



## PLANNING COMMISSION MEETING

# Agenda Amended

Regular Meeting  
March 20, 2024, 5:00 p.m.

Council Chamber  
1200 Carlsbad Village Dr.  
Carlsbad, CA 92008  
[carlsbadca.gov](http://carlsbadca.gov)

### Welcome to the 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](http://carlsbadca.gov/watch)

#### How to participate

If you would like to provide comments to the 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 City 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 Commission.
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- **In writing:** Email comments to [planning@carlsbadca.gov](mailto:planning@carlsbadca.gov). Comments received by 3 p.m. Tuesday, 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](mailto:manager@carlsbadca.gov) by noon on the Monday before the meeting to make arrangements. City staff will respond to requests by noon on Wednesday and will seek to resolve requests before the start of the meeting in order to maximize accessibility.

## CALL TO ORDER:

## ROLL CALL:

## APPROVAL OF MINUTES:

Minutes of the Regular Meeting held on Feb. 21, 2024

## PRESENTATIONS: None.

**PUBLIC COMMENT:** *The Brown Act allows any member of the public to comment on items not on the agenda. Please treat others with courtesy, civility, and respect. Members of the public may participate in the meeting by submitting comments as provided on the front page of this agenda. The Commission will receive comments in the beginning of the meeting. In conformance with the Brown Act, no action can occur on these items.*

**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, staff, or the public request specific items be discussed and/or removed from the Consent Calendar for separate action.*

## DEPARTMENTAL REPORTS:

1. **LEGISLATIVE SUBCOMMITTEE UPDATE TO PLANNING COMMISSION:** Receive a presentation regarding the Intergovernmental Affairs Program of the City of Carlsbad and the city's recent and ongoing legislative advocacy efforts related to land use planning and development and provide feedback as appropriate.

## PUBLIC HEARINGS:

2. **POULTER PROPERTIES MULTI-UNIT RESIDENTIAL PUD 2022-0004/SDP 2023-0030/CDP 2022-0049/MS 2022-0006 (DEV2021-0091):** Adoption of a resolution approving a Planned Development Permit, Site Development Plan, Coastal Development Permit, and a Tentative Parcel Map to demolish one of two single-family residences and rebuild it, convert both residences into detached condo units on a 0.14-acre site located 3900 Garfield St., within the Mello II segment of the Local Coastal Program and Local Facilities Management Zone 1.

**ACTION TYPE:** Quasi-Judicial

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

**PLANNER:** Edward Valenzuela **ENGINEER:** Jason Geldert

3. **CDP 2023-0016/V 2023-0002 BEGONIA COURT RETAINING WALL:** Adoption of a resolution recommending that the City Council deny a Coastal Development Permit and variance to allow an unpermitted retaining wall system that exceeds standards on a manufactured uphill perimeter slope with a gradient greater than 40% and an elevation differential of greater than fifteen feet located at 939 Begonia Ct. within the Mello II segment of the city's Local Coastal Program and Local Facilities Management Zone 4.

**ACTION TYPE:** Quasi-Judicial

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

**PLANNER:** Kyle Van Leeuwen **ENGINEER:** David Rick



**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.*

**PLANNER REPORT:**

**CITY ATTORNEY REPORT:**

**ADJOURNMENT:**



## PLANNING COMMISSION

# Minutes

Council Chamber  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

Feb. 21, 2024, 5 p.m.

**CALL TO ORDER:** 5 p.m.

**ROLL CALL:** Meenes, Lafferty, Stine, Sabellico (Hubinger, Kamenjarin, Merz – Absent)

**PLEDGE OF ALLEGIANCE:** Commissioner Lafferty led the Pledge of Allegiance.

**APPROVAL OF MINUTES:** Minutes of the Regular Meeting held on Jan. 17, 2024, were approved as presented. – 4/0/3 (Hubinger, Kamenjarin, Merz – Absent).

**PUBLIC COMMENT:**

*Tim Morgan expressed his opposition to Valley Middle School fence, net project the Carlsbad Unified School District is proposing.*

**PUBLIC HEARING:**

1. CDP 2023-0016/V 2023-0002 BEGONIA COURT RETAINING WALL – 1) Adoption of a resolution recommending that the City Council deny a Coastal Development Permit and variance to allow an unpermitted retaining wall system that exceeds standards on a manufactured uphill perimeter slope with a gradient greater than 40% and an elevation differential of greater than fifteen feet located at 939 Begonia Court within the Mello II segment of the city's Local Coastal Program and Local Facilities Management Zone 4.

**ACTION TYPE:** Quasi-Judicial

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

**PLANNER:** Kyle Van Leeuwen **ENGINEER:** Linda Ontiveros

*City Planner, Eric Lardy explained that the Applicant has requested a continuance since there are only four commissioners present at this meeting.*

*Vice Chair Sabellico opened the duly noticed public hearing at 5:04 p.m.*

*Hearing no one wishing to speak, Vice Chair Sabellico closed the duly noticed public hearing at 5:11 p.m.*

Planning Commission discussion ensued.

Motion by Commissioner Meenes, seconded by Commissioner Stine, to continue the item to a date uncertain. – 4/0/3 (Hubinger, Kamenjarin, Merz - Absent).

**DEPARTMENTAL REPORTS:** None.

**PLANNING COMMISSION MEMBER REPORTS/COMMENTS:** None.

**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.*

*None.*

**PLANNER REPORT:** March 6, 2024 Planning Commission meeting is cancelled.

**CITY ATTORNEY REPORT:** None.

**ADJOURNMENT:** 5:12pm

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Cynthia Vigeland,  
Administrative Secretary



# Staff Report

**Meeting Date:** March 20, 2024

**Item No.** 1

**To:** Planning Commission

**Staff Contact:** Jason Haber, [Jason.haber@carlsbadca.gov](mailto:Jason.haber@carlsbadca.gov), 442-339-2958  
Teresa Acosta, City Council Member, 442-200-8748

**Subject:** Legislative Subcommittee Update to Planning Commission

**Location:** Citywide

**Case Numbers:** N/A

**Applicant/Representative:** City of Carlsbad, 1635 Faraday Ave. Carlsbad CA 92008

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

**Permit Type(s):** ☐ SDP ☐ CUP ☐ CDP ☐ TM/TPM ☐ GPA ☐ REZ ☐ LCPA  
☐ Other:

**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

Receive a presentation regarding the Intergovernmental Affairs Program of the City of Carlsbad and the city's recent and ongoing legislative advocacy efforts related to land use planning and development and provide feedback as appropriate.

## Executive Summary/Discussion

The City of Carlsbad City Council Legislative Subcommittee works in coordination with the city's Intergovernmental Affairs Director, City Manager's Office, City Attorney's Office, city departments, legislative consultants and the Carlsbad community to:

- a. Receive information and advise the City Council on intergovernmental and legislative matters affecting the city;
- b. Continuously monitor state and federal proposed legislation, and:
  - i. Review proposed legislation for consistency with the city's Legislative Platform;
  - ii. Make recommendations to the City Council to identify high priority bills; and
  - iii. Make recommendations to the City Council to adopt advocacy positions on high priority bills not addressed by the Legislative Platform;
- c. Proactively seek to identify local and regional legislative needs and recommend bill sponsorship opportunities to the City Council; and
- d. Engage and inform the Carlsbad community (residents, businesses, stakeholder groups) and other governmental agencies on intergovernmental and legislative matters affecting the city.

## Legislative Subcommittee Update to Planning Commission

March 20, 2024

City Council and Legislative Subcommittee Member Teresa Acosta and Intergovernmental Affairs Director Jason Haber will provide an update on the city's recent and ongoing advocacy efforts related to land use planning and development.

### Fiscal Analysis

This is an informational report, and no funding is being requested.

### Environmental Evaluation

Pursuant to Public Resources Code Section 21065, the subcommittee's update does not qualify as a "project" within the meaning of the California Environmental Quality Act (CEQA) in that it has no potential to cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and therefore does not require environmental review.

### Exhibits

N/A



# Staff Report

**Meeting Date:** March 20, 2024 **Item** **2**

**To:** Planning Commission

**Staff Contact:** Edward Valenzuela, Associate Planner; 442-339-2624, Edward.Valenzuela@carlsbadca.gov

**Subject:** Poulter Properties Multi-Unit Residential, demolish one of two single-family residences and rebuild it, convert both residences into detached condo units.

**Location:** 3900, 3900.5 Garfield St., Carlsbad CA 92008/APN 206-012-01-00/District 1

**Case Numbers:** PUD 2022-0004/SDP 2023-0030/CDP 2022-0049/MS 2022-0006 (DEV2021-0091)

**Applicant/Representative:** Andrew Carlos, (760) 579-3996, info@andrewcarlosarchitect.com

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

**Permit Type(s):** ☒ SDP ☐ CUP ☒ CDP ☒ TM/TPM ☐ GPA ☐ REZ ☐ LCPA  
☒ Other: PUD

**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 Planning Commission Resolution (Exhibit 1), APPROVING Planned Unit Development Permit (PUD) 2022-0004, Site Development Plan (SDP) 2023-0030, Coastal Development Permit (CDP) 2022-0049, and Tentative Parcel Map (MS) 2022-0006 based upon the findings and subject to the conditions contained therein.

## Existing Conditions & Project Description

### Existing Setting

The subject site consists of a 0.14-acre lot, located at 3900 Garfield St. on the southeastern corner of Garfield Street and Tamarack Avenue. The corner lot contains an existing 1,226-square-foot, one-story, single-family residence, constructed in 1948, a 467-square-foot, one-story, one-family residence, constructed in 1950, and a 245-square-foot, detached, one-car garage. The parcel has a gentle downhill slope throughout the property with landscape largely consisting of varying shrubs and trees. The subject site is surrounded by a mixture of single-family, duplex, and multi-family residences

Site Map



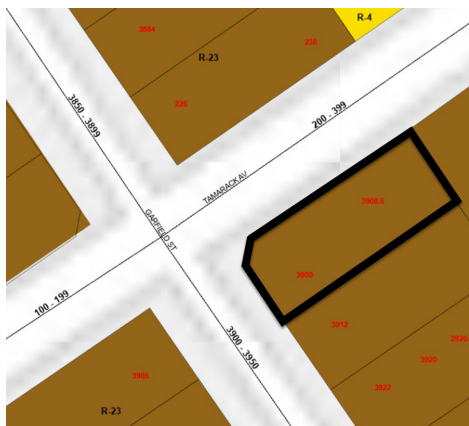
allowed by the existing Residential Density-Multiple (RD-M) zoning and consistent with the General Plan density.

Table “A” below includes the General Plan designations, zoning and current land uses of the subject site and surrounding properties. Also refer to Exhibit 2 for a larger site map.

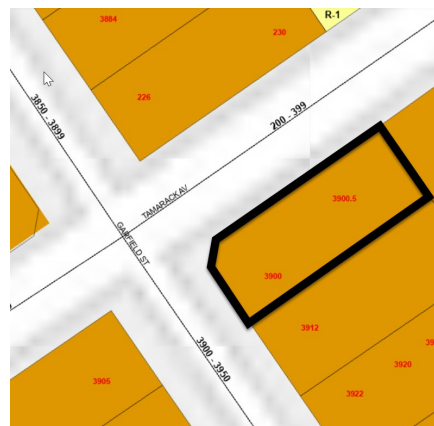
**TABLE A – SITE AND SURROUNDING LAND USE**

Location	General Plan Designation	Zoning Designation	Current Land Use
<b>Site</b>	Residential, 15-23 dwelling units per acre (R-23)	Residential Density-Multiple Zone (RD-M)	Two Single-family Homes
<b>North</b>	Residential, 15-23 dwelling units per acre (R-23)	Residential Density-Multiple Zone (RD-M)	Duplex
<b>South</b>	Residential, 15-23 dwelling units per acre (R-23)	Residential Density-Multiple Zone (RD-M)	Single-family Residence
<b>East</b>	Residential, 15-23 dwelling units per acre (R-23)	Residential Density-Multiple Zone (RD-M)	Multi-family Apartments
<b>West</b>	Residential, 15-23 dwelling units per acre (R-23)	Residential Density-Multiple Zone (RD-M)	Single-family Residence

General Plan Designation



Zoning Designation



## Proposed Project

The applicant proposes to demolish one of the two single-family residences and rebuild it and convert both residences into detached condo units. The modifications are as follows:

- Proposed demolished and rebuilt residence.

Demolish the existing 467-square-foot rear single-family residence and detached garage and construct a 3,000-square-foot three-story, single-family residence over two 2-car garages on the first floor.

The new detached residential condominium will be constructed near the eastern portion of the property in place of the demolished residence and garage. The floor plan contains five bedrooms and four-and-one-half bathrooms including a balcony on the third floor containing a 200-square-foot private recreational space. A shared driveway from Tamarack Avenue will access two separate two-car garages



totaling 1,052-square-feet on the ground floor serving each condominium unit. The architectural design is characterized as a mid-century modern design.

- Existing residence

A one-story 1,226 single-family residence, located near the front of the parcel, facing Garfield Street will remain and become a detached condominium unit. The floor plan includes four bedrooms and two bathrooms. The existing unit will have a two-car garage beneath the other proposed dwelling unit. One visitor parking space for the condominium development is located in front of the residence off Garfield Street. The architectural design can best be characterized as a mid-century modern design.

The proposed lot would be held in common interest divided between the two residential condominiums and common areas. The common areas include, but are not limited to, the driveway, visitor parking space, and landscaped areas. Grading for the proposed improvements and uses are very minor, consisting of 98 cubic yards of cut, 7 cubic yards of fill and 91 cubic yards of export. Project plans are attached to the staff report (Exhibit 8). The improvements and uses described above are hereinafter referred to as “Project.”

### **Public Outreach & Comment**

Public notice of the proposed Project was mailed on June 6, 2023 to property owners within 600 feet of the subject property and all residents within 100 feet. One comment was received as a result of the public notice regarding a private view being blocked as a result of the proposed development. A Notice of Determination of Exemption was posted on the city’s website and an email was distributed to interested individuals on Dec. 14, 2023, no comments were received. Additionally, the Project is not subject to the enhanced stakeholder outreach in City Council Policy No. 84 (Development Project Public Involvement Policy).

### **Response to Public Comment & Project Issues**

The City does not have a private view protection ordinance. The Project meets the applicable height regulations of a maximum of 30-feet with at least a 3:12 roof pitch and three stories of the Beach Area Overlay Zone. The project is in scale with the neighborhood which contains a two-story two-family building directly across the street on the northeastern corner of Garfield Street and Tamarack Avenue, a two-story multi-family building on the property directly to the east, and a three-story multi-family building two properties to the east along Tamarack Avenue. A two-story ADU above garage was recently approved next door on the property directly to the south along Garfield Street.

### **Project Analysis**

#### **General Plan Consistency**

The project site has a General Plan Land Use designation of R-23 Residential which allows for the development of single and multi-family residences at a density of 15-23 dwelling units per acre (du/ac) with a Growth Management Control Point (GMCP) of 19 du/ac. The City of Carlsbad General Plan includes several goals and policies that guide development and land use within the city. A discussion of how the project is consistent with the applicable General Plan policies is summarized in Exhibit 3.

#### **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 is required to comply with all applicable regulations and development standards of the Carlsbad Municipal Code (CMC) including Planned Development (CMC Chapter 21.45). Specific compliance with these relevant requirements is described in Exhibit 3.

#### **Local Coastal Program Consistency**

The project site is in the Coastal Zone and requires a Coastal Development Permit. The project complies with the Mello II Segment of the Local Coastal Program, including all goals and policies of the General Plan and all zoning code standards, as referenced above.

## **Inclusionary Housing Ordinance**

The project is not adding additional housing units, with two housing units currently existing and two units proposed. Therefore, the project is not subject to inclusionary housing requirements.

## **Discretionary Actions & Findings**

The proposed Project requires approval of a Planned Unit Development Permit, a Site Development Plan, a Coastal Development Permit, and a Tentative Parcel Map, each of which is discussed below.

### **Planned Development Permit (PUD 2022-0004)**

Approval of a Planned Development Permit (PUD) is necessary to show how the detached condominiums comply with established standards relative to architectural design, lot coverage, height, building setbacks, residential parking, and private recreational space. Staff finds that the required findings for this application can be met (Exhibits 3 and 4).

### **Site Development Plan (SDP 2023-0030)**

Approval of a Site Development Permit (SDP) is required to ensure that that site layout, configuration, and site development standards comply with all relevant city standards. (CMC §21.06.030.) Staff finds that the required findings for this application can be met (Exhibit 3).

### **Coastal Development Permit (CDP 2022-0049)**

Approval of a Coastal Development Permit (CDP) is required to ensure that the project complies with Mello II Segment of the Local Coastal Program (CMC Chapter 21.201) and the Coastal Resource Protection Overlay Zone (CMC Chapter 21.203). Staff finds that the required findings for this application can be met (Exhibit 3).

### **Tentative Parcel Map (MS 2022-0006)**

Approval of a Tentative Parcel Map is necessary for the proposed condominiums, which will help simplify ownership of the air-space condominiums, garages, and common areas. Based on a detailed analysis, staff finds that the required findings for this application can be met (Exhibit 3).

## **Environmental Review**

In accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, the City Planner has determined that the project qualified for an exemption pursuant to CEQA Guidelines section 15303– New Construction or Conversion of Small Structures. A notice of intended decision regarding the environmental determination was advertised on Dec. 14, 2023 and posted on the city’s website. No comment letter or appeal was received, and consistent with Chapter 21.54 (Procedures, Hearings, Notices, and Fees) of the Zoning Ordinance, the City Planner’s written decision is final. Refer to Exhibit 6 for additional support and justification.

## **Conclusion**

Considering the information above and in the referenced attachments, staff has found that the proposed Project is consistent with all applicable policies of the General Plan and Local Coastal Program, provisions of the Municipal Code and Local Facility Management Zone. All required public improvement and utilities are available to serve the proposed development. In addition, there are no environmental issues associated with the Project.

The Project is conditioned to ensure the proposed Project’s compatibility with the surrounding properties and that the public health, safety, and welfare of the community are maintained. The Project would be required to comply with all applicable California Building Standards Codes and engineering standards through the standard building permit and civil improvement plan checking process. Staff recommends the Planning Commission adopt the resolutions, recommending approval of the proposed Project described in this staff report.

## Exhibits

1. Planning Commission Resolution
2. Location Map
3. Project Analysis
4. Table C and E of the Planned Development Regulations
5. Disclosure Form
6. Notice of CEQA Determination
7. List of Acronyms and Abbreviations
8. Reduced Exhibits
9. Exhibits “A” – “O” March 20, 2024 (on file in the Office of the City Clerk)

**PLANNING COMMISSION RESOLUTION NO.**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING A PLANNED DEVELOPMENT PERMIT, SITE DEVELOPMENT PLAN, COASTAL DEVELOPMENT PERMIT, AND TENTATIVE PARCEL MAP TO DEMOLISH ONE OF TWO SINGLE-FAMILY RESIDENCES AND REBUILD IT, CONVERT BOTH RESIDENCES INTO DETACHED CONDO UNITS ON A 0.14-ACRE SITE LOCATED 3900 GARFIELD ST., WITHIN THE MELLO II SEGMENT OF THE LOCAL COASTAL PROGRAM AND LOCAL FACILITIES MANAGEMENT ZONE 1.

CASE NAME: POULTER PROPERTIES MULTI-UNIT RESIDENTIAL  
CASE NO.: PUD 2022-0004/SDP 2023-0030/  
CDP 2022-0049/MS 2022-0006 (DEV2021-0091)

WHEREAS, **Andrew Carlos**, "Developer," has filed a verified application with the City of Carlsbad regarding property owned by **3900 G S Holdings, LLC**, "Owner," described as

**Lot 1 in Block "L" of Palisades, in the City of Carlsbad, County of San Diego, State of California, according to map thereof no. 1747, filed in the Office of the County Recorder of San Diego County, February 5, 1923.**

("the Property"); and

WHEREAS, said verified application constitutes a request for a Planned Development Permit, Site Development Plan, Coastal Development Permit, and Tentative Parcel Map as shown on Exhibit(s) "**A**" – "**O**" dated **March 20, 2024**, on file in the Planning Division, **PUD 2022-0004/SDP 2023-0030/CDP 2022-0049/MS 2022-0006 (DEV2021-0091) – POULTER PROPERTIES MULTI-UNIT RESIDENTIAL**, as provided by Chapter 21.06, 21.24, 21.45, 21.82, 21.203, and 20.24 of the Carlsbad Municipal Code; and

WHEREAS, the Planning Commission did, on **March 20, 2024**, 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 persons desiring to be heard, said Commission considered all factors relating to the Planned Development Permit, Site Development Plan, Coastal Development Permit, and Tentative Parcel Map.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Carlsbad as follows:

- A) That the foregoing recitations are true and correct.
- B) That based on the evidence presented at the public hearing, the Commission **APPROVES PUD 2022-0004/SDP 2023-0030/CDP 2022-0049/MS 2022-0006 (DEV2021-0091) – POULTER PROPERTIES MULTI-UNIT RESIDENTIAL**, based on the following findings and subject to the following conditions:

**Findings:**

**Planned Development Permit (PUD2022-0004)**

1. The proposed project is consistent with the general plan, and complies with all applicable provisions of this chapter, and all other applicable provisions of the Carlsbad Municipal Code, in that **the project's proposed density of 14.5 du/ac is consistent with the R-23 General Plan Land Use Designation. The project is consistent with all remaining development and design standards applicable to the property as contained in Chapters 21.24 (Residential Density-Multiple) Zone, 21.45 (Planned Developments), and 21.82 (Beach Area Overlay Zone) of the Carlsbad Municipal Code.**
2. The proposed project will not be detrimental to existing uses, or to uses specifically permitted in the area in which the proposed use is to be located, and will not adversely impact the site, surroundings, or traffic, in that **the two-unit residential air-space condominium project is compatible with existing surrounding single-family, duplex, and multiple-family residential uses as permitted by the Residential Density-Multiple (RD-M) Zone and will not generate a significant number of trips from the site as a single-family dwelling is replacing an existing single-family dwelling.**
3. The project will not adversely affect the public health, safety, or general welfare, in that **the two-unit residential air-space condominium project has been designed to comply with all applicable development standards to ensure compatibility with surrounding single-, two- and multi-family residential uses.**
4. The project's design, including architecture, streets, and site layout a) contributes to the community's overall aesthetic quality, b) includes the use of harmonious materials and colors, and the appropriate use of landscaping, and c) achieves continuity among all elements of the project, in that **the two-unit, three-story residential air-space condominium project is architecturally harmonious with the surrounding environment in that it is designed with respect to the existing mid-century modern single-family dwelling unit. Primary building materials include stucco, natural wood vertical siding, and concrete masonry unit block. Other finishes on the proposed dwelling unit include a clear tempered glass balcony guard rail, bronze aluminum brakemetal fascia, black aluminum window frames, and a 3:12 pitch butterfly roof. Finishes on the existing dwelling unit include vinyl windows and wood facia both painted iron ore, and a torch down roof with granulated cap sheet. All elements (i.e. site layout, architecture, landscaping) create continuity in the overall project design.**

## Site Development Plan (SDP 2023-0030)

5. That the requested development or use is properly related to the site, surroundings and environmental settings, will not be detrimental to existing development or uses or to development or uses specifically permitted in the area in which the proposed development or use is to be located, and will not adversely impact the site, surroundings or traffic circulation, in that **the project consists of the demolition of an existing single-family residence and detached garage and the construction of a one-unit detached residential air-space condominium that along with the other existing single-family residence will be a two-unit condominium project on a 0.14-acre lot located at 3900 Garfield St.. The site is surrounded by a mix of existing single-family, duplex, and multiple-family residential developments. The proposed two-unit residential project at a density of 14.5 du/ac is consistent with the R-23 Residential (15-23 du/ac) General Plan Land Use designation according to CMC 21.53.230(e)(3) which allows unit yields to be rounded-down when the minimum density is used to calculate unit yields. The project is consistent with the various elements and objectives of the General Plan as discussed in the findings below and Section "A" of the Project Analysis. The proposed two-unit residential project will not be detrimental to existing uses or to uses specifically permitted in the area in which the use is located in that residential is a permitted use within the Residential Density- Multiple (RD-M) Zone and is compatible with the other residential uses surrounding the project site, including single-family, duplex, and multi-family residential. The two-unit residential air-space condominium project, comprising two detached single-family homes will not adversely impact the site, surroundings, or traffic circulation in that project will not generate a significant number of trips from the site as a single-family dwelling is replacing an existing single-family dwelling. The project complies with all minimum development standards of the Carlsbad Municipal Code, including but not limited to the RD-M Zone, Beach Area Overlay Zone, and the Planned Development Ordinance. Furthermore, the project is adequately parked on-site and does not result in any significant environmental impacts.**
6. That the site for the intended development or use is adequate in size and shape to accommodate the use, in that **as demonstrated in the project staff report, the two-unit residential air-space condominium project complies with all development standards (i.e. front, side and rear setbacks except for the existing nonconforming street side setback of the existing residence to remain, lot coverage, private open space, number of parking spaces, and height restrictions) of the Residential Density-Multiple (RD-M) Zone, the Beach Area Overlay Zone, and the Planned Development Ordinance.**
7. That all yards, setbacks, walls, fences, landscaping, and other features necessary to adjust the requested development or use to existing or permitted future development or use in the neighborhood will be provided and maintained, in that **as demonstrated in the project staff report, the two-unit residential air-space condominium project complies with all applicable development standards (i.e. setbacks, lot coverage, parking, and height restrictions) of the Residential Density-Multiple (RD-M) Zone, the Beach Area Overlay Zone (BAOZ), and the Planned Development Ordinance. Landscaping along Garfield Street and Tamarack Avenue will be provided consistent with the requirements of the city's Landscape Manual. In addition to the above, all proposed walls/fences on the property comply with the Zoning Code.**

8. That the street systems serving the proposed development or use is adequate to properly handle all traffic generated by the proposed use, in that **the two-unit residential air-space condominium project will take access off Tamarack Avenue, which is identified as a local street and designed to adequately handle any additional trips generated by the project. The proposed project will construct frontage improvements, including curb, gutter, and sidewalk, along the Garfield Street frontage, connecting to the pedestrian access provided by the southeastern corner of Garfield Street and Tamarack Avenue. The project will also reconstruct portions of the curb, gutter, and sidewalk along Tamarack Avenue due to the modification of the driveway.**

#### **Coastal Development Permit (CDP 2022-0049)**

9. That the proposed development is in conformance with the **Mello II Segment** of the Certified Local Coastal Program and all applicable policies in that **the site is designated R-23 Residential (15-23 du/ac) for single-family, duplex, and multi-family residential development by the Mello II Segment of the LCP. The project proposes to demolish one of two single-family residences and a detached garage, rebuild the residence, and convert both units into detached air-space condominiums at a density of 14.5 du/acre on a 0.14-acre site. The proposed three-story unit will not obstruct views of the coastline as seen from public lands or the public right-of-way, nor otherwise damage the visual beauty of the coastal zone. No agricultural uses currently exist on the site, nor are there any sensitive resources located on the property. In addition, the proposed two-unit residential condominium project is not located in an area of known geologic instability or flood hazards. Since the site does not have frontage along the coastline, no public opportunities for coastal shoreline access are available from the subject site. Furthermore, the residentially designated site is not suited for water-oriented recreation activities.**
10. The proposal is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act in that **the property is not located adjacent to the shoreline. Therefore, the two-unit residential air-space condominium project will not interfere with the public's right to physical access to the ocean and, furthermore, the residentially designated site is not suited for water-oriented recreation activities. The project will not block any views from parks or any other public areas.**
11. (Optional) The project is consistent with the provisions of the Coastal Resource Protection Overlay Zone (Chapter 21.203 of the Zoning Ordinance) in **that the two-unit residential air-space condominium project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban runoff, pollutants, and soil erosion. No steep slopes or native vegetation is located on the subject property and the site is not located in an area prone to landslides, or susceptible to accelerated erosion, floods, or liquefaction.**
12. The project is not between the sea and the first public road parallel to the sea and therefore, is not subject to the provisions of the Coastal Shoreline Development Overlay Zone (Chapter 21.204 of the Zoning Ordinance).

#### **Minor Subdivision (MS 2022-0006)**

13. That the proposed map and the proposed design and improvement of the subdivision as conditioned, is consistent with and satisfies all requirements of the General Plan, any applicable



specific plans, Titles 20 and 21 of the Carlsbad Municipal Code and the State Subdivision Map Act, and will not cause serious public health problems, in that **the two-unit residential air-space condominium project created through the minor subdivision satisfies all the minimum requirements of Title 20 and has been designed to comply with other applicable regulations including the Residential Density-Multiple (RD-M) Zone, the Beach Area Overlay Zone, the Planned Development Ordinance, Growth Management Ordinance, and the R-23 Residential General Plan Land Use designation.**

14. That the proposed project is compatible with the surrounding future land uses since surrounding properties are designated **R-23 Residential for residential development at a density of 15-23 dwelling units per acre. Surrounding properties are also designated R-23 Residential and are developed with duplex or multiple-family residential projects of a similar density or underdeveloped lots containing one single-family home.**
15. That the site is physically suitable for the type and density of the development since the site is adequate in size and shape to accommodate residential development at the density proposed **in that all required development standards and design criteria required by the Residential Density-Multiple (RD-M) Zone, the Planned Development Ordinance, and the Beach Area Overlay Zone are incorporated into the two-unit residential air-space condominium project.**
16. That the design of the subdivision or the type of improvements will not conflict with easements of record or easements established by court judgment, or acquired by the public at large, for access through or use of property within the proposed subdivision, in that **the two-unit residential air-space condominium project has been designed and conditioned so that there are no conflicts with established easements and no additional right-of-way is required.**
17. That the property is not subject to a contract entered into pursuant to the Land Conservation Act of 1965 (Williamson Act).
18. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, in that **the new residential unit is designed to include a balcony and operable windows oriented to maximize exposure of the unit to natural light and ventilation from nearby coastal breezes.**
19. That the **Planning Commission** has considered, in connection with the housing proposed by this subdivision, the housing needs of the region, and balanced those housing needs against the public service needs of the City and available fiscal and environmental resources.
20. That the design of the subdivision and improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish and wildlife or their habitat, **in that the two-unit residential air-space condominium project site has been previously developed and is surrounded by existing development.**
21. That the discharge of waste from the subdivision will not result in violation of existing California Regional Water Quality Control Board requirements, in that **the two-unit residential air-space condominium project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban runoff, pollutants, and soil erosion.**

## General

22. The **Planning Commission** finds that the project, as conditioned herein, is in conformance with the Elements of the City's General Plan, based on the facts set forth in the staff report dated **March 20, 2024** including, but not limited to the following:
- a. Land Use & Community Design – **The two-unit residential air-space condominium project is consistent with the elements and objectives of the General Plan as discussed in Section “A” of the Project Analysis. The project’s density of 14.5 dwelling units per acre is consistent with the R-23 Residential (15-23 du/ac) General Plan Land Use designation according to CMC 21.53.230(e)(3) which allows unit yields to be rounded-down when the minimum density is used to calculate unit yields.**
  - b. Mobility – **The proposed project has been designed to meet all circulation requirements, including vehicular access to and from Tamarack Avenue. In addition, the applicant will be required to pay any applicable traffic impact fees, prior to issuance of a building permit, that will go toward future road improvements. The proposed project will construct frontage improvements along Garfield Street, including a curb, gutter, and sidewalk along the Garfield Street frontage connecting to the pedestrian access provided by the southeastern corner of Garfield Street and Tamarack Avenue. The project will also reconstruct portions of the curb, gutter and sidewalk along Tamarack Avenue due to the modification of the driveway.**
  - c. Housing – **The project is not adding additional housing units, with two housing units currently existing and two units proposed. Therefore, the project is not subject to inclusionary housing requirements.**
  - d. Public Safety – **The proposed structural improvements will be required to be designed in conformance with all seismic design standards. In addition, the proposed project is consistent with all the applicable fire safety requirements including fire sprinklers. Additionally, the proposed project is not located in an area of known geologic instability or flood hazard and the site is not located in an area prone to landslides, or susceptible to accelerated erosion, floods, or liquefaction.**
23. The project is consistent with the Citywide Facilities and Improvements Plan, the Local Facilities Management Plan for Zone 1 and all City public facility policies and ordinances. The project includes elements or has been conditioned to construct or provide funding to ensure that all facilities and improvements regarding sewer collection and treatment; water; drainage; circulation; fire; schools; parks and other recreational facilities; libraries; government administrative facilities; and open space, related to the project will be installed to serve new development prior to or concurrent with need. Specifically,
- a. The project has been conditioned to provide proof from the Carlsbad Unified School District that the project has satisfied its obligation for school facilities.
  - b. Park-in-lieu fees are required by Carlsbad Municipal Code Chapter 20.44 and will be collected prior to issuance of building permit.

- c. The Public Facility fee is required to be paid by Council Policy No. 17 and will be collected prior to the issuance of building permit.
  - d. The Local Facilities Management fee for Zone 1 is required by Carlsbad Municipal Code Section 21.90.050 and will be collected prior to issuance of building permit.
24. That the project is consistent with the City's Landscape Manual and Water Efficient Landscape Ordinance (Carlsbad Municipal Code Chapter 18.50).
25. The City Planner has determined that the project belongs to a class of projects that the State Secretary for Resources has found do not have a significant impact on the environment, and it is therefore categorically exempt from the requirement for the preparation of environmental documents pursuant to **Section 15303 – New Construction of Conversion of Small Structures**, of the state California Environmental Quality Act (CEQA) Guidelines.
26. The Planning Commission has reviewed each of the exactions imposed on the Developer contained in this resolution, and hereby finds, in this case, that the exactions are imposed to mitigate impacts caused by or reasonably related to the project, and the extent and the degree of the exaction is in rough proportionality to the impact caused by the project.

**Conditions:**

**NOTE:** Unless otherwise specified herein, all conditions shall be satisfied prior to **the issuance of grading permit, building permit, or recordation of the Final Parcel Map, whichever comes first.**

1. If any of the following conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the city shall have the right to revoke or modify all approvals herein granted; deny or further condition issuance of all future building permits; deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. No vested rights are gained by Developer or a successor in interest by the city's approval of this **Planned Development Permit, Site Development Plan, Coastal Development Permit, and Minor Subdivision.**
2. Staff is authorized and directed to make, or require the Developer to make, all corrections and modifications to the **Planned Development Permit, Site Development Plan, Coastal Development Permit, and Minor Subdivision**, documents, as necessary to make them internally consistent and in conformity with the final action on the project. Development shall occur substantially as shown on the approved Exhibits. Any proposed development, different from this approval, shall require an amendment to this approval.
3. Developer shall comply with all applicable provisions of federal, state, and local laws and regulations in effect at the time of building permit issuance.
4. If any condition for construction of any public improvements or facilities, or the payment of any fees in-lieu thereof, imposed by this approval or imposed by law on this Project are challenged, this approval shall be suspended as provided in Government Code Section 66020. If any such

condition is determined to be invalid, this approval shall be invalid unless the City Council determines that the project without the condition complies with all requirements of law.

5. Developer/Operator shall and does hereby agree to indemnify, protect, defend, and hold harmless the City of Carlsbad, its Council members, officers, employees, agents, and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees incurred by the city arising, directly or indirectly, from (a) city's approval and issuance of this **Planned Development Permit, Site Development Plan, Coastal Development Permit, and Minor Subdivision** (b) city's approval or issuance of any permit or action, whether discretionary or nondiscretionary, in connection with the use contemplated herein, and (c) Developer/Operator's installation and operation of the facility permitted hereby, including without limitation, any and all liabilities arising from the emission by the facility of electromagnetic fields or other energy waves or emissions. This obligation survives until all legal proceedings have been concluded and continues even if the city's approval is not validated.
6. Prior to submittal of the building plans, improvement plans, grading plans, or final map, whichever occurs first, developer shall submit to the City Planner, a 24" x 36" copy of the **Tentative Parcel Map/Site Plan**, conceptual grading plan and preliminary utility plan reflecting the conditions approved by the final decision-making body. The copy shall be submitted to the City Planner, reviewed and, if found acceptable, signed by the city's project planner and project engineer. If no changes were required, the approved exhibits shall fulfill this condition.
7. Prior to the issuance of a building permit, the Developer shall provide proof to the Building Division from the **Carlsbad Unified** School District that this project has satisfied its obligation to provide school facilities.
8. This project shall comply with all conditions and mitigation measures which are required as part of the Zone **1** Local Facilities Management Plan and any amendments made to that Plan prior to the issuance of building permits.
9. This approval shall become null and void if building permits are not issued for this project within 24 months from the date of project approval.
10. Building permits will not be issued for this project unless the local agency providing water and sewer services to the project provides written certification to the City that adequate water service and sewer facilities, respectively, are available to the project at the time of the application for the building permit, and that water and sewer capacity and facilities will continue to be available until the time of occupancy. **A note to this effect shall be placed on the Final Map.**
11. Developer shall pay the citywide Public Facilities Fee imposed by City Council Policy #17 and the License Tax on new construction imposed by Carlsbad Municipal Code Section 5.09.030, subject to any credits authorized by Carlsbad Municipal Code Section 5.09.040. Developer shall also pay any applicable Local Facilities Management Plan fee for Zone **1**, pursuant to Chapter 21.90. All such taxes/fees shall be paid at issuance of building permit. If the taxes/fees are not paid, this approval will not be consistent with the General Plan and shall become void.

12. Prior to the issuance of the **grading permit or final parcel map approval, whichever comes first**, Developer shall submit to the City a Notice of Restriction executed by the owner of the real property to be developed. Said notice is to be filed in the office of the County Recorder, subject to the satisfaction of the City Planner, notifying all interested parties and successors in interest that the City of Carlsbad has issued a **Planned Development Permit, Site Development Plan, Coastal Development Permit, and Minor Subdivision**, by Resolution(s) No. \_\_\_\_\_ on the property. Said Notice of Restriction shall note the property description, location of the file containing complete project details and all conditions of approval as well as any conditions or restrictions specified for inclusion in the Notice of Restriction. The City Planner has the authority to execute and record an amendment to the notice which modifies or terminates said notice upon a showing of good cause by the Developer or successor in interest.
13. Developer shall make a separate formal landscape construction drawing plan check submittal to the Planning Division and obtain City Planner approval of a Final Landscape and Irrigation Plan showing conformance with the approved Preliminary Landscape Plan and the city's Landscape Manual. Developer shall construct and install all landscaping and irrigation as shown on the approved Final Plans. All landscaping shall be maintained in a healthy and thriving condition, free from weeds, trash, and debris. All irrigation systems shall be maintained to provide the optimum amount of water to the landscape for plant growth without causing soil erosion and runoff.
14. The first submittal of Final Landscape and Irrigation Plans shall be pursuant to the landscape plan check process on file in the Planning Division and accompanied by the project's building, improvement, and grading plans.
15. Developer shall establish a homeowner's association and corresponding covenants, conditions, and restrictions (CC&Rs). Said CC&Rs shall be submitted to and approved by the City Planner prior to **Certificate of Occupancy**. Prior to issuance of a building permit, the Developer shall provide the Planning Division with a recorded copy of the official CC&Rs that have been approved by the Department of Real Estate and the City Planner. **A "hold" will be placed on the building permit (i.e. Certificate of Occupancy) to ensure that said CC&R's are received prior to issuance of Certificate of Occupancy.** At a minimum, the CC&Rs shall contain the following provisions:
  - a. General Enforcement by the City: The City shall have the right, but not the obligation, to enforce those Protective Covenants set forth in this Declaration in favor of, or in which the City has an interest.
  - b. Notice and Amendment: A copy of any proposed amendment shall be provided to the City in advance. If the proposed amendment affects the City, City shall have the right to disapprove. A copy of the final approved amendment shall be transmitted to City within 30 days for the official record.
  - c. Failure of Association to Maintain Common Area Lots and Easements: In the event that the Association fails to maintain the "Common Area Lots and/or the Association's Easements" as provided in Article \_\_\_\_\_, Section \_\_\_\_\_ the city shall have the right, but not the duty, to perform the necessary maintenance. If the city elects to perform such maintenance, the city shall give written notice to the Association, with a copy thereof to the Owners in the Project, setting forth with particularity the maintenance which the city finds to be required and requesting the same be carried out by the Association within a period of thirty (30) days

from the giving of such notice. In the event that the Association fails to carry out such maintenance of the Common Area Lots and/or Association's Easements within the period specified by the city's notice, the City shall be entitled to cause such work to be completed and shall be entitled to reimbursement with respect thereto from the Owners as provided herein.

- d. Special Assessments Levied by the City: In the event the City has performed the necessary maintenance to either Common Area Lots and/or Association's Easements, the city shall submit a written invoice to the Association for all costs incurred by the City to perform such maintenance of the Common Area Lots and or Association's Easements. The city shall provide a copy of such invoice to each Owner in the Project, together with a statement that if the Association fails to pay such invoice in full within the time specified, the city will pursue collection against the Owners in the Project pursuant to the provisions of this Section. Said invoice shall be due and payable by the Association within twenty (20) days of receipt by the Association. If the Association shall fail to pay such invoice in full within the period specified, payment shall be deemed delinquent and shall be subject to a late charge in an amount equal to six percent (6%) of the amount of the invoice. Thereafter the City may pursue collection from the Association by means of any remedies available at law or in equity. Without limiting the generality of the foregoing, in addition to all other rights and remedies available to the city, the city may levy a special assessment against the Owners of each Lot in the Project for an equal pro rata share of the invoice, plus the late charge. Such special assessment shall constitute a charge on the land and shall be a continuing lien upon each Lot against which the special assessment is levied. Each Owner in the Project hereby vests the city with the right and power to levy such special assessment, to impose a lien upon their respective Lot and to bring all legal actions and/or to pursue lien foreclosure procedures against any Owner and his/her respective Lot for purposes of collecting such special assessment in accordance with the procedures set forth in Article \_\_\_\_\_ of this Declaration.
  - e. Landscape Maintenance Responsibilities: The HOAs and individual lot or unit owner landscape maintenance responsibilities shall be as set forth in Exhibit \_\_\_\_\_.
  - f. Balconies, trellis, and decks: The individual lot or unit owner allowances and prohibitions regarding balconies, trellis, and decks shall be as set forth in Exhibit \_\_\_\_\_.
- 16. Prior to **Certificate of Occupancy**, the Developer shall submit to the City Planner a recorded copy of the Condominium Plan filed with the Bureau of Real Estate which is in conformance with the City-approved documents and exhibits.
  - 17. All roof appurtenances, including air conditioners, shall be architecturally integrated and concealed from view and the sound buffered from adjacent properties and streets, in substance as provided in Building Department Policy No. 80-6, to the satisfaction of the Directors of Community Development and Planning.
  - 18. If satisfaction of the school facility requirement involves a Mello-Roos Community Facilities District or other financing mechanism which is inconsistent with City Council Policy No. 38, by allowing a pass-through of the taxes or fees to individual home buyers, then in addition to any other disclosure required by law or Council policy, the Developer shall disclose to future owners in the project, to the maximum extent possible, the existence of the tax or fee, and that the school

district is the taxing agency responsible for the financing mechanism. The form of notice is subject to the approval of the City Planner and shall at least include a handout and a sign inside the sales facility, or inside each unit, stating the fact of a potential pass-through of fees or taxes exists and where complete information regarding those fees or taxes can be obtained.

19. Developer shall display a current Zoning and Land Use Map, or an alternative, suitable to the City Planner, in the sales office **or inside each unit**, at all times. All sales maps that are distributed or made available to the public shall include but not be limited to trails, future and existing schools, parks, and streets.
20. Developer shall post a sign in the sales office, **or inside each unit**, in a prominent location that discloses which special districts and school district provide service to the project. Said sign shall remain posted until ALL of the units are sold.

#### **Engineering:**

#### **Engineering Conditions**

**NOTE:** Unless specifically stated in the condition, all of the following conditions, upon the approval of this proposed subdivision, must be met prior to approval of a Final Map, building or grading permit whichever occurs first.

#### **General**

21. Prior to hauling dirt or construction materials to or from any proposed construction site within this project, developer shall apply for and obtain approval from, the city engineer for the proposed haul route.
22. This project is approved upon the express condition that building permits will not be issued for the development of the subject property unless the district engineer has determined that adequate water and sewer facilities are available at the time of permit issuance and will continue to be available until time of occupancy.
23. Developer shall prepare, submit, and process for city engineer approval a final map to subdivide this project. There shall be one Final Map recorded for this project. Developer shall pay the city standard map review plan check fees.
24. Developer shall install sight distance corridors at all street intersections and driveways in accordance with City Engineering Standards. The property owner shall maintain this condition.
25. Developer shall submit to the city engineer an acceptable instrument, via CC&Rs and/or other recorded document, addressing the maintenance, repair, and replacement of shared private improvements within this subdivision, including but not limited to private (STREETS, UTILITIES, STREET TREES, SIDEWALKS, LANDSCAPING, STREET LIGHTING,



RAISED MEDIANS, ENHANCED PAVING, WATER QUALITY TREATMENT MEASURES, LOW IMPACT DEVELOPMENT FEATURES, STORM DRAIN FACILITIES, etc.) located therein and to distribute the costs of such maintenance in an equitable manner among the owners of the properties within this subdivision. The CCR's shall include a requirement to provide an annual verification of the effective operation and maintenance of each structural treatment control BMP in accordance with the BMP maintenance agreement and the Trash Capture Storm Water Quality Management Plan (TCSWQMP). The annual verification shall be submitted to the enforcement official in a format as approved by the city prior to the start of the rainy season.

26. Property owner shall maintain all landscaping (street trees, tree grates, shrubs, groundcover, etc.) and irrigation along the parkway frontage with **Garfield Street and Tamarack Avenue** as shown on the Tentative Map/Site Plan.

### **Fees/Agreements**

27. Developer shall cause property owner to execute and submit to the city engineer for recordation, the city's standard form Geologic Failure Hold Harmless Agreement.
28. Developer shall cause property owner to execute and submit to the city engineer for recordation the city's standard form Drainage Hold Harmless Agreement.
29. Developer shall cause owner to execute, for recordation, a city standard Local Improvement District Agreement to pay fair share contributions for undergrounding of all existing overhead utilities and installation of streetlights, as needed, along the subdivision frontage, should a future district be formed.

### **Grading**

30. Based upon a review of the proposed grading and the grading quantities shown on the Tentative Map, a grading permit for this project is required. Developer shall prepare and submit plans and technical studies/reports as required by city engineer, post security and pay all applicable grading plan review and permit fees per the city's latest fee schedule.
31. Prior to issuance of the grading permit, the contractor shall submit a Construction Plan to the city engineer for review and approval. Said Plan may be required to include, but not be limited to, identifying the location of the construction trailer, material staging, bathroom facilities, parking of construction vehicles, employee parking, construction fencing and gates, obtaining any necessary permission for off-site encroachment, addressing pedestrian safety, and identifying time restrictions for various construction activities.

### **Storm Water Quality**

32. Developer shall comply with the city's Stormwater Regulations, latest version, and shall implement best management practices at all times. Best management practices include but are not limited to pollution control practices or devices, erosion control to prevent silt runoff during construction, general housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices or devices to prevent or reduce the discharge of pollutants to stormwater, receiving water or stormwater conveyance system to the maximum extent practicable. Developer shall notify prospective owners and tenants of the above requirements.
33. Developer shall complete and submit to the city engineer a Determination of Project's SWPPP Tier Level and Construction Threat Level Form pursuant to City Engineering Standards. Developer shall also submit the appropriate Tier level Storm Water Compliance form and appropriate Tier level Storm Water Pollution Prevention Plan (SWPPP) to the satisfaction of the city engineer. Developer shall pay all applicable SWPPP plan review and inspection fees per the city's latest fee schedule.
34. This project is subject to Trash Capture requirements. Developer shall prepare and process a Trash Capture Storm Water Quality Management Plan (TCSWQMP), subject to city engineer approval, to comply with the Carlsbad BMP Design Manual latest version. The final TCSWQMP required by this condition shall be reviewed and approved by the city engineer with final grading plans and/or building plans, whichever occurs first. Developer shall pay all applicable SWQMP plan review and inspection fees per the city's latest fee schedule.
35. Developer shall complete the City of Carlsbad Standard Stormwater Requirement Checklist Form. Developer is responsible to ensure that all final design plans, grading plans, and building plans incorporate applicable best management practices (BMPs). These BMPs include site design, source control and Low Impact Design (LID) measures including, but not limited to, minimizing the use of impervious area (paving), routing runoff from impervious area to pervious/landscape areas, preventing illicit discharges into the storm drain and adding storm drain stenciling or signage all to the satisfaction of the city engineer.

### **Dedications/Improvements**

36. Developer shall cause owner to dedicate to the city and/or other appropriate entities for **pedestrian access and street right-of-way** purposes as shown on the Tentative Map. The offer shall be made on the Final Map. All land so offered shall be free and clear of all liens and encumbrances and without cost to the city. Streets that are already public are not required to be rededicated. Additional easements may be required at final design to the satisfaction of the city engineer.
37. Prior to any work in city right-of-way or public easements, Developer shall apply for and obtain a right-of-way permit to the satisfaction of the city engineer.

38. Developer shall prepare and process public improvement plans and, prior to city engineer approval of said plans, shall execute a city standard Subdivision Improvement Agreement to install and shall post security in accordance with C.M.C. Section 20.16.070 for public improvements shown on the Tentative Map. Said improvements shall be installed to city standards to the satisfaction of the city engineer. These improvements include, but are not limited to:
- A. Curb, gutter, and sidewalk along Garfield Street
  - B. Curb, gutter, and sidewalk along Tamarack Avenue. Sidewalk shall be minimum of 5-feet wide along Tamarack Avenue.
  - C. Driveway approach on Garfield Street
  - D. Driveway approach on Tamarack Avenue
  - E. Water lateral and meter
  - F. Grind and overlay of bicycle lane adjacent to driveway approach on Tamarack Avenue.

Additional public improvements required in other conditions of this resolution are hereby included in the above list by reference. Developer shall pay the standard improvement plan check and inspection fees in accordance with the fee schedule. Improvements listed above shall be constructed within 36 months of approval of the subdivision or development improvement agreement or such other time as provided in said agreement.

39. Developer is responsible to ensure all existing overhead utilities servicing the subject property are to be undergrounded as shown on the [Tentative Map/Site Plan] and to the satisfaction of the city engineer. No new or relocated utility poles are allowed.
40. Developer is responsible to ensure utility transformers or raised water backflow preventers that serve this development are located outside the right-of-way as shown on the Tentative Map and to the satisfaction of the city engineer. These facilities shall be constructed within the property.

### **Non-Mapping Notes**

41. Add the following notes to the final map as non-mapping data:
- A. Developer has executed a city standard Subdivision Improvement Agreement and has posted security in accordance with C.M.C. Section 20.16.070 to install public improvements shown on the Tentative Map. These improvements include, but are not limited to:
    - 1) Curb, gutter, and sidewalk along Garfield Street
    - 2) Curb, gutter, and sidewalk along Tamarack Avenue. Sidewalk shall be minimum of 5-feet wide along Tamarack Avenue.

- 3) Driveway approach on Garfield Street
  - 4) Driveway approach on Tamarack Avenue
  - 5) Water lateral and meter
- D. Building permits will not be issued for development of the subject property unless the appropriate agency determines that sewer and water facilities are available.
- E. Geotechnical Caution:
- The owner of this property on behalf of itself and all of its successors in interest has agreed to hold harmless and indemnify the City of Carlsbad from any action that may arise through any geological failure, ground water seepage or land subsidence and subsequent damage that may occur on, or adjacent to, this subdivision due to its construction, operation or maintenance.
- F. No structure, fence, wall, tree, shrub, sign, or other object may be placed or permitted to encroach within the area identified as a sight distance corridor as defined by City of Carlsbad Engineering Standards or line-of-sight per Caltrans standards.
- G. The owner of this property on behalf of itself and all of its successors in interest has agreed to hold harmless and indemnify the City of Carlsbad from any action that may arise through any diversion of waters, the alteration of the normal flow of surface waters or drainage, or the concentration of surface waters or drainage from the drainage system or other improvements identified in the city approved development plans; or by the design, construction or maintenance of the drainage system or other improvements identified in the city approved development plans.
- H. There are no public park or recreational facilities to be located in whole or in part within this subdivision. The subdivider is therefore obligated to pay park-in-lieu fees in accordance with section 20.44.050 of the Carlsbad Municipal Code and has either paid all of said park in-lieu fees or agreed to pay all of said park-in-lieu fees in accordance with section 20.16.070 of the Carlsbad Municipal Code.

## Utilities

- 42. Developer shall meet with the fire marshal to determine if fire protection measures (fire flows, fire hydrant locations, building sprinklers) are required to serve the project.
- 43. Developer shall install potable water and/or recycled water services and meters at locations approved by the district engineer. The locations of said services shall be reflected on public improvement plans.

44. The developer shall agree to install sewer laterals and clean-outs at locations approved by the city engineer. The locations of sewer laterals shall be reflected on public improvement plans.

The project is subject to all applicable provisions of local ordinances, including but not limited to the following:

45. Developer shall pay planned local area drainage fees in accordance with Section 15.08.020 of the City of Carlsbad Municipal Code to the satisfaction of the city engineer.
46. Developer shall pay traffic impact and sewer impact fees based on Section 18.42 and Section 13.10 of the City of Carlsbad Municipal Code, respectively. The Average Daily Trips (ADT) and floor area contained in the staff report and shown on the Tentative Map are for planning purposes only.
47. Subdivider shall comply with Section 20.16.040(d) of the Carlsbad Municipal Code regarding the undergrounding of existing overhead utilities.

#### **Code Reminders**

48. This tentative parcel map shall expire two years from the date on which the Planning Commission voted to approve this application.
49. Developer shall pay planned local area drainage fees in accordance with Section 15.08.020 of the City of Carlsbad Municipal Code to the satisfaction of the city engineer.
50. Developer shall pay traffic impact and sewer impact fees based on Section 18.42 and Section 13.10 of the City of Carlsbad Municipal Code, respectively. The Average Daily Trips (ADT) and floor area contained in the staff report and shown on the **tentative parcel map** are for planning purposes only.
51. Prior to the issuance of a building permit, Developer shall pay a Public Facility fee as required by Council Policy No. 17.
52. Prior to the issuance of a building permit, Developer shall pay the Local Facilities Management fee for Zone 1 as required by Carlsbad Municipal Code Section 21.90.050.
53. Developer shall pay a landscape inspection fee as required by Section 20.08.050 of the Carlsbad Municipal Code.
54. Developer acknowledges that the project is required to comply with the city's greenhouse gas (GHG) reduction ordinances and requirements. GHG reduction requirements are in accordance with, but are not limited to, Carlsbad Municipal Code Chapters 18.21, 18.30, and 18.51 in addition to the California Green Building Standards Code (CCR, Title 24, Part 11 – CALGreen), as amended from time to time. GHG reduction requirements may be different than what is proposed on the project plans or in the Climate Action Plan Checklist originally submitted with this project.

Developer acknowledges that new GHG reduction requirements related to energy efficiency, photovoltaic, electric vehicle charging, water heating and traffic demand management requirements as set forth in the ordinances and codes may impact, but are not limited to, site design and local building code requirements. If incorporating GHG reduction requirements results in substantial modifications to the project, then prior to issuance of development (grading, building, etc.) permits, Developer may be required to submit and receive approval of a Consistency Determination or Amendment for this project through the Planning Division. Compliance with the applicable GHG reduction requirements must be demonstrated on or with the construction plans prior to issuance of the applicable development permits.

55. Approval of this request shall not excuse compliance with all applicable sections of the Zoning Ordinance and all other applicable City ordinances in effect at time of building permit issuance, except as otherwise specifically provided herein.
56. Premise identification (addresses) shall be provided consistent with Carlsbad Municipal Code Section 18.04.320.

## **NOTICE TO APPLICANT**

An appeal of this decision to the City Council must be filed with the City Clerk at 1200 Carlsbad Village Drive, Carlsbad, California, 92008, within ten (10) calendar days of the date of the Planning Commission's decision. Pursuant to Carlsbad Municipal Code Chapter 21.54, section 21.54.150, the appeal must be in writing and state the reason(s) for the appeal. The City Council must make a determination on the appeal prior to any judicial review.

## **NOTICE**

Please take **NOTICE** that approval of your project includes the "imposition" of fees, dedications, reservations, or other exactions hereafter collectively referred to for convenience as "fees/exactions."

You have 90 days from date of final approval to protest imposition of these fees/exactions. If you protest them, you must follow the protest procedure set forth in Government Code Section 66020(a), and file the protest and any other required information with the City Manager for processing in accordance with Carlsbad Municipal Code Section 3.32.030. Failure to timely follow that procedure will bar any subsequent legal action to attack, review, set aside, void, or annul their imposition.

You are hereby FURTHER NOTIFIED that your right to protest the specified fees/exactions DOES NOT APPLY to water and sewer connection fees and capacity charges, nor planning, zoning, grading, or other similar application processing or service fees in connection with this project; NOR DOES IT APPLY to any fees/exactions of which you have previously been given a NOTICE similar to this, or as to which the statute of limitations has previously otherwise expired.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the planning Commission of the City of Carlsbad, California, held on **March 20, 2024**, by the following vote, to wit:

AYES:

NAYES:

ABSENT:

ABSTAIN:

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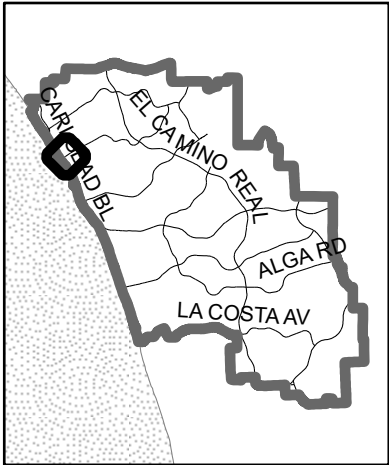
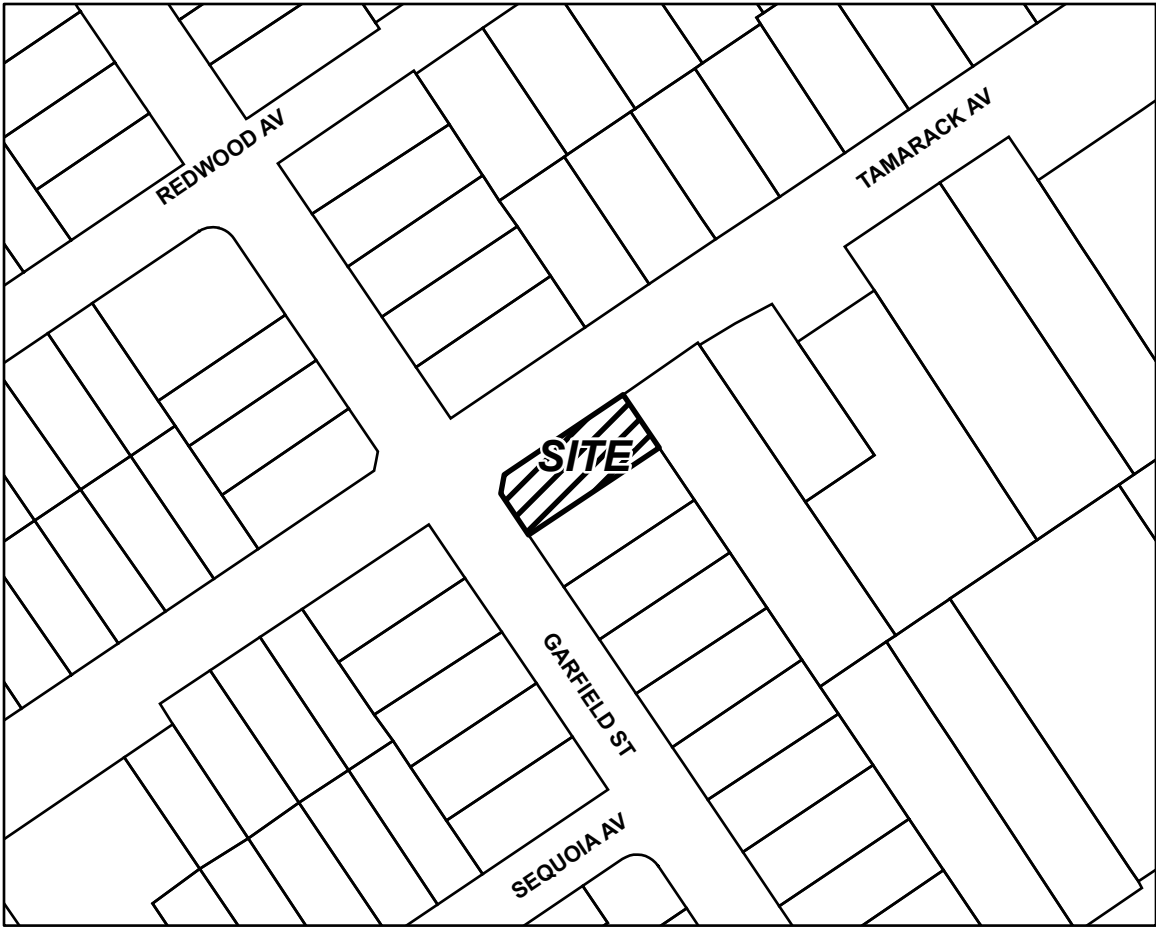
WILLIAM KAMENJARIN, Chairperson  
CARLSBAD PLANNING COMMISSION

ATTEST:

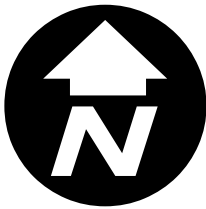
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ERIC LARDY  
City Planner





**SITE MAP**



NOT TO SCALE

# POULTER PROPERTIES MULTI-UNIT RESIDENTIAL

PUD 2022-0004/SDP 2023-0030/CDP 2022-0049/MS 2022-0006 (DEV2021-0091)

## PROJECT ANALYSIS

The project is subject to the following regulations:

- A. General Plan R-23 Land Use Designation
- B. RD-M Zone, Planned Development Regulations and Beach Area Overlay Zone (BAOZ) (CMC Chapter 21.24, 21.45, 21.82)
- C. Local Coastal Program (Mello II Segment)
- D. Subdivision Ordinance
- E. Inclusionary Housing Ordinance (CMC Chapter 21.85)
- F. Growth Management Ordinance (CMC Chapter 21.90) and Local Facilities Management Plan Zone 1
- G. California Environmental Quality Act Exemption (Environmental Statement)
- H. Short-term Vacation Rentals

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. General Plan R-23 Residential Land Use Designation

The General Plan Land Use designation for the property is R-23 Residential, which allows for multiple-family residential development at a density range of 15-23 dwelling units per acre (du/ac). The two dwelling unit project results in a project density of 14.5 du/ac. The project site has a net developable acreage of 0.14 acres, which results in a 2.1 to 3.2 dwelling unit yield for the property.

