

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA  
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 SAN DIEGO, CA 92108-4402  
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## Th 11a

Addendum

December 31, 2008

To: Commissioners and Interested Persons

From: California Coastal Commission  
 San Diego Staff

Subject: Addendum to **Item 11a, City of Carlsbad LCP Amendment #1-07B (Planned Development Regulations)**, for the Commission Meeting of January 8, 2009.

Since the time of the staff report, the City has identified one further modification to be made to its proposed Planned Developments Regulations. The City has requested one additional revision to the requirements for private recreational space associated with one or two family dwellings; the change is to Sug. Mod. #5 shown below and allows the required recreational space, such as a balcony or deck, to be located on any level of the structure. This requested modification does not present any Coastal Act concerns; as such, staff recommends the following changes be made to the above-referenced staff report. For the Suggested Modification that is being amended from the original report, additional language is noted with double underlining and language to be deleted is noted with ~~double strikethrough~~. There is also one editorial correction needed in the staff report as shown below. Staff recommends the Commission ADOPT these minor revisions to the staff report, dated December 19, 2008.

1. Amend Suggested Modification #5, Table E of Section 21.45.080, as follows:

E.8	Private Recreational Space	<u>One-family, two-family, and multiple-family dwellings</u>	<u>Required private recreational space shall be designed so as to be functional, usable, and easily accessible from the dwelling it is intended to serve.</u>		
			<u>Required private recreational space shall be located adjacent to the unit the area is intended to serve.</u>		
			<u>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.</u>		
		One-family and two-family dwellings	Minimum total area per unit	Projects not within the RMH or <u>RH general plan designations</u>	400 square feet <del>(may consist of more than one recreational space)</del>
				Projects within the RMH or <u>RH general plan designations</u>	<u>200 square feet</u>

			<u>May consist of more than one recreational space.</u>					
			<u>May be provided at ground level and/or as a deck/balcony on a second/third floor or roof. ; however, if the dwelling has ground level living space, recreation space shall be provided at ground level as specified in this section.</u>					
			Minimum dimension of recreational space	15 feet				
			<u>If provided at ground level</u>	<u>Minimum dimension</u>	<u>Not within the RMH or RH general plan designations</u>	15 feet		
					<u>Within the RMH or RH general plan designations</u>	10 feet.		
				<u>Shall not have a slope gradient greater than 5%.</u>				
				<u>Attached solid patio covers and second story decks/balconies may project into a required private recreational space, subject to the following:</u> <ul style="list-style-type: none"><li>• <u>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).</u></li><li>• <u>The length of the projection shall not be limited, except as required by any setback or lot coverage standards..</u></li></ul>				
				<u>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).</u>				
			E.8, cont.	Private Recreational Space, cont.	<u>If provided as a deck/ balcony on a second/third floor or roof</u>	<u>Minimum dimension</u>	6 feet	
						<u>Minimum area</u>	60 square feet	
<u>Required private recreational space shall be located at ground level and designed so as to be functional, usable, and easily accessible from the dwelling it is intended to serve, and shall not have a slope gradient greater than 5%.</u>								
<u>Required private recreational space shall be located adjacent to the unit the area is intended to serve.</u>								
<u>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.</u>								
<u>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).</u>								
<u>Attached solid patio covers and second story decks/balconies may project into a required private recreational space, subject to the following:</u> <ul style="list-style-type: none"><li>• <u>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).</u></li><li>• <u>The length of the projection shall not be limited, except as required by any setback or lot coverage standards..</u></li></ul>								
<u>The patio cover/deck/balcony shall comply with all applicable standards, including the required setbacks specified in Section 21.45.090.</u>								
Multiple-family dwellings	Minimum total area per unit (patio, porch, or balcony)				60 square feet			
	Minimum dimension of patio, porch or balcony				6 feet			

			Required private recreational space shall be functional, usable, and easily accessible from the dwelling it is intended to serve.
			Projects of 11 or more units that are within the RH 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.

