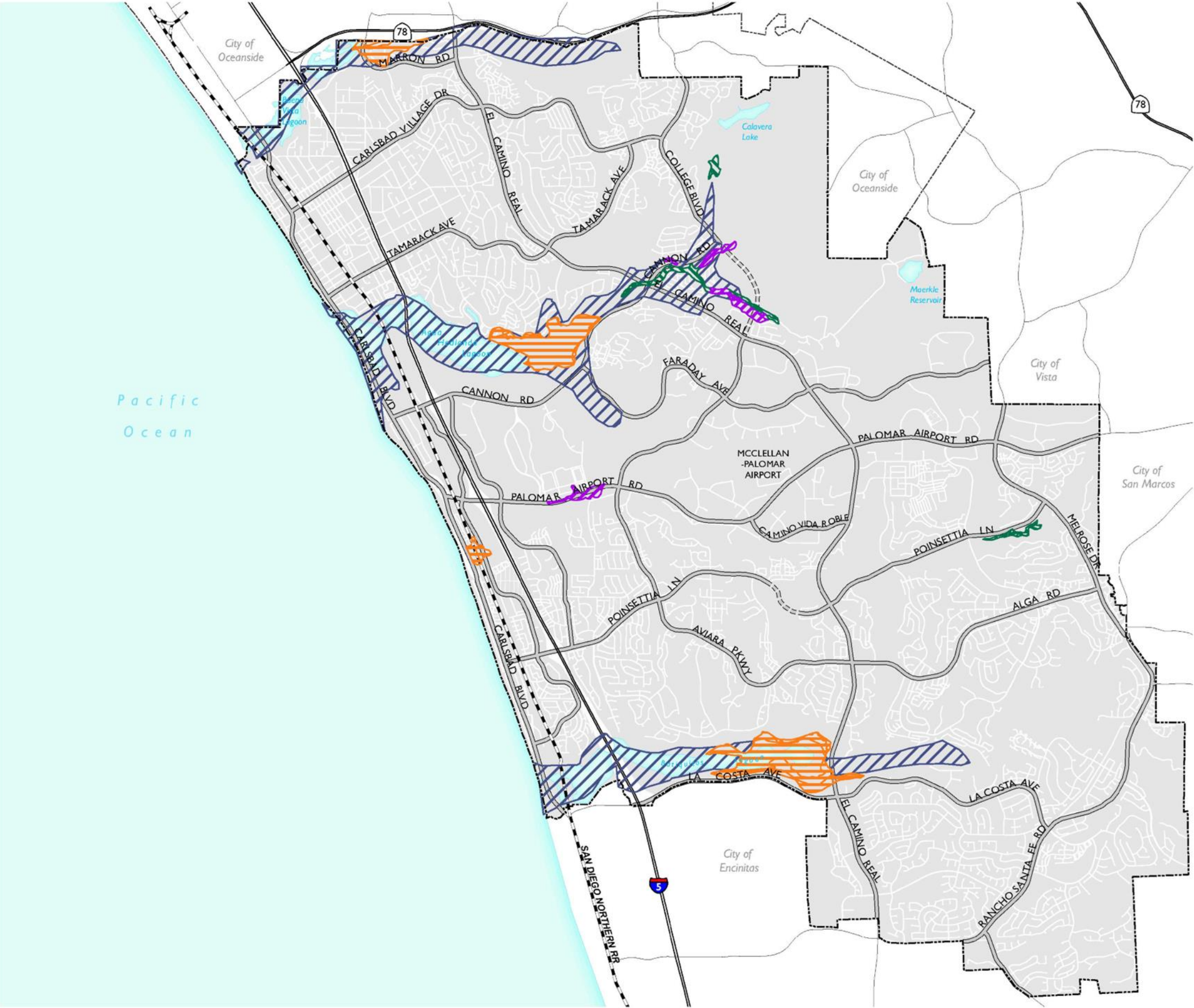
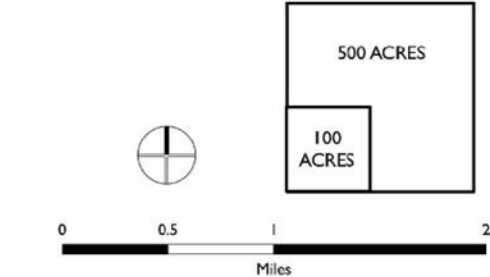
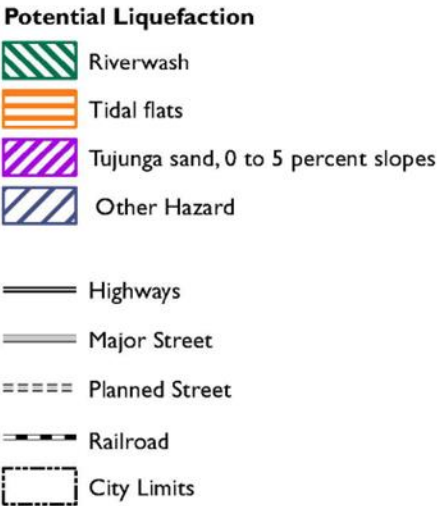


Figure 6-7: Liquefaction Hazards



Source: City of Carlsbad, 2013; DUDEK, 2013; SANDAG, 2013; Dyett & Bhatia, 2013.

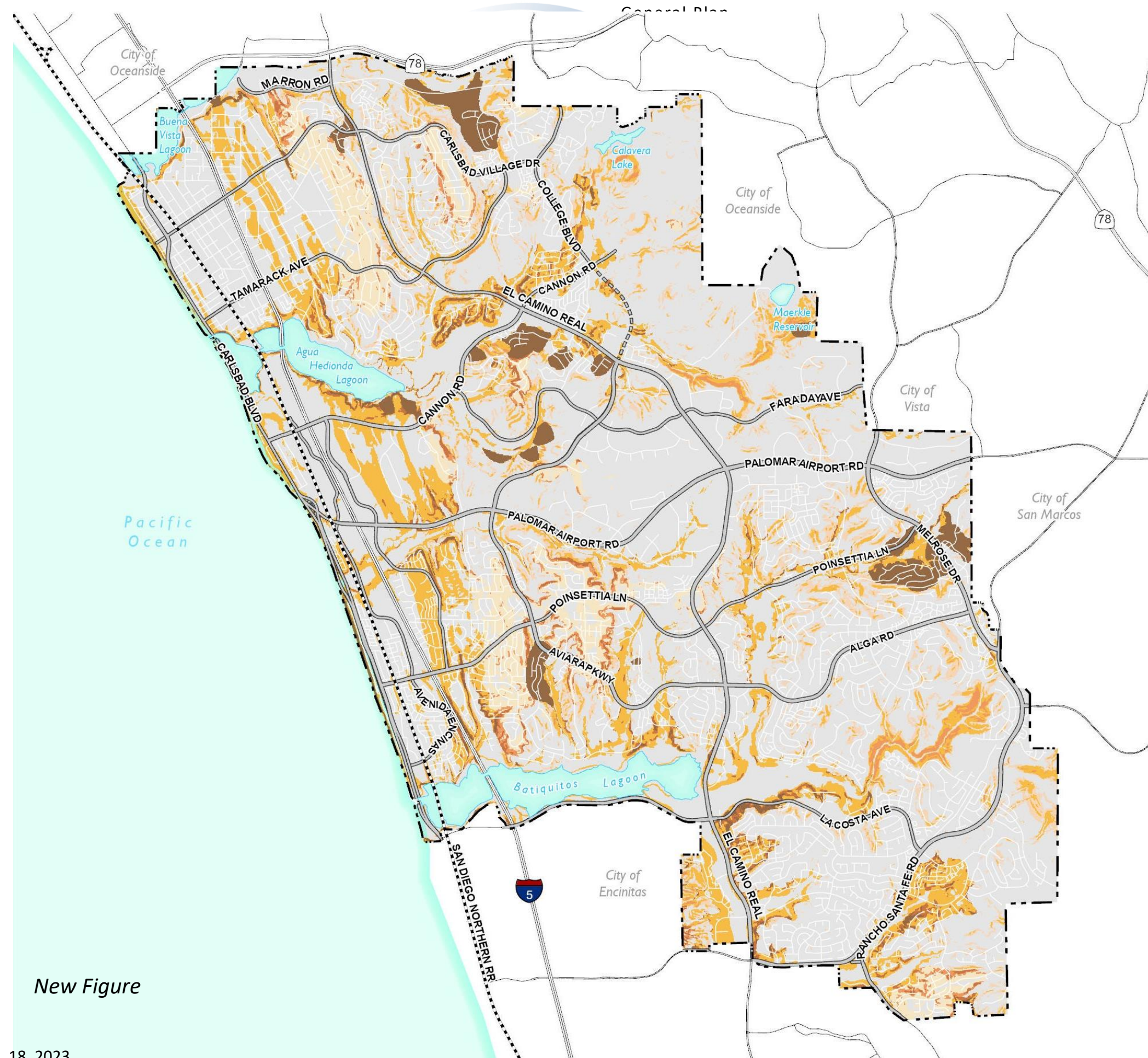
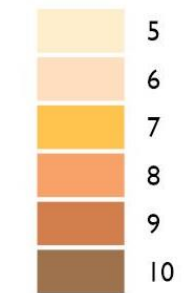
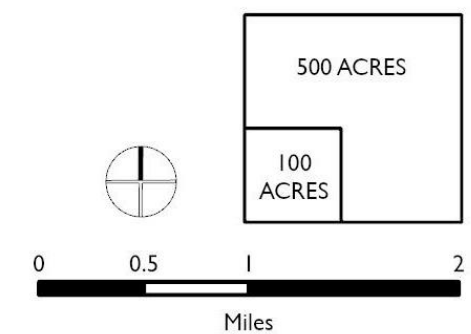


Figure 6-8: Landslide Susceptibility

Landslide Susceptibility



- Highways
- Major Street
- - - - - Planned Street
- · · · · Railroad
- · - · - City Limits



Source: City of Carlsbad, 2022; CGS, Map Sheet 58, 2018.
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New Figure

6.5 Airport Hazards

For land use policies related to the airport, see Chapter 2: Land Use and Community Design. For noise policies related to the airport, see Chapter 5: Noise Element.

The McClellan-Palomar Airport, located in Carlsbad, serves the northern part of San Diego County. The airport, owned and operated by the County of San Diego, is defined by the Federal Aviation Administration (FAA) as a commercial service airport that, in addition to private aircraft, has regularly scheduled commercial flights to Los Angeles International Airport (LAX). Long-term extension projects for the McClellan-Palomar Airport, including 800 feet of runway extension of Runway 6/24 and Taxiway A, are set forth in the McClellan-Palomar Airport Master Plan that was approved by the County of San Diego in October 2021.⁷ The McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) is prepared according to ~~FAA~~ Federal Aviation Administration requirements and adopted by the San Diego County Regional Airport Authority acting as the Airport Land Use Commission for the County of San Diego. The ALUCP provides measures to minimize the public's exposure to excessive noise and safety hazards within areas around the airport, and identifies areas likely to be impacted by noise and flight activity created by aircraft operations at the airport. These impacted areas include the Airport Influence Area (AIA), the Clear Zone, and the Flight Activity Zone. The AIA, shown in

⁷ McClellan-Palomar Airport Master Plan Update. October 2021.
<https://www.sandiegocounty.gov/content/dam/sdc/dpw/AIRPORTS/palomar/documents/Master-Plan-Update/2021/H-Master-Plan-Update-2021.pdf>

Error! Reference source not found. Figure 6-7, includes a large portion of the City of Carlsbad, as well as portions of the cities of Vista, San Marcos, and Escondido.

Within the AIA, the ALUCP establishes six safety zones for the purpose of evaluating safety compatibility of new/future land use actions. The safety zone boundaries depict relative risk of aircraft accidents occurring near the airport and are derived from general aviation aircraft accident location data and data regarding the airport's runway configuration and airport operational procedures. The ALUCP limits development intensities in these zones by imposing floor area and lot coverage maximums, by incorporating risk reduction measures in the design and construction of buildings, and/or by restricting certain uses altogether. Generally, allowable uses and development intensities range from most restrictive in Safety Zone 1 to least restrictive in Safety Zone 6 (these are shown in ~~Figure 5-4~~). For example, all residential and virtually all non-residential uses are considered incompatible land uses in Zone 1, while all land uses in Zone 6 are considered to be either compatible or conditionally compatible with the airport.

The FAA establishes airspace protection zones in the airspace above and surrounding airports in order to protect aircraft from obstructions such as buildings, towers, etc. in navigable airspace. Airspace protection zones are defined in Part 77 of the Code of Federal Aviation Regulations; the protected airspace around McClellan-Palomar Airport is depicted in

~~Figure 6-7~~. The ALUCP also requires that certain development projects record overflight notification documents in order to provide constructive notice to current and prospective property owners of aircraft activity within the vicinity of the airport. Under certain circumstances, developers of specific properties may be required to grant aviation easements to the airport owner (County of San Diego). Among other things, an aviation easement grants the right of flight in the airspace above the property, allows the generation of noise and other impacts associated with overflight, restricts the height of structures, trees and other objects on the property, prohibits potential on ground flight hazards (sources of light/glare, etc.) and permits access to the property to remove or mark objects exceeding the established height limit.

~~Figure 6-7~~ depicts the aviation easement and overflight notification areas surrounding the airport.

The city requires review of all proposed development projects within the AIA. New development proposals must process a site development plan, or other development permit, and be found to be consistent or conditionally consistent with applicable land use compatibility policies with respect to noise, safety, airspace protection, and overflight, as contained in the ALUCP. Additionally, development proposals are required to comply with FAA regulations concerning the construction or alteration of structures that may affect navigable airspace.

6.6 Railroad Hazards

For Mobility policies related to the railroad, see Chapter 3: Mobility. For noise policies related to the railroad, see Chapter 5: Noise Element. Safety hazards related to transportation of hazardous materials are discussed in Section 6.7, below.

The North County Transit District (NCTD) owns the north/south railroad that parallels Carlsbad's entire seven-mile coastline, as well as Interstate-5 and Carlsbad Boulevard. NCTD operates the Coaster commuter rail service on this rail line and owns two passenger rail stations located within the city: Carlsbad Village and Carlsbad Poinsettia stations. The Atchison, Topeka & Santa Fe freight line and the Amtrak passenger service also use the rail line through the city.

The railroad, while providing a vital service for passenger transit and goods movement through the city, presents potential safety concerns in the city. The railroad acts as a barrier and restricts east/west access for emergency services; it also results in the potential for train collisions with automobiles, bicyclists and pedestrians. From 2018 through 2023, a total of 12 fatal train incidents have occurred between the Carlsbad Village and Poinsettia Coaster stations section of the railway, all involving pedestrians and all unfortunately fatal.

As part of the North Coast Corridor (NCC) Program, the San Diego Association of Governments (SANDAG) plans, during the next 20 years, to construct nearly \$820 million in improvements to the San Diego County rail corridor, including a primary effort to double track the corridor from Orange County to downtown San Diego. Double tracking the rail corridor through San Diego County will add the capacity for approximately 100 more railcars per day through the corridor. To date, the majority approximately half of the rail corridor has been double tracked with approximately two miles remaining as single-tracked through the City of Carlsbad: 1.1 miles through the Village from the Oceanside border on the north to Pine Avenue on the south and 0.75 miles near the southern border with Encinitas, including the Batiquitos Lagoon bridge.⁸ Other infrastructure improvements planned by SANDAG include bridge and track replacements, new platforms, pedestrian under-crossings, and other safety and operational enhancements.

Along the rail corridor through Carlsbad, SANDAG is considering two options for double tracking the railroad: at-grade tracks and grade-separated tracks (railroad tracks located in a trench below street grade). The city is working closely with SANDAG and other agencies to encourage and support the grade separated option, which would increase east-west crossings and improve east-west access for

⁸ LOSSAN Coastal Rail Corridor. SANDAG. <https://lossanmap.sandag.org/>

emergency services, and would reduce the potential for train collisions with automobiles, bicyclists and pedestrians.

6.7 Hazardous Materials

Hazardous materials include a wide variety of substances commonly used in households and businesses. Motor oil, paint, solvents, lawn care and gardening products, household cleaners, gasoline, and refrigerants are among the diverse range of substances classified as hazardous materials. Nearly all businesses and residences generate some amount of hazardous waste. Certain businesses and industries, including gas stations, automotive service and repair shops, printers, dry cleaners, and photo processors, generate larger amounts of such substances. Hospitals, clinics, and laboratories generate medical waste, much of which is also potentially hazardous.

Some hazardous materials present a radiation risk. Radioactive materials, if handled improperly, or if radiation is accidentally released into the environment, can be dangerous because of the harmful effects of certain types of radiation on the human body.

Hazardous Materials Transport

Major transportation routes within Carlsbad include Interstate 5 and State Route 78, surface streets, and the San Diego Northern railroad. ~~There are~~ Petroleum pipelines, as well as the oil and natural gas pipelines to the Encina Power Plant, also traverse through Carlsbad, and there are high pressure fuel lines along El Camino Real and other areas, as shown in

~~Figure 6-8.~~ These transportation routes and pipelines are used to transport hazardous materials from suppliers to users. Transportation accidents involving hazardous materials could occur on any of the routes, potentially resulting in explosions, physical contact by emergency response personnel, environmental degradation, and exposure to the public.

Hazardous Materials Facilities

The County of San Diego, through its ~~Certified California Environmental Protection Agency (CalEPA)~~ Unified Program Agency (CUPA), has recorded (as of 2012) approximately 338 facilities within Carlsbad that store and maintain chemical inventories that exceed mandatory disclosure amounts of any single chemical in excess of 55 gallons, 500 pounds or 200 cubic feet, biological, and radiological agents, and explosives. In addition, there are 180 facilities within the city that are registered with the U.S. EPA as generators of hazardous waste.⁹

⁹ County of San Diego, 2010, San Diego County Multi-Jurisdictional Hazard Mitigation Plan, page 4-51

Potential Environmental Hazards

Sites within the City of Carlsbad where the presence of hazardous materials present potential environmental hazards were identified using information from state databases and a review of online regulatory files for select sites. The databases used were EnviroStor, which identifies hazardous waste facility and cleanup sites, and SWRCB GeoTracker, which identifies permitted underground storage tanks

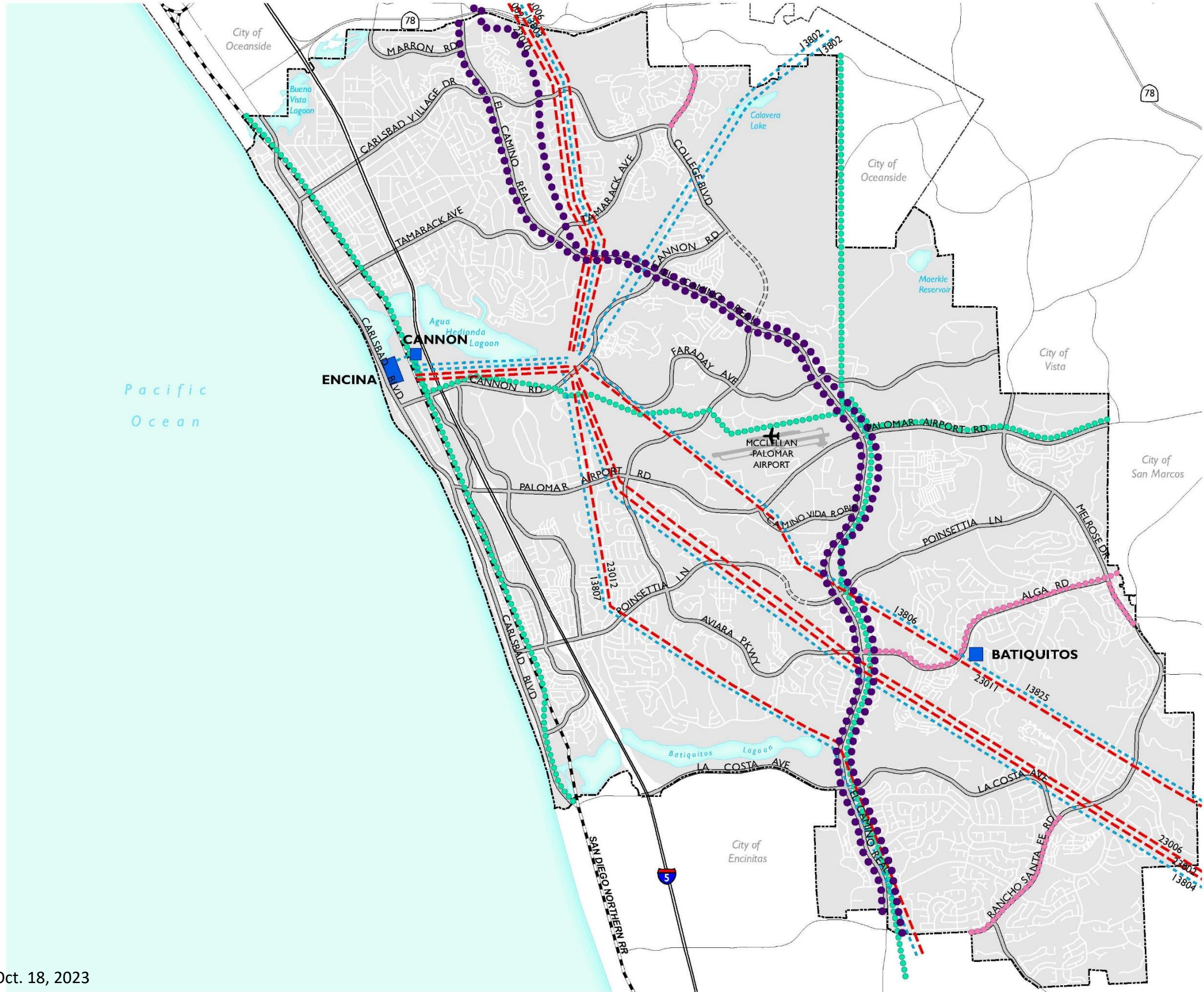
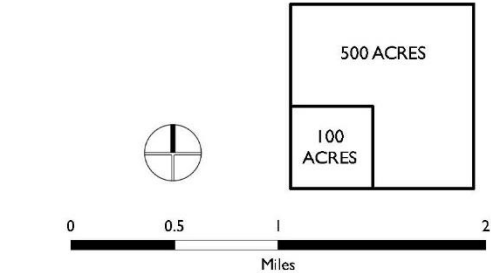


Figure 6-10: Electric and Gas Trasmission Lines

- Electric Substations
- Electric Transmission Lines*
 - 230 KV
 - 138 KV
- Gas Transmission Lines*
 - Above 200 psi
 - Above 60 psi
 - Petroleum Gas Mains
- Highways
- Major Street
- Planned Street
- Railroad
- City Limits

* Note that the location of electric transmission lines and gas transmission pipelines are approximate. The map provides a generalized guide and is not an authoritative depiction of where the risks are more likely. A site-specific study should be performed for detail analysis.



Source: City of Carlsbad, 1994; SANDAG, 2013; Dyett & Bhatia, 2013.

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(UST) and cleanup sites. The databases included the following types of sites: release sites (cleanup sites), UST sites, permitted hazardous waste facilities, wastewater treatment tiered permit facilities, and proposed school sites evaluated by the California DTSC for the presence of hazardous materials.

The hazardous materials sites identified in the EnviroStor and GeoTracker databases were evaluated as part of the General Plan Environmental Impact Report (EIR) in order to rank the sites in terms of potential environmental concern.

Using the databases, a total of 214 hazardous materials sites with 126 unique listings were identified within Carlsbad (see the General Plan EIR for details of the listings). A total of 110 of those unique site listings have had known releases, while the remaining 16 have not had known releases. The San Diego Regional Water Quality Control Board's Geographic Environmental Information Management System is a data warehouse that tracks regulatory data about underground fuel tanks, fuel pipelines and public drinking water supplies using GeoTracker; as information in the database is periodically updated, the database should be consulted for current information.

6.8 Police, Fire, and Emergency Management Services

Police Services

The Carlsbad Police Department conducts its safety services out of the Carlsbad ~~Police Public Safety and Fire Headquarters Service Center~~ located on Orion Way. The ~~Police and Fire Headquarters Public Safety Center~~ location is depicted on ~~Figure 6-9, Figure 6-9~~. The patrol division is the core of the Police Department's law enforcement services, responding to more than ~~10090,000~~ calls for service annually. Although ~~responding to 911 calls and~~ street patrols are the majority of the ~~patrol division's~~ activity, other special services ~~in the department include, the homeless outreach team, crime suppression team, investigations unit, traffic unit, school resource officers, canine units, bicycle patrol, crisis negotiations, bilingual services, tactical response team (SWAT and Psychiatric Emergency Response Teams (PERT), Special Weapons and Tactics) and mental health assistance teams.~~

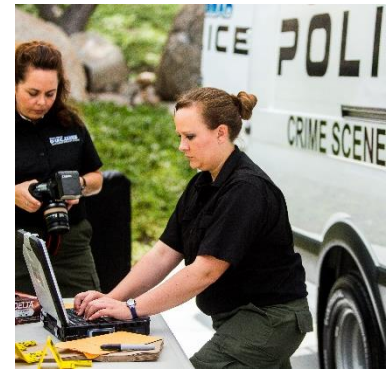
In May 2012, the Carlsbad Safety Training Center was completed to provide necessary training for local police, fire and other safety workers. The training center is located next to the ~~Police Public Safety and Fire Headquarters Service Center~~, and includes ~~classrooms~~, a shooting range and structures that can be used to simulate fires in residential and commercial buildings as well as help police conduct tactical training.

Anticipated Space Needs for the Police Department

To accommodate population growth, the Police Department expects to grow to a point where it will need to occupy the space inside the ~~Police Public Safety and Fire Headquarters Service Center~~ that is currently occupied by ~~the~~ Fire Administration. Alternative solutions the Police Department is considering include relocating ~~thesome or all Police Department services to another facility, relocating~~ Fire Administration to another facility, or expanding the ~~Police Public Safety and Fire Headquarters Service Center~~ to accommodate Police Department growth and the continued presence of Fire Administration. Also needed by the Police Department is a secure storage facility for evidence storage to include large pieces of evidence, such as vehicles.

Fire and Emergency Medical Services

The City of Carlsbad has ~~sevensix~~ fire stations, indicated in ~~Figure 6-9, on Figure 6-9~~. The oldest of the stations was constructed in 1966, while the newest was completed in ~~2023~~2009.



The Fire Department is divided into two Bureaus, the Bureau of Fire Operations and Bureau of Community Risk Reduction and Resilience. Fire Operations is the largest Bureau~~division~~ within the Carlsbad Fire Department and is responsible for fire suppression, rescue, emergency medical service delivery, ~~marine safety~~, and disaster mitigation. The

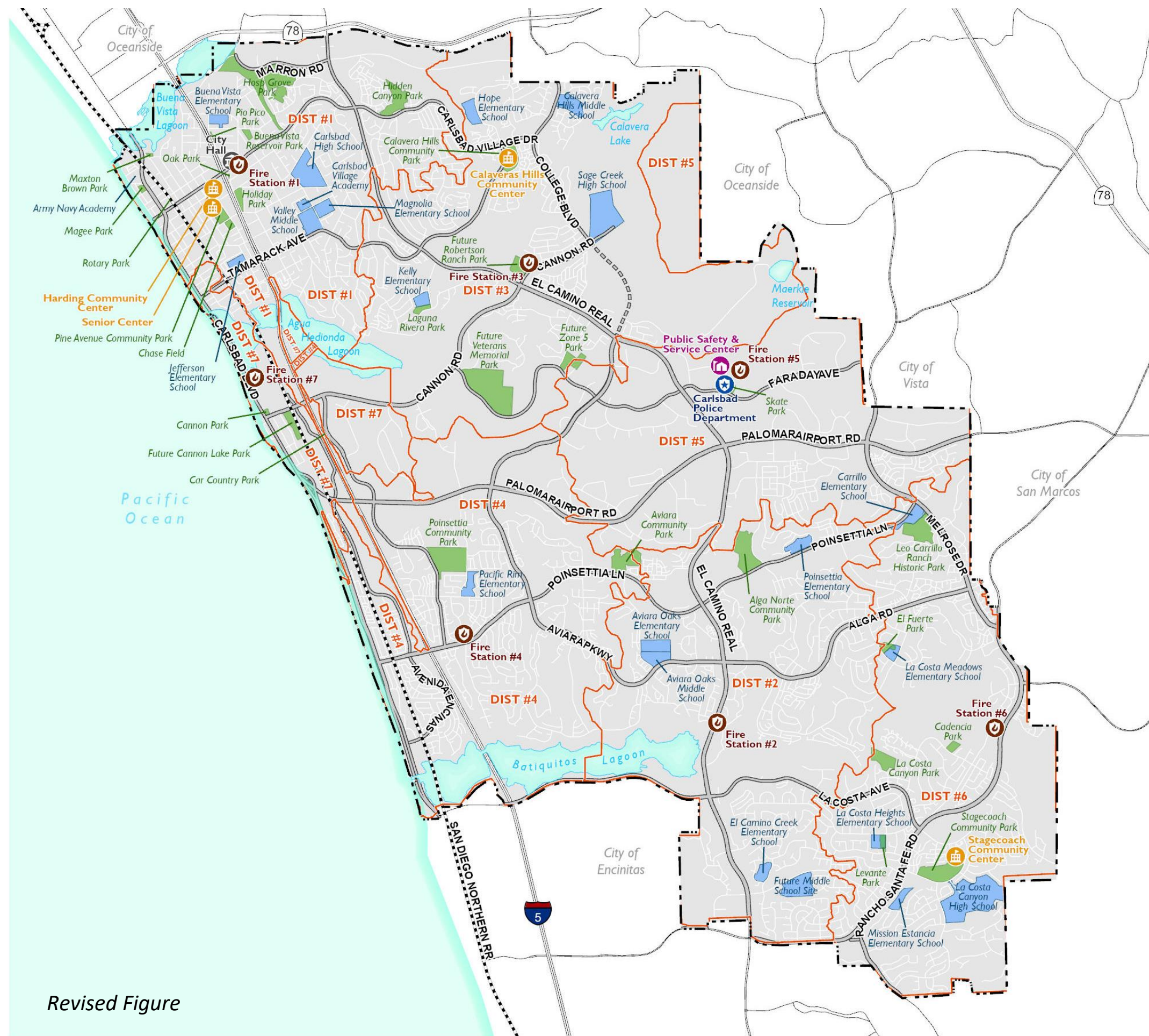
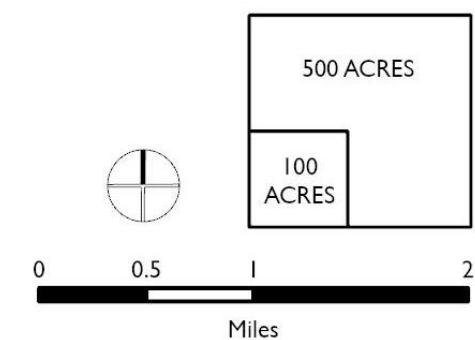


Figure 6-11: Public Safety Services

- Police Station
- Fire Station
- City Hall
- Community/Senior Centers
- Safety Training Center

- Public School
- Existing and Planned Parks
- Fire District

- Highways
- Major Street
- Planned Street
- Railroad
- City Limits



Source: City of Carlsbad, 2022.

Revised Figure

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The Fire Department delivers advanced life support level care on all fire engines, fire ladder trucks and ambulances and provides advanced life support via lifeguard services along the city's northern most beach, commonly referred to as "North Beach", including a licensed paramedic. Currently, more than 75 percent of the city's fire suppression personnel are licensed paramedics; frequently multiple paramedics are available on-scene at emergency incidents.

City of Carlsbad SWAT medics are firefighter/paramedics on special assignment working alongside the Carlsbad Police Department SWAT team. SWAT medics are also deployed with Carlsbad police officers in support of other law enforcement units such as the San Diego Sheriff's SWAT team and the regional law enforcement task force.