According to Carlsbad Municipal Code (CMC) Section 21.53.230(e)(3), when using the minimum density for a density yield calculation, if the unit yield results in a fractional unit below 0.5, the unit yield may be rounded-down. Unit yields rounded-down pursuant to this provision that result in a density below the minimum density of the applicable land use designation shall be considered consistent with the general plan according to CMC 21.53.230, Note 2. Therefore, the two-unit residential development, with a density of 14.5 du/ac, complies with the R-23 General Plan Land Use designation for density.

Table "A" below identifies the permissible density range for properties within R-23, as well as the allowable density range based on the size of the project site and the proposed density and units.

The project also complies with the other Elements of the General Plan as outlined in Table "A" below:

**TABLE A – GENERAL PLAN COMPLIANCE**

ELEMENT	USE, CLASSIFICATION, GOAL, OBJECTIVE, OR PROGRAM	PROPOSED USES & IMPROVEMENTS	COMPLY
Land Use & Community Design	<u>Goal 2-P.7</u> – Do not permit residential development below the minimum of the density range except in certain circumstances.	The two-unit residential project density of 14.5 du/ac is considered consistent with the General Plan per Note 2 of CMC 21.53.230 which states that unit yields resulting in a fractional unit below 0.5, may be rounded-down when using the	Yes

# PROJECT ANALYSIS

(GENERAL PLAN, MUNICIPAL CODE, AND OTHER REGULATIONS)

ELEMENT	USE, CLASSIFICATION, GOAL, OBJECTIVE, OR PROGRAM	PROPOSED USES & IMPROVEMENTS	COMPLY
		minimum density for the unit yield calculation.	
Mobility	<u>Policy 3-P.5</u> – Require developers to construct or pay their fair share toward improvements for all travel modes consistent with the Mobility Element, the Growth Management Plan, and specific impacts associated with their development.	<p>The proposed project has been designed to meet all circulation requirements, including vehicular access to and from Tamarack Avenue. In addition, the applicant will be required to pay any applicable traffic impact fees, prior to issuance of a building permit, that will go toward future road improvements.</p> <p>The proposed project includes the construction of a curb, gutter and sidewalk along the Garfield Street frontage connecting to the pedestrian access provided by the southeastern corner of Garfield Street and Tamarack Avenue. The project will also reconstruct portions of the curb, gutter, and sidewalk along Tamarack Avenue due to the modification of the driveway.</p>	Yes
Public Safety	<p>Goal 6-G.1 – Minimize injury, loss of life, and damage to property resulting from fire, flood, hazardous material release, or seismic disasters.</p> <p><u>Policy 6-P.6</u> – Enforce the requirements of Titles 18, 20, and 21 pertaining to drainage and flood control when reviewing applications for building permits and subdivisions.</p> <p><u>Policy 6-P.34</u> – Enforce the Uniform Building and Fire codes, adopted by the city, to provide fire protection standards for all existing and proposed structures.</p>	<p>The proposed structural improvements will be required to be designed in conformance with all seismic design standards. In addition, the proposed project is consistent with all the applicable fire safety requirements including fire sprinklers.</p> <p>Furthermore, the project has been conditioned to develop and implement a program of “best management practices” for the elimination and reduction of pollutants which enter into and/or are transported within storm drainage facilities.</p> <p>Furthermore, the proposed project is not located in an area of known</p>	Yes

# PROJECT ANALYSIS

## (GENERAL PLAN, MUNICIPAL CODE, AND OTHER REGULATIONS)

ELEMENT	USE, CLASSIFICATION, GOAL, OBJECTIVE, OR PROGRAM	PROPOSED USES & IMPROVEMENTS	COMPLY
	<u>Policy 6-P.39</u> – Ensure all new development complies with all applicable regulations regarding the provision of public utilities and facilities.	geologic instability or flood hazard and the site is not located in an area prone to landslides, or susceptible to accelerated erosion, floods or liquefaction.	
Sustainability	<u>Policy 9-P.1</u> – Enforce the Climate Action Plan (CAP) as the city’s strategy to reduce greenhouse gas emissions.	The new dwelling unit will employ a photovoltaic system, heat pump water heater, and one electric vehicle service equipment (EVSE) ready parking space in accordance with the CAP.	Yes

### B. Residential Density–Multiple (RD-M) Zone (Chapter 21.24), Planned Development Regulations (Chapter 21.45), and Beach Area Overlay Zone (BAOZ) (Chapter 21.82)

The proposed project is required to comply with all applicable land use and development standards of the Carlsbad Municipal Code (CMC) including the Residential Density-Multiple (RD-M) Zone (CMC Chapter 21.24), Planned Developments (CMC Chapter 21.45), and the Beach Area Overlay Zone (BAOZ) (CMC Chapter 21.82).

The two-unit residential air-space condominium project meets or exceeds the requirements of the RD-M Zone and the BAOZ as outlined in Table “B” below. With exception to the standards listed in Table B below, the Planned Development regulations provide the majority of the development standards. The project complies with all applicable development standards for Planned Developments (CMC Chapter 21.45). Please refer to Attachment No. 4 for an analysis of the project’s compliance with Tables C and E of the Planned Development regulations.

**TABLE B – BAOZ AND RD-M COMPLIANCE**

BAOZ Standards	Required	Proposed	Comply?
Building Height	30 feet with a minimum 3:12 roof pitch provided or 24 feet if less than a 3:12 roof pitch is provided	Roof Ridge = 30’ w/ 3:12 roof pitch	Yes
RD-M Standards	Required	Proposed	Comply?
Setbacks	Front (Garfield Street): 20’ Street Side (Tamarack Avenue): 10’ for house, 20’ for garage Interior Side: 10% Lot Width – 5’ Rear: 10’	Front: 20’ Street Side: 10’ (house), 20’ (garage) Interior Side: 5’ Rear: 10’  The existing residence that will remain has a nonconforming street side setback of 4.82’ along Tamarack. A nonconforming construction permit is not	Yes

# PROJECT ANALYSIS

## (GENERAL PLAN, MUNICIPAL CODE, AND OTHER REGULATIONS)

		required as the existing residence to remain is not being expanded.	
Lot Coverage	60%	50%	Yes

### C. Local Coastal Program (Mello II Segment)

#### 1. Mello II Segment of the Certified Local Coastal Program and all applicable policies

The proposed site is in the Mello II Segment of the Local Coastal Program (LCP) and is within the appealable jurisdiction of the California Coastal Commission. The project site has an LCP Land Use designation of R-23 and Zoning of RD-M, which are consistent with the city's General Plan and Zoning. The project density of 14.5 du/acre is consistent with the R-23 Residential General Plan Land Use designation discussed in Section "A."

The project consists of the demolition of an existing one-family residence and detached garage and the construction of a new one-family residence to create a two-unit detached air-space condominium project with an existing one-family residence that will remain on site. The proposed project is compatible with the surrounding development of one-family, duplex, and multi-family residential structures. The new three-story structure will not obstruct views of the coastline as seen from public lands or the public right-of-way, nor otherwise damage the visual beauty of the Coastal Zone. No agricultural uses currently exist on the previously developed site, nor are there any sensitive resources located on-site. The proposed project is not located in an area of known geologic instability or flood hazard. Since the site does not have frontage along the coastline, no public opportunities for coastal shoreline access are available from the subject site. Furthermore, the residentially designated site is not suited for water-oriented recreation activities.

#### 2. Coastal Resource Protection Overlay Zone

The development is subject to the Coastal Resource Protection Overlay Zone (CMC Chapter 21.203). The Coastal Resource Protection Overlay Zone identifies areas of protection: a) preservation of steep slopes and vegetation; b) drainage, erosion, sedimentation, habitat; c) seismic hazards, landslides, and slope instability; and d) floodplain development. The project's compliance with each of these areas of concern is discussed below:

- a. *Preservation of Steep Slopes and Vegetation.* Slopes greater than 25% and possessing endangered plant/animal species and/or coastal sage scrub and chaparral plant communities are considered "dual criteria" slopes and are protected in the Coastal Zone. The project does not support any "dual criteria" slopes.
- b. *Drainage, Erosion, Sedimentation, Habitat.* The project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban run-off, pollutants, and soil erosion.
- c. *Seismic Hazards, Landslides and Slope Instability.* The site is not located in an area prone to landslides, or susceptible to accelerated erosion, floods, or liquefaction.

# PROJECT ANALYSIS

## (GENERAL PLAN, MUNICIPAL CODE, AND OTHER REGULATIONS)

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- d. Flood Plain Development. No structures or fill are being proposed within a one-hundred-year floodplain area as identified by the FEMA Flood Map Service Center.

### **D. Subdivision Ordinance**

The Land Development Engineering Division has reviewed the proposed Minor Subdivision and has found that the subdivision complies with all applicable requirements of the Subdivision Map Act and the city's Subdivision Ordinance (Title 20) for Minor Subdivisions. The subdivision is considered minor because it involves the division of land into four or fewer condominiums (two air-space condominiums proposed). The project has been conditioned to install all infrastructure-related improvements and the necessary easements for these improvements concurrent with the development.

### **E. Inclusionary Housing Ordinance**

For all residential development less than seven units, the inclusionary housing requirement may be satisfied through the payment of an inclusionary housing in-lieu fee. However, pursuant to Carlsbad Municipal Code Section 21.85.030(D)(3), the construction of a new residential structure which replaces a residential structure that was destroyed or demolished within two years prior to the application for a building permit for the new residential structure is exempt from affordable housing requirements. The demolition of a one-family residential unit and construction of a new one-family unit is not subject to the inclusionary housing requirement.

### **F. Growth Management**

The proposed project is located within Local Facilities Management Zone 1 in the northwest quadrant of the city. There will be no impact to public facilities because there will be no net increase in the number of dwelling units on site which will remain at two.

### **G. Environmental Review (California Environmental Quality Act)**

The California Environmental Quality Act ("CEQA"), and its implementing regulations ("CEQA Guidelines") adopted by the Secretary of the California Natural Resources Agency, list classes of projects that have been determined not to have a significant effect on the environment and as a result are exempt from further environmental review under CEQA. City staff completed a review of the project and potential environmental impacts associated with the project pursuant to CEQA and concluded that the project qualified for an exemption pursuant to CEQA Guidelines section 15303 – New Construction Or Conversion Of Small Structures. CEQA Guidelines Section 15303 is a Class 3 exemption. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

A notice of intended decision regarding the environmental determination was advertised on December 14, 2023 and posted on the city's website. The notice included a general description of the project, the proposed environmental findings, and a general explanation of the matter to be considered. The findings and determination contained in that notice was declared as final on the date of the noticed decision, unless appealed as provided by the procedures commencing in Chapter 21.54 (Procedures, Hearings, Notices, and Fees) of the Zoning Ordinance.

# PROJECT ANALYSIS

## (GENERAL PLAN, MUNICIPAL CODE, AND OTHER REGULATIONS)

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During the 10-day public review period, the city received no comment letters from the public regarding the prospective environmental determination. Since no appeal was filed and no substantial evidence was submitted that would support a finding that the exemption requirements would not be satisfied, the project was determined by the city planner to not have a significant effect on the environment. The CEQA Determination letter is attached to this staff report as Exhibit 6 and demonstrates that the project is categorically exempt from further environmental review. The city planner's written decision is final and the CEQA determination is not within the Planning Commission's purview. With the appropriate environmental clearances in place, all the city's procedural requirements and relevant aspects of CEQA have been satisfied. In making this determination, the City Planner has found that the exceptions listed in Section 15300.2 of the state CEQA Guidelines and Chapter 19.04 of the Municipal Code do not apply to this project.

### **H. Short-term Vacation Rentals**

Both existing residences have been used at Short-term Vacation Rentals (STVRs) since 2016. STVRs are governed by Title 5 of the Carlsbad Municipal Code (CMC). "Short-term vacation rental" is defined as the rental of any legally permitted dwelling unit as that term is defined in CMC Section 21.04.120, or any portion of any legally permitted dwelling unit for occupancy for dwelling, lodging or sleeping purposes for a period of less than 30 consecutive calendar days. STVRs are permitted only in the Coastal Zone as defined by the California Coastal Commission and in the La Costa Resort and Spa Master Plan area. The subject property is located in the Appeals Jurisdiction of the Coastal Zone.

## PLANNED DEVELOPMENTS (CMC SECTION 21.45.060)

**TABLE C: GENERAL DEVELOPMENT STANDARDS  
APPLICABLE TO ALL PLANNED DEVELOPMENTS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD			COMPLIANCE COMMENT
C.1	Density	Per the underlying General Plan designation. When two or more general plan land use designations exist within a planned development, the density may be transferred from one general plan designation to another with a general plan amendment.			N/A
C.2	Arterial Setbacks	All dwelling units adjacent to any arterial road shown on the Circulation Element of the General Plan shall maintain the following minimum setbacks from the right-of-way: <div>Prime Arterial50 Feet</div> <div>Major Arterial40 Feet</div> <div>Secondary Arterial30 Feet</div> <div>Carlsbad Boulevard20 Feet</div>			N/A
		Half (50%) of the required arterial setback area located closest to the arterial shall be fully landscaped to enhance the street scene and buffer homes from traffic on adjacent arterials, and: <div><div>• Shall contain a minimum of one 24” box tree for every 30 lineal feet of street frontage; and</div><div>• Shall be commonly owned and maintained</div></div>			N/A
		Project perimeter walls greater than 42 inches in height shall not be located in the required landscaped portion of the arterial setback, except noise attenuation walls that: <div><div>• Are required by a noise study, and</div><div>• Due to topography, are necessary to be placed within the required landscaped portion of the arterial setback.</div></div>			N/A
C.3	Permitted Intrusions into Setbacks/ Building Separation	Permitted intrusions into required building setbacks shall be the same as specified in Section 21.46.120 of this code. The same intrusions specified in Section 21.46.120 shall be permitted into required building separation.			Roof eave and balcony intrusions into required yards do not exceed the 2 feet as permitted pursuant to CMC Section 21.46.120. Project complies
C.4	Streets	Private	Minimum right-of-way width	56 feet	N/A
			Minimum curb-to-curb width	34 feet	
			Minimum parkway width (curb adjacent)	5.5 feet, including curb	
			Minimum sidewalk width	5 feet (setback 6 inches from property line)	
		Public	Minimum right-of-way width	60 feet	N/A
			Minimum curb-to-curb width	34 feet	
			Minimum parkway width (curb adjacent)	7.5 feet, including curb	
			Minimum sidewalk width	5 feet (setback 6 inches from property line)	
		Street Trees within parkways	One-family dwellings and twin homes on small-lots	A minimum of one street tree (24-inch box) per lot is required to be planted in the parkway along all streets.	N/A



			Condominium projects	Street trees shall be spaced no further apart than 30 feet on center within the parkway.	All City street trees are existing and will be protected in place.
			Tree species should be selected to create a unified image for the street, provide an effective canopy, avoid sidewalk damage and minimize water consumption.		All City street trees are existing and will be protected in place.
C.5	Drive-aisles	3 or fewer dwelling units	Minimum 12 feet wide when the drive-aisle is not required for emergency vehicle access, as determined by the Fire Chief.		N/A. A minimum 30-foot-wide driveway is proposed to access the parking garages.
			If the drive-aisle is required for emergency vehicle access, it shall be a minimum of 20 feet wide.		
		4 or more dwelling units	Minimum 20 feet wide.		N/A
		All projects	No parking shall be permitted within the minimum required width of a drive-aisle.		N/A. Private drive aisle is not proposed. A two-car garage is provided for each unit, both garages are setback from the street a minimum of 20 feet
			A minimum 24-foot vehicle back-up/maneuvering area shall be provided in front of garages, carports or uncovered parking spaces (this may include driveway area, drive-aisles, and streets).		N/A. Private drive aisle is not proposed.
			Additional width may be required for vehicle/emergency vehicle maneuvering area.		Fire Prevention has reviewed and approved of the proposed design.
			Parkways and/or sidewalks may be required.		N/A
			No more than 24 dwelling units shall be located along a single-entry drive-aisle.		N/A
			All drive-aisles shall be enhanced with decorative pavement.		N/A
C.6	Number of Visitor Parking Spaces Required <sup>(1)</sup>	Projects with 10 units or fewer	A .30 space per each unit.		Project proposes two units. At 0.3 spaces per unit, the two-unit project requires 0.6 spaces, or one visitor space based on rounding up to the nearest whole number. The project provides one parking space on-site.
		Projects 11 units or more	A .25 space per each unit.		
		When calculating the required number of visitor parking spaces, if the calculation results in a fractional parking space, the required number of visitor parking spaces shall always be rounded up to the nearest whole number.			
C.7	Location of Visitor Parking	On Private/Public Streets	On-street visitor parking is permitted on private/public streets, subject to the following: <ul style="list-style-type: none"><li>• The private/public street is a minimum 34-feet wide (curb-to-curb)</li><li>• There are no restrictions that would prohibit on-street parking where the visitor parking is proposed</li><li>• The visitor parking spaces may be located:<ul style="list-style-type: none"><li>○ Along one or both sides of any private/public street(s) located within the project boundary, and</li><li>○ Along the abutting side and portion of any existing public/private street(s) that is contiguous to the project boundary</li></ul></li></ul>		No required visitor parking is provided on the street since it is not permitted pursuant to the Beach Area Overlay Zone (BAOZ). The BAOZ has the same visitor parking requirements as the Planned Development Ordinance, 0.3 spaces per each unit for projects with 10 dwelling units or less, or one visitor space based on rounding up to the nearest whole number. The project provides one parking space on-site.
			In parking bays along public/private streets within the project boundary, provided the parking bays are outside the minimum required street right-of-way width.		N/A

			When visitor parking is provided as on-street parallel parking, not less than 24 lineal feet per space, exclusive of driveway/drive-aisle entrances and aprons, shall be provided for each parking space, except where parallel parking spaces are located immediately adjacent to driveway/drive-aisle aprons, then 20 lineal feet may be provided.		N/A
			Within the Beach Area Overlay Zone, on-street parking shall not count toward meeting the visitor parking requirement.		No on-street visitor parking is proposed.
		On Drive-aisles	Visitor parking must be provided in parking bays that are located outside the required minimum drive-aisle width.		No drive-aisles are proposed under this project.
		On a Driveway	Outside the Beach Area Overlay Zone	One required visitor parking space may be credited for each driveway in a project that has a depth of 40 feet or more.	N/A
				For projects with 10 or fewer units, all required visitor parking may be located within driveways (located in front of a unit's garage), provided that all dwelling units in the project have driveways with a depth of 20 feet or more.	N/A
			Within the Beach Area Overlay Zone	One required visitor parking space may be credited for each driveway in a project that has a depth of 40 feet or more.	N/A
				<p>If the streets within and/or adjacent to the project allow for on-street parking on both sides of the street, then visitor parking may be located in a driveway, subject to the following:</p> <ul style="list-style-type: none"> <li>All required visitor parking may be located within driveways (located in front of a unit's garage), provided that all dwelling units in the project have driveways with a depth of 20 feet or more.</li> <li>If less than 100% of the driveways in a project have a depth of 20 feet or more, then a .25 visitor parking space will be credited for each driveway in a project that has a depth of 20 feet or more (calculations resulting in a fractional parking space credit shall always be rounded down to the nearest whole number).</li> </ul>	Garfield Street allows for parking on both sides of the street. Although, the garage has been converted to a bedroom and bath, the driveway remains and has a depth of 20 feet. Therefore, the requirement for one visitor parking stall for the two-unit project can be satisfied onsite.
			All projects	The minimum driveway depth required for visitor parking (20 feet or 40 feet) applies to driveways for front or side-loaded garages, and is measured from the property line, back of sidewalk, or from the edge of the drive-aisle, whichever is closest to the structure.	See above.
		Compact Parking	For projects of more than 25 units, up to 25% of visitor parking may be provided as compact spaces (8 feet by 15 feet). No overhang is permitted into any required setback area or over sidewalks less than 6 feet wide.		N/A
			For all projects within the Beach Area Overlay Zone, up to 55% of the visitor parking may be provided as compact spaces (8 feet by 15 feet).		N/A

		Distance from unit	Visitor parking spaces must be located no more than 300 feet as measured in a logical walking path from the entrance of the unit it could be considered to serve.		The visitor parking stall is located in the driveway in front of the unit and is therefore less than 300 feet from the unit.	
C.8	Screening of Parking Areas	Open parking areas should be screened from adjacent residences and public rights-of-way by either a view-obscuring wall, landscaped berm, or landscaping, except parking located within a driveway.			N/A. The required visitor parking space is located in the driveway in front of the unit.	
C.9	Community Recreational Space <sup>(1)</sup>	Community recreational space shall be provided for all projects of 11 or more dwelling units, as follows:			N/A (project has less than 11 dwelling units)	
		Minimum community recreational space required	Project is NOT within R-23 general plan designation	200 square feet per unit		
			Project IS within R-23 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.			N/A
		Projects with 26 or more dwelling units	Community recreational space shall be provided as both passive and active recreational facilities with a minimum of 75% of the area allocated for active facilities.			N/A
		Projects with 50 or more dwelling units	Community recreational space shall be provided as both passive and active recreational facilities for a variety of age groups (a minimum of 75% of the area allocated for active facilities).			N/A
			For projects consisting of one-family dwellings or twin homes on small-lots, at least 25% of the community recreation space must be provided as pocket parks. <ul style="list-style-type: none"><li>Pocket park lots must have a minimum width of 50 feet and be located at strategic locations such as street intersections (especially “T-intersections”) and where open space vistas may be achieved.</li></ul>			N/A
		All projects (with 11 or more dwelling units)	Community recreational space shall be located and designed so as to be functional, usable, and easily accessible from the units it is intended to serve.			N/A
			Credit for indoor recreation facilities shall not exceed 25% of the required community recreation area.			N/A
			Required community recreation areas shall not be located in any required front yard and may not include any streets, drive-aisles, driveways, parking areas, storage areas, slopes of 5% or greater, or walkways (except those walkways that are clearly integral to the design of the recreation area).			N/A
	Recreation Area Parking	In addition to required resident and visitor parking, recreation area parking shall be provided, as follows: 1 space for each 15 residential units, or fraction thereof, for units located more than 1,000 feet from a community recreation area.			N/A	

			The location of recreation area parking shall be subject to the same location requirements as for visitor parking, except that required recreation area parking shall not be located within a driveway(s).	N/A
		Examples of recreation facilities include, but are not limited to, the following:		
		Active	Swimming pool area Children’s playground equipment Spa Courts (tennis, racquetball, volleyball, basketball) Recreation rooms or buildings Horseshoe pits Pitch and putt Grassy play areas with a slope of less than 5% (minimum area of 5,000 square feet and a minimum dimension of 50 feet) Any other facility deemed by the City Planner to satisfy the intent of providing active recreational facilities	
		Passive	Benches Barbecues Community gardens Grassy play areas with a slope of less than 5%	
C.10	Lighting	Lighting adequate for pedestrian and vehicular safety shall be provided.		Appropriate lighting for the two-unit project will be evaluated with the final landscape and building plans.
C.11	Reserved			
C.12	Recreational Vehicle (RV) Storage <sup>(1)</sup>	Required for projects with 100 or more units, or a master or specific plan with 100 or more planned development units. Exception: RV storage is not required for projects located within the R-15 or R-23 land use designations.		N/A
		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.		N/A
		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.		N/A
C.13	Storage Space	480 cubic feet of separate storage space per unit.		A two-car garage with minimum required dimensions is provided for each unit which satisfies the storage requirements.
		If all storage for each unit is located in one area, the space may be reduced to 392 cubic feet.		
		Required storage space shall be separately enclosed for each unit and be conveniently accessible to the outdoors.		
		Required storage space may be designed as an enlargement of a covered parking structure provided it does not extend into the area of the required parking stall, and does not impede the ability to utilize the parking stall (for vehicle parking).		

		A garage (12'x20' one-car, 20'x20' two-car, or larger) satisfies the required storage space per unit.	
		This requirement is in addition to closets and other indoor storage areas.	

<sup>(1)</sup> This standard does not apply to housing for senior citizens (see Chapter 21.84 of this code).

**PLANNED DEVELOPMENTS (CMC SECTION 21.45.080)**

**TABLE E: CONDOMINIUM PROJECTS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD		COMPLIANCE COMMENT
E.1	Livable Neighborhood Policy	Must comply with City Council Policy 66, Principles for the Development of Livable Neighborhoods.		N/A, City Council resolution 2023-230 rescinded City Council Policy 66 to achieve consistency with current state regulations that require objective design standards. The final edits to the municipal code referencing Policy 66 are pending California Coastal Commission approval. To date, the Coastal Commission has not certified any city policy as part of the Local Coastal Program and therefore, the Policy does not apply in the interim.
E.2	Architectural Requirements	One-family and two-family dwellings	Must comply with City Council Policy 44, Neighborhood Architectural Design Guidelines	N/A, The purpose and intent of the architectural guidelines is to ensure that a variety of architectural elements are incorporated into single-family home projects to avoid cookie-cutter homes that all look the same. Per Policy 44, a new individual single-family home or remodel shall not be subject to these architectural guidelines. The City's new Objective Design Standards (ODS) are not in effect in the Coastal Zone yet. However, ODS only apply to multifamily housing and mixed-use development projects that include two or more attached residential units
		Multiple-family dwellings	There shall be at least three separate building planes on all building elevations. The minimum offset in planes shall be 18 inches and shall include, but not be limited to, building walls, windows, and roofs.	N/A
			All building elevations shall incorporate a minimum of four complimentary design elements, including but not limited to: <ul style="list-style-type: none"> <li>• A variety of roof planes;</li> <li>• Windows and doors recessed a minimum of 2 inches;</li> <li>• Decorative window or door frames;</li> <li>• Exposed roof rafter tails;</li> <li>• Dormers;</li> <li>• Columns;</li> <li>• Arched elements;</li> <li>• Varied window shapes;</li> <li>• Exterior wood elements;</li> </ul>	N/A

**PLANNED DEVELOPMENTS (CMC SECTION 21.45.080)**

**TABLE E: CONDOMINIUM PROJECTS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD			COMPLIANCE COMMENT	
			<ul style="list-style-type: none"><li>• Accent materials such as brick, stone, shingles, wood, or siding;</li><li>• Knee braces; and</li><li>• Towers.</li></ul>			
E.3	Maximum Coverage	60% of total project net developable acreage.			Proposed building coverage is 50% of the lot area (2,985 square feet).	
E.4	Maximum Building Height	Same as required by the underlying zone, and not to exceed three stories <sup>(1)(7)</sup>			The project is located within the BAOZ, and therefore pursuant to Footnote #1 below, building height shall be subject to the requirements of C.M.C. Chapter 21.82.050, which states that no residential structure shall exceed 30 feet when providing a minimum 3:12 roof pitch, or 24 feet when providing less than a 3:12 roof pitch. The project is proposing a building height of 30’ with a 3:12 roof pitch. Project complies.	
		Projects within the R-23 general plan designation <sup>(1)(7)</sup>	40 feet, if roof pitch is 3:12 or greater		N/A. The project is located within the BAOZ. Therefore, pursuant to Footnote #1 below, building height shall be subject to the requirements of C.M.C. Chapter 21.82 as discussed above. The project does not exceed three stories. Project complies.	
			35 feet, if roof pitch is less than 3:12			
			Building height shall not exceed three stories			
E.5	Minimum Building Setbacks	From a private or public street <sup>(2)(3)</sup>	Residential structure	10 feet	Garfield Street and Tamarack Avenue are public streets. The new residential structure is set back at least 10’ as measured from the outside edge of the ultimate street right-of-way width. Each of the two-car direct entry garages are setback 20’ from Tamarack Avenue.	
			Direct entry garage	20 feet		
		From a drive-aisle <sup>(4)</sup>	Residential structure (except as specified below)	5 feet, fully landscaped (walkways providing access to dwelling entryways may be located within required landscaped area)		N/A. No drive aisles are proposed.
			Residential structure – directly above a garage	0 feet when projecting over the front of a garage.		N/A. See above.
				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)	

**PLANNED DEVELOPMENTS (CMC SECTION 21.45.080)**

**TABLE E: CONDOMINIUM PROJECTS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD			COMPLIANCE COMMENT
			Projects of 25 units or less within the R-15 and R-23 general plan designations	Garages facing directly onto a drive-aisle shall be equipped with an automatic garage door opener.	N/A. See above.
		Balconies/decks (unenclosed and uncovered)	0 feet	May cantilever over a drive-aisle, provided the balcony/deck complies with all other applicable requirements, such as: <ul style="list-style-type: none"><li>Setbacks from property lines</li><li>Building separation</li><li>Fire and Engineering Department requirements</li></ul>	N/A. See above.
			From the perimeter property lines of the project site (not adjacent to a public/private street)		
E.6	Minimum Building Separation	10 feet			The one-family condominium units are separated by 10'.
E.7	Resident Parking <sup>(6)</sup>	All dwelling types	If a project is located within the R-23 general plan designation, resident parking shall be provided as specified below, and may also be provided as follows: <ul style="list-style-type: none"><li>25% of the units in the project may include a tandem two-car garage (minimum 12 feet x 40 feet).</li><li>Calculations for this provision resulting in a fractional unit may be rounded up to the next whole number.</li></ul>		Tandem parking is not proposed.
		One-family and two-family dwellings	2 spaces per unit, provided as either: <ul style="list-style-type: none"><li>a two-car garage (minimum 20 feet x 20 feet), or</li><li>2 separate one-car garages (minimum 12 feet x 20 feet each)</li><li>In the R-W Zone, the 2 required parking spaces may be provided as 1 covered space and 1 uncovered space <sup>(5)</sup></li></ul>		A two-car garage with the minimum required dimensions is provided for each unit.
		Multiple-family dwellings	Studio and one-bedroom units	1.5 spaces per unit, 1 of which must be covered <sup>(5)</sup>	N/A
				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"><li>a one-car garage (12 feet x 20 feet) and 1 covered or uncovered space; or <sup>(5)</sup></li></ul>		N/A

**PLANNED DEVELOPMENTS (CMC SECTION 21.45.080)**

**TABLE E: CONDOMINIUM PROJECTS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD					COMPLIANCE COMMENT
				• a two-car garage (minimum 20 feet x 20 feet), or			
				• 2 separate one-car garages (minimum 12 feet x 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 <sup>(5)</sup>			
			Required parking may be provided within an enclosed parking garage with multiple, open parking spaces, subject to the following:			N/A	
			• 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.			Each unit’s parking spaces are within 150 feet of the unit it is intended 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.			Each home provides a private recreation area in the form of ground level area and a third level balcony. The private recreation areas are easily accessible from the interior living area of each unit. The required areas do not encroach within the required front yard setback, nor include any driveways, parking areas, storage areas, or common walkways.	
			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 general plan designations	400 square feet	The project is within the R-23 GPLU designation, and therefore, provides at least 200 square feet of private recreational space per unit.	
				Projects within the R-15 or R-23 general plan designations	200 square feet		
			May consist of more than one recreational space.			N/A	
			May be provided at ground level and/or as a deck/balcony on a second/third floor or roof.			Consists of a ground level area and a third level balcony.	
			If provided at ground level	Minimum dimension	Not within the R-15 or R-23 general plan designations	15 feet	The project is within the R-23 GPLU designation, and therefore, provides at least 10-foot minimum dimensions for ground level recreational space.
		Within the R-15 or R-23 general plan designations			10 feet		



**PLANNED DEVELOPMENTS (CMC SECTION 21.45.080)**

**TABLE E: CONDOMINIUM PROJECTS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD			COMPLIANCE COMMENT
				Shall not have a slope gradient greater than 5%.	Recreation area do not have a slope gradient greater than 5%.
				Attached solid patio covers and decks/balconies may project into a required private recreational space, subject to the following: <ul style="list-style-type: none"> <li>The depth of the projection shall not exceed 6 feet (measured from the wall of the dwelling that is contiguous to the patio/deck/balcony).</li> </ul> The length of the projection shall not be limited, except as required by any setback or lot coverage standards.	The 3 <sup>rd</sup> floor balcony of the proposed unit projects 1 foot into the ground-level private open space for the existing unit. The projection does not exceed six feet; therefore, the project is in compliance with this standard. The project complies with the lot coverage standard of 60% or less.
				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).	N/A
			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 general plan designation 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.		N/A

<sup>(1)</sup> If a project is located within the Beach Area Overlay Zone, building height shall be subject to the requirements of Chapter 21.82 of this code.

<sup>(2)</sup> See Table C in Section 21.45.060 for required setbacks from an arterial street.

<sup>(3)</sup> Building setbacks shall be measured from the outside edge of the required street right-of-way width, whichever is closest to the building.

<sup>(4)</sup> Building setbacks shall be measured from one of the following (whichever is closest to the building): a) the outside edge of the required drive-aisle width; b) the back of sidewalk; or c) the nearest side of a parking bay located contiguous to a drive-aisle (excluding parking located in a driveway in front of a unit's garage).

<sup>(5)</sup> Any uncovered required parking space in the R-W zone may be located within a required front yard setback and may be tandem.

<sup>(6)</sup> This standard does not apply to housing for senior citizens (see Chapter 21.84 of this code).

<sup>(7)</sup> Protrusions above the height limit shall be allowed pursuant to Section 21.46.020 of this code. Such protrusions include protective barriers for balconies and roof decks.



# DISCLOSURE STATEMENT P- 1(A)

## Development Services

Planning Division  
1635 Faraday Avenue  
(760) 602-4610  
www.carlsbadca.gov

Applicant's statement or disclosure of certain ownership interests on all applications which will require discretionary action on the part of the City Council or any appointed Board, Commission or Committee.

The following information **MUST** be disclosed at the time of application submittal. Your project cannot be reviewed until this information is completed. Please print.

**Note:**

**Person** is defined as "Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, in this and any other county, city and county, city municipality, district or other political subdivision or any other group or combination acting as a unit."

**Agents** may sign this document; however, the legal name and entity of the applicant and property owner must be provided below.

1. **APPLICANT** (Not the applicant's agent)

Provide the **COMPLETE, LEGAL** names and addresses of **ALL** persons having a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. IF NO INDIVIDUALS OWN MORE THAN 10% OF THE SHARES, PLEASE INDICATE NON-APPLICABLE (N/A) IN THE SPACE BELOW. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.)

Person Carmen A. Berrio-Poulter

Corp/Part 3900 GS Holdings, LLC

Title Managing Member

Title Owner

Address 402 Wilshire Rd, Oceanside, CA 92057

Address 402 Wilshire Rd, Oceanside, CA 92057

2. **OWNER** (Not the owner's agent)

Provide the **COMPLETE, LEGAL** names and addresses of **ALL** persons having any ownership interest in the property involved. Also, provide the nature of the legal ownership (i.e., partnership, tenants in common, non-profit, corporation, etc.). If the ownership includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. IF NO INDIVIDUALS OWN MORE THAN 10% OF THE SHARES, PLEASE INDICATE NON-APPLICABLE (N/A) IN THE SPACE BELOW. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.)

Person Carmen A. Berrio-Poulter

Corp/Part 3900 GS Holdings, LLC

Title Managing Member

Title Owner

Address 402 Wilshire Rd.

Address 402 Wilshire Rd.

Oceanside, CA 92057

Oceanside, CA 92057

3. **NON-PROFIT ORGANIZATION OR TRUST**

If any person identified pursuant to (1) or (2) above is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the non-profit organization or as trustee or beneficiary of the.

Non Profit/Trust_____	Non Profit/Trust_____
Title_____	Title_____
Address_____	Address_____
_____	_____

4. Have you had more than \$500 worth of business transacted with any member of City staff, Boards, Commissions, Committees and/or Council within the past twelve (12) months?

☐ Yes ☒ No If yes, please indicate person(s): \_\_\_\_\_

**NOTE:** Attach additional sheets if necessary.

I certify that all the above information is true and correct to the best of my knowledge.

Carmen A. Berrio-Poulter Digitally signed by Carmen A. Berrio-Poulter  
Date: 2022.05.11 18:12:41 -03'00'

Signature of owner/date

Carmen A. Berrio-Poulter Digitally signed by Carmen A. Berrio-Poulter  
Date: 2022.05.11 18:13:16 -03'00'

Signature of applicant/date

Carmen Alisa Berrio-Poulter

Print or type name of owner

Carmen Alisa Berrio-Poulter

Print or type name of applicant

Andrew R Carlos Digitally signed by Andrew R Carlos  
Date: 2018.07.03 21:46:01 -07'00'

Signature of owner/applicant's agent if applicable/date

Andrew Carlos AIA

Print or type name of owner/applicant's agent



## CEQA DETERMINATION OF EXEMPTION

**Subject:** This California Environmental Quality Act (CEQA) Determination of Exemption is in compliance with Carlsbad Municipal Code Section 19.04.060. An appeal to this determination must be filed in writing with the required fee within ten (10) calendar days of the City Planner's decision consistent with Carlsbad Municipal Code Section 21.54.140.

**Project Number and Title:** PUD 2022-0004/SDP 2023-0030/CDP 2022-0049/MS2022-0006 (DEV2021-0091) – POULTER PROPERTIES MULTI-UNIT RESIDENTIAL

**Project Location - Specific:** 3900 Garfield Street, CA 92008 (APN 206-012-01-00)

**Project Location - City:** Carlsbad

**Project Location - County:** San Diego

**Description of Project:** Planned Unit Development Permit, Site Development Plan, Coastal Development Permit, and Minor Subdivision to demolish one of two existing single-family residences and a detached garage, and construct a new single-family residence built over two, new, two-car garages.

**Name of Public Agency Approving Project:** City of Carlsbad

**Name of Person or Agency Carrying Out Project:** City of Carlsbad

**Name of Applicant:** Andrew Carlos

**Applicant's Address:** 3327 Adams Street, Ste. 140 Carlsbad, CA 92008

**Applicant's Telephone Number:** 760-579-3996


**Name of Applicant/Identity of person undertaking the project (if different from the applicant above):**  
N/A

**Exempt Status: (Check One)**

- ☐ Ministerial (Section 21080(b)(1); 15268);
- ☐ Declared Emergency (Section 21080(b)(3); 15269(a));
- ☐ Emergency Project (Section 21080(b)(4); 15269 (b)(c));
- ☒ Categorical Exemption - State type and section number: Class 3, Section 15303, New Construction or Conversion of Small Structures
- ☐ Statutory Exemptions - State code number: \_\_\_\_\_
- ☐ Common Sense Exemption (Section 15061(b)(3))

**Reasons why project is exempt:** The proposal is exempt from the California Environmental Quality Act (CEQA). CEQA Section 15303 exempts the construction of up to three single-family residences in urbanized areas.

**Lead Agency Contact Person:** Edward Valenzuela, Associate Planner **Telephone:** 442-339-2624

  
ERIC LARDY, City Planner

12/14/23

Date

## LIST OF ACRONYMS AND ABBREVIATIONS

Exhibit 7

This is a list of acronyms and abbreviations (in alphabetical order) that are commonly used in staff reports.

Acronym	Description	Acronym	Description
APA	American Planning Association	LCPA	Local Coastal Program Amendment
APN	Assessor Parcel Number	LOS	Level of Service
AQMD	Air Quality Management District	MND	Mitigated Negative Declaration
BMP	Best Management Practice	NCTD	North County Transit District
CALTRANS	California Department of Transportation	ND	Negative Declaration
CC	City Council	PC	Planning Commission
CCR	Conditions, Covenants and Restrictions	PDP	Planned Development Permit
CEQA	California Environmental Quality Act	PEIR	Program Environmental Impact Report
CFD	Community Facilities District	PUD	Planned Unit Development
CIP	Capital Improvement Program	ROW	Right of Way
COA	Conditions of Approval	RWQCB	Regional Water Quality Control Board
CofO	Certificate of Occupancy	SANDAG	San Diego Association of Governments
CT	Tentative Parcel Map	SDP	Site Development Permit
CUP	Conditional Use Permit	SP	Specific Plan
DIF	Development Impact Fee	SWPPP	Storm Water Pollution Prevention Program
DISTRICT	City Council Member District Number	TM	Tentative Map
EIR	Environmental Impact Report	ZC	Zone Change
EIS	Environmental Impact Statement (federal)		
EPA	Environmental Protection Agency		
FEMA	Federal Emergency Management Agency		
GP	General Plan		
GPA	General Plan Amendment		
GIS	Geographic Information Systems		
HCA	Housing Crisis Act 2019		
IS	Initial Study		



POULTER PROPERTIES MULTI-UNIT RESIDENTIAL

3900 GARFIELD STREET

CARLSBAD CA 92008

SHEET INDEX

T-1	COVER SHEET
A1.0	SITE PLAN
1 of 1	TOPOGRAPHICAL SURVEY
C-1.0	GRADING PLAN
C-2.0	SITE SECTIONS
A2.0	1ST AND 2ND FLOOR PLAN
A2.1	3RD FLOOR AND ROOF PLAN
A2.2	EXISTING RESIDENCE FLOOR PLAN AND ELEVATIONS
A3.0	EXTERIOR ELEVATIONS
A3.1	BUILDING SECTIONS
A3.2	EXISTING RESIDENCE COLOR ELEVATIONS
A3.3	PROPOSED RESIDENCE COLOR ELEVATIONS
1 OF 4	LANDSCAPE TITLE SHEET
2 OF 4	PLANT LEGEND & IRRIGATION NOTES
3 OF 4	LANDSCAPE SITE PLAN
4 OF 4	APPENDIX D - PRESCRIPTIVE COMPLIANCE OPTION

Exhibit 8

PROJECT CONTACTS

OWNER:	3900 G S HOLDINGS LLC 20 GUTZON BORGUM ROAD STAMFORD, CT 06903 TEL: 203.524.1075 EMAIL: CARMEN.POULTER@GMAIL.COM CONTACT: CARMEN POULTER
ARCHITECT:	CARLOS ARCHITECTS, INC. 3327 ADAMS STREET CARLSBAD, CA 92008 TEL: 760.579.3996 EMAIL: INFO@ANDREWCARLOSARCHITECT.COM CONTACT: ANDREW CARLOS AIA
CIVIL ENGINEER:	JOHN MAJOCHA, PE, QSD 858 FIRST LIGHT ROAD SAN MARCOS, CA, 92078 TEL: 760-707-4972 EMAIL: jmajoc01@gmail.com
GEOTECHNICAL ENGINEER:	APPLIED CONSULTANTS 1941 FRIENDSHIP DRIVE, SUITE A EL CAJON, CA 92020 TEL: 619.258.9000 EMAIL: jorge@applied-consultants.com ATTN: JORGE L. VALDEZ P.E.
SURVEYOR:	3D-ALTITUDE LLC PO BOX 460571 ESCONDIDO, CA., 92046-0571 TEL: 760-533-8830 EMAIL: ballen110@gmail.com CONTACT: BRANDON ALLEN
LANDSCAPE ARCHITECT:	SIMON LANDSCAPE ARCHITECTURE 7780 HILLDALE DRIVE SAN DIEGO CA 92120 TEL: 619-570-1080 EMAIL: ksimon@simonlandscapearchitecture.com

PROJECT SCOPE

RETAIN EXISTING 1,226 SF SINGLE STORY - SINGLE FAMILY HOME AND ADD TWO STORY 3,250 SF SECOND DWELLING UNIT OVER TWO 2-CAR GARAGES.

THE PROJECT OWNERSHIP WILL BE CHANGED FROM A SINGLE OWNERSHIP TO CONDOMINIUMS WITH THE POTENTIAL FOR SEPARATE OWNERSHIP OF EACH RESIDENCE.

EXISTING BUILDING AREA

DESCRIPTION	AREA	REMARKS
LIVING UNIT 1	1,226 SF	SINGLE FAMILY-SINGLE STORY UNIT TO REMAIN
LIVING UNIT 2	467 SF	TO BE DEMOLISHED
1-CAR GARAGE	245 SF	TO BE DEMOLISHED

PROPOSED BUILDING AREA

DESCRIPTION	AREA	REMARKS
LIVING UNIT 3 - SINGLE FAMILY RESIDENCE		
FIRST FLOOR	1,052 SF	GARAGE LEVEL (TWO 2-CAR)
SECOND FLOOR	1,615 SF	
THIRD FLOOR	1,385 SF	
TOTAL	3,000 SF	NOT INCLUDING GARAGE

ZONING INFORMATION

ZONE	RD-M
GROSS LOT AREA	6,000 SF (5,940 SF NET)
LOT WIDTH	50.00'
LOT DEPTH	120.00'
LOT COVERAGE	MAX AREA PERMITTED(60%)
	AREA PROPOSED
	3,564 SF
	1,226 SF EXISTING
	1,759 SF NEW
	2,985 SF TOTAL (50%)
SETBACKS	REQUIRED
	PROPOSED
	FRONT: 20'-0"
	SIDE: 10'/5'
	REAR: 10'-0"
BUILDING HEIGHT	PERMITTED
	PROPOSED
3:12/3:12 SLOPE	30'-0"/24'-0"
	30'-0" WITH 3:12 ROOF
PARKING	REQUIRED 8.5'X19 STALL
	PROPOSED
SINGLE FAM HOME	2 COVERED STALLS
	TWO 2 CAR GARAGES
VISITOR STALL	1 UNCOVERED STALL
	1 UNCOVERED STALL

GENERAL NOTES

1. PV SYSTEM TO BE UNDER SEPARATE PERMIT & PLAN CHECK, AND BE SIZED PER THE T-24 ENERGY REPORT ON THIS PERMIT.
2. THE PHOTOVOLTAIC PLANS SHALL BE SUBMITTED AND APPROVED PRIOR TO THE ROUGH ELECTRICAL INSPECTION.
3. A BOUNDARY SURVEY REPORT IS REQUIRED FOR THIS PROJECT. CONCRETE PLACEMENT WILL NOT BE APPROVED UNTIL A BOUNDARY SURVEY SHOWING COMPLIANCE TO THE APPROVED PLANS IS PROVIDED TO THE BUILDING DIVISION.

SUMMARY TABLE

PROJECT NUMBER:	PUD 2022-0004/CDP2022-0049/MS2022-0006 (DEV2021-0091)
APPLICATION TYPE:	PUD /CDP
APN:	2060120100
FULL ADDRESS:	3900 GARFIELD ST
SITE ACERAGE:	0.1375 ACRE (6,000SF)
ZONING:	RD-M
GENERAL PLAN:	R-23
LFMZ:	1
PROPOSED DENSITY:	2/0.1375=14.5
OCCUPANCY:	GARAGE - GROUP U
MULTI-UNIT - GROUP:	R-3
EXISTING GENERAL PLAN:	
LAND USE DESIGNATION:	4
PERCENT OF SITE TO BE LANDSCAPED:	40%
DRAINAGE AREA:	B
SEWER DISTRICT:	CBD
WATER DISTRICT:	CMWD
SCHOOL DISTRICT:	CA
PARK DISTRICT:	1
FIRE DISTRICT:	1
BRIDGE THOROUGHFARE DISTRICT:	NA
CENSUS TRACT:	180
MASTER PLAN:	NA
SPECIFIC PLAN:	NA
SEWER BENEFIT AREA:	NA
IN COASTAL ZONE:	YES
IN REDEVELOPMENT ZONE:	NO
IN BEACH OVERLAY ZONE:	YES
IN FIRE ZONE:	NO
IN VISITOR ZONE:	NO

LEGAL DESCRIPTION:

LOT 1 IN BLOCK "L" OF PALISADES, IN THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1747, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON FEBRUARY 54, 1923.

CAP COMPLIANCE SECTION

- i. CONSISTENT WITH EXISTING GENERAL PLAN LAND USE AND ZONING: YES
- ii. GHG STUDY REQUIRED? NO
- iii. ENERGY EFFICIENCY REQUIREMENT: YES (CAL GREEN)
- iv. PHOTOVOLTAIC REQUIREMENT: (ANSWER YES):
  - KW-DC ROOF MOUNTED
  - 3.0 KW-DC TOTAL PROJECT
- ELECTRIC VEHICLE CHARGING REQUIREMENT:
- 2 EV CHARGERS LOCATED IN GARAGE(S)
- vi. HOT WATER HEATING REQUIREMENT: YES (HEAT PUMP WATER HEATER LOCATED IN GARAGE)
- vii. TRAFFIC DEMAND MANAGEMENT REQUIRED: NO

WATER HEATING SYSTEM

IN COMPLIANCE WITH CARLSBAD ORDINANCE CS-348:

HEAT PUMP WATER HEATER AND COMPACT HOT WATER DISTRIBUTION AND DRAIN WATER HEAT RECOVERY (LOW-RISE RESIDENTIAL ONLY)

HEAT PUMP: 50 GALLON VOLTEX RESIDENTIAL HYBRID ELECTRIC HEAT PUMP WATER HEATER

PHOTOVOLTAIC SYSTEM

IN COMPLIANCE WITH CARLSBAD ORDINANCE CS-348:

INCLUDE POWER (kWdc) OF EACH SEPERATE PV SYSTEM. TOTAL kWdc OF ALL INDIVIDUAL SYSTEMS SHALL MATCH TOTAL ON PROJECT SUMMARY TABLE:

kWdc ROOF MOUNTED TOTAL = 3.0 kWdc

BUILDING PV SYSTEM TOTAL = 3.0 kWdc

VICINITY MAP WITH 100' PERIMETER



PROJECT DATA

PROJECT SHALL COMPLY WITH THE 2022 CALIFORNIA RESIDENTIAL CODE, WHICH ADOPTS THE 2022 CBC, 2022 CMC, 2022 CPC AND THE 2022 CEC. SECTION R106.1.

GOVERNING CODES

2022 CALIFORNIA BUILDING CODE	2022 CALIFORNIA ELECTRICAL CODE
2022 CALIFORNIA RESIDENTIAL CODE	2022 CALIFORNIA ENERGY CODE
2022 CALIFORNIA MECHANICAL CODE	2022 CALIFORNIA FIRE CODE
2022 CALIFORNIA PLUMBING CODE	2022 CALIFORNIA GREEN BUILDING STANDARDS CODE

CARLSBAD MUNICIPAL CODE TITLE 21 ZONING GENERAL DEVELOPMENT STANDARDS 21.45.060 TABLE C AND E

BUILDING CODE DATA

CONSTRUCTION TYPE: . . . . . TYPE V-B FOR EXISTING AND PROPOSED STRUCTURES

SEISMIC CATEGORY. . . . . D

OCCUPANCY GROUP CLASSIFICATION. . . . . SINGLE FAMILY - R-3 /GARAGE - U

RESIDENTIAL FIRE SPRINKLER SYSTEMS. . . . . YES. RESIDENTIAL FIRE SPRINKLERS PROVIDED IN COMPLIANCE WITH NFPA130.

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ADDRESS: 3900 GARFIELD STREET, CARLSBAD, CA 92008

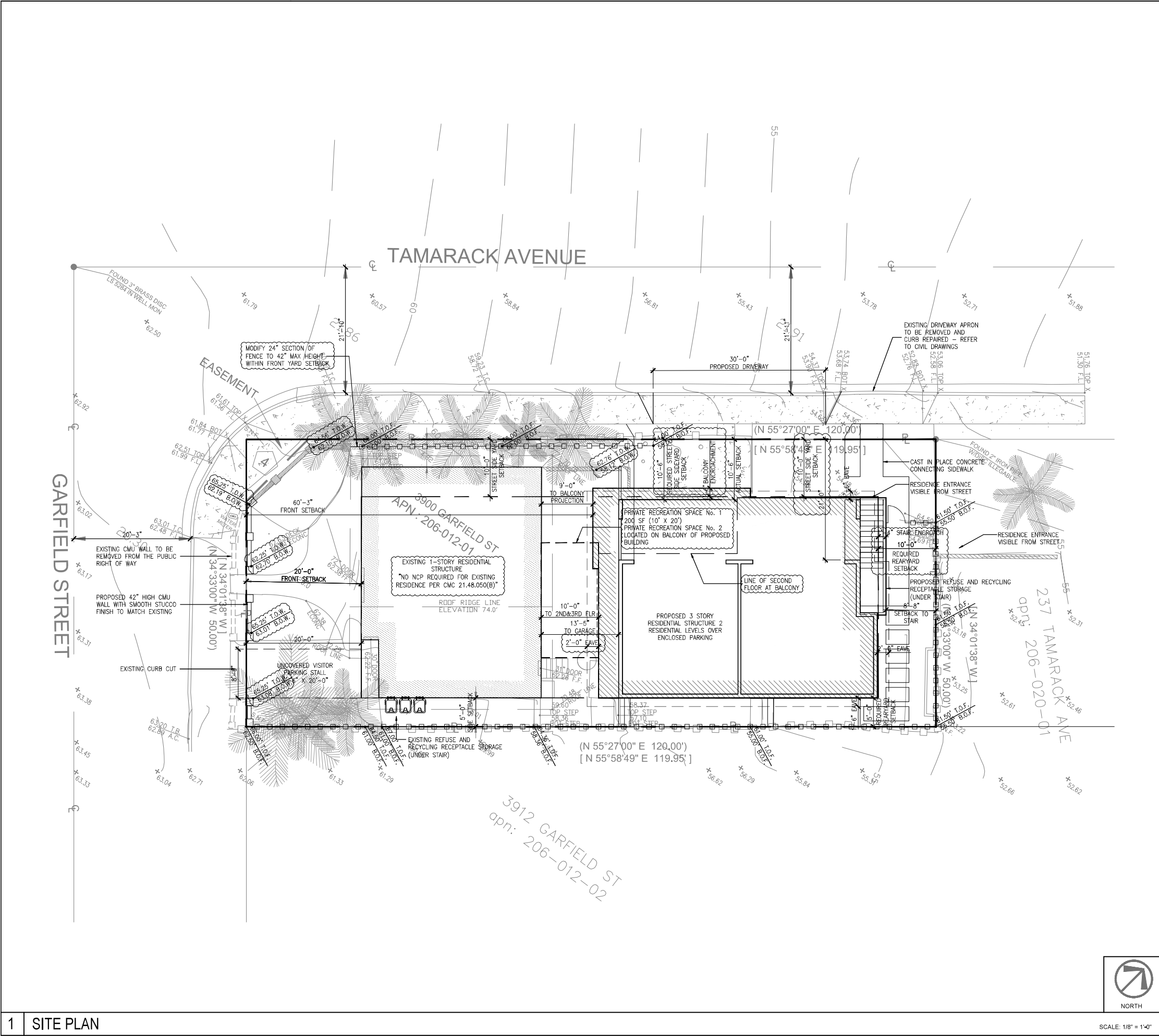
DESCRIPTION: SINGLE FAMILY RESIDENCE

REVISIONS	
CDP I:	5/10/2022
CDP II:	5/25/2023
CDP III:	10/08/2023
CDP IV:	12/15/2023

ISSUE DATE: 12/15/2023

SHEET NUMBER

T-1



**LEGEND**

- EXISTING BUILDING TO REMAIN
- PROPOSED BUILDING
- T.O.F. TOP OF FENCE
- B.O.F. BOTTOM OF FENCE
- T.O.W. TOP OF WALL
- B.O.W. BOTTOM OF WALL
- EXISTING OR PROPOSED WOOD FENCE

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SITE PLAN

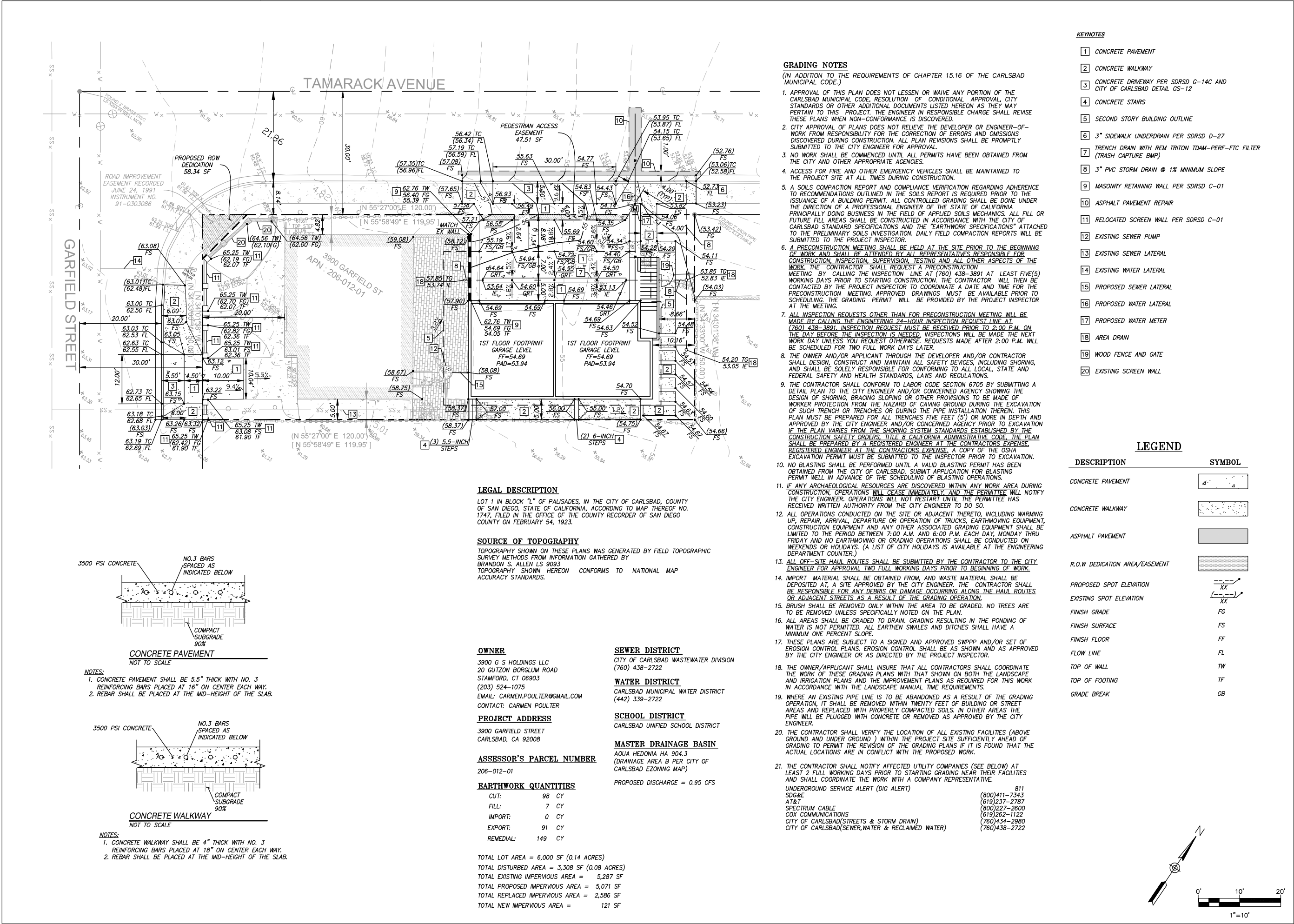
SHEET NUMBER

**A-1.0**

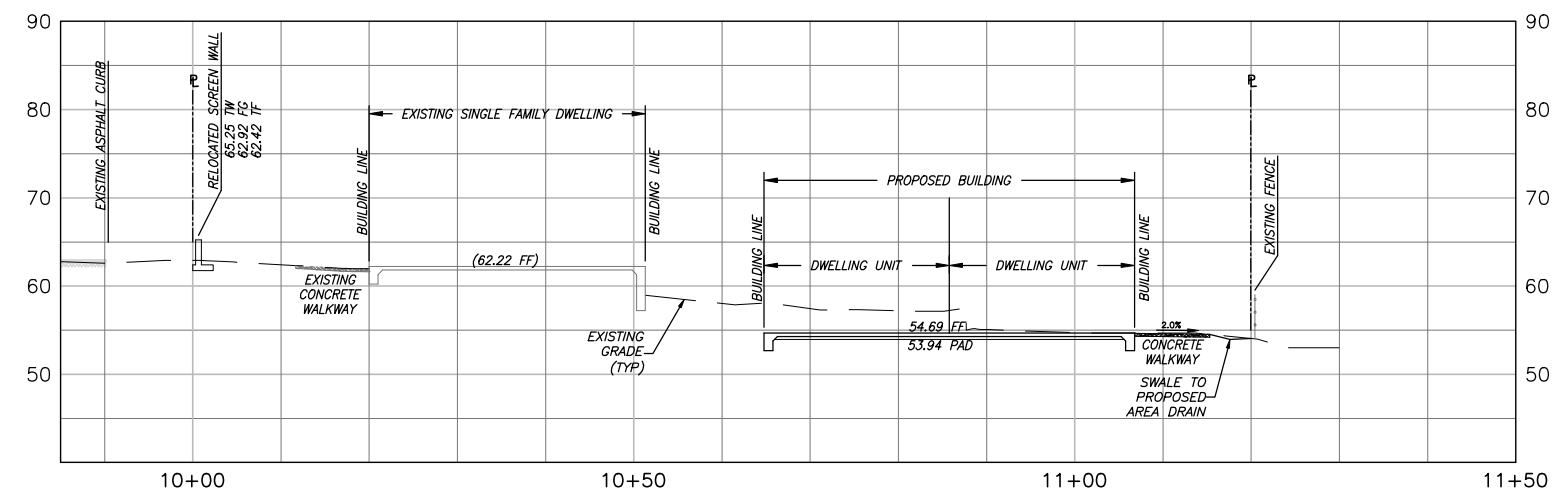
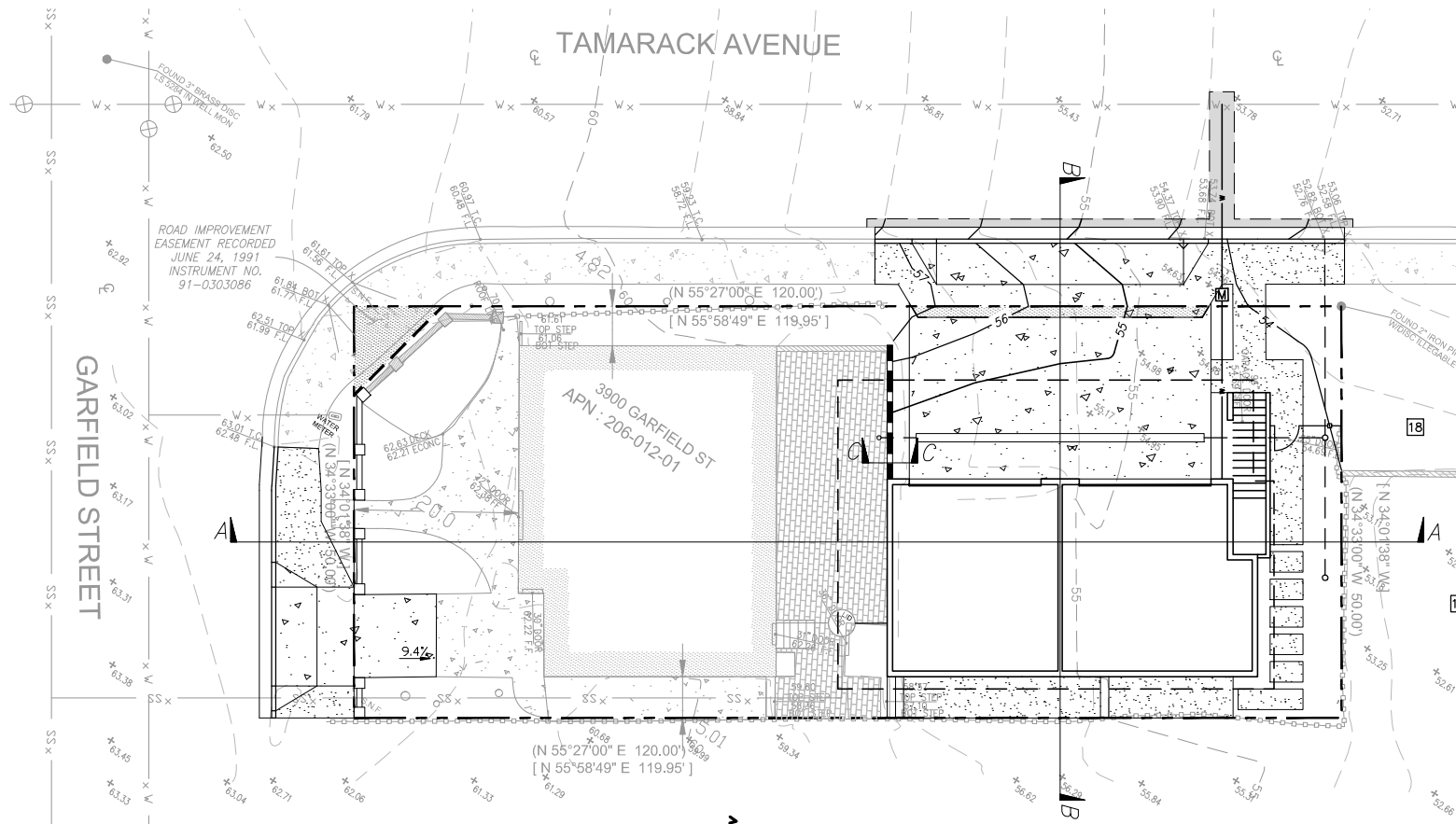