2. Modify the last paragraph starting on Page 13, and ending on Page 14 as follows:

Presently, the Planned Development Regulations have conservative requirements for residential and visitor parking, minimum open space areas, recreational vehicle storage, building height, and setbacks. Because of this, applicants seeking to develop such projects are unable to construct the number of units needed to reach the minimum density required under the various general plan and zoning designations. Both the City's General Plan and State Law require that the City shall ~~not only~~ approve developments below the minimum density of the underlying Land Use designation. Based on a review by the City, residential projects with additional development standards (such as Planned Development Regulations) have generally been unable to achieve the City's planned densities. This is also the case with developments on lots that currently have sensitive habitat and therefore must be found consistent with the City's Habitat Management Plan. The proposed modifications to the City's implementation plan are intended to allow these types of developments to reach their planned density requirements by modifying ~~various~~ certain specified standards that do not diminish any resource protection measures of the LCP or adversely affect coastal access opportunities.

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
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December 19, 2008

# Th 11a

**TO: COMMISSIONERS AND INTERESTED PERSONS**

**FROM: SHERILYN SARB, DEPUTY DIRECTOR, SAN DIEGO COAST DISTRICT  
DEBORAH LEE, DISTRICT MANAGER, SAN DIEGO COAST DISTRICT  
TONI ROSS, COASTAL PROGRAM ANALYST, SAN DIEGO COAST DISTRICT**

**SUBJECT: STAFF RECOMMENDATION ON CITY OF CARLSBAD MAJOR  
AMENDMENT 1-07B (Planned Development Regulations) for Commission  
Meeting of January 7-9, 2009.**

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## **SYNOPSIS**

The subject LCP implementation plan amendment was submitted and filed as complete on November 1, 2007. A one-year time extension was granted on January 10, 2008. Since the amendment package contained both Land Use Plan and Implementation Plan amendments, the Commission had at least 90 days to review once filed. As such, the last date for Commission action on this item is the January, 2009 hearing. The LCP amendment was submitted by the City with three components: DKN Hotel (1-07A), Planned Development Regulations (1-07B), and La Costa Glen Corporate Center (1-07C). Both components "A" and "C" have been approved at a prior Commission meeting and this portion, "B" is the final component in this submittal.

## **SUMMARY OF AMENDMENT REQUEST**

The subject LCP amendment proposes changes to the zoning regulations pertaining to Planned Development. The proposed amendment will modify language in three chapters of the City's Zoning Ordinance including Planned Development (21.45), Parking (21.44) and the Beach Area Overlay (21.82). The proposed modifications will affect all segments of the City's certified LCP, as well as the Habitat Management Plan (HMP), as Planned Developments are often proposed on large vacant parcels within the HMP Area. A Planned Development consists of single family or twin-home developments on lots less than 7,500 square feet, condominium developments, condominium conversions, and any development that includes in its proposal the construction of a private street. Specifically, the proposed amendment would modify language pertaining to a range of development standards for such projects. These standards include:

- Reducing drive-aisle width from 24' to 20' or 12' if 3 or fewer dwelling units
- Reduce drive-aisle setbacks from 8' to 5' (residence) or 5' to 3' (garage)
- Reduce number of visitor spaces required and allow visitor parking to be counted on driveways

- Reduce community recreational space from 200 square feet to 150 square feet in areas located within the Residential High (RH) land use designation
- Increase the number of units from 25 to 100 before recreational vehicle parking is required
- Remove the requirement for recreational vehicle parking in lands designated Residential High (RH) or Residential Medium High (RMH)
- Increase lot coverage from 40% to 45% on lots greater than 5,000 square feet, for single-family or twin-home developments
- Modify street setback from 12' average to 10' minimum for single-family or twin-home developments
- Modify private recreational space requirements from 324-625 square feet (depending on units and minimum width) to 400 square feet
- Increase building height from 35' to 40' in certain areas and only for projects designated RH
- Reduce minimum building separation from 20' average and 10' minimum to only the 10' minimum requirement
- Allow for tandem parking for 25% of the project units on lands designated RH
- Reduce parking for 1-bedroom units from 2 spaces/unit to 1.5 space/unit

The existing regulations, taken together, prevent some projects from reaching the required minimum densities. The amendment request would allow lots to reach the allowable densities on constrained/small lots and on infill projects,.

The proposed amendment also includes various "house-keeping" changes to the existing language to clarify regulations and provide a clear and easy-to-interpret document.