TABLE 6-2: FIRE STATIONS SUMMARY

Table 6-1: FIRE STATIONS SUMMARY			
STATIONS	BUILT	ADDRESS	STAFFING DESCRIPTION
1	1966	1275 Carlsbad Village Dr.	Crew of five: captain, engineer, two paramedic / firefighters and one emergency medical technician <u>three firefighter/paramedics</u>
2	2022 1969	1906 Arenal Rd.	Crew of five: captain, engineer, two paramedic/firefighters and one emergency medical technician <u>three firefighter/paramedics</u>
3 ¹	2016 1973	3465 Trailblazer Way 3701 Catalina Dr.	Crew of five <u>three: captain, engineer, two and firefighter/paramedic/firefighters and one emergency medical technician</u>
4	1986	6885 Batiquitos Dr.	Crew of three: captain, engineer and paramedic <u>firefighter/paramedic</u>
5	1988	2540 Orion Way	Crew of four: duty battalion chief, captain, engineer, and paramedic <u>firefighter/paramedic</u>
6	2009	7201 Rancho Santa Fe Rd.	Crew of five <u>three: captain, engineer, two and firefighter/paramedic/firefighters and one emergency medical technician</u>
1 Fire Station 3 is planned to be replaced with a new station to be constructed in the Robertson Ranch Master Plan area. Construction of the new station is anticipated to be completed by the end of 2014.			
7	2023	4600 Carlsbad Blvd. <i>Source: City of Carlsbad Fire Department Service Provider Information Request, September 2010.</i>	Crew of six: captain, engineer, three paramedic/firefighters and one emergency medical technician

Anticipated Space Needs for the Fire Department

Based on needs identified by the Carlsbad Police Department for additional space, considerations will need to be made for the relocation of Fire Administration in close proximity to Fire Station No. 5 and the Carlsbad Safety Training Center. Consideration of ~~At that time, consideration for~~ the relocation of Fire Prevention staff to the same location as Fire Administration should also be made.

The Fire Department completed its first Fire Station Master Plan in 2023 to help identify current and future fire station needs with city growth in mind. The future needs of the Fire Department must be considered when embarking on the remodeling or rebuilding of a fire station. Three out of the six fire stations (Fire Stations 1, 2 and 3) are currently minimally meeting the operational needs of the city. These three stations are 40 years or older and nearing the end of their service life; Stations 1 and 2 should be considered for major remodel or reconstruction; Fire Station 3 is planned to be replaced with a new station in the Robertson Ranch Master Plan area. Increased service demands, changes in staffing, and the increasing size of fire apparatus require considerations for increasing the numbersize and capabilities of these city facilities.

The Fire Station Master plan also incorporates the potential of adding additional fire stations based on recommendations of the Fire Department Standards of Coverage. The Standards of Coverage is a document used by fire departments to assess local risks and demographics and determine the level of protection needed to minimize those risks. The current standards of coverage account for increases in growth and subsequent increases in demands for service by anticipating the need for two additional Fire Stations (station eight and nine) as growth occurs.

Wildland Fire Hazards

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped Fire Hazard Severity Zones ~~fire threat potential~~ throughout California. The Fire Hazard Severity Zone (FHSZ) maps are developed using a science-based and field-tested model that assigns a hazard score based on the factors that influence fire. CAL FIRE ranks fire threat according to the availability of fuel and the likelihood and fire behavior.¹⁰ Many factors are considered such as of an area burning (based on topography, fire history, existing and potential fuel (natural vegetation), predicted flame length, blowing embers, terrain, and typical fire weather for the area. There are three levels of hazard in the

¹⁰ County of San Diego, 2010, San Diego County Multi-Jurisdiction Hazard Mitigation Plan, page 4-89.

State Responsibility Areas; and climate).¹¹ The rankings include little or no fire threat, moderate, high, and very high. Currently only Very High Fire Hazard Severity Zones (VHFHSZ) are identified in local government jurisdictions. fire threat. The large amounts of open space and wildland make Carlsbad susceptible to brush fires year-round. The proximity of native vegetation and the climate of the region contribute to sections of a moderate to high threat of wildfires in the city having VHFHSZs, as illustrated in Figure 6-10. Specifically, the Figure 6-10. Most of Carlsbad has only moderate fire threat; however there is high and very high fire threat in the central and eastern portions of Carlsbad are mapped within VHFHSZs.¹²

The frequency, area, and severity of wildfires have increased significantly within San Diego County over the past two decades. Recent fires of the Boulevard, Park, and Poinsettia fires have occurred in the city limits in January 2022, January 2021, and May 2014 respectively. For Carlsbad this trend of increased wildfires is projected to continue through mid and end-century projections. Wildfire events are a product of temperature increases compounded with precipitation declines creating wildfire prone conditions. San Diego County's wildfires are influenced by Santa Ana Winds and fuel availability.¹³

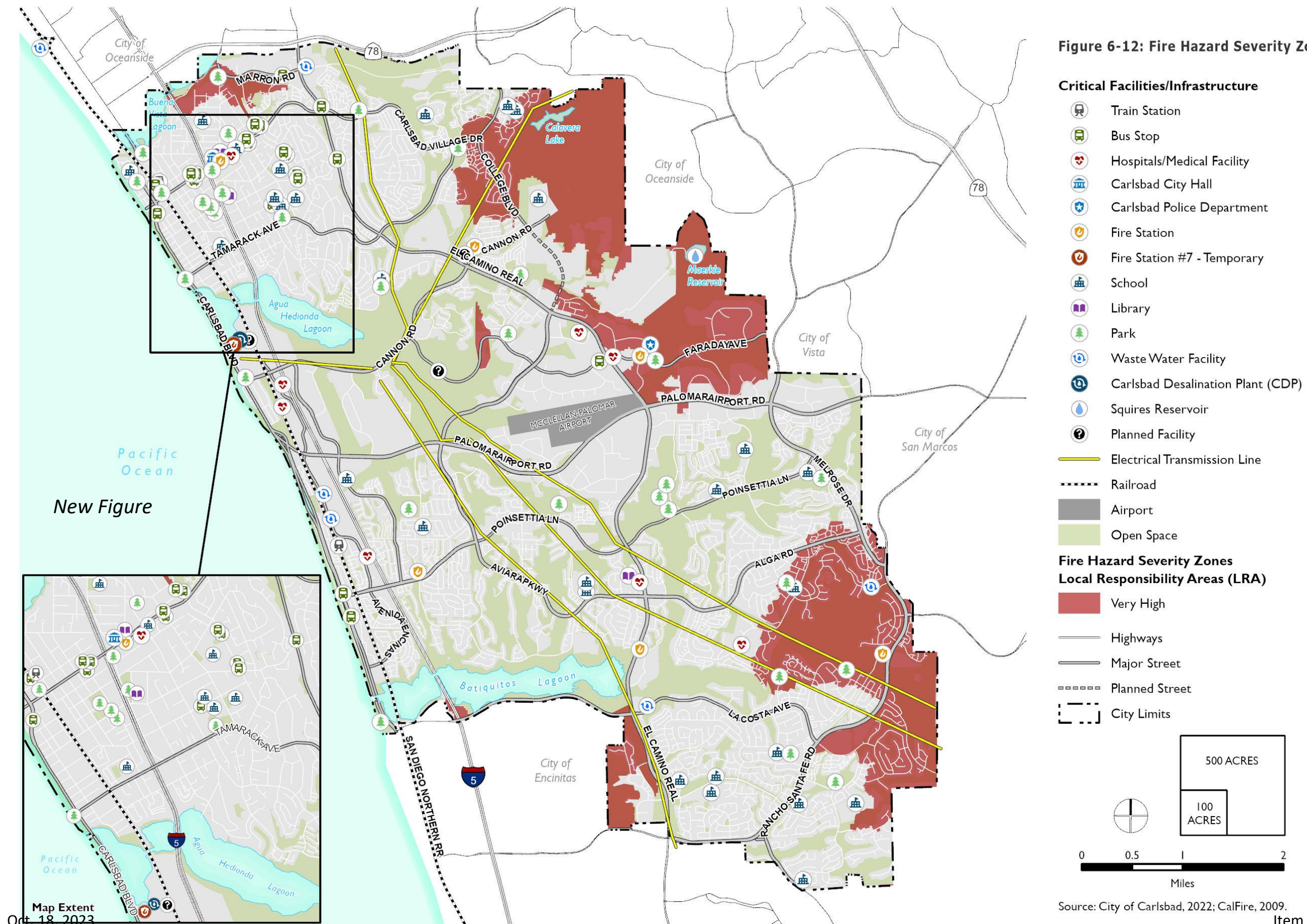
Critical facilities are facilities in either the public or private sector that provide essential products and services to the public, are otherwise necessary to preserve the welfare and quality of life in the city, or fulfills important public safety, emergency response, and/or disaster recovery functions. The city's critical facilities have been identified based on city staff designations. They include schools, fire stations, police stations, transportation systems, libraries, parks, city hall, hospitals, utility systems, and planned critical facilities.

¹¹County of San Diego, 2010, San Diego County Multi-Jurisdiction Hazard Mitigation Plan, page 4-89.

¹² County of San Diego, 2010, San Diego County Multi-Jurisdiction Hazard Mitigation Plan, page 4-93 and 4-94.

¹³County of San Diego, 2010, San Diego County Multi-Jurisdiction Hazard Mitigation Plan, page 4-93 and 4-94.

Figure 6-12: Fire Hazard Severity Zones



Source: City of Carlsbad, 2022; CalFire, 2009.

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There are several critical facilities within the city's VHFHSZ including four parks, three schools, two fire stations, the police department, and the wastewater treatment facility. Several roads and residential areas are also located within the city's VHFHSZ. Several fires have afflicted the boundaries of Carlsbad including the Boulevard, Park, and Poinsettia fires. Wildfires can create risk of injury, death, or financial hardship if personal property is damaged as well as physical damage to all other assets. Wildfires can also result in cascading risks for vulnerable populations, such as when power or communication infrastructure is damaged.

Urban Fire Hazards

Urban fire risk in Carlsbad is greatest in older structures and neighborhoods built before modern building codes for fire safety and building systems were in place. Other factors affecting urban fire risk and relative likelihood of loss of life or property include building age, height and use; storage of flammable material; building construction materials; availability of sprinkler systems; and proximity to a fire station and hydrants.

Peakload Water Supply Requirement

The Carlsbad Fire Department requires a minimum flow of water for fire protection in accordance with the adopted amended California Fire Code and the Insurance Services Office standards. Certain standards are~~Water mains serving single-family detached houses must provide a flow of 1,500 gallons per minute, in addition to the peak normal maximum daily consumption needs for a neighborhood. The required fire flow standard for commercial, industrial, manufacturing and large apartment buildings varies from 1,500 to 8,000 gallons per minute, in addition to the peak normal daily consumption needs. This standard is based on type of construction, type of use and any built-in fire protection (sprinklers, etc.).~~

There are sites within the city that are in need of fire flow capacity upgrades. As noted in the 2019 Water Master Plan, capital improvement projects regarding pipe upsizing have been identified at several sites in Carlsbad including at Robertson Ranch and within Quarry Creek. There are currently no known water flow pressure or supply deficiencies in Carlsbad. The Carlsbad Fire Marshal reviews proposed projects to ensure adequate fire hydrant locations, water flow pressure, and access for emergency vehicles is provided.

Minimum Road Widths and Clearances Around Structures

Clear emergency vehicle access to buildings is important. Such access is regulated by the adopted and amended California Fire Code and applicable~~adopted Carlsbad land development engineering standards. Under the current Fire Code, all portions of a building shall be within 150 feet of a serviceable fire access road.~~

6.9 Emergency Management and Resilience Preparedness

Coordination and Management

Chapter 6.04 of the Carlsbad Municipal Code defines the organization, power and duties of the City of Carlsbad emergency organization. The City of Carlsbad Fire Department's Office of Emergency Management and Resilience directs, conducts, and implements city-level Emergency Preparedness Division supports the emergency plans, programs, training, and exercises and coordinates multi-department citywide emergency operations. organization by further defining the scope of the city's emergency management program and large-scale incident response activities. The strategic focus of the Emergency Management and Resilience emergency management program is contained in the Emergency Preparedness Division's mission statement: "To provide leadership to the City of Carlsbad and throughout the whole community to ensure each organization is prepared to prevent, protect against, mitigate, respond to, and recover from all threats and hazards."

Carlsbad's Emergency Management Administrative Team (CEMAT) assists the Emergency Preparedness Division in preparedness, response, recovery and mitigation tasks. By resolution, the city has adopted the State of California Standardized Emergency Management System (SEMS), National Incident Management System (NIMS) and Incident Command System (ICS) as its emergency management systems. The All City of Carlsbad employees are disaster service workers. Carlsbad's Community Emergency Response Team (CERT) is made up of City of Carlsbad disaster volunteers and reports to the Emergency Preparedness Division, or the EOC in the event of an actual disaster. In general, the City of Carlsbad Emergency Operations Plan (EOP) further establishes processes and procedures for coordinating multi-department and multi-jurisdictional details emergency response, defines the city's organizational organization, assigns tasks, specifies policies and general procedures, and provides for coordination of planning efforts of the various emergency response structure, staff and identifies roles service elements utilizing SEMS, NIMS and responsibilities ICS. The city's EOP identifies the city's Emergency Operations Center (EOC) as the location from which centralized emergency management would be performed during a large-scale emergency or business disruption. The purpose of the Emergency Operations Center (EOC) is to coordinate and support city-level emergency operations. Primary functions of the EOC include information sharing and resource coordination, public information and public emergency notification, coordination with external agencies and EOCs, and implementation of executive decisions and priorities.

All City of Carlsbad employees are disaster service workers, and employees across multiple city departments are trained EOC responders and emergency shelter workers, major emergency or disaster, including receiving and disseminating information, maintaining contact with other EOCs and providing instructions to the public. Emergency preparedness and disaster response information is shared with the public through the City of Carlsbad's website, emergency mass notification reverse-911 systems, social media including the countywide "emergency" "sdemergency" mobile application, and traditional media, public outreach and the EOC hotline, when activated.

Evacuation Routes

Carlsbad is a participant in the Unified Disaster Council (UDC) San Diego County Emergency Services Organization (USDCEO). The USDCEO Operational Area Emergency Operations Plan (September 2022) which October 2010 contains evacuation routes resulting from a variety of emergencies. Evacuation routes in this document are incorporated by reference in this General Plan; the document can be accessed at [https://www.sandiegocounty.gov/content/dam/sdc/oes/emergency_management/plans/op-area-plan/2022/EOP2022 Complete%20Plan.pdf](https://www.sandiegocounty.gov/content/dam/sdc/oes/emergency_management/plans/op-area-plan/2022/EOP2022%20Complete%20Plan.pdf).

Single access points of entry and exit were identified in compliance with SB 99 (see Figure 6-11 and consistent with OPR's 2022 technical advisory document on Fire Hazard Planning. OPR's guidance clarifies that cities and counties must identify residential developments with less than two evacuation routes located in any hazard zone considered by the Safety Element. This analysis took a conservative approach and assessed all Carlsbad residential developments for single access entry and exit points, as most of the city is in at least one hazard risk zone.

The process to identify the residential developments that have less than two routes that can be used for emergency evacuation in Carlsbad included:

1. Identifying residential neighborhoods based on residential land use designations consistent with the Carlsbad General Plan Land Use Designations Map.
2. Identification of roads that connect to major and minor streets as identified by SANDAG by a single route were identified and marked.
3. The number of assessor parcel number boundaries adjacent to a marked road were counted.

In low density residential land use areas with single family homes, the number of parcels with driveway access to the street were counted and included as a single entry/exit neighborhood if there were 30 or more units

serviced by the local road. The 30 or more units threshold is consistent with the California Public Resources Code Section 4290.5 which defines subdivision as an existing residential development of more than 30 dwelling units¹⁴.

4. Medium and high-density land use areas were evaluated using the same methodology of or more dwelling units.

Figure 6-11 identifies multiple residential developments in Carlsbad with a single access point of entry/exit. There are single access neighborhoods located throughout Carlsbad, including one adjacent to coastal hazard zones and six located within or adjacent to city designated Wildland Preplan areas. Wildland Preplan areas are areas within VHFHSZ with existing evacuation plans as determined by the city. Single access points, particularly in wildfire hazard zones, can make emergency evacuations problematic during an emergency, such as a wildfire.

Figure 6-11 also illustrates the major evacuation routes within Carlsbad, including the routes outlined by the Police Department Evacuation Plans developed in 2011 identified in Table 6-3. The map of evacuation routes is further organized by Wildland Preplans in Carlsbad including Hosp Grove, Calavera Hills, Sunny Creek Road, Box Canyon, Dank Tank, and Green Valley. Additional evacuation routes identified in these preplan areas include connections to Interstate 5 from Sunny Creek Road, Rancho Santa Fe Road, La Costa Avenue, Levante St-El Camino Real, Calle Barcelona-Leucadia Boulevard, and Palomar Airport Road/West San Marcos Boulevard.

¹⁴ Assembly Bill 2911 added Section 4290.5 to the Public Resources Code requiring the California Board of Forestry and Fire Protection to identify existing subdivisions with more than 30 dwelling units located in the State Responsibility Area or Local Responsibility Area Very High Fire Hazard Severity Zone without a secondary means of egress route that are at significant fire risk.

TABLE 6-3: POLICE DEPARTMENT EVACUATION PLANS (2011)

EVACUATION PLAN FOR WILDLAND PREPLAN AREAS	EVACUATION ROUTE(S)
<u>Old Carlsbad (Beats 1,2 & 3)</u>	<ul style="list-style-type: none"> • <u>Carlsbad Village Drive to I-5</u> • <u>Las Flores to I-5</u> • <u>Tamarack Avenue to I-5</u> • <u>Cannon to I-5</u> • <u>Jefferson Street to Highway 78</u>
<u>Calavera Area (Beat 4)</u>	<ul style="list-style-type: none"> • <u>Carlsbad Village Drive to El Camino Real</u> • <u>College Boulevard to Highway 78</u> • <u>Carlsbad Village Drive to I-5</u> • <u>Tamarack Avenue to I-5</u> • <u>El Camino Real to Cannon Road to I-5</u>
<u>Industrial Core Area (Beat 5)</u>	<ul style="list-style-type: none"> • <u>W/B Cannon to I-5 or E/B Cannon to El Camino Real.</u> • <u>W/B Faraday to Cannon to I-5 or E/B Faraday to El Camino Real to Melrose.</u> • <u>W/B Palomar Airport Rd to I-5 or E/B Palomar Airport Rd. to El Camino Real to Melrose and beyond.</u>
<u>La Costa – Olivenhain Area</u>	<ul style="list-style-type: none"> • <u>La Costa Ave. to I-5</u> • <u>Rancho Santa Fe Road to Olivenhain Road to Leucadia Blvd. to I-5</u> • <u>Levante St. to El Camino Real to La Costa Ave. to I-5</u> • <u>Calle Barcelona to Leucadia Blvd. to I-5</u>
<u>Poinsettia West Area (Beat 6 & 7)</u>	<ul style="list-style-type: none"> • <u>Aviara Parkway to I-5</u> • <u>El Camino Real to Palomar Airport Rd.</u> • <u>El Camino Real to La Costa Ave</u> • <u>El Camino Real to Poinsettia Ln.</u>
<u>Poinsettia East Area (Beat 6/7 East)</u>	<ul style="list-style-type: none"> • <u>Melrose Drive to Palomar Airport Road/Rancho Santa Fe.</u> • <u>El Fuerte to Palomar Airport Rd./Alga Rd.</u> • <u>Alicante to Poinsettia Ln./Alga Rd</u> • <u>El Camino Real to Palomar Airport Rd./La Costa Ave.</u> • <u>Palomar Airport Rd. to I-5/Business Park</u> • <u>Poinsettia Ln. to Alga Rd. or El Camino Real</u> • <u>Alga to Aviara Parkway/El Camino Real/Melrose Dr.</u>

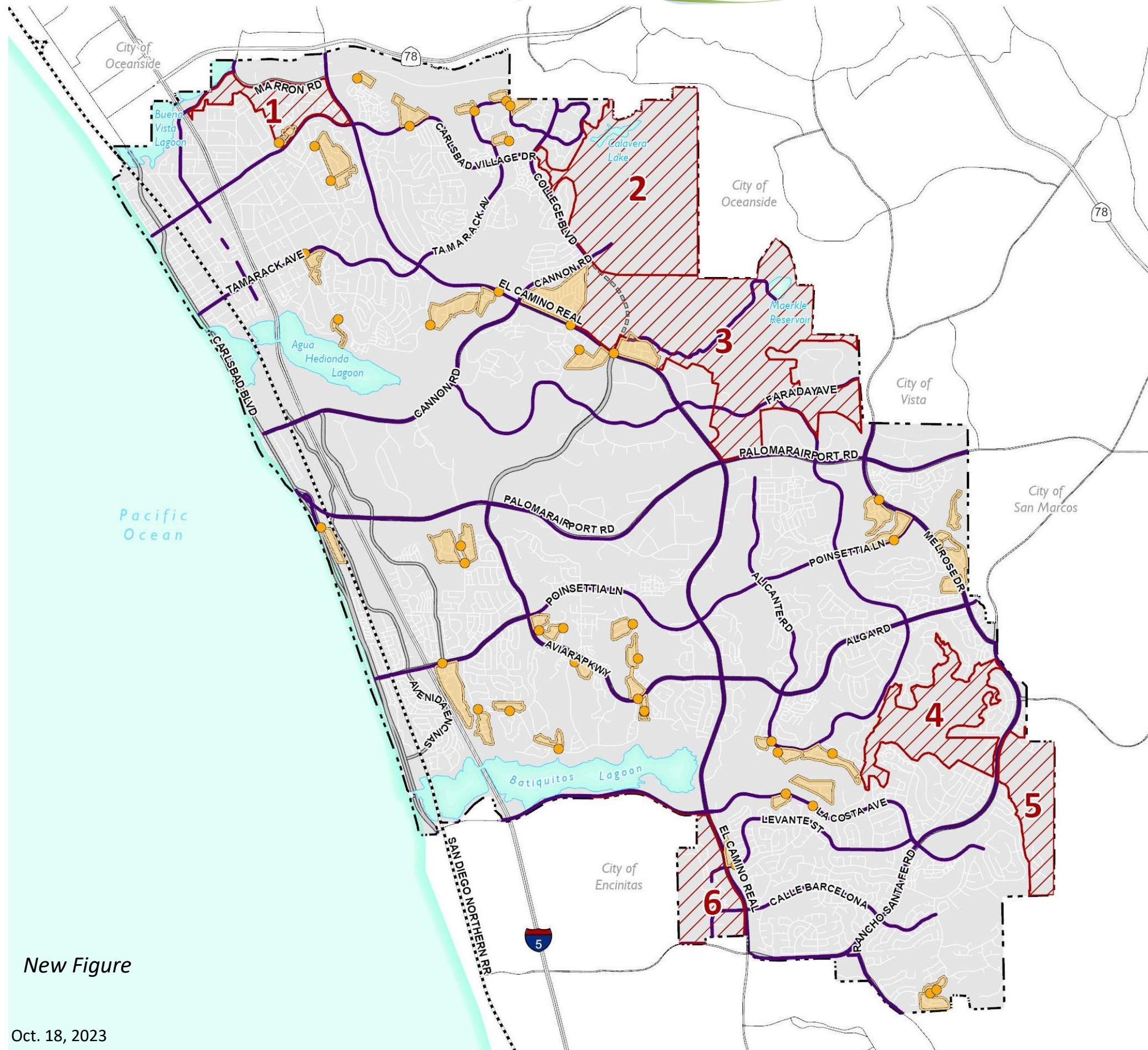
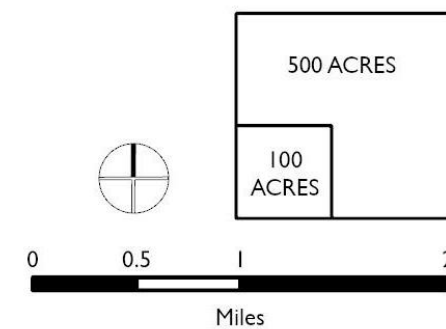


Figure 6-13: Single Access Roads

- Evacuation Routes
- Wildland Preplan Areas
- Single Entry and Exit Neighborhood
- Point of Single Entry and Exit
- Highways
- Major Street
- - - - - Planned Street
- - - - - Railroad
- City Limits



New Figure

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Evacuation capacity, safety, and viability were analyzed in compliance with AB 747. The evacuation routes identified in Table 6-3 include a citywide network of arterial roadways with a maximum capacity of 1,800 vehicles per hour per lane that can be utilized in unique combinations to provide effective transportation during a range of emergency scenarios. Dependent on the type and location of the emergency, evacuation locations include the Pine, Stagecoach, and Calavera Hills community centers.

The performance standard for the city's circulation system is guided by the General Plan Mobility Element as follows:

- Implementing Policy 3-P.4: Implement the city's Multi-modal Level of Service methodology and maintain Level of Service D or better for each mode of travel for which the Multi-modal Level of Service standard is applicable....

The greatest threat to the capacity of identified evacuation routes is either an existing low volume design and/or over capacity utilization, typically associated with peak hour commute trips. Critical points would include intersections of major arterials, at-grade railroad crossings, and freeway interchanges.

Identified evacuation routes constrained due to low volume design (two lane roadways) include:

- Las Flores Drive
- Levante Street
- Jefferson Street

Morning/evening peak hour congestion, represented as failing level of service and documented in the Fiscal Year 2021-22 Growth Management Plan Monitoring Report Circulation Section in 2022, affects the following evacuation route segments:

- Palomar Airport Road between Avenida Encinas and Paseo del Norte (interchange at I-5)
- Cannon Road between Avenida Encinas and Paseo del Norte (interchange at I-5)
- El Camino Real between Marron Road and the border with Oceanside (interchange at SR 78)
- Palomar Airport Road between El Fuerte Street and Melrose Drive
- El Camino Real between Cannon Road and College Boulevard
- El Camino Real between Aviara Parkway and La Costa Avenue
- La Costa Parkway between I-5 and El Camino Real

The identified evacuation network is generally free from constraint due to physical hazards during emergencies. Over the past 20 years, only minor impacts to evacuation routes have been experienced in the form of flooding.

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fire hazard, landslide, hillside collapse, downed trees/overhead utilities, etc. Even though multiple routes include either overpasses or underpasses, the threat of constraint from these features is low given the relatively young age of the infrastructure and lack of structural issues to date. None of the identified evacuation routes experiences regular or chronic constraints that would present a vulnerability to that route or the network as a whole.

The City of Carlsbad has emergency operations plans and mutual aid agreements with other responsive agencies that can, to a large extent, utilize the roadway network effectively through operational changes to maximize existing capacity in the most effective manner.

6.10 Climate Change

Climate change is already having, and will continue to have, myriad adverse impacts on the Earth's natural and built systems, resources, and the human populations that rely on them. While climate change is a global phenomenon, the effects will vary locally based on the natural and built environment and systems in place. Generally, climate change is anticipated to amplify existing hazards including but not limited to extreme heat, drought, wildfires, landslides, flooding, sea level rise, and air quality. The City of Carlsbad prepared a Climate Change Vulnerability Assessment (CCVA) which is available on the city website at this link: <https://www.carlsbadca.gov/departments/community-development/planning/general-plan/related-documents/-folder-769>. The CCVA assesses how the community and natural and built assets in Carlsbad are vulnerable to climate change. In Carlsbad, climate conditions and associated natural hazards are expected to change in the following ways:

- **Extreme heat:** Extreme heat days occur when the maximum temperature is above 92.5°F. The annual number of extreme heat days is projected to increase by as much as 22 days per year by 2100.
- **Drought:** Climate change will increase the likelihood that low-precipitation years will coincide with above-average temperature years. Warming temperatures increase seasonal dryness and the likelihood of drought due to decreased supply of moisture and increased atmospheric demand for moisture as evaporation from bare soils and evapotranspiration from plants increases.
- **Wildfire:** Carlsbad is expected to experience an increase in the number of days with extreme wildfire risk, from 14 days annually to 63 days by mid-century and 113 days by end-century.
- **Landslides:** Triggered by extreme bouts of precipitation on wildfire burn scars, the susceptibility of the larger San Diego region to landslides is projected to increase as precipitation variability increases and wildfires increase in frequency, area, and severity.
- **Riverine and Stormwater Flooding:** Climate change may cause low-lying areas throughout Carlsbad to experience more frequent flooding and could increase the extent of 100-year floods.
- **Air Quality:** Due to extended droughts, more frequent wildfires, increased ambient temperatures, and sporadic natural filtrations of fog and wind air quality in Carlsbad may decline significantly.

- **Sea Level Rise:** The Carlsbad Sea Level Rise Vulnerability Assessment anticipates 1.6 feet of sea level rise by 2050 and 6.6 feet of sea level rise by 2100. Impacts to coastal assets are described in detail under Section 6.3.

Though climate change affects everyone in a community, not all people are impacted equally. For example, historically disadvantaged communities, people of color, outdoor workers, elderly and very young community members, lower-income populations, and those with chronic health conditions tend to experience increased exposure and/or physiological sensitivity to climate hazards and a reduced capacity to adapt.¹⁵ As recommended by the California Adaptation Planning Guide several data sources and tools were used in evaluating both population and climate hazard vulnerabilities including the U.S. Census 2015-2019 American Community Survey, Cal-Adapt, California's Fourth Climate Change Assessment, The California Healthy Places Index, and CalEnviroScreen 4.0. The following vulnerable populations have been identified in Carlsbad consistent with the California Adaptation Planning Guide and the Southern California Adaptation Planning Guide:

- **Individuals with High Outdoor Exposure,** including outdoor workers and people experiencing homelessness, face disproportionate direct exposure to climate hazards, causing them to be extremely vulnerable to the effects of climate change.
- **Under-resourced individuals** often do not have access or the ability to afford resources needed to prepare for, cope with, and recover from climate change impacts. Individuals who are unemployed or are low-income often face financial barriers when preparing for and recovering from climate change hazards. Individuals in these groups often live in homes that are less protected against climate hazards.
- **Individuals Facing Societal Barriers** also face additional impacts of climate change. Non-white individuals are more likely to live in high hazard risk areas and less likely to be homeowners, which leaves them vulnerable to climate hazards.
- **Individuals with chronic health conditions or health related sensitivities** are socially and physiologically vulnerable to climate change impacts and hazards. Older adults and individuals with disabilities may have limited or reduced mobility, mental function, or communication abilities, making it difficult to evacuate during or prepare for a climate hazard

¹⁵ The California Adaptation Planning Guide describes factors that contribute to disproportionate impacts from climate change: "There are many reasons why some groups of people are more susceptible to climate related hazards—limited access to financial resources, health challenges or disabilities (physical, cognitive, behavioral, and all other forms), living or working conditions that result in greater exposure to hazard events, physical or social isolation, historical and current marginalization or deprivation of resources, and reduced agency or ability to make decisions. These are all factors that can lead to a greater potential for harm, and many people fall into more than one category." (Page 62)

event. They may also have medical needs for electricity which may be impacted during a public safety power shutoff or climate hazard event.

Natural and recreational resources, buildings and facilities, and infrastructure and critical services are also vulnerable to the effects of climate change and were evaluated in detail in the Climate Change Vulnerability Assessment:

- **Natural resources** are highly vulnerable to extreme heat, drought, wildfire, flooding, and sea level rise. Vulnerability for natural resources includes the risk of habitat conversions and damage, mortality, and scarcity of resources for plants and wildlife.
- **Buildings and facilities** in the city are highly vulnerable to sea level rise (detailed discussion provided in Section 6.3). Buildings and facilities located in inundation zones are at risk of structural damage from sea level rise. Several facilities are in the wildfire hazard severity zones of Carlsbad. These buildings and facilities are at risk of structural damage from wildfire.
- **Infrastructure and dependent populations** experience additional cascading impacts around power outages from downed utility lines, power safety shut offs and grid overload. All forms of power outages can affect how critical services are able to perform their needed functions during a hazard. Infrastructure and critical services are also highly vulnerable to extreme heat, flooding, and air quality

Table 6-4 below summarizes each asset grouping's highest vulnerabilities by hazard along with corresponding policies that address the primary vulnerabilities in the Goals and Policies section.