SCALE: 1/8" = 1'-0"

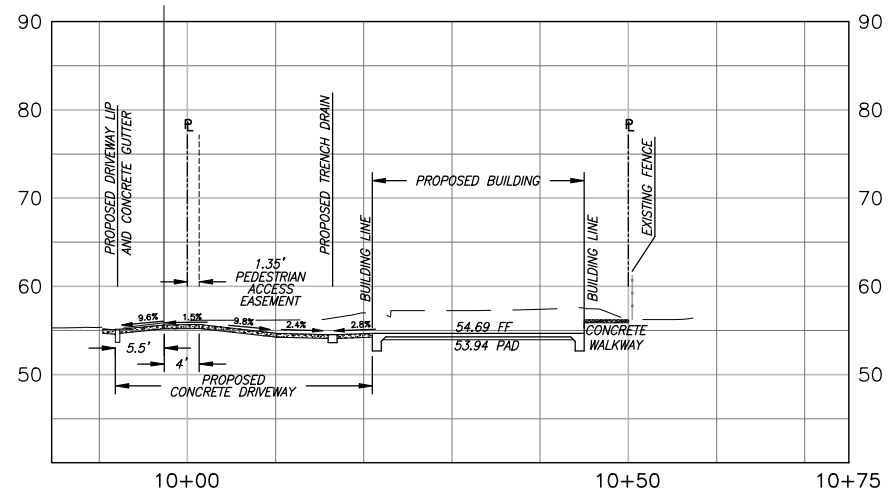




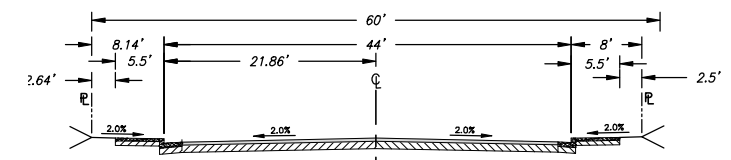
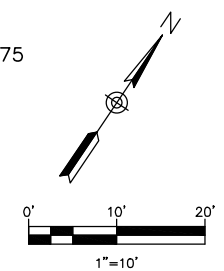




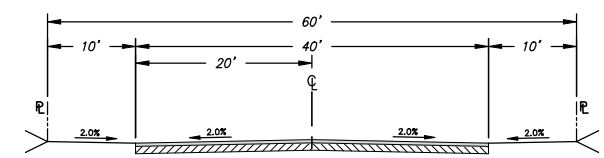
CROSS SECTION A-A  
1"=10' H AND V



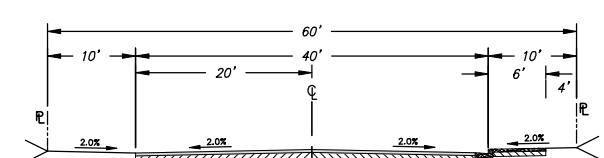
CROSS SECTION B-B  
1"=10' H AND V



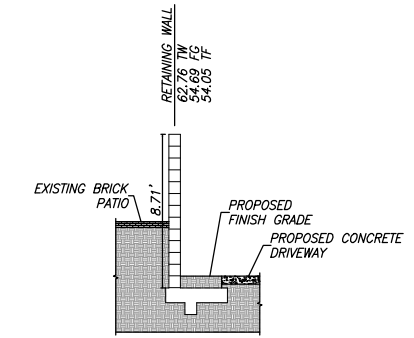
EXISTING TAMARACK AVENUE SECTION VIEW  
NOT TO SCALE



EXISTING GARFIELD STREET SECTION VIEW  
NOT TO SCALE



PROPOSED GARFIELD STREET SECTION VIEW  
NOT TO SCALE



CROSS SECTION C-C  
1"=5' H AND V



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DESCRIPTION: SINGLE FAMILY RESIDENCE

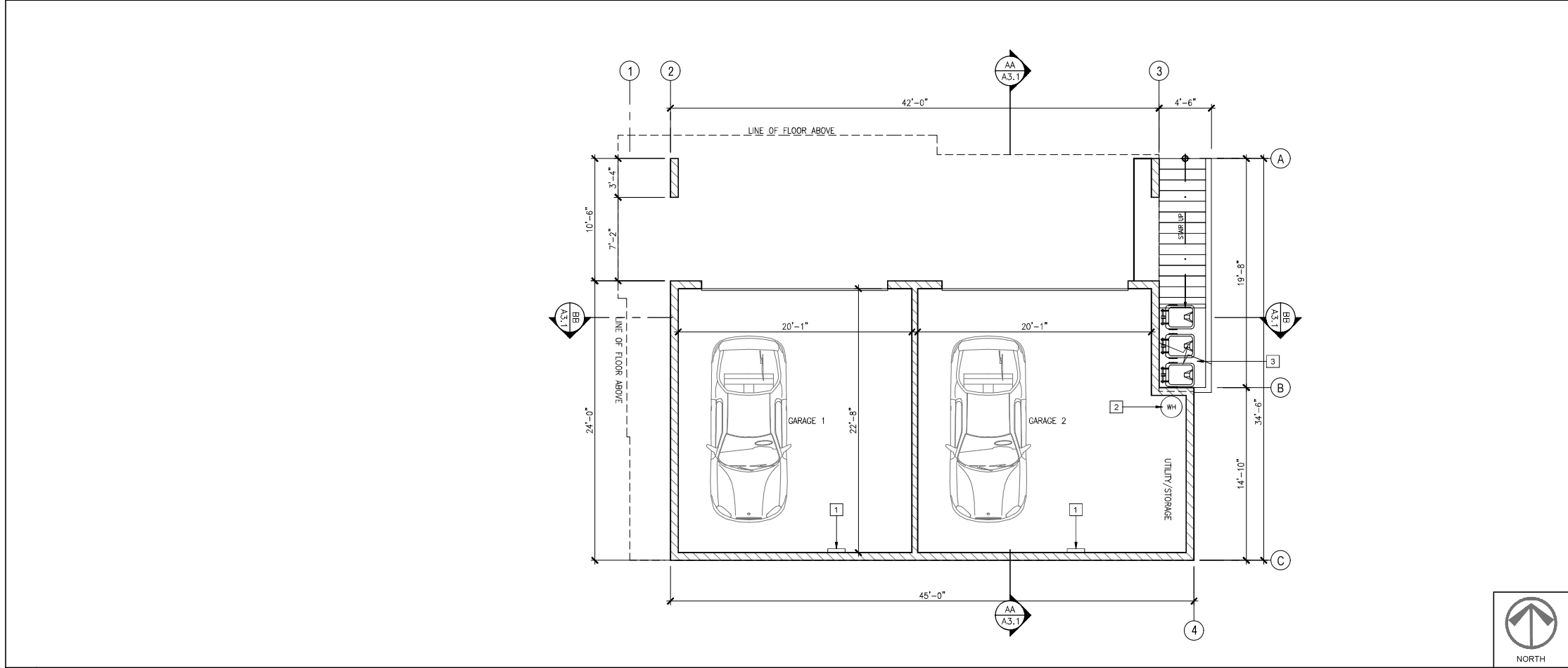
REVISIONS

ISSUE DATE:

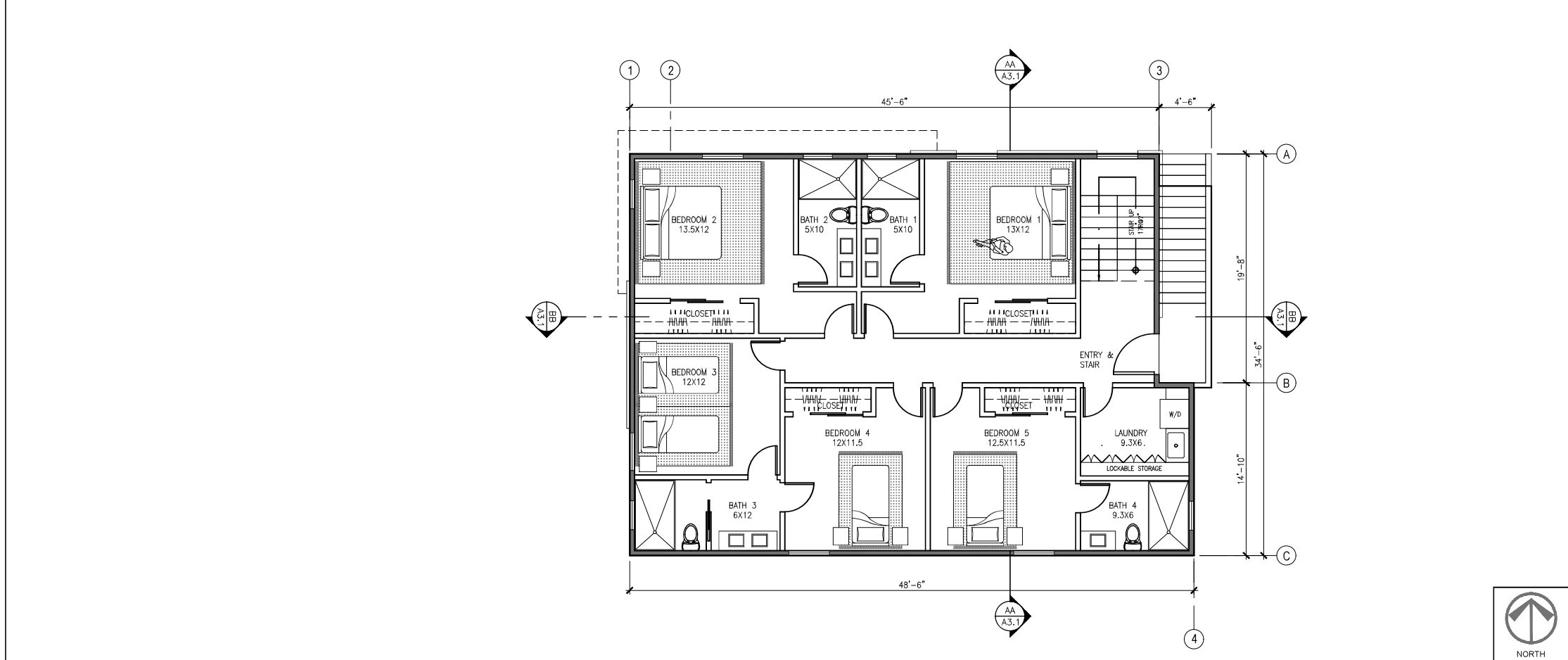
SITE SECTIONS

SHEET NUMBER

C-2.0



1 FIRST FLOOR PLAN - GARAGE LEVEL



2 SECOND FLOOR PLAN

KEYNOTES

- 1 230V SINGLE PHASE 50 AMP EVSE CHARGER
- 2 50 GALLON VOLTEX RESIDENTIAL HYBRID ELECTRIC HEAT PUMP WATER HEATER
- 3 REFUSE AND RECYCLING RECEPTACLE STORAGE AREA UNDER EXTERIOR STAIR

PROPOSED BUILDING AREA

DESCRIPTION	AREA	REMARKS
LIVING UNIT 3 - SINGLE FAMILY RESIDENCE		
FIRST FLOOR	1,052 SF	GARAGE LEVEL (TWO 2-CAR)
SECOND FLOOR	1,615 SF	
THIRD FLOOR	1,385 SF	
TOTAL	3,000 SF	NOT INCLUDING GARAGE

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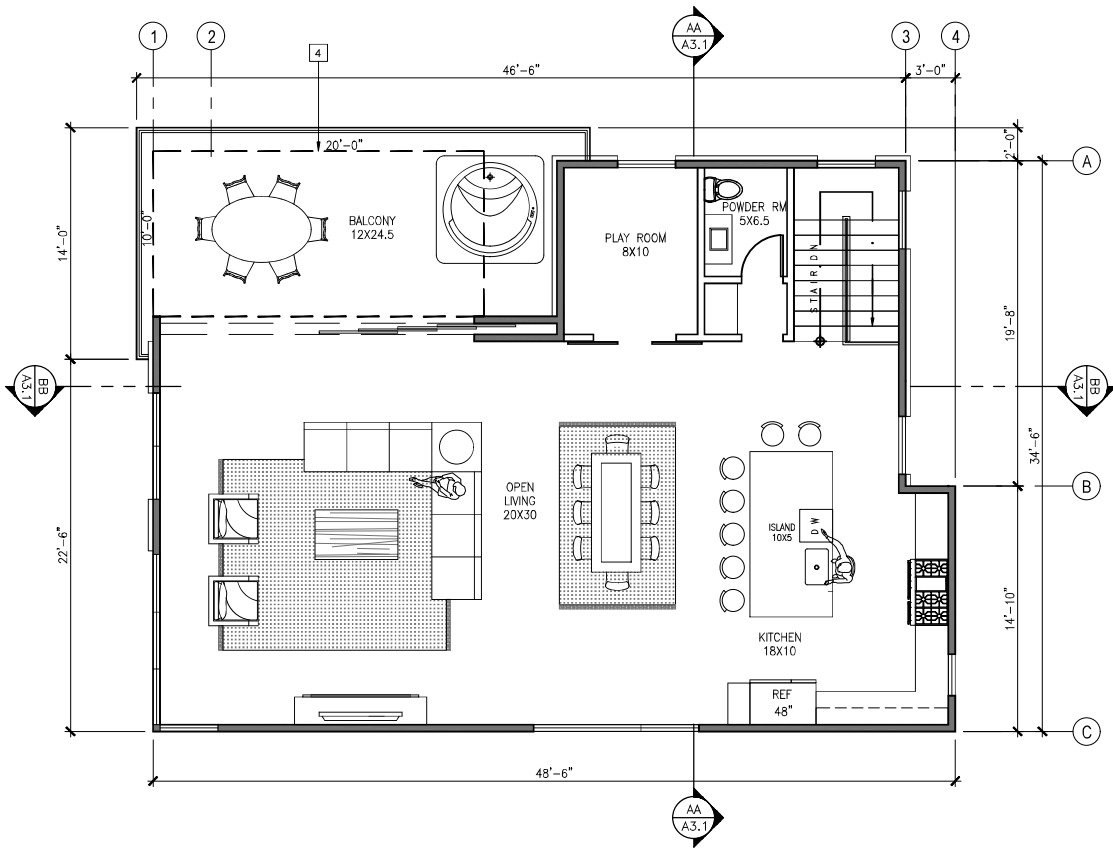
REVISIONS	
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ISSUE DATE: 12/15/2023

1ST FLOOR PLAN  
& 2ND FLOOR PLAN

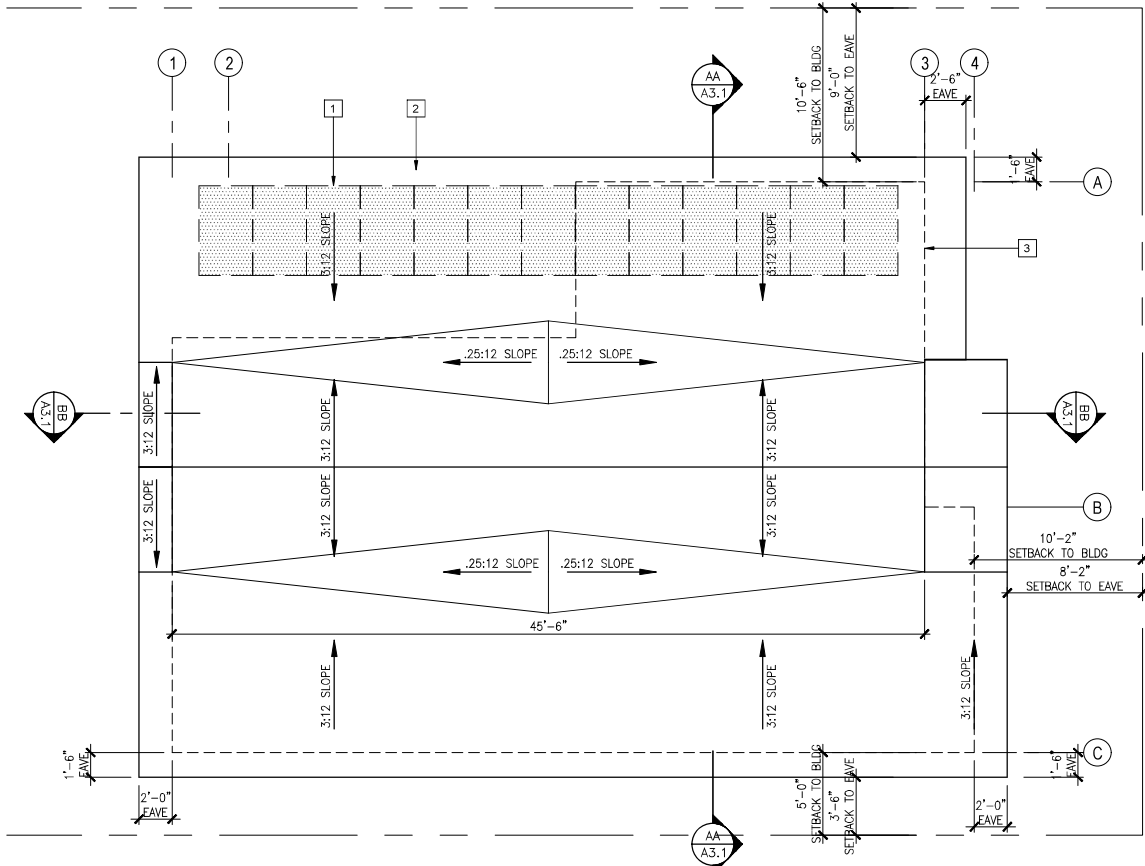
SHEET NUMBER

**A-2.0**



SCALE: 3/8" = 1'-0"

1 | THIRD FLOOR PLAN



SCALE: 3/8" = 1'-0"

2 | ROOF PLAN

KEYNOTES

- 1 ROOF MOUNTED PHOTOVOLTAIC ARRAY  
\*KWDC ROOF MOUNTED TOTAL = 3.0 KWDC  
\*BUILDING PV SYSTEM TOTAL = 3.0 KWDC (10 PANELS MINIMUM)
- 2 ROOF MEMBRANE: GAF MODIFIED BITUMINOUS SHEET  
ROOFING ESR-1274
- 3 LINE OF BUILDING FOOTPRINT BELOW
- 4 PRIVATE RECREATIONAL SPACE - 200 SF

PROPOSED BUILDING AREA

DESCRIPTION	AREA	REMARKS
LIVING UNIT 3 - SINGLE FAMILY RESIDENCE		
FIRST FLOOR	1,052 SF	GARAGE LEVEL (TWO 2-CAR)
SECOND FLOOR	1,615 SF	
THIRD FLOOR	1,385 SF	
TOTAL	3,000 SF	NOT INCLUDING GARAGE

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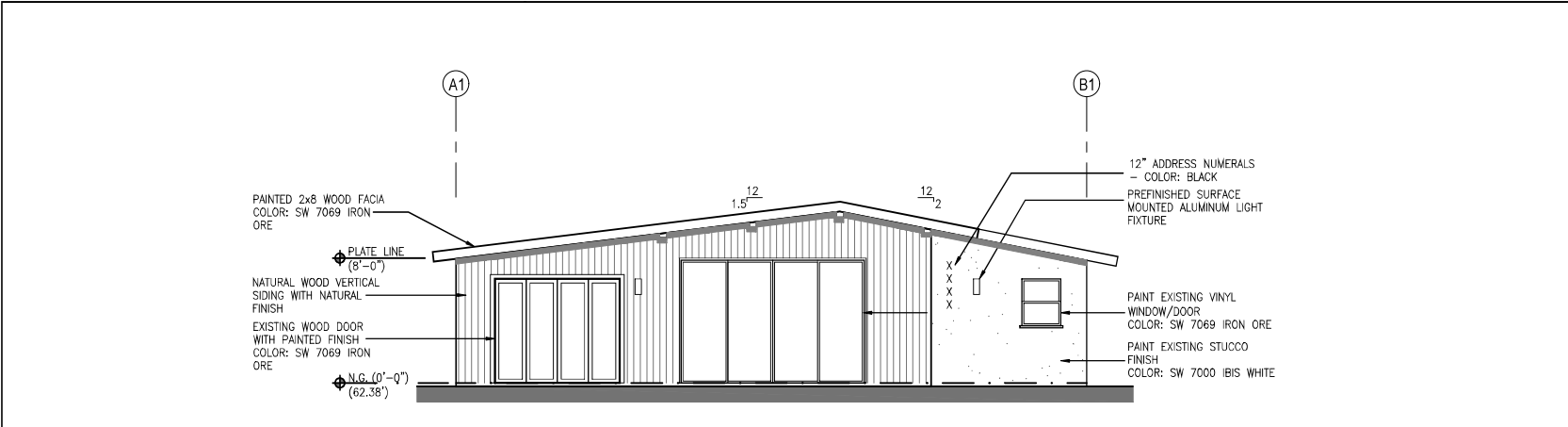
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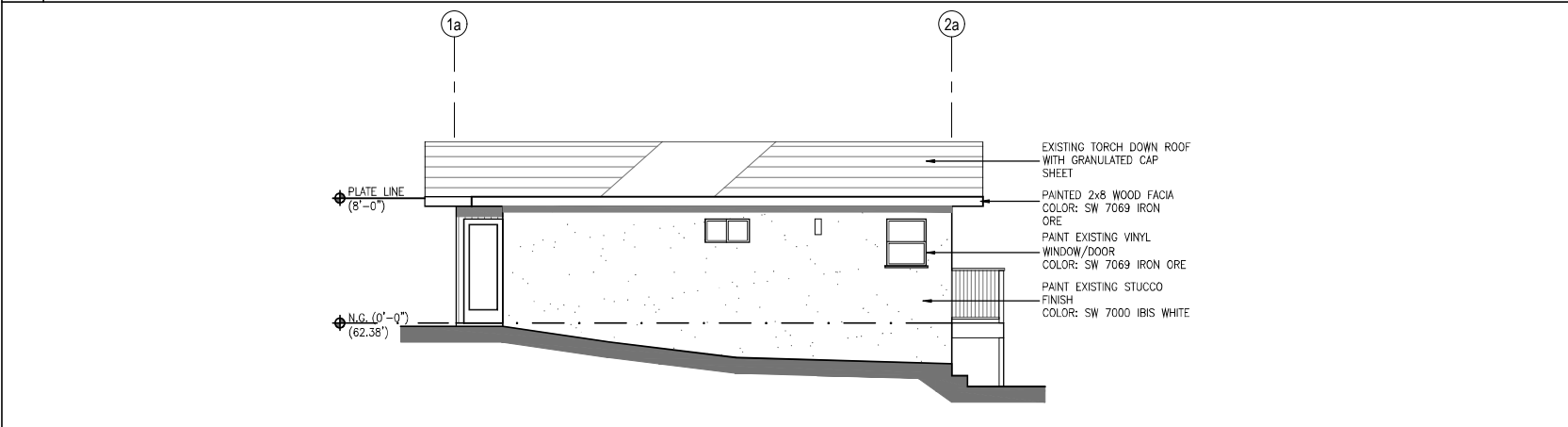
3RD FLOOR PLAN  
& ROOF PLAN

SHEET NUMBER

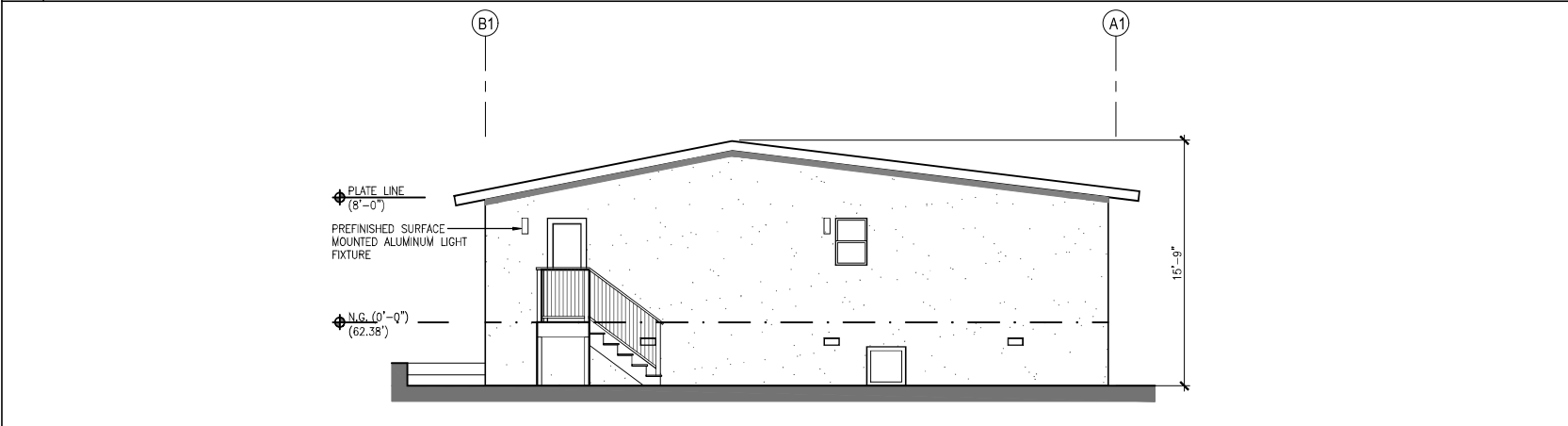
A-2.1



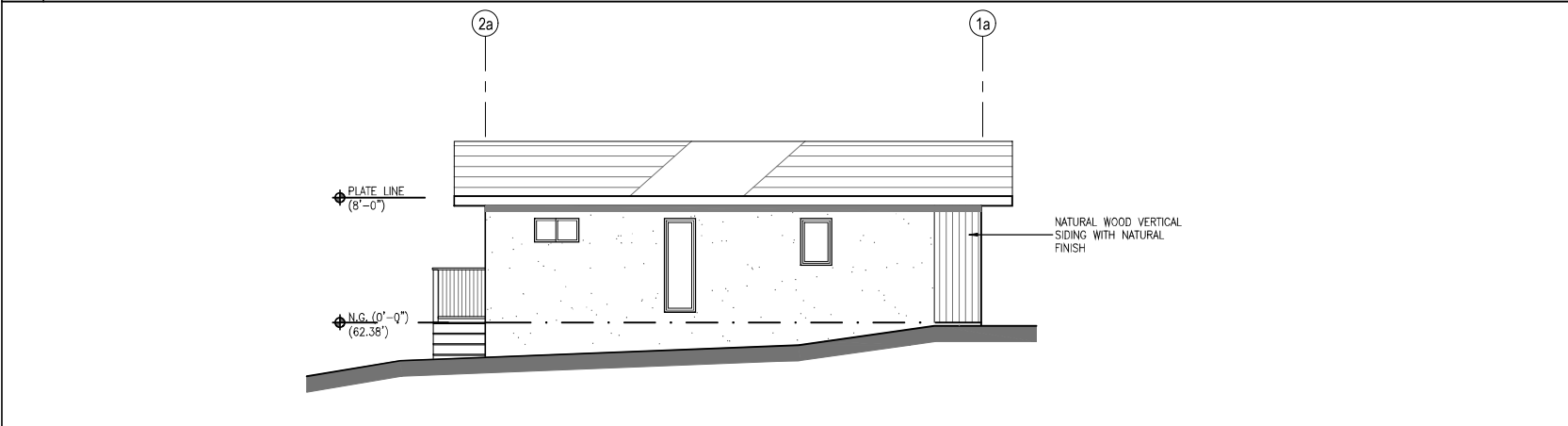
1 FRONT (WEST) ELEVATION



2 SIDE (SOUTH) ELEVATION



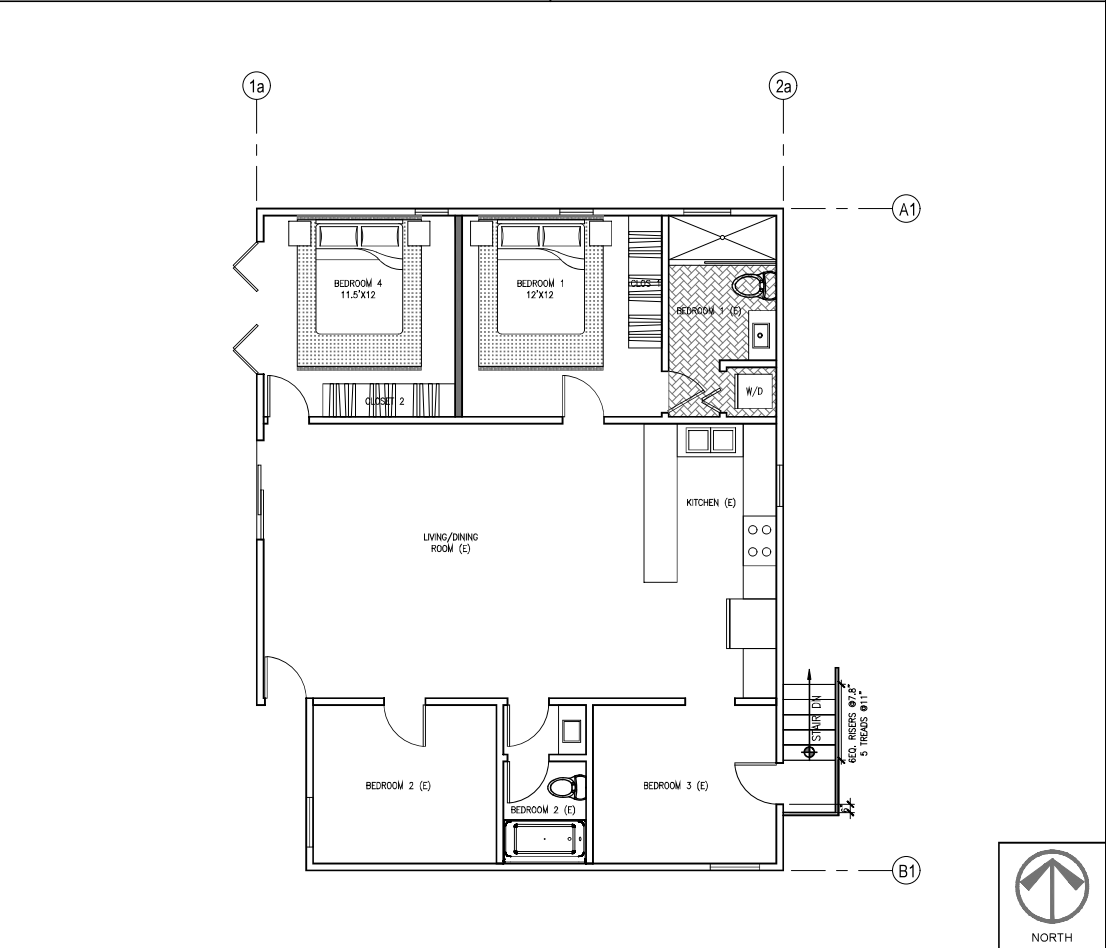
4 REAR (EAST) ELEVATION



5 SIDE (NORTH) ELEVATION

KEYNOTES

LEGEND



3 FLOOR PLAN - EXISTING RESIDENCE



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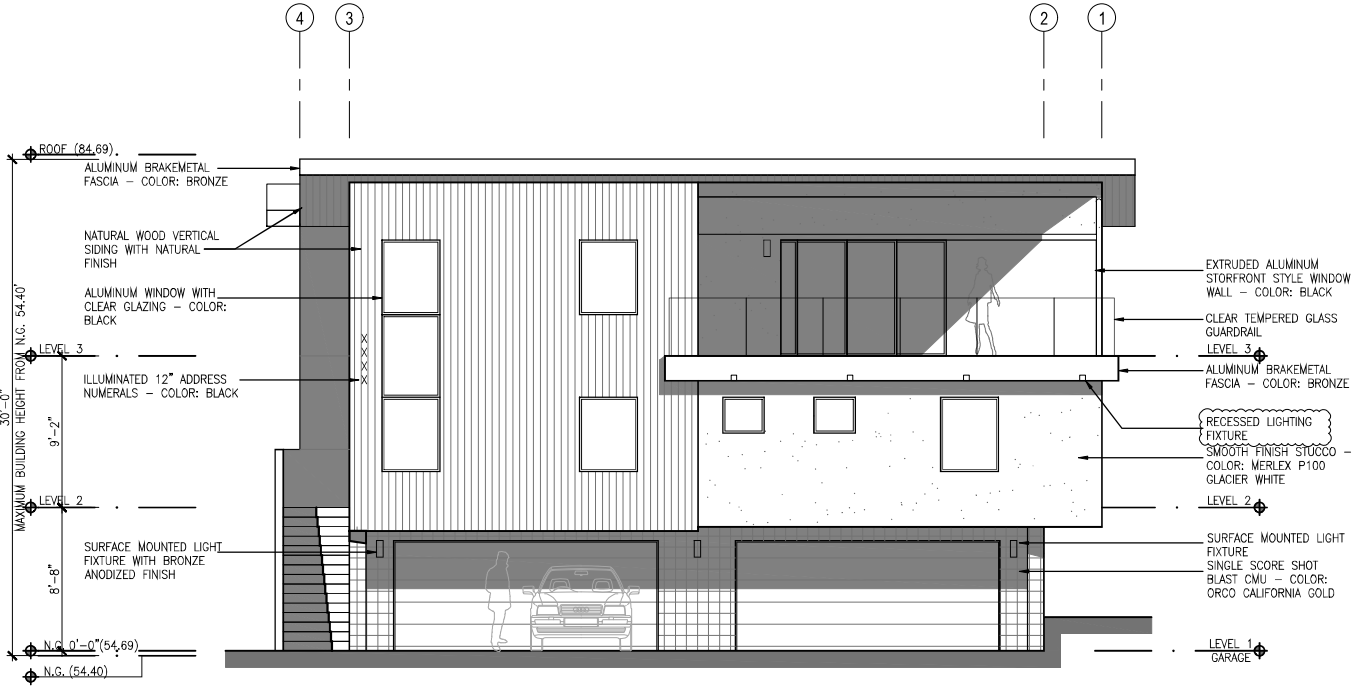
ISSUE DATE: 12/15/2023

EXISTING  
RESIDENCE  
FLOOR PLAN &  
ELEVATIONS

SHEET NUMBER

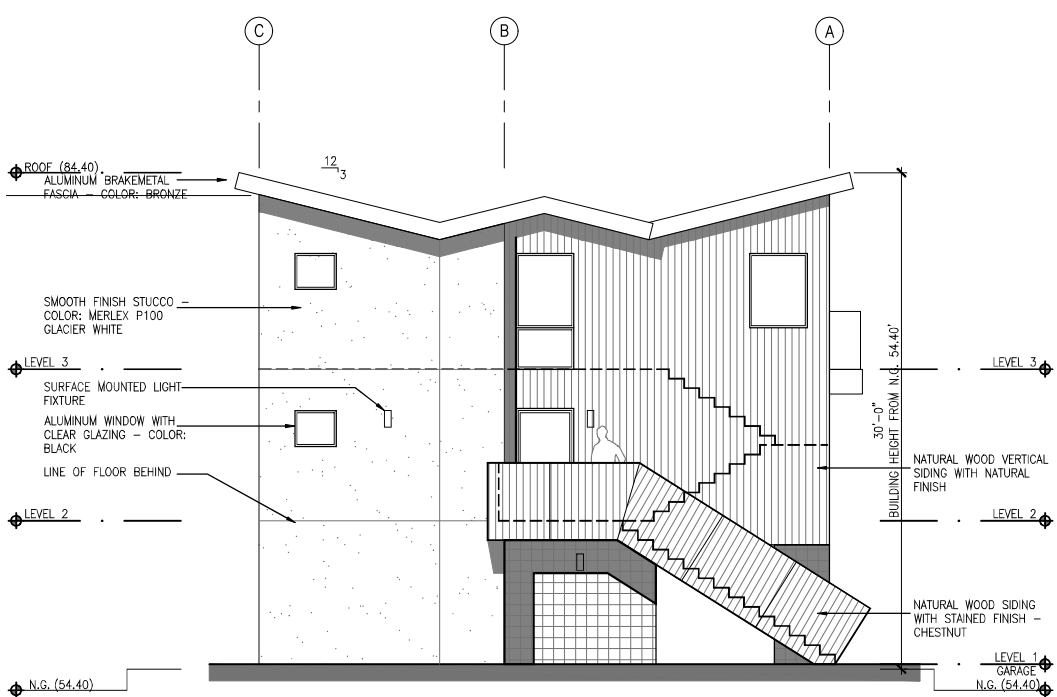
A-2.2

NOTE: BUILDING HEIGHT SHALL COMPLY WITH CARLSBAD BUILDING HEIGHT DEFINITION (ZONING ORDINANCE SECTION 21.04.065) (FORM P-2, SECTION I.C. LINE 1.F).  
THE GENERAL CONTRACTOR SHALL NOT EXCEED THE MAXIMUM BUILDING HEIGHT AND SHALL CERTIFY THE BUILDING HEIGHT PER CITY OF CARLSBAD REGULATIONS PRIOR TO FRAMING INSPECTION



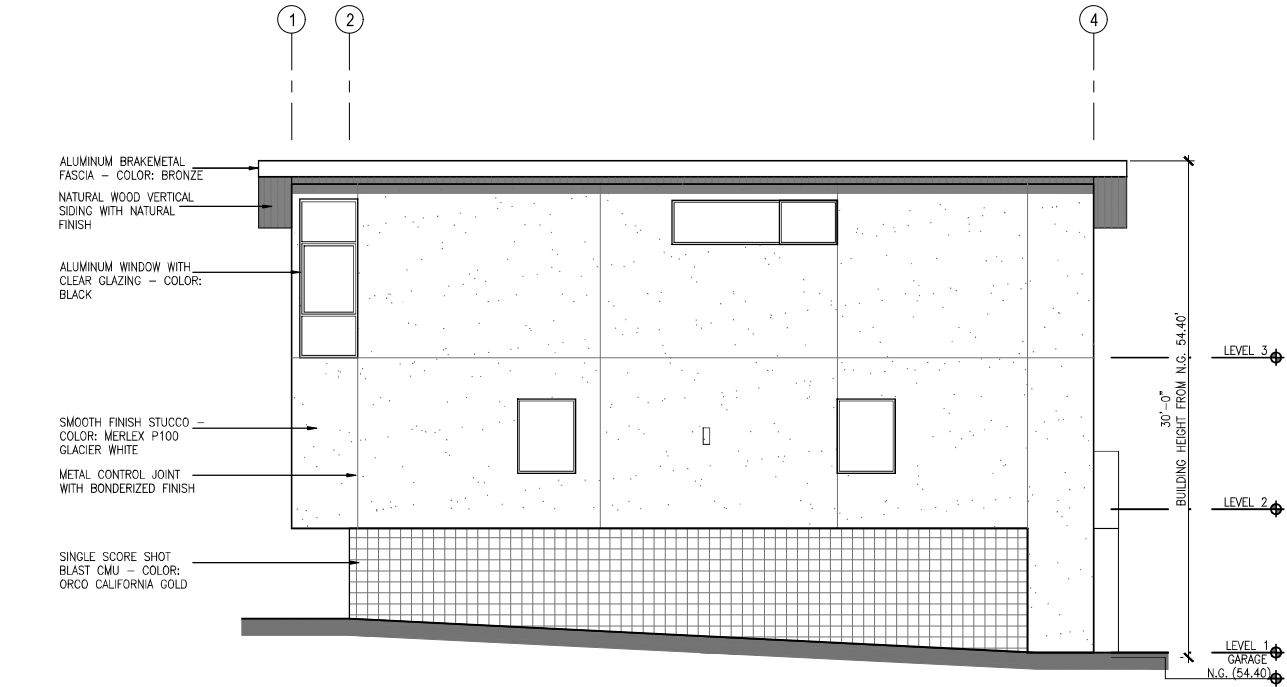
1 NORTH ELEVATION

SCALE: 3/8"= 1'-0"



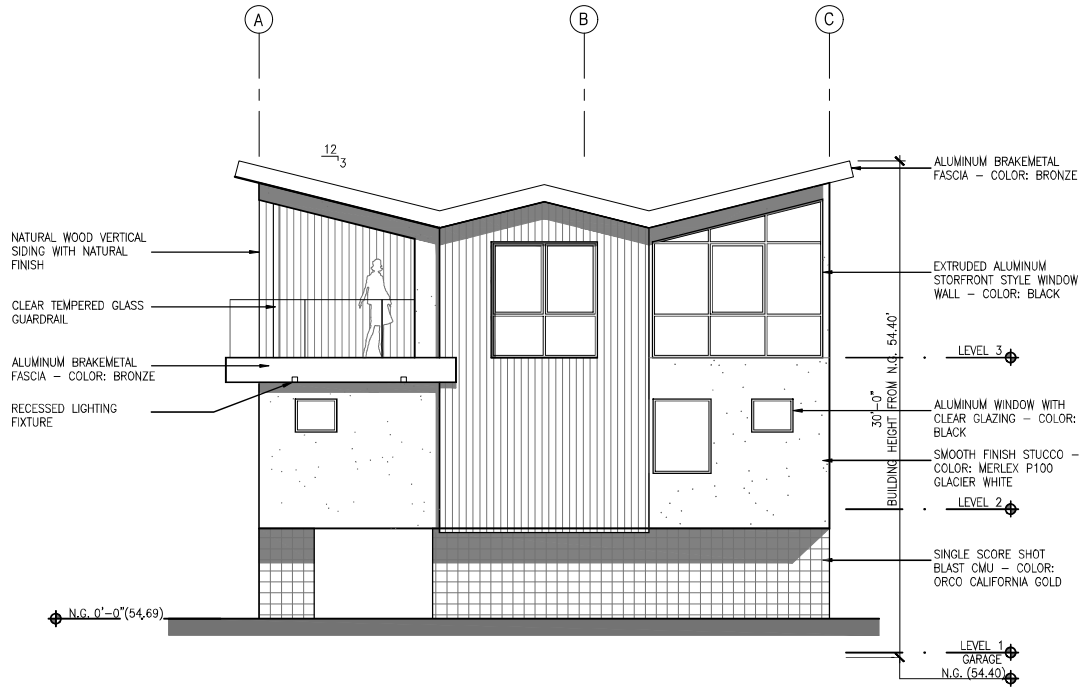
2 EAST ELEVATION

SCALE: 3/8"= 1'-0"



3 SOUTH ELEVATION

SCALE: 3/8"= 1'-0"



4 WEST ELEVATION

SCALE: 3/8"= 1'-0"

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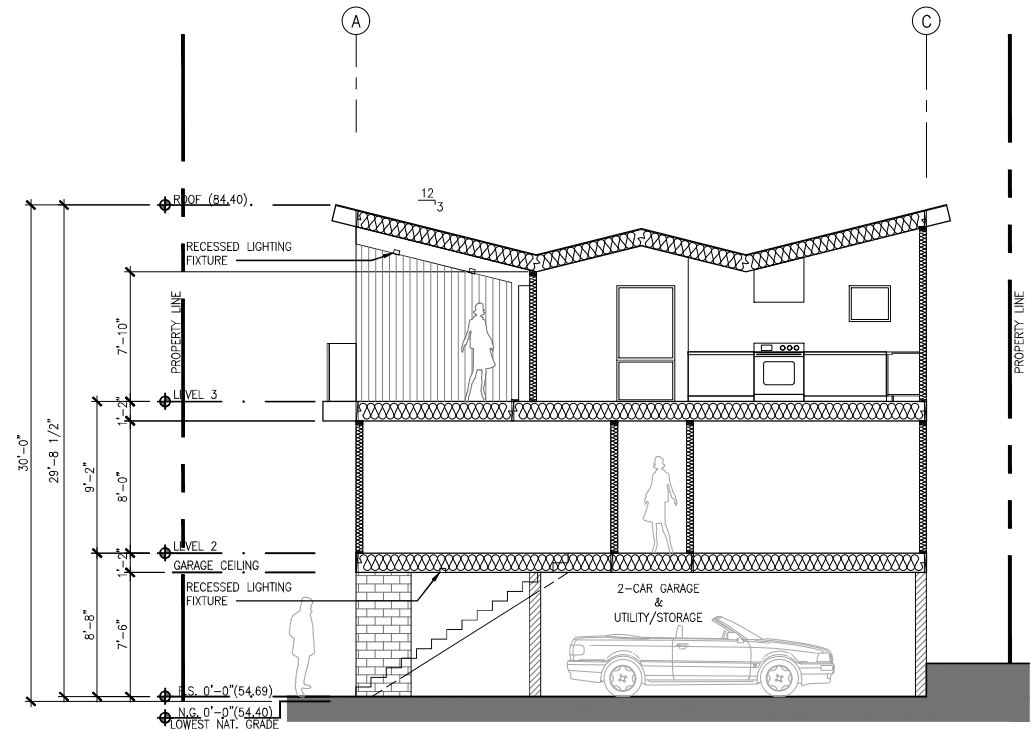
ISSUE DATE: 12/15/2023

EXTERIOR  
ELEVATIONS

SHEET NUMBER

A-3.0

NOTE: BUILDING HEIGHT SHALL COMPLY WITH CARLSBAD BUILDING HEIGHT DEFINITION (ZONING ORDINANCE SECTION 21.04.065) (FORM P-2, SECTION I.C, LINE 1.F).  
THE GENERAL CONTRACTOR SHALL NOT EXCEED THE MAXIMUM BUILDING HEIGHT AND SHALL CERTIFY THE BUILDING HEIGHT PER CITY OF CARLSBAD REGULATIONS PRIOR TO FRAMING INSPECTION



LEGEND

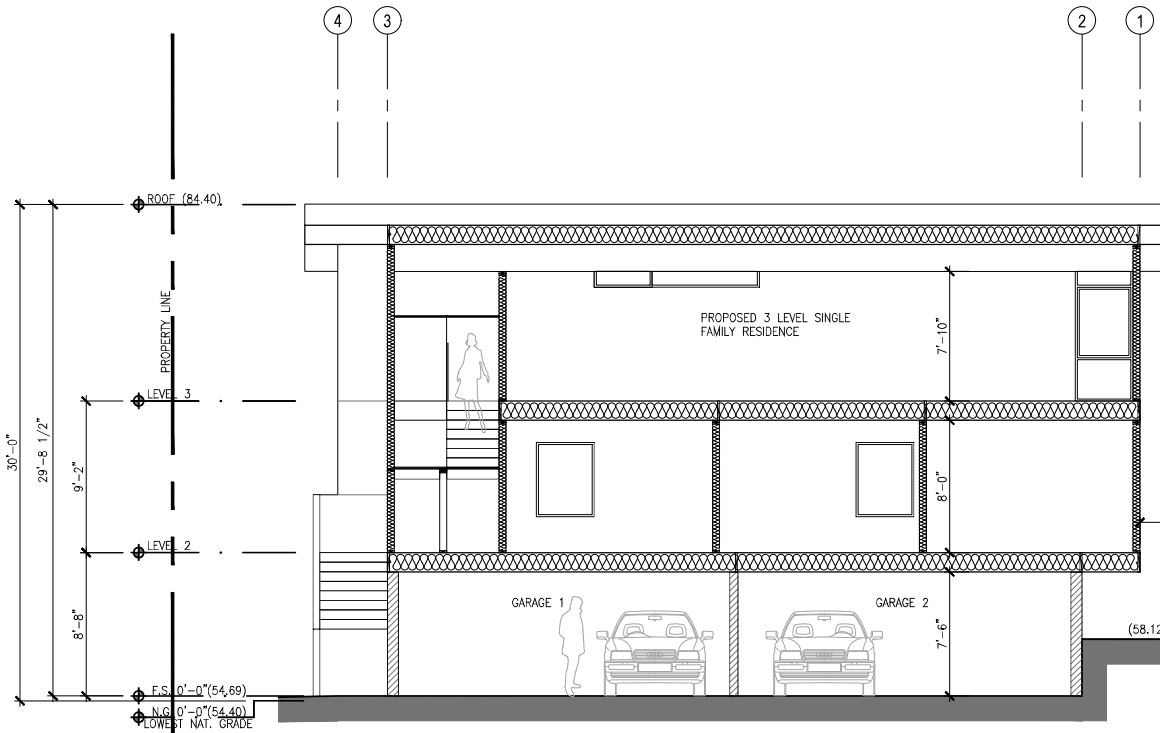
F.S. FINISH SURFACE  
N.G. NATURAL GRADE

1

NOTE: BUILDING HEIGHT SHALL COMPLY WITH CARLSBAD BUILDING HEIGHT DEFINITION (ZONING ORDINANCE SECTION 21.04.065) (FORM P-2, SECTION I.C, LINE 1.F).  
THE GENERAL CONTRACTOR SHALL NOT EXCEED THE MAXIMUM BUILDING HEIGHT AND SHALL CERTIFY THE BUILDING HEIGHT PER CITY OF CARLSBAD REGULATIONS PRIOR TO FRAMING INSPECTION

2 SECTION A-A

SCALE: 3/16" = 1'-0"



LEGEND

F.S. FINISH SURFACE  
N.G. NATURAL GRADE

3 SECTION B-B

SCALE: 3/16" = 1'-0"

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CDP IV:	12/15/2023

ISSUE DATE: 12/15/2023

BUILDING  
SECTIONS

SHEET NUMBER

A-3.1



1 FRONT (SOUTH) ELEVATION

SCALE: 3/16" = 1'-0"



2 SIDE (WEST) ELEVATION

SCALE: 3/16" = 1'-0"



3 SIDE (EAST) ELEVATION

SCALE: 3/16" = 1'-0"



4 REAR (NORTH) ELEVATION

SCALE: 1/8" = 1'-0"

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.LARGE Black CA LOGO.png

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CDP I	5/10/2022
CDP II	5/25/2023
CDP III:	8/22/2023

ISSUE DATE: 08/22/2023

EXISTING  
COLOR  
ELEVATIONS

SHEET NUMBER

A-3.2





1 FRONT (SOUTH) ELEVATION

SCALE: 1/8" = 1'-0"



2 SIDE (WEST) ELEVATION

SCALE: 1/8" = 1'-0"



3 SIDE (EAST) ELEVATION

SCALE: 1/8" = 1'-0"



4 REAR (NORTH) ELEVATION

SCALE: 1/8" = 1'-0"

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.LARGE Back CA LOGO.png

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CDP III	8/22/2023

ISSUE DATE: 08/22/2023

PROPOSED  
COLOR  
ELEVATIONS







SHEET NUMBER

A-3.3





## PLANT MATERIAL LEGEND

	CALLOUT SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE	MINIMUM HEIGHT AND SPREAD	IRRIGATION DEMANDS H - HIGH M - MODERATE L - LOW N - RAINFALL ONLY	REMARKS
SHRUBS & SUCCULENTS								
	ALO. STR.	ALOE STRIATA	CORAL ALOE	4	5 GAL.	16" x 12"	L	FULL FORM AND COLOR, VIGOROUS
	ALO. ROO.	ALOE RUDIKOPPE 'LITTLE GEM'	LITTLE GEM ALOE	4	1 GAL.	12" x 12"	L	FULL FORM AND COLOR, VIGOROUS
	KNI. UVA.	KNIPHOPHIA UVARIA	RED HOT POKER	30	1 GAL.	12" x 8"	L	FULL CLUMPS, FULL FORM, GOOD COLOR, VIGOROUS
	MUH. RIG.	MUHLENBERGIA RIGENS	DEER GRASS	8	5 GAL.	18" x 12"	L	FULL CLUMPS, FULL FORM, GOOD COLOR, VIGOROUS
	NA	EXISTING LANDSCAPE (SHRUBS / GROUNDCOVER) OUTSIDE LIMIT OF WORK TO BE PROTECTED IN PLACE						
	NA	EXISTING TREES OUTSIDE LIMIT OF WORK TO BE PROTECTED IN PLACE						

EXISTING TREE AND SHRUB INVENTORY						
LETTER	SCIENTIFIC NAME	COMMON NAME	SIZE (HxW) IN FEET	CALIPER	NOTES	MAINTENANCE STRATEGY
A	ARCHONTOPHOENIX CUNNINGHAMIANA	KING PALM	12' BTH	TRIPLE	CITY STREET TREE	PROTECT IN PLACE
B	SYAGRUS ROMANZOFFIANUM	QUEEN PALM	20' BTH	12"	CITY STREET TREE	PROTECT IN PLACE
C	SYAGRUS ROMANZOFFIANUM	QUEEN PALM	20' BTH	12"	CITY STREET TREE	PROTECT IN PLACE
D	SYAGRUS ROMANZOFFIANUM	QUEEN PALM	15' BTH	12"	CITY STREET TREE	PROTECT IN PLACE
E	SYAGRUS ROMANZOFFIANUM	QUEEN PALM	8' BTH	12"	CITY STREET TREE	PROTECT IN PLACE
F	SYAGRUS ROMANZOFFIANUM	QUEEN PALM	15' BTH	12"	OUTSIDE CONSTRUCTION LIMITS	PROTECT IN PLACE
G	SYAGRUS ROMANZOFFIANUM	QUEEN PALM	15' BTH	12"	OUTSIDE CONSTRUCTION LIMITS	PROTECT IN PLACE
H	DRACEANA DRACO	DRAGON TREE	8'	12"	OUTSIDE CONSTRUCTION LIMITS	PROTECT IN PLACE

## WATER EFFICIENT LANDSCAPE DECLARATION

" I AM FAMILIAR WITH THE REQUIREMENTS FOR LANDSCAPE AND IRRIGATION PLANS CONTAINED IN THE CITY OF CARLSBAD'S LANDSCAPE MANUAL AND WATER EFFICIENT LANDSCAPE REGULATIONS. I HAVE PREPARED THIS PLAN IN COMPLIANCE WITH THOSE REGULATIONS AND THE LANDSCAPE MANUAL AND AGREE TO COMPLY WITH ALL REQUIREMENTS WHEN SUBMITTING CONSTRUCTION DOCUMENTS. I CERTIFY THAT THE PLAN IMPLEMENTS THOSE REGULATIONS TO PROVIDE EFFICIENT USE OF WATER."

SIGNATURE KS DATE 10-02-2023

MIN. TREE / IMPROVEMENT SEPARATION DISTANCE:

TRAFFIC SIGNAL / STOP SIGN - 20 FEET  
UNDERGROUND UTILITY LINES - 5 FEET  
ABOVE GROUND UTILITY STRUCTURES - 10 FEET  
SEWERS - 10 FEET  
DRIVEWAYS - 10 FEET  
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET

DESIGN STATEMENT:

THE LANDSCAPE CONCEPT FOR THE APARTMENT COMPLEX IS INFLUENCED BY THE STYLE OF THE ADJACENT COMMUNITY AND COMPLEMENTS THE ARCHITECTURAL STYLE OF THE BUILDING. THE ARRANGEMENT OF HARDSCAPE AND PLANTINGS PROMOTES MOVEMENT THROUGH THE SITE. ORNAMENTAL VEGETATION HAS BEEN SELECTED WITH CONSIDERATION OF DROUGHT TOLERANCE, EASE OF MAINTENANCE, STRUCTURE, FLOWER AND FOLIAGE. A RESTRICTED PALETTE OF PLANT MATERIAL SHALL MAINTAIN THE COHESIVE THEME OF THE LANDSCAPE DESIGN. THE LANDSCAPE STYLE SHALL MAINTAIN CONSISTENCY TO AVOID COMPLEX PLANT MIXTURES AND VISUAL CONFUSION.

### IRRIGATION CONCEPT:

THE LANDSCAPE ASSOCIATED WITH THIS PROJECT SHALL BE IRRIGATED BY MEANS OF A POTABLE AUTOMATIC IRRIGATION SYSTEM. THE SYSTEM SHALL INCLUDE THE FOLLOWING:

1. IRRIGATION SYSTEM SHALL BE PROTECTED BY A BACKFLOW PREVENTION DEVICE.
2. IRRIGATION SYSTEM SHALL BE AN AUTOMATIC, PERMANENT, BELOW-GRADE SYSTEM.
3. HOSE BIBBS SHALL BE INCLUDED TO SERVICE PLANTING AREAS.
4. IRRIGATION SYSTEMS SHALL BE SPRAY OR DRIP SYSTEMS.
5. NO IRRIGATION RUN-OFF SHALL DRAIN OFF-SITE INTO THE PUBLIC RIGHT-OF-WAY, STREETS, DRIVES, OR ALLEYS. A CONNECTION SHALL NOT BE MADE TO ANY STORMWATER SYSTEM WITHOUT PROPER BMP'S.
6. THE BMP'S SHALL STORE AND TREAT ALL STORMWATER AND ACCIDENTAL IRRIGATION RUN-OFF PRIOR TO DISCHARGE INTO CITY STORMWATER SYSTEM.
7. ALL IMPERMEABLE SURFACES SHALL BE CONSTRUCTED TO CAUSE WATER TO DRAIN ENTIRELY INTO A LANDSCAPED AREA.
8. ONLY SUBSURFACE IRRIGATION SHALL BE USED TO IRRIGATE ANY VEGETATION WITHIN TWENTY-FOUR INCHES OF AN IMPERMEABLE SURFACE UNLESS THE ADJACENT IMPERMEABLE SURFACES ARE DESIGNED AND CONSTRUCTED TO CAUSE WATER TO DRAIN ENTIRELY INTO A LANDSCAPED AREA.