### **SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending the Implementation Plan Amendment be approved with six suggested modifications. The suggested modifications included in this recommendation have all been proposed by the City of Carlsbad. Since the time the City first submitted the proposed amendment, it has submitted additional modifications that are designed to further address the intent of the amendment, and to clarify any confusion that has come from the proposed modifications. The City has already included the original language in its General Plan and has been using these updated policies for development outside of the Coastal Zone. During this time, various typos, and confusing/unclear language have been identified. The City's requested suggested modifications are intended to address these issues. There no other coastal concerns associated with the proposed amendment and therefore, no other modifications are recommended based on the certified land use plan(s).

The appropriate resolutions and motions begin on Page 5. The suggested modifications begin on Page 6. The findings for denial of the Implementation Plan Amendment as submitted begin on Page 10. The findings for approval of the plan, if modified, begin on Page 12.

**ADDITIONAL INFORMATION**

Further information on the City of Carlsbad's LCP amendment 1-07B (Planned Development Regulations) may be obtained from Toni Ross, Coastal Planner, at (619) 767-2370.

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## **PART I. OVERVIEW**

### **A. LCP HISTORY**

The City of Carlsbad certified LCP contains six geographic segments as follows: Agua Hedionda, Mello I, Mello II, West Batiquitos Lagoon/Sammis Properties, East Batiquitos Lagoon/Hunt Properties and Village Redevelopment. Pursuant to Sections 30170(f) and 30171 of the Public Resources Code, the Coastal Commission prepared and approved two portions of the LCP, the Mello I and II segments in 1980 and 1981, respectively. The West Batiquitos Lagoon/ Sammis Properties segment was certified in 1985. The East Batiquitos Lagoon/Hunt Properties segment was certified in 1988. The Village Redevelopment Area LCP was certified in 1988; the City has been issuing coastal development permits there since that time. On October 21, 1997, the City assumed permit jurisdiction and has been issuing coastal development permits for all segments except Agua Hedionda. The Agua Hedionda Lagoon LCP segment is a deferred certification area until an implementation plan for that segment is certified. The subject amendment request affects all segments of the LCP.

### **B. STANDARD OF REVIEW**

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

### **C. PUBLIC PARTICIPATION**

The City has held Planning Commission and City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

## **PART II. LOCAL COASTAL PROGRAM SUBMITTAL - RESOLUTIONS**

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

- I. **MOTION I:** *I move that the Commission reject the Implementation Program Amendment for the City of Carlsbad LCPA 1-07B as submitted.*

### **STAFF RECOMMENDATION OF REJECTION:**

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Program and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

### **RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AS SUBMITTED:**

The Commission hereby denies certification of the Implementation Program Amendment submitted for the City of Carlsbad LCPA 1-07B and adopts the findings set forth below on grounds that the Implementation Program as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan as amended. Certification of the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted

- II. **MOTION II:** *I move that the Commission certify the Implementation Program Amendment for the City of Carlsbad LCPA 1-07B if it is modified as suggested in this staff report.*

### **STAFF RECOMMENDATION:**

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.



**RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM  
AMENDMENT WITH SUGGESTED MODIFICATIONS:**

The Commission hereby certifies the Implementation Program Amendment for the City of Carlsbad LCPA 1-07B if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program Amendment, with the suggested modifications, conforms with and is adequate to carryout the certified Land Use Plan as amended. Certification of the Implementation Program Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

**PART III. SUGGESTED MODIFICATIONS**

Staff recommends the following suggested revisions to the proposed Implementation Plan be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

**1. SUGGESTED MODIFICATION #1**

Amend Table C (General development Standards Applicable to all Planned Development - visitor parking) of Section 21.45.060, Planned Development, as follows:

C.7	<i>Location of Visitor Parking</i>	On Private/ Public Streets	<u>On-street visitor parking is permitted on private/public streets, subject to the following: As parallel parking along public/private street(s) (minimum 34 feet wide curb to curb), as follows:</u>	
			<ul style="list-style-type: none"> <li><u>The private/public street is a minimum 34-foot wide (curb-to-curb)</u></li> <li><u>There are no restrictions that would prohibit on-street parking where the visitor parking is proposed</u></li> <li><u>The visitor parking spaces may be located:</u> <ul style="list-style-type: none"> <li>Along <u>one or</u> both sides of any private/public street(s) located within the project boundary, <u>and</u></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>	
			In parking bays along <del>driveways, drive aisles, or</del> public/private streets within the project boundary, <u>provided the parking bays are outside the minimum required street right-of-way width.</u>	
			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.	
			Within the Beach Area Overlay Zone, on-street parking shall not count toward meeting the visitor parking requirement.	
		On Drive-aisles	Visitor parking must be provided in parking bays that are located outside the required minimum drive-aisle width.	
		On a Driveway	Outside the	One required visitor parking space may be credited for each driveway in a project that has a depth of 40 feet or more.