**TABLE 6-4: CLIMATE CHANGE VULNERABILITY ASSESSMENT HIGH
VULNERABILITY FINDINGS**

<u>CLIMATE HAZARD</u>	<u>IMPACT SCORE</u>	<u>ADAPTIVE CAPACITY SCORE</u>	<u>VULNERABILITY SCORE</u>	<u>CORRESPONDING POLICY</u>
<u>Vulnerable Populations</u>				
<u>Extreme Heat</u>	<u>High</u>	<u>Medium</u>	<u>4-High</u>	<u>6-P.85</u>
<u>Wildfire</u>	<u>High</u>	<u>Medium</u>	<u>4-High</u>	<u>6-P.55, 6-P.66 6-P.79</u>
<u>Riverine and Stormwater Flooding</u>	<u>Medium</u>	<u>Low</u>	<u>4-High</u>	<u>6-P.1, 6-P.6</u>
<u>Air Quality</u>	<u>High</u>	<u>Low</u>	<u>5-High</u>	<u>6-P.82, 6-P.84, 6-P.85, 6-P.88</u>
<u>Sea Level Rise</u>	<u>High</u>	<u>Medium</u>	<u>4-High</u>	<u>6-P.79</u>
<u>Natural and Recreational Resources</u>				
<u>Extreme Heat</u>	<u>High</u>	<u>Low</u>	<u>5-High</u>	<u>6-P.80</u>
<u>Drought</u>	<u>High</u>	<u>Low</u>	<u>5-High</u>	<u>6-P.80, 6-P.81</u>
<u>Wildfire</u>	<u>High</u>	<u>Medium</u>	<u>4-High</u>	<u>6-P.80</u>
<u>Riverine and Stormwater Flooding</u>	<u>High</u>	<u>Medium</u>	<u>4-High</u>	<u>6-P.12</u>
<u>Air Quality</u>	<u>Medium</u>	<u>Low</u>	<u>4-High</u>	<u>6-P.81</u>
<u>Sea Level Rise</u>	<u>High</u>	<u>Medium</u>	<u>4-High</u>	<u>6-P.13</u>
<u>Buildings and Facilities</u>				
<u>Extreme Heat/Warm Nights</u>	<u>Medium</u>	<u>Low</u>	<u>4-High</u>	<u>6-P.84, 6-P.89</u>
<u>Sea Level Rise</u>	<u>Medium</u>	<u>Low</u>	<u>4-High</u>	<u>6-P.13</u>
<u>Infrastructure and Critical Facilities</u>				
<u>Extreme Heat</u>	<u>High</u>	<u>Low</u>	<u>5-High</u>	<u>6-P.89, 6-P.90</u>
<u>Drought</u>	<u>High</u>	<u>Medium</u>	<u>4-High</u>	<u>6-P.51</u>
<u>Riverine and Stormwater Flooding</u>	<u>High</u>	<u>Low</u>	<u>5-High</u>	<u>6-P.5, 6-P.89</u>
<u>Air Quality</u>	<u>High</u>	<u>Low</u>	<u>5-High</u>	<u>6-P.85, 6-P.89</u>
<u>Sea Level Rise</u>	<u>Medium</u>	<u>Low</u>	<u>4-High</u>	<u>6-P.13</u>

Local actions can help to mitigate the additional risks associated with climate change and increase community resilience. Cities that plan now will have the best options for adapting to climate change. Carlsbad is currently preparing a comprehensive update to its Climate Action Plan (CAP), which is a roadmap identifying specific actions the city and its partners intend to take to reduce local greenhouse gas emissions. Implementation of the policies in the Public Safety Element and the measures and actions in the

CAP are complementary and mutually beneficial, working to both reduce the city's carbon contributions and increase its resilience in the face of worsening climate change impacts.

The city has a long history of taking action to reduce the effects of climate change by cutting local greenhouse gas emissions, beginning with the adoption of the city's first Climate Action Plan in 2015. Since that time, the city has been active in implementing sustainability programs envisioned by the CAP, including steps being taken by the Sustainable Materials Management division to divert and reduce waste, the Watershed Protection division to protect water resources, and the Habitat Management division to increase protection of natural habitats. As Carlsbad expands existing efforts in planning and implementation for responding to climate change, an opportunity exists to create stronger, more equitable communities for everyone. Many of the actions needed to reduce the impacts of climate change will provide additional co-benefits to the community, including but not limited to increased public safety and public health, reduced greenhouse gas emissions, and greater economic stability.

~~City of Carlsbad EOP Annex Q (2013) provides Carlsbad-specific evacuation information and is available in the EOC.~~

~~6.106.11~~ Goals and Policies

Goals

- 6-G.1 Minimize injury, loss of life, and damage to property resulting from fire, flood, ~~sea-level rise~~, hazardous material release, or seismic disasters.
- 6-G.2 Minimize safety hazards related to aircraft operations in areas around the McClellan-Palomar Airport.
- 6-G.3 Maintain safety services that are responsive to citizens' needs to ensure a safe and secure environment for people and property in the community.
- ~~6-G.4~~ Minimize safety hazards related to emergency service, automobile, bicycle and pedestrian access across the railroad.
- ~~6-G.5~~ Adequately prepare for climate change-related hazards, including but not limited to sea-level rise, extended drought, extreme heat, and more frequent and severe flooding, extreme weather, and wildfires.

Policies

Flooding and Coastal Hazards

- 6-P.1 Enforce the Cobey-Alquist Floodplain Management Act and the city's Floodplain Management Regulations to prohibit construction of structures in a designated floodway where such development would endanger life or significantly restrict the carrying capacity of the designated floodway; and to regulate development within other areas of special flood hazard, flood related erosion hazard and mudslide hazard to ensure such development does not adversely affect public health and safety due to water and erosion hazards, or result in damaging increases in erosion, flood height or velocities.
- 6-P.2 Continue to implement and pursue flood control programs that reduce flood hazards, such as the city's Grading Ordinance and the Floodplain Management Regulations.
- 6-P.3 Cooperate and coordinate with federal, state and local jurisdictions, and agencies involved in the mitigation of flood hazards from dam inundation, tsunamis, sea level rise, and major flood events.
- 6-P.4 Require all proposed public drainage facilities to comply with the city's Standard Design Criteria to ensure they are properly sized to handle 100-year flood conditions. Incorporate updated hydrology and hydraulic data as it becomes available.

- 6-P.5 Require installation of protective structures or other design measures to protect proposed building and development sites, existing infrastructure, and critical services from the effects of flooding. Utilize, where possible, nature-based solutions and pervious pavement to assist in protection.
- 6-P.6 Encourage the use of permeable materials and surfaces in new development and road repaving to decrease surface water runoff during storms.
- 6-P.7 Promote the use of green infrastructure such as swales to manage stormwater runoff.
- 6-P.8 Enforce the requirements of Carlsbad Municipal Code Titles 15, 18, 20, and 21 pertaining to drainage and flood control when reviewing applications for building permits and subdivisions.
- 6-P.9 Comply with all requirements of the California Department of Water Resources' Division of Safety of Dams and California Office of Emergency Services to ensure dam safety and adequate flood incident preparedness and response control.
- 6-P.10 Comply with Federal Emergency Management Agency (FEMA) requirements to identify flood hazard areas and control development within these areas in order for residents to qualify for federal flood insurance. Cooperate with FEMA on shoreline flooding hazards and other mapping efforts.
- 6-P.11 Provide language-accessible materials to vulnerable populations on flood hazard exposure and available resources. Identify and improve access to flood mitigation and adaptation related services for vulnerable populations including evacuation-based transportation, home improvements, and resources to combat cascading impacts of negative economic and health impacts.
- 6-P.12 Monitor and research the potential impacts of climate change and flooding on local habitat and wildlife.

Sea Level Rise Hazards

- 6-P.13 Regulate new development, redevelopment and lot creation, which requires a coastal development permit, to avoid exposure to sea level rise hazards such as erosion, flooding, inundation, groundwater changes and shoreline migration throughout the lifespan of the proposed development.
- 6-P.14 Encourage development projects to deposit dredge spoils on the beach if the material is suitable for sand replenishment and is consistent with environmental protection policies.
- 6-P.15 Give priority to non-structural shoreline protection options and limit or prohibit hard shoreline protective devices.

- 6-P.16 Require removal or relocation of structures away from sea level rise hazards if public health and safety risks exist, if essential services can no longer be maintained, if the structures are no longer on private property due to migration of the public trust boundary, or if the development requires new or augmented shoreline protective devices that would not otherwise be permitted.
- 6-P.17 Develop sea level rise adaptation plans for assets vulnerable to sea level rise.
- 6-P.18 Collaborate with other local, regional, state, and federal entities to monitor sea level rise impacts and promote restoration or enhancement of natural ecosystems.
- 6-P.19 Continue to build community awareness about sea level rise hazards and future vulnerabilities.

Geology and Seismicity

- 6-P.209 Allow for consideration of seismic and geologic hazards at the earliest possible point in the development process, preferably before comprehensive engineering work has commenced.
- 6-P.2140 Maintain geotechnical report guidelines identifying specific requirements for various levels of geotechnical evaluation, including reconnaissance studies, preliminary geotechnical investigation reports, and as-graded geotechnical reports.
- 6-P.2211 Use information in Figure 6-5 ~~Figure 6-4~~ as a generalized guideline for planning purposes and in determining the type and extent of geotechnical report to be required for a proposed development project. When a geotechnical report is required, ~~require~~ submission of the report and demonstration that a project conforms to all mitigation measures recommended in the report prior to city approval of the proposed development (as required by state law).
- 6-P.2312 Require a geotechnical investigation and report of all sites proposed for development in areas where geologic conditions or soil types are susceptible to liquefaction. Also require demonstration that a project conforms to all mitigation measures recommended in the geotechnical report prior to city approval of the proposed development (as required by state law).
- 6-P.2413 Prohibit location of critical structures directly across known earthquake faults unless a geotechnical and/or seismic investigation is performed to show that the earthquake fault is neither active nor potentially active.

6-P.2514 Require applicants to conduct detailed geologic and seismic investigations at sites where the construction of critical structures (high-occupancy structures and those that must remain in operation during emergencies) and structures over four stories are under consideration.

6-P.2615 In accordance with the California state law Subdivision Map Act, deny subdivision maps if a project site is not physically suitable for either the type or density of a proposed development because of specific, adverse impacts on public health and safety conditions, such as geologic, seismic, or other hazards and there is no feasible method to satisfactorily mitigate or avoid such adverse impacts.

6-P.2716 Require qualified geotechnical engineering professionals to review grading plans and inspect areas of excavation during and after grading, to evaluate slope stability and other geotechnical conditions that may affect site development and public safety. In areas of known or suspected landslides and/or adverse geologic conditions, the following determinations should be made: extent of landslide, depth-to-slide plane, soil types and strengths, presence of clay seams and ground water conditions.

6-P.2817 Continue to regulate development, including remodeling or structural rehabilitation, to ensure adequate mitigation of safety hazards on sites having a history or threat of seismic dangers, erosion, subsidence, or flooding.

6-P.29 Regularly inspect locations with high landslide susceptibility directly following major storm and atmospheric events.

6-P.30 Develop mitigation strategies for new areas deemed at risk to slope instability by considering the risks associated with climate change impacts which are anticipated to cause more frequent landslides from more extreme and frequent rain events and wildfires.

6-P.31 Minimize risks from landslides by requiring new development to be sited outside of hazard areas, when possible, and to incorporate design that minimizes the potential for damage.

Airport Hazards

6-P.3218 Ensure that development in the McClellan-Palomar Airport Influence Area is consistent with the land use compatibility policies contained in the McClellan-Palomar Airport Land Use Compatibility Plan.

See also policies in the Land Use and Community Design Element related to McClellan-Palomar Airport.

Railroad Hazards

6-P.33 Gather historic incident data from police reports regarding pedestrian/bicycle and train incidents to develop a better understanding of the conditions resulting in collisions. Evaluate if there are any common factors, such as time, location, population group, point of entry and exit, and determine if there are underlying causes contributing to the incidents. Evaluate a program to address underlying issues and the potential effectiveness of the program.

~~6-P.346~~ 6-P.19 Coordinate with other agencies and private entities to investigate methods of improving service safety along and across the rail corridor, such as through development of a grade separated rail corridor that includes grade separated street crossings at Grand Avenue, Carlsbad Village Drive, Tamarack Avenue and Cannon Road, as well as new pedestrian and bicycle crossings at Chestnut Avenue, the Carlsbad Village and Poinsettia COASTER stations, and other appropriate locations.

See also policies in the Mobility and Noise Elements related to the railroad.

Soils and Hazardous Materials

6-P.3520 Limit hazards associated with the manufacture, use, transfer, storage and disposal of hazardous materials and hazardous wastes through enforcement of applicable local, county, state and federal regulations.

6-P.3621 Coordinate with the County of San Diego and use the San Diego County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) as a guide for implementing actions to reduce hazardous waste impacts.

6-P.3722 Regulate locations for the manufacture, storage, and use of hazardous materials within the city through implementation of Carlsbad Municipal Code Title 21 (Zoning Ordinance).

6-P.3823 Regulate development on sites with known contamination of soil and groundwater to ensure that construction workers, future occupants, and the environment as a whole, are adequately protected from hazards associated with contamination, and encourage cleanup of such sites. Provide documentation that development sites are not impacted by former/current site uses, including but not limited to, agricultural chemicals, aerially deposited lead, common railroad contaminants, and hazardous material storage and/or use.

6-P.~~39~~²⁴ Provide ~~for~~ hazardous materials emergency incident responses. Coordinate such responses with applicable federal, state and county agencies.

6-P.~~40~~²⁵ Maintain regulations that require proper storage and disposal of hazardous materials to reduce the likelihood of leakage, explosions, or fire, and to properly contain potential spills from leaving the site.

6-P.~~41~~²⁶ Enhance and expand the use of ~~desilting/desiltation~~/pollutant basins to function as hazardous material spill control facilities to prevent the spread of contaminants to downstream areas.

6-P.~~42~~²⁷ Support public awareness and participation in household hazardous waste management, solid waste, and recycling programs.

Police, Fire and Emergency Management Services

6-P.~~43~~²⁸ Maintain adequate Police and Fire Department staff to provide adequate and timely response to all emergencies according to department standards, as well as continuous community outreach providing education for emergency situations.

~~6-P.446-P.29~~ Ensure Fire Department facilities and service are provided consistent with the minimum performance standards of the city's Growth Management Program.

~~6-P.30~~ Encourage physical planning and community design practices that deter crime and promote safety.

6-P.~~45~~³¹ Maintain close coordination between planned improvements to the circulation system within the city and the location of fire stations to assure adequate levels of service and response times to all areas of the community.

6-P.~~46~~³² Consider site constraints in terms of hazards and current levels of emergency service delivery capabilities when making land use decisions. In areas where population or building densities may be inappropriate to the hazards present, take measures to mitigate the risk of life and property loss.

6-P.~~47~~³³ Coordinate the delivery of fire protection services through auto aid and mutual aid agreements with other agencies when appropriate.

6-P.~~48~~³⁴ Enforce the most current California Uniform Building and Fire codes, adopted by the city, to provide fire protection standards for all existing and proposed structures.

6-P.~~49~~³⁵ When future development is proposed to be placed in fire hazard severity zones~~intermixed with wildlands~~ and/or

adjacent to ~~fire hazard severity zones~~wildlands, require applicants to comply with the city's adopted Landscape Manual, which includes requirements related to fire protection, and calls for preparation of a fire protection plan when a proposed project contains or is bounded by hazardous vegetation or is within an area bounded by a Very High Fire Hazard Severity Zone~~every high fire hazard severity zone~~, or as determined by the Fire Code official or ~~their~~his representative.

Wildfires

Emergency Preparedness

- 6-P.50 Coordinate with Carlsbad Municipal Water District, Olivenhain Municipal Water District, and Vallecitos Water District to ensure that water pressure for existing developed areas is adequate for firefighting purposes during the season and time of day when domestic water demand on a water system is at its peak.
- 6-P.51 Permit development only within areas that have adequate water resources available, to include water pressure, onsite water storage, or fire flows.
- 6-P.52~~36~~ Maintain and implement Wildland/Urban Interface Guidelines for new and existing development within neighborhoods that are proximal to existing fire hazard severity zones. Decrease the extent and amount of edge or wildland urban interface where development is adjacent to fire hazard severity zones.
- 6-P.53 Use strategies, such as community organization volunteer partnerships and environmentally friendly fuel reduction and weed abatement approaches, as prevention measures to minimize the risk of fires. Engage in fire hazard reduction projects, including community fuel breaks and private road and public road clearance.
- 6-P.54 To increase resistance of structures to heat, flames, and embers, review current building code standards and other applicable statutes, regulations, requirements, and guidelines regarding construction, and specifically the use and maintenance of non-flammable materials (both residential and commercial). Promote the use of building materials and installation techniques beyond current building code requirements, to minimize wildfire impacts as well as fire protection plans for all development.
- 6-P.55 In planned developments that may occupy the wildland urban interface, High and Very High Fire Hazard Severity Zones, increase resilience during a potential wildfire evacuation through:

- Enforcing visible address numbers painted on sidewalks.
- Applying special construction features found in California Building Code Chapter 7A for developments in Very High Fire Hazard Severity Zones & High Fire Hazard Severity Zones areas.
- Developing and/or adapting multiple language accessible materials for how to prepare your family and home for an evacuation and go kit.
- Identifying and preparing at risk and vulnerable populations that may need assistance to evacuate.
- Maintaining existing critical evacuation routes, community fuel breaks, emergency vehicle access.
- Requiring adequate access (ingress, egress) to new development, including safe access for emergency response vehicles
- Identification of anticipated water supply for structural fire suppression.
- Developing fuel modification plans for all new developments.

6-P.56 Evaluate soils and waterways for risks from flooding, water quality, and erosion to ensure that they are suitable to support redevelopment following a large fire.

6-P.57 In the event of a large fire, evaluate re-development within the impacted fire zone to conform to best practice wildfire mitigation.

6-P.58 Coordinate with telecommunication service entities and the San Diego County Communication Department to fire-harden communications.

6-P.59 Limit new development along steep slopes and amidst rugged terrain to limit rapid fire spread and increase accessibility for firefighting.

6-P.60 Develop and implement density management strategies that cluster residential developments and minimize low-density exurban development patterns to reduce amounts of flammable vegetation and collective exposure to wildfire risk. When feasible, require new residential development to be located outside of the Very High Fire Hazard Severity Zone (VHFHSZ). Should new residential development be located in VHFHSZ's, then require that it be built to the current California Building Code and Fire Code.

- 6-P.61 When feasible, site new critical facilities outside of the Very High Fire Hazard Severity Zone (VHFHSZ). Protect and harden critical facilities from natural hazards and minimize interruption of essential infrastructure, utilities, and services.
- 6-P.62 Site structures to maximize low-flammability landscape features to buffer against wildfire spread.
- 6-P.63 Require that new development and redevelopment have adequate fire protection, including proximity to adequate emergency services, adequate provisions for fire flow and emergency vehicle access and fire hardened communication, including high speed internet service.
- 6-P.64 Ensure that the Carlsbad Fire Department has complete access to all locations in the city, including gated residential communities and critical infrastructure.
- 6-P.65 Coordinate with San Diego Gas & Electric to implement an electrical undergrounding plan with a focus on critical evacuation roadways and areas with highest wildfire risk.
- 6-P.66 Provide fire hazard education and fire prevention programs to Carlsbad residents and businesses with targeted outreach to vulnerable populations and occupants of Moderate, High, and Very High Fire Hazard Severity Zones neighborhoods and/or single access neighborhoods.
- 6-P.67 Prioritize engagement with single access neighborhoods to encourage home retrofits to meet current standards on structure hardening and road standards, proactively enforce defensible space standards, and conduct emergency preparedness trainings.
- 6-P.68 Continue to maintain and periodically update the city's Water Master Plan to identify and secure resources to meet future fire suppression needs and require future development to provide the water system improvements necessary to meet their demands.
- 6-P.69 Continue to maintain/contribute to updates to the Urban Area Security Strategy and the MJHMP to identify and prepare for future emergency service needs. For fire preparedness, continue to prepare a Standards of Coverage study to evaluate risks and prepare recommendations to mitigate those risks.

Emergency & Evacuation Preparedness

- 6-P.70 Implement and maintain the City of Carlsbad Emergency Operations Plan, the Multi-jurisdictional Hazard Mitigation Plan (MJHMP), and other relevant emergency plans, policies, and procedures, as appropriate information becomes available, and continue participating in multi-jurisdictional disaster planning.

6-P.7140 Promote public awareness of ~~potential~~possible natural and man-made hazards, measures that can be taken to protect lives and property, ~~response plans, and evacuation routes.~~

6-P.7241 Inform the public and contractors of the danger involved and the necessary precautions that must be taken when working on or near pipelines or utility transmission lines.

6-P.7342 Ensure all new development complies with all applicable regulations regarding the provision of public utilities and facilities.

6-P.74 Maintain roadways that are likely to function as key evacuation routes.

6-P.75 Provide resources to City of Carlsbad staff regarding appropriate emergency preparedness and response activities as well as designed roles and responsibilities as Disaster Service Workers. Conduct routine trainings for all-hazards emergency preparedness and response.

6-P.76 Facilitate restriction of parking, construction permits, or right-of-way encroachment permits on high fire days in neighborhoods in and near fire hazard zones and along critical evacuation routes.

6-P.77 Facilitate restriction of parking, construction permits or right-of-way encroachment on days with potential storm surges, atmospheric rivers, and king tide days in neighborhoods in and near flood hazard zones and along critical evacuation routes.

6-P.78 Develop and maintain emergency evacuation capabilities in conjunction with regional partners and regional plans such as the San Diego County Emergency Operations Plan.

6-P.79 Continue to communicate to the public on essential resources and procedures through a variety of communication tools and in multiple languages on topics including:

- Education on the California Standard Statewide Evacuation Terminology.
- Emergency evacuation checklists for residents.
- Creation and education of the public on evacuation maps.
- Available transportation services.
- Evacuation shelter and support service options.

Extreme Heat, Air Quality, and Drought

6-P.80 Protect vulnerable natural and recreational habitats and parks impacted by extreme heat through expansion of large

continuous greenspaces wherever possible for greater cooling magnitude and extent. Include:

- A mix of drought tolerant and native habitat types for greatest cooling benefits.
- Mitigation of risk of dried out vegetation and wildfire risk through drought tolerant and wildfire resilient landscaping on private property.
- Facilitate mitigation projects through Carlsbad Habitat Management Division

6-P.81 Identify opportunities and expand the City's Landscape Manual to increase urban tree canopy and maintenance projects in coordination with existing efforts including the adopted Community Forest Management Plan.

6-P.82 Coordinate with San Diego County Public Health Services and local community organizations to establish extreme heat, drought, and air quality monitoring systems and develop accessible community education resources to prepare community members for increase extreme heat events and ambient air pollution.

6-P.83 Seek grant funding to pilot a project to install a cool roof on a city facility or cool pavement as part of a roadway project to showcase benefits to community members and local builders.

6-P.84 Encourage weatherization retrofits of private properties and retrofit all critical facilities with adequate cooling and air filtration in conjunction with the Carlsbad Climate Action Plan. Partner with the Home Energy Score Assessment program to facilitate retrofits.

See also policies in the Sustainability Element and Open Space, Conservation, and Recreation Element for policies related to Mitigating Drought, Urban Heat, and Green Infrastructure

Climate Change Governance Capacity

6-P.85 Broaden functions of cool zones to address a greater variety of needs as resilience hubs facilitating health, food, medical, and emergency services during climate hazards such as extreme heat events, flooding, wildfires, and poor air quality events.

6-P.86 Seek funding to plan and implement microgrids, cool roofs, resilience hubs, and other similar technology in areas with vulnerable populations.

6-P.87 Explore a climate equity analysis to prioritize programs that ensure the benefits of Environmental Sustainability programs are equitably distributed and prioritized to those most in need.

6-P.88 Distribute information on climate change impacts to the entire community with adapted communications for vulnerable populations, including but not limited to actions they can take to reduce exposure to unhealthy conditions associated with flood damaged properties, extreme heat, and bad air quality days. Increase the capacity/resilience of these populations by ensuring they have a role in decision-making surrounding climate change in their communities

6-P.89 Expand the resilience of new and existing critical buildings and infrastructure to function properly while subject to increased climate hazard frequency such as flooding, extreme heat, regional wildfires, and landslides.

6-P.90 Partner with utility companies and/or community choice energy entities to improve grid resilience and backup power for the community including but not limited to utility and/or community choice energy entity activities that seek to:

- Harden vulnerable overhead lines against winds and wildfires;
- Protect energy infrastructure and increase redundancy of energy storage and distribution systems in surrounding hazard zones for wildfire;
- Invest in sustainable power sources to provide redundancy and continued services for critical facilities during periods of high demand during extreme heat events; and
- Continue exploring the feasibility of installing microgrids, battery storage, or other local energy storage options.

6-P.91 Develop a checklist for adaptation-based design features and assessment of needed retrofits for critical facilities.

See also policies in the Sustainability Element related to Climate Change



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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.
-

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, and 3 <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 (5)	P
R-W	X	P
R-P	(5) <u>6</u>	(6) <u>7</u>
RMHP	P	P
P-C	(7) <u>8</u>	(7) <u>8</u>
V-B	(8) <u>9</u>	(8) <u>9</u>
Accessory Uses	(9) <u>10</u>	(9) <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 ⁽¹⁾	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, <u>R-30, R-35 or R-40</u> general plan designations	200 square feet per unit
			Project IS within R-23, <u>R-30, R-35 or R-40</u> 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 ⁽¹⁾	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, <u>R-30, R-35 or R-40</u> 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 ^{(1), (7)}	
			40 feet, if roof pitch is 3:12 or greater

		Projects within the R-23 and R-30 general plan designations ^{(1), (7)}	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 ⁽⁷⁾	40 feet, if roof pitch is less than 3:12	
E.5	Minimum Building Setbacks	From a private or public street ^{(2), (3)}	Residential structure	10 feet
			Direct entry garage	20 feet
		From a drive-aisle ⁽⁴⁾	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"> • Setbacks from property lines • Building separation • Fire and Engineering Department requirements
		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)	
E.7	Resident Parking⁽⁶⁾	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"> • 25% of the units in the project may include a tandem two-car garage (minimum 12 feet × 40 feet). • Calculations for this provision resulting in a fractional unit may be rounded up to the next whole number.
		One-family and two-family dwellings	<p>2 spaces per unit, provided as either:</p> <ul style="list-style-type: none"> • a two-car garage (minimum 20 feet × 20 feet), or • 2 separate one-car garages (minimum 12 feet × 20 feet each) • In the R-W Zone, the 2 required parking spaces may be provided as 1 covered space and 1 uncovered space⁽⁵⁾
		Multiple-family dwellings	<p>1.5 spaces per unit, 1 of which must be covered⁽⁵⁾</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"> • a one-car garage (12 feet × 20 feet) and 1 covered or uncovered space; or⁽⁵⁾ • a two-car garage (minimum 20 feet × 20 feet), or • 2 separate one-car garages (minimum 12 feet × 20 feet each) • 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⁽⁵⁾
			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">Each parking space shall maintain a standard stall size of 8.5 feet by 20 feet, exclusive of supporting columns; andA 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.				
			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, or R-23, <u>or</u> R-30 general plan designations	400 square feet		
				Projects within the R-15, or 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">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).	
				<ul style="list-style-type: none">The length of the projection shall not be limited, except as required by any setback or lot coverage standards.	
				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

General Plan Density Ranges	Growth Management Control Point
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 8.0 11.5—15.0	11.5
R-23 15.0 19.0—23.0	19.0
R-30 23.0 26.5—30.0	25.0 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.

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.~~

Housing Element Implementation and Public Safety Element Update

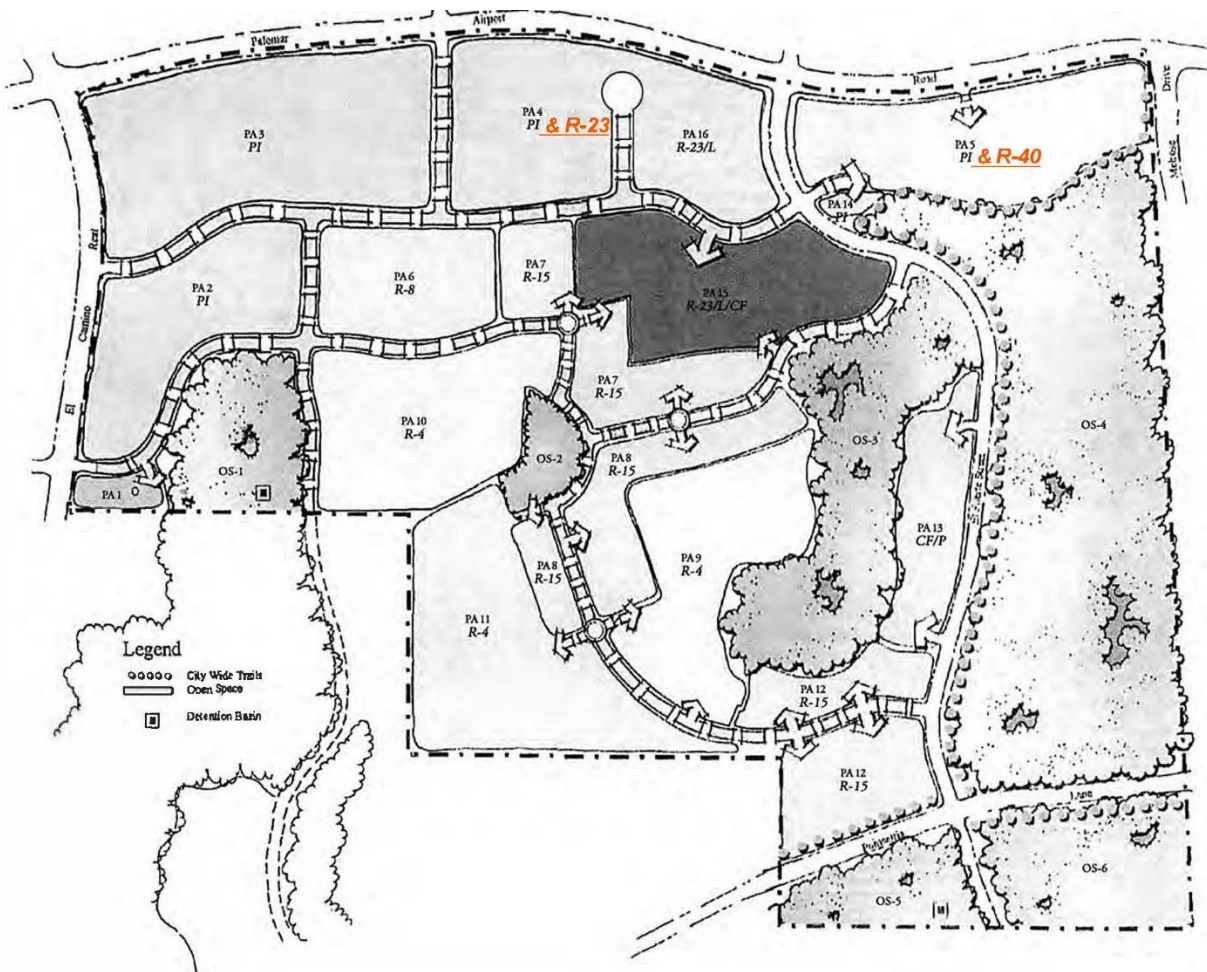
Proposed Master Plan and Specific Plan Amendments Underline/Strikeout Exhibit

This project proposes to amend various master plans and specific plans to read as specified below. Changes to title pages and tables of contents are not shown here but will be made consistent with all approved amendments.

A clean copy of the proposed changes is provided as an attachment to the City Council ordinance.