GENERAL NOTES:

1. ALL GRADED, DISTURBED, OR ERODED AREAS THAT WILL NOT BE PERMANENTLY PAVED OR COVERED BY STRUCTURES SHALL BE PERMANENTLY REVEGETATED AND IRRIGATED IN ACCORDANCE WITH THE STANDARDS IN THE CITY OF CARLSBAD LANDSCAPE MANUAL.
2. GRADED PAD AREAS SHALL BE HYDRO-SEEDED TO PREVENT EROSION IN THE EVENT THAT CONSTRUCTION OF BUILDINGS DOES NOT OCCUR WITHIN 30 DAYS OF GRADING. HYDRO-SEED SHALL BE IRRIGATED OR REAPPLIED AS NECESSARY TO ESTABLISH GROWTH.
3. ALL PLANTING, IRRIGATION, AND LANDSCAPE RELATED IMPROVEMENTS WILL COMPLY WITH THE CITY OF CARLSBAD LANDSCAPE REGULATIONS AND THE LANDSCAPE MANUAL STANDARDS.
4. ALL TREES SHALL BE MAINTAINED SO THAT ALL BRANCHES OVER THE PEDESTRIAN WALKWAYS ARE AT LEAST 6 FEET ABOVE THE WALKWAY GRADE AND SO THAT ALL BRANCHES OVER VEHICLE TRAVEL WAYS ARE 14 FEET ABOVE GRADE OF THE TRAVEL WAY.
5. ALL PLANTING AREAS SHALL BE MAINTAINED FREE OF WEEDS, DEBRIS, AND LITTER.
6. ALL PROPOSED IRRIGATION SYSTEMS WILL USE AN APPROVED RAIN SENSOR SHUTOFF DEVICE.
7. HIGH WATER USE PLANTS SHALL BE LIMITED TO NOT MORE THAN 10 PERCENT OF THE TOTAL DEVELOPED LANDSCAPE AREA. ALL OTHER PLANTINGS SHALL BE COMPOSED OF LOW-WATER-USE PLANT MATERIAL.
8. AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE INSTALLED AS SHOWN ON THE CONSTRUCTION PLANS. IRRIGATION SYSTEMS SHALL BE MAINTAINED FOR PROPER DEVELOPMENT AND MAINTENANCE OF THE VEGETATION IN A HEALTHY, DISEASE-RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED.
9. INCORPORATE COMPOST AT A RATE OF AT LEAST FOUR CUBIC YARDS PER 1,000 SQUARE FEET TO A DEPTH OF SIX INCHES INTO LANDSCAPE AREA (UNLESS CONTRAINDICATED BY A SOIL TEST).
10. AT THE TIME OF FINAL INSPECTION, THE PERMIT APPLICANT MUST PROVIDE THE OWNER OF THE PROPERTY WITH A CERTIFICATE OF COMPLETION, CERTIFICATE OF INSTALLATION, IRRIGATION SCHEDULE AND A SCHEDULE OF LANDSCAPE AND IRRIGATION MAINTENANCE.
11. ALL LANDSCAPED AREAS SHALL RECEIVE A 3" LAYER OF WOOD BARK MULCH UNLESS OTHERWISE NOTED ON PLANS.

### IRRIGATION NOTES:

1. IRRIGATION CONTROLLER SHALL BE:  
HUNTER IRRIGATION X-CORE 8 STATION  
WALL MOUNT CONTROLLER. MODEL # XC-800.
2. RAIN SENSOR SHALL BE:  
HUNTER IRRIGATION WIRELESS SOLAR SYNC  
MODEL # WSS-SEN.
3. PRESSURE REGULATORS SHALL BE INSTALLED ON THE IRRIGATION SYSTEM TO ENSURE THE DYNAMIC PRESSURE OF THE SYSTEM IS WITHIN THE MANUFACTURERS RECOMMENDED PRESSURE RANGE.  
PRESSURE REGULATOR SHALL BE:  
WILKINS #500 YSBR  
FACTORY SET AT 70 PSI  
PRESSURE REDUCING VALVE SHALL BE LOCATED AS CLOSE TO POINT OF CONNECTION AS POSSIBLE.
4. MANUAL SHUT-OFF VALVES (SUCH AS A GATE VALVE, BALL VALVE, OR BUTTERFLY VALVE) SHALL BE INSTALLED AS CLOSE AS POSSIBLE TO THE POINT OF CONNECTION OF THE WATER SUPPLY.
5. ALL IRRIGATION EMISSION DEVICES MUST MEET THE REQUIREMENTS SET IN THE ANSI STANDARD. ASABE/ICC 802-2014 "LANDSCAPE IRRIGATION SPRINKLER AND EMITTER STANDARD." AND ALL SPRINKLER HEADS INSTALLED IN THE LANDSCAPE MUST DOCUMENT A DISTRIBUTION UNIFORMITY LOW QUARTER OF 0.65 OR HIGHER USING THE PROTOCOL DEFINED IN ASABE/ICC 802-2014.  
OVERHEAD IRRIGATION NOZZLES SHALL BE:  
HUNTER IRRIGATION MP ROTATOR  
MODEL MP1000,2000,3000 AS NEEDED WITH A WORKING PRESSURE OF 40 PSI. DISTRIBUTION UNIFORMITY OF THESE NOZZLES ARE .8 PER HUNTER.COM
- DRIP IRRIGATION SHALL BE:  
HUNTER IRRIGATION PLD DRIP LINE.  
MODEL AND SPACING SHALL BE DETERMINED AFTER A SOILS REPORT IS COMPLETED. INSTALL PER MANUFACTURERS RECOMMENDATION. DISTRIBUTION UNIFORMITY OF THIS LINE IS .9 PER HUNTER.COM
6. FOR GENERAL VALVE LOCATIONS REFER TO HYDROZONE CHART ON SHEET L1.1. SYSTEMS SHALL BE DESIGNED SO THAT VALVES ONLY OPERATE HEADS INSIDE THE SAME HYDROZONE.
7. ALL HYDROZONES SHALL BE VALVED/ZONED SEPARATELY
8. ALL IRRIGATION WATER SHALL BE POTABLE WATER, AND NO RECYCLED WATER SHALL BE USED ON SITE.

### DESIGN CRITERIA:

1. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE LANDSCAPE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS, THE CITY OF CARLSBAD LANDSCAPE MANUAL AND ALL OTHER LANDSCAPE-RELATED CITY AND REGIONAL STANDARDS.
2. PLANTING WILL BE DESIGNED TO HIGHLIGHT ENTRANCE AREAS TO THE PROJECT AND ADD VISUAL INTEREST TO THE SITE.
3. ALL PLANT MATERIAL SELECTED FOR USE WILL BE OF A TYPE KNOWN TO BE SUCCESSFUL IN THE AREA OR IN SIMILAR CLIMATIC AND SOIL CONDITIONS.
4. COLOR FROM PLANT FOLIAGE, BARK, OR FLOWER WILL BE UTILIZED TO CREATE AN INVITING, WARM, AND VISUALLY APPEALING LANDSCAPE ENVIRONMENT.

MAINTENANCE:

ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER. LANDSCAPE AREAS SHALL BE FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION

										<div> <div>SHEET 2</div> <div>CITY OF CARLSBAD PLANNING DIVISION</div> <div>SHEETS 4</div> </div>	
										<div> LANDSCAPE IMPROVEMENT PLANS FOR:  POULTER PROPERTIES MULTI-UNIT  RESIDENTIAL </div>	
										<div> APPROVED: _____    PLANNING </div>	
DATE	INITIAL	REVISION DESCRIPTION				DATE	INITIAL	DATE	INITIAL	<div> DWN BY: KS  CHKD BY: KS  RVMD BY: BD </div>	
DESIGNER OF WORK						OTHER APPROVAL		CITY APPROVAL		<div> PROJECT NO. LPC2022-XXXX  DRAWING NO. XXX-XL </div>	

APPROVED FOR  
IRRIGATION AND PLANTING  
ONLY, INCLUDING PRECISE  
LOCATION OF PLANTING  
AREA.

"AS BUILT"

FORCE \_\_\_\_\_ EXP. \_\_\_\_\_ DATE \_\_\_\_\_

VIEWED BY:

INSPECTOR \_\_\_\_\_ DATE \_\_\_\_\_

SHEET 2	CITY OF CARLSBAD PLANNING DIVISION
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LANDSCAPE IMPROVEMENT PLANS FOR:  
POULTER PROPERTIES MULTI-  
RESIDENTIAL

APPROVED:

## PLANNING

DOWN BY: KS

CHKD BY: KS  
RVWD BY: BD

PROJECT NO. \_\_\_\_\_

PC2022-XXXX  
DEV2022-YYYY

01-VZUZZ=AAAA

SHEETS  
4

1

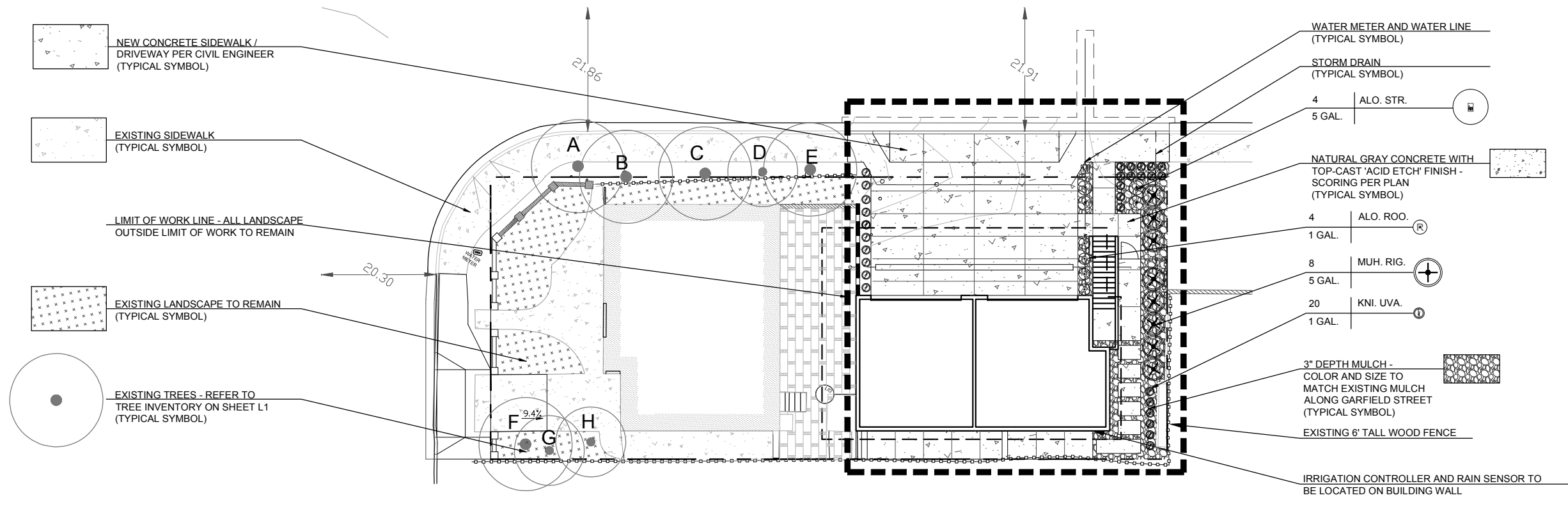
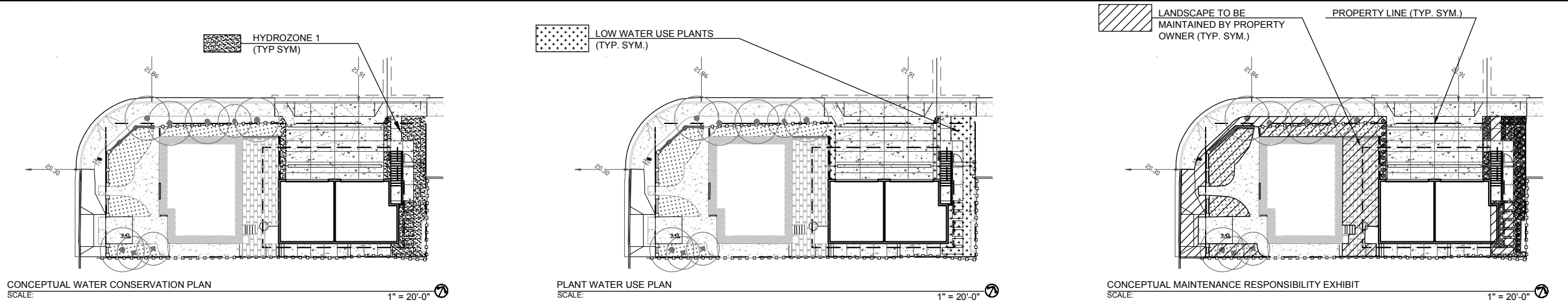
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AWING NO.

XX-XL

Page 10 of 10



L3 LANDSCAPE SITE PLAN

APPROVED FOR  
IRRIGATION AND PLANTING  
ONLY, INCLUDING PRECISE  
LOCATION OF PLANTING  
AREA.

"AS BUILT"

RCE \_\_\_\_\_ EXP. \_\_\_\_\_ DATE \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_

INSPECTOR \_\_\_\_\_ DATE \_\_\_\_\_

NOTES:

1. ALL CONCRETE AREAS ARE IMPERVIOUS, AND SHALL DRAIN INTO LANDSCAPED AREAS.
2. ALL PLANTING AREAS SHALL BE GRADED AT 2% AWAY FROM STRUCTURES AND TERMINATE IN AN APPROVED DRAINAGE SYSTEM.
3. AREAS LESS THAN TEN (10) FEET IN WIDTH IN ANY DIRECTION SHALL BE IRRIGATED WITH SUBSURFACE IRRIGATION OR OTHER MEANS THAT PRODUCES NO RUNOFF OR OVERSPRAY



DATE	INITIAL	REVISION DESCRIPTION	DATE	INITIAL	DATE	INITIAL
DESIGNER OF WORK			OTHER APPROVAL		CITY APPROVAL	

SHEET 3	CITY OF CARLSBAD PLANNING DIVISION	SHEETS 4
LANDSCAPE IMPROVEMENT PLANS FOR: POULTER PROPERTIES MULTI-UNIT RESIDENTIAL		
APPROVED: _____		
PLANNING		
DWN BY: KS	PROJECT NO. LPC2022-XXXX	DRAWING NO. XXX-XL
CHKD BY: KS	DEV2022-XXXX	
RVWD BY: BD		

This appendix contains prescriptive requirements which may be used as a compliance option to the Water Efficient Landscape Ordinance and this Landscape Manual for projects of less than 2,500 square feet. Compliance with the following items is mandatory and must be documented on a landscape plan in order to use this option.

Project Applicant: Kyle Simon Date: 06-04-2022  
 Project Address: 3900 Garfield St Assessor's Parcel Number: 3900 Garfield St  
 Total Landscape Area: 463 sq.ft. Turf Area: 0 sq.ft. Plant Area: 463 sq.ft.  
 Project Type: Residential  
 Water Supply Type: Potable  
 Project Contact Name and Number: Kyle Simon 619.370.1080  
 "I agree to comply with the requirements of the prescriptive compliance option to the City of Carlsbad Landscape Manual"

Signed: [Signature] Date: 0-04-2022

YES	N/A	REQUIREMENTS
X		A. Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contraindicated by a soil test)
		B. Plant material shall comply with all of the following:
X		1. For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water.
	X	2. For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water.
X		3. A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.
		C. Turf shall comply with all of the following:
X		1. Turf shall not exceed 25% of the landscape area in residential areas, and there shall be no turf in non-residential areas.
X		2. Turf shall not be planted on sloped areas which exceed a slope of 1 foot vertical elevation change for every 4 feet of horizontal length.
X		3. Turf prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by subsurface irrigation or by other technology that creates no overspray or runoff.
		D. Irrigation systems shall comply with the following:
X		1. Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data and utilize a rain sensor.
X		2. Irrigation controllers shall be of a type which does not lose programming data in the event the primary power source is interrupted.
		3. Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.
X		4. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.
X		5. All irrigation critical components must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014, "Landscape Irrigation Sprinkler and Emitter Standard." All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
X		6. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.
	X	E. For non-residential projects with landscape areas of 1,000 sq. ft. or more, a private submeter(s) to measure landscape water use shall be installed.
X		At the time of final inspection, the permit applicant shall provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.

**A** **TREE PROTECTION**

Diagram illustrating the tree protection system components and specifications:

- FENCE MATERIAL:** ORANGE, UV RESISTANT HIGH TENSILE STRENGTH POLYETHYLENE LAMINAR BARRICADE FABRIC
- EDGE OF DISTURBED AREA**
- GRADE**
- 4' O.C. MINIMUM** (Spacing between steel posts)
- 4'-0" MINIMUM** (Fence height)
- 2'-0" MINIMUM** (Clearance from ground)
- 1.33 lbs/LF STEEL POST**
- DRIP LINE**

**NOT TO SCALE**

- |   |                                |                                |
|---|--------------------------------|--------------------------------|
| <p><i>APPROVED FOR<br/>IRRIGATION AND PLANTING<br/>ONLY, INCLUDING PRECISE<br/>LOCATION OF PLANTING<br/>AREA.</i></p> |                                |                                |
| <p><b>"AS BUILT"</b></p>  |                                |                                |
| <p>_____</p> <p>RCE _____</p>   | <p>_____</p> <p>EXP. _____</p> | <p>_____</p> <p>DATE _____</p> |
| <p>REVIEWED BY: _____</p>   |                                |                                |
| <p>INSPECTOR _____</p>  | <p>DATE _____</p>              |                                |

[illegible]





## Staff Report

Item No. **3**

**Meeting Date:** March 20, 2024

**To:** Planning Commission

**Staff Contact:** Kyle Van Leeuwen, Associate Planner, 442-339-2611,  
kyle.vanleeuwen@carlsbadca.gov

**Subject:** Begonia Court Retaining Wall

**Location:** 939 Begonia Court / APN: 214-390-23-00

**Case Numbers:** CDP 2023-0016, V 2023-0002 (DEV 2020-0134)

**Applicant/Representative:** Applicant: Rene Lichtman, 909-659-4291, isquared@charter.net  
Representative: John S. Rivera, Fusion Engineering and Technology  
619-992-6618, johnny@fusionengtech.com

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

**Permit Type(s):** ☐ SDP ☐ CUP ☒ CDP ☐ TM/TPM ☐ GPA ☐ REZ ☐ LCPA  
☒ Other: Variance

**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

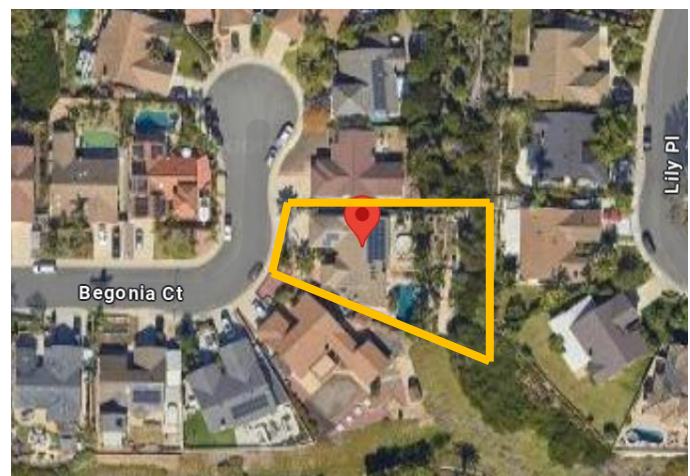
**Commission Action:** ☐ Decision ☒ Recommendation to City Council ☐ Informational (No Action)

**Recommended Actions**

Hold a public hearing and **ADOPT** a resolution **RECOMMENDING** that the City Council **Deny** Coastal Development Permit CDP 2022-0019 and Variance V 2022-0002, based upon the findings and subject to the conditions contained therein (Exhibit 1).

**Existing Setting**

The 0.39-acre (17,146 square feet) project site is located at 939 Begonia Court. The site is developed with a two-story, single-family residence. The property slopes from a high point of approximately 204 feet above mean sea level at the rear of the lot to a low point of approximately 166 feet above mean sea level adjacent to the street, Begonia Court. The eastern half of the property, or the backyard area (above 168 feet contour line) is comprised of an uphill slope with a gradient of approximately 55 %. The lot is surrounded by single-family residences to the north, south, east, and west.

**Site Map**

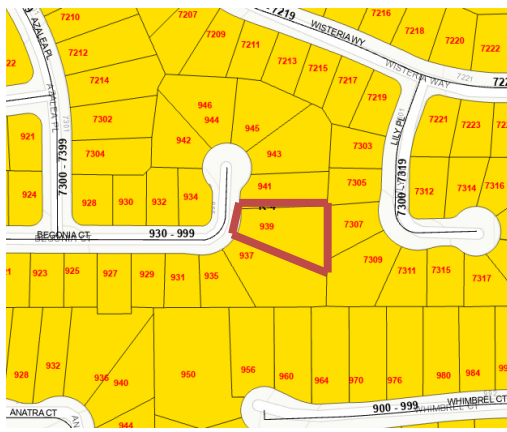
## Existing Conditions & Project Description

Table “A” below includes the General Plan designations, zoning and current land uses of the subject site and surrounding properties.

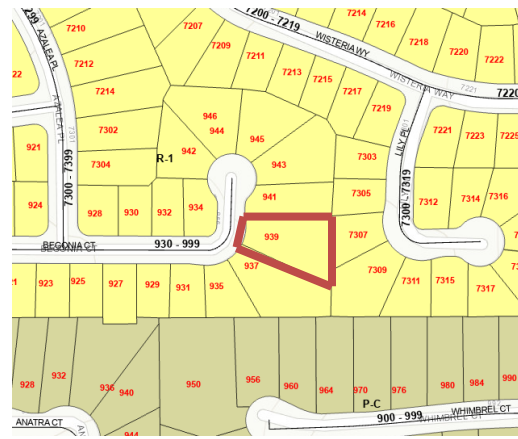
**TABLE A – SITE AND SURROUNDING LAND USE**

Location	General Plan Designation	Zoning Designation	Current Land Use
<b>Site</b>	Residential, 0-4 dwelling units per acre (R-4)	One-Family Residential (R-1)	Single-Family Dwelling
<b>North</b>	Residential, 0-4 dwelling units per acre (R-4)	One-Family Residential (R-1)	Single-Family Dwelling
<b>South</b>	Residential, 0-4 dwelling units per acre (R-4)	One-Family Residential (R-1)	Single-Family Dwelling
<b>East</b>	Residential, 0-4 dwelling units per acre (R-4)	One-Family Residential (R-1)	Single-Family Dwelling
<b>West</b>	Right-of-way, Residential, 0-4 dwelling units per acre (R-4)	Right-of-way, One-Family Residential (R-1)	Begonia Court / Single-Family Dwelling

General Plan Designation



Zoning Designation



## Proposed Project

The applicant, Rene Lichtman, on behalf of the property owner, Valerie Lichtman, is requesting a Coastal Development Permit and variance to allow a series of retaining walls, which are currently built but unpermitted, to be kept in place. The retaining walls step up the slope, which is over 40% inclination, in the rear yard of their property, with central stairs leading up the slope. The retaining walls were installed without required grading or building permits. A location map is included as Exhibit 2.

In late 2018, upon discovering unpermitted grading and ongoing construction on the property, the Code Enforcement Division opened a code case on the property. Code Enforcement subsequently issued a notice of violation against the property owner in February 2019 and a final notice of violation in June 2019. Construction of the retaining walls stopped in approximately June of 2019, and those violations have not been corrected to this date. Records indicate the construction of the retaining walls began in 2016.

The property owner had the option to either remove the retaining walls and return the rear yard to its previous state, or to process and receive approval of a permit to legalize the improvements. The retaining walls, which are not compliant with provisions of the Carlsbad Municipal Code (CMC) Chapter 21.95 – Hillside Development Regulations, would first need to be granted a variance prior to any building or grading permits being approved. The applicant decided to submit for a variance, requesting authorization to retain and permit the improvements.

The applicant submitted a Coastal Development Permit and variance in June of 2020. On Dec. 16, 2020, the Planning Commission reviewed the proposal and recommended the City Council deny the variance. Subsequently, the City Council denied the variance on Feb. 23, 2021. The applicant has been in discussions with the City Attorney's office since that time about the code case and the potential remediation. One of the outcomes of those discussions was an allowance for the applicant to resubmit for the Coastal Development Permit and variance, in part because the previous reviews occurred during Covid-19 restrictions, which may have impacted the applicant's ability to argue their case before decision makers under the virtual meeting format.

On March 30, 2023, the applicant submitted a new application to keep the retaining walls and terracing in place. The applicant is requesting the following entitlements:

- A Coastal Development Permit (CDP), the work is considered development under the Coastal Act/CMC section 21.04.107, and the CDP would allow for installation of the retaining walls on the slope;
- A variance to the Hillside Development Ordinance, to allow retaining walls into an uphill perimeter manufactured slope beyond the limit of six vertical feet from the toe of slope, where six vertical feet is the standard limit per CMC section 21.95.140(C)(1)(a)(i).

Additional information is included in Exhibit 4: Project Analysis; additional information from the applicant supporting the variance request is included in Exhibit 5: Justification for Variance. Approval of both entitlements would allow for the retention of the retaining walls, with additional measures to ensure the stability of the slope and soundness of the walls, and after the approval of a subsequent grading permit.

Along with the applicant's Justification for Variance (Exhibit 5), the applicant has also provided a statement describing the history of how the walls came to be built and why the removal of the walls, and reconstruction of the slope, would be too costly for the property owner to achieve. This statement is accompanied by a project plan set for removal of the retaining walls and installation of a retaining wall compliant with hillside regulations. The compliant retaining wall shown on these plans would support a regraded slope ranging from 50 to 59% grade. This information is included as Exhibit 6. While this information describes the origin of the unpermitted work and highlights the financial hardship the applicant might face in remediating their unpermitted work with a 50 to 59% slope, these factors are not considerations that would support any required findings for the variance or CDP.

The CDP and Variance would normally be heard by the Planning Commission as the final decision-maker. However, an aspect of the project's CDP application for deviations to grading of steep slopes within the Coastal Zone (CMC Section 21.203.040 (A.)) requires action by the City Council. Therefore, per CMC Section 21.54.040, Decision-making authority for multiple development permits, both applications require City Council action. The Planning Commission's action on the project will be a recommendation to City Council.

The project was first agenzized for hearing on Feb. 21, 2024. However, on request of the applicant considering only four commissioners were available for that hearing, the project was continued to an uncertain future date.

#### **Public Outreach & Comment**

Public notice of the proposed project was mailed on Feb. 8, 2024, prior to the Feb. 21, 2024 Planning Commission hearing, and again on March 7, 2024, prior to the March 20, 2024 Planning Commission hearing, to property owners within 600 feet and occupants within 100 feet of the subject property. Additionally, the project is subject to City Council Policy No. 84 (Development Project Public Involvement Policy). As such, a notice of application was sent, by the applicant, to surrounding property owners and a notice placed on the site informing neighbors of their application. These early notices were carried out in May of 2023.

#### **Response to Public Comment & Project Issues**

In response to the notice sent to surrounding properties in May of 2023, staff received emails from three neighbors during the month of June 2023. One up-hill neighbor was supportive of the project, with concerns that "to bulldoze and regrade the hillside, strikes [them] as an unpragmatic solution which [they] would strongly

oppose” and stating that allowing the retaining walls to stay “would be less disruptive for the surrounding neighborhood, less hazardous to hillside stability, and more cost-sensitive to one of our city residents”. Additionally, two neighbors stated their concerns about the project, citing noise and privacy issues created by the elevated terraces and concerns about the stability of the unpermitted work on the slope. These early outreach comments are included as Exhibit 7. Public comment received leading up to the Feb. 21, 2024, hearing are provided as Exhibit 8.

### **Project Analysis**

#### **General Plan Consistency**

The City of Carlsbad General Plan includes a policy (2-P.11) that calls for development on slopes to comply with the hillside development provisions of the Zoning Ordinance and the Carlsbad Local Coastal Program. A discussion of how the project is inconsistent with this General Plan policy is summarized in Exhibit 4.

#### **Municipal Code Consistency**

The City of Carlsbad Municipal Code, most notably Title 15 Grading and Drainage and Title 21 Zoning Code, includes requirements and provisions that guide development and land use within the city, consistent with the General Plan. Specific relevant requirements, of which the project is not consistent are described in Exhibit 4.

### **Discretionary Actions & Findings**

The proposed project requires approval of a Coastal Development Permit and Variance, which is discussed below.

#### **Coastal Development Permit (CDP 2023-0016)**

The project site is in the Coastal Zone and requires a Coastal Development Permit. The project does not comply with the Local Coastal Program (Mello II Segment), which includes the policies of the General Plan and municipal code standards, as referenced above.

#### **Variance (V 2022-0002)**

The requested variance would provide relief from strict enforcement of certain provision of the Hillside Development Regulations (CMC Chapter 21.95). Specifically, the hillside development and design standards that call for retaining walls to be limited to six vertical feet, as measured from the toe of slope (CMC §21.95.140.) However, staff cannot make the required findings to support a variance request (Exhibit 4). If the Planning Commission reviews the applicant’s justification for the variance (Exhibit 5) and supports the variance request, it is requested that the commission provide specific direction to staff to return with a draft resolution recommending approval to the City Council, and to provide specific findings in support of the request.

### **Environmental Review**

If this Coastal Development Permit (CDP 2023-0016) and Variance (V 2023-0002) is denied, the project is exempt from environmental review pursuant to Sections 15061(b)(4) and 15270 of the State CEQA Guidelines because CEQA does not apply to projects that a public agency rejects or disapproves (Exhibit 9). If the Planning Commission reviews and recommends a variance could be made, a CEQA finding would need to be prepared to support the recommended action.

### **Conclusion**

Considering the information above and in the referenced attachments, staff does not find that the proposed Coastal Development Permit and Variance are consistent with all applicable policies of the General Plan and Local Coastal Program and provisions of the Municipal Code.

The project has also been reviewed by engineering staff and, given the soil strength properties demonstrated in the soils report, restoring the original 1.5:1 (67%) slope is an acceptable approach to remedy the code case, which would likely not require extensive excavation and regrading. Additionally, it appears that the original slope may



not have been excavated, with only fill being placed behind the walls. If this is the case, an option to restore the slope may be to simply remove the walls and corresponding backfill. A site plan showing the slope before the unpermitted work is included as Exhibit 10. This approach to remediating the code case would likely be less burdensome than the plan described by the applicant in Exhibit 6, which would grade slopes of 50 to 59%. The specific approach of how the code case is ultimately remedied, would be determined at a later date and is not within the scope of this review.

Staff recommends the Planning Commission adopt the resolution, recommending denial of the proposed project described in this staff report.

#### Exhibits

1. Resolution
2. Location Map
3. Project Plans
4. Project Analysis
5. Justification of Variance (Fusion Engineering and Technology)
6. Additional Statement from Applicant
7. Early Public Outreach Comments, June 2023
8. Public Comments, February 2024
9. CEQA Determination Letter
10. Pre-Project Site Plan
11. List of Acronyms and Abbreviations

**PLANNING COMMISSION RESOLUTION NO.**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL DENY A COASTAL DEVELOPMENT PERMIT AND VARIANCE TO ALLOW AN UNPERMITTED RETAINING WALL SYSTEM THAT EXCEEDS STANDARDS ON A MANUFACTURED UPHILL PERIMETER SLOPE WITH A GRADIENT GREATER THAN 40% AND AN ELEVATION DIFFERENTIAL OF GREATER THAN FIFTEEN FEET LOCATED AT 939 BEGONIA CT WITHIN THE MELLO II SEGMENT OF THE CITY'S LOCAL COASTAL PROGRAM AND LOCAL FACILITIES MANAGEMENT ZONE 4.

CASE NAME: BEGONIA COURT RETAINING WALL

CASE NO.: CDP 2023-0016/V 2023-0002

WHEREAS, **RENE LICHTMAN**, "Developer/Applicant," has filed a verified application with the City of Carlsbad regarding property owned by **VALERIE LICHTMAN REVOCABLE TRUST**, "Owner," described as

**Lot 138 of Carlsbad Tract No. 73-79, Spinnaker Hill Unit #3, in the City of Carlsbad, County of San Diego, State of California, according to map thereof no. 8453, filed in the Office of the County Recorder of San Diego County on Dec. 29, 1976**

("the Property"); and

WHEREAS, said verified application constitutes a request for a **Coastal Development Permit and Variance** as shown on **Exhibit(s) "A"** dated **March 20, 2024**, on file in the Planning Division, **CDP 2023-0016/V 2022-0002 (DEV2020-0026) – BEGONIA COURT RETAINING WALL**, as provided by Chapter 21.201 and 21.50 of the Carlsbad Municipal Code; and

WHEREAS, the Planning Division studied the **Coastal Development Permit and Variance** applications and performed the necessary investigations to determine if the project qualified for an exemption from further environmental review under the California Environmental Quality Act, (CEQA, Public Resources Code section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), Article 14 of the California Code of Regulations section 15000 et. seq. After consideration of all evidence presented, and studies and investigations made by the city planner and on its behalf, the city planner determined that the project was exempt from further environmental review pursuant to State

CEQA Guidelines Section 15061(b)(4) and 15270, in that CEQA does not apply to projects that a public agency rejects or disapproves; and

WHEREAS, on Dec. 7, 2023, the city distributed a notice of intended decision to adopt the CEQA exemption. The notice was circulated for a 10-day period, which began on Dec. 7, 2023, and ended on Dec. 18, 2023. The city did not receive any comment letters on the CEQA findings and determination. The effective date and order of the city planner CEQA determination was Dec. 18, 2023; and

WHEREAS, the Planning Commission did, on **March 20, 2024**, 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 **Coastal Development Permit and Variance**; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Carlsbad as follows:

- A) That the foregoing recitations are true and correct.
- B) That based on the evidence presented at the public hearing, the Commission **RECOMMENDS DENIAL** of **CDP 2023-0016/V 2023-0002 – BEGONIA COURT RETAINING WALL**, based on the following findings and subject to the following conditions:

**Findings:**

**Variance (V 2023-0002)**

1. The justification and evidence provided by the applicant falls short of establishing the finding that, because of special circumstances applicable to the subject property, such as topography, location, or surroundings, that the strict application of the zoning ordinance deprives the property of the privileges enjoyed by the other properties in the vicinity and under identical zoning classification.

While the exhibits and stats provided by the applicant and their representative do establish that the subject property does have a large amount of lot area that contains manufactured slope. Staff does not find that this is a special circumstance. The neighborhood is comprised of a variety of lot sizes and shapes, with the subject lot being one of the two largest sized lots in the area, at 17,148 square feet (sf). The shape of the lot is also one that is pie shaped, wider in the rear than the front,

and this naturally increases the amount of area that the rear-yard manufactured slope takes up. This is meaningful because most other lots are not pie shaped. The most comparable lot to the subject lot in terms of size and shape is 943 Begonia Court, just two doors to the north of the subject property. The applicant states in their submittal materials that the 943 Begonia property is 16,514 sf with 7,314 sf taken up by the slope, or 44.29% of the lot, while the applicant's property is stated to have 46.58% of the lot taken up by slope. There is not a significant difference in these percentages between these comparable lots. This 2.29% difference in comparable lots indicates this is not a special circumstance, and the amount of lot area taken up by the slope is not sound justification to allow the creation of over 2,000 sf of additional usable back yard space through terracing of the slope.

The applicant has also failed to establish that the slope deprives the property of privileges enjoyed by other properties in the vicinity and under the identical zoning classification. The applicants survey of the surrounding properties found the average lot size in this neighborhood to be 9,528 sf. Even with the 7,988 square feet of slope area identified on the property by the applicant as unusable, if that area were not a part of the property at all, the remaining lot would be 9,160 square feet. Staff's analysis of the property differs slightly than what is stated by the applicant, with the slope area only taking up approximately 7,500 sf. This would mean that approximately 9,650 square feet of usable lot area exists on the property. This square footage of lot size is in line with the average lot size of the neighborhood. In reviewing the design of the lot pattern in this neighborhood, it appears that lots with rear-yard slopes were specifically made larger to provide a usable lot area that is comparable in size to lots without rear-yard slopes. Therefore, The existence of the slope is not a loss of privilege in terms of usable lot area.

2. The approval of this variance would be a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the subject property is located. The size of the usable lot area, with the square footage of the slope removed from the property altogether, is comparable in size to the average lot size in the neighborhood. Allowing the property to create additional usable area through terracing of the slope inconsistent with the hillside development standards would be a granting of special privilege.

Additionally, although the applicant has stated that strict adherence to the six-foot retaining wall limit would disallow the owner from building standard rear-yard improvements such as a patio cover, swimming pool, etc., this statement is inaccurate. The subject property has an existing pool which was installed in 1999, prior to the start of any unpermitted work. The amount of rear-yard area and types of improvements that exist on the property are similar to other lots in the neighborhood as seen from aerial imagery of the neighborhood.

3. That the variance request is inconsistent with the general purpose and intent of the general plan and the zoning ordinance, in that the approval of a variance to allow for retaining walls above a height of six feet, when measured from the toe of slope, is not consistent and does not implement Policy 2-P.10 of the Land Use Element of the General Plan. This policy states, *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*. The project would allow for development of the property beyond what is allowed by the hillside development provisions of the Zoning Ordinance.

4. The granting of this variance would not be consistent with the general purpose and intent of the certified local coastal program and does reduce or adversely affect the requirements for protection of coastal resources. One of the purposes of the certified local coastal program is to preserve and protect natural and manufactured slopes in the coastal resource protection overlay zone area and to ensure stability and structural integrity of the slopes from erosion, geologic instability, or destruction of the site. The unpermitted and un-engineered retaining wall system has compromised the slope as originally engineered, regarding drainage and erosion. Options to address the compromised slope and return it to a stable condition, consistent with the local coastal program, remain available. This includes returning the slope to its original grade similar to its original condition.

**Coastal Development Permit (CDP 2023-0016)**

5. The approval of a CDP would be needed to allow the construction/retention of retaining walls that are inconsistent with the Hillside Development Ordinance. As the findings for a variance to allow the retaining walls cannot be made, as stated above, a CDP will not be required for their construction/retention. Therefore, further analysis of the project's consistency with the local coastal program, CMC Sections 21.201, and 21.203, is not warranted.

**Conditions:**

1. Within 60 days from the date of the City Council action, or as otherwise specified in the Code Compliance Agreement and Release for Code Enforcement Case No. CC 2018-0902, the property owner shall apply for the necessary permits such as, but not limited to, a grading permit and coastal development permit to remove the unpermitted retaining wall system and restore the slope to comply with CMC Section 21.95.140(C)(1)(a)(i).

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Carlsbad,

California, held on **March 20, 2024**, by the following vote, to wit:

AYES:

NAYES:

ABSENT:

ABSTAIN:

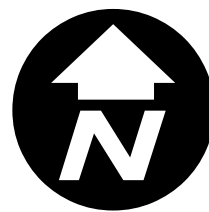
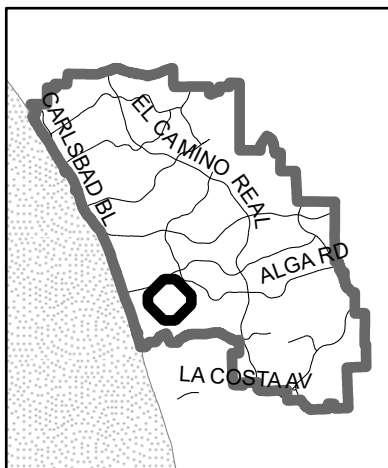
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WILLIAM KAMENJARIN, Chair  
CARLSBAD PLANNING COMMISSION

ATTEST:

---

ERIC LARDY  
City Planner

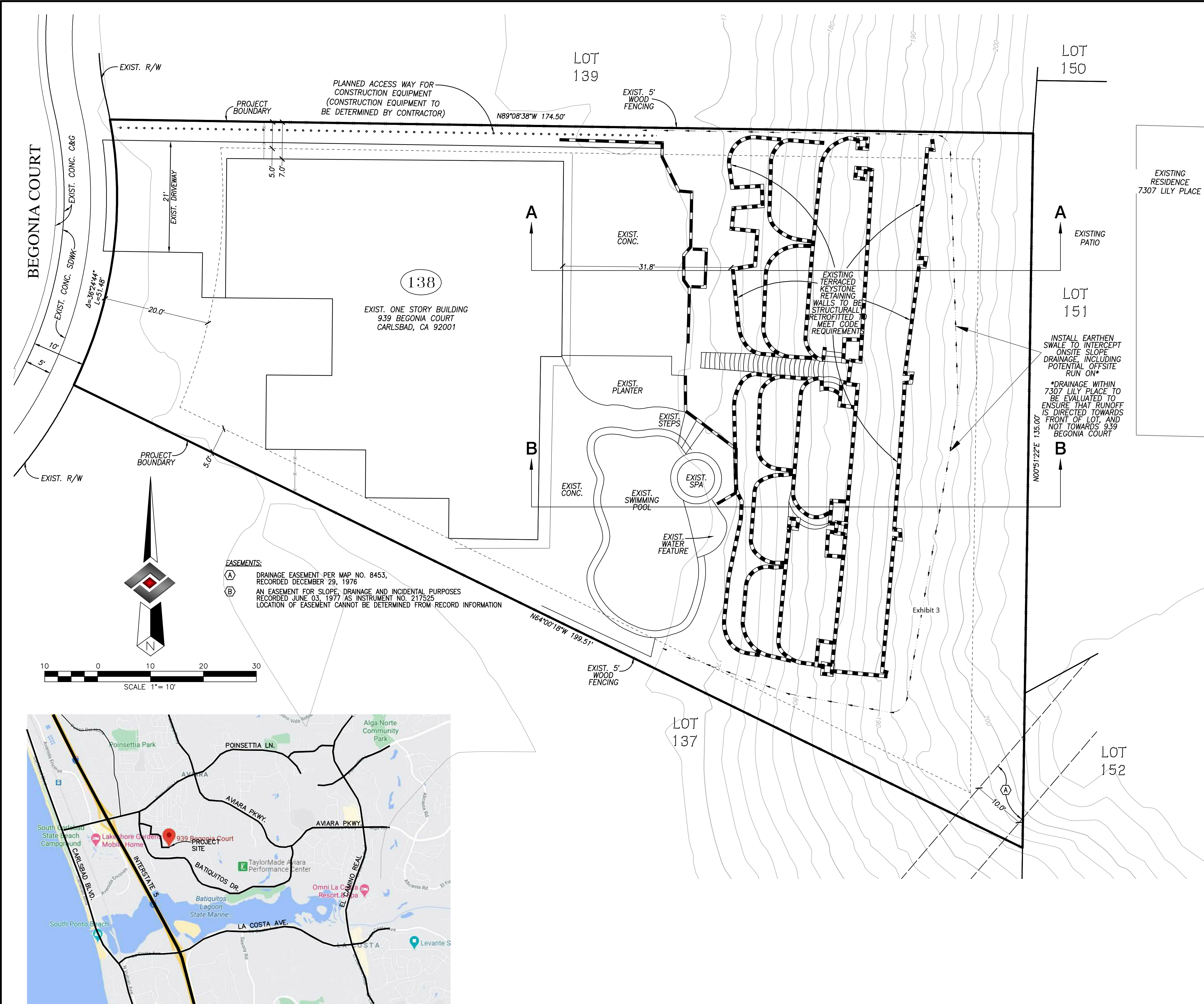


NOT TO SCALE

**SITE MAP**

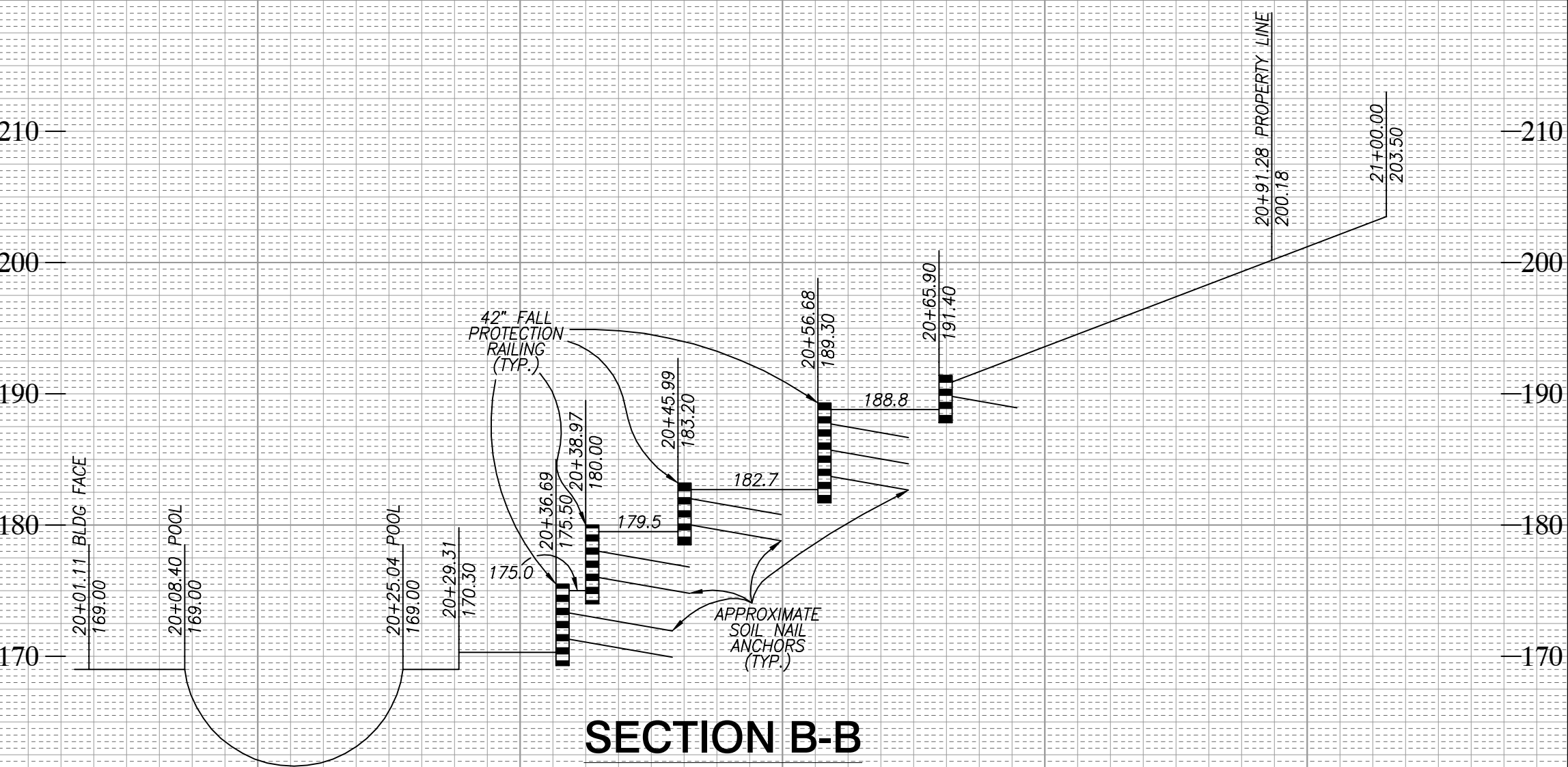
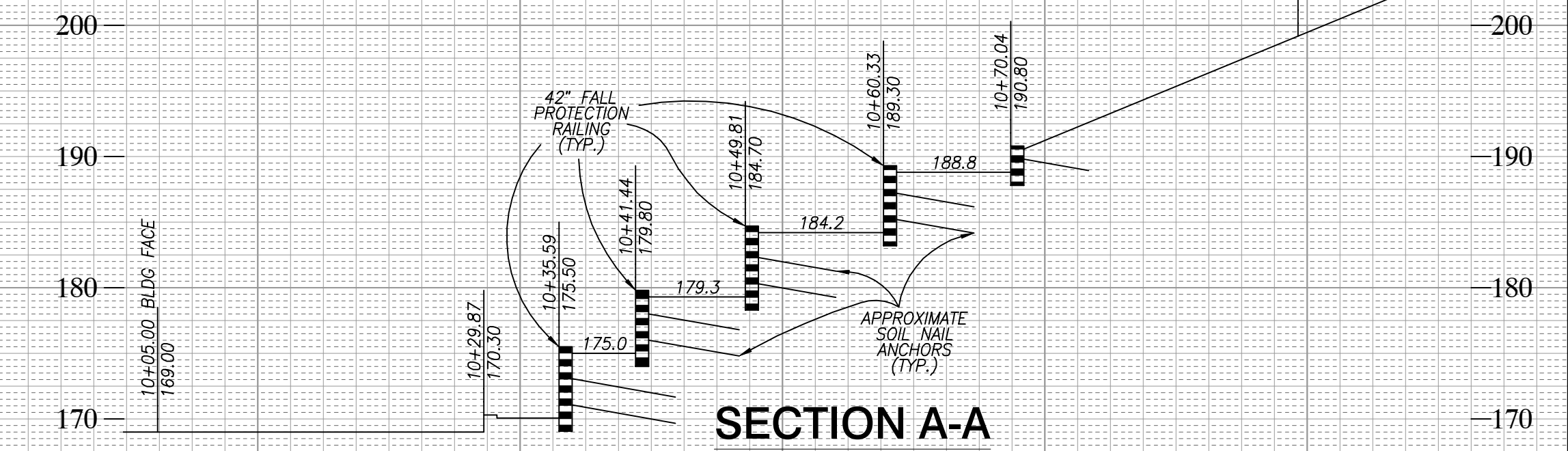
# BEGONIA COURT RETAINING WALL CDP 2023-0016 / V 2023-0002





PROFILE SCALES  
HORIZ. : 1"=10'  
VERT. : 1"=10'

## Exhibit 3



### PROPERTY INFORMATION:

909 BEGONIA COURT CARLSBAD, CA 92011  
APN 214-390-23-00  
LEGAL DESCRIPTION:  
LOT 170 OF LA JOLLA ALTA MAP NO. 7165, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.  
SITE ACREAGE = 0.377 AC  
EXISTING ZONING = R-1  
PROPOSED LAND USE = R-4  
NO CHANGES PROPOSED TO BUILDING, PARKING, ETC.  
TOTAL BUILDING COVERAGE = 2.802  
BUILDING SQUARE FOOTAGE = 3,440  
PERCENT LANDSCAPING = 20%

### OWNER INFORMATION:

OWNER:  
VALERIE LICHTMAN REVOCABLE TRUST DATED JUNE 12, 2003  
VALERIE LICHTMAN, TRUSTEE  
860 BERNARD WAY  
SAN BERNARDINO, CA 92404  
ISQUAREDC@CHARTER.NET  
909-659-4291  
APPLICANT:  
RENE LICHTMAN  
860 BERNARD WAY  
SAN BERNARDINO, CA 92404  
ISQUAREDC@CHARTER.NET  
909-659-4291

### CONSTRUCTION QUANTITIES:

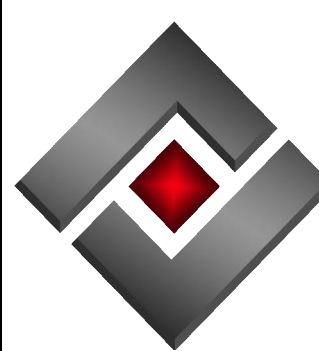
GRADING QUANTITIES  
(WORK COMPLETED):  
CUT: 150 CY  
FILL: 150 CY  
IMPORT/EXPORT: 0 CY  
REMEDIAL: N/A  
GRADING QUANTITIES  
(WORK TO BE COMPLETED TO ADDRESS CODE VIOLATION):  
CUT: 0 CY  
FILL: 0 CY  
IMPORT/EXPORT: 0 CY  
REMEDIAL: N/A

### DESIGN & CONSTRUCTION NOTES:

- EXISTING MSE WALLS TO BE PERMITTED.
- APPROXIMATE CURRENT GEGRID LENGTH OF 4'.
- RETROFITTING OF WALLS TO BE ACCOMPLISHED BY INSTALLING SOIL NAILS AND CORRESPONDING NEW FACING.
- PROVIDE 42" FALL PROTECTION RAILING.
- PROPOSED WALL ANCHORS (SOIL NAILS) AND/OR GEGRID SHALL NOT EXTEND BEYOND PROPERTY LINE WITHOUT WRITTEN APPROVAL FROM ADJACENT PROPERTY OWNER.
- REFERENCE GEOTECHNICAL REPORT FOR SOIL SPECIFICATIONS.
- PRECISE DESIGN (INCLUDING NAIL SCHEDULE, WALL DRAINAGE, FACING THICKNESS, GLOBAL STABILITY) TO BE ADDRESSED AT FINAL ENGINEERING.
- CONSTRUCTION MEANS AND METHODS SHALL BE PER CONTRACTOR.