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			Beach Area Overlay Zone	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.
			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.
				<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>

**2. Suggested Modification #2.**

Amend Table C of Section 21.45.060 (General development Standards Applicable to all Planned Development - Utilities), Planned Developments, as follows:

C.11	Utilities	Separate utility systems shall be provided for each unit.
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**3. Suggested Modification #3.**

Amend Table D of Section 21.45.070 (Small-lot Single Family and Two Family Dwelling Development Standards - Building Height), Planned Developments, as follows:

D.11	Maximum Building Height/ Number of Stories	Same as required by the underlying zone, <del>and not to exceed two stories</del> <sup>(5)</sup>
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**4. Suggested Modification #4.**

Amend Table E of Section 21.45.080 (Multiple Dwelling Development Standards - Minimum Setbacks), Planned Developments, as follows:

E.5	Minimum Building	From a private or public street <sup>(2) (3)</sup>	Residential structure	10 feet
			Direct entry garage	20 feet

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Setbacks		From a drive-aisle <sup>(4)</sup>	Residential structure all floors, except as specified below).	5 feet, fully landscaped (walkways providing access to dwelling entryways may be located within required landscaped area)
			Residential structure – 2 <sup>nd</sup> & 3 <sup>rd</sup> floors directly above a garage	0 feet when projecting over the front of a garage
			Garage	3 feet
				Garages facing directly onto a drive-aisle shall be equipped with an automatic garage door opener.
			2 <sup>nd</sup> & 3 <sup>rd</sup> floor 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>
		From the perimeter property lines of the project site (not adjacent to a public/private street)	The building setback from an interior side or rear perimeter property line shall be the same as required by the underlying zone for an interior side or rear yard setback.	

### 5. Suggested Modification #5

Amend Table E of Section 21.45.080 (Multiple Dwelling Development Standards - Private Recreational Space), Planned Developments, as follows:

E.8	Private Recreational Space	<u>One-family, two-family, and multiple-family dwellings</u>	<u>Required private recreational space shall be designed so as to be functional, usable, and easily accessible from the dwelling it is intended to serve.</u>				
			<u>Required private recreational space shall be located adjacent to the unit the area is intended to serve.</u>				
			<u>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.</u>				
		One-family and two-family dwellings	Minimum total area per unit	<u>Projects not within the RMH or RH general plan designations</u>		400 square feet ( <del>may consist of more than one recreational space</del> )	
				<u>Projects within the RMH or RH general plan designations</u>		<u>200 square feet</u>	
			<u>May consist of more than one recreational space.</u>				
			<u>May be provided at ground level and/or as a deck/balcony on a second/third floor or roof; however, if the dwelling has ground level living space, recreation space shall be provided at ground level as specified in this section.</u>				
			Minimum dimension of recreational space	15 feet			
			<u>If provided at ground level</u>	Minimum dimension	<u>Not within the RMH or RH general plan designations</u>		15 feet
					<u>Within the RMH or RH general plan designations</u>		10 feet.

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			<p>Shall not have a slope gradient greater than 5%.</p> <p><u>Attached solid patio covers and second story decks/balconies may project into a required private recreational space, subject to the following:</u></p> <ul style="list-style-type: none"> <li><u>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).</u></li> <li><u>The length of the projection shall not be limited, except as required by any setback or lot coverage standards..</u></li> </ul> <p><u>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).</u></p>
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E.8, cont.	Private Recreational Space, cont.	One-family and two-family dwellings, cont.	<u>If provided as a deck/ balcony on a second/third floor or roof</u>	<u>Minimum dimension</u>	<u>6 feet</u>
				<u>Minimum area</u>	<u>60 square feet</u>
			<del>Required private recreational space shall be located at ground level and designed so as to be functional, usable, and easily accessible from the dwelling it is intended to serve, and shall not have a slope gradient greater than 5%.</del>		
			<del>Required private recreational space shall be located adjacent to the unit the area is intended to serve.</del>		
			<del>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.</del>		
			<del>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).</del>		
			<del>Attached solid patio covers and second story decks/balconies may project into a required private recreational space, subject to the following:</del> <ul style="list-style-type: none"><li><del>• 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).</del></li><li><del>• The length of the projection shall not be limited, except as required by any setback or lot coverage standards..</del></li></ul> <del>The patio cover/deck/balcony shall comply with all applicable standards, including the required setbacks specified in Section 21.45.090.</del>		
		Multiple-family dwellings	Minimum total area per unit (patio, porch, or balcony)	60 square feet	
			Minimum dimension of patio, porch or balcony	6 feet	
			<del>Required private recreational space shall be functional, usable, and easily accessible from the dwelling it is intended to serve.</del>		
Projects of 11 or more units that are within the RH 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.					