BRESSI RANCH MASTER PLAN MP 178

1. Exhibit I-1 is amended as follows:



Bressi Ranch

Concept Master Plan

I-1

BRESSI RANCH MASTER PLAN MP 178, CONTINUED

2. Exhibit I-2 is amended as follows:

EXHIBIT I-2 Land Use Summary

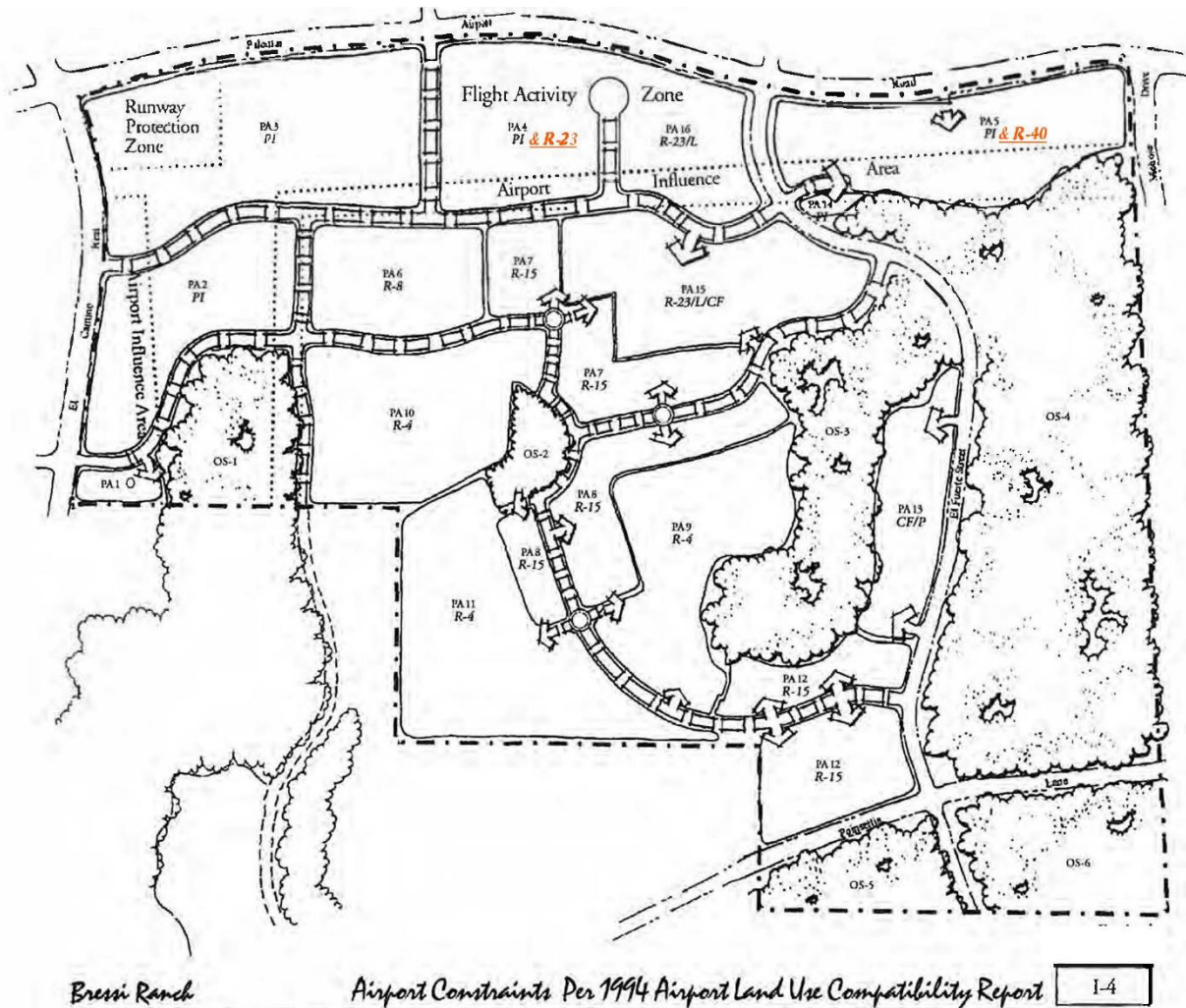
Bressi Ranch Master Plan Land Use Summary

Planning Area/ Open Space Area	General Plan Designation	Zoning	Units (residential)	Sq. Ft. (non-res)	Acreage
Industrial & Office:					
PA 1	O	O	--	**	2.5
PA 2	PI	P-M	--	**	27.5
PA 3	PI	P-M	--	**	47
PA 4	PI <u>& R-23</u>	P-M	<u>49</u>	**	26
PA 5	PI <u>& R-40</u>	P-M	<u>199</u>	**	28
PA 14	PI	P-M	--	**	1.1
subtotal				1,900,000	132.1
Residential:					
PA 6	RM	RD-M	63		16.2
PA 7	RMH	RD-M	95		20
PA 8	RMH	RD-M	95		19.9
PA 9	RLM	R-1	70		26.8
PA 10	RLM	R-1	84		31.5
PA 11	RLM	R-1	25		36.4
PA 12	RMH	RD-M	91		24.1
subtotal					174.9
Community Facilities:					
PA 13	CF/P	CF		138,000	13.7
subtotal				138,000	13.7
Mixed Use:					
PA 15	RH/L/CF	RD-M/C-L/CF	100	130,000	27.7
PA 16	R-23/L	RD-M/C-L	125	91,414	18
subtotal				221,414	45.7
Open Space:					
OS 1	OS	OS	--	--	16.9
OS 2	OS	OS	--	--	4
OS 3	OS	OS	--	--	39.5
OS 4	OS	OS	--	--	98.9
OS 5	OS	OS	--	--	11
OS 6	OS	OS	--	--	20.4
subtotal					190.7
Roadways:					28
TOTAL:			<u>748</u><u>996</u>	2,259,414	585.1

** Total of 1,900,000 sq. ft. of non-residential space (PA 1-5 & 14)

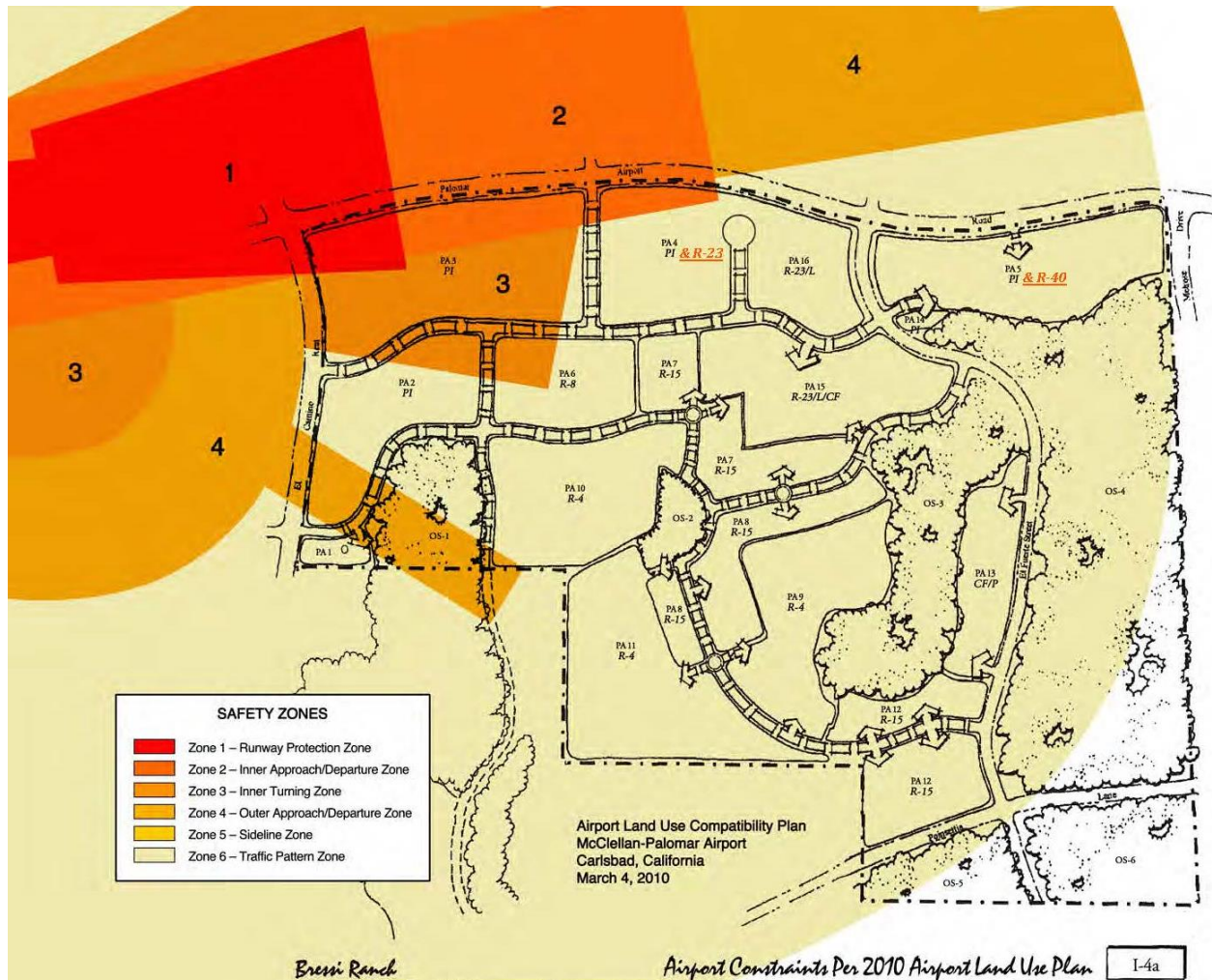
BRESSI RANCH MASTER PLAN MP 178, CONTINUED

3. Exhibit I-4 is amended as follows:



BRESSI RANCH MASTER PLAN MP 178, CONTINUED

4. Exhibit I-4a is amended as follows:

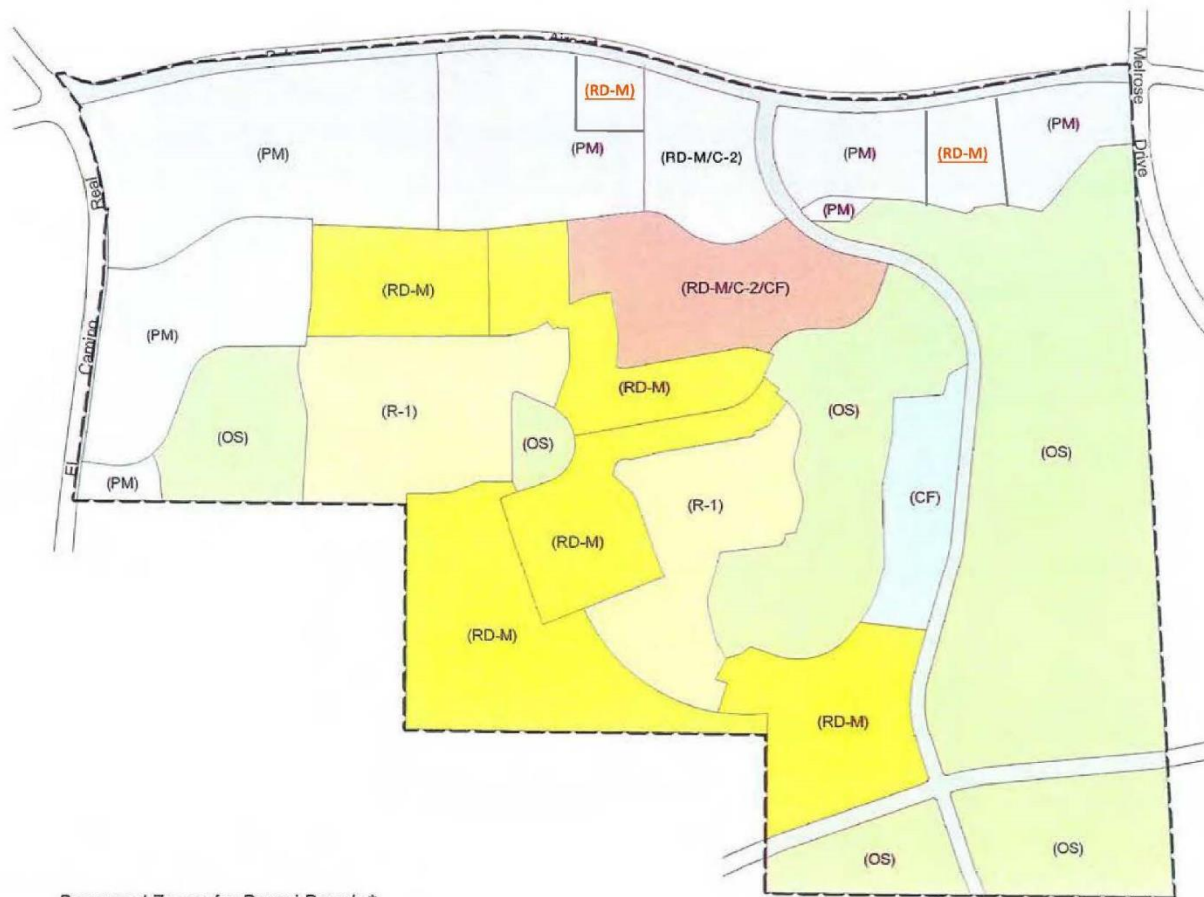


5. The second paragraph of Section I.D (Project Description) is amended as follows:

Seven of the planning areas will be developed with a wide range of single-family detached homes on lots ranging in size from approximately 3,500 square feet to over 14,000 square feet in size. One hundred units of affordable multifamily apartments will be provided in Planning Area 15. Up to 20 market rate units may be located in Planning Area 15 if the total number of units approved for development in Planning Areas 6 through 12 is less than 523. Planning Area 16 proposes ~~a maximum of~~ 125 townhome units. Planning Area 4 can accommodate approximately 49 multifamily units and Planning Area 5 can accommodate approximately 199 multifamily units. There will be ~~a maximum of~~ approximately ~~749996~~ dwelling units in the Bressi Ranch Master Plan at buildout. Exhibit I-5 on page I-9 shows a preliminary schematic site plan of Bressi Ranch.

BRESSI RANCH MASTER PLAN MP 178, CONTINUED

6. Exhibit I-9 is amended as follows:



Proposed Zones for Bressi Ranch *

R-1	Residential Density - Single Family
RD-M	Residential Density - Multiple Zone
C-2	Community Commercial Zone
CF	Community Facilities
P-M	Planned Industrial Zone
O-S	Open Space Zone
*	Development within Bressi Ranch will additionally be subject to the Bressi Ranch Master Plan.

Bressi Ranch

Zone 17 - Land Use Zoning ☐

BRESSI RANCH MASTER PLAN MP 178, CONTINUED

7. The last paragraph of Section I.F.2 is amended as follows:

Site Development Plan – Site Development Plans will be required to establish the design of the mixed-use areas, for the development of apartments/affordable apartments, commercial areas, a daycare facility and the Village Green. In addition, pursuant to Chapter 21.34, a Site Development Plan must be processed for development in Planning Areas 1, 2, 3, 4, 5, 14 and 16.

8. Section III.A.5 is amended as follows:

5. ~~Maximum~~-Number of Units

The original base number of units within the Master Plan was determined primarily by the City of Carlsbad Growth Management Ordinance. The existing Master Plan area's net developable acreage was multiplied by the corresponding growth control point based on the original land use designation of RLM. Using this methodology, a total of 498 base dwelling units was originally anticipated within the Bressi Ranch Master Plan area prior to preparation of the Master Plan.

The original maximum number of dwelling units for the Master Plan was determined by the application of California Government Code Section 65915 (State Density Bonus Ordinance), which permits a minimum additional 25% of the base dwelling units. In return for the density bonus, 20% of the base dwelling units (20% x 498 = 100) must be made affordable to lower income households. Through the use of the State ordinance, an additional 125 (25% x 498) dwelling units were allocated to the Master Plan for a ~~maximum~~ total of 623 - 638 units when the Master Plan was first approved in 2002.

The Master Plan identifies an expected number of dwelling units for each planning area. Planning Areas 6-12 are exclusively residential and are anticipated to have 523 - 538 dwelling units. Planning Area 15 identifies 100 units as part of a mixed land use. Master Plan 178(I) revised the land use designation of 18 acres at the southwest corner of Palomar Airport Road and El Fuerte Street identified as PA-16 from Industrial to R-23 (Residential 19 - 23 du/ ac) units per acre and Local Commercial (R-23/L) with ~~a maximum number of~~ 125 dwelling units. Master Plan Amendment (Amend 2023-0008) revised the land use designation of 2.6 acres in Planning Area 4 from Planned Industrial to R-23 (Residential 19 - 23 du/ac) and revised the land use designation of 5.3 acres in Planning Area 5 from Planned Industrial to R-40 (Residential 37.5 - 40 du/ac). The actual number of units for any planning area may increase or decrease through the detailed review process of each subsequent development proposal. The estimated total number of dwelling units in the Master Plan is 996. However, in no case will the maximum number of 749 dwelling units for the entire Master Plan area be exceeded.

BRESSI RANCH MASTER PLAN MP 178, CONTINUED

9. Section III.A.13.a.ii. is amended as follows:

- ii. Planning Areas 4, 5, 15 & 16 (Residential) – If the housing/affordable housing projects to be located in Planning Areas 4, 5, 15 & 16 are built as a condominium project, then the developer shall establish a sub-area residential homeowners association and corresponding CC&Rs. Said CC&Rs shall be submitted to and approved by the City Planner prior to final Map approval. Prior to the first certificate of occupancy, the State will require establishment of the sub-area homeowners association. The subarea homeowners association shall be responsible for the maintenance of common facilities only within the limits of this residential condominium project.

10. Section III.B is amended as follows:

B. General Plan

The General Plan designations of the Bressi Ranch Master Plan are ~~shown on Exhibit I-9 on page I-15. These designations are:~~

PI - Planned Industrial

O - Office

L - Local Shopping Center

R-4 - Residential 0-4 du/ac ~~Low Medium—single family~~

R-8 - Residential 4-8 du/ac ~~Medium—single family and attached multifamily~~

R-15 - Residential 11.5-15 du/ac ~~Medium High—small lot single family or attached multifamily~~

R-23 - Residential 19-23 du/ac ~~High—attached multifamily~~

R-40 - Residential 37.5-40 du/ac

OS - Open Space

CF - Community Facilities

P - ~~Private School~~ Public

BRESSI RANCH MASTER PLAN MP 178, CONTINUED

11. Section III.C is amended as follows:

C. Zoning

Concurrent with the approval of the Bressi Ranch Master Plan, the zoning of this site was changed from Limited Control (L-C) to Planned Community (P-C). Since the P-C Zone requires the designation of underlying zoning, each of the planning areas and open space areas has been assigned an underlying zoning designation. Pursuant to the powers of Chapter 21.38 of the Carlsbad Municipal Code (Planned Community Zone), this Master Plan shall constitute the zoning of all lands within the Master Plan. No person shall use or develop contrary to the provisions of the Master Plan. All provisions of the Master Plan are imposed as a condition of zoning. Approval of this document does not excuse compliance with all other applicable City ordinances in effect at the time building permits are issued. Unless modified by this Master Plan, or approval of a Planned Development Permit or Non-Residential Planned Development Permit, all development shall comply with the requirements of the underlying zoning as shown by Exhibit I-9 on page I-15. These underlying zoning designations are provided below:

<u>Planning Areas</u>	<u>Zone</u>
-----------------------	-------------

1	O (Office)
---	------------

2, 3, 4, 5, 14	P-M (Planned Industrial)
----------------	--------------------------

<u>4, 5</u> , 6, 7, 8, 12	RD-M (Residential Density-Multiple)
---------------------------	-------------------------------------

9, 10, 11	R-1 (One Family Residential)
-----------	------------------------------

13	C-F (Community Facilities)
----	----------------------------

15	C-2/RD-M/ <u>C-L</u> /C-F (General Commercial/Residential Density-Multiple/ <u>Local Shopping Center</u> /Community Facilities)
----	---

16	R23 / <u>RD-M/C-L</u> (Residential Density Multiple/Local Commercial Shopping Center)
----	--

Open Space Areas

1-6	O-S (Open Space)
-----	------------------

BRESSI RANCH MASTER PLAN MP 178, CONTINUED

12. Exhibit III-1 is amended as follows:

Exhibit III-1

BRESSI RANCH

GENERAL PLAN STATISTICS BY PLANNING AREA*

Proposed General Plan

Planning Area/ Neighborhood	General Plan Designation	Zoning	Gross Acres	Constraints		Partially Constrained		Net Developable Acres	Growth Control Dwelling Units per Acre	General Plan Growth Control Dwelling Units	SF
				D	E & F	J	J/2				
PA 1	O	O	2.5	0.0	0.0	-	-	2.5			**
PA 2	PI	P-M	27.5	1.7	2.0	-	-	23.8			
PA 3	PI	P-M	47.0	0.0	0.0	-	-	47.0			
PA 4	PI & R-23	P-M & RD-M	26.3	0.0	0.0	-	-	26.3 (PI) 2.6 (R-23)	19.0	49	
PA 5	PI & R-40	P-M & RD-M	28.0	0.3	0.0	-	-	27.7 (PI) 5.3 (R-40)	37.5	199	
PA 6	R-8	RD-M	16.2	1.0	0.7	6.0	3.0	11.5	6.0	69	
PA 7	R-15	RD-M	20.0	0.2	0.6	1.8	0.9	18.3	11.5	210	
PA 8	R-15	RD-M	19.9	0.1	0.0	2.4	1.2	18.6	11.5	213	
PA 9	R-4	R-1	26.8	0.9	0.0	3.6	1.8	24.1	3.2	77	
PA 10	R-4	R-1	31.5	1.1	0.5	6.0	3.0	26.9	3.2	86	
PA 11	R-4	R-1	36.4	4.6	2.4	12.3	6.2	23.2	3.2	74	
PA 12	R-4	RD-M	24.1	1.0	0.0	2.2	1.7	21.4	11.5	246	
PA 13	CF/P	CF	13.7	0.0	0.1	-	-	13.6			138,000
SUBTOTAL										9751,223	
PA 14	PI	P-M	1.1	0.0	0.0	-	-	1.1			
PA 15	R-23/L/CF	RD-M/ C-L/ CF	27.7	0.4	0.1	1.0	0.5	26.7	19	507	
PA 16	R-23/L	P-M	17.7	0.0	0.0	-	-	17.7	19	337	
OS 1	OS	OS	16.9	0.4	3.6	-	-	12.9			
OS 2	OS	OS	4.0	0.2	0.5	-	-	3.3			
OS 3	OS	OS	39.5	5.6	0.0	-	-	33.9			
OS 4	OS	OS	98.9	12.9	0.0	-	-	86.0			
OS 5	OS	OS	11.0	0.1	0.8	-	-	10.1			
OS 6	OS	OS	20.4	0.5	5.7	-	-	14.2			
Roads	Road		28.0	0.4	0.2	-	-	27.4			
Total			585.1							18192,067	

* Acres are subject to engineering boundary verification.

** Total of 2,160,500 square feet, which equates to 15,000 ADT based on an assumption of 40% Light Industrial/40% Research and Development and 20% Office. This breakdown of uses was used for traffic modeling purposes. The percentages of the various uses may vary at the time of development, as long as the traffic generated by the uses in Planning Areas 1, 2, 3, 4 and 5 do not exceed 15,000 ADT.

*** Mixed use development – Max. 130,000 sf. of commercial, church, boys and girls club, day care, assisted living, and high density residential.

**** Although the net acreages of the residential planning area would allow for the development of up to 18192067 dwelling units, the Master Plan will establish a maximum cap of estimates a total of 749996 dwelling units.

Definitions: D = Slopes > 40%, E and F = Wetlands, including Tamarisk Scrub, and J = Slopes of 25% to 40%

13. Section III.E.1. is amended as follows:

1. Planned Industrial (PI)

Due to their geographical locations, Planning Areas 1, 2, 3, 4, 5 and 14 have a designation of Planned Industrial (P-I) (portions of Planning Areas 4 and 5 are also designated residential, see below). These planning areas comprise part of the central industrial core of the City of Carlsbad, are bordered by regional arterials, and are located in close proximity to Palomar Airport and lie within the McClellan- Palomar Airport Influence Area. Planning Areas 1, 2, 3, 4 and 5 will be developed with a combination of corporate office, light manufacturing, and research and development, and residential uses, and Planning Area 14 may be developed with an industrial serving commercial use such as a service station/convenience store/car wash. The uses within these planning areas will be developed in accordance with the recommendations of SANDAG's Land Use Compatibility Plan for McClellan-Palomar Airport and the County's Airport Master Plan.

Portions of Planning Areas 2, 3, 4 and 5 are within the Flight Activity Zone of McClellan-Palomar Airport. A small part of Planning Area 3, near the intersection of Palomar Airport Road and El Camino Real, is also within the Runway Protection Zone. Development within these areas will be limited in scope in accordance with the recommendations of SANDAG's Land Use Compatibility Plan for McClellan-Palomar Airport. Exhibit I-4 on page I-6 shows the boundaries of the Airport Influence Area, Flight Activity Zone and Runway Protection Zone.

14. Section III.E.5 is amended as follows:

5. Residential (R-4, R-8, R-15, R-23, R-40)

The central portion of the Bressi Ranch Master Plan has been divided into seven residential planning areas, which will be developed with a wide variety of single-family detached homes on lots ranging in size from 3,500 square feet to over 14,000 square feet in size. Exhibit I-1 on page I-2 shows the location of the various development types. Exhibit III-1 on page III-11 shows the ~~maximum number of~~ potential units that have been assigned to each residential planning area. The exact number of units developed in each planning area will be determined at the time of tentative map approval.

The location of the residential portion of the Master Plan will allow for the development of a community based on the Ahwahnee Principals. Most residences will be within a 5-minute walk of either jobs, the Village Center, the Village Green or community facilities. Residents will be close to major arterial roadways, yet no arterial roads will go through the residential portion of the site. The low volume roadways within the residential portion of the Master Plan will be designed with traffic calming devices to slow traffic and encourage pedestrian activity.

One hundred affordable apartments will be developed in Planning Area 15 adjacent to the Village Square. The site was chosen for the affordable units for a number of reasons, such as its close

BRESSI RANCH MASTER PLAN MP 178, CONTINUED

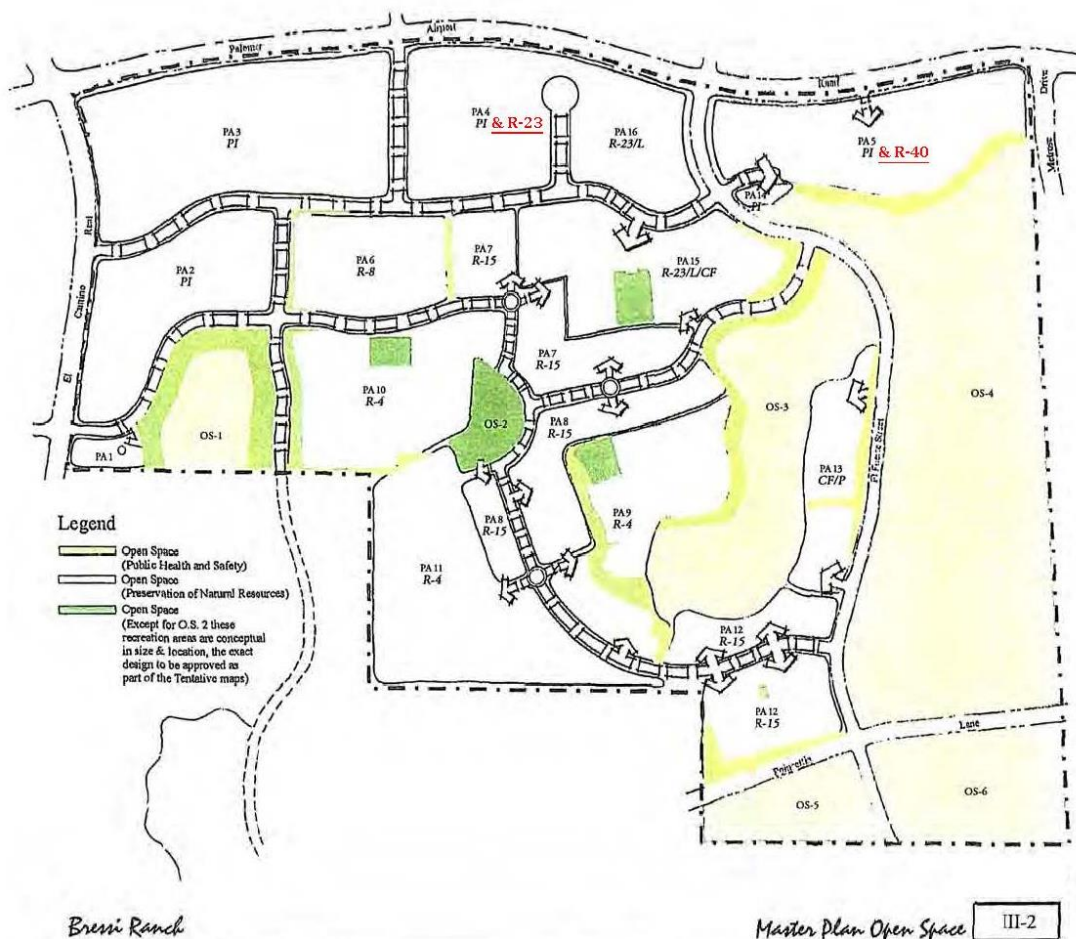
14. Section III.E.5 is amended as follows (continued):

proximity to jobs, public transit stops, store and social/recreational opportunities located in this portion of the Master Plan.

In the northern portion of the Master Plan, within Planning Areas 4 and 5, are two sites designated for residential development. These sites were designated for residential use as part of AMEND 2023-0008 (Master Plan 178(L)), consistent with the 2021-2029 Housing Element Program 1.1.

All discretionary permits for residential development in the Master Plan will be conditioned to enter into an Affordable Housing Agreement pursuant to Section 21.38.120 of the Carlsbad Municipal Code. This agreement shall be approved by the City prior to recordation of the first residential final map or issuance of residential building permits, whichever occurs first. All relevant terms and conditions of any Affordable Housing Agreement shall be filed and recorded as a deed restriction on those individual lots or units of a project, which are designated for the location of Affordable Units.

15. Exhibit III-2 is amended as follows:



BRESSI RANCH MASTER PLAN MP 178, CONTINUED

16. The first paragraph of Section VI.B. is amended as follows:

B. Office and Industrial Planning Areas (PA 1-5 & 14)

One or more of the following administrative or discretionary applications shall be filed either concurrently with or subsequent to the application for a tentative map in Planning Areas 1-5 & 14. For residential development in PA 4 and PA 5, see Section VI. D below.

17. A new Section VI.D. is added as follows (all sections that follow shall be renumbered accordingly):

D. Residential in PA 4 & 5

Planned Development Permits

Subdivision of residential units for the purpose of separate ownership shall be processed in accordance with Carlsbad Municipal Code Chapter 21.45 "Planned Developments".

Site Development Plan

A Site Development Plan shall be required for for-rent residential uses.

18. Section VI.G is amended as follows:

G.H. Amendments

Master Plan Amendments

Master Plan Amendments shall be processed pursuant to the requirements of Chapter 21.38.120 (P-C Zone) of the Carlsbad Municipal Code and all applicable City and Planning Division Policies. Minor Master Plan Amendments shall be reviewed and approved by the Planning Commission. Major Master Plan Amendments shall be reviewed and approved by the Planning Commission and City Council. A Minor Master Plan Amendment shall not change the densities of a planning area, the boundaries of the subject property, or involve an addition of a new use or group of uses not shown in the original Master Plan or rearrangement of uses within the Master Plan.

The Master Plan provides an estimate of the approximate number of units that will be developed within each Planning Area. The exact number of units that will be developed within each Planning Area will be determined during the subsequent review of the tentative maps that divide each Planning Area into individual residential lots. A Minor Master Plan Amendment shall be processed concurrently with each tentative map requesting 10% (or less) above or below the anticipated number of dwelling units stated for the Planning Areas. This amendment will revise Exhibit XIV-1 on page XIV-1 of the Master Plan to indicate exactly how many units have been approved in each Planning Area and how many remaining units exist in the Master Plan. If the number of units requested in an individual Planning Area varies by more than 10%, a Major Master Plan Amendment shall be processed concurrently with the proposed Tentative Map. In no case shall the number of dwelling units approved in an individual Planning Area exceed that allowed by its General Plan designation (see Exhibit III-1 on page III-11), unless a density bonus or density increase is approved per state law or city regulations ~~nor shall the total number of residential units in the Master Plan exceed 749.~~

BRESSI RANCH MASTER PLAN MP 178, CONTINUED

18. Section VI.G is amended as follows (continued):

Tentative Map/Planned Development Permit Amendments

Amendments to Tentative Maps and Planned Development Permits may be permitted in accordance with the requirements of Chapter 20 and Section 21.45.100 of the Carlsbad Municipal Code.

Site Development Plan Amendments

Amendments to Site Development Plans shall be processed in accordance with the requirements of Chapter 21.06 of the Carlsbad Municipal Code.

Substantial Conformance

Minor revisions to Tentative Maps, Parcel Maps, Planned Development Permits, Site Development Plans and Conditional Use Permits may be administratively approved by the City Planner subject to the requirements of the Planning Division's Substantial Conformance Policy in effect at the time of the proposed minor revision.

19. The "Description" portion of Section VII.F.4. is amended as follows:

Description

Planning Area 4 (see Exhibit VII-14 on page VII-31) is located at the southeast intersection of Palomar Airport Road and Innovation Way. Planning Area 16, a mixed multi-family residential and commercial area, is located east of Planning Area 4 and Planning Area 3, an industrial area, is located to the west. To the south of Planning Area 4 is a portion of residential Planning Area 6 and mixed-use Planning Area 15. Planning Area 4 has a gross area of 26.0 acres and a net developable area of 26.0 acres.