### PREPARED BY:

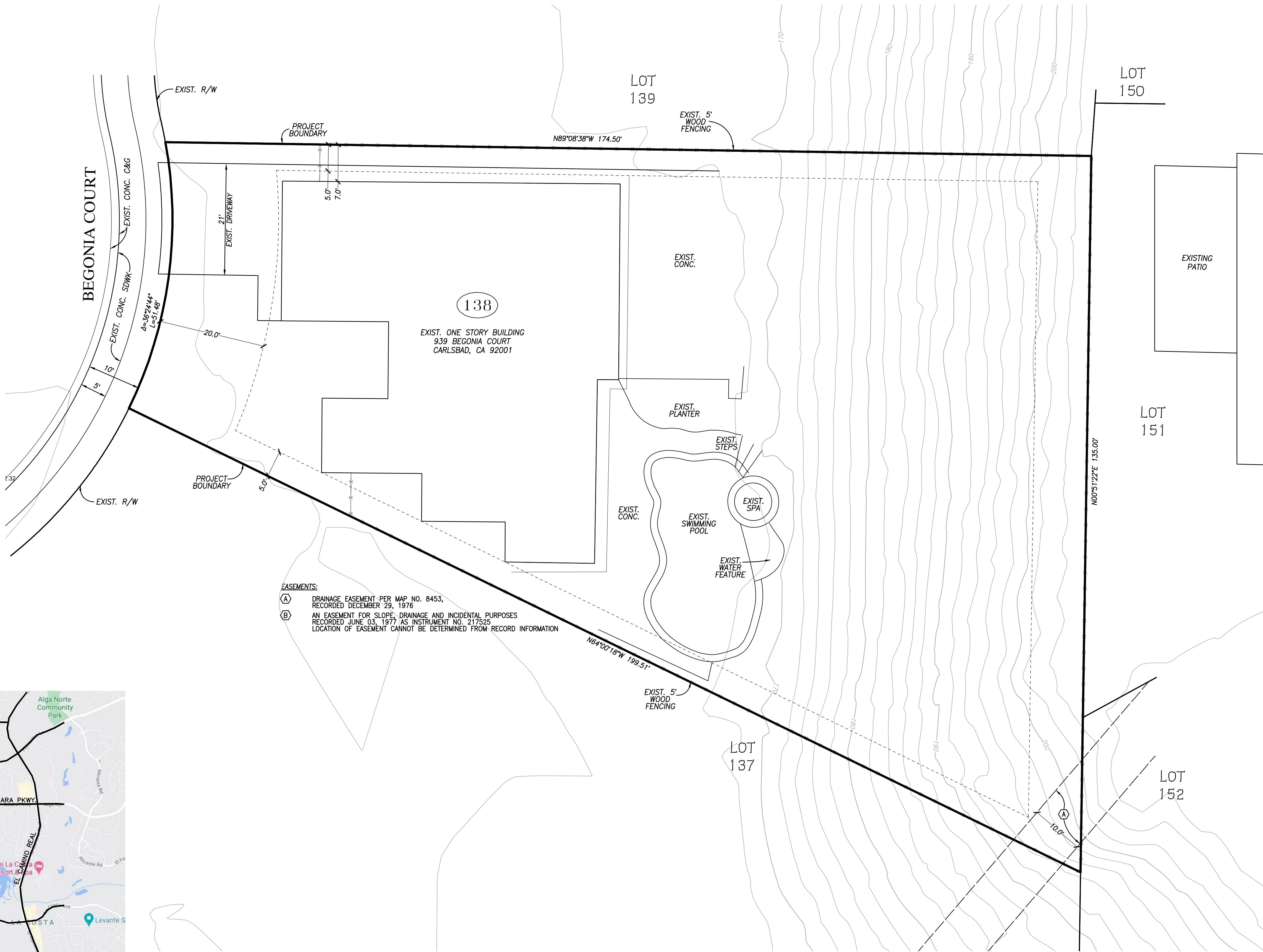


FUSION ENGINEERING & TECHNOLOGY  
1810 GILLESPIE WAY, #207  
EL CAJON, CA 92020  
(619) 736-2800

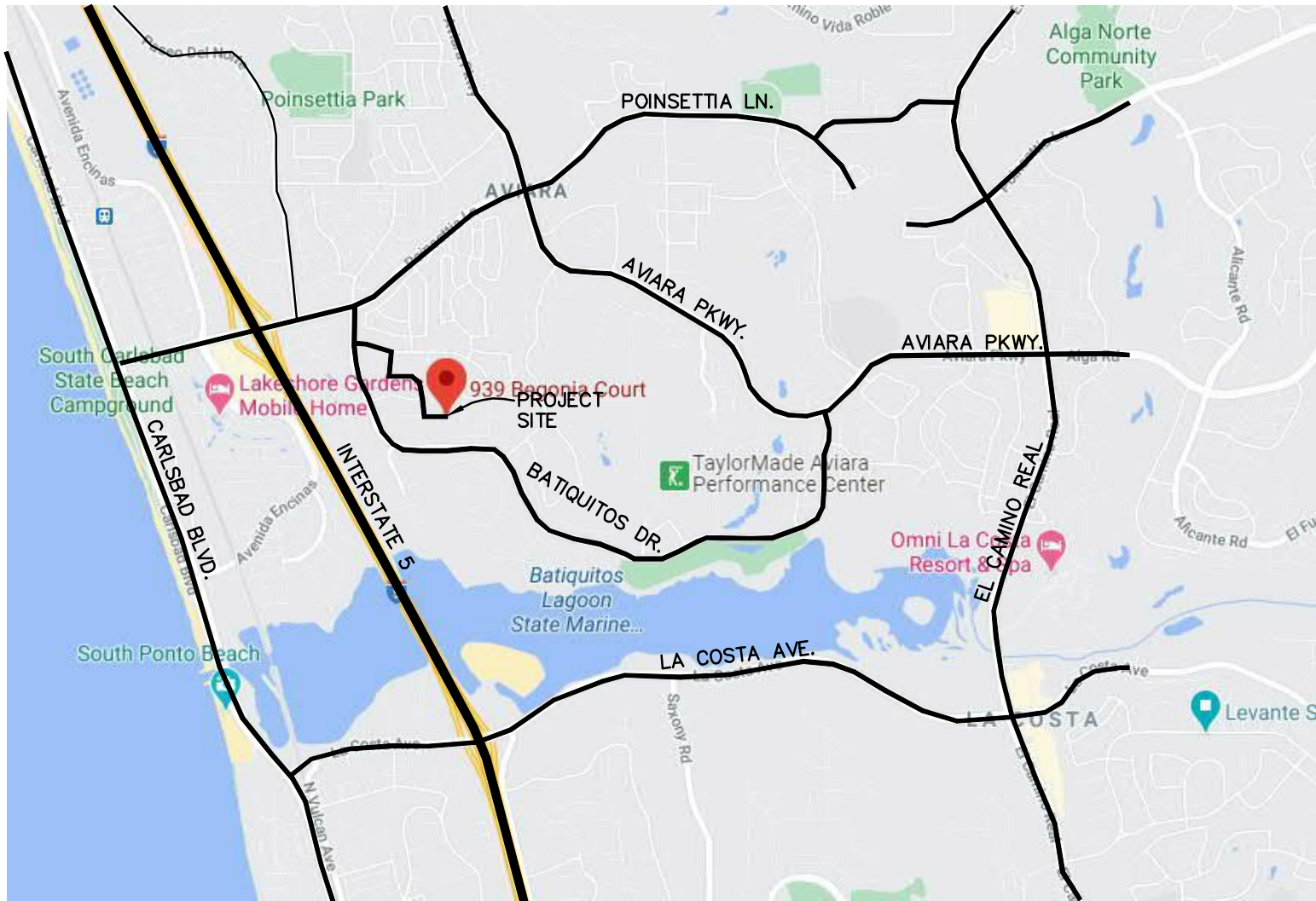
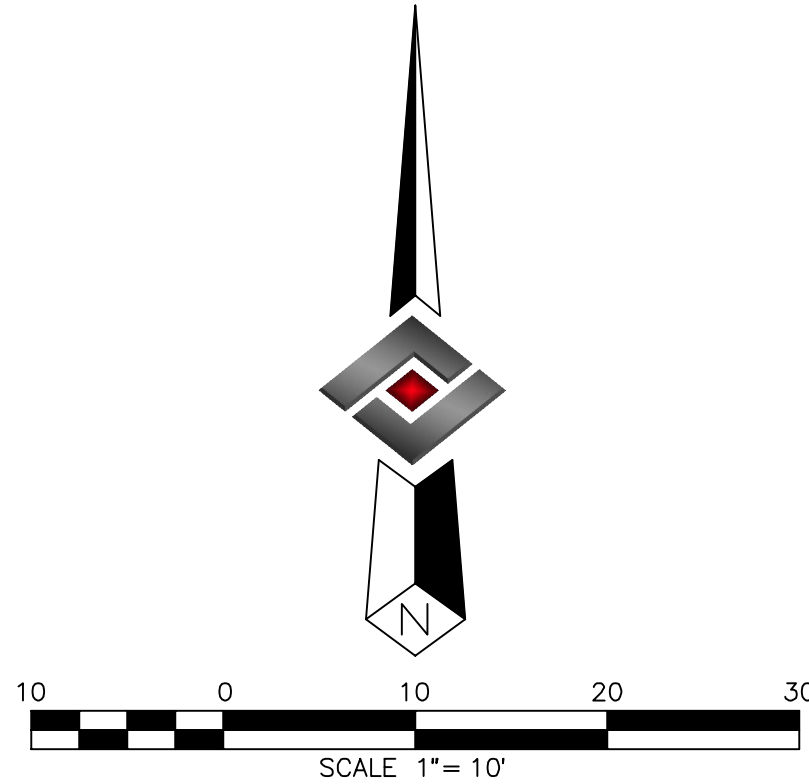
PRELIMINARY SITE PLAN  
STRUCTURAL RETROFIT OPTION  
LICHTMAN RESIDENCE  
939 BEGONIA COURT  
CITY OF CARLSBAD, CALIFORNIA

MAP  
1  
OF  
1





EASEMENTS:  
(A) DRAINAGE EASEMENT PER MAP NO. 8453,  
RECORDED DECEMBER 29, 1976  
(B) AN EASEMENT FOR SLOPE, DRAINAGE AND INCIDENTAL PURPOSES  
RECORDED JUNE 03, 1977 AS INSTRUMENT NO. 217525  
LOCATION OF EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION



VICINITY MAP

PROPERTY INFORMATION:

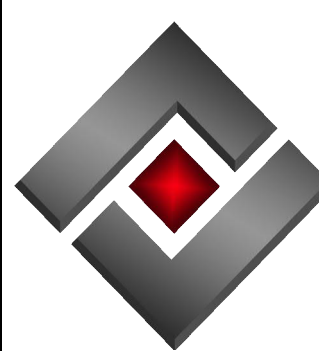
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EXISTING LAND USE = R-4  
PROPOSED LAND USE = R-4  
NO CHANGES PROPOSED TO BUILDING, PARKING, ETC.  
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BUILDING SQUARE FOOTAGE = 3,440  
PERCENT LANDSCAPING = 20%

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VALERIE LICHTMAN, TRUSTEE  
860 BERNARD WAY  
SAN BERNARDINO, CA 92404  
ISQUAREDC@CHARTER.NET  
909-659-4291  
APPLICANT:  
RENE LICHTMAN  
860 BERNARD WAY  
SAN BERNARDINO, CA 92404  
ISQUAREDC@CHARTER.NET  
909-659-4291



PREPARED BY:



FUSION ENGINEERING &  
TECHNOLOGY  
1810 GILLESPIE WAY, #207  
EL CAJON, CA 92020  
(619) 736-2800

PRE-PROJECT SITE PLAN  
**LICHTMAN RESIDENCE**  
**939 BEGONIA COURT**  
CITY OF CARLSBAD, CALIFORNIA

SHEET

1  
OF  
1

MO# 0008-0001



# 939 BEGONIA COURT

## KEYSTONE WALL STRENGTHENING

939 BEGONIA COURT  
CARLSBAD, CALIFORNIA 92011



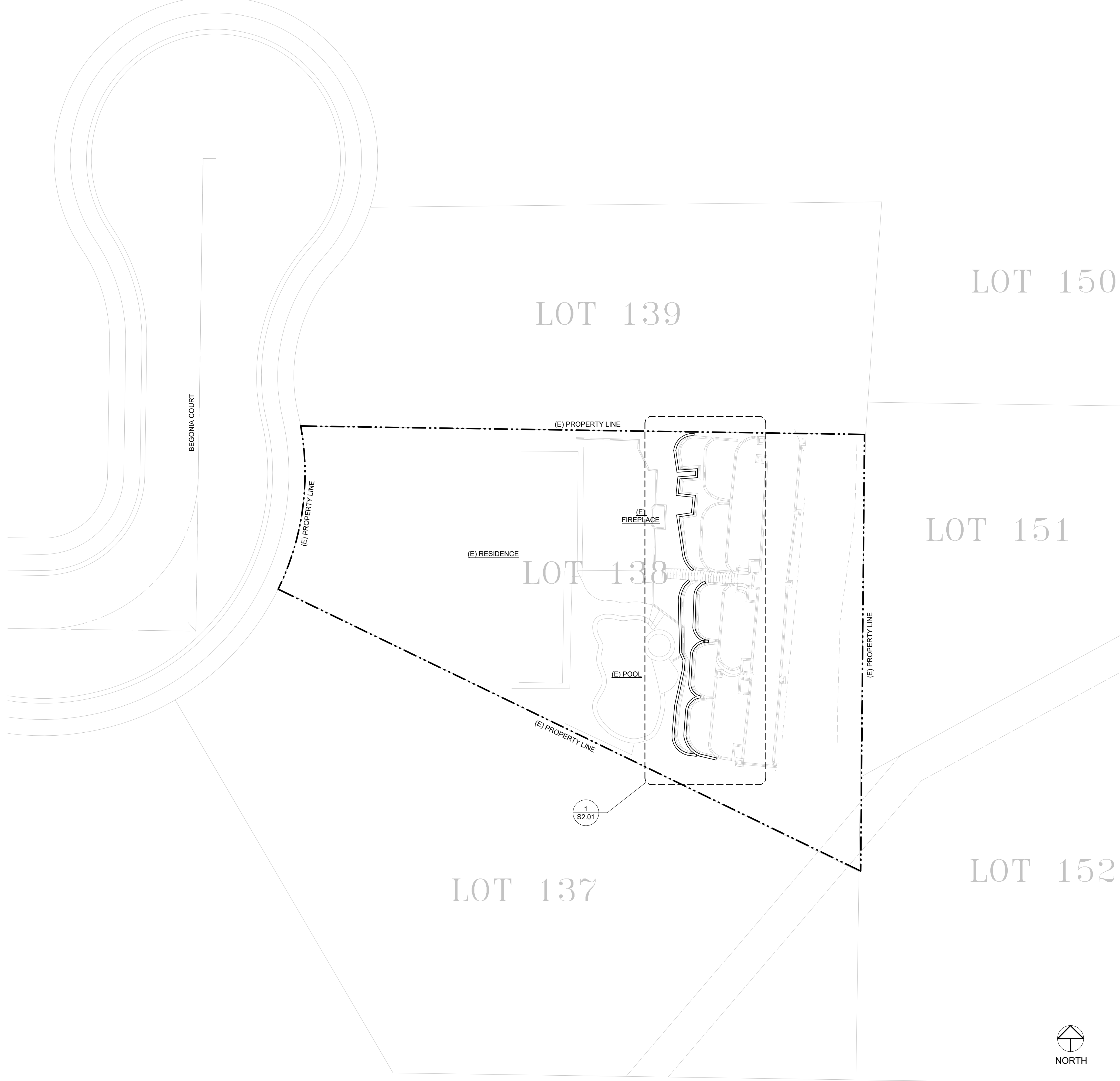
**FICCIDENTI  
WAGGONER  
and CASTLE**  
Structural Engineers  
16969 Von Karman Avenue  
Suite 240 • Irvine, CA 92606  
Telephone: (949) 474-0502  
Facsimile: (949) 474-1807  
www.fwcse.com

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## ABBREVIATIONS

AB	ANCHOR BOLT	IN	INCH OR INCHES
ABV	ABOVE	INSUL	INSULATION
ACC	ASPHALTIC CONCRETE	INT	INTERIOR
ACI	AMERICAN CONCRETE INSTITUTE	INV	INVERTED/INVERT
AD	ADDITIONAL	JST	JOIST
AISC	AMERICAN INSTITUTE OF STEEL CONSTRUCTION	JT	JOINT
ASIS	AMERICAN IRON & STEEL INSTITUTE	K	KIP (1000 LBS)
ATC	AMERICAN INSTITUTE OF TIMBER CONSTRUCTION	L	LOW
ALT	ALTERNATE	LB	POUND
ANSI	AMERICAN NATIONAL STANDARDS INSTITUTE	LG	LENGTH OR LONG
ARCH	ARCHITECT	LL	LIVE LOAD
ARCHL	ARCHITECTURAL	LLH	LONG LEG HORIZONTAL
ASTM	AMERICAN SOCIETY FOR TESTING AND MATERIALS	LV	LONG LEG VERTICAL
AWPA	AMERICAN WOOD PRESERVERS ASSOCIATION	LONGIT	LONGITUDINAL
AWS	AMERICAN WELDING SOCIETY	LT	LIGHT
@	AT	LT WT	LIGHT WEIGHT
BLDG	BUILDING	LVL	LEVEL
BLK	BLOCK	MANUF	MANUFACTURER
BLKG	BLOCKING	MAT	MASONRY
BLW	BELOW	MB	MACHINE BOLT
BM	BEAM	MC	MISCELLANEOUS CHANNEL
BOT OR B	BOTTOM	MECHL	MECHANICAL
BN	BOUNDARY NAILING	MEZZ	MEZZANINE
BRG	BRACING	MIN	MINIMUM
BS	BOTH SIDES	MISC	MISCELLANEOUS
BWTN	BETWEEN	MTL	METAL
CANT	CANTILEVER	NIC	NOT IN CONTRACT
CB	CARRIAGE BOLT	NOM	NORMAL
CB OR C/C	CENTER TO CENTER	NS	NEAR SIDE
CEN	CONTINUOUS EDGE NAILING	NSFC	NOT SHOWN FOR CLARITY
CIP	CAST IN PLACE	NTS	NOT TO SCALE
CJ	CONSTRUCTION JOINT, CONTROL JOINT, OR CEILING JOINT	# OR NO	NUMBER
CL	CENTER LINE	O	OVER
CLR	CEILING	OC OR O/C	ON CENTER
CLR	CLEAR	OD	OUTSIDE DIAMETER
CMU	CONCRETE MASONRY UNIT	OH	OPPOSITE HAND
COL	COLUMN	OPNG	OPENING
CONC	CONCRETE	OS	OPPOSITE SIDE
CONN	CONNECTION	OSA	OFFICE OF THE STATE ARCHITECT (CALIFORNIA)
CONSTR	CONSTRUCTION	OSA	OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
CONT	CONTINUOUS	OWJ	OPEN WEB JOIST
CONTR	CONTRACTOR	PARALL	PARALLEL
CR	COLD	PERP OR ⊥	PERPENDICULAR
DBL	DOUBLE	PC	PRECAST
DEN	DISCONTINUOUS EDGE NAILING	PG	PLATE GIRDER
DET	DETAIL	PJ	POUR JOINT
DIA OR Ø	DIAMETER	PL	PLATE OR PROPERTY LINE
DIR	DIRECTION	PLUMB'S	PLUMBING
DIR	DIRECTION	PP	PARTIAL PENETRATION
DKG	DECKING	PSF	POUNDS PER SQUARE FOOT
DL	DEAD LOAD	PSI	POUNDS PER SQUARE INCH
DN	DOWN	PT	POST-TENSIONED OR PRESSURE TREATED
DO	DOTTO	PWJ	PLYWOOD WEBBED JOIST
DS	DOWN SPOUT	R OR RAFT	RAFTER
DWG	DRAWING	R	RADIUS
DWL	DOWEL	RD	ROOF DRAIN
EA	EACH	REINF	REINFORCING
EE	EACH END	REM	REMAINDER
EF	EACH FACE	REQD	REQUIRED
EJ	EXPANSION JOINT	RJ	ROOF JOIST
ELECTL	ELECTRICAL	RR	ROOF RAFTER
ELEV	ELEVATION OR ELEVATOR	SBC	STANDARD BUILDING CODE
EOS	EDGE OF SLAB	SDSTS	SELF-DRILLING, SELF-TAPPING SCREWS
EQU	EQUAL	SECTION	SECTION
EQUIP	EQUIPMENT	SHT	SHEET
ES	EACH SIDE	SIM	SIMILAR
EW	EACH WAY	SMS	SHEET METAL SCREW
EXIST OR E	EXISTING	SPCG	SPACINGS
EXP	EXPANSION	SPEC	SPECIFICATION
EXT	EXTERIOR	SOG	SLAB ON GRADE
FND	FOUNDATION	SQ	SQUARE
FIN	FINISH	SS	STAINLESS STEEL OR SELECT STRUCTURAL
FJ	FLOOR JOIST	STAGG	STAGGERED
FLG	FLANGE	STD	STANDARD
FLR	FLOOR	STIFF	STIFFENER
FN	FIELD NAILING	STL	STEEL
FOC	FACE OF CONCRETE	STRUCTL	STRUCTURAL
FOM	FACE OF MASONRY	SUSP	SUSPENDED
FOS	FACE OF STUD	SYM	SYMMETRICAL
FRMG	FRAMING	T	TOP
FS	FAR SIDE	T & B	TOP AND BOTTOM
FT	FEET OR FOOT	T & G	TONGUE AND GROOVE
FTG	FOOTING	THK	THICK
GALV	GALVANIZED	TCC	TOP OF CONCRETE
GLB	GLU-LAM BEAM	TOF	TOP OF FOOTING
GR	GRADE	TOS	TOP OF STEEL
GYP BD	GYPSPUM BOARD	TRANS	TRANSVERSE
H	HEIGHT	TS	STRUCTURAL STEEL TUBE
HGR	HANGER	TSG	TAPERED STEEL GIRDER
HORIZ	HORIZONTAL	TYP	TYPICAL
HSS	HIGH STRENGTH BOLT	UBC	UNIFORM BUILDING CODE
HSS	HOLLOW STRUCTURAL SECTIONS	UNO	UNLESS NOTED OTHERWISE
HT	HEIGHT	UT	ULTRASONIC TEST
IBC	INTERNATIONAL BUILDING CODE	VERT	VERTICAL
ICBO	INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS	W	WITH
ICC	INTERNATIONAL CODE COUNCIL	WO	WITHOUT
ID	INTERNAL DIAMETER	WCW	WOOD CHORD STEEL WEB
		WCWW	WOOD CHORD WOOD WEB
		WTS	WELDED THREADED STUDS
		WWF	WELDED WIRE FABRIC
		WORK PIP	WORK PIPE
		X-STR	EXTRA STRONG
		XX-STR	DOUBLE EXTRA STRONG

## SITE PLAN



## SHEET INDEX

SHEET NUMBER	SHEET NAME
S0.00	COVER SHEET
S0.01	GENERAL NOTES AND ABBREVIATIONS
S0.02	SPECIAL INSPECTION NOTES AND SCHEDULES
S1.01	TYPICAL CONCRETE DETAILS
S2.01	ENLARGED SITE PLAN
S3.01	WALL SECTION & DETAILS

## PROJECT INFORMATION

### PROJECT DATA

JURISDICTION: CITY OF CARLSBAD  
TYPE OF CONSTRUCTION: 1-A  
OCCUPANCY: GROUP U  
AREA OF PROPOSED WORK: REAR YARD RETAINING WALLS ONLY. NO WORK WILL BE DONE ON THE RESIDENCE.

### PROJECT INFORMATION

1. THE PROJECT INVOLVES APPROXIMATELY 195 LINEAL FEET OF KEYSTONE RETAINING WALLS IN THE REAR YARD OF THE SUBJECT RESIDENCE.

## SCOPE OF WORK

1. EXISTING UNPERMITTED MULTIPLE TIERED KEYSTONE WALLS IN THE REAR YARD.
2. THE WALLS ARE CURRENTLY STABLE, BUT DO NOT MEET THE CODE PRESCRIBED FACTOR OF SAFETY.
3. THE PROPOSED STRENGTHENING IS INTENDED TO PROVIDE STABILITY ABOVE THE CODE PRESCRIBED FACTOR OF SAFETY OF 1.5.
4. THE LOWER WALL SECTIONS WILL BE STRENGTHENED WITH A CONTINUOUS 10 INCH THICK SHOTCRETE WALL.
5. THE SHOTCRETE WALL WILL BE RESTRAINED WITH SOIL NAILS.

## PROJECT TEAM

STRUCTURAL ENGINEER:  
FICCADENTI, WAGGONER, AND  
CASTLE STRUCTURAL ENGINEERS  
16969 VON KARMAN AVE., STE. 240  
IRVINE, CA 92606  
(949) 474-0502

GEOTECHNICAL ENGINEER  
ADVANCED GEOTECHNICAL SOLUTIONS, INC.  
485 CORPORATE DRIVE, SUITE B  
ESCONDIDO, CA 92029  
(619) 867-0487

CIVIL ENGINEER  
FUSION ENGINEERING AND TECHNOLOGY  
1810 GILLESPIE WAY, SUITE 207  
EL CAJON, CA 92020  
(619)736-2800

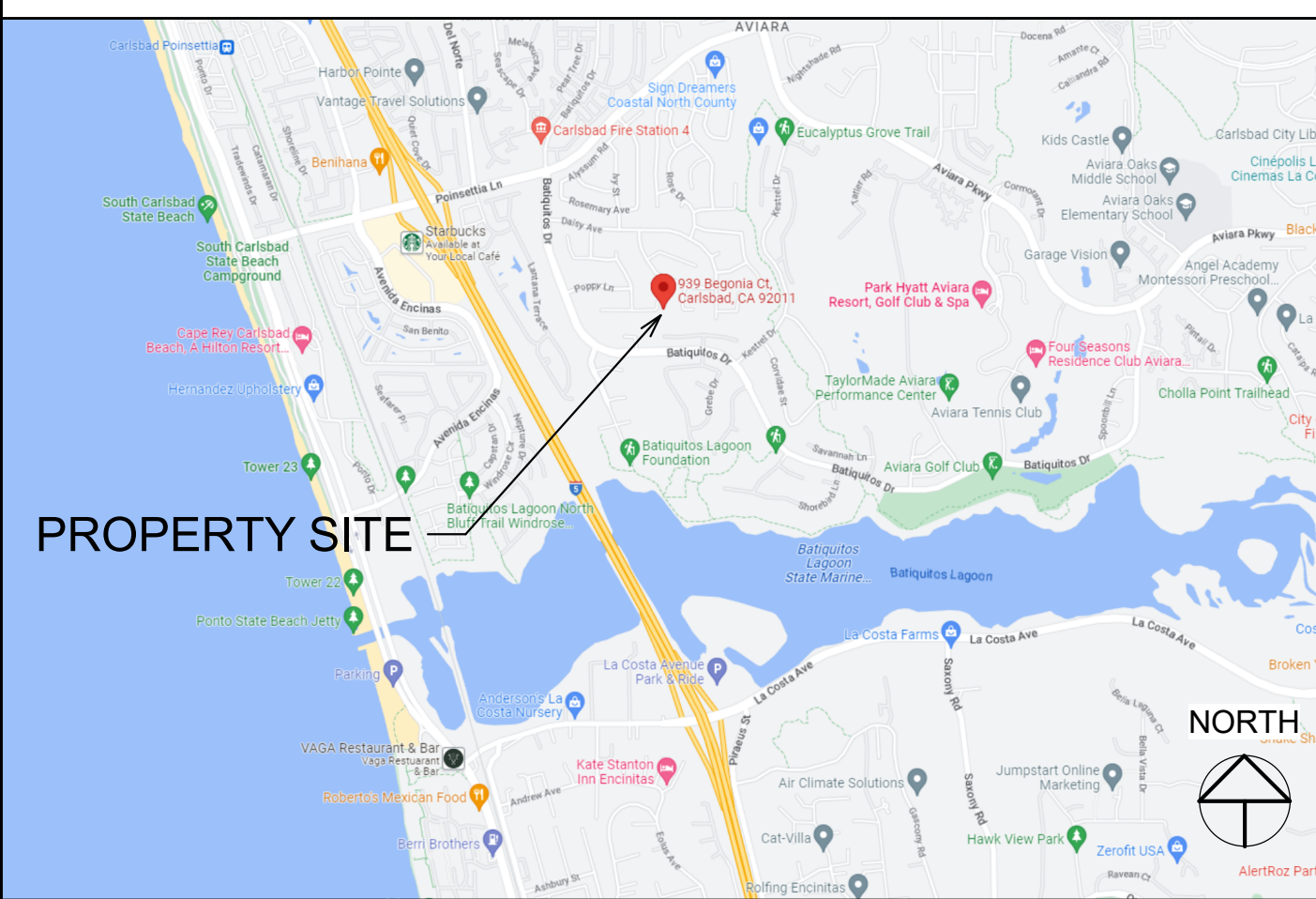
OWNER:

RENE LICHTMAN  
939 BEGONIA COUR  
CARLSBAD, CA 9201

ALL WORK SHALL CONFORM TO

2022 CALIFORNIA BUILDING CODE  
2022 CALIFORNIA RESIDENTIAL CODE

## VICINITY PLAN



939 BEGONIA COURT  
KEYSTONE WALL STRENGTHENING

939 BEGONIA COURT  
CARLSBAD, CALIFORNIA 92011

[illegible]

DRAWN BY SHG

1ST ISSUE DATE 02/17/23

**SHEET TITLE**

COVER SHEET

## DOCUMENT REVIEW

<b>SENIOR PROJECT ENGINEER</b>
EJF

PROJECT NO.

100

SHEET NO.

**\$0.00**

















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**DRAWN BY** SHG  
**POST ISSUE DATE** 02/17/23

<b>DOCUMENT REVIEW</b>	
<b>SENIOR PROJECT ENGINEER</b>	<b>SENIOR PROJECT DRAFTER</b>
EJF	SHG

SHEET NO.

Item #3 17 of 6



1. FOR GENERAL NOTES, SEE S0 SHEET SERIES.
2. FOR TYPICAL CONCRETE DETAILS, SEE S1 SHEET SERIES.
3.  CONCRETE RETAINING WALL. SEE RELEVANT DETAILS.
4.  INDICATES POST-GROUTED SOIL NAIL AT LOWER/OUTER WALL.
5.  INDICATES POST-GROUTED SOIL NAIL AT UPPER/INNER WALL.
6. WHERE PIPING PENETRATIONS OCCUR THROUGH OR BELOW CONTINUOUS FOUNDATION, PENETRATE THROUGH MIDDLE THIRD OF FOUNDATION. FOR ADDITIONAL INFORMATION, SEE  12.

$$1/4" = 1'-0"$$

Net: 00.00





**PROJECT ANALYSIS**

The project is subject to the following regulations:

- A. General Plan R-4 Land Use Designation
- B. R-1 Zone (CMC Chapter 21.24); Variance (CMC Chapter 21.50); Hillside Development Regulations (CMC Chapter 21.95); and Coastal Resource Protection Overlay Zone (CMC Chapter 21.203)
- C. Local Coastal Program (Mello II Segment)

The recommendation for denial 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. General Plan R-4 Residential Land Use Designation**

The General Plan Land Use designation for the property is R-4 Residential. The R-4 land use designation allows for development of single-family residential use within a density range of 0-4 du/ac. Although the project proposes no change to the existing single family residential unit on the property, the Land Use Element of the General Plan provides policies applicable to the project. Policy 2-P.10 states, *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*. The project would allow for development of the property beyond what is allowed by the hillside development provisions of the Zoning Ordinance.

**B. R-1 Zone (CMC Chapter 21.24); Variance (CMC Chapter 21.50); Hillside Development Regulations (CMC Chapter 21.95); and Coastal Resource Protection Overlay Zone (CMC Chapter 21.203)**

One-Family Residential (R-1) Zone (CMC Chapter 21.10)

The project is subject to applicable regulations and development standards for the R-1 Zone (Chapter 21.10). While the project proposes no change to the existing single-family residence on the property, the project is inconsistent with other chapters of the CMC as discussed below.

Hillside Ordinance (CMC Chapter 21.95)

The project site has a manufactured uphill perimeter slope as defined in CMC Section 21.95.140.C with a gradient greater than 40 percent and an elevation differential of greater than fifteen feet located in the backyard into which the unpermitted retaining wall system is constructed. CMC Section 21.95.140 contains provisions related to design standards for development of manufactured uphill perimeter slopes, and development is limited to a main building, accessory structure and a retaining wall up to a maximum cut into the slope of six vertical feet measured from the existing grade at the toe of the slope. Stairs are also allowed to be constructed onto the slope in order to access the area for landscape maintenance. Per CMC Section 21.95.040, improvements to single family residences are exempt from having to apply for a hillside development permit (HDP), provided that the development complies with CMC Section 21.95.140 of the Hillside Development Regulations and the city's hillside development and design guidelines. However, walls and retaining walls built beyond the maximum six-foot cut as

measured from the toe of the slope such as the project in question are not permitted per those standards and guidelines, so the project would not be exempt from an HDP.

Modifications to the development and design standards of the Hillside Development Ordinance and Hillside Development and Design Guidelines are only permitted outside of the Coastal Zone with the approval of an HDP. Because the subject property is in the Coastal Zone, modifications to the design standards are prohibited unless it is necessary to preserve onsite natural habitat as required by the city's Habitat Management Plan. There is no natural habitat present on the site. Therefore, an application for a HDP to seek design standards and guidelines modifications would not be applicable, and the applicant is instead seeking approval of a variance to deviate from the requirements of the CMC Chapter 21.95 – Hillside Development Regulations.

#### Variance (CMC Chapter 21.50)

Pursuant to CMC Chapter 21.50, variances are granted to resolve practical difficulties or physical hardships that may result from the unique size, shape, topography, or dimensions of a property. The applicant is requesting a variance to sections of the Zoning Ordinance in order to allow the authorized construction of the stepped retaining walls. The following Hillside Development regulations apply to manufactured slopes which have a gradient of greater than forty percent and an elevation differential of greater than fifteen feet.

*Section 21.95.140(C)(1)(a)(i); "[Retaining walls] on or into an uphill perimeter manufactured slope shall be limited to a maximum of six vertical feet as measured from the existing grade at the toe of the slope."*

In order to support an approval for a variance, all five required findings of fact from CMC Section 21.50.050 must be made. These five required findings and analysis are discussed below.

- 1. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.**

#### Applicant's Proposed Justification:

The subject property possesses topographic constraints which deprives the Owners of the typical usage afforded to other properties in the vicinity and creates a disproportionate maintenance burden. The following bullet points illustrate these points:

- **Portion of total lot area encumbered by slope:**
  - Subject Property = 47%
  - Similar Lot (w/ Rear Yard Slope) Average = 22%
  - Neighborhood Average = 8%
  - Subject property encumbered more than double the average of similar lots with rear yard slopes. Out of the 236 lots studied, only one other lot has over 45% slope encumbrance percentage.
- **Portion of rear yard area encumbered by slope:**



- Subject Property = 76%
- Similar Lot (w/ Rear Yard Slope) Average = 44%
- Neighborhood Average = 17%
- **Height of rear yard slope:**
  - Subject Property = 38 feet
  - Similar Lot (w/ Rear Yard Slope) Average = 18 feet
  - Neighborhood Average = 15 feet
  - The inclination of the rear yard slope within the subject property is 1.5:1, or 67%, which makes it very difficult to maintain and unusable from a practical standpoint.

In general, virtually all other properties in the vicinity and under the zoning have a larger percentage of usable lot area, with many including expansive views.

Staff Response:

The applicant's provided justification falls short of establishing the finding that, because of special circumstances applicable to the subject property, such as topography, that the strict application of the zoning ordinance deprives the property of the privileges enjoyed by the other properties in the vicinity and under identical zoning classification.

While the exhibits and stats provided by the applicant and their representative do establish that the subject property does have a large amount of lot area that contains manufactured slope. Staff does not find that this is a special circumstance. The neighborhood is comprised of a variety of lot sizes and shapes, with the subject lot being one of the two largest sized lots in the area, at 17,148 square feet (sf). The shape of the lot is also one that is pie shaped, wider in the rear than the front, and this naturally increases the amount of area that the rear-yard manufactured slope takes up. This is meaningful because most other lots are not pie shaped. The most comparable lot to the subject lot in terms of size and shape is 943 Begonia Court, just two doors to the north of the subject property. The applicant states in their submittal materials that the 943 Begonia property is 16,514 sf with 7,314 sf taken up by the slope, or 44.29% of the lot, while the applicant's property is stated to have 46.58% of the lot taken up by slope. There is not a significant difference in these percentages between these comparable lots. This 2.29% difference in comparable lots indicates this is not a special circumstance, and the amount of lot area taken up by the slope is not sound justification to allow the creation of over 2,000 sf of additional usable back yard space through terracing of the slope.

The applicant has also failed to establish that the slope deprives the property of privileges enjoyed by other properties in the vicinity and under the identical zoning classification. The applicants survey of the surrounding properties found the average lot size in this neighborhood to be 9,528 sf. Even with the 7,988 square feet of slope area identified on the property by the applicant as unusable, if that area were not a part of the property at all, the remaining lot would be 9,160 square feet. Staff's analysis of the property differs slightly than what is stated by the applicant, with the slope area only taking up approximately 7,500 sf. This would mean that approximately 9,650 square feet of usable lot area exists on the property. This square footage of lot size is in line with the average lot size of the neighborhood. In reviewing the design of the lot pattern in this neighborhood, it appears that

lots with rear-yard slopes were specifically made larger to provide a usable lot area that is comparable in size to lots without rear-yard slopes. Therefore, the existence of the slope is not a loss of privilege in terms of usable lot area.

*Useable lot area: The Carlsbad Municipal Code does not provide a specific definition of this term. However, this term is defined on the website ZoningTrilogy.com, which is an online resource used by cities throughout the country as a zoning reference. The website defines Usable Lot Area as, "the area of a lot taken in a horizontal plane between the lot boundaries, excluding land in excess of twenty-five percent slope and natural bodies of water comprising in excess of ten percent of the total lot area." Staff's use of the term, Useable Lot Area, in this analysis is consistent with this definition.*

Additionally, while having a lot with a rear-yard slope of 67% does often requires more maintenance, this would be applicable to all lots with 67% rear-yard slopes in the area and is not a special circumstance or a loss of privilege.

- 2. That the variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located and is subject to any conditions necessary to assure compliance with this finding.**

Applicant's Justification:

A variance does not constitute a grant of special privilege because, while other lots in the vicinity do rear yard slopes, no other lots have as great of an elevation differential between adjacent properties or the extensive percentage of lot area encumbered by slope as the subject lot. Please refer to Lot and Slope Areas Exhibit apart of this application. Furthermore, strict adherence to the 6-foot retaining wall height limit disallows the Owner's ability to build standard rear yard improvements such as a patio cover, swimming pool, etc.

Staff's Response:

As explained above, staff finds that the size of the slope and the amount of lot area encumbered by the slope is a result of the lots size and shape, opposed to an unintentionally or natural topographical constraints on the property. Staff finds that the approval of this variance would be a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone. Even with the square footage of the slope removed from the property altogether, the size of the remaining lot is comparable in size to the average lot size in the neighborhood. Allowing the property to create additional usable area through terracing of the slope inconsistent with the hillside development standards would be a granting of special privilege.

Additionally, although the applicant has stated that strict adherence to the six-foot retaining wall limit would disallow the owner from building standard rear-yard improvements such as a patio cover, swimming pool, etc., this statement is inaccurate. The subject property has an existing pool which was installed in 1999, prior to the start of any unpermitted work. The amount of rear-yard area and types of improvements that exist on the property are similar to other lots in the neighborhood as seen from aerial imagery of the neighborhood.

- 3. That the variance does not authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the subject property.**

Applicant's Justification:

The variance does not authorize a use or activity which is not otherwise expressly authorized by the zone regulations because the construction of retaining walls and other yard improvements is considered accessory to the primary use of the property as a single-family residence, which is a permitted use in the R-1 Zone.

Staff's Response:

Staff agrees that retaining walls and other yard improvements are considered accessory to the primary use of the property as a single-family residence, which is a permitted use in the R-1 Zone.

- 4. That the variance is consistent with the general purpose and intent of the general plan and the zoning ordinance.**

Applicant Justification:

That the variance is consistent with the general purpose and intent of the general plan and the zoning ordinance.

The variance is consistent with the general purpose and intent of the general plan and zoning ordinance because the project complies with all policies of the Land Use Element, does not affect the density of the property, does not affect the Growth Management program, and complies with all the development standards of the R-1 zone except for the retaining wall height limit of the Hillside Development Regulations.

Approval of the variance will comply with the purpose and intent of the Hillside Development Ordinance (Chap 21.95.010) because:

- a. The project will continue to implement the goals and objectives of the Land Use and Open Space Elements of the General Plan as originally approved with the subdivision.
- b. The hillside conditions have been properly identified and are incorporated in this review.
- c. The manufactured slope modified in the project does not damage or diminish the aesthetic quality of natural hillsides and manufactured slopes that are in highly visible public locations. The project site cannot be seen from any arterial streets, major thoroughfares, or public spaces.
- d. No alterations of natural hillsides are included in the project, and no impacts to natural resource areas, wildlife habitats or native vegetation will occur.

Approval of the variance will also assure that hillside conditions are properly incorporated into the planning process through the review of the integrity of the slope by City Staff to ensure that it is structurally sound, and subsequent building plan review and permit issuance.

Staff Response:

The approval of a variance to allow for retaining walls above a height of six feet, when measured from toe of slope, is not consistent and does not implement Policy 2-P.10 of the Land Use Element

of the General Plan. This policy states, *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*. The project would allow for development of the property beyond what is allowed by the hillside development provisions of the Zoning Ordinance.

5. **That the variance is consistent with the general purpose and intent of the certified local coastal program and does not reduce or in any manner adversely affect the requirements for protection of coastal resources.**

Applicant Justification:

The applicant did not provide a justification for meeting the finding in their final submittal of materials for the project. However, in past submittals the following statement was provided.

The proposed walls were installed with an area that was previously disturbed and/or graded as part of the original residential tract home development.

Staff Response:

The granting of this variance would not be consistent with the general purpose and intent of the certified local coastal program and does reduce or adversely affect the requirements for protection of coastal resources. One of the purposes of the certified local coastal program is to preserve and protect natural and manufactured slopes in the coastal resource protection overlay zone area and to ensure stability and structural integrity of the slopes from erosion, geologic instability, or destruction of the site. The unpermitted and un-engineered retaining wall system has compromised the slope as originally engineered, regarding drainage and erosion. Options to address the compromised slope and return it to a stable condition, consistent with the local coastal program, remain available. This includes returning the slope to its original grade similar to its original condition.

**C. Local Coastal Program (Mello II Segment)**

The project site is located within the Mello II Segment of the Local Coastal Program and is not in the appeal jurisdiction. The site is also located within and subject to the Coastal Resources Protection Overlay Zone. Improvements typically associated with a single-family residence outside the Coastal appeal area, such as retaining walls, are exempt from a coastal development permit (CDP). The exemption assumes the proposed work complies with the rest of the Zoning Ordinance, so a project that does not comply with the Hillside Development Ordinance is not exempt from a CDP. Therefore, the request to allow the unpermitted retaining wall system to remain is subject to a CDP.

The approval of a CDP would be needed to allow the construction/retention of retaining walls that are inconsistent with the Hillside Development Ordinance. As the findings for a variance to allow the retaining walls cannot be made, as stated above, a CDP will not be required for their construction/retention. Therefore, further analysis of the project's consistency with the local coastal program, CMC Sections 21.201, and 21.203, is not warranted.



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To: City of Carlsbad  
 Attn: Kyle Van Leeuwen  
 Planning Department  
[Kyle.VanLeeuwen@CarlsbadCA.gov](mailto:Kyle.VanLeeuwen@CarlsbadCA.gov)

CC: Marissa Kawecki [Marissa.Kawecki@CarlsbadCA.gov](mailto:Marissa.Kawecki@CarlsbadCA.gov)  
 David Rick [David.Rick@CarlsbadCA.gov](mailto:David.Rick@CarlsbadCA.gov)  
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 Sean Donovan [Sean.Donovan@Adv-GeoSolutions.com](mailto:Sean.Donovan@Adv-GeoSolutions.com)  
 PJ DeRisi [PaulD@Adv-GeoSolutions.com](mailto:PaulD@Adv-GeoSolutions.com)

Subject: 939 Begonia Court – Variance Application – Retaining Walls

Dear Mr. Van Leeuwen,

This letter serves to provide updated / additional justification for granting a variance to the subject property in regards to the City of Carlsbad Hillside Development and Design Standards (Carlsbad Municipal Code Section 21.95.140 C.1.a.(i)). Previous submittals have been made which focused on the property / project history, and the practicality of restoring the hillside to its prior condition in response to code violation comments. This letter does not seek to reiterate those findings but does provide responses to the plan review comments received as part of the prior submittal and shall provide a more concise justification and response to the specific variance application questionnaire items per City of Carlsbad Form P-4. The previously submitted **Response Letter dated May 26, 2023**, which included extensive documentation and practical justifications, should be considered apart of this application, and is included in **Appendix 'A'** for reference.

With the above said, this letter seeks to demonstrate the following;

1. That because of special circumstances applicable to the subject property, including size, shape, location, or surroundings, whereby the strict application of the zoning ordinance deprives such of privileges enjoyed by other property in the vicinity and under identical zoning classification:

The subject property possesses topographic constraints which deprives the Owners of the typical usage afforded to other properties in the vicinity and creates a disproportionate maintenance burden. The following bullet points illustrate these points:

- **Portion of total lot area encumbered by slope:**
  - Subject Property = 47%
  - Similar Lot (w/ Rear Yard Slope) Average = 22%
  - Neighborhood Average = 8%
  - Subject property encumbered more than double the average of similar lots with rear yard slopes. Out of the 236 lots studied, only one other lot has over 45% slope encumbrance percentage.
- **Portion of rear yard area encumbered by slope:**
  - Subject Property = 76%
  - Similar Lot (w/ Rear Yard Slope) Average = 44%

- Neighborhood Average = 17%
- **Height of rear yard slope:**
  - Subject Property = 38 feet
  - Similar Lot (w/ Rear Yard Slope) Average = 18 feet
  - Neighborhood Average = 15 feet
  - The inclination of the rear yard slope within the subject property is 1.5:1, or 67%, which makes it very difficult to maintain and unusable from a practical standpoint.

In general, virtually all other properties in the vicinity and under the zoning have a larger percentage of usable lot area, with many including expansive views. Please refer to the ***Lot and Slope Areas Exhibit*** included in ***Appendix 'B'***.

2. That the the granting of this variance shall not constitute a grant of special privileges inconsistent with upon other properties in the vicinity and zone in which the subject property is located and is to any conditions necessary to assure compliance with this finding:

A variance does not constitute a grant of special privilege because, while other lots in the vicinity do rear yard slopes, no other lots have as great of an elevation differential between adjacent properties or the extensive percentage of lot area encumbered by slope as the subject lot. Please refer to Lot and Slope Areas Exhibit apart of this application. Furthermore, strict adherence to the 6-foot retaining wall height limit disallows the Owner's ability to build standard rear yard improvements such as a patio cover, swimming pool, etc.

3. That the granting of the variance does not authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the subject property.

The variance does not authorize a use or activity which is not otherwise expressly authorized by the zone regulations because the construction of retaining walls and other yard improvements is considered accessory to the primary use of the property as a single-family residence, which is a permitted use in the R-1 Zone.

4. That the variance is consistent with the general purpose and intent of the general plan and the zoning ordinance.

The variance is consistent with the general purpose and intent of the general plan and zoning ordinance because the project complies with all policies of the Land Use Element, does not affect the density of the property, does not affect the Growth Management program, and complies with all the development standards of the R-1 zone except for the retaining wall height limit of the Hillside Development Regulations.

Approval of the variance will comply with the purpose and intent of the Hillside Development Ordinance (Chap 21.95.010) because:

- a. The project will continue to implement the goals and objectives of the Land Use and Open Space Elements of the General Plan as originally approved with the subdivision.
- b. The hillside conditions have been properly identified and are incorporated in this review.
- c. The manufactured slope modified in the project does not damage or diminish the aesthetic quality of natural hillsides and manufactured slopes that are in highly visible public locations. The project site cannot be seen from any arterial streets, major thoroughfares, or public spaces.
- d. No alterations of natural hillsides are included in the project, and no impacts to natural resource areas, wildlife habitats or native vegetation will occur.



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Approval of the variance will also assure that hillside conditions are properly incorporated into the planning process through the review of the integrity of the slope by City Staff to ensure that it is structurally sound, and subsequent building plan review and permit issuance.

In response to City of Carlsbad 2<sup>nd</sup> review comments dated June 30, 2023:

- Planning Comments: Updated responses to P-4 questions provided hereon.
- Land Development Engineering Comments: The original slope has been disturbed and thus presents a concern for surficial and global stability should the upper soil layer need to be restored to 1.5:1.

Should you have any questions regarding the information contained in this memo please contact me.

Thank You,

A handwritten signature in black ink, appearing to read "Johnny Rivera", is written over a horizontal line.

**Johnny Rivera, P.E. C73878**

President / Principal of Civil Engineering

Mobile: (619)992-6618

[Johnny@FusionEngTech.com](mailto:Johnny@FusionEngTech.com)



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## List of Appendices

**Appendix 'A': Response Letter dated May 26, 2023**

**Appendix 'B': Lot and Slope Areas Exhibit**





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**Appendix 'A':      Response Letter dated May 26, 2023**

**Reference previously submitted hard copies on file with City of Carlsbad.**

To: City of Carlsbad  
Attn: Kyle Van Leeuwen, Associate Planner [Kyle.Van.Leeuwen@Carlsbad.CA.Gov](mailto:Kyle.Van.Leeuwen@Carlsbad.CA.Gov)

CC: Marissa Kawecki [Marissa.Kawecki@CarlsbadCA.gov](mailto:Marissa.Kawecki@CarlsbadCA.gov)  
David Rick [David.Rick@carlsbadca.gov](mailto:David.Rick@carlsbadca.gov)  
William Fuhrman [Bill@SDiegoLaw.com](mailto:Bill@SDiegoLaw.com)  
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Valerie Lichtman [Valden28@charter.net](mailto:Valden28@charter.net)  
Eric Freund [EFreund@FWCSE.com](mailto:EFreund@FWCSE.com)  
Sean Donovan [Sean.Donovan@Adv-GeoSolutions.com](mailto:Sean.Donovan@Adv-GeoSolutions.com)  
PJ DeRisi [PaulD@Adv-GeoSolutions.com](mailto:PaulD@Adv-GeoSolutions.com)

Subject: Response Letter  
CDP2023-0016/V2023-0002 (DEV2020-0134) – Letter of Incompleteness

Dear Mr. Van Leeuwen,

This letter is in response to City of Carlsbad Community Development Department, and Land Development Engineering Staff, comment letter dated April 27, 2023, and shall serve to supplement previously submitted documents.

**Section 1. List of Items Needed to Complete the Application**

**City of Carlsbad Planning Division Comment #1-5:**

*See attached document.*

**Fusion Eng Tech Response:**

1. Noted, documents provided hereon.
  - a. Occupants listed hereon on radius map.
  - b. List of Owners and Occupants provided hereon.
  - c. Copy of mailed notice to Owners and Occupants provided hereon.
  - d. Photo of posted "Notice of Project Application" sign provided hereon.
  - e. Completed and signed Attachment A-4 provided hereon.
2. Radius map updated to measure from edge of the property.
3. Form P-1(B) updated to clarify disposition of existing retaining walls.
4. There are multiple plans being submitted for reference to depict various options / scenarios. It is not beneficial, in fact it would be confusing, to combine design sheets from different design scenarios. With that said, a singular combined PDF of the Fusion memo, including all appendices, has been provided hereon. See **PD 4. 939 Begonia Court Variance Memo With Attachments Fusion Eng Tech 2023 05-19.pdf.**
5. Pre-project site plan provided hereon.

**City of Carlsbad Land Development Engineering Department Comment (General):**

*Land Development Engineering staff has completed a review of the above-referenced project for application completeness. The application and plans submitted for this proposed project are incomplete and unsuitable for further review due to the following incomplete items:*

**Fusion Eng Tech Response:**






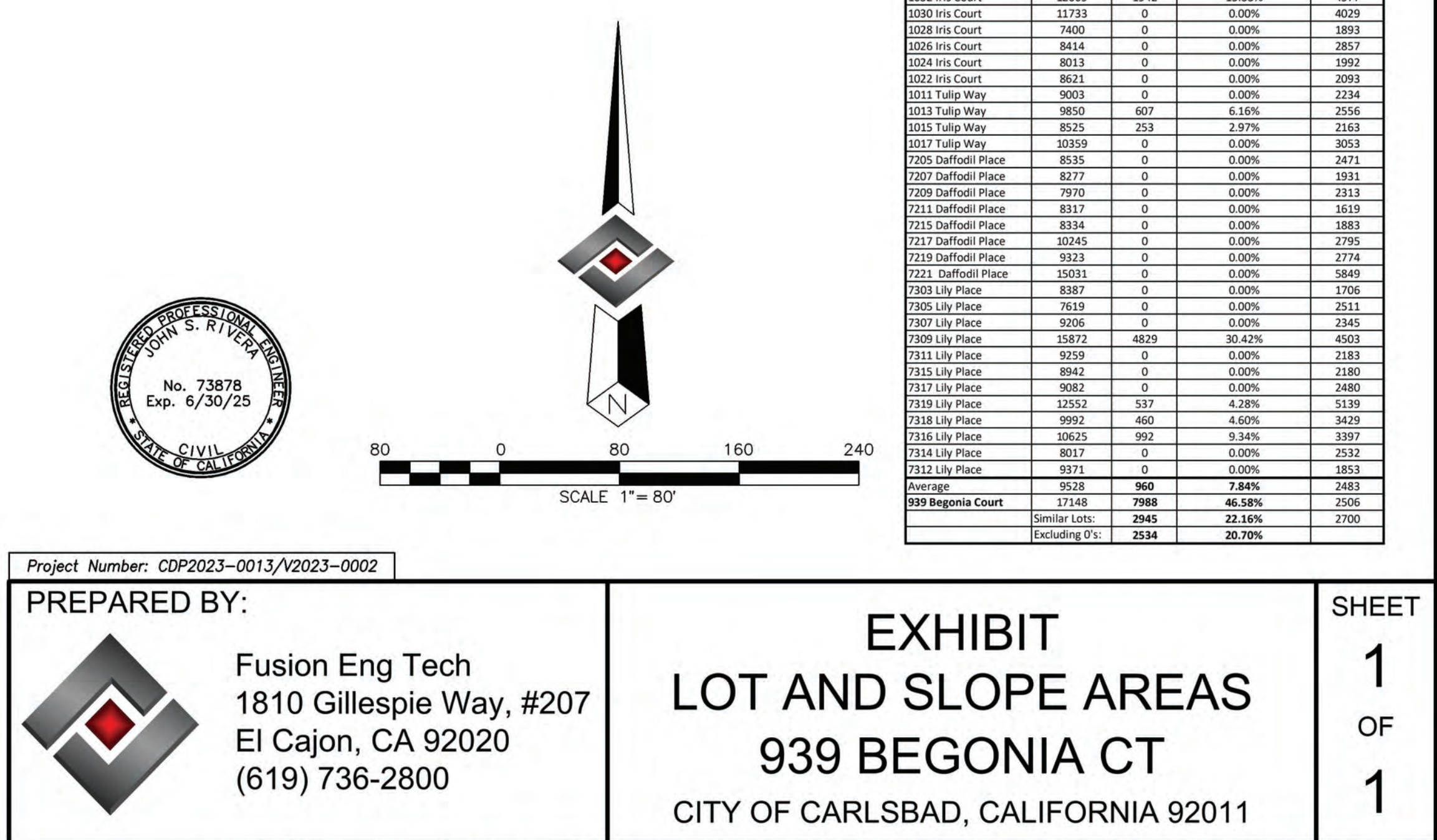
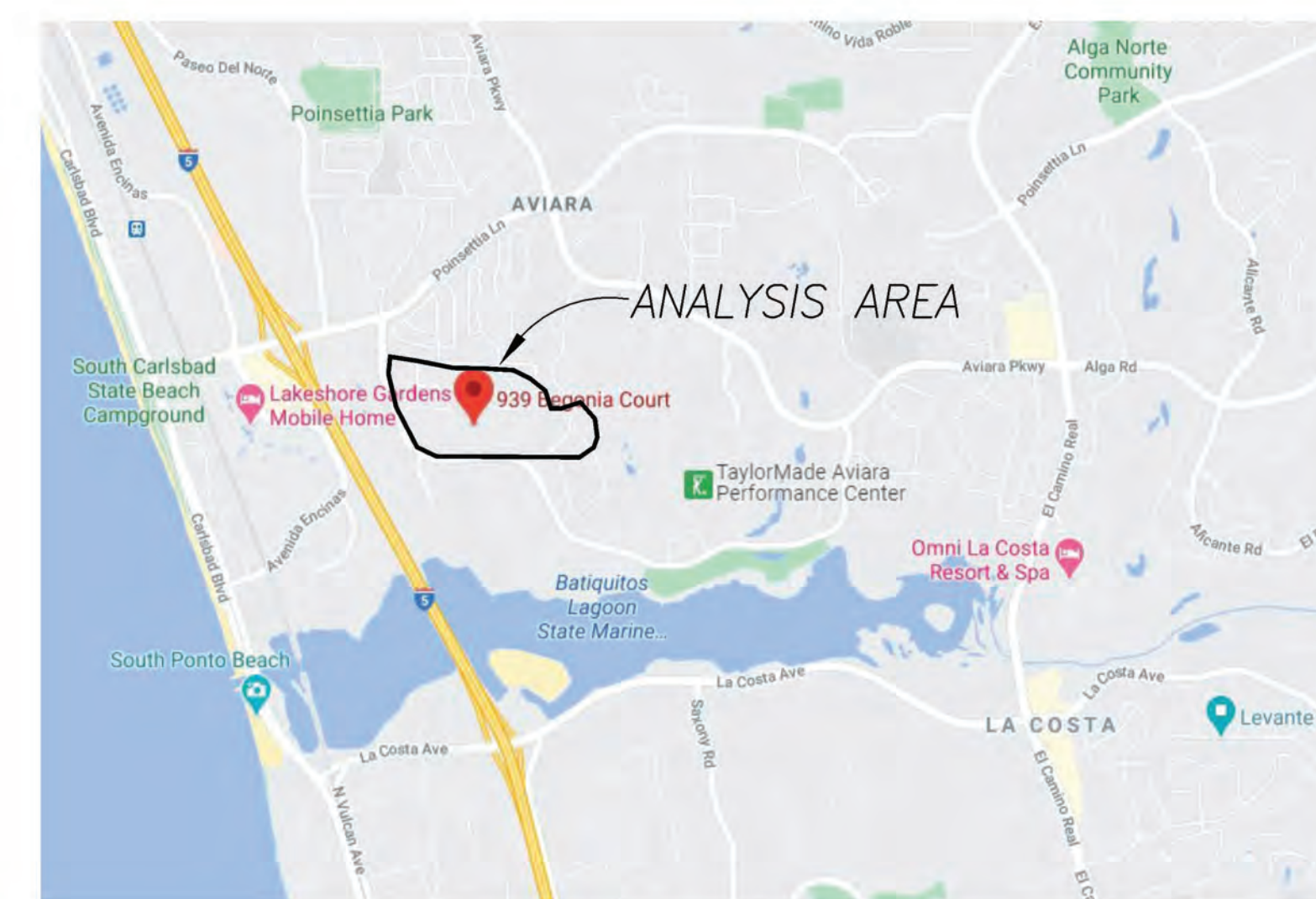
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## **Appendix 'B': Lot and Slope Areas Exhibit**



[illegible]

LEGEND:					
	INDICATES TOTAL PAD AREA				
	INDICATES BACKYARD PAD AREA				
	INDICATES BACKYARD SLOPE AREA				
<b>939 Begonia Court</b>					
<b>Lot Pad &amp; Slope Area Calculations</b>					
Property Address	Lot Size (s.f.)	Slope Area (s.f.)	Slope Encumbrance (%)	Elevation Difference from Adjacent Lot	Slope Encumbrance Backyard Area (%)
Average	9528	960	7.84%	16	17%
939 Begonia Court	17148	7988	46.58%	38	76%
	Similar Lots:	2945	22.16%		
	Excluding O's:	2534	20.70%	18	44%
PROPERTY INFORMATION:		OWNER INFORMATION:		SOURCE OF TOPOGRAPHY:	
939 BEGONIA COURT CARLSBAD, CA 92011 APN 214-390-23-00  LEGAL DESCRIPTION: LOT 170 OF LA VELLA ALTA MAP NO. 7165, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.  SITE ACRES = 0.377 AC EXISTING ZONING = R-1 EXISTING LAND USE = R-4 PROPOSED LAND USE = R-4 NO CHANGES PROPOSED TO BUILDING, PARKING, ETC.  TOTAL BUILDING COVERAGE = 2,802 BUILDING SQUARE FOOTAGE = 3,440 PERCENT LANDSCAPING = 20%		OWNER: VALERIE LICHTMAN REVOCABLE TRUST DATED JUNE 12, 2003 VALERIE LICHTMAN, TRUSTEE 860 BERNARD WAY SAN BERNARDINO, CA 92404 ISQUARE@CHARTER.NET 909-659-4291  APPLICANT: RENE LICHTMAN 860 BERNARD WAY SAN BERNARDINO, CA 92404 ISQUARE@CHARTER.NET 909-659-4291		SAN GIS 24' INTERVAL CONTOURS (NH# 85)	





## Carlsbad Project Background and Feasibility Arguments

My mother purchased 939 Begonia Court in October of 2012 and placed it in the Valerie Lichtman revocable trust. At that time, the original hillside was mainly covered with ice plant and some bare patches of exposed sandstone and hardened soil. A row of clustered small trees was located about 25 feet or  $\frac{3}{4}$  of the way up the hillside. A stairway constructed from old railroad ties went up to that tree line. The front yard was planted with standard water consumptive lawn and flowers which were common at that time. California began to experience some water shortages in 2014, at which time we were told to conserve water, especially for landscaping. We removed the front yard grass and water needy flora and planted all drought resistant plants, mostly with a desert cactus design which included large boulders and a ground cover finish of different pebble aesthetically arranged in a pattern. We completely shut-off the front yard irrigation and drastically reduced the back yard watering cycles.

Though we had aggressively reduced irrigation on the entire property, water drainage and runoff to the front yard and street did not diminish and puddles continued to form in front of the city street storm gutters. The property directly above, 7307 Lilly Place, was the source of the runoff, which maintains a large lawn and water consumptive tropical flora. One of our neighbors on Begonia Court reported the water runoff which drained to the front of our house as wasting water which prompted the City to issue a warning violation notice. We immediately responded by informing the City that the water originated at 7307 Lilly Place. This runoff produced signs of erosion on the hillside and carved rivulet markings creating bare patches in the ice plant. The water drainage was so abundant that some cacti and drought resistant plants died.

Concerned over threats of further enforcement for the water drainage and the stability of the steep slope, I considered ways to support the hillside and effectively slow down or divert the drainage. The idea of building retaining walls on the hillside emerged. About four years later in 2019, Advanced Geotechnical Solutions was hired to do soil analysis on the property. They drilled several bore holes for soil samples from which water welled-up, demonstrating that the hillside was water saturated, even though irrigation at 939 Begonia Court had ceased before 2017. By June 2017, the wall construction had ceased. So, clearly the wall construction was not the source of water and erosion, contrary to the argument presented by Jessica Evans before the City Council on March 16<sup>th</sup>, 2021.

Well before I did any hillside work, decks and terracing were visible and very common on hillsides in the neighborhood and other areas of Carlsbad's Coastal zone. I researched permitting required for retaining walls and determined that I was allowed to build retaining walls up to four feet in height without a permit. It never occurred to me that there was a separate section of applicable code that I later learned was entitled "Hillside Development Ordinance." I was operating under the belief that the codes I needed to focus on were only specific to retaining wall permitting. I did not move ahead with any building because I needed to know more about retaining wall construction. Then tragically my girlfriend and partner Nicole died suddenly in December of 2014, before I was able to do further research. A few months into 2015, I was struggling with grief and needed something to do with my hands. Nicole and I had outdoor chairs on a bare spot on the hillside from which she had loved the views. So, I had the idea of building a small patio halfway up the hillside in Nicole's memory. At

the same time, I planned to install some terraced walls and built-in drainage to mitigate the water runoff from the above property which was causing erosion. Machinery was out of the question because of the steepness of the slope, narrowness of access from the fencing and planters separating the adjacent houses and the overhanging eaves of each house. I planned to construct the entire project by hand so that I would disturb as little of the existing slope as possible. Building by hand without machinery and my ignorance of the Hillside Development Ordinance further fed my false conclusion that I could build the MSE walls without permitting.

I learned in my research that hydrostatic pressure was one of the more serious threats to retaining wall stability, in that drainage not addressed properly water pressure could build up behind the walls causing them to fail. I found that RCP Brick & Block ("RCP") distributed many of the construction materials I had observed on hillsides in Coastal Carlsbad. After I reviewed their catalog of products and instructional literature on implementation, I selected the Country Manor block system designed by the Keystone Block company ("Keystone"), which utilizes masonry adhesive and fiberglass pins instead of mortar or concrete between blocks. This system allows water to freely permeate the wall, helping to relieve water pressure. Keystone provided instructions for different types of retaining walls using soil reinforcing geogrid during construction. I chose a configuration and followed these instructions.

The following describes the manual labor and process of building the walls, while speaking to the infeasibility of grading the hillside.

Alone, I began digging 10 feet up the hillside and moving soil uphill from the excavation with 5-gallon buckets uphill to make it easier to back-fill and do compaction when each course of block was laid. The first terrace excavation took almost three months of hard work without any outside labor, which work was therapy for my grief. I began laying the footing and soon after the first course of wall. I set my footing two feet deep, three feet deep in some places. With a sledgehammer, I drove 3-foot coated steel spikes through the 4-inch diameter center holes in the base blocks and used concrete to cement the spike to the first block and secure the footing in place. This provided 5 ½ feet of penetration in some places in the hillside. I applied geogrid at every foot of height, so every two courses of block, per the Keystone instructions for 4-foot sheer vertical walls. The instructions did not specify, and I was unaware of the existence of different types of rated geogrid. I purchased the 2XT 4' x 50' rolls which RCP sold when I purchased the block, pins and adhesive. Believing that I was accurately following the instructions, I rolled the 4-foot-wide geogrid lengthwise along the wall in between courses at intervals of every other course. I included an 18-inch corridor of ¾-inch drainage gravel behind the wall under which I laid 4-inch French drains directed toward the south side of the property.

Eventually, friends and workers from my landscaping business helped me. We used wheelbarrows and dollies to move blocks and ¾ inch gravel to the backyard from my driveway onto which RCP had delivered the material on pallets. We hand-carried blocks and buckets of gravel up the hill. The first wall was nearly completed after six months but the water runoff from 7307 Lily Place persisted, traveling more to the south side of the property while saturating the majority of the hillside. To address this water saturation, we began constructing another supporting wall on the southside, about 11 feet behind the first wall with a beefed-up design to include 4-foot by 4-foot square columns and double block thickness. We made blocks into bench seating and added planters for aesthetics. We completed this second wall several months into 2016, and then removed and replaced the railroad tie stairway with stairs of

3-block deep Country Manor block which connected to the adjacent walls. We drove steel spikes at every section of each block step and cemented them in place with concrete. We then employed the same wall and stairs design on the north side of the stairway.

Seeing continued hillside saturation from the water runoff, we began to construct the final wall another 11 feet behind the second wall, but with a different design which was recessed into the hillside. We used a step-back design on each course and 4-foot-thick square columns which added stability. We placed the French drain much closer to the very top of the completed wall this time, in an effort to divert the runoff away from the lower levels. Without excavating cutbacks into the original manufactured slope and without creating another platform, we carved away only enough hillside to accommodate the recessed walls and drainage gravel.

The wall north of the stairway reached full height without making any cutbacks and trenches were only dug for the footings. We took all of 2017 and much of 2018 to complete the final lower two walls, back-filling with soil from the upper-level excavations, drainage gravel and geogrid. In or about November of 2018, we received notice from the City that we were in violation of a hillside ordinance. Though I knew that I had a permitting issue, I continued construction because slope stability concerned me due to the exposed excavated sections of hillside. Seven months later in June 2017, the City issued formal orders to cease and desist all work on the hillside, at which time we discontinued all work. But the concern for the slope stability and safety remained due to continuing water runoff and some unsupported excavated sections.

The City proposes that we grade the hillside to return it to its "original condition," which is infeasible for several reasons better explained by Johnny Rivera with Fusion Engineering, Eric Freund with Ficcadenti Waggoner and Castle Structural Engineers, and Danny Cohen with JC Baldwin Construction Company. Danny Cohen estimated the cost of this approach will be between \$800,000 and \$900,000. This cost far exceeds our financial ability, especially after my 83 year old mother in early stage dementia lost more than \$270,000 in 2020, as the victim of a credit card scam. Most of this was what remained from a medical malpractice settlement and the retirement savings built by her and my late father. This scam also caused her credit rating to plunge, which prevents access to the equity in the home to obtain adequate financing.

In conclusion, I never intended to violate any ordinance when I made and moved forward with my plan to stabilize the hillside against the water runoff and beautify the property. I made an honest mistake in my research when stopping with the wall height ordinance, thinking it was the only applicable law. I took pride in what I thought was beautifying the property, remediating the erosion and hillside saturation attributable to the property above, while adding value to the home and thereby value to the adjacent homes. I am deeply sorry to have caused this situation. My mother and I are honestly convinced that the unanimous plan recommendation by engineers Rivera, Freund and Cohen is the safest, most efficient and feasible long-term solution.



GRADING NOTES

(IN ADDITION TO THE REQUIREMENTS OF CHAPTER 15.16 OF THE CARLSBAD MUNICIPAL CODE.)