**6. Suggested Modification #6.**

Amend Section 21.82.050 (Building height) of the Beach Area Overlay Zone as follows:

21.82.050 Building height.

A. No newly constructed, reconstructed, altered or enlarged residential structure within the beach area overlay zone shall exceed thirty feet ~~and two stories~~ if a minimum 3/12 roof pitch is provided or twenty-four feet ~~and two stories~~ if less than a 3/12 roof pitch is provided. ~~Building height shall be measured as defined in Section 21.04.065 of this title. Underground parking areas and basements shall not be considered a story. In the case of underground parking as defined in Section 21.04.370 of this title, or basements as defined in Section 21.04.045 of this title, building height shall be measured from the existing grade.~~

#### **PART IV. FINDINGS FOR REJECTION OF THE CITY OF CARLSBAD IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED**

##### **A. AMENDMENT DESCRIPTION**

The subject LCP amendment proposes changes to the zoning regulations pertaining to Planned Development. The proposed amendment will modify language in three chapters of the City's Zoning Ordinance including Planned Development (21.45), Parking (21.44) and the Beach Area Overlay (21.82). The proposed modifications will affect all segments of the City's certified LCP, as well as the Habitat Management Plan (HMP), as Planned Developments are often proposed on large vacant parcels within the HMP Area. A Planned Development consists of single family or twin-home development on lots less than 7,500 square feet, condominium developments, condominium conversions, and any development that includes in its proposal the construction of a private street. The amendment request would modify several of the standards for these types of developments, to allow lots to reach the allowable densities on constrained/small lots and for infill proposals. Specifically, the proposed amendment would modify language pertaining to a range of development standards. These standards include:

- Reducing drive-aisle width from 24' to 20' or 12' if 3 or fewer dwelling units
- Reduce drive-aisle setbacks from 8' to 5' (residence) or 5' to 3' (garage)
- Reduce number of visitor spaces required and allow visitor parking to be counted on driveways
- Reduce community recreational space from 200 square feet to 150 square feet in areas located within the Residential High (RH) land use designation
- Increase the number of units from 25 to 100 before recreational vehicle parking is required
- Remove the requirement for recreational vehicle parking in lands designated Residential High (RH) or Residential Medium High (RMH)
- Increase lot coverage from 40% to 45% on lots greater than 5,000 square feet, for single-family or twin-home developments

- Modify street setback from 12' average to 10' minimum for single-family or twin-home developments
- Modify private recreational space requirements from 324-625 square feet (depending on units and minimum width) to 400 square feet
- Increase building height from 35' to 40' in certain areas and only for projects designated RH
- Reduce minimum building separation from 20' average and 10' minimum to only the 10' minimum requirement
- Allow for tandem parking for 25% of the project units on lands designated RH
- Reduce parking for 1-bedroom units from 2 spaces/unit to 1.5 space/unit

The proposed amendment also includes various "house-keeping" changes to the existing language to clarify regulations and provide a clear and easy-to-interpret document.

#### **B. SUMMARY FINDINGS FOR REJECTION**

The City has addressed all possible coastal issues in a comprehensive manner. The suggested modifications listed above were included at the request of the City. The changes proposed by the City's original LCP amendment have already been incorporated into the City's Implementation Plan for projects outside the Coastal Zone. Between the time the City adopted the language and the present time, the City has become aware of six additional minor changes that they are asking to be added to the proposed amendment. These changes include:

- Modifications to the visitor parking requirements;
- Modifications to remove the requirement for separate utility systems for each unit in a Planned Development project;
- Modifications to limit one-family dwellings and twin homes on small lots to two stories only if the underlying zone limits residential development to two stories;
- Modifications to allow 2<sup>nd</sup> & 3<sup>rd</sup> floor balconies/decks (unenclosed & uncovered) to cantilever over a drive-aisle;
- Modifications to reduce the required private recreation space for condominium projects; and
- Modifications to the Beach Area Overlay Zone to remove the 2-story limitation. Building height will still be limited to 30 feet.