This section only addresses the portion of Planning Area 4 designated for planned industrial uses. For more information on the portion of the site that is designated for residential uses, please see Section X.E.8. on page X-46.

Implementation of Master Plan Vision and Goals

The purpose of this planning area, including its design standards and allowed uses, is to provide for office or industrial/warehouse uses (Goal 5).

Planning Area 4 is designated as Planned Industrial due to its location at the intersection of Palomar Airport Road and Innovation Way (Goal 6) and its location within the Airport Influence Zone. Palomar Airport Road and Innovation Way provide convenient vehicular access to Planning Area 4, and transit stops located along Palomar Airport Road will be within easy walking distance to this planning area (Goal 3). Residents of the Master Plan may also access this area using the sidewalks along public streets or the internal pedestrian circulation system of the Master Plan (Goal 2). In addition, employees and residents of Planning Area 4 can conveniently utilize the Village Center for a variety of activities due to the close proximity of the two areas.

BRESSI RANCH MASTER PLAN MP 178, CONTINUED

19. The “Description” portion of Section VII.F.4. is amended as follows (continued):

General Plan & Zoning [\(planned industrial areas only\)](#)

General Plan Land Use: Planned Industrial (PI)

Zoning: Planned Industrial (P-M)

20. The “Description” portion of Section VII.F.5. is amended as follows:

Description

Planning Area 5 (see Exhibit VII-15 on page VII-35) is located in the northeast corner of the Master Plan, south of Palomar Airport Road and bordered on the west by El Fuerte Street. Open Space Area 4 borders the southern boundary of Planning Area 5. Planning Area 4 is located across El Fuerte Street to the west of Planning Area 5. Planning Area 5 has a gross area of 28.0 acres and a net developable area of 27.7 acres.

[This section only addresses the portion of Planning Area 5 designated for planned industrial uses. For more information on the portion of the site that is designated for residential uses, please see Section X.E.8. on page X-46.](#)

Implementation of Master Plan Vision and Goals

The purpose of this planning area, including its design standards and allowed uses, is to provide for office or industrial uses (Goal 5).

Planning Area 5 is designated as Planned Industrial due to its location within the Airport Influence Zone and its location near the intersection of Palomar Airport Road and El Fuerte Street, which provides for safe, convenient vehicular access (Goal 6). Residents of both the Bressi Ranch Master Plan and the affordable housing portion of the Rancho Carrillo Master Plan may also conveniently access this area using the sidewalks along the public streets (Goal 2). Employees [and residents](#) in Planning Area 5 will be able to take advantage of the proposed bus stop on Palomar Airport Road (Goal 3).

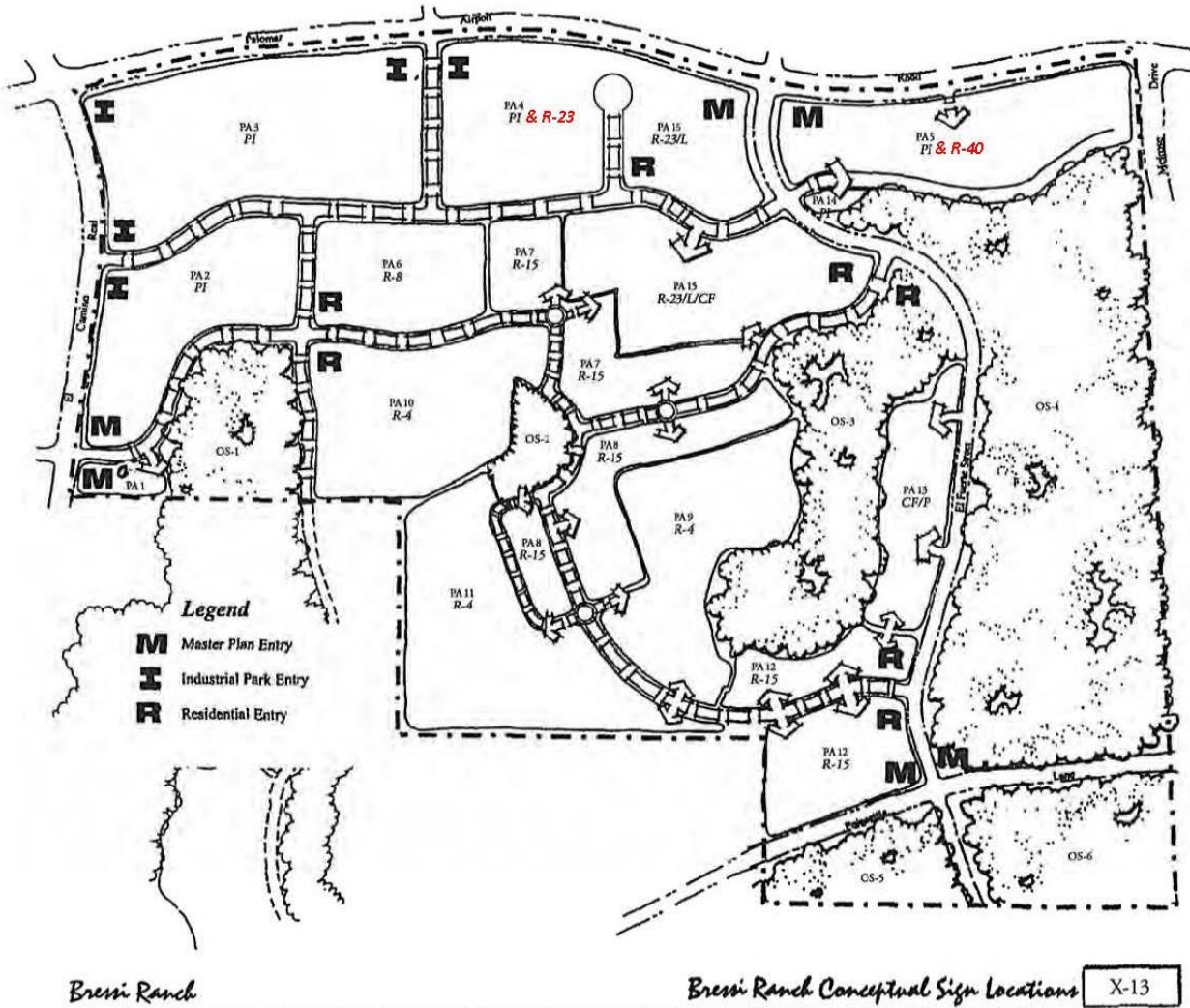
General Plan & Zoning [\(planned industrial areas only\)](#)

General Plan Land Use: Planned Industrial (PI)

Zoning: Planned Industrial (PM)

BRESSI RANCH MASTER PLAN MP 178, CONTINUED

21. Exhibit X-13 is amended as follows:



BRESSI RANCH MASTER PLAN MP 178, CONTINUED

22. Section X.E.8. is amended as follows:

Description

Planning Areas 4, 5 & 16 ~~is~~are located in the northern portion of the Master Plan area, ~~north of Planning Area 15, east of Planning Area 4, and west of El Fuerte Street.~~ The residential area in Planning Area 4 has a gross and net developable area of 2.6 acres. The residential area in Planning Area 5 has a gross and net developable area of 5.3 acres. Planning Area 16 has a gross area of 17.7 acres and a net developable area of 17.7 acres (see Exhibit VIII-4 on page VIII-18).

This section only addresses the portions of Planning Areas 4, 5 and 16 that will be developed with residential uses. For information on the portion of the sites in PA 4 and 5 that will be developed with planned industrial uses, see Section VII pages VII-30 to VII-37. For information on the portion of PA 16 that will be developed with commercial uses, please see Section VIII.A.3. on Page VIII-17.

Implementation of Master Plan Vision and Goals

The purpose of the R-23 and R-40 designated portions of Planning Areas 4 and 5 is to accommodate housing to meet the objectives of the Housing Element.

The purpose of ~~this~~ Planning Area 16 is to allow for the creation of a unique mixed-use neighborhood that will provide additional residential units and expand the commercial and restaurant uses available within walking distance to many Bressi Ranch residents. The commercial component of Planning Area 16 will extend Finnila Place, and the main street feeling of the commercial center.

Many of the goals of the Bressi Ranch Master Plan will be incorporated into the design of or promoted by ~~this~~these planning areas. Housing, jobs, daily needs and other activities are all within easy walking (Goal 2). A variety of uses are also within easy walking distance of transit stops on El Fuerte (Goal 3). There will be a variety of job opportunities in Planning Area 16 (Goal 5) that are proximate to Planning Areas 4 and 5.

General Plan and Zoning (residential portions only)

General Plan Land Use: R-23 (PA4), R-40 (PA5), R-23/L (PA16)

Zoning: R-23/LRD-M (PA 4, 5 & 16)

Units: It is anticipated that Planning Area 4 will be developed with 49 dwelling units, Planning Area 5 will be developed with 199 dwelling units, and Planning Area 16 will be developed with 125 dwelling units.

Discretionary Permits Required for Development

All development proposals shall be processed in conformance with the requirements of the Carlsbad Municipal Code as detailed in Chapter VI of this Master Plan.

Uses Allowed

Residential - Multiple Family Attached

22. Section X.E.8. is amended as follows (continued):

Design Criteria

In addition to complying with the neighborhood design criteria, residential development in Planning Areas s 4, 5 and 16 shall comply with the following design criteria:

- Development in Planning Area 16 should be designed to provide convenient pedestrian links to the adjacent retail center. Each planning area should also provide convenient links to ~~and~~ other portions of the community.

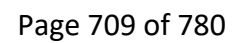
Development Standards

Residential development in Planning Areas s 4, 5 and 16 shall comply with all applicable regulations and development standards of the Carlsbad Municipal Code, including the PUD requirements, except as modified by Section X.B of this Master Plan.

In Planning Areas 4 and 5 any 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):

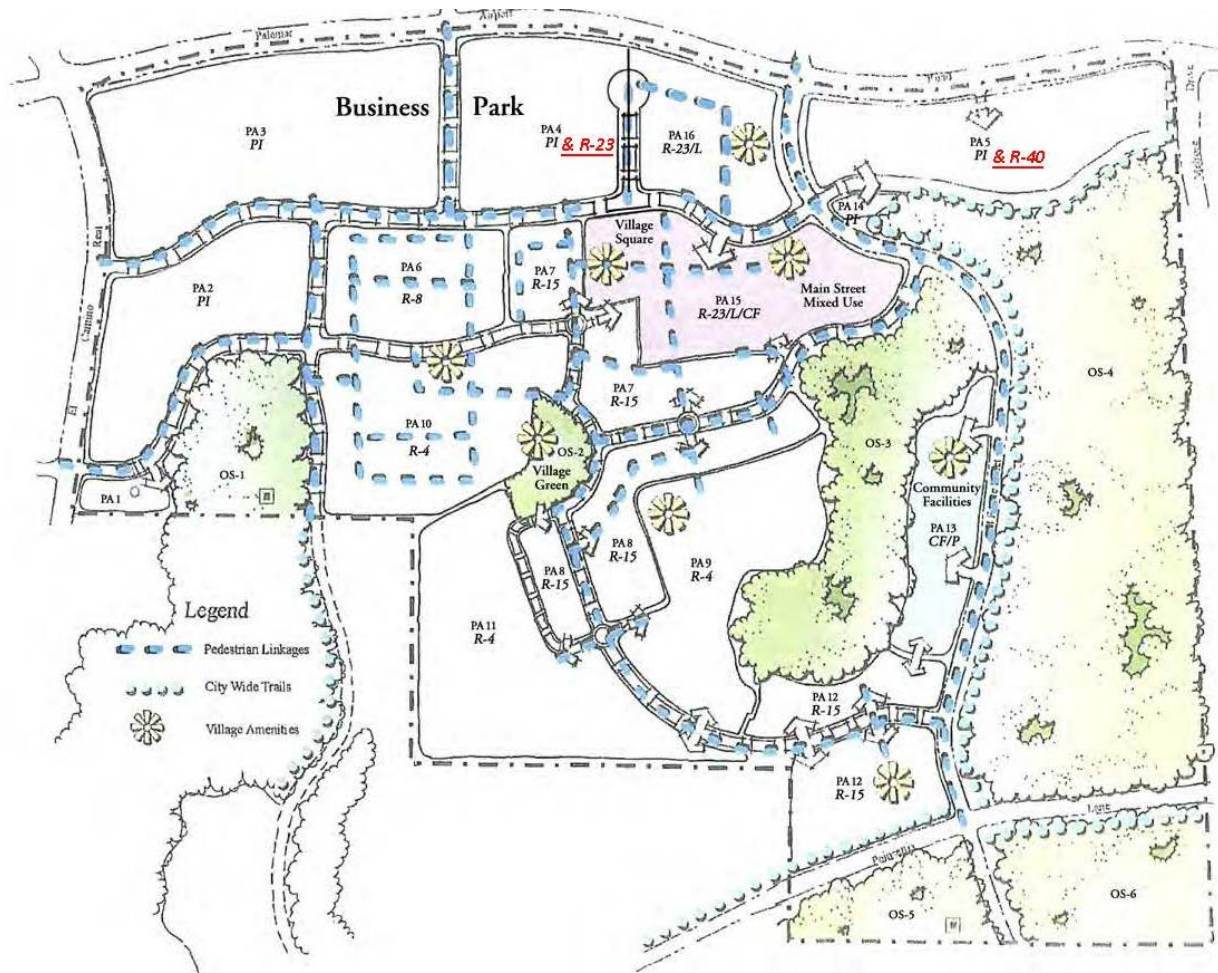
- At least 15% of the total housing units shall be affordable to low-income households and an additional 10% shall be affordable to moderate- income households; or
 - At least 15% of the total housing units shall be affordable to very low-income households.
-

23. Exhibit XI-1 is amended as follows:



BRESSI RANCH MASTER PLAN MP 178, CONTINUED

24. Exhibit XI-2 is amended as follows:



Bressi Ranch

Village Amenities w/ Pedestrian Linkages XI-2

BRESSI RANCH MASTER PLAN MP 178, CONTINUED

25. Exhibit XIV-1 is amended as follows:

Exhibit XIV-1 Master Plan Amendment Log			
PLANNING AREA	UNITS ESTIMATED BY MASTER PLAN	UNITS APPROVED BY TENTATIVE MAP	UNITS TO TRANSFER TO/FROM ANOTHER PLANNING AREA
4	49		
5	199		
6	64	63	
7	99	96 95	
8	98	95	
9	72	70	
10	86	84	
11	10-25	25	
12	94	91	
15	100	100	
16	125	125	
TOTAL*:	748 – 763 996 – 1,011	749 749	

* The ~~estimated maximum~~ cumulative number of dwelling units permitted in Planning Areas ~~4, 5, 6, 7, 8, 9, 10, 11, 12, 15, and 16~~ is ~~749~~ **749**. In no case shall the number of dwelling units approved in an individual Planning Area exceed that allowed by its General Plan designation (see Exhibit III-1 on page III-11), nor shall the total number of residential units in the Master Plan exceed ~~749~~.

FENTON CARLSBAD CENTER SPECIFIC PLAN SP 07-02

1. Section I.A is amended as follows:

A. PURPOSE AND SCOPE

The purpose of this Fenton Carlsbad Center Specific Plan (FCCSP) is to address the need for a full mix of office and medical facilities within Carlsbad, to serve both residents and the daily workforce, as well as provide housing close to jobs, including housing affordable to lower-income households. In doing so, the plan aims to achieve an objective of the City of Carlsbad's General Plan by reflecting the cultural values of the community. Some important values are providing affordable housing, maintaining a jobs-housing balance, providing for a healthy lifestyle, including the provision of services for adequate health care needs, and providing those who live and work in the City of Carlsbad, the right to convenient and readily accessible health care.

FCCSP only seeks to define the allowable type of land uses and does not provide development standards or design standards above and beyond those of the Office (O) Zone and Residential Density-Multiple (RD-M) Zone; the plan does include several implementation measures that future projects will need to comply with in addition to those of the base zones. The FCCSP is adopted pursuant to the provisions of Government Code Sections 65450 *et. seq.* and the Land Use Element of the City of Carlsbad General Plan.

2. Section I.C is amended as follows:

C. HISTORY

The Fenton Carlsbad Medical Center, formerly the Fox Miller Property, was subdivided and graded into five lots under CT 00-20 in 2002. Lots 1 through 4 were zoned PM for industrial use and Lot 5 was zoned as open space (OS). In 2006, Lot 1 of the FCMC was rezoned from Planned Industrial (PM) to Office (O) under GPA 06-01/ZC 06-017 SDP 06-03. SDP 06-03 allowed for the construction of a two-story 40,655 square foot Medical Office building on Lot 1.

In 2008, this specific plan ~~is being~~ was prepared in conjunction with a General Plan Amendment and Zone Change that ~~will~~ changed uses in the FCCSP area from Planned Industrial to Office. The FCCSP limits medical office uses to lots 1 and 4 of the FCCSP.

In [year], this specific plan was amended to change the land use designation of lot 4 from Office to R-30 (Residential 26.5 – 30 du/ac), consistent with the 2021-2029 Housing Element Program 1.1.

The following are past approvals related to the FCCSP area:

- GPA 00-05/ZC 00-07/CT 00-20/PIP 00-02/HDP 00-11/SUP 00-10
 - GPA 06-01/ZC 06-017 SDP 06-03
 - PIP 04-03/SUP 04-11
 - PIP 06-06
-

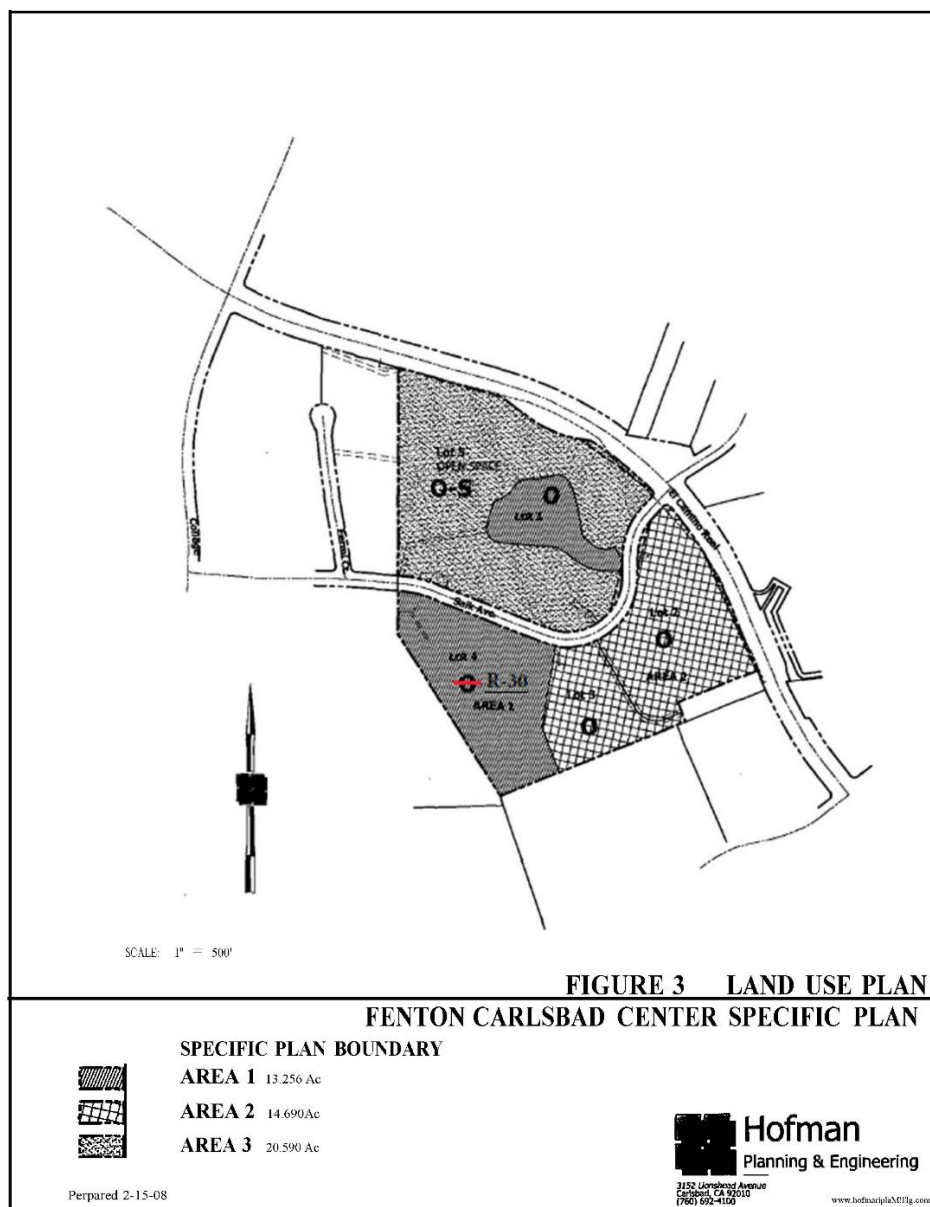
FENTON CARLSBAD CENTER SPECIFIC PLAN SP 07-02, CONTINUED

3. Section I.D is amended as follows:

D. REGULATORY SPECIFIC PLAN

The FCCSP is a regulatory document that only manages land uses. It is not a policy document and does not introduce any new policy objectives. The plan provides for residential uses and a mix of office uses, including and a proportional amount of medical office uses within the city's central employment area and also within close proximity to other residentially zoned areas.

4. Figure 3 is amended as follows:



FENTON CARLSBAD CENTER SPECIFIC PLAN SP 07-02, CONTINUED

5. Section I.E. is amended as follows:

E. CONSISTENCY WITH THE GENERAL PLAN AND PLANS OF OTHER JURISDICTIONS

Lots 1-~~43~~ of the plan area are designated in the City of Carlsbad's General Plan as Office ~~and Related Commercial~~ (0), Lot 4 is designated R-30 (Residential 26.5-30 du/ac), and Lot 5 is designated Open Space (OS). The Fenton Carlsbad Center Specific Plan is consistent with the ~~eight~~ elements of the Carlsbad General Plan. Consistent with the General Plan, this specific plan allows:

- Residential uses on Lot 4 at a density of 26.5 to 30 dwelling per acre.
- ~~a~~ A full mix of office uses on Lots 1, 2 and 3 and with a provision limited area for medical offices on Lot 1, consistent with the Office land use designation (Lots 1 and 4) in an area that is zoned and planned for similar planned industrial uses, and
- ~~provides for t~~ The continued use and protection of open space on Lot 5.

The following highlights some of the major General Plan goals and policies applicable to the Fenton Carlsbad Center Specific Plan.

1. Land Use & Community Design Element

2-G.2 Promote a diversity of compatible land uses throughout the city, to enable people to live close to job locations, adequate and convenient commercial services, and public support systems such as transit, parks, schools, and utilities.

2-P.6 Encourage the provision of lower and moderate-income housing to meet the objectives of the Housing Element.

2-P.13 Encourage medium to higher density residential uses located in close proximity to commercial services, employment opportunities and major transportation corridors.

~~a. Commercial development to serve the employment and service needs of Carlsbad residents.~~

The specific plan promotes a diversity of compatible land uses by allowing for residential uses and medical/professional office uses that enable people to live close to jobs and services. The specific plan allows for higher density residential uses, including lower income housing, in close proximity to services and employment opportunities. will meet this requirement by allowing development of medical/professional office services to serve as an employment base for both the community and the region in close proximity to housing, and to provide residents and persons employed locally with conveniently located services.

2. Circulation Element ~~2021-2029 Housing Element~~

10-G.1 New housing developed with diversity of types, prices, tenures, densities, and locations, and in sufficient quantity to meet the demand of anticipated city and regional growth and to meet or exceed the city's established Regional Housing Needs Allocation (RHNA).

FENTON CARLSBAD CENTER SPECIFIC PLAN SP 07-02, CONTINUED

5. Section I.E. is amended as follows (continued):

10-P.4 Encourage increased integration of housing with nonresidential development where appropriate and where residential development can be implemented in a way that is compatible with existing and planned uses.

The specific plan provides for higher density housing on Lot 4, including a requirement for affordable housing, which helps to meet the city's RHNA. The housing on Lot 4 is also integrated into an area comprised of nonresidential development.

6. Mobility Element

3-P.5 Require developers to construct or pay their fair share toward improvements for all travel modes consistent with this Mobility Element, the Growth Management Plan, and specific impacts associated with their development.

~~a. Adequate circulation infrastructure to serve the projected population.~~

~~The existing Salk Avenue, College Boulevard and El Camino Real roadways and intersections are adequate in capacity to handle the traffic generated by Office use, and specifically medical office use within Area 1 (Lots 1 and 4 in Figure 3), with the implementation of traffic mitigation improvements detailed in the implementation section of this plan.~~

7. Noise Element

5-G.2 Ensure that new development is compatible with the noise environment, by continuing to use potential noise exposure as a criterion in land use planning.

~~a. Comply with the City policy (hat 55 Leq (h) dBA is the maximum interior noise level for general office uses.~~

The uses within the plan area will comply with interior noise standards, through the requirement to submit a letter from an acoustician detailing how specific construction measures attenuate the interior noise environment to ~~505 Leq (h)~~ dBA CNEL (for office uses) and 45 dBA CNEL (for residential uses) or lower.

This plan implements the General Plan in conjunction with the Residential Density-Multiple (RD-M), Office (O) and Open Space (OS) Zoning classifications of the area. The permitted uses are primarily those specifically referenced in Section II of this document. The provisions of the RD-M and Office Zones (e.g. development standards, development permit requirements, etc.) and any amendments to it apply to the topics that are not covered in this plan. Approval of this plan does not vest any rights for future approvals of any licenses, discretionary acts or other entitlements necessary for future development in the plan area. Subsequent public works projects, tentative or parcel maps, discretionary acts, and zoning ordinances that affect the plan area must be consistent with the FCCSP. Pre-existing tentative or parcel maps, discretionary acts (e.g., Site Development Plans, Planned Industrial Permits, grading permit, etc.), ministerial acts (e.g., building permits, etc.) are deemed consistent with the FCCSP.

FENTON CARLSBAD CENTER SPECIFIC PLAN SP 07-02, CONTINUED

5. Section I.E. is amended as follows (continued):

The FCCSP area is located within the Airport Influence Area and Flight Activity Zone of the *Airport Land Use Compatibility Plan for the McClellan-Palomar Airport* (ALCUP). A mix of residential, office and medical office uses allowed under the FCCSP is consistent with compatibility requirements of the existing *Airport Land Use Compatibility Plan for the McClellan-Palomar Airport*, as amended ~~October 4, 2004~~December 1, 2011, because of the area's location well outside the 60 ~~dB~~ CNEL-dB noise contour. The FCCSP contains a requirement that all future development permits be consistent with the airport plan in effect at the time of the application for development permit. FCCSP was considered at the May 1, 2008 San Diego Airport Authority hearing and found to be conditionally consistent with the ~~ALCUP~~ALUCP. The Airport Authority conditioned the plan not to allow intensive development nor uses which involve the assembly of large groups of people (more than one hundred (100) persons per assembly area (as defined by the California Building Code Group A Occupancy). Furthermore, on [date], the San Diego Airport Authority found the residential R-30 designation of Lot 4 to be [add determination] with the ALUCP.

6. The first paragraph of Section II is amended as follows:

~~The Fenton Carlsbad Center Specific Plan does not seek to introduce new uses, however it will not provide for medical uses in Area 2 (Lots 2 and 3) of the plan. The Fenton Carlsbad Center Specific Plan provides for a mix of office uses on Lot 1 (Area 1) and Lots 2 and 3 (Area 2) with a provision for medical offices on Lot 1, consistent with the Office land use designation; residential uses on Lot 4 (Area 1); and open space on Lot 5 (Area 3) of the plan.~~

7. The first paragraph of Section II.A. is amended as follows:

This section outlines the allowed residential uses in Area 1 and office uses in Areas 1 ~~through 3 and 2~~ of the plan area, no development or design standards are proposed. All development in the O Zone, except child day care centers, shall require approval of a site development plan processed according to the provisions of Chapter 21.06 of the Carlsbad Municipal Code.

FENTON CARLSBAD CENTER SPECIFIC PLAN SP 07-02, CONTINUED

8. Section II.A.1. is amended as follows (all subsections that follow shall be renumbered accordingly):

1. AREA 1 (LOT 4)

All uses allowed in the underlying Residential Density-Multiple (RD-M) zone are permitted in Area 1 (Lot 4), provided residential density is consistent with the General Plan R-30 land use designation (26.5 – 30 du/ac).

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.

~~12.~~ AREA 1 (LOTS ~~1-4~~)

All uses allowed in the underlying Office zone, which includes medical offices, are permitted in Area 1 (Lots ~~1-and 4~~). Additionally permitted appurtenant uses such as a cafeteria, flower or gift shop, and any other accessory uses determined by the Planning Director as relating to a primary use of medical offices, medical clinic and/or medical complex. Up to 150,000 square feet of medical offices/complex/clinic are permitted on Lot 4 and up to 47,000 square feet on Lot 1, provided that parking is consistent with the requirements of Chapter 21.44 of the Carlsbad Municipal Code. The maximum size of any future development of Lots ~~1 and 4~~ with offices allowed in the O Zone, other than medical offices, would be subject to the Tax service and consultants

9. Sections II.B.1 and II.B.2 are amended as follows:

1. The siting of buildings within the Fenton Carlsbad ~~Medical~~ Center Specific Plan should capture the available views from the property. Changes in massing and articulation of each building should highlight its public entry.
2. On lots 1 through 3 only, all sides of the building facade should receive equal design attention. A building's exterior finish materials should include a generous amount of glass; smooth texture finishes such as plaster, pre-finished metal or concrete, and stone or masonry. Masonry may be utilized as a contrasting or complementary material to other hard surface materials such as glass or metal panels that may be used on the building. Masonry materials may include brick, stone, tile, or architectural concrete block (such as burnished, split face or ribbed block). The materials selected should be consistent with the character of a corporate office building and consistent with the existing buildings in the Carlsbad Research Center.

10. Section III is amended as follows:

III. INFRASTRUCTURE PLAN AND IMPLEMENTATION MEASURES

The infrastructure improvements planned for and approved as part of Local Facilities Management Zone 5 and the City of Carlsbad Capital Improvement Plan, remain applicable and satisfactory for the FCCSP for all categories except for traffic circulation. FCCSP allows for and encourages the development of medical offices in Area 1 (lots ~~1 and 4~~) of the plan area. If medical offices, which have higher traffic generation rates than other types of offices, develop in this plan area, traffic circulation improvements will be necessary, as detailed below.

Implementation of the specific plan shall occur through the adherence of future development proposals to the permitting requirements and development standards of the underlying zoning (~~RD-M and~~ Office Zones) and all other applicable requirements of the Carlsbad Municipal Code (e.g., Titles 19, 20, 21, etc.). Additionally, all future requests for development, whether administrative or discretionary, within the plan area shall comply with the following:

- Provide a letter from an acoustician detailing how specific construction measures attenuate the interior noise environment to ~~505 Leq (h)~~ dBA CNEL (for office uses) and 45 dBA CNEL (for residential uses) or lower.
- Comply with the requirements of whichever McClellan-Palomar Airport Land Use Compatibility Plan is in effect at the time of subsequent development permit application. FCCSP was considered at the May 1, 2008, San Diego Airport Authority hearing and found to be conditionally consistent with the ~~ALCUP~~ ALUCP. The Airport Authority found the Specific Plan consistent that the plan not to allow intensive development and all uses which involves the assembly of large groups of people (more than one hundred (100) persons per assembly area (as defined by the California Building Code Group A Occupancy). Furthermore, on [date], the San Diego Airport Authority found the residential R-30 designation of Lot 4 to be [add determination] with the ALUCP.
- Comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) (e.g., provision of Best Management Practices and Low Impact Development requirements) that are current at the time of project application.

FENTON CARLSBAD CENTER SPECIFIC PLAN SP 07-02, CONTINUED

11. Section V.A is amended as follows:

A. GENERAL NOTES

1. The developer(s) shall be responsible for implementing the mitigation measures which are based on the Fenton Carlsbad Center Specific Plan Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program ([Planning Commission Resolution 6431](#)).
2. Where questions arise regarding the interpretation of this Specific Plan, the ~~Planning Director~~[City Planner](#) shall resolve them in a manner consistent with the Municipal Code, adopted City plans, and City policy. Such decisions by the ~~Planning Director~~[City Planner](#) may be appealed to the Planning Commission and City Council.