- THIS PLAN SUPERSEDES ALL OTHER PLANS PREVIOUSLY APPROVED BY THE CITY OF CARLSBAD REGARDING GRADING SHOWN ON THIS SET OF PLANS.
- APPROVAL OF THIS PLAN DOES NOT LESSEN OR WAIVE ANY PORTION OF THE CARLSBAD MUNICIPAL CODE, RESOLUTION OF CONDITIONAL APPROVAL, CITY STANDARDS OR OTHER ADDITIONAL DOCUMENTS LISTED HEREON AS THEY MAY PERTAIN TO THIS PROJECT. THE ENGINEER IN RESPONSIBLE CHARGE SHALL REVISE THESE PLANS WHEN NON-CONFORMANCE IS DISCOVERED.
- CITY APPROVAL OF PLANS DOES NOT RELIEVE THE DEVELOPER OR ENGINEER-OF-WORK FROM RESPONSIBILITY FOR THE CORRECTION OF ERRORS AND OMISSIONS DISCOVERED DURING CONSTRUCTION. ALL PLAN REVISIONS SHALL BE PROMPTLY SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.
- A RIGHT-OF-WAY PERMIT FROM THE CITY ENGINEER WILL BE REQUIRED FOR ANY WORK IN THE PUBLIC RIGHT OF WAY. PRIOR TO PERMIT ISSUANCE, A CERTIFICATE OF INSURANCE AS WELL AS ADDITIONAL INSURED ENDORSEMENT MUST BE FILED NAMING THE CITY OF CARLSBAD AS AN ADDITIONAL INSURED ON THE PERMITEE'S POLICY IN THE MINIMUM AMOUNT OF \$2,000,000.00 FOR EACH OCCURANCE OF LIABILITY. THE INSURANCE COMPANY WRITING THE POLICY MUST HAVE A RATING OF "A" OR BETTER AND A SIZE CATEGORY OF CLASS VII OR BETTER AS ESTABLISHED BY "BESTS" KEY RATING GUIDE.
- NO WORK SHALL BE COMMENCED UNTIL ALL PERMITS HAVE BEEN OBTAINED FROM THE CITY AND OTHER APPROPRIATE AGENCIES.
- APPROVAL OF THESE PLANS BY THE CITY ENGINEER DOES NOT AUTHORIZE ANY WORK OR GRADING TO BE PERFORMED UNTIL THE PROPERTY OWNER'S PERMISSION HAS BEEN OBTAINED AND A VALID GRADING PERMIT HAS BEEN ISSUED.
- NO REVISIONS WILL BE MADE TO THESE PLANS WITHOUT THE WRITTEN APPROVAL OF THE CITY ENGINEER, NOTED WITHIN THE REVISION BLOCK, ON THE APPROPRIATE SHEET OF THE PLANS AND THE TITLE SHEET.
- ORIGINAL DRAWINGS SHALL BECOME THE PROPERTY OF THE CITY UPON BEING SIGNED BY THE CITY ENGINEER.
- THE ORIGINAL DRAWING SHALL BE REVISED TO REFLECT AS-BUILT CONDITIONS BY THE ENGINEER-OF-WORK PRIOR TO FINAL ACCEPTANCE OF THE WORK BY THE CITY.
- ACCESS FOR FIRE AND OTHER EMERGENCY VEHICLES SHALL BE MAINTAINED TO THE PROJECT SITE AT ALL TIMES DURING CONSTRUCTION.
- WHERE TRENCHES ARE WITHIN CITY EASEMENTS, A SOILS REPORT COMPRISED OF: (A) SUMMARY SHEET, (B) LABORATORY WORK SHEETS AND (C) COMPACTION CURVES, SHALL BE SUBMITTED BY A PROFESSIONAL ENGINEER OF THE STATE OF CALIFORNIA, PRINCIPALLY DOING BUSINESS IN THE FIELD OF APPLIED SOILS MECHANICS. THE SOILS REPORT WILL BE SUBMITTED TO THE CITY ENGINEERING INSPECTOR WITHIN TWO WORKING DAYS OF THE COMPLETION OF FIELD TESTS.
- A SOILS COMPACTION REPORT AND COMPLIANCE VERIFICATION REGARDING ADHERENCE TO RECOMMENDATIONS OUTLINED IN THE SOILS REPORT MUST BE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. ALL CONTROLLED GRADING SHALL BE DONE UNDER THE DIRECTION OF A PROFESSIONAL ENGINEER OF THE STATE OF CALIFORNIA PRINCIPALLY DOING BUSINESS IN THE FIELD OF APPLIED SOILS MECHANICS. ALL FILL OR FUTURE FILL AREAS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CARLSBAD STANDARD SPECIFICATIONS AND THE EARTHWORK SPECIFICATIONS ATTACHED TO THE PRELIMINARY SOILS INVESTIGATION. DAILY FIELD COMPACTION REPORTS WILL BE SUBMITTED TO THE PROJECT INSPECTOR.
- A PRECONSTRUCTION MEETING SHALL BE HELD AT THE SITE PRIOR TO THE BEGINNING OF WORK AND SHALL BE ATTENDED BY ALL REPRESENTATIVES RESPONSIBLE FOR CONSTRUCTION, INSPECTION, SUPERVISION, TESTING AND ALL OTHER ASPECTS OF THE WORK. THE CONTRACTOR SHALL REQUEST A PRECONSTRUCTION MEETING BY CALLING THE ENGINEERING LINE AT (760) 438-3891 AT LEAST FIVE(5) WORKING DAYS PRIOR TO THE CONSTRUCTION. THE CONTRACTOR WILL THEN BE CONTACTED BY THE PROJECT INSPECTOR TO COORDINATE A DATE AND TIME FOR THE PRECONSTRUCTION MEETING. APPROVED DRAWINGS MUST BE AVAILABLE PRIOR TO SCHEDULING. THE GRADING PERMIT WILL BE PROVIDED BY THE PROJECT INSPECTOR AT THE MEETING.
- ALL INSPECTION REQUESTS OTHER THAN FOR PRECONSTRUCTION MEETING WILL BE MADE BY CALLING THE ENGINEERING 24-HOUR INSPECTION REQUEST LINE AT (760) 438-3891. INSPECTION REQUEST MUST BE RECEIVED PRIOR TO 2:00 P.M. ON THE DAY BEFORE AN INSPECTION IS NEEDED. INSPECTIONS WILL BE MADE THE NEXT WORK DAY UNLESS YOU REQUEST OTHERWISE. REQUESTS MADE AFTER 2:00 P.M. WILL BE SCHEDULED FOR TWO FULL WORK DAYS LATER.
- THE OWNER AND/OR APPLICANT THROUGH THE DEVELOPER AND/OR CONTRACTOR SHALL DESIGN, CONSTRUCT AND MAINTAIN ALL SAFETY DEVICES, INCLUDING SHORING, AND SHALL BE SOLELY RESPONSIBLE FOR CONFORMING TO ALL LOCAL, STATE AND FEDERAL SAFETY AND HEALTH STANDARDS, LAWS AND REGULATIONS.
- THE CONTRACTOR SHALL CONFORM TO LABOR CODE SECTION 6705 BY SUBMITTING A DETAIL PLAN TO THE CITY ENGINEER AND/OR CONCERNED AGENCY SHOWING THE DESIGN OF SHORING, BRACING SLOPING OR OTHER PROVISIONS TO BE MADE OF WORKER PROTECTION FROM THE HAZARD OF CAVING GROUND DURING THE EXCAVATION OF SUCH TRENCH OR TRENCHES OR DURING THE PIPE INSTALLATION THEREIN. THIS PLAN MUST BE PREPARED FOR ALL TRENCHES FIVE FEET (5') OR MORE IN DEPTH AND APPROVED BY THE CITY ENGINEER AND/OR CONCERNED AGENCY PRIOR TO EXCAVATION. IF THE PLAN VARIES FROM THE SHORING SYSTEM STANDARDS ESTABLISHED BY THE CONSTRUCTION SAFETY ORDERS, TITLE 8 CALIFORNIA ADMINISTRATIVE CODE, THE PLAN SHALL BE PREPARED BY A REGISTERED ENGINEER AT THE CONTRACTORS EXPENSE. A COPY OF THE OSHA EXCAVATION PERMIT MUST BE SUBMITTED TO THE INSPECTOR PRIOR TO EXCAVATION.
- NO BLASTING SHALL BE PERFORMED UNTIL A VALID BLASTING PERMIT HAS BEEN OBTAINED FROM THE CITY OF CARLSBAD. SUBMIT APPLICATION FOR BLASTING PERMIT WELL IN ADVANCE OF THE SCHEDULING OF BLASTING OPERATIONS.
- IF ANY ARCHAEOLOGICAL RESOURCES ARE DISCOVERED WITHIN ANY WORK AREA DURING CONSTRUCTION, OPERATIONS WILL CEASE IMMEDIATELY, AND THE PERMITEE WILL NOTIFY THE CITY ENGINEER. OPERATIONS WILL NOT RESTART UNTIL THE PERMITEE HAS RECEIVED WRITTEN AUTHORITY FROM THE CITY ENGINEER TO DO SO.
- ALL OPERATIONS CONDUCTED ON THE SITE OR ADJACENT THERETO, INCLUDING WARMING UP, REPAIR, ARRIVAL, DEPARTURE OR OPERATION OF TRUCKS, EARTHMOVING EQUIPMENT, CONSTRUCTION EQUIPMENT AND ANY OTHER ASSOCIATED GRADING EQUIPMENT SHALL BE LIMITED TO THE PERIOD BETWEEN 7:00 A.M. AND 6:00 P.M. EACH DAY, MONDAY THRU FRIDAY AND NO EARTHMOVING OR GRADING OPERATIONS SHALL BE CONDUCTED ON WEEKENDS OR HOLIDAYS. (A LIST OF CITY HOLIDAYS IS AVAILABLE AT THE ENGINEERING DEPARTMENT COUNTER.)
- ALL OFF-SITE HAUL ROUTES SHALL BE SUBMITTED BY THE CONTRACTOR TO THE CITY ENGINEER FOR APPROVAL TWO FULL WORKING DAYS PRIOR TO BEGINNING OF WORK.
- IMPORT MATERIAL SHALL BE OBTAINED FROM, AND WASTE MATERIAL SHALL BE DEPOSITED AT, A SITE APPROVED BY THE CITY ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DEBRIS OR DAMAGE OCCURRING ALONG THE HAUL ROUTES OR ADJACENT STREETS AS A RESULT OF THE GRADING OPERATION.
- BRUSH SHALL BE REMOVED ONLY WITHIN THE AREA TO BE GRADED. NO TREES ARE TO BE REMOVED UNLESS SPECIFICALLY NOTED ON THE PLAN.
- ALL AREAS SHALL BE GRADED TO DRAIN. GRADING RESULTING IN THE PONDING OF WATER IS NOT PERMITTED. ALL EARTHEN SWALES AND DITCHES SHALL HAVE A MINIMUM ONE PERCENT SLOPE.
- THESE PLANS ARE SUBJECT TO A SIGNED AND APPROVED SWPPP AND/OR SET OF EROSION CONTROL PLANS. EROSION CONTROL SHALL BE AS SHOWN AND AS APPROVED BY THE CITY ENGINEER OR AS DIRECTED BY THE PROJECT INSPECTOR.
- ALL SLOPES SHALL BE TRIMMED TO A FINISH GRADE TO PRODUCE A UNIFORM SURFACE AND CROSS SECTION. THE SITE SHALL BE LEFT IN A NEAT AND ORDERLY CONDITION. ALL STONES, ROOTS OR OTHER DEBRIS SHALL BE REMOVED AND DISPOSED OF AT A SITE APPROVED OF BY THE CITY ENGINEER.
- ALL SLOPES SHALL BE IRRIGATED, STABILIZED, PLANTED AND/OR HYDROSEEDED WITHIN TEN (10) DAYS OF THE TIME WHEN EACH SLOPE IS BROUGHT TO GRADE AS SHOWN ON THE APPROVED GRADING PLANS.
- LANDSCAPING SHALL BE ACCOMPLISHED ON ALL SLOPES AND PADS AS REQUIRED BY THE CITY OF CARLSBAD LANDSCAPE MANUAL. THE LANDSCAPING PLANS FOR THIS PROJECT, DRAWING NO. \_\_\_\_\_, AND/OR AS DIRECTED BY THE CITY ENGINEER OR PLANNING DIRECTOR.

- THE OWNER/APPLICANT SHALL INSURE THAT ALL CONTRACTORS SHALL COORDINATE THE WORK OF THESE GRADING PLANS WITH THAT SHOWN ON BOTH THE LANDSCAPE AND IRRIGATION PLANS AND THE IMPROVEMENT PLANS AS REQUIRED FOR THIS WORK IN ACCORDANCE WITH THE LANDSCAPE MANUAL TIME REQUIREMENTS.
  - WHERE AN EXISTING PIPE LINE IS TO BE ABANDONED AS A RESULT OF THE GRADING OPERATION, IT SHALL BE REMOVED WITHIN TWENTY FEET OF BUILDING OR STREET AREAS AND REPLACED WITH PROPERLY COMPACTED SOILS. IN OTHER AREAS THE PIPE WILL BE PLUGGED WITH CONCRETE OR REMOVED AS APPROVED BY THE CITY ENGINEER.
  - THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING FACILITIES ( ABOVE GROUND AND UNDER GROUND ) WITHIN THE PROJECT SITE SUFFICIENTLY AHEAD OF GRADING TO PERMIT THE REVISION OF THE GRADING PLANS IF IT IS FOUND THAT THE ACTUAL LOCATIONS ARE IN CONFLICT WITH THE PROPOSED WORK.
  - THE CONTRACTOR SHALL NOTIFY AFFECTED UTILITY COMPANIES (SEE BELOW) AT LEAST 2 FULL WORKING DAYS PRIOR TO STARTING GRADING NEAR THEIR FACILITIES AND SHALL COORDINATE THE WORK WITH A COMPANY REPRESENTATIVE.
- |  |                     |
|--|---------------------|
| UNDERGROUND SERVICE ALERT (DIG ALERT)            | 811                 |
| SDG&E  | (800)227-2600       |
| AT&T   | (619)262-1122       |
| SPECTRUM CABLE                                   | (760)434-2980       |
| COX COMMUNICATIONS                               | (760)438-2722       |
| CITY OF CARLSBAD(STREETS & STORM DRAIN)          | (760)633-2650       |
| *CITY OF CARLSBAD(SEWER,WATER & RECLAIMED WATER) | (760)753-0155       |
| *SAN DIEGUITO WATER DISTRICT                     | (760)744-0460       |
| *EUCADIA WASTEWATER DISTRICT                     | (760)753-6466       |
| *VALLECITOS WATER DISTRICT                       |                     |
| *OLVENHAIN WATER DISTRICT                        | (760)726-1340 x1330 |
| *BUENA SANITATION DISTRICT                       |                     |
| *AS APPROPRIATE                                  |                     |

- PERMIT COMPLIANCE REQUIREMENTS:
  - FOR CONTROLLED GRADING - THE APPLICANT HIRES A CIVIL ENGINEER, SOILS ENGINEER, AND/OR GEOLOGIST TO GIVE TECHNICAL ADVICE, OBSERVE AND CONTROL THE WORK IN PROGRESS [15.16.120 A.8] CARLSBAD MUNICIPAL CODE.
  - PRIOR TO COMPLETION OF GRADING WORK - THE FOLLOWING REPORTS MUST BE SUBMITTED TO THE CITY ENGINEER VIA THE PROJECT INSPECTOR PER SECTION 15.16.120 OF THE CARLSBAD MUNICIPAL CODE:
    - FINAL REPORT BY SUPERVISING GRADING ENGINEER STATING ALL GRADING IS COMPLETE. ALL EROSION CONTROL, SLOPE PLANTING AND IRRIGATION ARE INSTALLED IN CONFORMANCE WITH CITY CODE AND THE APPROVED PLANS (OBTAIN SAMPLE OF COMPLIANCE LETTER FROM CITY ENGINEERING DEPARTMENT).
    - AS-BUILT GRADING PLAN.
    - REPORT FROM THE SOILS ENGINEER, WHICH INCLUDES RECOMMENDED SOIL BEARING CAPACITIES; A STATEMENT AS TO THE EXPANSIVE QUALITY OF THE SOIL, AND SUMMARIES OF FIELD AND LABORATORY TESTS. THE REPORT SHALL ALSO INCLUDE A STATEMENT BY THE SOILS ENGINEER THAT THE GRADING WAS DONE IN ACCORDANCE WITH THE REQUIREMENTS AND RECOMMENDATIONS OUTLINED IN THE PRELIMINARY SOILS REPORT AND ANY SUPPLEMENTS THERETO.
    - REPORT WITH AS-BUILT GEOLOGIC PLAN, IF REQUIRED BY THE CITY.
    - PERMANENT STRUCTURAL BMP INSTALLATION CERTIFICATE.
    - PERMITTED WALL FINAL INSPECTION REPORT.

- UNLESS A GRADING PERMIT FOR THIS PROJECT IS ISSUED WITHIN ONE (1) YEAR AFTER THE CITY ENGINEER'S APPROVAL, THESE PLANS MAY BE REQUIRED TO BE RESUBMITTED FOR PLANCHHECK. PLANCHHECK FEES WILL BE REQUIRED FOR ANY SUCH REGHECK.
- IN ACCORDANCE WITH THE CITY STORM WATER STANDARDS, ALL STORM DRAIN INLETS CONSTRUCTED BY THIS PLAN SHALL INCLUDE "STENCILS" BE ADDED TO PROHIBIT WASTEWATER DISCHARGE DOWNSTREAM. STENCILS SHALL BE ADDED TO THE SATISFACTION OF THE CITY ENGINEER.

"DECLARATION OF RESPONSIBLE CHARGE"

I HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT, THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 6703 OF THE BUSINESS AND PROFESSIONS CODE, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.

I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF CARLSBAD DOES NOT RELIEVE ME, AS ENGINEER OF WORK, OF MY RESPONSIBILITIES FOR PROJECT DESIGN.

FIRM: FUSION ENGINEERING AND TECHNOLOGY  
ADDRESS: 1810 GILLESPIE WAY, SUITE 207  
CITY, STATE: EL CAJON, CA 92020  
TELEPHONE: 619-736-2800  
BY: JOHN S. RIVERA DATE:  
(NAME OF ENGINEER)  
R.C.E. NO.: 73878  
REGISTRATION EXPIRATION DATE: 06/30/2023

SOILS ENGINEER'S CERTIFICATE

I, JOHN J. DONOVAN, A REGISTERED (CIVIL/ GEOTECHNICAL) ENGINEER OF THE STATE OF CALIFORNIA, PRINCIPALLY DOING BUSINESS IN THE FIELD OF APPLIED SOILS MECHANICS, HEREBY CERTIFY THAT A SAMPLING AND STUDY OF THE SOIL CONDITIONS PREVALENT WITHIN THIS SITE WAS MADE BY ME OR UNDER MY DIRECTION BETWEEN THE DATES OF 20 AND 20. TWO COPIES OF THE SOILS REPORT COMPILED FROM THIS STUDY, WITH MY RECOMMENDATIONS, HAS BEEN SUBMITTED TO THE OFFICE OF THE CITY ENGINEER.

SIGNED: \_\_\_\_\_  
G.E./P.E. NO.: RCE 65051/GE 2790  
DATE: \_\_\_\_\_  
LICENSE EXPIRATION DATE: 06-30-2023

OWNER'S CERTIFICATE

I ( WE ) HEREBY CERTIFY THAT A REGISTERED SOILS ENGINEER OR GEOLOGIST HAS BEEN OR WILL BE RETAINED TO SUPERVISE OVER-ALL GRADING ACTIVITY AND ADVISE ON THE COMPACTION AND STABILITY OF THIS SITE. IF THIS PROJECT/DEVELOPMENT IS SUBJECT TO A STATE-REGULATED SWPPP, I ( WE ) ALSO AGREE A QUALIFIED SWPPP PRACTITIONER (QSP) HAS BEEN OR WILL BE RETAINED TO SUPERVISE IMPLEMENTATION OF THE SWPPP IN ACCORDANCE WITH THE CALIFORNIA CONSTRUCTION ORDER AND MUNICIPAL PERMIT, LATEST VERSION.

VALERIE LICHTMAN DATE

SOURCE OF TOPOGRAPHY

TOPOGRAPHY SHOWN ON THESE PLANS WAS GENERATED BY FIELD SURVEY METHODS FROM INFORMATION GATHERED ON NOVEMBER 11, 2021 BY GEOCENTRIC LAND SURVEYING, ALONG WITH MOST CURRENT SANGIS CONTOURS. TOPOGRAPHY SHOWN HEREON CONFORMS TO NATIONAL MAP ACCURACY STANDARDS.

PROJECT LOCATION

THIS PROJECT IS LOCATED WITHIN ASSESSORS PARCEL NUMBER(S) 214-390-23.  
THE CALIFORNIA COORDINATE INDEX OF THIS PROJECT IS: \_\_\_\_\_  
N \_\_\_\_\_ E \_\_\_\_\_

EROSION CONTROL NOTES

- IN CASE EMERGENCY WORK IS REQUIRED, CONTACT RENE LICHTMAN AT 951-658-2168 (PHONE NUMBER)
- EQUIPMENT AND WORKERS FOR EMERGENCY WORK SHALL BE MADE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON. ALL NECESSARY MATERIALS SHALL BE STOCKPILED ON SITE AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF TEMPORARY DEVICES WHEN RAIN IS EMINENT.
- FOR PROJECTS COVERED BY STATE SWPPP/WDID, IN ACCORDANCE WITH THE CONSTRUCTION ORDER ISSUED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, THE QUALIFIED SWPPP PRACTITIONER (QSP) SHALL UPDATE AND MAINTAIN THE WATER POLLUTION CONTROL (WPC) PLAN TO ADDRESS UPDOL SITE CONDITIONS OF THE PROJECT. THE UPDATED WPC PLAN AND UPDATED SWPPP SHALL BE KEPT AT THE PROJECT SITE AND MADE AVAILABLE TO THE CITY INSPECTOR. ADDITIONAL CONSTRUCTION BMP'S BEYOND THE ORIGINAL APPROVED SWPPP SHALL BE PROVIDED TO ADDRESS SITE CONDITIONS NOT ANTICIPATED. THE QSP SHALL REPORT BMP DEFICIENCIES TO THE CITY INSPECTOR. THE QSP SHALL OBTAIN APPROVAL FROM THE QUALIFIED SWPPP DEVELOPER AND THE CITY INSPECTOR REGARDING ANY SIGNIFICANT CHANGES TO BMP DEPLOYMENT.
- THE CONTRACTOR SHALL RESTORE ALL EROSION CONTROL DEVICES TO WORKING ORDER TO THE SATISFACTION OF THE CITY ENGINEER AFTER EACH RUN-OFF PRODUCING RAINFALL.
- THE CONTRACTOR SHALL INSTALL ADDITIONAL EROSION CONTROL MEASURES AS MAY BE REQUIRED BY THE CITY ENGINEER DUE TO UNCOMPLETED GRADING OPERATIONS OR UNFORESEEN CIRCUMSTANCES WHICH MAY ARISE.
- THE CONTRACTOR SHALL BE RESPONSIBLE AND SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC TRESPASS ONTO AREAS WHERE IMPOUNDED WATERS CREATE A HAZARDOUS CONDITION.
- ALL EROSION CONTROL MEASURES PROVIDED PER THE APPROVED SWPPP AND/OR EROSION CONTROL PLAN SHALL BE INCORPORATED HEREON.
- GRADED AREAS AROUND THE PROJECT PERIMETER MUST DRAIN AWAY FROM THE FACE OF SLOPE AT THE CONCLUSION OF EACH WORKING DAY.
- ALL REMOVABLE PROTECTIVE DEVICES SHOWN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN THE FIVE (5) DAY RAIN PROBABILITY FORECAST EXCEEDS FIFTY PERCENT (50%). SILT AND OTHER DEBRIS SHALL BE REMOVED AFTER EACH RAINFALL.
- ALL GRAVEL BAGS SHALL BE BURLAP TYPE WITH 3/4 INCH MINIMUM AGGREGATE.
- SHOULD GERMINATION OF HYDROSEEDED SLOPES FAIL TO PROVIDE EFFECTIVE COVERAGE OF GRADED SLOPES (90% COVERAGE) PRIOR TO NOVEMBER 15, THE SLOPES SHALL BE STABILIZED BY PUNCH STRAW INSTALLED IN ACCORDANCE WITH SECTION 35.023 OF THE EROSION AND SEDIMENT CONTROL HANDBOOK OF THE DEPARTMENT OF CONSERVATION, STATE OF CALIFORNIA.

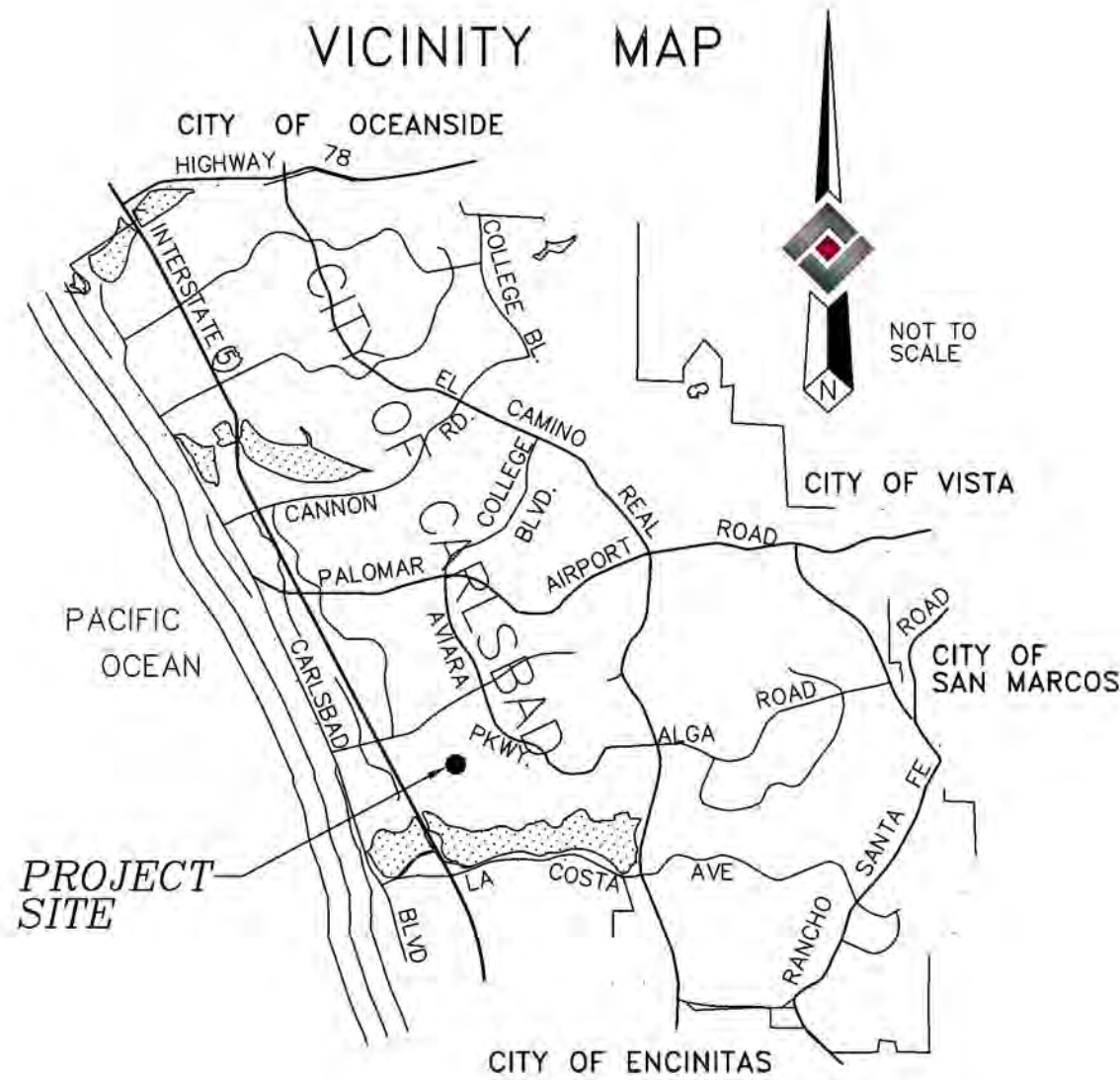
TEMPORARY EROSION CONTROL PLANTING AND IRRIGATION

ALL PERMANENT AND TEMPORARY EROSION CONTROL PLANTING AND IRRIGATION SHALL BE INSTALLED AND MAINTAINED AS REQUIRED IN SECTION 212 OF THE STANDARD SPECIFICATIONS AND THE FOLLOWING:

- HYDROSEEDING SHALL BE APPLIED TO:
  - ALL SLOPES THAT ARE GRADED 6:1 (HORIZONTAL TO VERTICAL) OR STEEPER WHEN THEY ARE:
    - THREE FEET OR MORE IN HEIGHT AND ADJACENT TO A PUBLIC WALL OR STREET.
    - ALL SLOPES 4 FEET OR MORE IN HEIGHT.
  - AREAS GRADED FLATTER THAN 6:1 WHEN ANY OF THE FOLLOWING CONDITIONS EXIST:
    - NOT SCHEDULED FOR IMPROVEMENTS/CONSTRUCTION OR GENERAL LANDSCAPING) WITHIN 60 DAYS OF ROUGH GRADING.
    - IDENTIFIED BY THE PARKS AND RECREATION DIRECTOR AS HIGHLY VISIBLE TO THE PUBLIC.
    - HAVE ANY SPECIAL CONDITION IDENTIFIED BY THE CITY ENGINEER THAT WARRANTS IMMEDIATE TREATMENT.
- HYDROSEEDED AREAS SHALL BE IRRIGATED IN ACCORDANCE WITH THE FOLLOWING CRITERIA:
  - ALL SLOPES THAT ARE GRADED 6:1 OR STEEPER AND THAT ARE:
    - THREE TO EIGHT FEET IN HEIGHT SHALL BE IRRIGATED BY HAND WATERING FROM QUICK COUPLERS/HOSE BIBS OR A CONVENTIONAL SYSTEM OF LOW PRECIPITATION SPRINKLER HEADS PROVIDING 100% COVERAGE.
    - GREATER THAN 8 FEET IN HEIGHT SHALL BE WATERED BY A CONVENTIONAL SYSTEM OF LOW PRECIPITATION SPRINKLER HEADS PROVIDING 100% COVERAGE.
  - AREAS SLOPED LESS THAN 6:1 SHALL BE IRRIGATED AS APPROVED BY THE CITY ENGINEER PRIOR TO HYDROSEEDING. THE DEVELOPER SHALL SUBMIT A PROPOSED SCHEME TO PROVIDE IRRIGATION TO THE CITY ENGINEER. THE PROPOSAL SHALL BE SPECIFIC REGARDING THE NUMBERS, TYPES AND COSTS OF THE ELEMENTS OF THE PROPOSED SYSTEM.
  - IRRIGATION SHALL MAINTAIN THE MOISTURE LEVEL OF THE SOIL AT THE OPTIMUM LEVEL FOR THE GROWTH OF THE HYDROSEEDED GROWTH.

- HYDROSEEDING MIX SHALL CONSIST OF ALL OF THE FOLLOWING:
  - SEED MIX SHALL CONSIST OF NO LESS THAN:
    - 20 lbs PER ACRE OF PRAIRIE COVER
    - 20 lbs. PER ACRE OF ZORRO FESCUE
    - 3 lbs. PER ACRE OF E SCHOOL OJA CALIFORNICA
    - 4 lbs. PER ACRE OF ACHILLEA MILLEFOLIA
    - 3 lbs. PER ACRE OF ALYSSUM (CARPET OF SNOW)
    - 1/2 lb. PER ACRE OF DIMORPHOLECA
  - ITEMS c,d,e, AND f OF THIS SUBSECTION MAY BE OMITTED ON LOCATIONS WHERE THE AREA BEING HYDROSEEDED IS NOT VISIBLE FROM EITHER A PUBLIC STREET OR RESIDENTIAL STRUCTURES.
  - ITEM a OF THIS SUBSECTION MUST BE INOCULATED WITH A NITROGEN FIXING BACTERIA AND APPLIED DRY EITHER BY DRILLING OR BROADCASTING BEFORE HYDROSEEDING.
  - ALL SEED MATERIALS SHALL BE TRANSPORTED TO THE JOBSITE IN UNOPENED CONTAINERS WITH THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE CERTIFICATION TAG ATTACHED TO, OR PRINTED ON SAID CONTAINERS.
  - NON-PHYTO-TOXIC WETTING AGENTS MAY BE ADDED TO THE HYDROSEED SLURRY AT THE DISCRETION OF THE CONTRACTOR.
- TYPE 1 MULCH APPLIED AT THE RATE OF NO LESS THAN 2000 lbs per ACRE. TYPE 6 MULCH (STRAW) MAY BE SUBSTITUTED, ALL OR PART, FOR HYDRAULICALLY APPLIED FIBER MATERIAL. WHEN STRAW IS USED IT MUST BE ANCHORED TO THE SLOPE BY MECHANICALLY PUNCHING NO LESS THAN 50% OF THE STRAW INTO THE SOIL.
- FERTILIZER CONSISTING OF AMMONIUM PHOSPHATE SULFATE, 16-20-0, WITH 15% SULPHUR APPLIED AT THE RATE OF 500 lbs. PER ACRE.

- AREAS TO BE HYDROSEEDED SHALL BE PREPARED PRIOR TO HYDROSEEDING BY:
  - ROUGHENING THE SURFACE TO BE PLANTED BY ANY OR A COMBINATION OF:
    - TRACK WALKING SLOPES STEEPER THAN 6:1
    - HARROWING AREAS 6:1 OR FLATTER THAT ARE SUFFICIENTLY FRAILLE.
    - RIPPING AREAS THAT WILL NOT BREAK UP USING ITEMS a or b ABOVE.
  - CONDITIONING THE SOILS SO THAT IT IS SUITABLE FOR PLANTING BY:
    - ADJUSTING THE SURFACE SOIL MOISTURE TO PROVIDE A DAMP BUT NOT SATURATED SEED BED.
    - THE ADDITION OF SOIL AMENDMENTS, PH ADJUSTMENT, LEACHING COVERING SALINE SOILS TO PROVIDED VIALBE CONDITIONS FOR GROWTH.
- HYDROSEEDED AREAS SHALL BE MAINTAINED TO PROVIDE A VIGOROUS GROWTH UNTIL THE PROJECT IS PERMANENTLY LANDSCAPED OR, FOR AREAS WHERE HYDROSEEDING IS THE THE PERMANENT LANDSCAPING, UNTIL THE PROJECT IS COMPLETED AND ALL BONDS RELEASED.
- ALL SLOPES SHALL HAVE IRRIGATION INSTALLED AND BE STABILIZED, PLANTED AND/OR HYDROSEEDED WITHIN TEN (10) DAYS OF THE TIME WHEN EACH SLOPE IS BROUGHT TO GRADE AS SHOWN ON THE APPROVED GRADING PLANS. AN APPROVED EROSION CONTROL PRODUCT (RCP) SHALL BE INSTALLED PER EC-7 IF THIS REQUIREMENT CANNOT BE MET. JUTE, EXCELSIOR OR STRAW BLANKET IS UNACCEPTABLE.
- SHOULD GERMINATION OF HYDROSEED FAIL TO PROVIDE EFFICIENT COVERAGE (NO LESS THAN 70%) PRIOR TO OCTOBER 1 THE SLOPES SHALL BE STABILIZED BY AN APPROVED RCP. JUTE, EXCELSIOR AND STRAW BLANKET IS UNACCEPTABLE.
- LANDSCAPING SHALL BE ACCOMPLISHED ON ALL SLOPES AND PADS AS REQUIRED BY THE CITY LANDSCAPE MANUAL, THE LANDSCAPE PLANS FOR THIS PROJECT OR AS DIRECTED BY THE CITY ENGINEER OR CITY PLANNER.



INDEX OF SHEETS

SHEET 1 - TITLE SHEET  
SHEET 2 - DEMO PLAN  
SHEET 3 - GRADING PLAN  
SHEET 4 - RETAINING WALL CROSS SECTIONS  
SHEET 5 - TIER 2 SWPPP NOTES  
SHEET 6 - TIER 2 SWPPP PLAN & DETAILS

LEGAL DESCRIPTION

LOT 138 PER SUBDIVISION MAP 8453

PROJECT ADDRESS

939 BEGONIA COURT  
CARLSBAD, CA 92001

ACCESSORS PARCEL NO.

214-390-23

DEVELOPER/CONTACT

NAME: RENE LICHTMAN  
ADDRESS: 939 BEGONIA COURT  
CARLSBAD, CA 92001  
PHONE NO.: 951-658-2168

EARTHWORK QUANTITIES

CUT: \_\_\_\_\_ 33 CY  
FILL: \_\_\_\_\_ 554 CY  
IMPORT: \_\_\_\_\_ 521 CY  
EXPORT: \_\_\_\_\_ N/A  
REMEDIAL: \_\_\_\_\_ 778 CY

BENCH MARK

DESCRIPTION: CITY OF CARLSBAD SURVEY CONTROL PT. NO. 43 AS SHOWN ON RECORD OF SURVEY NO. 17271  
LOCATION: WELL MONUMENT MARKED LS 3189 AT THE INTERSECTION OF DAISY AVENUE AND WISTERIA WAY  
RECORDED: \_\_\_\_\_  
ELEVATION: 221.237 DATUM: NAVD 88

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS THE CALIFORNIA COORDINATE SYSTEM NAD 83 (CC83), ZONE 6, EPOCH 1992.92 GRID BEARING BETWEEN STATIONS "CLSB-042" AND "CLSB-043" I.E., N26°51'58"E, AS DERIVED FROM GEODETIC VALUES SHOWN ON RECORD OF SURVEY 17271, FILED ON FEBRUARY 8, 2002 AS FILE NUMBER 2002-0112862 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.



FUSION ENG TECH  
1810 GILLESPIE WAY #207  
EL CAJON, CA 92020  
(619) 736-2800

WORK TO BE DONE

THE GRADING WORK SHALL CONSIST OF THE CONSTRUCTION OF ALL CUTS AND FILLS, REMEDIAL GRADING, DRAINAGE FACILITIES, EROSION CONTROL FACILITIES, AND PLANTING OF PERMANENT LANDSCAPING AND PREPARATION OF AS-BUILT GRADING PLANS, AS-BUILT GEOLOGIC MAPS AND REPORTS, ALL AS SHOWN OR REQUIRED ON THIS SET OF PLANS AND THE CITY STANDARDS, SPECIFICATIONS, REQUIREMENTS, RESOLUTIONS AND ORDINANCES CITED ON THESE PLANS.

THE GRADING WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE FOLLOWING DOCUMENTS, CURRENT AT THE TIME OF CONSTRUCTION, AS DIRECTED BY THE CITY ENGINEER.

- CARLSBAD MUNICIPAL CODE
- CITY OF CARLSBAD ENGINEERING STANDARDS
- THIS SET OF PLANS
- RESOLUTION NO. \_\_\_\_\_ DATED \_\_\_\_\_
- THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (GREEN BOOK).
- SOILS REPORT AND RECOMMENDATIONS BY ADVANCED GEOTECHNICAL SOLUTIONS DATED 10/09/2019
- THE SAN DIEGO REGIONAL STANDARD DRAWINGS AND AS MAY BE MODIFIED BY THE CITY OF CARLSBAD STANDARDS.
- CALIFORNIA COASTAL COMMISSION DEVELOPMENT PERMIT CONDITIONS DATED \_\_\_\_\_
- ENVIRONMENTAL APPROVAL DOCUMENTS DATED N/A
- STORM WATER POLLUTION PREVENTION PLAN PREPARED BY N/A DATED \_\_\_\_\_  
WDID NO. N/A
- STORM WATER QUALITY MANAGEMENT PLAN PREPARED BY N/A DATED \_\_\_\_\_
- CALIFORNIA STORM WATER QUALITY ASSOCIATION BMP CONSTRUCTION HANDBOOK AND CALTRANS CONSTRUCTION SITE BMP MANUAL.

LEGEND

DESCRIPTION	DWG.NO.	SYMBOL	QUANTITY
PROJECT BOUNDARY		----	
EASEMENT		----	
EXISTING CONTOURS		100	
PROPOSED CONTOURS		100	
CUT SLOPE		Y Y	
FILL SLOPE		Y Y	
CUT AND FILL LINE		C F	
EARTHEN SWALE		----	175 LF
DAYLIGHT LINE		----	
FINISHED GRADE ELEVATION		100.00 FG	
FIELD MEASURED ELEVATION		600.00 FG	
FLOW LINE ELEVATION		100.00 FL	
TOP OF WALL/BOTTOM OF WALL ELEVATIONS		100.00 TW 100.00 FG	
GRADE		1.0%	
PROPOSED GRAVITY RETAINING WALL		----	925 SF
PROPOSED GRATE INLET PER DETAIL, SHEET 3		☐ = =	2 EA
EXISTING WALL(S)		----	
EXISTING FENCE		----	
EXISTING FIRE HYDRANT ASSEMBLY		----	

STRUCTURAL (POST-CONSTRUCTION) BMP TABLE					
STORMWATER REQUIREMENTS THAT APPLY:			EXEMPT FROM TRASH CAPTURE?	EXEMPT FROM HYDROMODIFICATION?	
<input checked="" type="checkbox"/> STANDARD STORMWATER REQUIREMENTS	<input checked="" type="checkbox"/> YES	<input checked="" type="checkbox"/> YES		<input checked="" type="checkbox"/> YES	
<input type="checkbox"/> PRIORITY PROJECT REQUIREMENTS	<input type="checkbox"/> NO	<input type="checkbox"/> NO		<input type="checkbox"/> NO	
TYPE	DESCRIPTION	OWNERSHIP	MAINTENANCE AGREEMENT	SHEET NO.	MAINTENANCE FREQUENCY
N/A	N/A	N/A	N/A	N/A	N/A

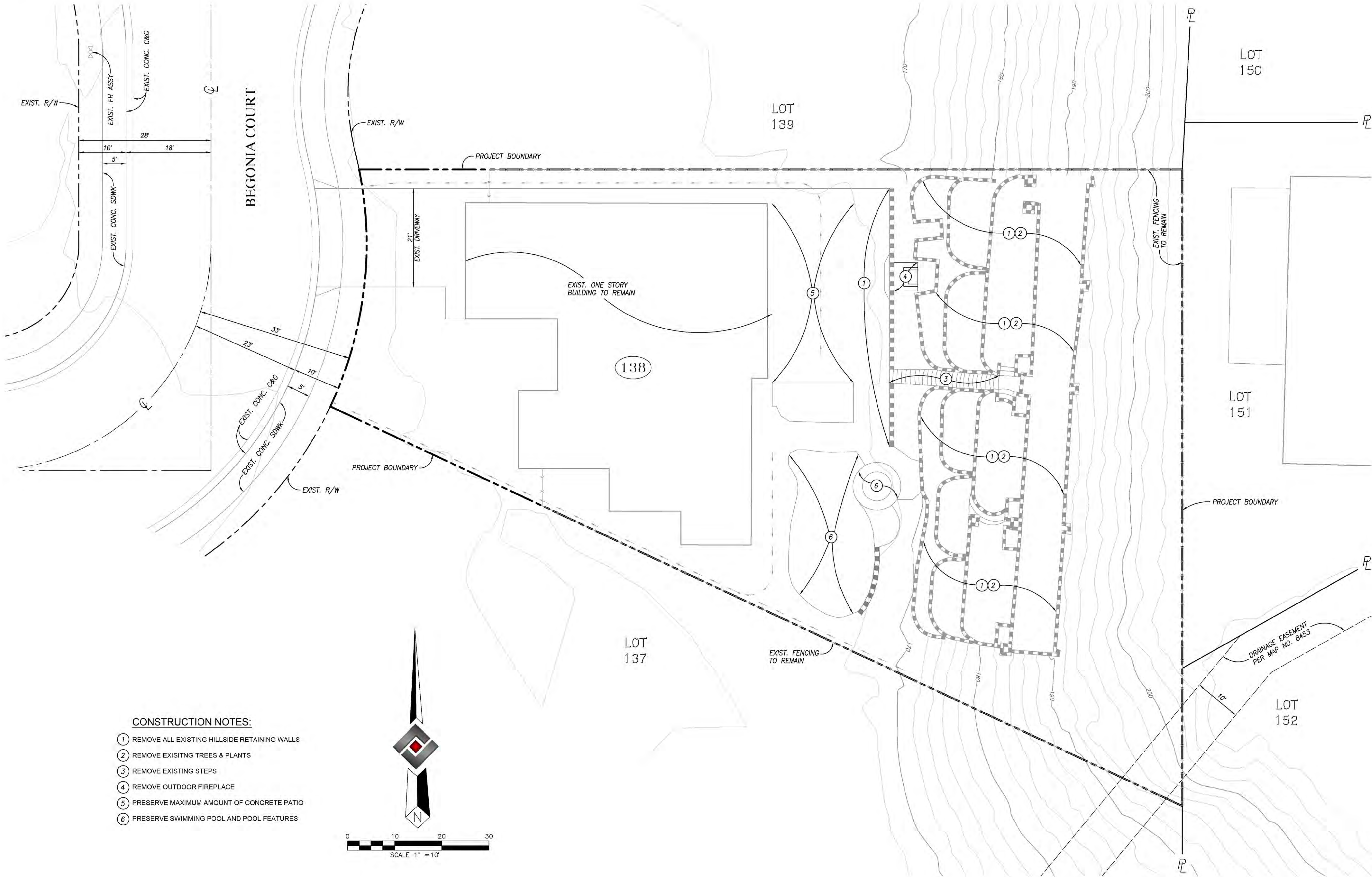
TOTAL LOT AREA = 16,438 S.F.  
TOTAL DISTURBED AREA = 8,227 S.F.  
(THIS AREA INCLUDES BUT IS NOT LIMITED TO OFF-SITE WORK INCLUDING PUBLIC IMPROVEMENTS AND TEMPORARY DISTURBANCE SUCH AS VEHICLE AND EQUIPMENT STAGING AREAS, CONSTRUCTION WORKER FOOT TRAFFIC, SOIL/GRAVEL PILES, UTILITY TRENCHES, BACKFILL CUTS AND SLOPE KEYWAYS)  
TOTAL REPLACED IMPERVIOUS AREA = 0 S.F.  
TOTAL PROPOSED IMPERVIOUS AREA = 0 S.F.

"AS BUILT"	
RCE _____ EXP. _____	DATE _____
REVIEWED BY: _____	
INSPECTOR _____	DATE _____

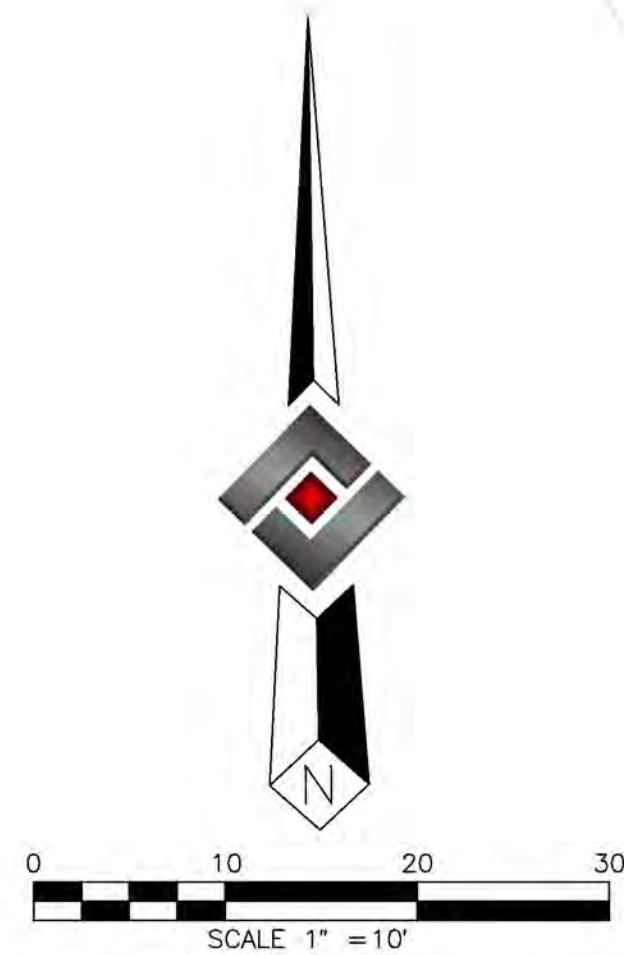
SHEET 1	CITY OF CARLSBAD ENGINEERING DEPARTMENT	SHEETS 6
GRADING PLANS FOR:		
939 BEGONIA COURT		
GR TITLE SHEET		
APPROVED: JASON S. GELDERT		
ENGINEERING MANAGER	RCE 63912	EXP. 9/30/22 DATE
RVWD BY: _____	PROJECT NO.	DRAWING NO.
CHKD BY: _____		
DATE	INITIAL	DATE
OTHER APPROVAL	CITY APPROVAL	

DATE	INITIAL	REVISION DESCRIPTION	DATE	INITIAL	DATE	INITIAL





- CONSTRUCTION NOTES:**
- ① REMOVE ALL EXISTING HILLSIDE RETAINING WALLS
  - ② REMOVE EXISTING TREES & PLANTS
  - ③ REMOVE EXISTING STEPS
  - ④ REMOVE OUTDOOR FIREPLACE
  - ⑤ PRESERVE MAXIMUM AMOUNT OF CONCRETE PATIO
  - ⑥ PRESERVE SWIMMING POOL AND POOL FEATURES

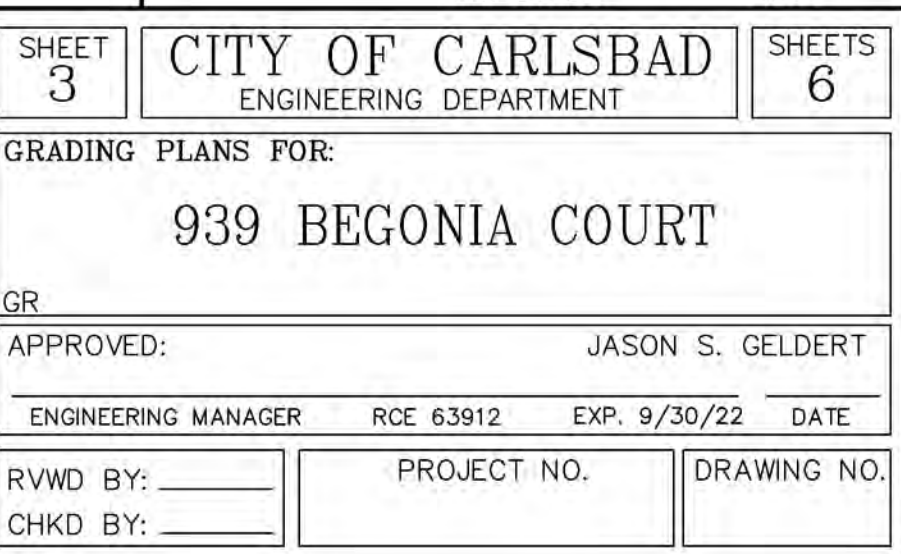
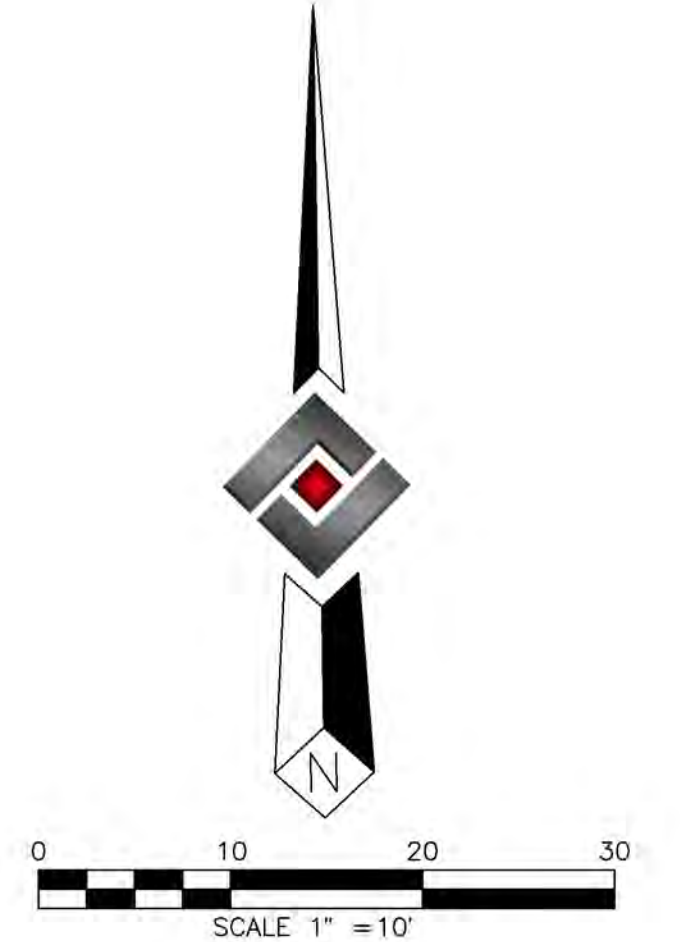


FUSION ENG TECH  
1810 GILLESPIE WAY #207  
EL CAJON, CA 92020  
(619) 736-2800

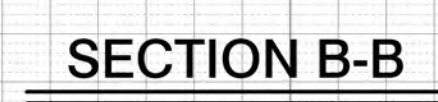
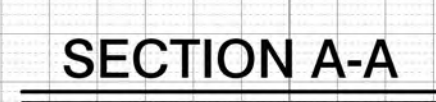
DATE	INITIAL	REVISION DESCRIPTION	DATE	INITIAL	DATE	INITIAL
ENGINEER OF WORK			OTHER APPROVAL		CITY APPROVAL	

SHEET 2	CITY OF CARLSBAD ENGINEERING DEPARTMENT	SHEETS 6
DEMOLITION PLANS FOR: 939 BEGONIA COURT		
GR		
APPROVED: JASON S. GELDERT		
ENGINEERING MANAGER	RCE 63912	EXP. 9/30/22
DATE		
RVD BY:	PROJECT NO.	DRAWING NO.
CHKD BY:		


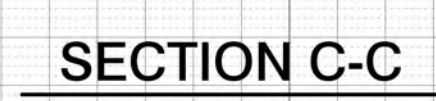








REMOVAL OF EXISTING TERRACED WALL SYSTEM AND SUBSEQUENT SLOPE REINFORCEMENT WOULD REQUIRE SUBSTANTIAL REMEDIAL GRADING WHICH COULD JEOPARDIZE STABILITY OF SLOPE, REQUIRE OFFSITE GRADING, AND/OR POTENTIALLY DAMAGE OFFSITE IMPROVEMENTS



FUSION ENG TECH  
1810 GILLESPIE WAY #207  
EL CAJON, CA 92020  
(619) 736-2800

PROFILE SCALES	
HORIZ. :	1"=10'
VERT. :	1"=10'

"AS BUILT"

RCE	EXP	DATE
-----	-----	------

REVIEWED BY:

INSPECTOR \_\_\_\_\_ DATE \_\_\_\_\_

SHEET  
4

# CITY OF CARLSBAD ENGINEERING DEPARTMENT

SHEETS  
5

GRADING PLANS FOR:

939 BEGONIA COURT

GR

APPROVED: JASON S. GELDERT

ENGINEERING MANAGER	RCE 63912	EXP. 9/30/22	DATE
---------------------	-----------	--------------	------

REVIEW BY:	PROJECT NO.	DRAWING NO.
------------	-------------	-------------

								RWVD BY: _____	PROJECT NO.	DRAWING NO.
DATE	INITIAL	REVISION DESCRIPTION	DATE	INITIAL	DATE	INITIAL	CHKD BY: _____			
ENGINEER OF WORK			OTHER APPROVAL	CITY APPROVAL						



TIER 2 CITY STORM WATER POLLUTION PREVENTION PLAN (TIER 2 SWPPP)

STORM WATER POLLUTION PREVENTION NOTES

GENERAL SITE MANAGEMENT REQUIREMENTS

- THE FOLLOWING GENERAL SITE MANAGEMENT REQUIREMENTS SHALL BE ADHERED TO THROUGHOUT THE DURATION OF THE CONSTRUCTION WORK (YEAR ROUND).
- IN CASE EMERGENCY WORK IS REQUIRED, CONTACT: RENE LIGHTMAN FROM: OWNER REP AT (TEL.NO.) 951-658-2168.
  - DEVICES SHOWN ON CITY APPROVED PLANS SHALL NOT BE MOVED OR MODIFIED WITHOUT THE APPROVAL OF THE ENGINEERING INSPECTOR.
  - THE CONTRACTOR SHALL RESTORE ALL EROSION CONTROL DEVICES TO WORKING ORDER TO THE SATISFACTION OF THE CITY ENGINEER AFTER EACH RUN-OFF PRODUCING RAINFALL.
  - THE CONTRACTOR SHALL INSTALL ADDITIONAL EROSION CONTROL MEASURES AS MAY BE REQUIRED BY THE CITY ENGINEER DUE TO UNCOMPLETED GRADING OPERATIONS OR UNFORSEEN CIRCUMSTANCES WHICH MAY ARISE.
  - THE CONTRACTOR SHALL BE RESPONSIBLE AND SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC TRESPASS ONTO AREAS WHERE IMFOUNDED WATERS CREATE A HAZARDOUS CONDITION.
  - GRADING AREAS AROUND THE PROJECT PERIMETER MUST DRAIN AWAY FROM THE FACE OF SLOPE AT THE CONCLUSION OF EACH WORKING DAY.
  - ALL REMOVABLE PROTECTIVE DEVICES SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN FIVE (5) DAY RAIN PROBABILITY FORECAST EXCEEDS FORTY PERCENT (40%). SILT AND OTHER DEBRIS SHALL BE REMOVED AFTER EACH RAINFALL.
  - ALL GRAVEL BAGS SHALL CONTAIN 3/4 INCH MINIMUM AGGREGATE.
  - ALL EXPOSED DISTURBED AREAS MUST HAVE EROSION PROTECTION BMPs PROPERLY INSTALLED. THIS INCLUDES ALL BUILDING PADS, UNFINISHED ROADS, AND SLOPES.
  - ADEQUATE PERIMETER PROTECTION BMPs MUST BE INSTALLED AND MAINTAINED AND WILL BE UPGRADED, IF NECESSARY, TO PROVIDE SUFFICIENT PROTECTION FROM RUNOFF DURING RAIN EVENTS.
  - ADEQUATE SEDIMENT CONTROL BMPs MUST BE INSTALLED AND MAINTAINED.
  - ADEQUATE BMPs TO CONTROL OFFSITE SEDIMENT TRACKING MUST BE INSTALLED AND MAINTAINED.
  - A MINIMUM OF 125% OF THE MATERIAL NEEDED TOO INSTALL STANDBY BMPs TO PROTECT THE EXPOSED AREAS FROM EROSION AND PREVENT SEDIMENT DISCHARGES, MUST BE STORED ONSITE. AREAS ALREADY PROTECTED FROM EROSION USING PHYSICAL STABILIZATION OR ESTABLISHED VEGETATION STABILIZATION BMPs ARE NOT CONSIDERED TO BE "EXPOSED" FOR PURPOSES OF THIS REQUIREMENT.
  - THE OWNER/DEVELOPER/CONTRACTOR MUST FOLLOW "WEATHER TRIGGERED" ACTION PLAN AND BE ABLE TO DEPLOY STANDBY BMPs TO PROTECT THE EXPOSED PORTIONS OF THE SITE WITHIN 48 HOURS OF A PREDICTED STORM EVENT (A PREDICTED STORM EVENT IS DEFINED AS A 40% CHANCE OF RAIN WITHIN A 5-DAY NATIONAL WEATHER SERVICE FORECAST). ON REQUEST, THE OWNER/DEVELOPER/CONTRACTOR MUST PROVIDE PROOF OF THIS CAPABILITY.
  - DEPLOYMENT OF PHYSICAL OR VEGETATION EROSION CONTROL BMPs MUST COMMENCE AS SOON AS SLOPES ARE COMPLETED. THE OWNER/DEVELOPER/CONTRACTOR MAY NOT RELY ON THE ABILITY TO DEPLOY STANDBY BMP MATERIALS TO PREVENT EROSION OF SLOPES THAT HAVE BEEN COMPLETED.
  - THE AREA THAT CAN BE CLEARED, GRADED, AND LEFT EXPOSED AT ONE TIME IS LIMITED TO THE AMOUNT OF ACREAGE THAT THE CONTRACTOR CAN ADEQUATELY PROTECT PRIOR TO A PREDICTED RAIN EVENT. FOR LARGER SITES, GRADING SHOULD BE PHASED. IT MAY BE NECESSARY TO DEPLOY EROSION AND SEDIMENT CONTROL BMPs IN AREAS THAT ARE NOT COMPLETED, BUT ARE NOT ACTIVELY BEING WORKED BEFORE ADDITIONAL GRADING IS ALLOWED TO PROCEED, AT THE DISCRETION OF THE CITY INSPECTOR.
  - ALL DISTURBED AREAS THAT ARE NOT COMPLETED AND/OR NOT BEING ACTIVELY GRADED MUST BE FULLY PROTECTED FROM EROSION IF LEFT FOR 14 OR MORE DAYS. THE ABILITY TO INSTALL BMP MATERIALS IN A PROMPT MANNER IS NOT SUFFICIENT. BMPs NEED TO BE INSTALLED IN THESE AREAS.
  - BMPs MUST BE STOCKPILED AT VARIOUS LOCATION THROUGHOUT THE PROJECT SITE THROUGHOUT THE YEAR. WHENEVER THERE IS A 40% CHANCE OR GREATER OF A RAIN WITHIN A THREE (3) DAY FORECAST, THE INSPECTOR WILL VERIFY THAT BMPs ARE ADEQUATELY STOCKPILED. BMPs MUST BE STOCKPILED AND READY FOR DEPLOYMENT WHEN THERE IS 50% CHANCE OF RAIN WITHIN A 48 HOUR FORECAST. FAILURE TO COMPLY WITH THIS REQUIREMENT COULD RESULT IN THE ISSUANCE OF A STOP WORK NOTICE OR OTHER ENFORCEMENT ACTION.
  - ALL TREATMENT AND EROSION CONTROL BMPs MUST BE INSPECTED WEEKLY AND PRIOR TO A FORECASTED RAIN EVENT OF GREATER THAN 50%, AND AFTER A RAIN EVENT. IN ADDITION, TREATMENT CONTROL BMPs MUST BE SERVICED AS NEEDED THROUGHOUT THE YEAR.
  - IF SELECTED BMP FAILS DURING A RAIN EVENT, IT MUST BE REPAIRED OR IMPROVED OR REPLACED WITH AN ACCEPTABLE ALTERNATE AS SOON AS IT IS SAFE TO DO SO. THE FAILURE OF A BMP INDICATES IT WAS NOT ADEQUATE FOR THE CIRCUMSTANCES IN WHICH IT WAS USED. REPAIRS AND REPLACEMENT MUST THEREFORE PUT A MORE ROBUST BMP MEASURE IN PLACE.
  - ALL CONSTRUCTION EMPLOYEES MUST BE TRAINED ON THE IMPORTANCE OF STORM WATER POLLUTION PREVENTION AND BMP MAINTENANCE.