#### **B. SPECIFIC FINDINGS FOR REJECTION**

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP.

a) Purpose and Intent of the Ordinance. The purpose and intent of the Planned Development Regulations are to set standards and restrictions on various specific types of developments. These developments include single-family or twin-homes on lots less than 7,500 square feet, condominium developments/conversions, and developments proposing the construction of a private road. The ordinance also provides for small-lot

subdivisions, two-family and multiple family dwellings on existing R-1 zoned properties when the project site contains sensitive biological resources as identified in the Carlsbad Habitat Management Plan.

b) Major Provisions of the Ordinance. Major provisions of the ordinance include various requirements typically included in residential development. These requirements include: where a Planned Development may occur, as well as, general development standards including: residential parking, visitor parking, recreational vehicle parking, setbacks, open space, lighting, utilities, lot coverage, etc.

c) Adequacy of the Ordinance to Implement the Certified LUP Segments. The ordinance as submitted will adequately implement the certified LUP. However, the suggested are at the request of the City. The City's modifications will serve to further clarify the ordinance and ensure better administration of the City's LCP. The Commission therefore denies the Implementation Plan as submitted.

## **PART V. FINDINGS FOR APPROVAL OF THE CITY OF CARLSBAD 1-07B IMPLEMENTATION PLAN AMENDMENT, IF MODIFIED**

### **A. Conformance with the City's Certified LCP**

The proposed modifications will affect all segments of the City's certified LCP, as well as the Habitat Management Plan (HMP), as Planned Developments are often proposed on large vacant parcels within the HMP Area. As such, numerous policies are applicable when reviewing the proposed amendment. In some cases, policies are duplicated throughout the various segments, for brevity, these duplicated policies will only be listed once. The applicable policies include:

#### **Mello I Segment**

##### **Policy 7 - Protection of Sensitive Native Vegetation Areas**

7-1.2 Environmentally Sensitive Habitat Areas (ESHA) - Pursuant to Section 30240 of the Coastal Act, environmentally sensitive habitat areas, as defined in Section 30107.5 of the Coastal Act, shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

7-1.11 Highly Constrained Properties - There are properties in the Coastal Zone that area entirely or almost entirely constrained by environmentally sensitive habitat area (ESHA). In these cases, one of the following standards shall apply:

a. If more than 80% of the property by area is covered with ESHA at least 75% of the property shall be conserved.

b. If the City, with the concurrence of the wildlife agencies and the Coastal Commission through an LCP amendment, approved a Hardline preserve boundary for any of the above-described properties as part of the HMP, then the amount of onsite preservation as identified in the Hardline boundary shall apply.

### Mello II Segment

#### Policy 7-10 - Parking

Parking standards set forth within the City of Carlsbad Zoning Ordinance are appropriate for the future development of various land uses.

#### Policy 7-3 - Access Along Shoreline

The City will cooperate with the State to ensure that lateral beach access is protected and enhanced to the maximum degree feasible, and will continue to formalize shoreline prescriptive rights. Irrevocable offers to dedicate for lateral accessways between the mean high tide line and the base of the coastal bluffs, and vertical accessways where applicable, shall be required in new development consistent with Section 30212 of the California Coastal Act of 1976...

#### Policy 7-13 - Visual Access

Visual access over more than 80% of the Carlsbad coastline is unobstructed because of public ownership. No future public improvements which would obstruct this visual access shall be permitted.

#### Policy 8-1 - Site Development Review

The Scenic Preservation Overlay Zone should be applied where necessary throughout the Carlsbad coastal zone to assure the maintenance of existing views and panoramas. Sites considered for development should undergo individual review to determine if the proposed development will obstruct views or otherwise damage the visual beauty of the area. In addition to the above, height limitations and see-through construction techniques should be employed. The Planning Commission should enforce appropriate height limitations and see-through construction, as well as minimize any alterations to topography.