12. Section V.B is amended as follows:

B. MITIGATION MEASURES

~~1. Traffic~~

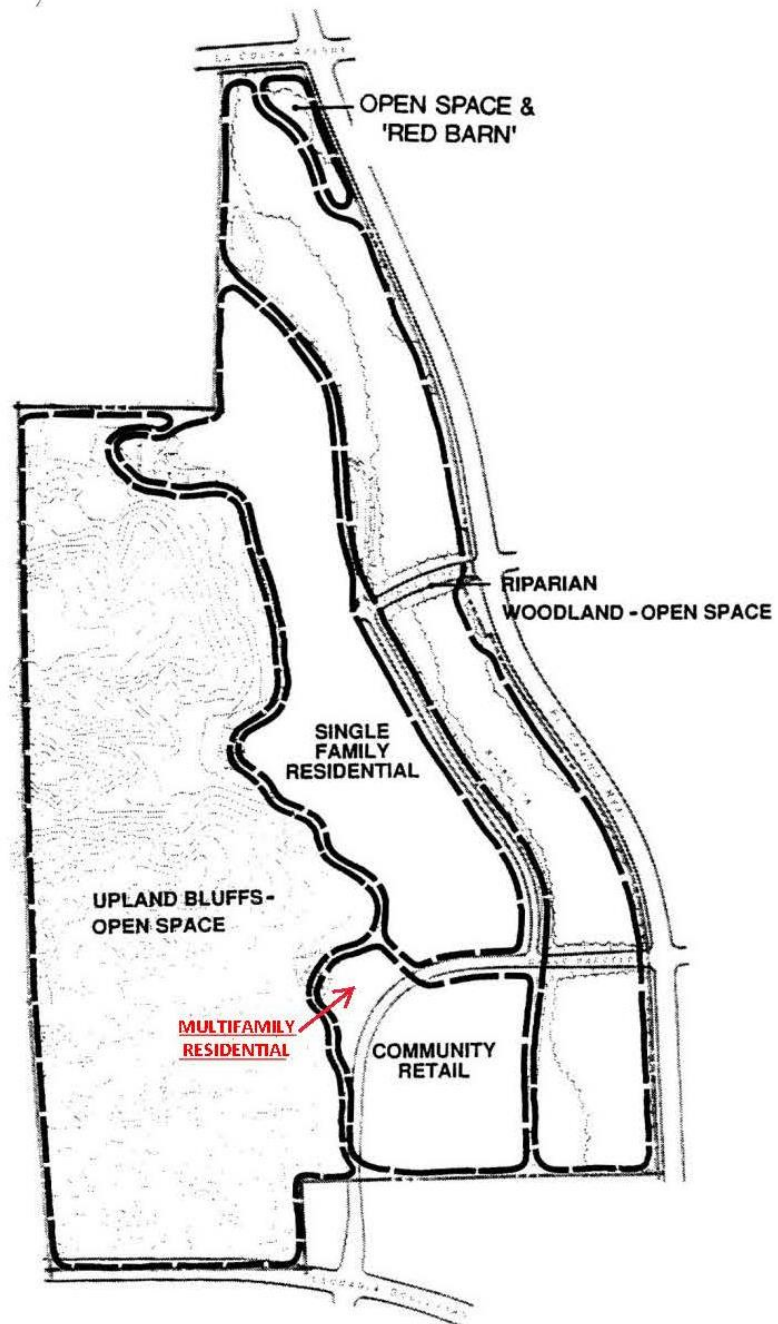
- ~~i. Prior to the issuance of a grading permit or building permit on lot 4, whichever occurs first, developer shall install and secure with appropriate security as provided by law, a traffic signal, including all appurtenances and traffic signal interconnect conduit and cable, at the intersection of College Boulevard and Salk Avenue to City Standards to the satisfaction of the City Engineer. The Developer may request that a reimbursement agreement for the cost of this facility over their fair share be processed. If a reimbursement agreement is requested it shall be approved prior to approval of the improvement plan for the signal.~~
- ~~ii. Prior to issuance of a grading or building permit on lot 4, whichever occurs first, developer shall install and secure with appropriate security as provided by law public improvements listed below to City Standards to the satisfaction of the City Engineer. These improvements include:~~
 - ~~1. Extending the westbound El Camino Real left turn lane to College Boulevard to a total length of 500 feet.~~
 - ~~2. New 500-foot dual left turn lanes from southbound College Boulevard to Salk Avenue.~~
- ~~iii. Prior to the issuance of a grading or building permit on lot 4, whichever occurs first, developer shall execute a Traffic Signal Development Improvement Agreement to design and install and post appropriate security as provided by law, a new fully actuated traffic signal including all appurtenances and traffic signal interconnect conduit and cable, at the intersection of Salk Avenue and Fermi Court, constructed to the satisfaction of the City Engineer. The traffic signal shall be installed only when written approval is received by the City Engineer. The agreement shall be kept in force and security valid for a period of 5 years after the last building permit has been issued for lot 4 within this development.~~

12. Section V.B is amended as follows (continued):

21. San Diego Regional Airport Authority

As the project involves a General Plan Amendment, the project was submitted to the San Diego County Regional Airport Authority (SDCRAA) for a determination of consistency with the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) on May 1, 2008. The SDCRAA adopted Resolution 2008-0018 ALUC finding the project conditionally consistent with the ALUCP. The condition added was the restriction that all assembly areas within the proposed project that are located within the FAZ be limited (as defined by the Uniform Building Code Group A Occupancy) to no more than one hundred (100) persons per assembly area in order to be consistent with FAZ guidelines in the McClellan- Palomar Airport ALUCP. Furthermore, on [date], the San Diego Airport Authority found the residential R-30 designation of Lot 4 to be [add determination] with the ALUCP.

1. Figure I-5 is amended as follows:



PLANNING
SYSTEMS

Figure 1-5

Master Plan Land Use

GREEN VALLEY MASTER PLAN MP 92-01, CONTINUED

2. Figure I-6 is amended as follows:

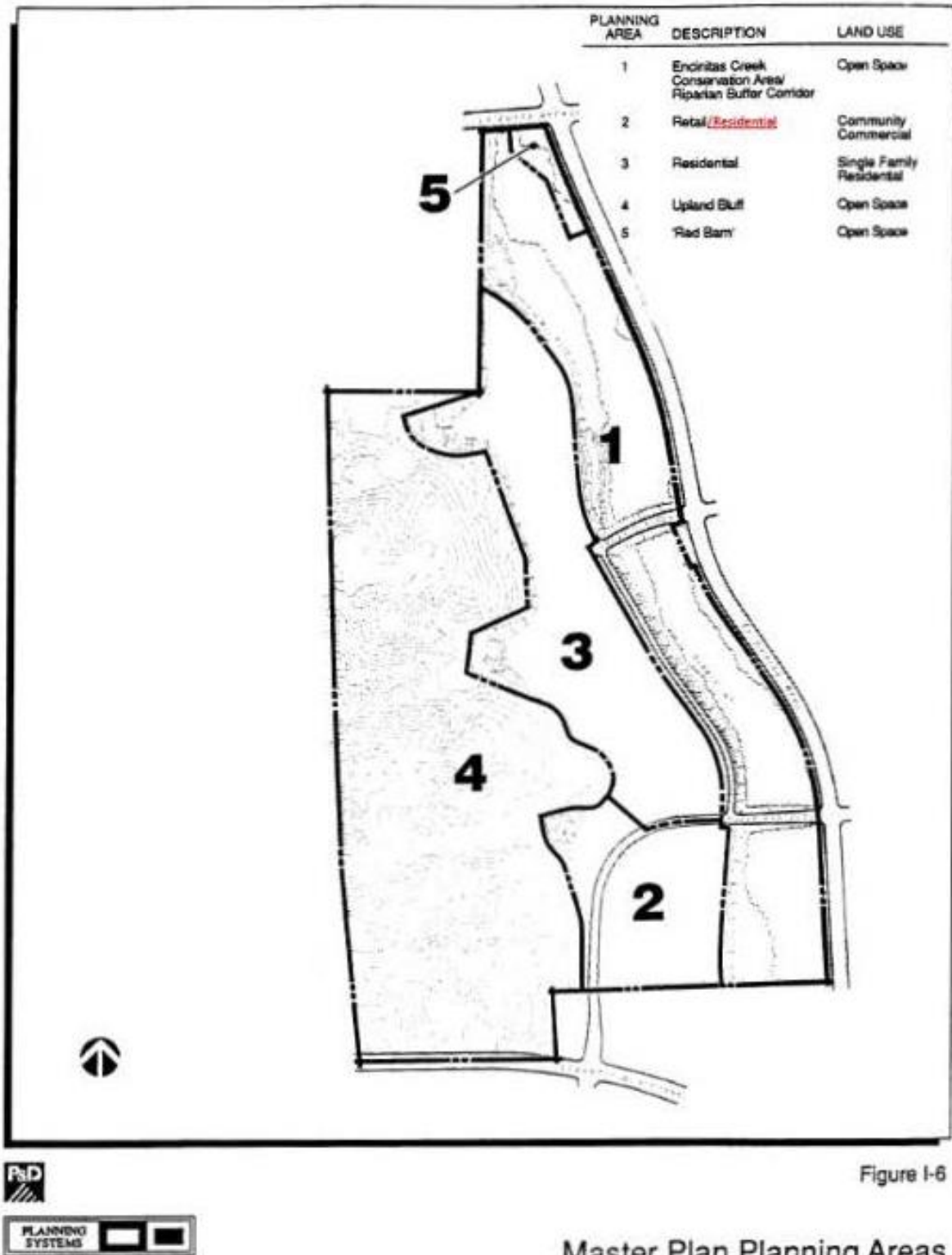


Figure I-6

Master Plan Planning Areas

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	-	-	18.322.3
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	281.2

* 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.

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.

GREEN VALLEY MASTER PLAN MP 92-01, CONTINUED

6. Figure II-1 is amended as follows:



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.

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~~s~~ is shown on Table 11-2, ~~exclusive~~inclusive 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~~Planning Area 3, 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.

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~~

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.

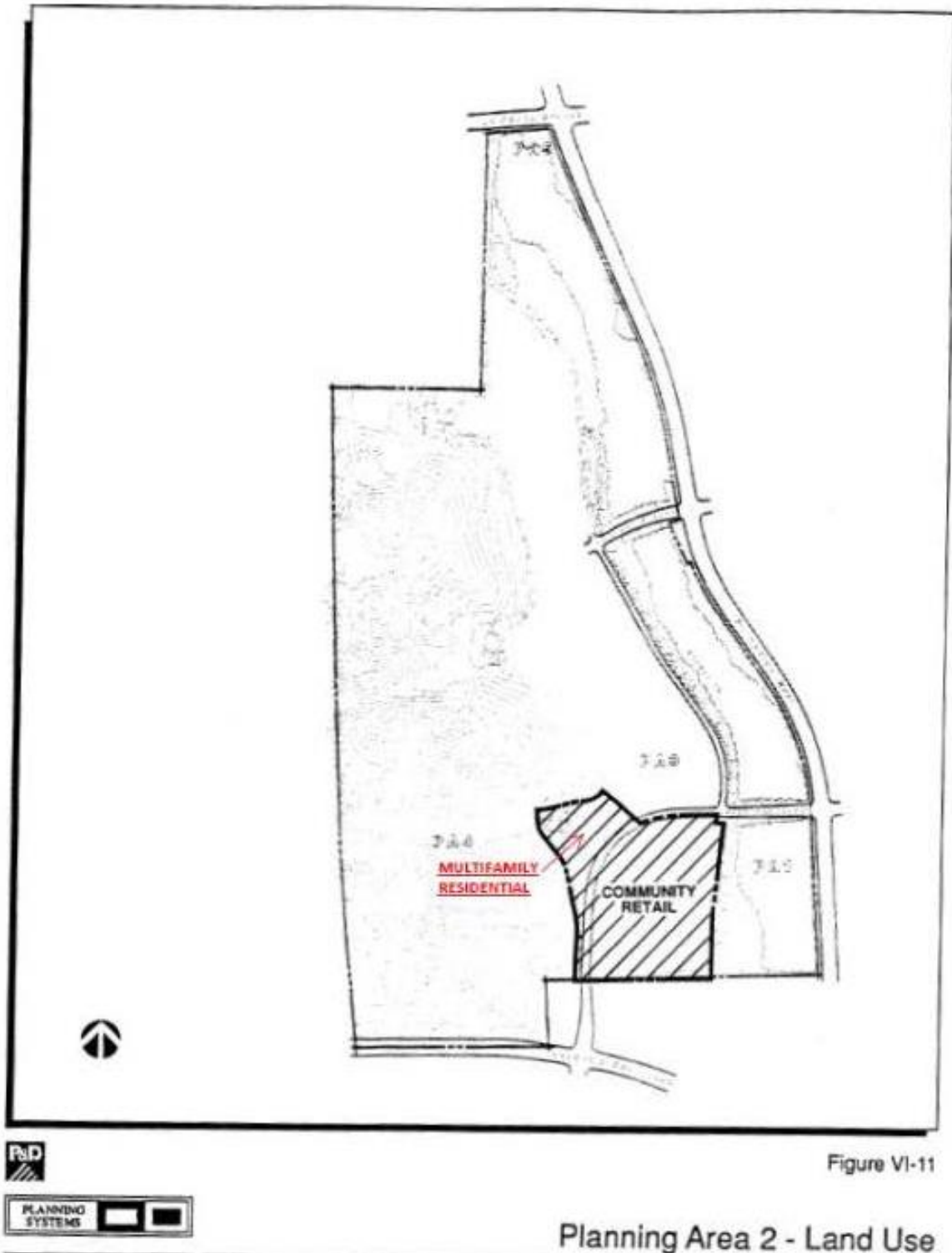
Residential development within the area designated R-23 (Residential 19-23 du/ac) shall be subject to all applicable development standards in the CMC, including Chapter 21.24 (RD-M), except for building setbacks from Calle Barcelona, as specified below. Development is subject to approval of a site development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



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)

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 statelaw 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.

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~~

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.

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~~

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

General Plan: OS~~/C~~

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)~~RR1 – Intensive Regional Retail~~. The property is zoned C-2/RD-M/O-S, (General Commercial/Residential Density-Multiple/Open Space).

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.

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"RR1" 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.

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.

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.

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

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

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.

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.

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.

WESTFIELD CARLSBAD SPECIFIC PLAN SP 09-01

1. Section 1.1 is amended as follows:

1.1 PURPOSE AND SCOPE

The purpose of the Westfield Carlsbad Specific Plan (WCSP) is to provide a comprehensive set of development standards, guidelines, and implementation procedures to facilitate the redevelopment, revitalization and operations of Westfield Carlsbad (WC) consistent with the existing General Plan Designation of Regional Commercial (R) on the retail center and Regional Commercial (R)/R-40 (Residential 37.5-40 du/ac)/R-23 (Residential 19-23 du/ac)/OS (Open Space), R/R-40/R-23, and R/R-40 on the properties surrounding the retail center, including south of Maroon Road. Westfield Carlsbad is a super-regional shopping center with approximately 1,151,100 square feet of gross leasable area (1,348,500 square feet of gross floor area (including common access areas)) featuring major department stores, specialty retail shops and restaurants. The plan allows Westfield Carlsbad the flexibility to meet the progressive and changing commercial, entertainment and service needs of the residents of Carlsbad and coastal north county region and allows for housing development to meet the city's housing objectives. The plans and exhibits provided in this specific plan provide a framework for future development at Westfield Carlsbad. More detailed Site Development Plans or other entitlements may be required prior to actual development within the Specific Plan area.

The Westfield Carlsbad Specific Plan:

- Identifies existing development;
- Defines the allowable types and intensity of land uses;
- Provides development and design guidelines;
- Describes how the Specific Plan will be implemented and administered; and
- Is compliant with all state laws and guidelines regarding the content and format of a specific plan.

City Council adoption of the WCSP establishes the development standards, design guidelines, and entitlement processes for development and land use within the specific plan area.

Adoption of the WCSP will ensure that the subject property is developed and redeveloped in accordance with the City of Carlsbad General Plan and the following regulations:

- General Plan land use designations: (Regional Commercial) ~~Designation~~ (R), and Regional Commercial (R)/R-40 (Residential 37.5-40 du/ac)/R-23 (Residential 19-23 du/ac)/OS (Open Space), R/R-40/R-23, and R/R-40 ~~Designation~~
- Carlsbad Municipal Code, Chapters 21.28 General Commercial (C-2) and 21.24 Residential Density-Multiple (RD-M)
- Zone 1 Local Facilities Management Plan per Chapter 21.90
- Carlsbad Municipal Code, Chapter 21.40 (Scenic Preservation Overlay) and El Camino Real Corridor Standards
- Carlsbad Municipal Code, Chapter 21.46 (Yards)
- Carlsbad Municipal Code, Chapter 21.41 (Signs)
- Carlsbad Municipal Code, Chapter 21.44 (Parking)

- Carlsbad Landscape Manual

WESTFIELD CARLSBAD SPECIFIC PLAN SP 09-01, CONTINUED

1. Section 1.1 is amended as follows (continued):

In some instances, the requirements of the specific plan will be different than the zoning regulations. In cases where the specific plan and the zoning regulations are in conflict, the specific plan, and the development standards and guidelines contained herein, shall prevail.

Revitalization of Westfield Carlsbad under the Specific Plan may entail the remodel and reconfiguration of existing commercial buildings, new exterior oriented retail space, and new commercial pads.

The WCSP is adopted pursuant to the provisions of Government Code Sections 65450 et. seq., the Land Use Element of the City of Carlsbad General Plan, and the Carlsbad Municipal Code.

2. Section 1.2 is amended as follows:

Goals

- Describe and codify the existing development at Westfield Carlsbad under the Specific Plan framework.
- Modernize and revitalize Westfield Carlsbad creating a contemporary, vibrant regional retail center, which enhances the shopping, entertainment and public gathering experience for Carlsbad residents and the surrounding community.
- Establish Westfield Carlsbad as a prominent regional retail center attractive to high quality retailers and fueling economic growth in the City while satisfying current consumer needs on a regional scale.
- Provide flexible development standards and review processes to allow for quick and efficient continuous improvements in response to market conditions.
- Allow for housing quantities and densities to meet the city's housing objectives, including densities considered affordable to lower and moderate-income households.

Objectives

- To establish development standards to address landscaping, parking, uses, signage and maintain building design criteria to ensure future redevelopments are compatible with the Specific Plan and Carlsbad General Plan.
- To enhance Westfield Carlsbad as a safe location for visitors through enhanced lighting and security standards, with contemporary retail projects that optimize public safety.
- To utilize the Westfield Carlsbad Specific Plan to regulate development to create a mix of retail, restaurant and entertainment opportunities, as well as residential uses.
- To provide a codified set of development regulations, design standards and processing procedures for the site.

- To offer a full range of goods, services, and entertainment to the residents of Carlsbad and the surrounding community.

WESTFIELD CARLSBAD SPECIFIC PLAN SP 09-01, CONTINUED

2. Section 1.2 is amended as follows (continued):

- To improve the overall pedestrian experience by creating enhanced pedestrian connections and upgrading landscaping within parking lots as redevelopment occurs overtime. To allow for the modernization of Westfield Carlsbad while architecturally integrating the new development with the existing buildings to provide an overall enhanced design.
- To ensure that the revitalized Westfield Carlsbad provides a variety of pedestrian walkways, landscaped parking lots, and the use of harmonious architecture in the design of buildings.
- To provide a minimum 741 housing units at 37.5 dwelling units per acre (du/ac) (R-40) and a minimum 252 units at 19 du/ac (R-23).
- To incorporate a high level of affordable housing to lower income households (at least 20% of housing units).

3. Section 1.5 is amended as follows:

1.5 IMPLEMENTATION OF THE SPECIFIC PLAN AND SUBSEQUENT ACTIONS NECESSARY TO BE CONSISTENT WITH THE SPECIFIC PLAN

The Westfield Carlsbad Specific Plan (WCSP) implements the Regional Commercial (R), R-23 (Residential 19-23 du/ac), and R-40 (Residential 37.5-40 du/ac) General Plan Land Use designations in conjunction with the General Commercial (C-2) and Residential Density Multiple (RD-M) zoning. Permitted uses are listed in Section 3.1 of this document. The provisions of the C-2 and RD-M zoning districts per Chapters 21.28 and 21.24 of the Carlsbad Zoning Ordinance (e.g., uses, development standards, development permit requirements, etc.) and any future amendments apply to the regulatory topics not covered within this specific plan.

Approval of the WCSP does not vest any rights for future approvals of any licenses, discretionary acts, or other entitlements necessary for future development in the plan area. Subsequent public work projects, tentative or parcel maps, discretionary acts, and zoning ordinance amendments that affect the plan area must be consistent with the WCSP. With City Council adoption of WCSP the standards and review processes of the specific plan replace the existing requirements/processes as the processing mechanism for all future entitlements, development and operations. All prior Precise Plan consistency determinations and amendments, including PP-24, amendments A-K, are consistent with the specific plan and are vested and remain in full force and effect, except as they may be modified by future approvals pursuant to this specific plan.

WESTFIELD CARLSBAD SPECIFIC PLAN SP 09-01, CONTINUED

4. The “General Plan and Zoning” description in Section 2.1 is amended as follows:

General Plan and Zoning

The ~~entire retail center in the center of the~~ Westfield Carlsbad Specific Plan area falls within the Regional Commercial (R) General Plan land use designation and the General Commercial (C-2) Zone; the areas surrounding the retail center fall within the Regional Commercial (R)/R-40 (Residential 37.5-40 du/ac)/R-23 (Residential 19-23 du/ac)/OS (Open Space), R/R-40/R-23 and R/R-40 General Plan Land Use designations and the General Commercial (C-2)/Residential Density Multiple (RD-M) Zones.

5. Section 2.2 is amended as follows:

2.2 CONCEPTUAL LAND USE PLAN

The Westfield Carlsbad regional retail center provides a blend of retail, restaurant, service, and entertainment to residents and visitors to the city.

~~Under the~~ Westfield Carlsbad Specific Plan (WCSP) identifies a conceptual plan for redevelopment of the retail center. While the focus of the WCSP is on commercial use of the plan area, residential uses can be attached to the retail center or detached from the retail center within the current parking lot area.

The following outlines the conceptual plan for the commercial retail center:

~~p~~Portions of the east end of the existing mall structure and some out-buildings are planned to be removed, renovated and/or redeveloped, and new commercial space will be added.

Table 2: Maximum Commercial Development Limits

	Main Mall (sq. ft.)	Out-Buildings (sq. ft.)	Total (sq. ft.)
Existing GLA	1,101,239	49,853	1,151,092
GLA to be demolished	(225,631)	0	(225,631)
Proposed New GLA	234,748	26,300	261,048
Total GLA Proposed	1,110,356	76,153	1,186,509
Net Change	9,117	26,300	35,417

Table 2 ~~below~~ details the maximum development proposed under the WCSP and notes the maximum net increase in Westfield Carlsbad square footage. The table above breaks the square footage out between the mall and the outbuildings, but these numbers can shift between categories as long as the total GLA proposed and the net change are not exceeded.

Westfield Carlsbad Specific Plan provides the framework for future commercial development/redevelopment of the site. The proposed site development plan that implements the elements laid out in the WCSP is conceptual at this stage and may change prior to final approval. Table 3 provides an idea of the proposed commercial changes that will occur but does not reflect exact square footage and does not reflect the potential for residential development. For purposes of the Specific Plan compliance for

commercial development, the site development plan must adhere to the maximum square footage limits and net change reflected in Table 2.

WESTFIELD CARLSBAD SPECIFIC PLAN SP 09-01, CONTINUED

5. Section 2.2 is amended as follows (continued):

For purposes of Specific Plan compliance for residential development, the development must adhere to the requirements of the C-2 zone (for the retail center designated (R) Regional Commercial) and the RD-M zone (for the areas surrounding the retail center and designated R/R-40/R-23/OS, R/R-40/R-23, and R/R-40) and other applicable requirements of Carlsbad Municipal Code Title 21, and the allowed General Plan densities for the R-23 and R-40 designations. The minimum and maximum number of dwellings shall be calculated based on the net developable acres of each lot or combination of lots, upon which the development is proposed. In cases where the specific plan and the zoning regulations are in conflict, the specific plan, and the development standards and guidelines contained herein, shall prevail.

Table 3: Proposed Commercial Site Development Plan

Existing			1,151,092 SF
Proposed			261,048 SF
Movie Theater		54,000 SF	
Gym		41,145 SF	
Mini-Anchor		26,280 SF	
Mini-Anchor 2 Lvl		34,160 SF	
Grocer		24,135 SF	
Restaurants		21,929 SF	
	Level 1	3,104 SF	
	Level 2	18,825 SF	
Retail		16,239 SF	
	Level 1	10,941 SF	
	Level 2	5,298 SF	
Food Court		16,860 SF	
Pads		26,300 SF	
	NE	10,000 SF	
	SE	7,500 SF	
	SW	8,800 SF	
Removed			(225,631) SF
Rob May		(148,159) SF	
Existing Retail/Reconfigured		(77,472) SF	
	Level 1	(38,558) SF	
	Level 2	(38,914) SF	
Total GLA after redevelopment			1,186,509 SF
Net added total GLA			35,417 SF

6. The title of Figure 4 is amended as follows:

COMMERCIAL LAND USE PLAN

7. The first paragraph of Section 2.3 is amended as follows:

The Westfield Carlsbad site has been divided into five planning areas to better define the commercial improvements and overall vision for the shopping center. Below is a brief description of each planning area and the planning areas are depicted in Figure 5. More detailed information regarding specific commercial development standards for the planning areas can be found in Section 5 of this document.

8. The first paragraph of the “Land Use Element” subsection of Section 2.4 is amended as follows:

Land Use Element

The Westfield Carlsbad Specific Plan (WCSP) is designated by the Land Use Element for a mix of commercial and residential uses. The WCSP specifies requirements to ensure future residential development is consistent with the General Plan Land Use element and identifies a plan to redevelop the retail center consistent with the Land Use Element and the intent and characteristics of the Regional Commercial (R) Land Use designation. The Land Use Element cites tenant composition and specific characteristics as key factors in identifying a retail center type. Additional factors to consider in determining center type are building area, site size and trade area size. Below are a few key characteristics of Regional Commercial as described in the Commercial classifications section of the General Plan (C.3) followed by a compliance summary of how the specific plan complies with these characteristics.

9. The “Housing Element” subsection of Section 2.4 is amended as follows:

Housing Element

~~The City, in its Housing Element, has identified commercial centers citywide, including but not limited to, the Westfield Carlsbad site, as potential locations for residential mixed-use housing at a minimum density of 20 units per acre). The 2021-2029 Housing Element identified the Westfield Carlsbad Specific Plan (WCSP) as a site to accommodate 993 units affordable to moderate- and lower-income households and required that the site be rezoned to allow more residential units than were previously allowed in the Regional Commercial (R) designation. The WCSP furthers the following 2021-2029 Housing Element goals, policies, and programs:~~

- New housing developed with diversity of types, prices, tenures, densities, and locations, and in sufficient quantity to meet the demand of anticipated city and regional growth and to meet or exceed the city's established Regional Housing Needs Allocation (RHNA). (Housing Element Opportunities Goal 10.12)
- Ensure the availability of sufficient developable acreage in all residential densities to accommodate provide varied housing types and income levels as required to meet Carlsbad's 2021-2029 RHNA, as discussed in Section 10.3 for households in all economic ranges. (Housing Element Opportunities Policy 10-P.12.1)

WESTFIELD CARLSBAD SPECIFIC PLAN SP 09-01, CONTINUED

9. The “Housing Element” subsection of Section 2.4 is amended as follows (continued):

- Encourage increased integration of housing with nonresidential development where appropriate and where residential development can be implemented in a way that is compatible with existing and planned uses. (Housing ~~Element Opportunities~~ Policy 10-P.42-6)
- ~~• The City will encourage mixed-use developments that include a residential component. Major commercial centers should incorporate, where appropriate, mixed commercial/residential uses. (portion of Housing Opportunities Program 2.3)~~
- Upon amendment of the city’s Real Estate Strategic Plan (see Housing Element Program 1.1 e.) develop and implement a program to promote the residential development of city-owned sites within the planning period that is consistent with the strategic plan and that incorporates a high level of affordable housing (at least 20% of residential units). For city-owned properties at The Shoppes at Carlsbad, work collaboratively with The Shoppes’ owner to facilitate a mixed-use development consistent with this objective. (Housing Element Program 1.1.f.)

Housing is permitted under the Specific Plan. Any future plans for housing at the Westfield Carlsbad site would be subject to CEQA review and a discretionary permit process through the City of Carlsbad.

10. Section 2.5 is amended as follows:

2.5 SPECIFIC PLAN RELATIONSHIP TO ZONING ORDINANCE

The Westfield Carlsbad Specific Plan (WCSP) shall serve as the zoning for the site. Unless otherwise modified in the Specific Plan, all development shall comply with the standards of the underlying General Commercial (C-2) and Residential Density Multiple (RD-M) zoning districts of the Carlsbad Municipal Code (Chapters 21.28 and 21.24). In the event of a conflict between the Specific Plan and the Zoning Ordinance, the Specific Plan shall prevail.

11. The “Regulation” subsection of Section 2.7 is amended as follows:

Regulation

Except as specifically stated in the Specific Plan, the requirements of the C-2 and RD-M Zones and all other applicable provisions of the zoning, subdivision, grading and building codes (and any amendments thereto) of the City of Carlsbad shall apply.

12. The first paragraph of Section 3 is amended as follows:

Commercial and residential uses are allowed. Regional shopping centers such as Westfield Carlsbad must provide the full depth and variety of contemporary retail, service, entertainment, and dining uses to create a vibrant destination shopping and entertainment experience. Westfield Carlsbad continues to benefit from a diversity of commercial uses on a highly accessible regional site.

WESTFIELD CARLSBAD SPECIFIC PLAN SP 09-01, CONTINUED

13. Section 3.1 is amended as follows:

3.1 PERMITTED USES

The Westfield Carlsbad Specific Plan (WCSP) establishes a use classification framework to ensure continued grouping of diverse and compatible uses in Westfield Carlsbad, and to serve as an adaptable approach to land use administration within the specific plan boundaries. Each use classification contains one or more uses that have substantially similar characteristics. All possible uses are not listed in the use classifications, but it provides framework for review of individual uses. The City Planner shall determine if a specific use is substantially similar to one of the uses in the classification, and therefore considered an allowed use.

Table 4 on the following page lists the use classifications, provides examples of some similar uses within each use classification, and notes whether the use classifications are permitted by right, require a conditional use permit or require a site development plan.

The permitted residential uses identified in Table 4 are subject to the Inclusionary Housing Ordinance (Carlsbad Municipal Code Chapter 21.85), and the following:

- Residential development (rental or for-sale) in the area surrounding the retail center and designated R/R-40/R-23/OS, R/R-40/R-23 and R/R-40 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.
- The minimum and maximum number of dwellings shall be calculated based on the net developable acres of each lot or combination of lots, upon which the development is proposed, as follows:

If on a lot with commercial development:

- Minimum density shall be calculated based on 25% of the net developable acres.
- Maximum density shall be calculated based on the total net developable acres.

If on a lot with no commercial development (solely residential):

- Minimum and maximum density shall be calculated based on the total net developable area of the lot/lots.

14. Section 3.2 is amended as follows:

3.2 TEMPORARY USES

Temporary Parking Lot Events

Westfield Carlsbad's significant parking lot space (over 50 acres) and efficient regional access (e.g., from State Route 78, El Camino Real, and an on-site mass transit center) offer ample opportunity for temporary events. Properly programmed and managed events maximize both the use of the site and benefits to area residents, visitors and businesses contributing significantly to the overall vibrancy of the regional shopping center.

The following temporary events are allowed subject to the requirements as described in Section 6.3 of the specific plan:

- Automotive Demonstrations/Product Awareness with local Carlsbad dealers (excluding tent sales and used car sales)
- Bike/Skate Demonstration or Show
- Christmas Tree Lot
- City-wide Events (such as 4th of July Celebration or other holiday/seasonal events, MS Bike Ride, Carlsbad Marathon, etc.)
- Farmers' Markets
- Pumpkin Patch
- Seasonal Garden Centers
- Other similar events subject to mutual agreement between Plaza Camino Real, LLC and the City of Carlsbad

In conjunction with the temporary events listed above, retail stores at Westfield Carlsbad shall be able to setup and operate temporary booths/stalls in support of any events. The products/services offered in the temporary booths/stalls shall be complimentary and compatible with the primary special event, and the number and size of the booths/stalls shall be limited, such that they remain incidental and subordinate to the primary temporary event use.