WEATHER TRIGGERED ACTION PLAN

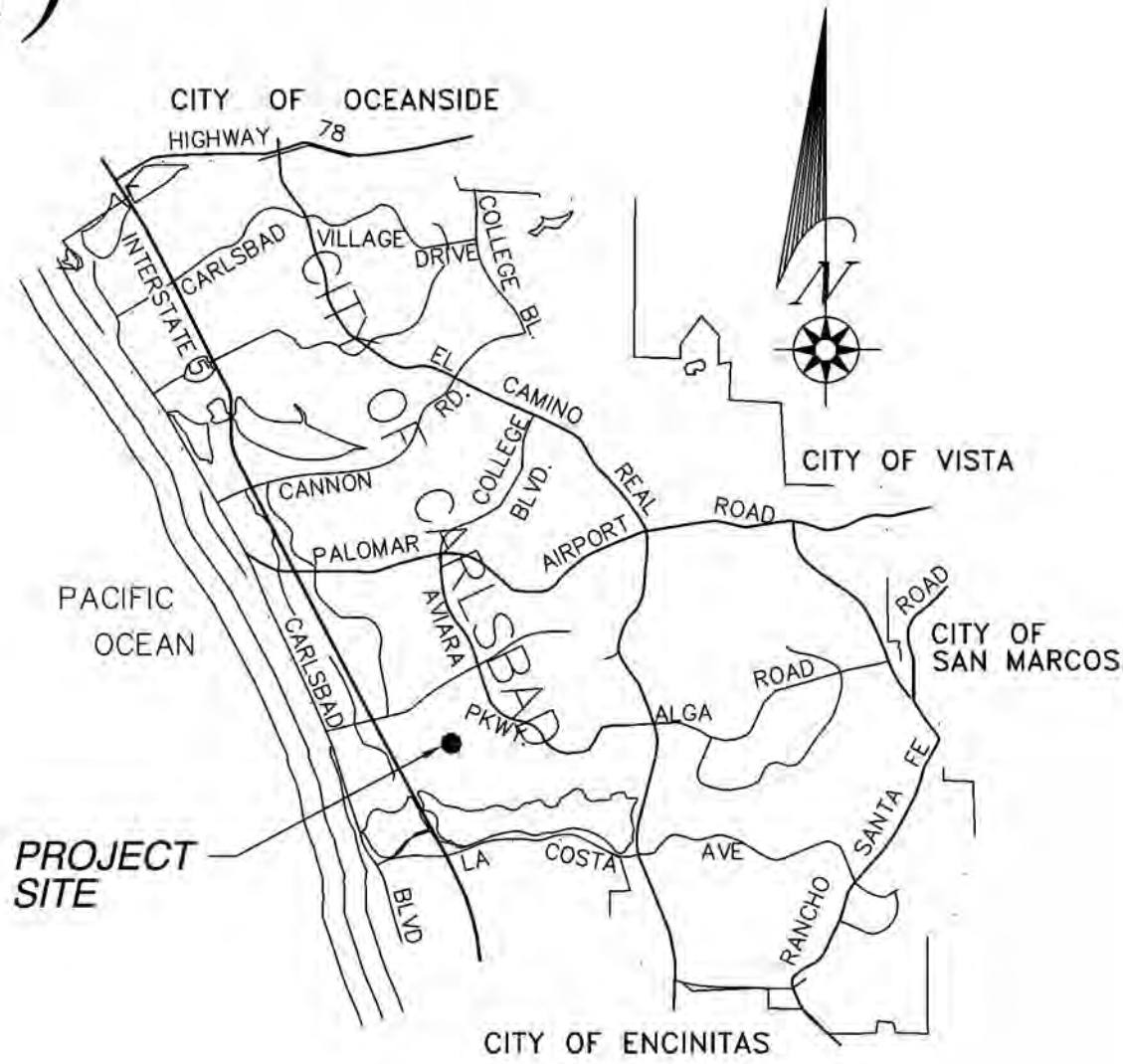
THE DEVELOPER SHALL DEPLOY STANDBY BEST MANAGEMENT PRACTICE MEASURES TO COMPLETELY PROTECT THE EXPOSED PORTIONS OF THE SITE WITHIN 48 HOURS OF A PREDICTED STORM EVENT ( A PREDICTED STORM EVENT IS DEFINED AS A FORECASTED, 40% CHANCE OF RAIN BY THE NATIONAL WEATHER SERVICE), IN ADDITION TO BMPs IMPLEMENTED YEAR-ROUND INCLUDING PERIMETER CONTROL, WIND EROSION CONTROL, TRACKING, NON-STORM WATER CONTROL, WASTE MANAGEMENT, AND MATERIALS POLLUTION CONTROL.

THE NATIONAL WEATHER SERVICE FORECAST SHALL BE MONITORED AND USED BY THE DEVELOPER ON A DAILY BASIS. IF PRECIPITATION IS PREDICTED (40% CHANCE OF RAIN), THEN THE NECESSARY WATER POLLUTION CONTROL PRACTICES SHALL BE DEPLOYED WITHIN 48 HOURS AND PRIOR TO THE ONSET OF THE PRECIPITATION.

THE DEPLOYMENT OF THE BMPs SHALL INCLUDE BUT NOT BE LIMITED TO GRAVEL BAGS AND SILT FENCES. A MINIMUM OF 125% OF THE MATERIAL NEEDED TO INSTALL STANDBY BEST MANAGEMENT PRACTICES MEASURES TO PROTECT THE EXPOSED AREAS FORM EROSION AND PREVENT SEDIMENT DISCHARGES MUST BE STORED ON-SITE. AREAS THAT HAVE ALREADY BEEN PROTECTED FROM EROSION USING PHYSICAL STABILIZATION OR ESTABLISHED VEGETATION STABILIZATION BMPs AS DETERMINED BY THE CITY OF CARLSBAD ARE NOT CONSIDERED TO BE "EXPOSED" FOR THE PURPOSES OF "WEATHER TRIGGERED ACTION PLAN". AN ADEQUATE SOURCE OF EQUIPMENT AND WORKERS SHALL BE AVAILABLE FOR DEPLOYMENT OF "WEATHER TRIGGERED BMPs".

EROSION CONTROL, HYDROSEEDING, PLANTING AND IRRIGATION

- ALL PERMANENT AND TEMPORARY EROSION CONTROL PLANTING AND IRRIGATION SHALL BE INSTALLED AND MAINTAINED AS REQUIRED IN SECTION 212 OF THE STANDARD SPECIFICATIONS AND THE FOLLOWING:
    - HYDROSEEDING SHALL BE APPLIED TO:
      - ALL SLOPES THAT ARE GRADED 6:1 (HORIZONTAL TO VERTICAL) OR STEEPER WHEN THEY ARE:
        - THREE FEET OR MORE IN HEIGHT AND ADJACENT TO PUBLIC WALL OR STREET.
        - ALL SLOPES 4 FEET OR MORE IN HEIGHT.
      - AREAS GRADED FLATTER THAN 6:1 WHEN ANY OF THE FOLLOWING CONDITIONS EXIST:
        - NOT SCHEDULED FOR IMPROVEMENTS (CONSTRUCTION OR GENERAL LANDSCAPING) WITHIN 60 DAYS OF ROUGH GRADING.
        - IDENTIFIED BY THE PARKS AND RECREATION DIRECTOR AS HIGHLY VISIBLE TO THE PUBLIC.
        - HAVE ANY SPECIAL CONDITION IDENTIFIED BY THE CITY ENGINEER THAT WARRANTS IMMEDIATE TREATMENT.
    - HYDROSEEDING AREAS SHALL BE IRRIGATED IN ACCORDANCE WITH THE FOLLOWING CRITERIA:
      - ALL SLOPES THAT ARE GRADED 6:1 OR STEEPER AND THAT ARE:
        - THREE TO EIGHT FEET IN HEIGHT SHALL BE IRRIGATED BY HAND WATERING FROM QUICK COUPLERS/HOSE BIBS OR A CONVENTIONAL SYSTEM OF LOW PRECIPITATION SPRINKLER HEADS PROVIDING 100% COVERAGE.
        - GREATER THAN 8 FEET IN HEIGHT SHALL BE WATERED BY A CONVENTIONAL SYSTEM OF LOW PRECIPITATION SPRINKLER HEADS PROVIDING 100% COVERAGE.
      - AREAS SLOPED LESS THAN 6:1 SHALL BE IRRIGATED AS APPROVED BY THE CITY ENGINEER. PRIOR TO HYDROSEEDING, THE DEVELOPER SHALL SUBMIT A PROPOSED SCHEME TO PROVIDE IRRIGATION TO THE CITY ENGINEER. THE PROPOSAL SHALL BE SPECIFIC REGARDING THE NUMBERS, TYPE, AND COSTS OF THE ELEMENTS OF THE PROPOSED SYSTEM.
      - IRRIGATION SHALL MAINTAIN THE MOISTURE LEVEL OF THE SOIL AT THE OPTIMUM LEVEL FOR THE GRADING OF THE HYDROSEEDED GROWTH.
  - HYDROSEEDING MIX SHALL CONSIST OF ALL OF THE FOLLOWING:
    - SEED MIX SHALL CONSIST OF NO LESS THAN:
      - 20 lbs. PER ACRE OF ROSE CLOVER.
      - 20 lbs PER ACRE OF ZORRO FESCUE
      - 3lbs PER ACRE OF E SCHOOL CIA CALIFORNICA
      - 4 lbs PER ACRE OF ACHILLEA MILLEFOLIA
      - 3lbs PER ACRE OF ALYSSUM (CARPET OF SNOW)
      - 1/2 lb. PER ACRE IF DIMORPHOLECA
    - ITEMS c, d, e, AND f OF THIS SUBSECTION MAY BE OMITTED ON VISIBLE FROM EITHER A PUBLIC STREET OR RESIDENTIAL STRUCTURES.
    - ITEM a OF THIS SUBSECTION MUST BE INOCULATED WITH A NITROGEN FIXING BACTERIA AND APPLIED DRY EITHER BY DRILLING OR BROADCASTING BEFORE HYDROSEEDING.
    - ALL SEED MATERIALS SHALL BE TRANSPORTED TO THE JOBSITE IN UNOPENED CONTAINERS WITH THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE CERTIFICATION TAG ATTACHED TO, OR PRINTED ON SAID CONTAINERS.
    - NON-PHYTO-TOXIC WETTING AGENTS MAY BE ADDED TO THE HYDROSEED SLURRY AT THE DISCRETION OF THE CONTRACTOR.
  - TYPE 1 MULCH APPLIED AT THE RATE OF NO LESS HAN 2000 lbs PER ACRE. TYPE 6 MULCH (STRAW) MAY BE SUBSTITUTED, WHEN STRAW IS USED, IT MUST BE ANCHORED TO THE SLOPE BY MECHANICALLY PUNCHING NO LESS THAN 50% IF THE STRAW INTO THE SOIL.
  - FERTILIZER CONSISTING OF AMMONIUM PHOSPHATE SULFATE, 16-20-0 WITH 15% SULPHUR APPLIED AT THE RATE OF 500 lbs. PER ACRE.
- AREAS TO BE HYDROSEEDED SHALL BE PREPARED PRIOR TO HYDROSEEDING:
    - ROUGHENING THE SURFACE TO BE PLANTED BY ANY OR A COMBINATION OF:
      - TRACK WALKING SLOPES STEEPER THAN 6:1.
      - HARROWING AREAS 6:1 OR FLATTER THAT ARE SUFFICIENTLY FRIABLE.
    - AREAS GRADED FLATTER THAN 6:1 WHEN ANY OF THE FOLLOWING CONDITIONS EXIST:
      - ADJUSTING THE SURFACE SOIL MOISTURE TO PROVIDE A DAMP BUT NOT SATURATED SEED BED.
      - THE ADDITION OF SOIL AMENDMENTS, PH ADJUSTMENT, LEACHING COVERING SALINE SOILS TO PROVIDED VIALBE CONDITIONS FOR GROWTH.
  - HYDROSEEDING AREAS SHALL BE MAINTAINED TO PROVIDE A VIGOROUS GROWTH UNTIL THE PROJECT IS PERMANENTLY LANDSCAPED OR, FOR AREAS WHERE HYDROSEEDING IS THE PERMANENT LANDSCAPING, UNTIL THE PROJECT IS COMPLETED AND ALL BONDS RELEASED.
- ALL SLOPES SHALL HAVE IRRIGATION INSTALLED AND BE STABILIZED, PLANTED AND/OR HYDROSEEDED WITHIN TEN (10) DAYS OF THE TIME WHEN EACH SLOPE IS BROUGHT TO GRADE AS SHOWN ON THE APPROVED GRADING PLANS.
  - SHOULD GERMINATION OF HYDROSEEDED SLOPES FAIL TO PROVIDE EFFICIENT COVERAGE OF GRADING SLOPES (90% COVERAGE) PRIOR TO OCTOBER 1, THE SLOPES SHALL BE STABILIZED BY AN APPROPRIATE EROSION CONTROL MATTING MATERIAL APPROVED BY THE PUBLIC WORKS INSPECTOR.
  - LANDSCAPING SHALL BE ACCOMPLISHED ON ALL SLOPES AND PADS AS REQUIRED BY THE CITY OF CARLSBAD LANDSCAPE MANUAL, THE LANDSCAPING PLANS FOR THIS PROJECT OR AS DIRECTED BY THE CITY ENGINEER OF PLANNING DIRECTOR.
  - THE OWNER/APPLICANT SHALL ENSURE THAT ALL CONTRACTORS SHALL COORDINATE THE WORK OF THIS CONSTRUCTION SWPPP SHOWN ON ANY GRADING PLANS, LANDSCAPE AND IRRIGATION PLANS, AND IMPROVEMENT PLANS AS REQUIRED FOR THIS PROJECT WORK.



VICINITY MAP

SHEET INDEX:

SHEET 5: TITLE SHEET  
SHEET 6: EROSION CONTROL PLANS

APN : 214-390-23

SITE ADDRESS:

939 BEGONIA COURT  
CARLSBAD, CA 92001

AREA OF DISTURBANCE

AREA OF DISTURBANCE 8,227 S.F.

(THIS AREA INCLUDES BUT IS NOT LIMITED TO OFF-SITE WORK INCLUDING PUBLIC IMPROVEMENTS AND TEMPORARY DISTURBANCE SUCH AS VEHICLE AND EQUIPMENT STAGING AREAS, CONSTRUCTION WORKER FOOT TRAFFIC, SOIL/GRAVEL PILES, UTILITY TRENCHES, BACKFILL CUTS AND SLOPE KEYWAYS)

CONSTRUCTION THREAT:

CONSTRUCTION THREAT TO STORM WATER QUALITY (CHECK BOX):  
☐ HIGH ☒ MEDIUM



FUSION ENG TECH  
1810 GILLESPIE WAY #207  
EL CAJON, CA 92020  
(619) 736-2800

OWNER'S CERTIFICATION:

I UNDERSTAND AND ACKNOWLEDGE THAT I MUST: (1) IMPLEMENT BEST MANAGEMENT PRACTICES (BMPs) DURING CONSTRUCTION ACTIVITIES TO THE MAXIMUM EXTENT PRACTICABLE TO AVOID THE MOBILIZATION OF POLLUTANTS SUCH AS SEDIMENT AND TO AVOID THE EXPOSURE OF STORM WATER TO CONSTRUCTION RELATED POLLUTANTS; AND (2) ADHERE TO, AND AT ALL TIMES, COMPLY WITH THIS CITY APPROVED TIER 2 CONSTRUCTION SWPPP THROUGHOUT THE DURATION OF THE CONSTRUCTION ACTIVITIES UNTIL THE CONSTRUCTION WORK IS COMPLETE AND SIGNED OFF BY THE CITY OF CARLSBAD.

VALERIE LIGHTMAN  
OWNER(S)/ OWNER'S AGENT NAME (PRINT) DATE

OWNER(S)/ OWNER'S AGENT NAME (SIGNATURE) DATE

NAME OF PREPARER: JOHN S. RIVERA, P.E.  
QUALIFICATION OF PREPARER: PROFESSIONAL CIVIL ENGINEER  
ADDRESS: 1810 GILLESPIE WAY SUITE 207  
EL CAJON, CA 92020  
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SIGNATURE C73878 6/30/23  
R.C.E./CERT. NO. LIC. EXP. DATE DATE

OWNER/APPLICANT:

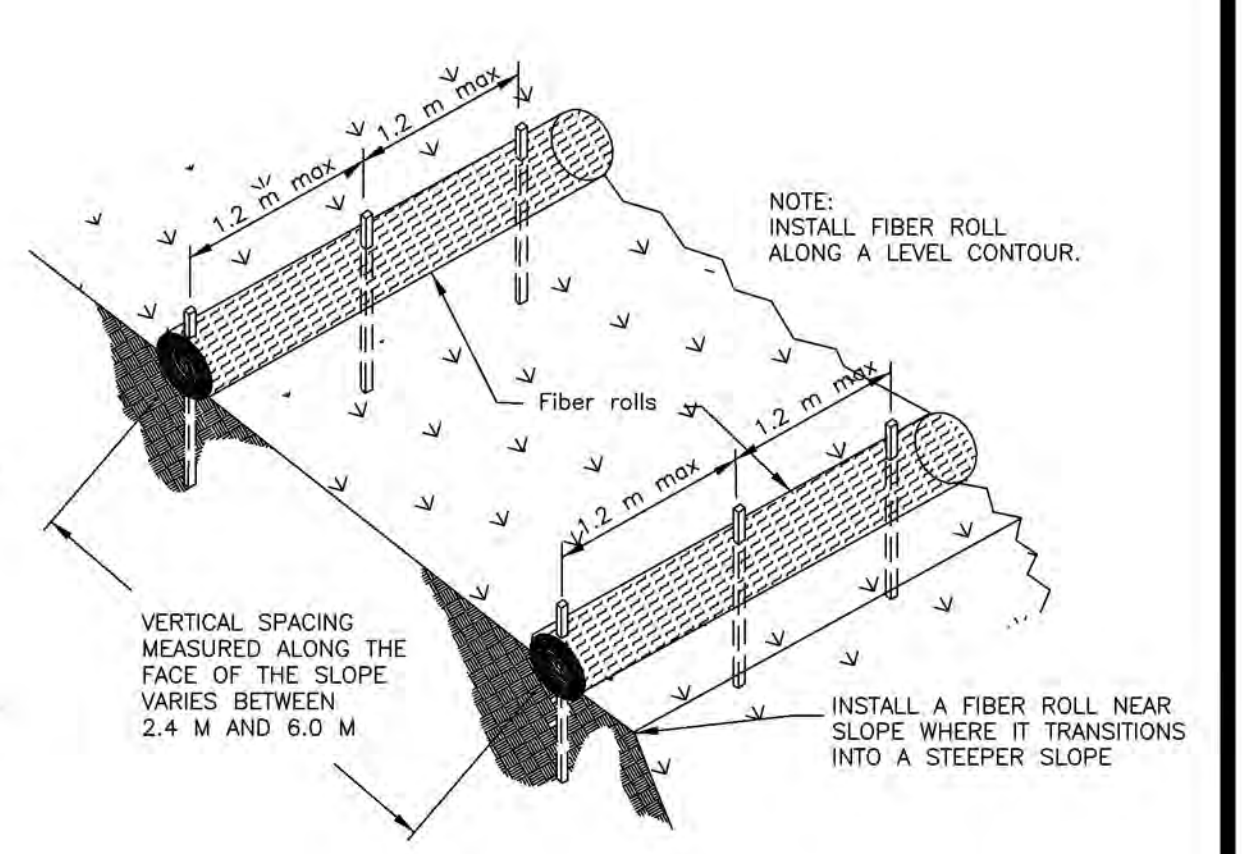
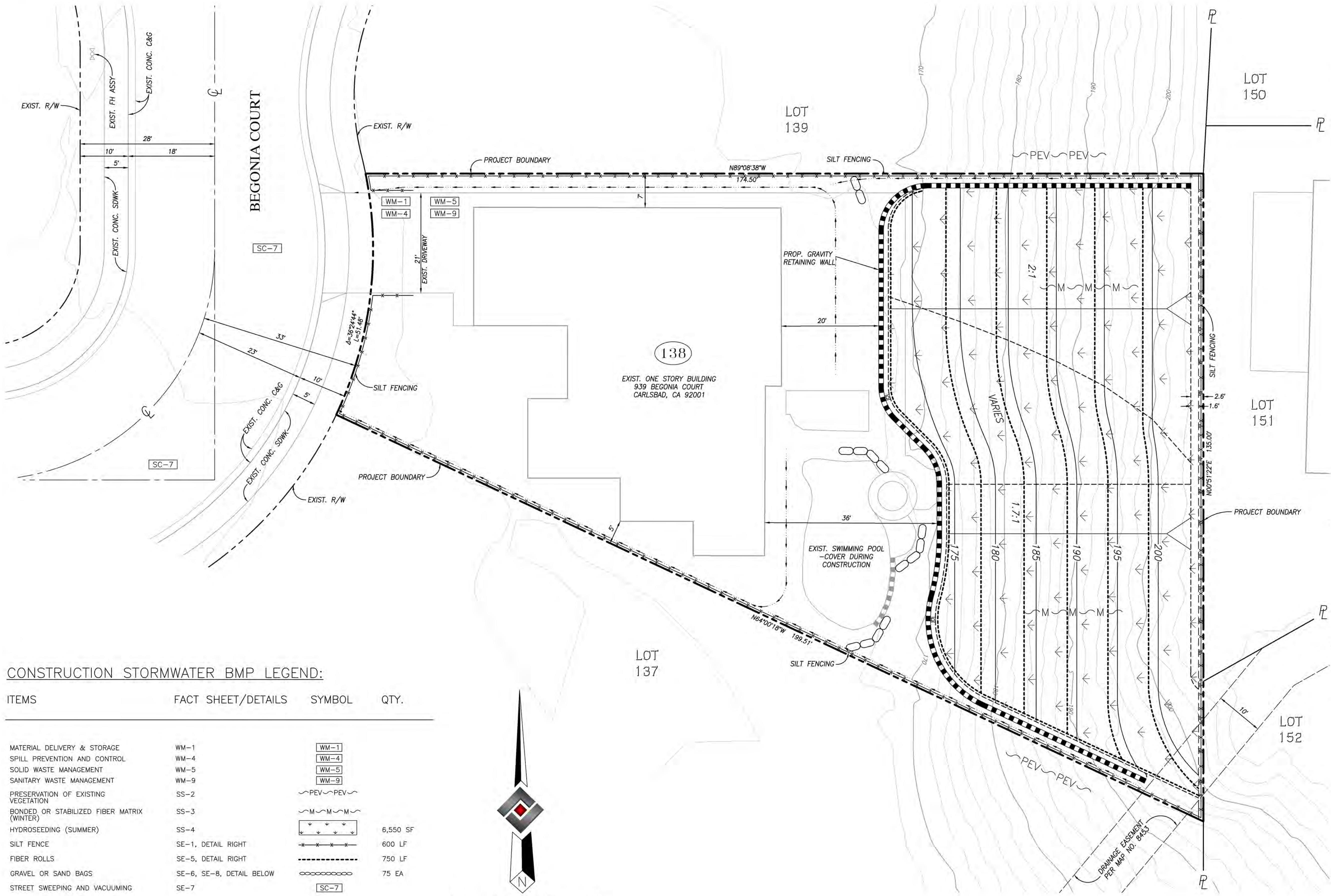
NAME: VALERIE LIGHTMAN  
ADDRESS: 939 BEGONIA COURT CARLSBAD, CA 92001  
TELEPHONE NO.: 951-658-2168

EMERGENCY CONTACT:

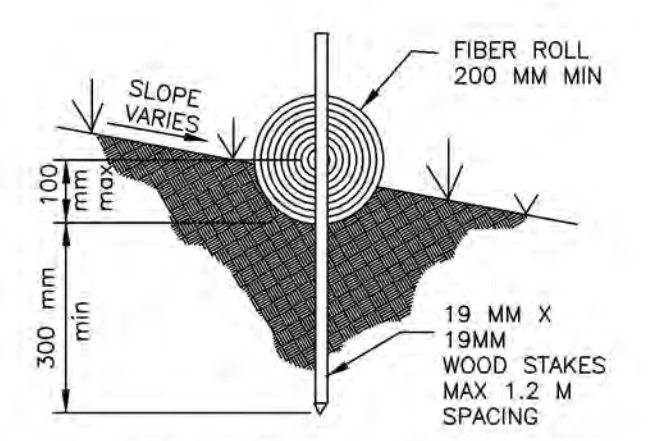
NAME: RENE LIGHTMAN  
ADDRESS: 939 BEGONIA COURT CARLSBAD, CA 92001  
TELEPHONE NO.: 951-658-2168

SHEET 5	CITY OF CARLSBAD ENGINEERING DEPARTMENT	SHEETS 6
CITY STORM WATER POLLUTION PREVENTION PLAN (SWPPP) TIER 2		
PROJECT NAME: 939 BEGONIA COURT		
APPROVED: JASON S. GELDERT		
ENGINEERING MANAGER	RCE 63912	EXP. 9/30/22 DATE
RVWD BY: _____	PROJECT NO.	DRAWING NO.
CHKD BY: _____		

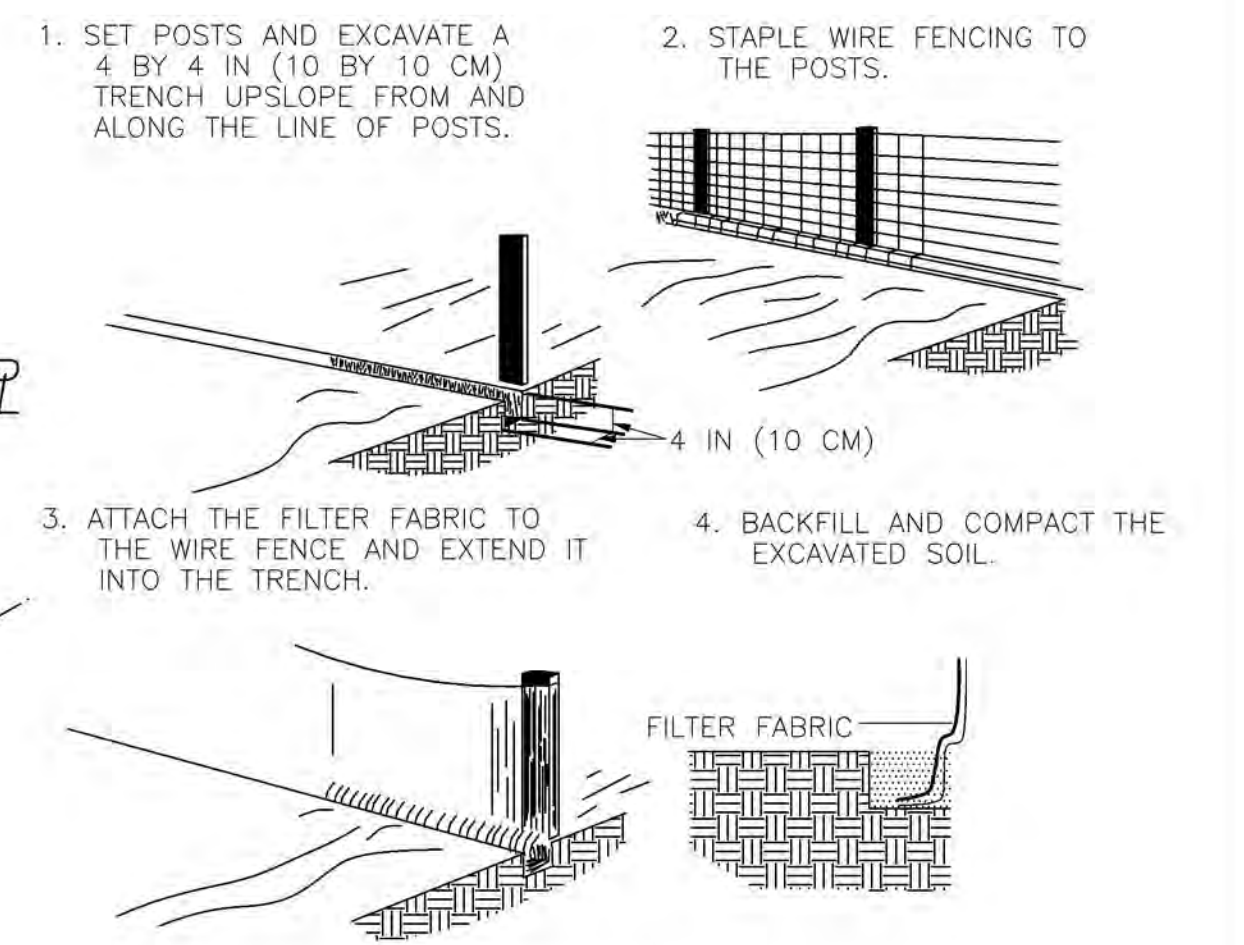




TYPICAL FIBER ROLL INSTALLATION  
NO SCALE



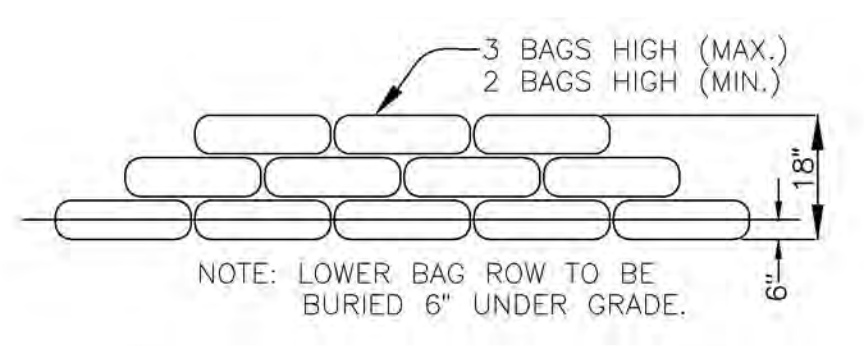
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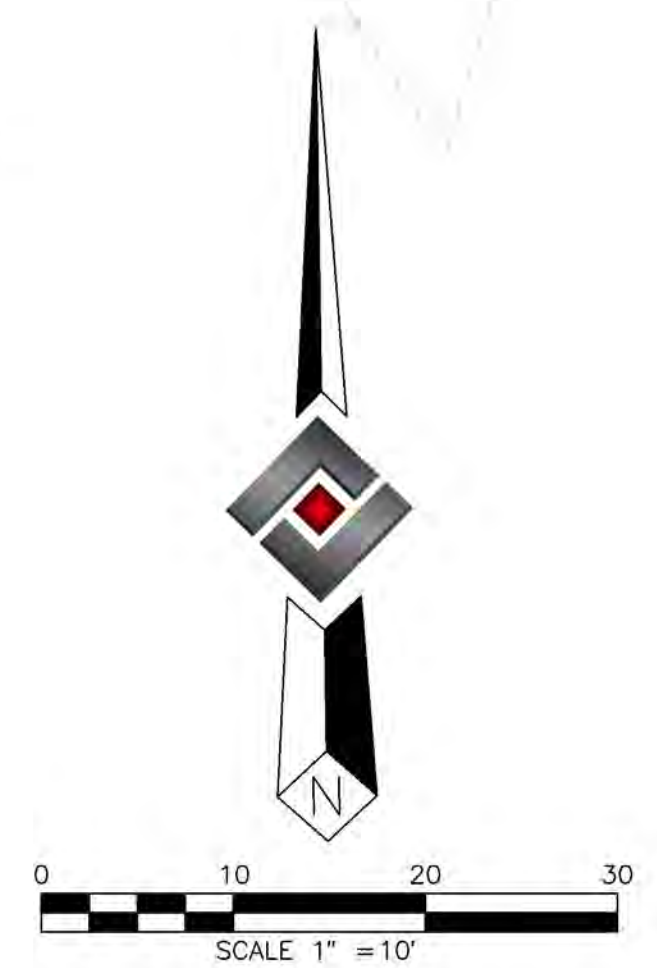
SILT FENCE  
NO SCALE

CONSTRUCTION STORMWATER BMP LEGEND:

ITEMS	FACT SHEET/DETAILS	SYMBOL	QTY.
MATERIAL DELIVERY & STORAGE	WM-1	WM-1	
SPILL PREVENTION AND CONTROL	WM-4	WM-4	
SOLID WASTE MANAGEMENT	WM-5	WM-5	
SANITARY WASTE MANAGEMENT	WM-9	WM-9	
PRESERVATION OF EXISTING VEGETATION	SS-2	PEV~PEV~	
BONDED OR STABILIZED FIBER MATRIX (WINTER)	SS-3	M~M~M~	
HYDROSEEDING (SUMMER)	SS-4	~*~*~*~	6,550 SF
SILT FENCE	SE-1, DETAIL RIGHT	~*~*~*~	600 LF
FIBER ROLLS	SE-5, DETAIL RIGHT	-----	750 LF
GRAVEL OR SAND BAGS	SE-6, SE-8, DETAIL BELOW	o~o~o~o~o	75 EA
STREET SWEEPING AND VACUUMING	SE-7	SC-7	



GRAVEL BAG CHECK DAM  
NO SCALE



FUSION ENG TECH  
1810 GILLESPIE WAY #207  
EL CAJON, CA 92020  
(619) 736-2800

DATE	INITIAL	REVISION DESCRIPTION	DATE	INITIAL	DATE	INITIAL
ENGINEER OF WORK			OTHER APPROVAL		CITY APPROVAL	

SHEET 6		CITY OF CARLSBAD ENGINEERING DEPARTMENT		SHEETS 6	
EROSION CONTROL PLANS FOR: 939 BEGONIA COURT TIER 2 SWPPP PLAN					
GR					
APPROVED: JASON S. GELDERT					
ENGINEERING MANAGER RCE 63912 EXP. 9/30/22 DATE					
RVWD BY:		PROJECT NO.		DRAWING NO.	
CHKD BY:					



939 BEGONIA COURT  
KEYSTONE RETAINING WALL PLANS

1.0 SCOPE OF WORK

1. THE WORK SHALL CONSIST OF FURNISHING AND CONSTRUCTING KEYSTONE WALL BLOCK AND MIRAGRID GEOGRID REINFORCED SOIL RETAINING WALL SYSTEMS IN ACCORDANCE WITH THIS TECHNICAL SCOPE OF WORK AND IN REASONABLY CLOSE CONFORMITY WITH THE LINES, GRADES AND DIMENSIONS SHOWN ON THE GRADING PLAN BY FUSION ENGINEERING TECH, UNDATED.
2. WORK INCLUDED:
- A. FURNISHING KEYSTONE WALL SEGMENTAL CONCRETE FACING AND CAP UNITS AS SHOWN ON THE CONSTRUCTION DRAWINGS.
- B. FURNISHING KEYSTONE SHEAR AND REINFORCEMENT PIN CONNECTORS.
- C. FURNISHING MIRAFI STRUCTURAL GEOGRID REINFORCEMENT AS SHOWN ON THE CONSTRUCTION DRAWINGS.
- D. STORING, CUTTING AND PLACING STRUCTURAL GEOGRID REINFORCEMENT AS SPECIFIED HEREIN AND AS SHOWN ON THE CONSTRUCTION DRAWINGS.
- E. PLACEMENT AND COMPACTION OF UNIT WALL FILL AND BACKFILL WITHIN THE GEOGRID REINFORCED AREA AS SPECIFIED HEREIN AND AS SHOWN ON THE CONSTRUCTION DRAWINGS.
- F. ERECTION OF KEYSTONE WALL SEGMENTAL CONCRETE UNITS AND PLACEMENT OF STRUCTURAL GEOGRID.

2.0 REFERENCE DOCUMENTATION

1. FUSION ENGINEERING TECH, GRADING PLAN, UNDATED.
2. ADVANCED GEOTECHNICAL SOLUTIONS, INC., GEOTECHNICAL EVALUATION OF EXISTING MECHANICALLY STABILIZED EARTH WALLS, REPORT NO. 1907-03-B-3, DATED OCTOBER 9, 2019.
3. GEOTECHNICAL EXPLORATION, INC., RESPONSE TO CITY OF DEL MAR REVIEWER'S COMMENTS, JOB NO. 18-12092, DATED MAY 6, 2022.
4. WHERE SPECIFICATIONS AND REFERENCE DOCUMENTS CONFLICT, THE ENGINEER SHALL MAKE FINAL DETERMINATION OF THE APPLICABLE DOCUMENT.

3.0 SPECIAL PROVISIONS

1. M3 CIVIL ENGINEERING, INC. (M3CE ASSUMES NO LIABILITY FOR INTERPRETATION OF SUBSURFACE CONDITIONS, SUITABILITY OF SOIL DESIGN PARAMETERS AND SUBSURFACE GROUNDWATER CONDITIONS MADE BY OTHERS.
2. M3CE SHALL NOT BE RESPONSIBLE FOR THE COST OF ALL MEANS OF SUBSOIL IMPROVEMENT, COST OF ADDITIONAL SUBSOIL EXPLORATION, OR ANY OTHER TYPE OF EASEMENTS ARE THE RESPONSIBILITY OF THE OWNER OR THE SITE CIVIL ENGINEER. THE OWNER SHALL BE RESPONSIBLE FOR ALL SUCH COST.
3. THE OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL FEDERAL, STATE AND LOCAL REQUIREMENTS FOR THE EXECUTION OF THE BUILDING INSPECTION AND CURRENT OSHA EXCAVATION REGULATIONS.
4. PRIOR TO UNDERTAKING ANY GRADING OR EXCAVATION OF THE SITE, THE CONTRACTOR SHALL CONFIRM THE LOCATION OF THE PROPOSED RETAINING WALLS AND ALL UNDERGROUND FEATURES, INCLUDING UTILITY LOCATIONS WITHIN THE AREA OF CONSTRUCTION.
5. M3CE HAS COMPLETED ENGINEERING DESIGN OF THE PROPOSED RETAINING WALL(S), INCLUDING INTERNAL STABILITY AND LOCAL EXTERNAL STABILITY WHERE APPLICABLE, BASED UPON THE INFORMATION PROVIDED TO US AS OUTLINED ABOVE. M3CE ASSUMES THAT OTHERS HAVE DETERMINED THE SUITABILITY OF PLACING RETAINING WALLS AT THE LOCATIONS PROVIDED TO US, INCLUDING GEOTECHNICAL SUITABILITY AND SITE GLOBAL STABILITY.

4.0 GENERAL NOTES

1. THIS SET OF SEGMENTAL RETAINING WALL PLANS ARE BASED ON THE PLANS AND DOCUMENTS REFERENCED IN SECTION 2.0. CHANGES TO THESE PLANS OR DOCUMENTS, INCLUDING GRADING, DRAINAGE, UTILITIES, SURCHARGE LOADS OR GEOTECHNICAL PARAMETERS MAY AFFECT WALL DESIGN REQUIREMENTS. RED ONE ENGINEERING SHALL BE NOTIFIED OF ANY SUCH CHANGES TO DETERMINE IF WALL DESIGN MODIFICATIONS ARE NEEDED.
2. THIS SET OF SEGMENTAL RETAINING WALL PLANS ARE BASED SPECIFICALLY ON THE WALL BEING CONSTRUCTED WITH KEYSTONE COMPAC III BLOCK AND MIRAGRID REINFORCEMENT PRODUCTS. ABSOLUTELY NO SUBSTITUTIONS ALLOWED.
3. LOCATION OF THE SEGMENTAL RETAINING WALL IN RELATION TO PROPERTY LINES, UTILITY EASEMENTS, WATERSHED EASEMENTS, OR ANY OTHER TYPE OF EASEMENTS ARE THE RESPONSIBILITY OF THE OWNER OR THE SITE CIVIL ENGINEER. RED ONE ENGINEERING ASSUMES NO LIABILITY FOR THE LOCATION OF THE SEGMENTAL RETAINING WALL, OR IF CONSTRUCTION OF THE PROPOSED SEGMENTAL RETAINING WALL ENCLOSES ANY PROPERTY LINES OR EASEMENTS.
4. IT IS IMPERATIVE THAT THE SITE SURVEYING OF THE SEGMENTAL RETAINING WALL BE DONE BY THE SITE CIVIL ENGINEER OR SURVEYOR AND MUST BE BASED ON COMPUTER GENERATED SITE/GRADING PLANS AND NOT PROFILE PLANS DONE BY THE ENGINEER OF RECORD. SURVEYING OF THE SEGMENTAL RETAINING WALL MUST TAKE INTO ACCOUNT THE DESIGN BATTER INDICATED ON THE ENCLOSED PLANS AND DETAILS. FAILURE TO TAKE INTO ACCOUNT WALL BATTER FOR SEGMENTAL RETAINING WALL SURVEYING WILL PRODUCE INCORRECT LOCATIONS OF ALL TOP OF WALLS AND SHALL BE CORRECTED AT NO COST TO THE ENGINEER OF RECORD OR THE SEGMENTAL RETAINING WALL CONTRACTOR.
5. WALL GEOMETRY, LOCATIONS, SLOPES AND SURCHARGE LOADS FOR THE SEGMENTAL RETAINING WALLS WERE MEASURED FROM THE GRADING PLAN REFERENCED ABOVE. IF CONDITIONS VARY IN THE FIELD FROM THOSE SHOWN ON THIS PLAN, THE ENGINEER OF RECORD MUST BE NOTIFIED PRIOR TO CONSTRUCTION OF THE SEGMENTAL RETAINING WALLS TO REVIEW THE DESIGN AND/OR PLANS. MODIFICATIONS TO THE DESIGN AND/OR PLANS MAY BE REQUIRED AFTER THE REVIEW, AND MAY TAKE UP TO TEN BUSINESS DAYS TO COMPLETE.
6. IF THERE ARE DISCREPANCIES BETWEEN ANY INFORMATION ON THESE PLANS AND INFORMATION IN THE PROJECT SPECIFICATIONS, THE MORE RESTRICTIVE INFORMATION TAKES PRECEDENCE.

5.0 SEGMENTAL RETAINING WALL CONTRACTOR QUALIFICATIONS

1. THE WALL CONTRACTOR SHALL DOCUMENT COMPLIANCE WITH THE FOLLOWING EXPERIENCE REQUIREMENTS:
2. A MINIMUM OF FIVE YEARS IN WHICH THE CONTRACTOR HAS BUILT SEGMENTAL RETAINING WALLS WITH A TOTAL FACE AREA NO LESS THAN 250,000 SQUARE FEET.
3. CONSTRUCTION OF A MINIMUM OF 25,000 SQUARE FEET WITH THE SPECIFIED GRADATION AS DETERMINED IN SECTION 6.0 MATERIAL NOTES.
4. CONSTRUCTION OF AT LEAST FIVE SEGMENTAL RETAINING WALLS OF A SIMILAR HEIGHT AND SIZE AS THOSE SPECIFIED HEREIN.

6.0 MATERIAL NOTES

1. CONCRETE RETAINING WALL UNITS: KEYSTONE COMPAC III RETAINING WALL UNITS AS SHOWN ON THE DRAWINGS AND AS MANUFACTURED BY RCP BLOCK & BRICK UNDER LICENSE FROM KEYSTONE RETAINING WALL SYSTEMS.
2. GEOSYNTHETIC REINFORCEMENT: MIRAGRID AS SHOWN ON THE DRAWINGS.
3. LEVELING PAD BASE
- A. AGGREGATE BASE: CRUSHED STONE OR GRANULAR FILL MEETING THE FOLLOWING GRADATION AS DETERMINED IN ACCORDANCE WITH ASTM D448:

SIEVE SIZE	PERCENT PASSING
1 INCH	100
3/4 INCH	75 TO 100
NO. 4	0 TO 60
NO. 40	0 TO 50
NO. 200	0 TO 5

- B. BASE THICKNESS: 6 INCHES (MINIMUM COMPACTED THICKNESS).

4. DRAINAGE AGGREGATE: CLEAN CRUSHED STONE OR GRANULAR FILL MEETING THE FOLLOWING GRADATION AS DETERMINED IN ACCORDANCE WITH ASTM D448:

SIEVE SIZE	PERCENT PASSING
1 INCH	100
3/4 INCH	75 TO 100
NO. 4	0 TO 60
NO. 40	0 TO 50
NO. 200	0 TO 5

5. REINFORCED FILL: SOIL FREE OF ORGANICS AND DEBRIS AND CONSISTING OF EITHER GP, GW, SP, SW, SM OR SC TYPE, CLASSIFIED IN ACCORDANCE WITH ASTM D2487 AND THE USCS CLASSIFICATION SYSTEM AND MEETING THE FOLLOWING GRADATION AS DETERMINED IN ACCORDANCE WITH ASTM D448:

SIEVE SIZE	PERCENT PASSING
1 INCH	100
NO. 4	20 TO 100
NO. 40	0 TO 60
NO. 200	0 TO 35

- A. THE PLASTICITY INDEX (PI) SHALL BE LESS THAN 20.
- B. MAXIMUM PARTICLE SIZE FOR BACKFILL IS ONE (1) INCHES.
- C. UNSUITABLE SOILS ARE ORGANIC SOILS AND THOSE SOILS CLASSIFIED AS ML, CL, OL, MH, CH, OH OR PT.
- D. ALL WALL BACKFILL MATERIALS SHALL ALSO HAVE THE MINIMUM ENGINEERING PROPERTIES SHOWN IN SECTION 17.2 ITEM A.
- E. TEST RESULTS OF ALL PROPOSED BACKFILL MATERIALS, WHETHER ON-SITE OR IMPORTED, SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL PRIOR TO CONSTRUCTION.
6. DRAINAGE PIPE: PERFORATED OR SLOTTED PVC OR CORRUGATED HDPE PIPE MANUFACTURED IN ACCORDANCE WITH D3034 AND/OR ASTM F405.
7. CONSTRUCTION ADHESIVE: EXTERIOR GRADE ADHESIVE AS RECOMMENDED BY THE RETAINING WALL MANUFACTURER.

7.0 FOUNDATION SOIL NOTES

1. EXCAVATE FOUNDATION SOIL AS REQUIRED FOR FOOTING OR BASE DIMENSION SHOWN ON THE DRAWINGS, OR AS DIRECTED BY THE PROJECT GEOTECHNICAL ENGINEER.
2. THE OWNER SHALL RETAIN THE SERVICES OF A GEOTECHNICAL ENGINEER TO EXAMINE FOUNDATION SOIL TO ENSURE THAT THE ACTUAL FOUNDATION SOIL STRENGTH MEETS OR EXCEEDS THAT INDICATED ON THE DRAWINGS. UNSUITABLE SOILS ARE DEFINED AS ANY SOIL THAT DOES NOT HAVE SUFFICIENT BEARING CAPACITY OR WILL CAUSE EXCESSIVE WALL SETTLEMENT. REMOVE SOIL NOT MEETING THE REQUIRED STRENGTH.
3. THE OWNER SHALL RETAIN THE SERVICES OF A GEOTECHNICAL ENGINEER TO DETERMINE IF THE FOUNDATION SOILS WILL REQUIRE SPECIAL TREATMENT OR CORRECTION TO CONTROL TOTAL AND DIFFERENTIAL SETTLEMENT.
4. FILL OVER EXCAVATED AREAS WITH SUITABLE COMPACTED BACKFILL, AS RECOMMENDED BY THE PROJECT GEOTECHNICAL ENGINEER.

8.0 BASE COURSE NOTES

1. PLACE BASE MATERIALS TO THE DEPTHS AND WIDTHS SHOWN ON THE DRAWINGS, UPON UNDISTURBED SOILS, OR FOUNDATION SOILS PREPARED AS DIRECTED BY THE PROJECT GEOTECHNICAL ENGINEER.
- A. EXTEND THE LEVELING PAD Laterally AT LEAST 6 INCHES IN FRONT AND BEHIND THE LOWERMOST CONCRETE RETAINING WALL UNIT.
- B. PROVIDE AGGREGATE BASE COMPACTED TO 6 INCHES THICK (MINIMUM).
2. COMPACT AGGREGATE BASE MATERIAL TO PROVIDE A LEVEL, HARD SURFACE ON WHICH TO PLACE THE FIRST COURSE OF UNITS.
3. PREPARE BASE MATERIALS TO ENSURE COMPLETE CONTACT WITH RETAINING WALL UNITS. GAPS ARE NOT ALLOWED.

9.0 ERECTION NOTES

1. EXCAVATION SUPPORT, IF REQUIRED, IS THE RESPONSIBILITY OF THE CONTRACTOR, INCLUDING THE STABILITY OF THE EXCAVATION AND ITS INFLUENCE ON ADJACENT PROPERTIES AND STRUCTURES.
2. GENERAL: ERECT UNITS IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS AND RECOMMENDATIONS, AND AS SPECIFIED HEREIN.
3. PLACE FIRST COURSE OF CONCRETE WALL UNITS ON THE PREPARED BASE MATERIAL. CHECK UNITS FOR LEVEL AND ALIGNMENT. MAINTAIN THE SAME ELEVATION AT THE TOP OF EACH UNIT WITHIN EACH SECTION OF THE BASE COURSE.
4. ENSURE THAT FOUNDATION UNITS ARE IN FULL CONTACT WITH NATURAL OR COMPACTED SOIL BASE.
5. PLACE CONCRETE WALL UNITS SIDE-BY-SIDE FOR FULL LENGTH OF WALL ALIGNMENT. ALIGNMENT MAY BE DONE BY USING A STRING LINE MEASURED FROM THE BACK OF THE BLOCK. GAPS ARE NOT ALLOWED BETWEEN THE FOUNDATION CONCRETE WALL UNITS.
6. INSTALL SHEAR/CONNECTING DEVICES PER MANUFACTURER'S RECOMMENDATIONS.
7. PLACE 12 INCHES (MINIMUM) OF DRAINAGE AGGREGATE BETWEEN, AND DIRECTLY BEHIND THE CONCRETE WALL UNITS. FILL VOIDS IN RETAINING WALL UNITS WITH DRAINAGE AGGREGATE. PROVIDE A DRAINAGE ZONE BEHIND THE WALL UNITS TO WITHIN 9 INCHES OF THE FINAL GRADE. CAP THE BACKFILL AND DRAINAGE AGGREGATE ZONE WITH 6 INCHES OF IMPERVIOUS MATERIAL.
8. INSTALL DRAINAGE PIPE AT THE LOWEST ELEVATION POSSIBLE, TO MAINTAIN FLOW OF WATER TO OUTSIDE OF THE REINFORCED ZONE. SLOPE THE MAIN COLLECTION DRAINAGE PIPE, LOCATED JUST BEHIND THE CONCRETE RETAINING WALL UNITS, 1 PERCENT (MINIMUM) TO PROVIDE GRAVITY FLOW TO THE DAYLIGHTED AREA. DAYLIGHT THE MAIN COLLECTION DRAINAGE PIPE TO AN APPROPRIATE LOCATION AWAY FROM THE WALL SYSTEM AT EACH LOW POINT OR AT 150 FOOT (MAXIMUM) INTERVALS ALONG THE WALL.
9. REMOVE EXCESS FILL FROM TOP OF UNITS AND INSTALL NEXT COURSE. ENSURE DRAINAGE AGGREGATE AND BACKFILL ARE COMPACTED BEFORE INSTALLATION OF NEXT COURSE.
10. CHECK EACH COURSE FOR LEVEL AND ALIGNMENT. ADJUST UNITS AS NECESSARY WITH REINFORCEMENT SHIMS TO MAINTAIN LEVEL ALIGNMENT, AND SETBACK PRIOR TO PROCEEDING WITH EACH ADDITIONAL COURSE.
11. INSTALL EACH SUCCEEDING COURSE. BACKFILL AS EACH COURSE IS COMPLETED. PULL THE UNITS FORWARD INTO THE LOCATING SURFACE OF THE UNIT CONTACTS THE LOCATING SURFACE OF THE UNITS IN THE PRECEDING COURSE. INTERLOCK WALL SEGMENTS THAT MEET AT CORNERS BY OVERLAPPING SUCCESSIVE COURSES. ATTACH CONCRETE RETAINING WALL UNITS AT EXTERIOR CORNERS WITH ADHESIVE SPECIFIED.
12. INSTALL GEOSYNTHETIC REINFORCEMENT IN ACCORDANCE WITH GEOSYNTHETIC MANUFACTURER'S RECOMMENDATIONS AND THE SHOP DRAWINGS.
- A. ORIENT GEOSYNTHETIC REINFORCEMENT WITH THE HIGHEST STRENGTH AXIS PERPENDICULAR TO THE WALL FACE.
- B. PRIOR TO GEOSYNTHETIC REINFORCEMENT PLACEMENT, PLACE THE BACKFILL AND COMPACT TO THE ELEVATION OF THE TOP OF THE WALL UNITS AT THE ELEVATION OF THE GEOSYNTHETIC REINFORCEMENT.
- C. PLACE GEOSYNTHETIC REINFORCEMENT AT THE ELEVATIONS AND TO THE LENGTHS SHOWN ON THE DRAWINGS.
- D. LAY GEOSYNTHETIC REINFORCEMENT HORIZONTALLY ON TOP OF THE CONCRETE RETAINING WALL UNITS AND THE COMPACTED BACKFILL SOILS. PLACE THE GEOSYNTHETIC REINFORCEMENT WITHIN ONE INCH OF THE FACE OF THE CONCRETE RETAINING WALL UNITS. PLACE THE NEXT COURSE OF CONCRETE RETAINING WALL UNITS ON TOP OF THE GEOSYNTHETIC REINFORCEMENT.
- E. THE GEOSYNTHETIC REINFORCEMENT SHALL BE IN TENSION AND FREE FROM WRINKLES PRIOR TO PLACEMENT OF THE BACKFILL SOILS. PULL GEOSYNTHETIC REINFORCEMENT HAND-TAUT AND SECURE IN PLACE WITH STAPLES, STAKES, OR BY HAND-TENSIONING UNTIL THE GEOSYNTHETIC REINFORCEMENT IS COVERED BY 6 INCHES OF LOOSE FILL.
- F. THE GEOSYNTHETIC REINFORCEMENTS SHALL BE CONTINUOUS THROUGHOUT THEIR EMBEDMENT LENGTHS. SPLICES IN THE GEOSYNTHETIC REINFORCEMENT STRENGTH DIRECTION ARE NOT ALLOWED.
- G. DO NOT OPERATE TRACKED CONSTRUCTION EQUIPMENT DIRECTLY ON THE GEOSYNTHETIC REINFORCEMENT. AT LEAST 6 INCHES OF COMPACTED BACKFILL SOIL IS REQUIRED PRIOR TO OPERATION OF TRACKED VEHICLES OVER THE GEOSYNTHETIC REINFORCEMENT. KEEP TURNING OF TRACKED CONSTRUCTION EQUIPMENT TO A MINIMUM.
- H. RUBBER-TIRED EQUIPMENT MAY PASS OVER THE GEOSYNTHETIC REINFORCEMENT AT SPEEDS OF LESS THAN 5 MILES PER HOUR. TURNING OF RUBBER-TIRED EQUIPMENT IS NOT ALLOWED ON GEOSYNTHETIC REINFORCEMENT.

10.0 BACKFILL PLACEMENT NOTES

1. PLACE REINFORCED BACKFILL, SPREAD AND COMPACT IN A MANNER THAT WILL MINIMIZE SLACK IN THE REINFORCEMENT.
2. PLACE FILL WITHIN THE REINFORCED ZONE AND COMPACT IN LIFTS NOT EXCEEDING 6 TO 8 INCHES (LOOSE THICKNESS) WHERE HAND-OPERATED COMPACTION EQUIPMENT IS USED, AND NOT EXCEEDING 12 INCHES (LOOSE THICKNESS) WHERE HEAVY, SELF PROPELLED COMPACTION EQUIPMENT IS USED.
- A. ONLY LIGHTWEIGHT HAND-OPERATED COMPACTION EQUIPMENT IS ALLOWED WITHIN 4 FEET OF THE BACK OF THE RETAINING WALL UNITS.
- B. MINIMUM COMPACTION REQUIREMENTS FOR FILL PLACED IN THE REINFORCED ZONE:
- A. COMPACT TO 95 PERCENT OF THE SOIL'S STANDARD MAXIMUM DRY DENSITY (ASTM D1557) FOR THE ENTIRE WALL HEIGHT.
- B. VERIFY COMPACTION REQUIREMENTS WITH THE PROJECT GEOTECHNICAL ENGINEER.
- C. UTILITY TRENCH BACKFILL: COMPACT UTILITY TRENCH BACKFILL IN OR BELOW THE REINFORCED SOIL ZONE TO 95 PERCENT OF THE SOIL'S STANDARD MAXIMUM DRY DENSITY (ASTM D1557), OR AS RECOMMENDED BY THE PROJECT GEOTECHNICAL ENGINEER.
- D. MOISTURE CONTENT: AT OR 2 PERCENTAGE POINTS ABOVE THE OPTIMUM MOISTURE CONTENT FOR ALL WALL HEIGHTS.
- E. THESE NOTES MAY BE CHANGED BASED ON RECOMMENDATIONS BY THE PROJECT GEOTECHNICAL ENGINEER.
4. AT THE END OF EACH DAY'S OPERATION, SLOPE THE LAST LEVEL OF COMPACTED BACKFILL AWAY FROM THE INTERIOR (CONCEALED) FACE OF THE WALL TO DIRECT SURFACE WATER RUNOFF AWAY FROM THE WALL FACE.
- A. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT THE FINISHED SITE DRAINAGE IS DIRECTED AWAY FROM THE RETAINING WALL SYSTEM.
- B. IN ADDITION, THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT SURFACE WATER RUNOFF FROM ADJACENT CONSTRUCTION AREAS IS NOT ALLOWED TO ENTER THE RETAINING WALL AREA OF THE CONSTRUCTION SITE.
5. ANY STRUCTURAL FILL PLACED MUST BE KEPT FROM FREEZING, REQUIRING THE USE OF FROST BLANKETS AND GOOD WINTER CONSTRUCTION PRACTICES. GENERALLY, WINTER CONSTRUCTION REQUIRES THE IMPORT OF NON-FROST SUSCEPTIBLE SOILS, TYPICALLY CLEAN SAND AND/OR GRAVEL. ANY STRUCTURAL FILL FOUND TO BE FROZEN ON SUBSEQUENT DAYS OF CONSTRUCTION MUST BE REMOVED AND REPLACED PRIOR TO PLACING ADDITIONAL FILL.

11.0 CAP UNIT INSTALLATION NOTES

1. APPLY ADHESIVE TO THE TOP SURFACE OF THE UNIT BELOW AND PLACE THE CAP UNIT INTO DESIRED POSITION.
2. CUT CAP UNITS AS NECESSARY TO OBTAIN THE PROPER FIT.
3. BACKFILL AND COMPACT TO TOP OF CAP UNIT.

12.0 WALL CONSTRUCTION TOLERANCE NOTES

1. WALL CONSTRUCTION TOLERANCES:
- A. VERTICAL ALIGNMENT: PLUS OR MINUS 1-1/4 INCHES OVER ANY 10-FOOT DISTANCE, WITH A MAXIMUM DIFFERENTIAL OF 3 INCHES OVER THE LENGTH OF THE WALL.
- B. HORIZONTAL LOCATION CONTROL FROM GRADING PLAN:
- B.1. STRAIGHT LINES: PLUS OR MINUS 1-1/4 INCHES OVER ANY 10-FOOT DISTANCE, WITH A MAXIMUM DIFFERENTIAL OF 3 INCHES OVER THE LENGTH OF THE WALL.
- B.2. CORNER AND RADIUS LOCATIONS: PLUS OR MINUS 12 INCHES.
- B.3. CURVES AND SERPENTINE RADII: PLUS OR MINUS 2 FEET.
- C. IMMEDIATE POST CONSTRUCTION WALL BATTER: WITHIN 2 DEGREES OF THE DESIGN BATTER OF THE CONCRETE RETAINING WALL UNITS.
- D. BULGING: PLUS OR MINUS 1-1/4 INCHES OVER ANY 10-FOOT DISTANCE.