All temporary events are to occur within one of the designated areas shown in Figure 6, provided the area is not developed with residential uses or the parking lot is not required parking for a residential use.

Any temporary events occurring within the public right-of-way may be allowed if they meet City of Carlsbad Police definition for Special Event per Section 8.17.020, and an application for a Special Event Permit is filed with and approved by the City of Carlsbad.

15. The first two paragraphs of Section 5 are amended as follows:

The following section lays out the applicable development standards contained in this specific plan. The section is organized into two parts "General Development Standards" and "Planning Area Requirements". The General Development standards apply to the entire Westfield Carlsbad site and include parking, grading, lighting and signage standards. The Planning Area requirements describe standards that apply to each individual planning area.

WESTFIELD CARLSBAD SPECIFIC PLAN SP 09-01, CONTINUED

15. The first two paragraphs of Section 5 are amended as follows (continued):

The development standards established within the WCSP shall serve as the implementing zoning for the site. Unless otherwise modified in the Specific Plan:

- All commercial development, and residential development that is attached to commercial development, shall comply with the standards of the underlying General Commercial (C-2) zoning district of the Carlsbad Municipal Code (Chapter 21.28),
- All residential development that is detached from commercial development shall comply with the standards of the RD-M zone of the Carlsbad Municipal Code (Chapter 21.24), and
- All development shall comply with applicable sections of Chapter 21.44 Parking.

16. The “Parking” subsection of Section 5.1 is amended as follows:

Parking

The parking provided includes all parking lots and structures within the Specific Plan area, and the parking lot parcel located just north of the Specific Plan boundary, south of the Buena Vista Creek. This area holds 613 parking stalls constructed within the City of Oceanside, owned by the City of Carlsbad, and by agreement used solely for public parking.

As a regional shopping center Westfield Carlsbad contains a variety of commercial uses including anchor and specialty retail, restaurants, and a theater. Shared parking dynamics in such a situation are well documented and support the following parking ratios which represent commercial parking standards for Westfield Carlsbad established by the Specific Plan:

- 4 spaces/1,000 square feet of gross leasable area (GLA).

Based on standard above and the maximum allowable square footage for the total site of 1,186,509 square feet per Section 2.2:

Parking Required:	4,746 spaces
Parking Provided:	5,931 spaces
Surplus/(Deficit):	1,185 spaces

The number of parking spaces provided is based on the current proposal for the site development plan. While this is anticipated to remain the same, if changes to proposed layout/development occur, the final number may vary slightly. For purposes of compliance with this specific plan, the number of commercial parking spaces provided must meet the required minimum based on the standard of 4/1,000 sf.

Parking for residential uses shall be provided as required by Carlsbad Municipal Code Chapter 21.44.

WESTFIELD CARLSBAD SPECIFIC PLAN SP 09-01, CONTINUED

16. The “Parking” subsection of Section 5.1 is amended as follows (continued):

In addition to the parking standard, the following criteria shall apply:

- Parking spaces for all permitted commercial and ancillary uses shall be provided consistent with the parking ratios set forth in the Specific Plan.
- Minimum parking stall size for any new standard parking stalls shall be 8.5’ by 19’ (2’ overhang can be included in the 19 ft. length) Existing stalls are permitted to remain as provided.
- Compact parking is permitted, and minimum parking dimensions shall be 8’ by 15’. Up to 25% of the required parking spaces may be compact spaces. No overhang permitted.
- Parking for motorcycles shall be allowed and shall be counted toward the total required parking up to a maximum of 1 percent of the total parking required. Minimum parking stall size for motorcycles shall be 3.5’ by 7’.
- Parking lot landscaping shall conform to the guidelines in Section 4 of this specific plan.

17. The following paragraph is added to the beginning of the “Signs” subsection of Section 5.1:

Residential uses shall be subject to the sign requirements of Carlsbad Municipal Code Chapter 21.41. The following requirements apply to the retail center.

18. The following is added to the beginning (above “Building Placement”) of the “Planning Area 1: Main Mall - East”, “Planning Area 2: Outbuildings along El Camino Real”, “Planning Area 3: Outbuildings on northern edge of Westfield Carlsbad”, “Planning Area 4: Outbuildings south of Marron Road”, and “Planning Area 5: Main Mall – West” subsections of Section 5.2:

Commercial and residential uses:

Chronology of the Public Input Opportunities –
Housing Element Update and Site Selection Process

1. 2020

- a. January – December: Appointed by City Council in 2019, the nine-member Housing Element Advisory Committee (HEAC) held a total of 14 public meetings to help city staff and decision-makers update Carlsbad’s Housing Element and determine how to best meet the need for more housing. The HEAC’s discussions included development of methodologies to help determine which sites should be considered for rezoning as well as initial site identification. HEAC meeting information is available on the city’s website by selecting “Housing Element Advisory Committee” in the “Governing Body” field at [Custom Search \(carlsbadca.gov\)](#).
- b. August 7-24: An online survey asked participants to rank criteria for where new housing should be located. A total of 4,252 people responded to the survey.
- c. August 27: The City Council reviewed community input from the online survey, the HEAC’s work and the site selection methodologies. The staff report is available at <https://records.carlsbadca.gov/WebLink/DocView.aspx?id=6412753&dbid=0&repo=CityofCarlsbad&searchid=b247f2df-7ceb-4678-9860-a2841b799650>.
- d. October 8: The Housing Commission received an information update on the Housing Element.
- e. November 16: The initial Draft Housing Element was posted online for public review.
- f. November 19: Joint public meeting of the Housing Commission and HEAC to review the Draft Housing Element and solicit public input.
- g. November 30: The HEAC held an additional public meeting to review and comment on the draft Housing Element and solicit public input.
- h. December 3: The Housing Commission held an additional public meeting to review and comment on the draft Housing Element and solicit public input.
- i. December 14: The HEAC held its final meeting and directed submittal of the draft element to the state Department of Housing and Community Development (HCD).
- j. December 24: An updated third Housing Element Draft was submitted to the HCD for required 60-day review.

2. 2021

- a. January 12 to February 11: The third Housing Element Draft submitted to HCD was distributed for public review.

- b. The third and subsequent Housing Element drafts were released for public review.
- c. March 3: The Planning Commission held a public hearing and recommended approval of the Housing Element Update.
- d. March 4: The Housing Commission held a public hearing and recommended approval of the Housing Element Update.
- e. April 6: The City Council held a public hearing and approved the Housing Element Update. The staff report is available at <https://records.carlsbadca.gov/WebLink/DocView.aspx?id=5319278&dbid=0&repo=CityofCarlsbad&searchid=d3c2c834-4f0a-4f2d-8580-6256473567b0>.
- f. July 13: HCD determined the approved Housing Element was in substantial compliance with state law.
- g. August 17: The City Council provided additional direction on site selection, including specific direction on sites in the Southwest Quadrant. To get community input on sites proposed for rezoning, the City Council approved a public engagement work plan for a 45-day public review period on all sites. The staff report is available at <https://records.carlsbadca.gov/WebLink/DocView.aspx?id=5444585&dbid=0&repo=CityofCarlsbad&searchid=41cf6b62-4d2c-43bc-8359-7d84c08fce26>.
- h. September 2 – October 22: To solicit input on potential housing sites, the city conducted an online survey, held virtual meetings, and made presentations to community groups and city boards and commissions. Some presentations extended into November and December due to scheduling challenges.

3. 2022

- a. February 15: The City Council received a report on the fall 2021 public engagement and directed staff to study two maps of sites for potential rezoning. The staff report is available at <https://records.carlsbadca.gov/WebLink/DocView.aspx?id=6247842&dbid=0&repo=CityofCarlsbad&searchid=ae608442-bcda-4e57-9b6a-a8ba4b520bfc>.
- b. September – October: The city released a Notice of Preparation to prepare a supplemental environmental impact report and held three public scoping meetings, one virtual, to collect public input. The public review period occurred over 42 days. The scoping meetings included a brief presentation, review of the environmental process, and discussion about project components, including the proposed housing sites and the update to the Public Safety Element, at different “stations,” which enabled informal Q and A.

4. 2023

- a. July 14 – August 28: The city noticed and held a 45-day public review period for the draft SEIR and proposed amendments to the General Plan Land Use Element, Public Safety Element, and Zoning Ordinance. Following conclusion of public review, 39 comments were received.

- b. October 18: A Planning Commission public hearing is scheduled to consider, among other things, implementation of Housing Element programs to rezone sites. The Planning Commission will make a recommendation to the City Council.
- c. November 9: A Housing Commission public meeting is scheduled on the Housing Element and, specifically, the implementation of Housing Element programs to rezone sites. The purpose of the meeting is to provide information, respond to question, and receive any comments. No formal action will be taken by the Housing Commission.

5. 2023-2024

City Council public hearing (date to be determined)

6. 2024-2025

Coastal Commission meeting (date to be determined)

Summary of outreach tools used:

1. City website, including a project webpage kept up to date throughout the project.
2. Social media (Instagram, Facebook and X (formerly known as Twitter))
3. [Informational video](#) available on YouTube
4. Two public input surveys (online) made available in English and Spanish (see below for information on the survey summary reports)
5. Three virtual community workshops
6. Two in-person public scoping meetings
7. Informational brochures
8. Five direct mailings to 4,000+ property owners and occupants at each key milestone
9. Fliers in English and Spanish at libraries and community centers throughout the city
10. News releases
11. Public notices in local newspapers
12. Traditional media/news coverage
13. Targeted e-newsletter updates to project (distribution to 2,900+ as of September 2023)
14. City Manager's Update e-newsletters with (distribution to 10,300+ as of September 2023)
15. Presentations to local community groups, city boards and commissions
16. Direct outreach to 45+ community organizations that serve residents with low incomes
17. In-person meetings with Spanish speaking community members

Information on how the community was engaged and feedback received are included in the following two public input reports:

1. [Housing Element Update Public Input Survey Summary Report \(August 2020\)](#) – also included as part of the August 27, 2020, City Council staff report
2. [Housing Element Update Public Input Summary Report \(December 2021\)](#) – also included as part of the Feb. 15, 2022, City Council staff report

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The project is subject to the following regulations:

- A. State Regulations
- B. General Plan
- C. Zoning Ordinance (Carlsbad Municipal Code Title 21)
- D. Master Plans
- E. Specific Plans
- F. Local Coastal Program
- G. Habitat Management Plan
- H. Growth Management Plan
- I. McClellan-Palomar Airport Land Use Compatibility Plan

The recommendation for approval of this project was developed by analyzing the project's consistency with the applicable regulations and policies. The project's compliance with each of the above regulations is discussed in detail within the sections below.

A. State Regulations

The driver of this project is state housing and safety legislation. State housing law requires cities, among other things, to plan for and maintain an inventory of adequate housing sites to accommodate forecasted growth. In turn, the Housing Element contains programs that require the city to redesignate properties as necessary to maintain this inventory. Similarly, state safety legislation requires all local jurisdictions to update their Public Safety Elements to ensure consistency with state regulations based on updated local and regional data.

Public Safety

The Public Safety Element is a required component of the city's General Plan that serves to reduce the potential short and long-term risk of death, injuries, property damage, and economic and social dislocation associated with potential hazards. The recent approval of the Housing Element, including the identification of new housing sites for the 6th cycle Housing Element site inventory, have triggered required analysis and compliance with recent state safety legislation. The project would address the requirements of new State legislation and incorporate new policies into the Public Safety Element based on updated local and regional data.

The project would address state legislative requirements, including but not limited to:

- Approved in 2019, Senate Bill 99 requires jurisdictions, upon the next revision of the Housing Element on or after January 1, 2020, to review and update the safety element to include information identifying residential developments in hazard areas that do not have at least two emergency evacuation routes.
- Senate Bill 379 requires Safety Elements to include a climate change vulnerability assessment, measures to address vulnerabilities, and a comprehensive hazard mitigation and emergency response strategy. In addition, Senate Bill 1035 requires cities and counties to update their safety element during a housing element or local hazard mitigation plan update cycle, but not

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less than once every eight years, if new information on flood hazards, fire hazards, or climate adaptation or resilience is available that was not available during the previous revision of the safety element.

- Assembly Bill 747 requires that upon the next revision of a local hazard mitigation plan, adopted in accordance with the federal Disaster Mitigation Act of 2000 (Public Law 106-390), on or after January 1, 2022, or, if a local jurisdiction has not adopted a local hazard mitigation plan, beginning on or before January 1, 2022, the safety element adopted pursuant to subdivision (g) of Section 65302 shall be reviewed and updated as necessary to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios.
- Senate Bill 1035 requires a jurisdiction's safety element to be revised to identify new information on fire hazards, flood hazards, and climate adaptation and resiliency strategies applicable to the city and county that was not available during the previous revision of the safety element.
- Assembly Bill 2140 requires a jurisdiction to have an adopted, qualified Local Hazard Mitigation Plan as a part of its safety element in order to be fully eligible for certain state and federal disaster recovery funding.

The city updated its Housing Element on April 6, 2021. Accordingly, a revised Public Safety Element has been prepared. To address the content requirements of the state laws cited above, the proposed element includes new or modified policies and data to address fire hazard risk, evacuation routes, developments with single access points, and climate adaptation and resiliency strategies, among other things. Furthermore, at their hearing on Sept. 26, 2023, the state Board of Forestry and Fire Protection recommended approval of the proposed Public Safety Element.

Housing

A critical measure of compliance with state housing element law is the ability of a jurisdiction to accommodate its share of the region's housing needs. This is accomplished by providing plans, policies, and programs designed to meet the city's RHNA; specifically, Housing Element Program 1.1 requires the city to amend its land use standards (e.g., the General Plan and Zoning Ordinance) and designate or "rezone" properties to adequately accommodate those needs. This program and the rezoning are necessary because the city's existing land inventory is inadequate to meet its RHNA.

For the 2021-2029 housing cycle, Carlsbad's assigned RHNA housing allocation is as shown below:

TABLE A – CARLSBAD'S RHNA ALLOCATION

Income group	Lower	Moderate	Above moderate	Total
Number of housing units	2,095	749	1,029	3,873

The city can reduce the RHNA target of 3,873 units and thus the units it needs to accommodate through rezoning by counting potential housing that could be constructed on vacant land, residential development pending, approved, or under construction, and anticipated accessory dwelling unit construction. By so doing, Carlsbad's net RHNA allocation is reduced to 1,724 units (1,397 very low and

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low or “lower” income units) and 327 moderate income units. Factoring in the recommended buffer of 854 units provides the total number of units which the city must accommodate through rezoning:

TABLE B – CARLSBAD’S HOUSING UNIT TARGET FOR REZONING PROGRAM

	Lower income	Moderate income	Total
RHNA	1,397	327	1,724
30% buffer	625	225	854
Total units for rezoning	2,026	552	2,578

To help achieve the city’s remaining RHNA of 2,578 units, the city proposes under this project to undergo both General Plan land use and zoning map amendments as necessary to permit housing on the 18 rezone sites identified in the Housing Element and as directed by City Council in February 2022. This effort also implements Program 1.1 of the Housing Element. Not all sites require rezoning, and those that do not require rezoning have been identified because of their potential to develop with residential units. Further, to maintain consistency with proposed land use and zoning, amendments are required as well to various master and specific plans and to the Local Coastal Program for properties in the Coastal Zone.

If all 18 sites as specified in Map 1 (the Proposed Project) are rezoned to implement Program 1.1, then 3,115 units could be built. Rezoning of the 15 sites specified in Map 2 (the alternative) would also implement Program 1.1 with a total potential units of 3,158. As Table C shows, both options would accommodate the required RHNA, through existing and rezoned capacity, as well as the state-advised buffer.

TABLE C – COMPARISON OF HOUSING UNIT TARGET WITH MAP 1 AND MAP 2

	Lower income	Moderate income	Total
Total units for rezoning	2,026	552	2,578
Map 1 (the project)	2,524 (+498)	591 (+39)	3,115 (+537)
Map 2 (the alternative)	2,731 (+705)	427 (-125)	3,158 (+580)

Table C also indicates how the units achievable under each map would break down by income category. While Map 1 would achieve fewer lower income units than Map 2, it provides more moderate income units. Note, however, that units considered lower income can also substitute as moderate income units.

The buffer is an especially important component to include in the rezoning program since the Housing Accountability Act (Government Code Section 65863) requires jurisdictions to account for any loss of built units or housing capacity through demolition, building to less than is allowed/planned for or rezoning. The buffer provides flexibility in how individual sites develop without the jurisdiction falling below the housing capacity levels established through RHNA and in a certified Housing Element, including the approved quantities by income category. For each project that develops at a capacity and income level below that planned for in the Housing Element, the jurisdiction must make findings demonstrating sufficient remaining capacity, by income category, to maintain the required RHNA levels. Failure to make this finding is not grounds to deny the project, but would then obligate the jurisdiction to identify and make available additional adequate housing sites within 180 days.

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B. General Plan Consistency

The City of Carlsbad General Plan includes several goals and policies that guide development and land use within the city. The project would amend the General Plan Land Use and Community Design Element, primarily to implement Housing Element programs. Text and map revisions proposed to the Land Use and Community Design Element directly implement objectives b., c., d., and g. of Program 1.1 and objective b. of Program 1.3. Proposed policy additions or modifications would establish or clarify minimum density or unit yields. Further, element revisions would update demographic information and other information adopted in 2015 with the General Plan Update.

In addition, the project would update the General Plan Public Safety Element to comply with recent state law.

The proposed project is consistent with the goals and policies of the General Plan as outlined in **Table "D" below:**

TABLE D – GENERAL PLAN COMPLIANCE

ELEMENT	USE, CLASSIFICATION, GOAL, OBJECTIVE, OR PROGRAM	PROPOSED USES & IMPROVEMENTS	COMPLY
Land Use and Community Design	<u>2-G.4:</u> Provide balanced neighborhoods with a variety of housing types and density ranges to meet the diverse demographic, economic and social needs of residents, while ensuring a cohesive urban form with careful regard for compatibility.	The proposed project will increase the number and diversity of housing options available within the city, consistent with state law and the adopted and certified 2021 Housing Element update.	Yes
Land Use and Community Design	<u>2-G.13:</u> Maintain land use compatibility between McClellan-Palomar Airport and surrounding land uses, and encourage the airport's continued operations while ensuring it does not unduly impact existing neighborhoods and communities.	The proposed project takes into account the McClellan-Palomar Airport Compatibility Land Use Plan (as discussed further below) and does not propose uses that would impair current and future airport operations.	Yes
Land Use and Community Design	<u>2-P.1:</u> Maintain consistency between the General Plan and Title 21 of the Carlsbad Municipal Code (Zoning Ordinance and map).	The proposed project includes a zone code amendment and master plan/specific plan amendments that will maintain consistency between the General Plan and these related documents.	Yes.

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ELEMENT	USE, CLASSIFICATION, GOAL, OBJECTIVE, OR PROGRAM	PROPOSED USES & IMPROVEMENTS	COMPLY
Land Use and Community Design	<u>2-P.2:</u> Update the city's Local Coastal Program (LCP) to be consistent with the General Plan...	The proposed project includes a Local Coastal Plan Amendment for housing sites within the Coastal Zone.	Yes
Land Use and Community Design	<u>2-P.6:</u> Encourage the provision of lower and moderate-income housing to meet the objectives of the Housing Element.	If approved, the proposed project will increase lower and moderate-income housing by approximately 3,100 units throughout the city. Approval of the proposed project would satisfy the city's obligations under Housing Element Program Objective 1.1, 1.3 and 1.7.	Yes
Public Safety *	<u>6-P.32:</u> Ensure that development in the McClellan-Palomar Airport Influence Area is consistent with the land use compatibility policies contained in the McClellan-Palomar Airport Land Use Compatibility Plan.	The proposed project takes into account the McClellan-Palomar Airport Compatibility Land Use Plan (as discussed further below) and does not propose uses that would impair current and future airport operations.	Yes
Public Safety*	<u>6-P.49:</u> When future development is proposed to be placed in fire hazard severity zones and/or adjacent to fire hazards severity zones, require applicants to comply with the city's adopted Landscape Manual, which includes requirements related to fire protection, and calls for preparation of a fire protection plan when a proposed project contains or is bounded by hazardous vegetation or is within an area bounded by a Very High Fire Hazard Severity Zone, or as determined by the Fire Code official or their representative.	The proposed project updates terminology within this policy, but maintains the intent and implementation of the policy, continuing to reduce vulnerability of development within/near fire hazard severity zones, which includes housing rezoned sites included in the proposed project.	Yes

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ELEMENT	USE, CLASSIFICATION, GOAL, OBJECTIVE, OR PROGRAM	PROPOSED USES & IMPROVEMENTS	COMPLY
Public Safety*	<u>6-P.71:</u> Promote public awareness of potential natural and man-made hazards, measures that can be taken to protect lives and property.	The proposed project maintains this existing policy and adds policy 6-P.75 related to staff training as Disaster Service Workers and policy 6-P.79 related to public communications and awareness on a number of safety-related topics.	Yes
Housing	<u>10-P.1:</u> Ensure the availability of sufficient developable acreage in all residential densities to accommodate varied housing types and income levels as required to meet Carlsbad's 2021-2029 RHNA, as discussed in Section 10.3 (Resources Available).	If approved, the proposed project will increase lower and moderate-income housing by approximately 3,100 units throughout the city. Approval of the proposed project would satisfy the city's obligations under Housing Element Program Objective 1.1, 1.3 and 1.7, which creates the land use and zoning capacity to meet the city's RHNA obligations.	Yes
Housing	<u>10-P.17:</u> Encourage the development of an adequate number of housing units suitably sized to meet the needs of lower- and moderate- income larger households.	If approved, the proposed project will increase lower and moderate-income housing by approximately 3,100 units throughout the city. Approval of the proposed project would satisfy the city's obligations under Housing Element Program Objective 1.1, 1.3 and 1.7.	Yes
Housing	<u>Housing Element Program 1.1 b:</u> The city will identify and rezone properties (General Plan and Zoning) from the list of potential sites listed under the categories CAO, RZI, RZC, UPR, and PR2 in Appendix B, Tables B-5 through B-9, as necessary to meet the	The proposed project directly implements this Housing Element program through the identification and proposed rezoning of up to 18 sites meeting specified criteria.	Yes

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ELEMENT	USE, CLASSIFICATION, GOAL, OBJECTIVE, OR PROGRAM	PROPOSED USES & IMPROVEMENTS	COMPLY
	<p>RHNA Remaining Need identified on Table 10-48. Sites needed are:</p> <ul style="list-style-type: none"> --- 1,397 lower-income units --- 327 moderate-income units <p>These sites will allow residential use by right for housing developments containing a minimum of 20 percent affordability to lower-income households as required by Government Code section 65583(c)(1) and 65583.2(h) and (i).</p>		
Housing	<p><u>Housing Element Program 1.1 c:</u> Develop and adopt a new R-35 and R-40 General Plan and Zoning designation. Minimum density for new R-35 designation shall be at least 32.5 du/ac and at least 37.5 du/ac for R-40. These designations shall also increase building height to 50 feet.</p>	The proposed project directly implements this Housing Element program and establishes the referenced R-35 and R-40 designations.	Yes
Housing	<p><u>Housing Element Program 1.1 d:</u> Modify the minimum density standards required under the following General Plan designations as follows: (affects R-15 (8 to 11.5 du/ac), R-23 (15 to 23 du/ac) and R-30 (23 to 26.5 du/ac) - see text in Housing Element)</p> <p>The Zoning designations for these areas will remain RD-M, though General Plan consistency will require these minimums to be applied.</p>	The proposed amendment to the Land Use and Community Design Element raises minimum densities as this program requires. Related revisions are also proposed to the Zoning Ordinance. The RD-M Zone is proposed for all sites that would be rezoned.	Yes
Housing	<p><u>Housing Element Program 1.3 b:</u> Rezone underutilized commercial, office, and or industrial space, as appropriate, to facilitate use for alternative housing types. This will be done with the RHNA updates on or before April 2024 and then annually as opportunities arise.</p>	The proposed project directly implements this Housing Element program through the identification and proposed rezoning of up to 18 sites meeting specified criteria.	Yes
Housing	<p><u>Housing Element Program 1.7 a:</u></p>	The proposed project directly implements this	Yes

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ELEMENT	USE, CLASSIFICATION, GOAL, OBJECTIVE, OR PROGRAM	PROPOSED USES & IMPROVEMENTS	COMPLY
	<p>The city shall rezone, within three years of the beginning of the planning period, to allow residential use by right under a R-30 or V-B designation, as appropriate for the site, and require that at least 20 percent of the units are affordable to lower-income households.</p> <p>This program can be an overlay on these specific sites. Housing developments that do not contain the requisite 20 percent lower income housing would still be allowed to be developed according to the underlying (base) zoning but would not be eligible for “by right” processing. If this 20 percent is not met, the city would make findings on the approval of that project pursuant to No Net Loss Law (Government Code section 65863) and proceed to identify an alternative site or sites pursuant to that law.</p>	Housing Element program through the identification and proposed rezoning of up to 18 sites meeting specified criteria and establishes a by-right processing provision within the zoning ordinance.	
*Public Safety Element policies listed, including their numbering, are from the proposed Public Safety Element.			

C. Zoning Ordinance (Carlsbad Municipal Code Title 21) Consistency

The City of Carlsbad Municipal Code, most notably Title 21 Zoning Code, includes requirements and provisions that guide development and land use within the city, consistent with the General Plan. The project proposes revisions to several Zoning Ordinance chapters and makes changes to zones identified on the Zoning Map.

The following table identifies the zone changes proposed. Note that a zone change is not needed for sites 10, 11, 14, 15 and 19 due to their locations in master plans (zone changes as part of proposed master plan amendments for sites 10, 11 and 19 are discussed below). In addition, the city zoning identified also serves as the Local Coastal Program. Thus, a proposed amendment to the Zoning Map requires a corresponding amendment to the Local Coastal Program.

TABLE E – ZONE CHANGES PROPOSED BY SITE (ZC 2022-0001)

SITE	SITE NAME	EXISTING ZONING	PROPOSED ZONING
1	North County Plaza	C-2-Q/OS	C-2-Q/RD-M/OS
2	The Shoppes at Carlsbad parking lot ²	C-2	RD-M/C-2, RD-M/C-2/OS

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3	Chestnut at El Camino Real parcel	R-1-10,000	RD-M
4	Zone 15 cluster ²	R-1-10000, RD-M/C-L	RD-M
5	Avenida Encinas car storage lot	P-M	RD-M
6	Crossings Golf Course Lot 5	P-M/O	RD-M
7	Salk Ave. parcel	O	RD-M
8	Cottage Row Apts.	R-1-10000-Q	RD-M-Q/OS
9	West Oaks industrial site ³	P-M	RD-M/OS
10	Bressi Ranch Colt Pl. industrial parcel ²	P-M	RD-M
11	Bressi Ranch Gateway Rd. industrial parcels ²	P-C	P-C
12	Industrial sites east of Melrose Dr.	P-C	P-C
14	NCTD Carlsbad Village Coaster Station ³	V-B	V-B
15	City's Oak Yard ³	V-B	V-B
16	Caltrans Maintenance Station & Pacific Sales	RA-10,000/C-2	RD=M
17	NCTD Poinsettia Coaster Station	RD-M-Q	RD-M-Q/T-C-Q
18	North Ponto Parcels ⁴	C-2	RD-M
19	La Costa Glen/Forum ²	P-C	P-C

Notes:

1. Site 9: Since its original identification in the Housing Element, the city has approved "West Oaks," a 192-unit apartment project. Because it is approved, Site 9 has already been rezoned as shown here.
2. Sites 10, 11, and 19: These sites are designated P-C, or Planned Community, which indicates the sites are subject to a master plan and the plan's underlying zoning. Accordingly, zone changes for these sites are handled at the master plan level.
3. Sites 14 and 15 do not require rezoning because of their location in the Village and Barrio Master Plan.
4. Due to the FPC Residential project approval on the north portion of Site 18, proposed rezoning of Site 18 has been modified to apply only to the portion of the site south of Ponto Drive, which consists of five small parcels totaling a little more than an acre.

As the table notes, all properties except for those in master plans would be redesignated RD-M, either as a stand-alone designation or in combination with a non-residential designation where commercial or other uses are existing and/or planned in conjunction with residential. For sites 10, 11 and 19, the underlying zoning as established by the Bressi Ranch Master Plan and Green Valley Master Plan would also be changed to RD-M.

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As the proposed zoning applicable to most sites, the RD-M Zone would be amended to recognize the new, higher density land use designations of R-35 and R-40 and to facilitate development at these higher densities. Other zones and chapters of the Zoning Ordinance would be amended as well. The table below highlights changes proposed to the RD-M and other zones and Zoning Ordinance regulations.

TABLE F - ZONE CODE AMENDMENT (ZCA 2022-0004)

CMC* ZONE/CHAPTER	STATE NEW MINIMUM DENSITIES ¹	REVISE MAXIMUM BUILDING HEIGHT ²	SIMPLIFY SETBACKS ³	INCREASE LOT COVERAGE ³	CLARIFY GROWTH MANAGEMENT PROVISIONS ⁴
R-3 Multiple-family Residential Zone/21.16	X				
R-P Residential Professional Zone/21.18	X				
R-W Residential Waterway Zone/21.22	X				
RD-M Residential Density-Multiple Zone/21.24	X	X	X	X	
Planned Developments/21.45	X	X			
Growth Management/21.90	X				X

Notes:

*CMC stands for Carlsbad Municipal Code.

1. To implement objective d. of Housing Element Program 1.1, the increase in minimum densities for the R-15, R-23, and R-30 designations would be shown For the RD-M Zone, the new R-35 and R-40 designations would be listed as the RD-M Zone would implement these designations
2. Both the RD-M Zone and Planned Development Standards would establish a new maximum building height of 45 feet for the R-35 and R-40 designations. The current maximum height permitted in the RD-M Zone is 35 feet; in the Planned Development Chapter, the maximum current height permitted is 40 feet.
3. In the RD-M Zone, front and side setback requirements would be written in a more simplified fashion but would be like existing requirements. Also, when the zone implements the R-35 and R-40 designations, a lot coverage increase from the existing 60% to 75% would be permitted.
4. For the Growth Management chapter, a new section on state housing legislation that preempts the city from enforcing dwelling unit caps or limitations either by quadrant or citywide is proposed.

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The proposed Zoning Map and Zoning Ordinance Amendment will provide consistency with the General Plan, in that the proposed Zoning Map changes ensure consistency with and will implement the Land Use Map changes, and the proposed zoning regulations amendment will ensure consistency with General Plan policies related to residential density and residential uses.

D. Master Plan Consistency

For the rezoning of sites 10 and 11, amendments are needed to the Bressi Ranch Master Plan, For Site 19, amendments are needed to the Green Valley Master Plan. In the Bressi Ranch Master Plan, sites 10 and 11 are proposed to change from a Planned Industrial (PI) designation to either R-23 (Residential 19-23 du/ac) or R-40 (Residential 37.5-40 du/ac), respectively. In the Green Valley Master Plan, Site 19 is proposed to change from R (Regional Commercial) to R-23 (Residential 19-23 du/ac).

These amendments would change land use designations, revise master plan land use and planning area descriptions, and make other minor, miscellaneous edits and updates. Development standards for both master plans would also change to reflect the new residential areas would be subject to the development standards of the RD-M Zone as opposed to the Planned Manufacturing (P-M) Zone for sites 10 and 11 and the General Commercial (C-2) Zone for site 19.

TABLE G – EXISTING AND PROPOSED ZONING DISTRICTS IN MASTER PLANS^D

Site	Master Plan	General Plan Land Use		Zoning*	
		Existing	Proposed	Existing	Proposed
10 – Colt Place industrial parcel	Bressi Ranch (MP 178)	Site 10: PI Site 11: PI	Site 10: R-23 Site 11: R-40	Zoning Map: Site 10: P-C Site 11: P-C	Zoning Map: Site 10: No change Site 11: No change
11 – Gateway Rd. industrial parcels				Master Plan Zone: Site 10: P-M Site 11: P-M	Master Plan Zone: Site 10: RD-M Site 11: RD-M
19 – La Costa Glen/Forum	Green Valley (MP 92-01)	R	R-23	Zoning Map: P-C Master Plan Zone: C-2	Zoning Map: No change Master Plan Zone: RD-M
*The Planned Community (P-C) Zone applies to areas developed according to master plans. It is the master plans that establish the underlying zoning by which areas develop.					