13.0 UTILITY NOTES

1. UTILITY INFORMATION MAY NOT HAVE BEEN PROVIDED TO THE ENGINEER OF RECORD FOR THE PREPARATION OF THESE PLANS, AND THEREFORE MAY NOT BE INCLUDED. IF UTILITIES ARE LOCATED WITHIN THE PROPOSED REINFORCED ZONE THE ENGINEER OF RECORD MUST BE NOTIFIED PRIOR TO CONSTRUCTION OF THE SEGMENTAL RETAINING WALLS TO REVIEW THE DESIGN AND/OR PLANS. MODIFICATIONS TO THE DESIGN AND/OR PLANS MAY BE REQUIRED, AND MAY TAKE UP TO TEN BUSINESS DAYS. UTILITIES MUST BE PROPERLY DESIGNED (BY OTHERS) TO WITHSTAND ALL FORCES FROM THE SEGMENTAL RETAINING WALL UNITS, REINFORCED SOIL MASS, AND SURCHARGE LOADS (IF ANY).
2. STORM DRAINS ARE PRONE TO LEAKING. THEREFORE, IF A JOINT IN A STORM DRAIN IS LOCATED WITHIN 100 FEET OF THE RETAINING WALL THE STORM WATER PIPE MUST BE WATER TIGHT. NEOPRENE O-RINGS MUST BE INSTALLED AT ALL STORM PIPE JOINTS AS A MINIMUM.
4. WATER LINES, INCLUDING IRRIGATION SYSTEMS, MUST BE WATER TIGHT WITHIN 100 FEET OF THE RETAINING WALL. LEAKAGE BEHIND A RETAINING WALL WILL INCREASE THE HORIZONTAL PRESSURE AGAINST THE WALL LEADING TO WALL FAILURE. FOR THIS REASON, SUBSURFACE WATER LINES AND IRRIGATION SYSTEMS SHOULD NOT BE INSTALLED ABOVE THE REINFORCED ZONES OF THE RETAINING WALL, OR WITHIN 5 FEET OF THE REINFORCED ZONE.

14.0 FIELD QUALITY CONTROL AND QUALITY ASSURANCE NOTES

1. INSTALLER IS RESPONSIBLE FOR QUALITY CONTROL OF INSTALLATION OF SYSTEM COMPONENTS.
2. THE OWNER SHALL EMPLOY AN INDEPENDENT THIRD PARTY SPECIAL INSPECTOR EXPERIENCED IN SEGMENTAL RETAINING WALL CONSTRUCTION TO PERFORM QUALITY ASSURANCE VERIFICATION OF THE CORRECT INSTALLATION OF SYSTEM COMPONENTS IN ACCORDANCE WITH THESE SPECIFICATIONS AND THE DRAWINGS.
3. CORRECT WORK WHICH DOES NOT MEET THESE SPECIFICATIONS OR THE REQUIREMENTS SHOWN ON THE DRAWINGS AT THE INSTALLER'S EXPENSE.
4. PROJECT GEOTECHNICAL ENGINEER TO PERFORM COMPACTION TESTING OF THE REINFORCED BACKFILL PLACED AND COMPACTED IN THE REINFORCED BACKFILL ZONE.
- A. TESTING FREQUENCY (OR AS DIRECTED BY PROJECT GEOTECHNICAL ENGINEER)
- B. ONE TEST FOR EVERY 2 FEET (VERTICAL) OF FILL PLACED AND COMPACTED, FOR EVERY 50 LINEAL FEET OF RETAINING WALL.
- C. VARY COMPACTION TEST LOCATIONS TO COVER THE ENTIRE AREA OF THE REINFORCED SOIL ZONE, INCLUDING THE AREA COMPACTED BY THE HAND-OPERATED COMPACTION EQUIPMENT.
5. PROJECT GEOTECHNICAL ENGINEER TO TEST ALL SOIL PROPOSED FOR USE IN THE SEGMENTAL RETAINING WALL CONSTRUCTION, INCLUDING SOIL IN THE FOUNDATION, RETAINED AND REINFORCED ZONE OF THE WALLS, TO VERIFY COMPLIANCE WITH THE MATERIAL SPECIFICATIONS AND ENGINEERING PROPERTIES.

15.0 STATEMENT OF SPECIAL INSPECTIONS

1. SPECIAL INSPECTION IS REQUIRED IN ACCORDANCE WITH IBC SECTION 1704.5.
2. THE SPECIAL INSPECTOR'S RESPONSIBILITIES INCLUDE VERIFYING THE FOLLOWING:
- A. UNIT DIMENSIONS
- B. ANCHOR WALL UNIT IDENTIFICATION OF COMPLIANCE WITH ASTM C 1372, INCLUDING COMPRESSIVE STRENGTH AND WATER ABSORPTION, AS DESCRIBED IN SECTION 3.1 OF ICC REPORT 1959.
- C. FOUNDATION PREPARATION
- D. UNIT PLACEMENT, INCLUDING ALIGNMENT AND INCLINATION.
- E. GEOSYNTHETIC REINFORCEMENT TYPE AND PLACEMENT.
- F. BACKFILL PLACEMENT AND COMPACTION.
- G. DRAINAGE PROVISIONS
3. TYPE AND EXTENT OF SPECIAL INSPECTION:
- A. SPECIAL INSPECTION SHALL BE PERFORMED ON A CONTINUOUS BASIS.
4. TYPE AND EXTENT OF EACH TEST:
- A. MODULAR UNIT DIMENSION SHALL BE VERIFIED ONCE PER WALL PRIOR TO THE START OF CONSTRUCTION.
- B. CONCRETE UNIT SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 3,000 PSI AND A MAXIMUM WATER ABSORPTION OF 7 PERCENT.
- C. FOUNDATION PREPARATION SHALL BE INSPECTED FOR COMPLIANCE WITH THE ANCHOR RETAINING WALL DESIGN PARAMETERS AND GEOTECHNICAL ENGINEER OF RECORD RECOMMENDATIONS ONCE PER WALL PRIOR TO PLACEMENT OF CONTROLLED FILL.
- D. ANCHOR UNIT ALIGNMENT AND INCLINATION SHALL BE VERIFIED BY SURVEYED WALL HORIZONTAL LOCATION PRIOR TO CONSTRUCTION AND CORRECT BLOCK PLACEMENT AGAINST THE LOWER BLOCK'S ALIGNMENT DEVICE DURING CONSTRUCTION.
- E. GEOSYNTHETIC REINFORCEMENT TYPE SHALL BE VERIFIED PRIOR TO CONSTRUCTION WITH AN INSPECTION OF THE GEOSYNTHETIC REINFORCEMENT DELIVERED TO THE SITE FOR WALL CONSTRUCTION. PLACEMENT OF GEOSYNTHETIC REINFORCEMENT SHALL BE CONTINUALLY OBSERVED DURING WALL CONSTRUCTION FOR COMPLIANCE WITH THE ANCHOR RETAINING WALL PLANS.
- F. BACKFILL SOIL SHALL BE VERIFIED IN COMPLIANCE WITH THE ANCHOR RETAINING WALL PLANS AND SOIL DESIGN PARAMETERS PRIOR TO AND PERIODICALLY DURING CONSTRUCTION. BACKFILL SOIL COMPACTION SHALL BE CONTINUOUSLY VERIFIED COMPACTED TO AT LEAST 90 PERCENT OF THE MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D 1557 FOR EVERY 20-40 YARDS OF BACKFILL PLACED.
- G. ALL DRAINAGE PROVISIONS SHALL BE VERIFIED IN COMPLIANCE WITH THE ANCHOR RETAINING WALL PLANS AND THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER OF RECORD AS CONSTRUCTED AND PRIOR TO BACKFILL.
5. SEISMIC OR WIND RESISTANCE:
- A. THERE ARE NO ADDITIONAL SPECIAL INSPECTION REQUIREMENTS FOR SEISMIC OR WIND RESISTANCE PER CBC 1705.
6. STRUCTURAL OBSERVATIONS:
- A. THERE ARE NO REQUIRED STRUCTURAL OBSERVATIONS PER CBC 1709.
7. SPECIAL INSPECTION NOTES:
- A. THE SPECIAL INSPECTIONS IDENTIFIED ON PLANS ARE IN ADDITION TO, AND NOT A SUBSTITUTE FOR, THOSE INSPECTIONS REQUIRED TO BE PERFORMED BY BUILDING INSPECTOR.

16.0 SUBMITTALS

1. THE GEOTECHNICAL ENGINEER SHALL SUBMIT VERIFICATION TO RED ONE ENGINEERING PRIOR TO THE START OF SEGMENTAL WALL CONSTRUCTION THAT ALL SOILS PROPOSED FOR CONSTRUCTION MEET THE REQUIREMENTS OF THIS SPECIFICATION.

17.0 KEYSTONE WALL DESIGN NOTES

1. IT IS THE RESPONSIBILITY OF THE OWNER OR OWNER'S REPRESENTATIVE TO VERIFY THE SOIL STRENGTH DESIGN PARAMETERS ARE REPRESENTATIVE OF THE SOILS AVAILABLE FOR WALL CONSTRUCTION. IF THE SOIL STRENGTH PARAMETERS ARE FOUND TO BE INCONSISTENT WITH THOSE ASSUMED BY THE ENGINEER OF RECORD, THIS DESIGN IS NO LONGER VALID AND IT IS THE RESPONSIBILITY OF THE OWNER OR OWNER'S REPRESENTATIVE TO NOTIFY THE ENGINEER OF RECORD SO THE RETAINING WALL SYSTEM CAN BE REDESIGNED. FAILURE TO NOTIFY THE ENGINEER OF RECORD MAY RESULT IN FAILURE OF THE RETAINING WALL.
2. SOIL DESIGN PARAMETERS:
- A. REINFORCED SOIL: PHI = 35 DEGREES C = 0 PSF GAMMA = 130 PCF
- B. RETAINED SOIL: PHI = 35 DEGREES C = 0 PSF GAMMA = 130 PCF
- C. FOUNDATION SOIL: PHI = 30 DEGREES C = 0 PSF GAMMA = 125 PCF
3. DESIGN PEAK GROUND ACCELERATION (2/3 PGa) PER 2019 CBC AND ASCE 7-16: 0.38G
4. REINFORCED BACKFILL SHALL MEET SOIL CLASSIFICATION, GRADATION AND PLASTICITY INDEX AS STATED IN SECTION 6.5 THIS SHEET
5. GEOTECHNICAL PARAMETERS USED FOR DESIGN SHALL BE CONFIRMED BY GEOTECHNICAL ENGINEER PRIOR TO WALL CONSTRUCTION.
6. LATERAL EARTH PRESSURES ARE DETERMINED USING RANKINE EARTH PRESSURE THEORY
7. INTERNAL STABILITY OF WALLS
- A. MINIMUM FACTOR OF SAFETY ON GEOGRID STRENGTH = 1.50
- B. MINIMUM FACTOR OF SAFETY ON GEOGRID PULLOUT = 1.50
- C. PERCENT COVERAGE OF GEOGRID = 100%
8. EXTERNAL STABILITY
- A. MINIMUM FACTOR OF SAFETY AGAINST BASE SLIDING = 1.50
- B. MINIMUM FACTOR OF SAFETY AGAINST OVERTURNING = 2.00
- C. MINIMUM FACTOR OF SAFETY AGAINST SOIL BEARING OVERSTRESS = 2.00
- D. UNIFORM SURCHARGE = AS SHOWN ON STRUCTURAL CALCULATIONS
- E. BACKFILL SLOPE = AS SHOWN ON SITE PLAN AND STRUCTURAL CALCULATIONS
9. GLOBAL STABILITY (TO BE CONFIRMED BY GEOTECHNICAL ENGINEER)
- A. MINIMUM FACTOR OF SAFETY AGAINST STATIC GLOBAL STABILITY = 1.50
- B. MINIMUM FACTOR OF SAFETY AGAINST SEISMIC GLOBAL STABILITY = 1.15

18.0 APPLICABLE BUILDING CODE

- ALL CONSTRUCTION SHALL CONFORM TO THE 2019 CALIFORNIA BUILDING CODE

19.0 KEYSTONE WALL ICC REPORT

- KEYSTONE WALL SYSTEM ICC-ES REPORT ESR-2113

20.0 KEYSTONE RETAINING WALL PLAN SHEET INDEX

- SHEET 1. TITLE SHEET AND NOTES
- SHEET 2. WALL PLAN VIEW
- SHEET 3. WALL PROFILES
- SHEET 4. WALL SECTION AND DETAILS

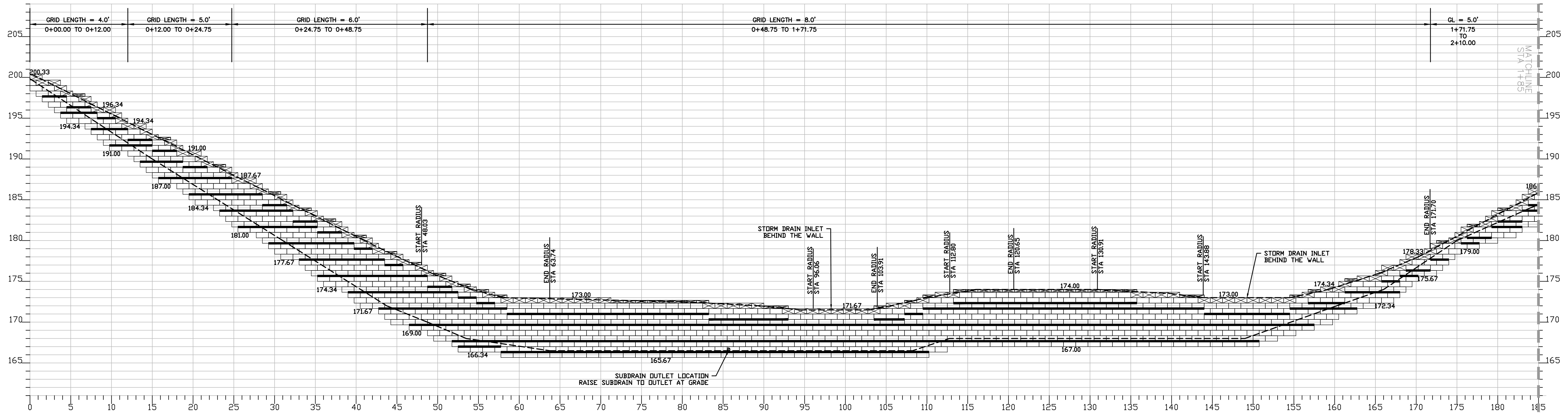


**M3CE**  
M3 CIVIL ENGINEERING, INC.  
PO BOX 923  
OCEANSIDE, CA 92049  
760-802-1772 MATT@M3CE.COM

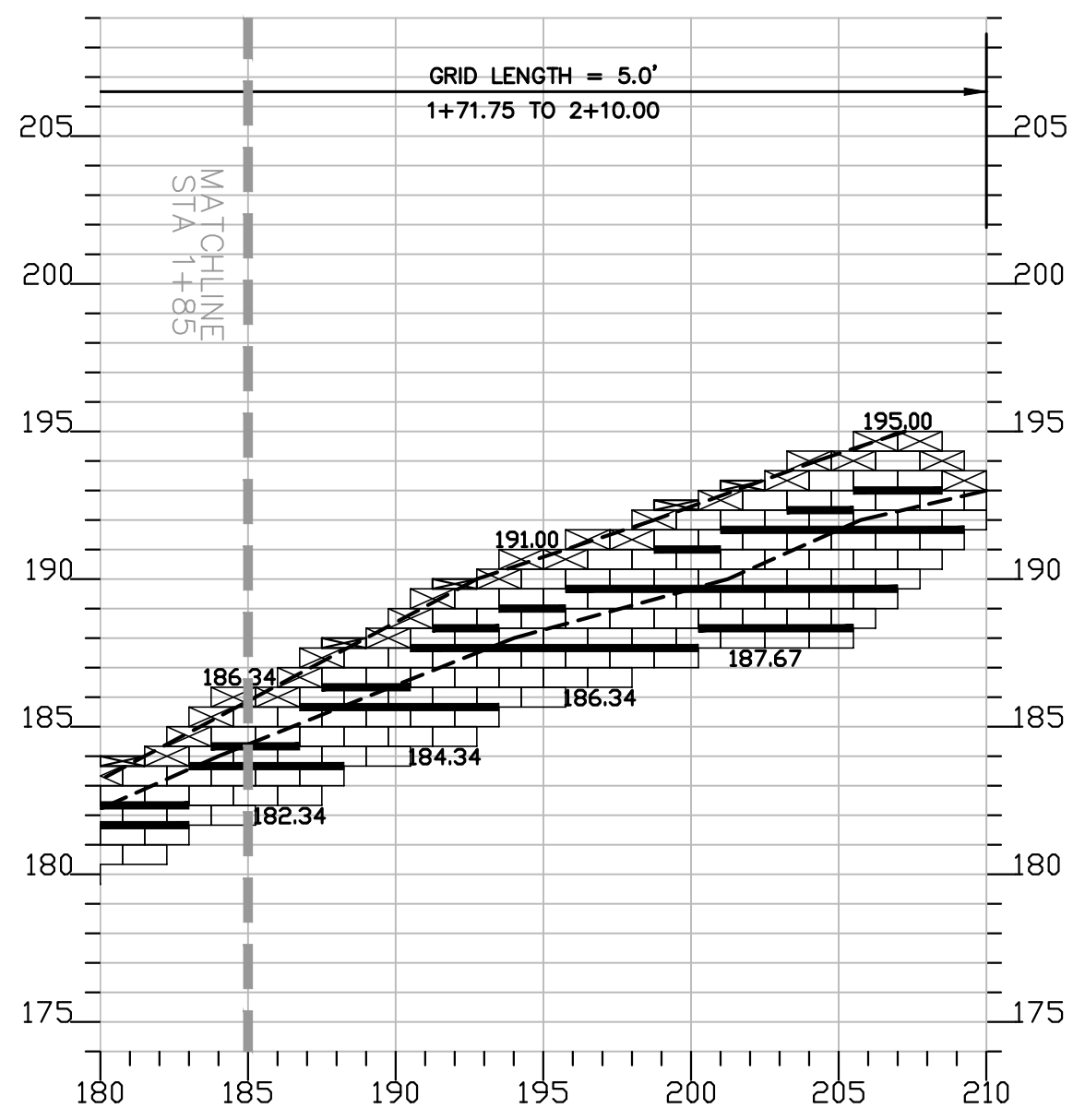
KEYSTONE RETAINING WALL PLAN FOR:

939 BEGONIA COURT  
CARLSBAD, CA  
TITLE SHEET AND NOTES





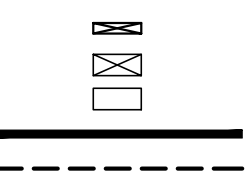
KEYSTONE RETAINING WALL PROFILE  
SCALE: 1"= 6' H:V



KEYSTONE RETAINING WALL PROFILE  
SCALE: 1"= 6' H:V

LEGEND

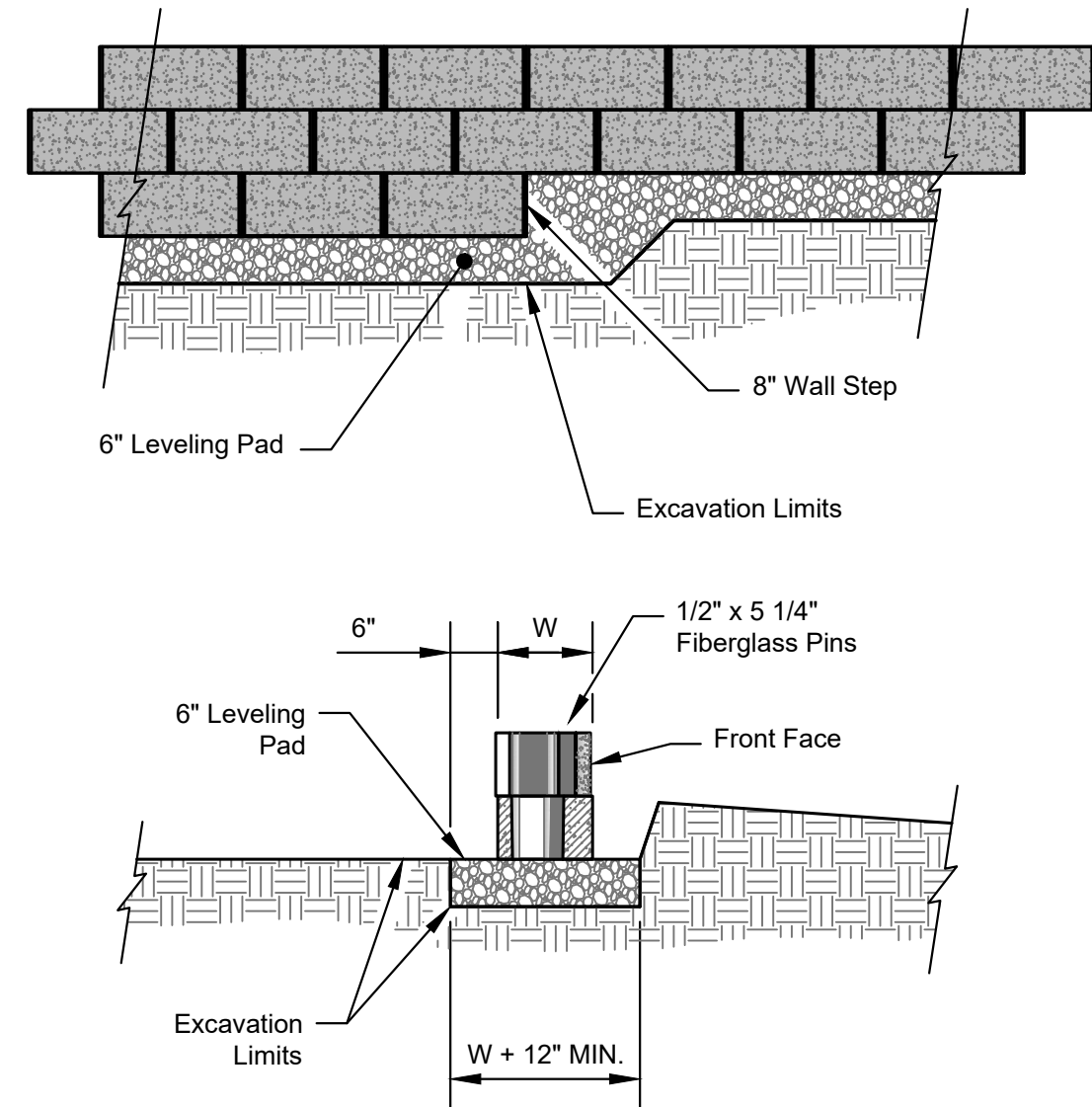
- 4" CAP UNIT
- 8" CAP UNIT
- COMPAC III UNIT
- MIRAFI GRID 3XT
- FINISH GRADE



**M3CE**  
M3 CIVIL ENGINEERING, INC.  
PO BOX 923  
OCEANSIDE, CA 92049  
760-802-1772 MATT@M3CE.COM

KEYSTONE RETAINING WALL PLAN FOR:  
  
939 BEGONIA COURT  
CARLSBAD, CA  
WALL PROFILE  
  
3 OF 4

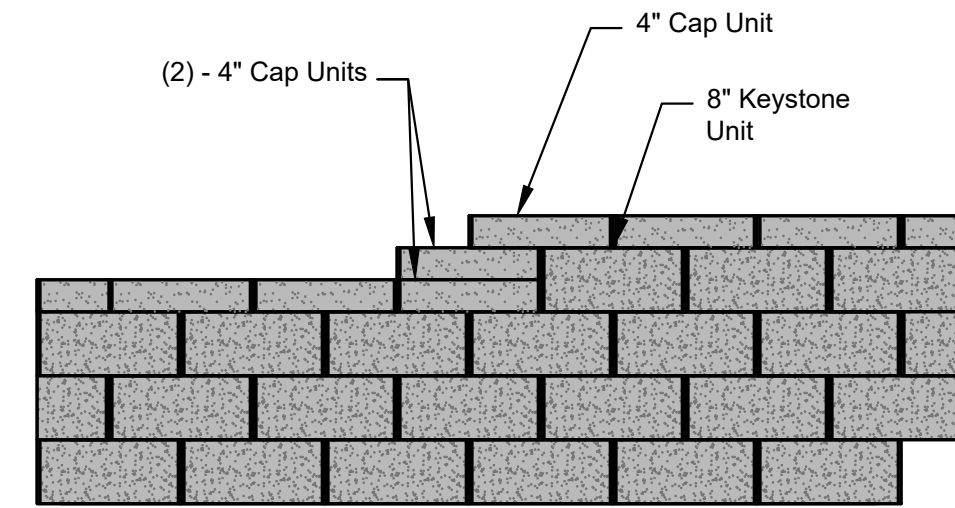




**Note:**

1. The leveling pad is to be constructed of crushed stone or 2000 psi  $\pm$  unreinforced concrete.

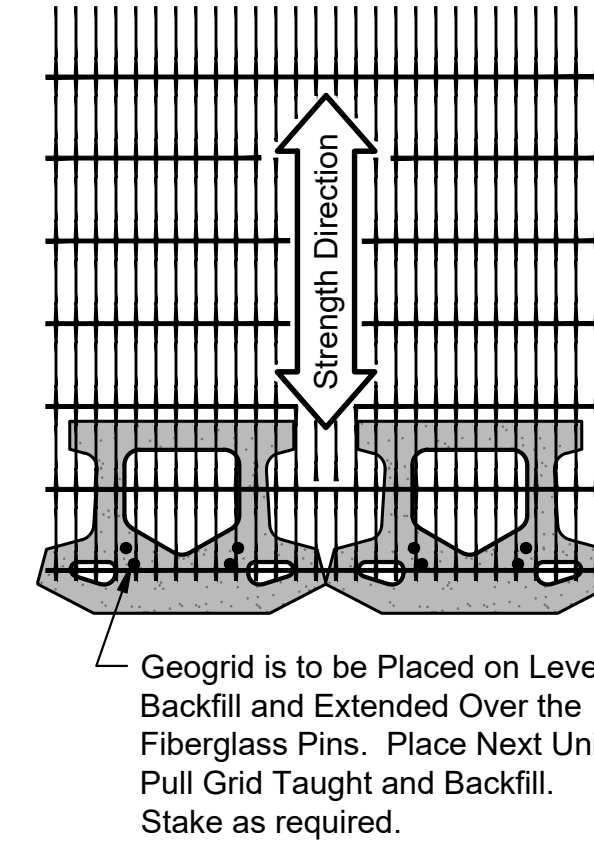
**A** Leveling Pad Detail



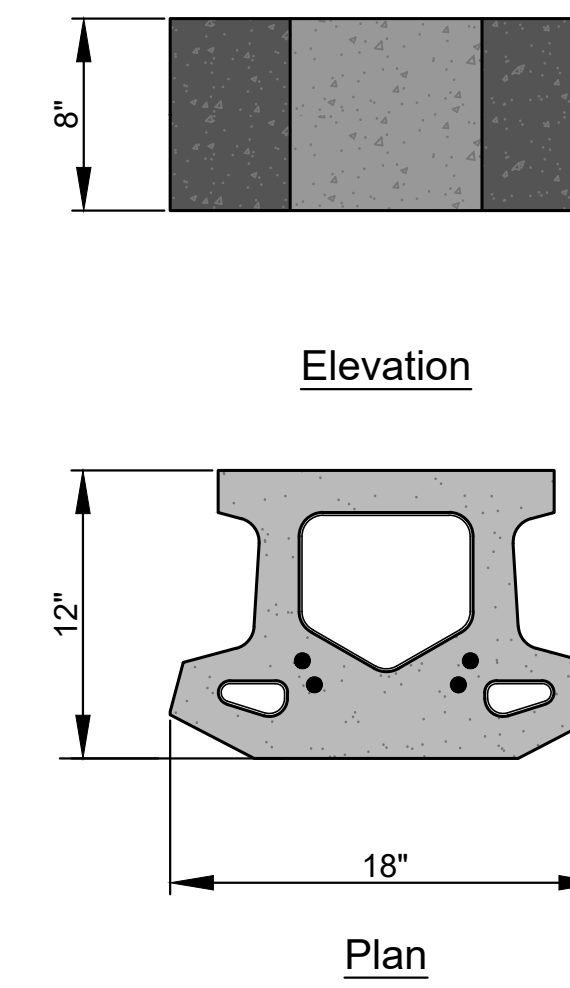
**Note:**

1. Secure all cap units with Loctite PL 500 or equal.

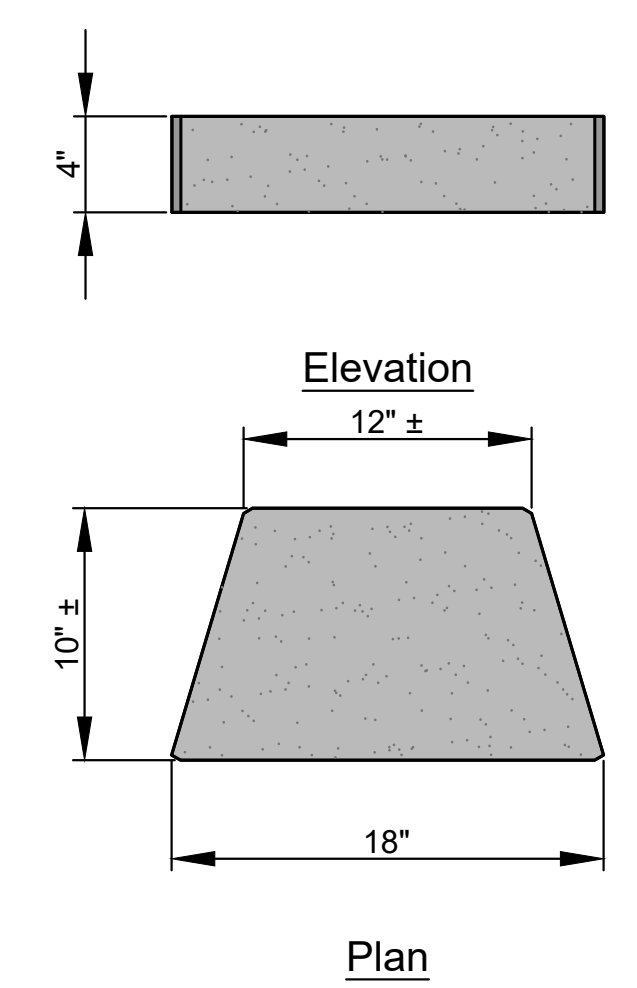
**B** Top of Wall Steps Detail



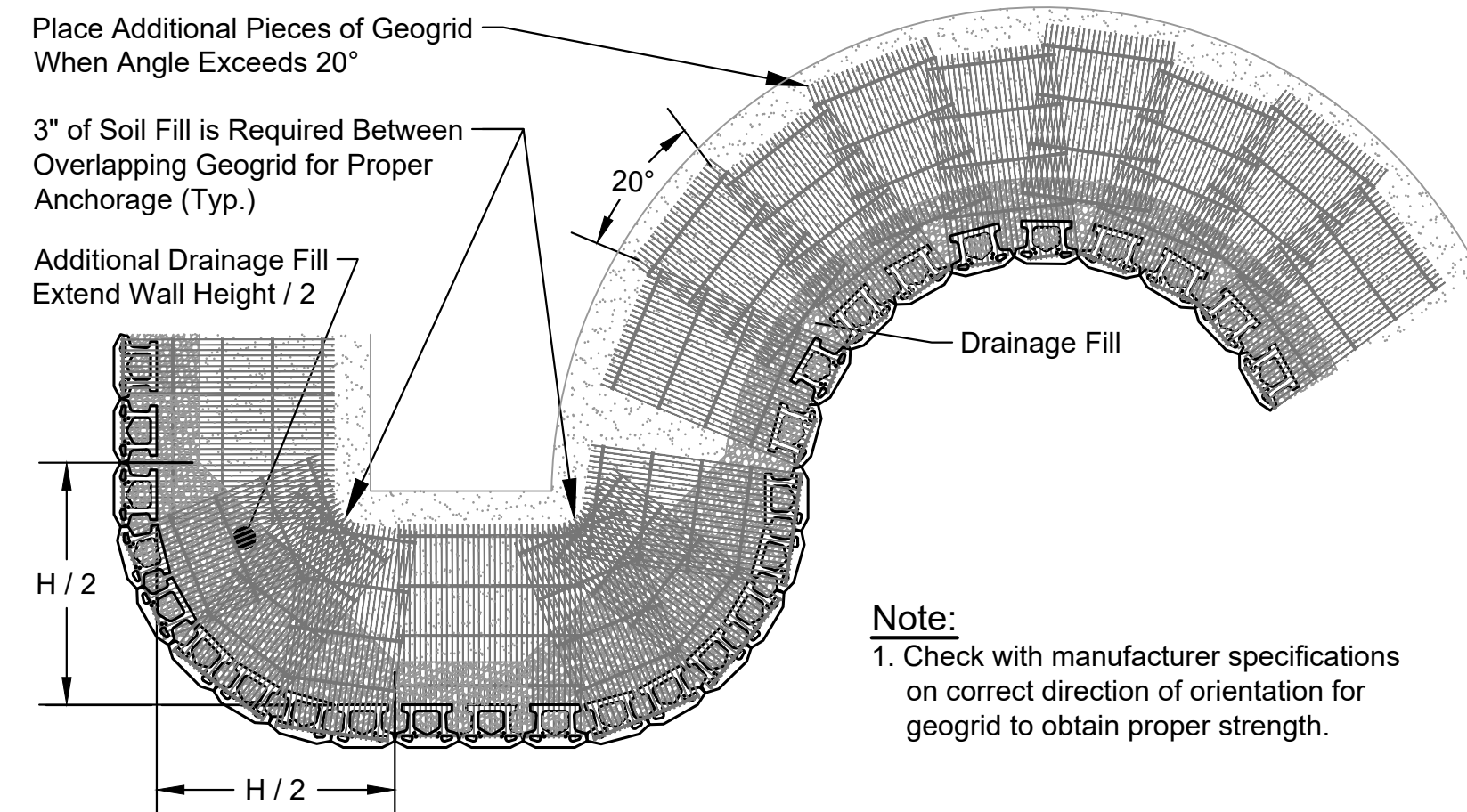
**C** Grid & Pin Connection



**C** Compac III Unit Detail



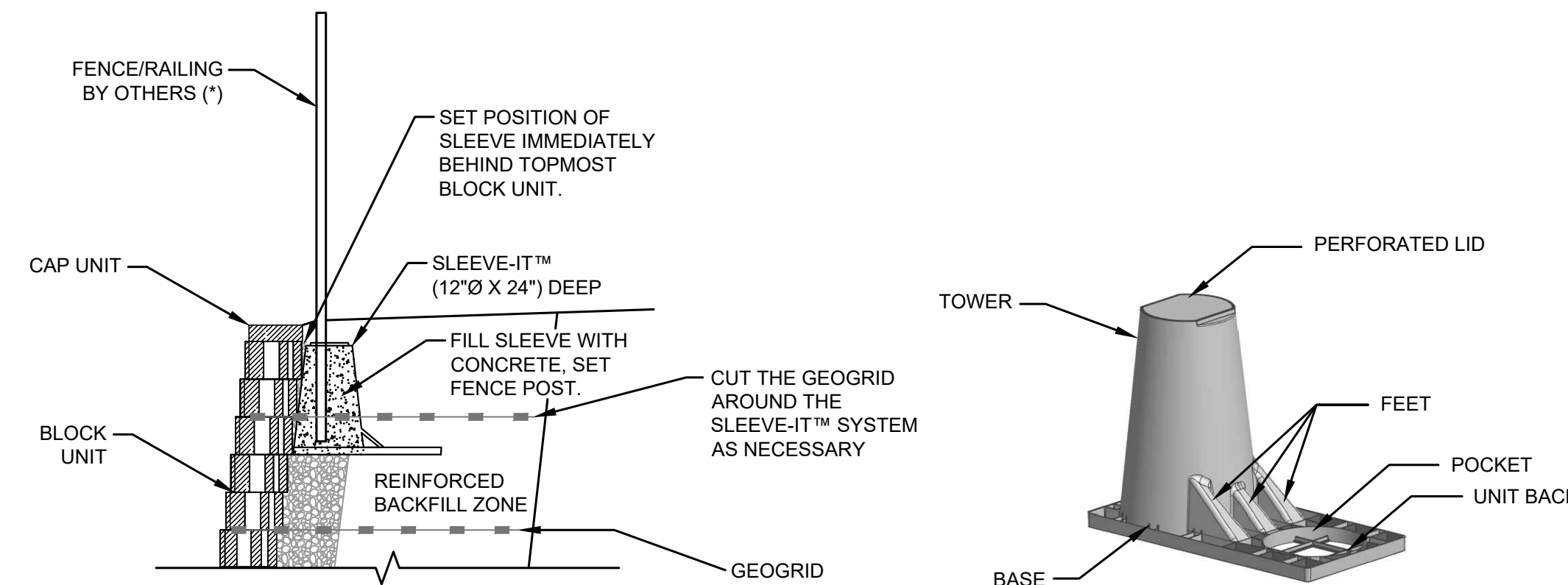
**E** 4" Cap Unit Detail



**Note:**

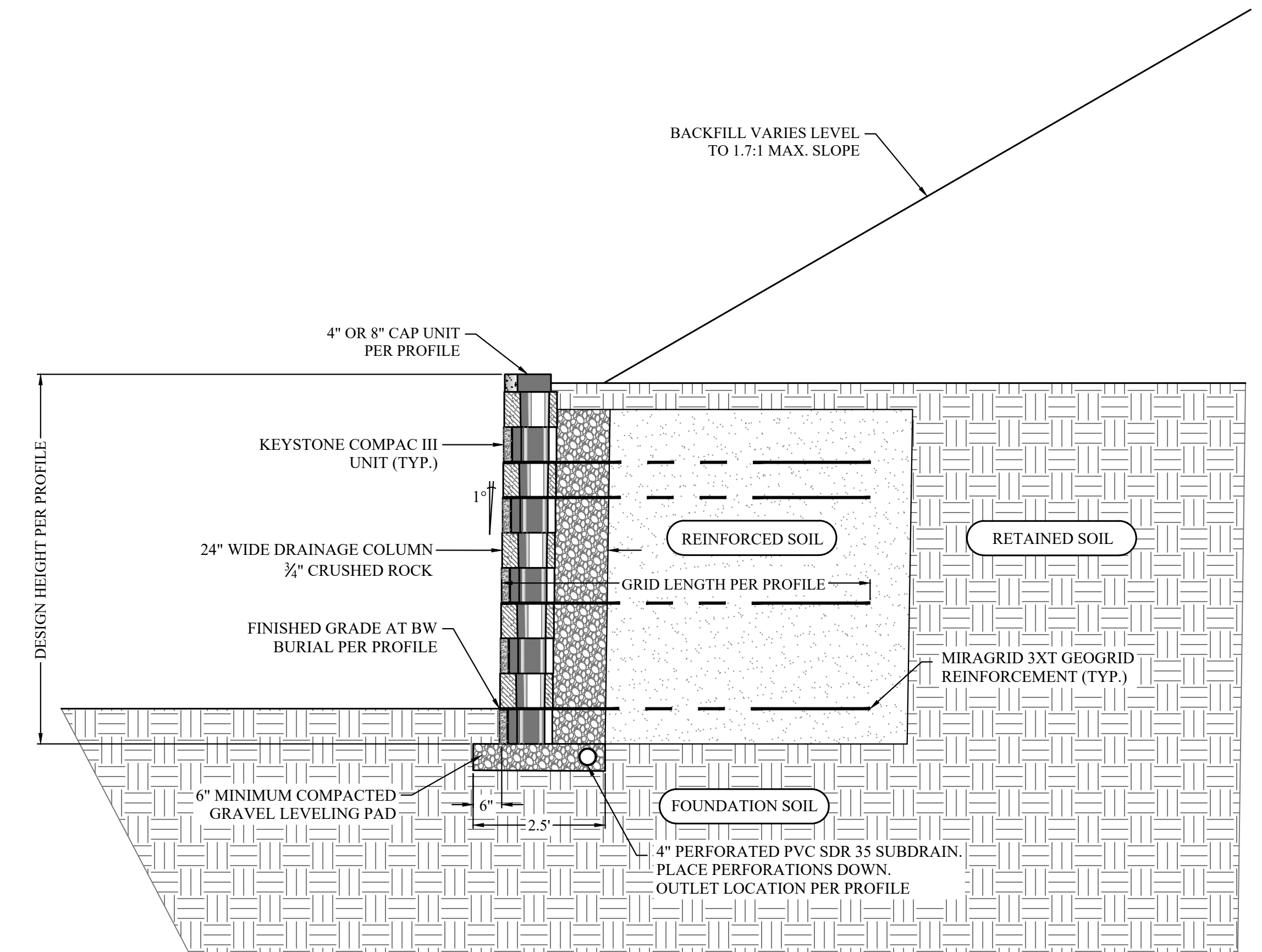
1. Check with manufacturer specifications on correct direction of orientation for geogrid to obtain proper strength.

**F** Geogrid Installation on Curves

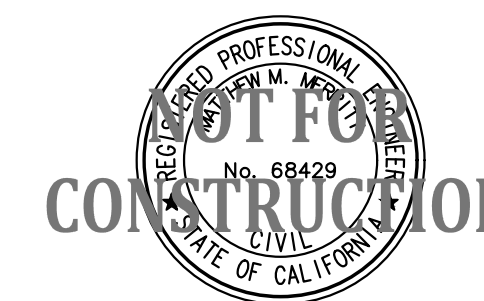


\*FENCING SYSTEMS APPROVED FOR USE WITH THE SLEEVE-IT ARE LIMITED TO THE FOLLOWING HEIGHTS: CHAIN LINK – UP TO 8-FT, PRIVACY – UP TO 6-FT (WOODEN, PVC, METAL). POST SIZE 4"X4" MAX. 10' MAX. POST SPACING.

**G** Detail of Fence Post Installation Using Sleeve-It



**H** Typical Keystone Wall Section



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OCEANSIDE, CA 92049  
760-802-1772 MATT@M3CE.COM

KEYSTONE RETAINING WALL PLAN FOR:  
939 BEGONIA COURT  
CARLSBAD, CA  
SECTION AND DETAILS

## Re. 939 Begonia Court project application





Linda Kranen &lt;lk42@mac.com&gt;

To: Kyle Van Leeuwen

Cc: Priya Bhat-Patel

Retention Policy: Carlsbad Email Retention (2 years)

 You replied to this message on 6/5/2023 8:43 AM. Reply Reply All Forward

...

Sun 6/4/2023 3:48 PM

Expires: 6/3/2025

Kyle,

I'm writing to voice my support for the engineered retaining-wall project\* proposed for the 939 Begonia Court site. The alternative proposed by your department, which I've been told is to bulldoze and regrade the hillside, strikes me as an unpragmatic solution which I would strongly oppose. I urge you to please recommend allowing the permitting and variance for my downhill neighbor's project, which would be less disruptive for the surrounding neighborhood, less hazardous to hillside stability, and more cost-sensitive to one of our city residents. I understand that the existing retaining walls were not properly permitted by the owner, but trying to undo that by massively regrading everything seems punitive to me and not the more rational option at this point. (BTW, I've owned four different hillside homes over the decades, and every hillside was pretty problematic. I'm very aware of the issues and potential solutions involved.)

I understand I'll get notice of a public hearing in the future, and will share my opinion as stated above. Thanks for listening.

Linda L. Kranen  
7305 Lily Pl, Carlsbad

\*Notice of application: CDP2023-0016/V2023-0002 (DEV2020-0134)

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


939 Begonia Court

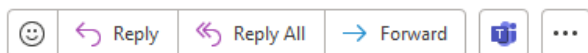


Karl Kasai <karl@kasai-consulting.com>

To: Kyle Van Leeuwen

Retention Policy: Carlsbad Email Retention (2 years)

 You replied to this message on 6/7/2023 7:49 AM.



Expires: 6/5/2025

Tue 6/6/2023 5:16 PM

Dear Mr. Van Leeuwen,

I have received a Notice of Application for retaining wall located at 939 Begonia Court. As a resident of 7205 Wisteria Way, I have several concerns:

1. Retaining walls of this size may impact the stability of the hillsides in my development.
2. Retaining walls that designed to be occupied may impact neighbor's privacy (e.g., visibility and noise)

Please consider these factors when reviewing this application.

Sincerely,

Karl Kasai

M: 760-402-7896 | O: 760-929-9974

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

Fwd: 939 Begonia Court, Carlsbad Project application CDP2023-0016/V2023-...



Tom Ward <qdraws1@gmail.com>


To: Kyle Van Leeuwen



Tue 6/20/2023 4:51 PM

Retention Policy Carlsbad Email Retention (2 years)

Expires 6/19/2025

 You replied to this message on 6/21/2023 7:40 AM.



to: Kyle Van Leeuwen, Associate Planner, from Thomas Ward, 937 Begonia Court, Carlsbad 760-814-1866 [qdraws1@gmail.com](mailto:qdraws1@gmail.com)  
( I sent this yesterday but had typo in my address # so resended it now)

I included 5 photos of 939 wall project and labeled them to show the problems visually. Sound disturbances can only describe as follows: freeway noise hitting this wall from the west bounces down to our home. So does any noise multiple people, pets visitors make on this slope create (even talking in a normal voice) including any time day or night is also amplified by the huge block walls. Invasion of our privacy day or night. A peeping tom's stadium/dream come true. We would not even be able to see them in the dark....creepy. NO recreation should be allowed anytime on it. No musical instruments, horns, bottle rockets, fireworks, sparklers, flashlights, or laser lights shining down on us. Obviously, with business owners of 'Puddle Escapers' being non resident owners, nobody would be controlling this. Best solution for everybody is NO recreation or activity allowed, and only access to maintenance of the plants on the slope allowed.















----- Forwarded Message -----

Exhibit 8

From: Lori Filippo <lorifilippo@yahoo.com>

To: "kyle.vanleeuwen@carslbadca.gov" <kyle.vanleeuwen@carslbadca.gov>

Sent: Tuesday, February 13, 2024 at 04:11:21 PM PST

Subject: CDP 2023-0016/V 2023-0002 (DEV 2020-0134) - BEGONIA COURT RETAINING WALL

Dear Mr. Vanleeuwen,

I am writing to you regarding the hearing which will be held on February 21, 2024, to consider a request for the above-mentioned case no. to allow a series of retaining walls located at 939 Begonia Court in Carlsbad.

I am unable to attend this meeting and therefore would like to formally request a written denial to permit this structure of be kept in place.

I reside directly next door to this address where these series of retaining walls are structured. They are in the rear yard of the above-mentioned address and are exceedingly elevated overlooking my yard, but most importantly, looking into my bedroom windows. Being an Airbnb, the tenants who rent this residence will often climb up these series of balconies and want to look around to see what is visible from that high of an elevation. With doing so, people look directly into my bedroom where I often read, watch tv, sleep and change clothes. It is very intrusive and very creepy!!

I feel that I shouldn't have to constantly keep my drapes and blinds closed morning and night due to these retaining wall and the people that climb onto them.

Attached are 3 photos showing the direct line of vision from these retaining wall into my bedroom windows.

I hope that these pictures describe to you what I see every day and explain to you why I would like to have these retaining removed.

Thank you for your consideration.

Lori Filippo  
941 Begonia Court  
Carlsbad









March 20, 2024

Item #3

55 of 62



## Cynthia Vigeland

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**To:** Eric Lardy  
**Cc:** Planning  
**Subject:** RE: CDP 2023-0016V 2023-0002 (DEV 2020-0134) Begonia Court Retaining Wall February 21, 2024 agenda item

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**From:** j phelps <[jmwp1984@yahoo.com](mailto:jmwp1984@yahoo.com)>  
**Sent:** Sunday, February 18, 2024 3:06 PM  
**To:** Planning <[planning@carlsbadca.gov](mailto:planning@carlsbadca.gov)>; Eric Lardy <[eric.lardy@carlsbadca.gov](mailto:eric.lardy@carlsbadca.gov)>  
**Subject:** CDP 2023-0016V 2023-0002 (DEV 2020-0134) Begonia Court Retaining Wall February 21, 2024 agenda item

Good afternoon, please find attached a comment letter for an agenda item for the planning commission meeting being held on February 21, 2024 at 5 p.m. We do plan to attend the meeting and will request to speak.

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

February 18, 2024  
Planning Commission of the City of Carlsbad  
1635 Faraday Avenue  
Carlsbad, CA 92008

RE: Case No: CDP 2023-0016/V 2023-0002 (DEV 2020-0134) Begonia Court Retaining Wall

Dear Chairman Peter Merz and Planning Commissioners,

***We are writing to express our strong opposition to the proposal*** to grandfather the structural retro fitting of an illegally built “retaining wall” at 939 Begonia Court, Carlsbad, CA 92011.

- It is an obfuscation to call this structure a “retaining wall” as it is an observation deck, which was erected by the property owner to increase the rental rate the property could generate. We note that ***it is very atypical for a “retaining wall” to have built-in steps and seating***. During its erection, we overheard the property owner tell the laborers that no one could make him remove the structure.

There are three compelling reasons for this planning commission to reject this proposal.

1. ***This observation deck has adversely affected ours and surrounding neighbor’s economic and physical well-being.*** The economic damage if this structure is allowed to remain would be actual and permanent, not hypothetical. The actual damage is a loss of privacy in two ways. First, the observation deck allows for direct visibility into the backside of our house and backyard. Second, because of the acoustical effects of the “mini-canyon”, even a causal conversation of people on the observation deck cascades down onto our property. The visual and noise intrusion of this observation deck has diminished our ability to fully use our backyard outdoor experience as well being able to open our windows to enjoy the natural air conditioning our coast is famous for. Our physical well-being has been and will continue to be impaired by the noise blasting down onto our property. This property has and will be used for shorter-term vacation rentals that results in large groups partying well past midnight. This has interrupted our ability to get peaceful sleep on too many nights. I would welcome for any commissioner to conduct a site inspection on our property to acquire a fuller understanding of our privacy loss.
2. ***Removing the observation deck will restore the neighborhood to its prior state and reduce tensions that have led to law enforcement responses.*** This is not an owner-occupied property, instead it is being used for commercial rental purposes. The excessive noise from these short-term commercial rentals required neighbors to seek the help of the Carlsbad Police Department (CPD). CPD would like for you to make their job easier through the removal of this observation deck.
3. ***Send a strong message to irresponsible owners that think the rules or neighborhood decorum do not apply to them through the removal of this observation deck.***

You denied this retroactive permit before, so we implore you to do the right thing again by requiring removal of this observation deck. We pray that you will find the wisdom to return our property back to the “American Dream” status that it was before this monstrosity nightmare was erected.

Jack & Renee Phelps  
956 Whimbrel Court  
Carlsbad, CA 92011



RE: Case No: CDP 2023-0016/V 2023-0002 (DEV 2020-0134) Begonia Court Retaining Wall

**View of Observation Deck from 956 Whimbrel Court Backyard**



**View of Observation Deck & Seating Area from 956 Whimbrel Court Bedroom**





Dec. 7, 2023

VIA EMAIL AND MAIL

Rene Lichtman  
939 Begonia Court  
Carlsbad, CA 92011

**SUBJECT: CDP 2023-0016/V 2023-0002 (DEV2020-0134) - BEGONIA COURT RETAINING WALL  
– CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) APPLICABILITY/PROCESS  
DETERMINATION AND TARGET DECISION DATE**

**CEQA Determination:**

This is to advise you that after reviewing the application for the project referenced above, the City has determined that the following environmental review process (pursuant to CEQA) will be required for the project:

The project is exempt from the provisions of CEQA, pursuant to **CEQA Sections 15061(b)(4) and 15270: CEQA does not apply to projects that a public agency rejects or disapproves**. No environmental review is required for the project.

**Target Decision Date:**

In the interest of expeditiously processing your application consistent with the State Permit Streamlining Act (California Government Code Section 65950), **the project should be scheduled for a public hearing no later than Feb. 7, 2024.**

For additional information related to this CEQA applicability/process determination or should you have any questions regarding an application extension or would like to withdraw your application, please contact Kyle Van Leeuwen at 442-339-2611 or by email at [kyle.vanleeuwen@carlsbadca.gov](mailto:kyle.vanleeuwen@carlsbadca.gov).

Sincerely,

**ERIC LARDY, AICP**  
City Planner

CJ:KVL:mh

c: Valerie Lichtman, 860 Bernard Way, San Bernadino, CA 92404  
John S. Rivera, 1810 Gillespie Way, Suite 207, El Cajon, CA 92020  
David Rick, Project Engineer  
Eric Lardy, City Planner  
Jason Bennett, Code Enforcement  
File Copy

Attachments: Determination of Exemption



# CEQA DETERMINATION OF EXEMPTION

**Subject:** This California Environmental Quality Act (CEQA) Determination of Exemption is in compliance with Carlsbad Municipal Code Section 19.04.060. An appeal to this determination must be filed in writing with the required fee within ten (10) calendar days of the City Planner's decision consistent with Carlsbad Municipal Code Section 21.54.140.

**City Planner Decision Date:** DECEMBER 7, 2023

**Project Number and Title:** CDP2023-0016/V2023-0002 (DEV2020-0134) - BEGONIA COURT RETAINING WALL

**Project Location - Specific:** 939 Begonia Court

**Project Location - City:** Carlsbad

**Project Location - County:** San Diego

**Description of Project:** Coastal Development Permit and Variance to permit a series of retaining walls constructed into an uphill-perimeter manufactured slope with a gradient of greater than 40 percent and an elevation differential greater than 15 feet.

**Name of Public Agency Approving Project:** City of Carlsbad

**Name of Person or Agency Carrying Out Project:** John S. Rivera, Fusion Engineering

**Name of Applicant:** Rene Lichtman

**Applicant's Address:** 939 Begonia Court, Carlsbad, CA 92011

**Applicant's Telephone Number:** (909) 659-4291

**Name of Applicant/Identity of person undertaking the project (if different from the applicant above):**

**Exempt Status: (Check One)**

- ☐ Ministerial (Section 21080(b)(1); 15268);
- ☐ Declared Emergency (Section 21080(b)(3); 15269(a));
- ☐ Emergency Project (Section 21080(b)(4); 15269 (b)(c));
- ☒ Categorical Exemption - State type and section number: CEQA Sections 15061(b)(4) and 15270: CEQA does not apply to projects that a public agency rejects or disapproves.
- ☐ Statutory Exemptions - State code number: \_\_\_\_\_
- ☐ Common Sense Exemption (Section 15061(b)(3))

**Reasons why project is exempt:** Project does not meet the required finding for the requested variance and will be recommended for denial, pursuant to Sections 15061(b)(4) and 15270 of the State CEQA Guidelines because CEQA does not apply to projects that a public agency rejects or disapproves.

**Lead Agency Contact Person:** Kyle Van Leeuwen

**Telephone:** 442-339-2611



ERIC LARDY, City Planner

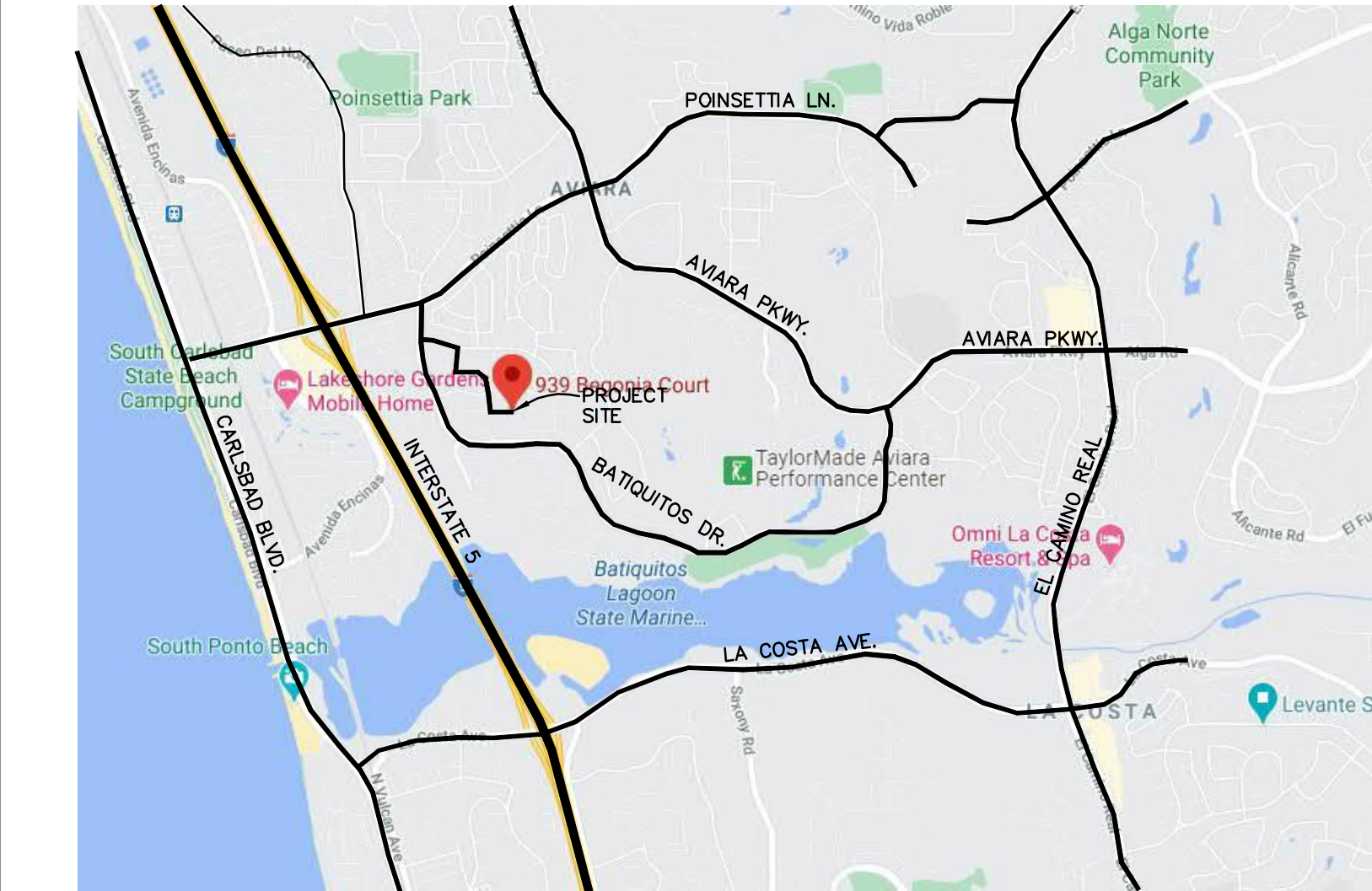
12/7/23  
Date



Exhibit 10



VICINITY MAP



PROPERTY INFORMATION:

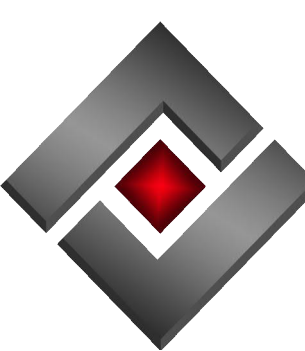
909 BEGONIA COURT CARLSBAD, CA 92011  
APN 214-390-23-00  
LEGAL DESCRIPTION:  
LOT 170 OF LA JOLLA ALTA MAP NO. 7165, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.  
SITE ACREAGE = 0.377 AC  
EXISTING ZONING = R-1  
EXISTING LAND USE = R-4  
PROPOSED LAND USE = R-4  
NO CHANGES PROPOSED TO BUILDING, PARKING, ETC.  
TOTAL BUILDING COVERAGE = 2.802  
BUILDING SQUARE FOOTAGE = 3,440  
PERCENT LANDSCAPING = 20%

OWNER INFORMATION:

OWNER:  
VALERIE LICHTMAN REVOCABLE TRUST DATED JUNE 12, 2003  
VALERIE LICHTMAN, TRUSTEE  
860 BERNARD WAY  
SAN BERNARDINO, CA 92404  
ISQUAREDC@CHARTER.NET  
909-659-4291  
APPLICANT:  
RENE LICHTMAN  
860 BERNARD WAY  
SAN BERNARDINO, CA 92404  
ISQUAREDC@CHARTER.NET  
909-659-4291



PREPARED BY:



FUSION ENGINEERING & TECHNOLOGY  
1810 GILLESPIE WAY, #207  
EL CAJON, CA 92020  
(619) 736-2800

PRE-PROJECT SITE PLAN  
LICHMAN RESIDENCE  
939 BEGONIA COURT  
CITY OF CARLSBAD, CALIFORNIA

SHEET  
1  
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## LIST OF ACRONYMS AND ABBREVIATIONS

EXHIBIT 11

This is a list of acronyms and abbreviations (in alphabetical order) that are commonly used in staff reports.

Acronym	Description	Acronym	Description
APA	American Planning Association	LCPA	Local Coastal Program Amendment
APN	Assessor Parcel Number	LOS	Level of Service
AQMD	Air Quality Management District	MND	Mitigated Negative Declaration
BMP	Best Management Practice	NCTD	North County Transit District
CALTRANS	California Department of Transportation	ND	Negative Declaration
CC	City Council	PC	Planning Commission
CCR	Conditions, Covenants and Restrictions	PDP	Planned Development Permit
CEQA	California Environmental Quality Act	PEIR	Program Environmental Impact Report
CFD	Community Facilities District	PUD	Planned Unit Development
CIP	Capital Improvement Program	ROW	Right of Way
COA	Conditions of Approval	RWQCB	Regional Water Quality Control Board
CofO	Certificate of Occupancy	SANDAG	San Diego Association of Governments
CT	Tentative Parcel Map	SDP	Site Development Permit
CUP	Conditional Use Permit	SP	Specific Plan
DIF	Development Impact Fee	SWPPP	Storm Water Pollution Prevention Program
DISTRICT	City Council Member District Number	TM	Tentative Map
EIR	Environmental Impact Report	ZC	Zone Change
EIS	Environmental Impact Statement (federal)		
EPA	Environmental Protection Agency		
FEMA	Federal Emergency Management Agency		
GP	General Plan		
GPA	General Plan Amendment		
GIS	Geographic Information Systems		
HCA	Housing Crisis Act 2019		
IS	Initial Study		