The amendment to the Green Valley Master Plan also triggers a revision to the policies of the Local Coastal Program, particularly in the East Batiquitos Lagoon/Hunt Properties Segment. Please see the separate discussion on the Local Coastal Program Amendment for further details.

The proposed master plan amendments will provide consistency with the General Plan, in that the proposed amendments ensure consistency with and will implement the Land Use Map changes and

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General Plan policies related to residential density and residential uses. Amendments will also maintain consistency with the Zoning Ordinance via application of appropriate (RD-M) zoning and will not conflict with policies or standards of the Local Coastal Program.

A full description of the amendments to each master plan is provided as part of Exhibits 2 and 7.

E. Specific Plan Consistency

In addition to the master plans proposed for amendment, three specific plans for commercial projects are also proposed for change. Two of the specific plans, North County Plaza and Westfield Carlsbad, encompass adjacent shopping centers in north Carlsbad and along the city's border with Oceanside. The third specific plan, Fenton Carlsbad Center, encompasses a medical office complex on Salk Avenue and near the Carlsbad Research Center business park.

TABLE H - SPECIFIC PLAN AMENDMENTS (AMEND 2023-0009, AMEND 2023-0011, AMEND 2023-0012)

Site	Specific Plan	General Plan Land Use		Zoning	
		Existing	Proposed	Existing	Proposed
1 – North County Plaza	North County Plaza (SP 187)	R/OS	R/R-40/OS	C-2-Q/OS	C-2-Q/RD-M-Q/OS
2 – The Shoppes at Carlsbad Parking Lot	Westfield Carlsbad (SP 09-01)	R, R/OS	R/R-40/R-23/OS, R/R-40/R-23, R/R-40	C-2, C-2/OS	C-2/RD-M, C-2/RD-M/OS
7 – Salk Avenue Parcel	Fenton Carlsbad Center (SP 07-02)	O	R-30	O	RD-M

The purpose of each specific plan amendment is to enable or more fully recognize the ability to develop at least portions of the plan areas residentially. Currently, neither the North County Plaza nor Fenton Carlsbad Center plans permit residential. However, a development application has been submitted to redevelop a portion of North County Plaza with residential and new commercial uses. The Fenton Carlsbad Center parcel is a vacant, nearly 10-acre parcel.

The Westfield Carlsbad Specific Plan encompasses the Shoppes at Carlsbad mall, surrounding city-owned parking lot, and an adjacent strip of buildings and parking on the south side of Marron Road. The specific plan currently permits residential development in a multi-family or mixed-use format.

Significant changes to specific plan standards are not proposed as part of the project. For the Fenton Carlsbad Center Specific Plan, revisions include deleting mitigation measures that are already fulfilled or no longer applicable. Many of the changes to the North County Plaza and Westfield Carlsbad specific plans are to recognize minimum unit yields and, in the case of Westfield Carlsbad, a Housing Element program (1.1. f.) that requires a high level of affordable housing (at least 20% of residential units) for the city-owned parking

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lot parcels that are within the plan's boundaries. Further, a change to the maximum height permitted in the North County Plaza Specific Plan, from 35 to 45 feet, is proposed to match the maximum height proposed for the RD-M Zone.

The proposed specific plan amendments will provide consistency with the General Plan, in that the proposed amendments ensure consistency with and will implement the Land Use Map changes and General Plan policies related to residential density and residential uses. Amendments will also maintain consistency with the Zoning Ordinance via application of appropriate (RD-M) zoning and will not conflict with policies or standards of the Local Coastal Program.

A full description of the amendments to each specific plan is provided as part of Exhibits 2 and 7.

F. Local Coastal Program Consistency

The project would amend the Local Coastal Program land use and zoning for multiple properties in the Coastal Zone and revise regulations applicable to all properties within it. Therefore, other than revisions to the General Plan and to master or specific plans not in the Coastal Zone, proposed amendments require a Local Coastal Program Amendment.

The following table indicates that 9 of the 18 sites are in the Coastal Zone.

TABLE I - LOCAL COASTAL PROGRAM AMENDMENT (LCPA 2022-0015)*

Site	Local Coastal Program Land Use		Local Coastal Program Zoning	
	Existing	Proposed	Existing	Proposed
1 – North County Plaza	R/OS	R/R-40/OS	C-2-Q	C-2-Q/RD-M/OS
5 – Ave Encinas Car Storage Lot	PI	R-30	P-M	RD-M
6 – Crossings Golf Course Lot 5	PI/O	R-30	P-M/O	RD-M
8 – Cottage Row Apartments	R-4	R-23/OS	R-1-1000-Q	RD-M/OS
9 – West Oaks Industrial ¹	PI, OS	R-30/OS	PI	RD-M/OS
16 – Caltrans Maint. Station/Pacific Sales	GC, P	R-30	RA-10,000/C-2	RD-M
17 – Poinsettia COASTER Station	P	R-23/P	RD-M-Q	RD-M-Q/T-C-Q
18 – North Ponto Parcels ²	GC	R-23	C-2	RD-M
19 – La Costa Glen/Forum	R/OS	R-23/OS	P-C	P-C
Notes:				
*Subject to CCC approval				
1. Adoption of the Housing Element in 2021 identified Site 9 as a potential housing site. Subsequently, in 2021 and 2022, the City Council and Coastal Commission, respectively, approved the West Oaks apartment project on Site 9, including the proposed Local Coastal Program land use and zoning shown here.				

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2. Due to the FPC Residential project approval on the north portion of Site 18, proposed rezoning of Site 18 has been modified to apply only to the portion of the site south of Ponto Drive, which consists of five small parcels totaling a little more than an acre.

In addition to Local Coastal Program land use and zoning changes, the project would amend components of the program's implementation plan; namely, the Zoning Ordinance, the Green Valley Master Plan and North County Plaza Specific Plan. The project would also amend a policy of the East Batiquitos Lagoon/Hunt Properties Segment to ensure consistency with land use changes proposed for the Green Valley Master Plan.

The proposed amendments to the Carlsbad Local Coastal Program are required to bring it into consistency with the General Plan and Zoning Ordinance. Further, the Local Coastal Program Amendment meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act and all applicable policies of the Carlsbad Local Coastal Program not being amended by this amendment, in that the amendments ensure consistency with the Carlsbad General Plan and Zoning Ordinance and do not conflict with any coastal zone regulations or policies with which future development must comply. For example, land use and zoning changes would not impact standards or policies regarding public access or sensitive habitat.

G. Habitat Management Plan Consistency

The project proposes no development or changes to the Habitat Management Plan, the Zoning Ordinance chapter that implements it (Carlsbad Municipal Code Chapter 21.210), or Local Coastal Program polices related to sensitive vegetation.

Natural vegetation communities cover approximately 7,574 acres, or 30 percent, of land within the city's jurisdiction. The remainder of the city is agricultural lands, disturbed lands, or developed lands. The principal natural vegetation communities in the city include coastal sage scrub (37 percent) and grassland (18 percent). Other natural vegetation communities include chaparral, saltwater and freshwater marsh, riparian, and woodland (including oak woodland and eucalyptus woodland). Areas of natural vegetation may also contain "special-status" species, such as a rare, threatened, or endangered plant or animal.

Several of the 18 sites being proposed for rezoning include natural vegetation; for example, coastal sage scrub habitat is found on sites 4, 6, 8, 9, 17, 18, and 19; vernal pools are present on Site 17, and riparian habitat is present on sites 1, 2, 4 and 9. Not all sites, however, have sensitive habitat, such as sites 5, 10, 11, 12, 14, 15, and 16.

In 2004, the City Council adopted the "Habitat Management Plan for Natural Communities in the City of Carlsbad," (HMP). The HMP outlines specific conservation, management, facility siting, land use, and other measures that the city will take to preserve the diversity of habitat and protect sensitive biological resources in the city while also allowing for additional development and growth as anticipated under the city's General Plan.

It is worth noting that all 18 housing sites have development potentially current under the current General Plan and zoning designations. Therefore, the project would not facilitate development in areas where it is not presently allowed.

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Development as permitted by current plans or as a result of project approval could adversely impact sensitive natural communities, special-status species, and wildlife movement (which could be impacted by development along a natural corridor, such as a creek), and could conflict with an approved local, regional, or state habitat conservation plan, such as the HMP. However, the SEIR notes that these impacts would be less than significant with mitigation incorporated. Mitigation measures are listed in the SEIR and in the Mitigation Monitoring and Reporting Program (MMRP), both provided as attachments to Exhibit 1. Compliance with mitigation measures will ensure consistency with the following General Plan goal and policy:

Goal 4-G.3 Protect environmentally sensitive lands, wildlife habitats, and rare, threatened or endangered plant and animal communities.

Policy 4-P.9 Maintain and implement the city's Habitat Management Plan (HMP), including the requirement that all development projects comply with the HMP and related documents. Require assessments of biological resources prior to approval of any development on sites with sensitive habitat, as depicted in Figure 4-3.

Further, proposed General Plan Land Use Map and the Zoning Map changes do not revise any Open Space designations or boundaries. As several proposed housing sites border open space, habitat, and/or preserve areas, it will be necessary for any development applications to demonstrate consistency with the Habitat Management Plan.

H. Growth Management Plan Consistency

The Growth Management Plan consists of two primary objectives: 1) to limit the number of housing units in the city (no longer enforceable), and 2) to ensure adequate public facilities be provided concurrent with new growth. The following analysis addresses each of these objectives.

1. Number of housing units

In 1986, through Proposition E, voters limited the number of dwelling units in the city to the 54,599 housing units, as shown in **Table H**. However, this housing unit cap is no longer enforceable due to state law. The state of California has declared a housing crisis in the state and passed several new laws designed to make it easier to build housing. In 2017 the California Legislature passed SB 166, known as the No Net Loss Law, which requires local jurisdictions to ensure that their Housing Element inventories can accommodate their remaining unmet share of the regional housing need. In 2019, the legislature passed SB 330, the Housing Crisis Act of 2019, which prohibits local jurisdictions from imposing moratoriums and caps or limits on housing development. As a result of these housing laws, in 2020 and 2021, the Carlsbad City Council adopted resolutions 2020-104 and 2021-074 finding that the Growth Management housing caps and any moratoriums on new housing are unenforceable due to the new state laws.

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The housing unit caps shown in **Table J** are for reference purposes and demonstrate that the planned housing units in the city, with the proposed land use changes, will exceed the Growth Management housing caps in the northwest and northeast quadrants, as well as citywide.

TABLE J – ESTIMATED BUILDOUT HOUSING UNITS AND POPULATION

Quadrant	Growth Management Housing Caps	Estimated Buildout Housing Units (with land use changes)	Estimated Buildout Population (with land use changes)
Northwest	15,370	17,081	42,817
Northeast	9,042	9,600	24,065
Southwest	12,859	12,385	31,046
Southeast	17,328	17,270	43,291
Citywide	54,599	56,366	141,219

2. Public facilities standards

To ensure that public facilities are provided concurrent with new growth, the Growth Management Plan identifies performance standards for 11 public facilities, shown in **Table K**.

TABLE K: GROWTH MANAGEMENT PUBLIC FACILITY PERFORMANCE STANDARDS

Public Facility	Performance Standard
City Administrative Facilities	1,500 sq. ft. per 1,000 population must be scheduled for construction within a five-year period or prior to construction of 6,250 dwelling units, beginning at the time the need is first identified.
Library	800 sq. ft. (of library space) per 1,000 population must be scheduled for construction within a five-year period or prior to construction of 6,250 dwelling units, beginning at the time the need is first identified.
Schools	School capacity to meet projected enrollment within the Local Facility Management Zone (LFMZ) as determined by the appropriate school district must be provided prior to projected occupancy.
Fire	No more than 1,500 dwelling units outside of a five-minute response time.
Open Space	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.
Parks	3.0 acres of Community Park or Special Use Area per 1,000 population within the Park District must be scheduled for construction within a five-year period beginning at the time the need is first identified. The five-year period shall not commence prior to August 22, 2017.

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Public Facility	Performance Standard
Circulation	Implement a comprehensive livable streets network that serves all users of the system – vehicles, pedestrians, bicycles, and public transit. Maintain Level of Service (LOS) D or better for all modes that are subject to this multi-modal level of service (MMLOS) standard, as identified in Table 3-1 of the General Plan Mobility Element, excluding LOS exempt intersections and streets approved by the City Council.
Drainage	Drainage facilities must be provided as required by the city concurrent with development.
Wastewater Treatment	Sewer plant capacity is adequate for at least a five-year period.
Sewer Collection System	Trunk-line capacity to meet demand, as determined by the appropriate sewer districts, must be provided concurrent with development.
Water Distribution System	Line capacity to meet demand as determined by the appropriate water district must be provided concurrent with development. A minimum of 10-day average storage capacity must be provided prior to any development.

The proposed land use changes increase the estimated potential number of housing units in the city and a corresponding potential increase in population, which results in an increased demand for public facilities. Based on the public facility standards shown in [Table K](#) and the estimated buildout housing units and population shown in [Table J](#), the following evaluates the potential demand for public facilities at buildout of planned land uses, including the proposed land use changes.

The city would require each implementing project to pay a one-time charge to new development imposed under the Mitigation Fee Act for the purpose of ensuring that the city can continue to achieve the established public facility standards. These fees are charged to new development proposals to mitigate the impacts resulting from development activity with respect to the additional needs created by such development. As discussed below, the public facility standards required by the city for construction activities would outline all requirements to ensure that public facility access is maintained at all times.

a. CITY ADMINISTRATIVE FACILITIES

TABLE L: CURRENT AND POTENTIAL DEMAND FOR CITY ADMINISTRATIVE FACILITIES

Existing Facilities	Current Demand	Buildout Estimated Demand	Estimated Additional Facilities Needed
203,936 square feet	200,237 square feet	211,829 square feet	8,000 square feet

Approval of the proposed land use changes will not result in an immediate demand for more administrative facilities. The facility standard requires that the city construct additional facilities within five years after the demand is first identified. The city annually monitors development and demand for public facilities and will report when there is a demand for additional

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administrative facilities, based on population increases resulting from new housing development.

The city is currently planning additional administrative facilities that, if constructed, will meet the buildout demand. A new Orion Center project will provide a net increase of 53,146 square feet of administrative facility space, and a new city hall project will provide 40,000 square feet of administrative space.

b. LIBRARY FACILITIES

TABLE M: CURRENT AND POTENTIAL DEMAND FOR LIBRARY FACILITIES

Existing Facilities	Current Demand	Estimated Buildout Demand	Estimated Additional Facilities Needed at Buildout
99,953 square feet	92,240 square feet	112,975 square feet	13,022 square feet

Approval of the proposed land use changes will not result in an immediate demand for more library facilities. The facility standard requires that the city construct additional library facilities within five years after the demand is first identified. The city annually monitors development and demand for public facilities and will report when there is a demand for additional library facilities, based on population increases resulting from new housing development.

c. SCHOOL FACILITIES

Compliance with the school facility standard is verified at the time of development. The facility standard requires that there be adequate school capacity at the time of development (prior to occupancy), and residential development is required to verify that school capacity can meet the projected enrollment.

d. FIRE

All the sites, which are subject to the proposed land use changes, are within the five-minute response time area, as required by the Fire standard.

e. OPEN SPACE

The proposed land use changes do not eliminate any existing areas designated for open space. Compliance with the open space standard is verified at the time of a development proposal. Open space to meet the performance standard is provided concurrent with approval of development projects within the Local Facility Management Zones where the standard applies, which is Local Facilities Management Zones 11 – 15 and 17 – 25. The standard does not apply in Zones 1 – 10 and 16. Future development within Zones 11 – 15 and 17 – 25, including development resulting from the proposed land use changes, will be required to show how the development complies with the open space standard.

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f. PARKS

TABLE N: CURRENT AND POTENTIAL DEMAND FOR PARKS

Quadrant	Current Park Acres	Estimated Buildout Demand for Park Acres	Estimated Additional Park Acres Needed at Buildout
Northwest	131.7	128.5	0
Northeast	68.7	72.2	3.5
Southwest	93.6	93.1	0
Southeast	138.3	129.9	0

The current inventory of park acres, which includes the City Council approved Veteran's Memorial Park, is sufficient to meet the buildout demand for park acres, including the increased demand generated by the proposed land use changes, except in the northeast quadrant. An additional 3.5 acres is estimated to be needed in the northwest quadrant. Approval of the proposed land use changes will not result in an immediate demand for more park facilities. The facility standard requires that the city construct additional park facilities within five years after the demand is first identified. The city annually monitors development and demand for public facilities and will report when there is a demand for additional park facilities, based on population increases resulting from new housing development.

The current park acreage numbers do not include park projects listed in the Capital Improvements Program (CIP) as "partially funded" or "unfunded". In the northeast quadrant, Robertson Ranch Park (11.5 acres) is "partially funded" in the CIP. If constructed, Robertson Ranch Park would provide the addition park acres needed in the northeast quadrant at buildout.

g. CIRCULATION

The City of Carlsbad Housing Element Implementation and Public Safety Element Update Transportation Impact Analysis Report (July 2023) concluded that the project does not cause any roadway segments to deteriorate from an acceptable LOS D or better to a deficient LOS E or F. All the deficient roadway segments (subject to auto MMLOS standard) on which the project adds trips are currently exempt from the LOS D standard. A copy of this report is available with other project documents on the Planning Division's "Agendas, Minutes & Notices" webpage at <https://www.carlsbadca.gov/departments/community-development/planning/agendas-minutes-notices>.

h. DRAINAGE

Compliance with the drainage standard is determined at the time development is proposed and constructed, as the standard requires provision of drainage facilities concurrent with development. Development resulting from the land use changes will be required to provide any needed drainage facilities.

i. WASTEWATER TREATMENT CAPACITY

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The standard for wastewater treatment requires adequate capacity for a five year period. The proposed land use changes will result in an increase in wastewater generation that would be treated at the Encina Wastewater Authority, which has a design treatment capacity of 40.5 MGD (Million gallons per day) and a remaining available capacity of 17.5 MGD, though the city's remaining available capacity is less than that (approximately 4 MGD). Based on a wastewater generation rate of 200 gallons per equivalent dwelling unit per day, development resulting from the land use changes would generate 0.66 mgd average daily flow of wastewater or approximately 16.3% of the city's remaining available capacity.

TABLE O: POTENTIAL DEMAND ON WASTEWATER TREATMENT CAPACITY

Encina Wastewater Authority	
Average Daily Treatment	23 MGD*
Total Capacity ¹	40.5 MGD
Remaining Available Capacity	17.5 MGD
Project Wastewater Generation – Average Flow	0.66 MGD
Percent of Remaining Available Capacity Used by Project – Average Flow	3.77%
City of Carlsbad	
Daily Treatment Capacity	10.26 MGD (25.33%)
Average Annual Daily Flow FY 22-23	6.22 MGD
Remaining Available Capacity – Average Flow	4.04 MGD
Project Wastewater Generation – Average Flow ²	0.66 MGD
Percent of Remaining Capacity Used by Project – Average Flow	16.34%
Notes: *MGD = million gallons per day 1. The current design treatment capacity of the Encina Wastewater Authority is 40.5 MGD. 2. Reasonably foreseeable development under the project would generate a net increase in average daily flow of approximately 659,000 gallons, or 0.66 MGD of wastewater (200 gallons per residential unit per day x 3,295 units).	

The Encina Wastewater Authority Treatment Plant will have adequate capacity to serve development resulting from the land use changes.

j. SEWER COLLECTION SYSTEM

Compliance with the sewer collection standard is determined at the time development is proposed and constructed, as the standard requires adequate sewer trunk line capacity be provided concurrent with development. Development resulting from the land use changes will

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be required to provide any needed sewer collection facilities, as determined necessary by the sewer district.

k. WATER DISTRIBUTION SYSTEM

Compliance with the water distribution standard is determined at the time development is proposed and constructed, as the standard requires adequate water line capacity be provided concurrent with development. Development resulting from the land use changes will be required to provide any needed water line facilities, as determined necessary by the sewer district.

To meet the 10-day storage requirement, the Carlsbad Municipal Water District (CMWD) needs 131 MG of storage capacity based on the average water demand identified in the 2019 Potable Water Master Plan and 188 MG for buildout conditions, including the proposed land use changes. CMWD has adequate water storage capacity to meet the buildout demand, as the current storage capacity consists of 242.5 MG, which includes 195 MG of storage capacity at Maerke Reservoir and 47.5 MG of storage capacity in various storage tanks throughout the water distribution system.

CMWD also has interagency agreements with Olivenhain Municipal Water District (OMWD), Vallecitos Water District (VWD) and Oceanside to obtain additional supply to meet the 10-day storage capacity, if needed. In 2004, the OMWD completed construction of a water treatment facility at the San Diego County Water Authority Emergency Storage Reservoir, which provides the storage necessary to meet the 10-day storage criterion for OMWD. VWD's average day demand is 13.3 MGD with an existing storage capacity of 120.5 MG. Through interagency sharing arrangements, VWD can obtain additional water supplies to meet a 10-day restriction on imported water supply.

I. McClellan-Palomar Airport Land Use Compatibility Plan Consistency

As required by state law, an Airport Land Use Compatibility Plan (ALUCP) is established for the McClellan-Palomar Airport. The ALUCP was amended on December 1, 2011, and all projects within its boundary (Airport Influence Area, or AIA) are required to be reviewed for consistency with ALUCP goals and policies. Sites 4, 6, 7, 8, 9, and 10, 11, 12 and 16 are within two miles of the airport and within the AIA. Given their locations in the northern and southern parts of Carlsbad, sites 1, 2, 3 14, 15, and 19 are not within the AIA and are not subject to the ALUCP. Furthermore, the project would amend general versus site-specific policies and standards (e.g., the update to the Public Safety Element and changes to the RD-M Zone) that also affect properties within the Airport Influence Area.

The AIA is divided into two review areas. Review Area 1 encompasses locations exposed to aircraft noise levels of 60 dB CNEL (Community Noise Equivalent Level) or greater together with all of the safety zones depicted. Therefore, this area depicts locations where noise and/or safety concerns may necessitate limitations on the types of land use actions. Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or overflight notification areas shown in the ALUCP. The only

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land use restrictions in Review Area 2 are for the heights of structures, particularly in areas of high terrain. Recordation of overflight notification documents is also required for projects in Review Area 2.

The ALUCP identifies four types of airport impacts that must be considered for each development: noise, safety, and airspace protection and overflight.

Noise

The ALUCP includes development policies regarding the compatibility of development areas and exposure to noise. For example, residential infill development is not allowed where exposure to noise levels of more than 65 dBA CNEL may occur. Although a small portion of Site 9 is within the 65-70 dB CNEL noise contour, the City Council in 2021 approved a project (West Oaks) at this site for 192 units. West Oaks included its own project level CEQA review. The portion of the project site in the 65-70 dB CNEL noise contour is also within Safety Zone 3 and would include low density units to comply with ALUCP policies. The project was found not to conflict with ALUCP policies related to safety or noise.

Therefore, except for a small portion of Site 9, none of the sites would be exposed to noise levels of more than 65 dBA CNEL due to airport noise. Furthermore, General Plan Noise Element policies 5-P.12 through 5-P.16 (see below) serve to guide new development projects located near the McClellan-Palomar Airport. Compliance with Noise Element policies and the ALUCP development policies would maintain acceptable interior and exterior noise levels.

Safety, Airspace Protection, Overflight

The project would not conflict with Safety Zone standards. Sites 4, 6, 7, 8, 9, 10, 11, and a portion of Site 16 are within Airport Influence Area - Review Area 1. An approximately 1.72-acre portion of site 9 is within Safety Zone 3, the airport's Inner Turning Zone. As noted above, Site 9 is the location of West Oaks, an approved apartment project that underwent its own CEQA review. An approximately 0.60-acre portion of Site 10 near Palomar Airport Road is in Safety Zone 2, the airport's Inner Approach/Departure Zone. During site design for future development on the site, this portion in Zone 2 could be developed with accessory buildings but not with dwellings according to the ALUCP. However, the remaining portion of Site 10 and all of sites 4, 6, 7, 8 and 11 are in Safety Zone 6; residential development in this zone would not conflict with the ALCUP.

Sites 5, 12, 17, and a portion of Sites 16 and 18 are within Airport Influence Area - Review Area 2. Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or overflight notification areas shown in the ALUCP. The only land use restrictions in Review Area 2 are for the heights of structures, particularly in areas of high terrain. Recordation of overflight notification documents is also required for projects in Review Area 2.

For future development within the Review Areas, new development proposals must process a site development plan or other development permit and be found consistent or conditionally consistent with applicable land use compatibility policies with respect to noise, safety airspace protection, and overflight, as contained in the ALUCP. Additionally, future development would be required to comply with Policy 2-P.37 of the Land Use and Community Design Element, policies 5-P.12 through 5-P.16 of the Noise Element, and Policy 6-P.32 of the Public Safety Element Update.

HOUSING ELEMENT NONCOMPLIANCE CONSEQUENCES

HCD is authorized to review any action or failure to act by a local government that it determines is inconsistent with an adopted Housing Element or sections 65580 to 65589.8 of the Government Code ("Housing Element Law"). This includes failure to implement program actions included in the Housing Element. HCD may revoke Housing Element compliance if the local government's actions do not comply with state law. Examples of penalties and consequences of Housing Element noncompliance:

- **General Plan Inadequacy:** The Housing Element is a mandatory element of the General Plan. When a jurisdiction's Housing Element is found to be out of compliance, its General Plan could be found inadequate, and therefore invalid. Local governments with an invalid General Plan can no longer make permitting decisions.
- **Loss of Permitting Authority:** Courts have authority to take local government residential and nonresidential permit authority to bring the jurisdiction's General Plan and Housing Element into substantial compliance with State law. The court may suspend the locality's authority to issue building permits or grant zoning changes, variances, or subdivision map approvals – giving local governments a strong incentive to bring its Housing Element into compliance.
- **Court Receivership:** Courts may appoint an agent with all powers necessary to remedy identified Housing Element deficiencies and bring the jurisdiction's Housing Element into substantial compliance with Housing Element law.
- **Streamlined Ministerial Approval Process:** Proposed developments within the jurisdiction of a local government that have not yet made sufficient progress towards their allocation of the regional housing need are now subject to less rigorous "ministerial" approvals in order to hasten the production of housing and bring a jurisdiction into compliance with its state-determined housing need allocation.
- **Legal Suits and Attorney Fees:** Local governments with noncompliant Housing Elements are vulnerable to litigation from housing rights' organization, developers, and HCD. If a jurisdiction faces a court action stemming from its lack of compliance and either loses or settles the case, it often must pay substantial attorney fees to the plaintiff's attorneys in addition to the fees paid by its own attorneys. Potential consequences of lawsuits include: mandatory compliance within 120 days, suspension of local control on building matters, and court approval of housing developments.
- **Financial Penalties:** Local governments are subject to court-issued judgements directing jurisdictions to bring a Housing Element into substantial compliance with state Housing Element law. If a jurisdiction's Housing Element continues to be found out of compliance, courts can fine jurisdictions.

Correspondence received by Oct. 10, 2023, 12 p.m

From: Rene Blanco <coolpacificblue@outlook.com>
Sent: Monday, October 9, 2023 4:25 PM
To: Housing <Housing@CarlsbadCA.gov>
Subject: Good Suggestion: Land For Affordable Housing, Homeless Resolution, & Massive Economic Stimulation to Carlsbad

Hello All,

There are at least twelve acres of available land in Carlsbad that should be used for affordable housing, homeless resolution, and economic stimulation to Carlsbad. The twelve acres of land are specifically located in the unused north end parking lots at The Shops of Carlsbad Mall. Currently, these unused acres that were left from past decades of poor development planning are now hilariously used by kids to play with their electric radio-controlled toy cars and by travelers for overnight RV parking.

If you visit these vacant unused north end Carlsbad Mall parking lots, you can easily imagine and visualize several populated affordable housing buildings (with parking) and how these acres are centralized with the future potential to provide a massive economic input to The City of Carlsbad. It is a really easy fix to what is missing and needed in Carlsbad, CA.

Please forward my suggestion to those in charge.

Regards,

Rene Blanco
coolpacificblue@outlook.com

(619) 638-9125

Eli Snyder

From: Joe and Celeste Prenn <chistrules@msn.com>
Sent: Monday, October 9, 2023 11:44 AM
To: Planning
Subject: Planning Commission Meeting Oct 18, 2023

Follow Up Flag: Follow up
Flag Status: Completed

Dear Leaders in Service to the People,

My wife & I moved to Carlsbad (92008) in September of last year. After I retired, we searched five years for a new home in which we could live without a mortgage. We are happy to have found a home that was available and affordable in this beautiful city and lovely climate. Although affordability was essential, many factors were at play in our decision-making: proximity to healthcare, our children, & the ocean, low crime, low density, and a healthy environment. In our assessment process we discovered that single-family homes were not affordable in almost every district except the most remote. Managed properties: condominiums and townhomes, manufactured homes, trailer parks, etc. were our only potential targets. It took a lot of perspiration, planning, and patience ranging from San Diego to Sequim but ultimately, we were fortunate. The process was not easy or without risks.

It seems that the realtor's maxim "location, location, location" is the primary factor driving property value. I think it can be very risky; prone to disillusionment and disaster, to attempt to manage such strong natural forces; in a massive and complex market. In addition, private property, free will, and self-determination are essential elements of our society. It is axiomatic that all levels of government should maintain a very light touch concerning the course of individual choice.

Is the overall "future housing needs" agenda rational? What evidence do Carlsbad and the state of California have concerning the long-term success of planned communities, rent control, etc. Are there historical examples where your goals specifically to "designate space for affordable housing for people with lower incomes" been achieved and managed to maintain the targeted benefits overtime? Is this a grand experiment or a sensible reasonable direction?

Kind Regards,
Joseph Prenn
(858) 775-5931

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Eli Snyder

From: Kathleen Fares <kmfares@gmail.com>
Sent: Sunday, October 8, 2023 7:55 PM
To: Planning
Subject: Future housing needs

Follow Up Flag: Follow up
Flag Status: Completed

Planning commission, I think the sites you have mentioned should be rezoned for housing as you suggest. I would point out that one major issue with housing that I did not note in your report is the need for more moderate housing along with low income. This is a serious issue. My son who is a teacher and my daughter who works in a corporation are both over 30 and can not afford a home or even a rental property in Carlsbad.

The housing going up in the village is catering to second home or investor property. Moderate income persons can not buy a \$2 million dollar condo, nor afford over \$ 4,000. Per month in rent. Site 14 should NOT be for low income, but instead for moderate income. Many of the other sites likewise should be adjusted to accommodate moderate income. There is a rental facility going up on Carlsbad Village Drive which has a pool, exercise, room jacuzzi..etc.. I think most want a home they could afford..less than \$3000,00 a month is at least doable.

I also think second home buyers should be limited in Carlsbad. They take up possible moderate income homes. Developers who can't build moderate homes should consider finding another beach community to make their living in. We are so saturated with built exclusive properties which are empty half of the year. I also note Robertson Ranch area has no low or moderate housing prospects yet I see a lot of empty land.

Thanks you

Kathy fares

[Kmfares@gmail.com](mailto:kmfares@gmail.com)

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List of Acronyms and Abbreviations

1. AB: Assembly Bill
2. AIA: Airport Influence Area
3. ALUC: San Diego County Airport Land Use Commission
4. ALUCP: McClellan-Palomar Airport Land Use Compatibility Plan
5. AMEND: Amendment to a land use entitlement or permit, both of which can vary
6. CAP: Climate Action Plan
7. CEQA: California Environmental Quality Act
8. CMC: Carlsbad Municipal Code
9. CNEL: Community Noise Equivalent Level
10. EIR: Environmental Impact Report
11. GHG: Greenhouse gas
12. GMP: Growth Management Plan
13. GPA: General Plan Amendment
14. HCD: California Department of Housing and Community Development
15. HEAC: Housing Element Advisory Committee
16. HMP: Habitat Management Plan
17. LCPA: Local Coastal Program Amendment
18. LOS: Level of Service
19. MGD: Million gallons per day
20. MMLOS: Multi-modal Level of Service
21. NOP: Notice of Preparation
22. RAQS: Regional Air Quality Strategy
23. RHNA: Regional Housing Needs Allocation or Assessment
24. SANDAG: San Diego Association of Governments
25. SB: Senate Bill
26. SEIR: Supplemental Environmental Impact Report
27. VMT: Vehicle Miles Traveled
28. ZC (or REZ): Zone Change
29. ZCA: Zone Code Amendment