### **B. Specific Findings for Conformance with the City's certified LCP.**

Presently, the Planned Development Regulations have conservative requirements for residential and visitor parking, minimum open space areas, recreational vehicle storage, building height, and setbacks. Because of this, applicants seeking to develop such projects are unable to construct the number of units needed to reach the minimum density



required under the various general plan and zoning designations. Both the City's General Plan and State Law require that the City shall only approve developments below the minimum density of the underlying Land Use designation. Based on a review by the City, residential projects with additional development standards (such as Planned Development Regulations) have generally been unable to achieve the City's planned densities. This is also the case with developments on lots that currently have sensitive habitat and therefore must be found consistent with the City's Habitat Management Plan. The proposed modifications to the City's implementation plan are intended to allow these types of developments to reach their planned density requirements by modifying various standards.

Furthermore, as directed by the Governor, new development should also consider impacts on climate change and shall incorporate measures to address this issue where feasible. In this case, high residential developments (such as condominiums) located adjacent to public transit (smart growth) is a prime opportunity for addressing the concerns of climate change and to encourage "smart growth". However, the current Planned Development Regulations are too stringent to allow the best possible types of development on these lots. As such, not only will the modifications to the Planned Development Regulations allow applicants to reach the planned densities on residential lots that are small in size, involve condominium use, or contain sensitive habitat, but the modification will also allow for a greater number of these infill, etc. sites to incorporate smart growth and combat climate change concerns. Planned Developments are not permitted in locations zoned for visitor-serving uses, and therefore, there are minimal potential impacts to public recreation.

Proposed developments located within the Habitat Management Plan Area are already required to limit development to 25% of the site. This developable area includes all required private and public open space, parking, visitor parking, recreational parking, setback, height, fuel modification etc. For example, LCPA 3-06 Poinsettia Place was required to provide recreational vehicle parking on site. To be found most consistent with the City's LCP, the area required for RV parking would better serve as additional area for ESHA preservation.

The only coastal resource concerns the proposed modifications raise are associated with larger scale developments that impact public access (via parking), public views, and consistency with the HMP. The City has included in the proposed amendment language to address these concerns. Section 21.45.060.C states that if there is a conflict between the Planned Development standards and the standards of the underlying zone, the Planned Development standards prevail, with the exception that development standards specified in the City's Local Coastal Program shall prevail in all coastal zone projects. Thus, if these modified standards would result in impacts to coastal resources such as public access, public views or ESHA, the policies already in the certified LCP would prevail, which ensures protection of these coastal resources.

Furthermore, the project also limits the new reductions in design standards to specific areas within the City. For example, the Beach Area Overlay Zone (BAOZ) (defined as

property within the area bounded by the railroad to the east, Pacific Ocean to the west, Buena Vista Lagoon to the north and Agua Hedionda Lagoon to the south) is an area where utilizing public streets for visitor parking is not applicable. As such, the potential impacts to public access through lack of adequate parking have been removed.

Another potential impact to public access has to do with the decrease in required visitor parking, which could result in residential visitors utilizing on-street parking leading to impacts to public access. To address this concern, the City did a survey for San Diego County, and even with the reductions, the City's proposed, required visitor parking was still equal to, or greater than the surrounding communities' visitor parking requirements.

The final beach access-related potential impact is to ocean views, due to an increase in allowable height, and the additional allowance for a third story in some proposed developments. The additional allowance for height (from 35' to 40') again is not applicable within the BAOZ, and therefore impacts to public views will not affect views of the coast and can therefore be considered insignificant.

In conclusion, the proposed amendment appeared not to raise significant coastal impact concerns, but the suggested modifications address more recently emerging coastal issues. In response to concerns regarding climate change, in general, the Commission has begun to look at high density developments located near public transportation as beneficial to reducing the use of fossil fuels. The modifications proposed by the City would allow these types of developments to gain the desired densities by allowing some flexibility with the previously certified design standards. By slightly reducing setbacks, visitor parking requirements, etc., proposed projects can increase the number of units provided. The conflict with increasing density may be impacts to coastal access and public views. However, the City has addressed these concerns by limiting the areas that may utilize the flexible standards and including language that states that if the standards of Planned Development Regulations conflict with the certified LCP, the policies within the other sections of the LCP shall prevail. As such, the proposed amendment can be found consistent with the City's certified LUP.

#### **PART V. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Section 21080.9 of the California Public Resources Code – within the California Environmental Quality Act (CEQA) – exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of a local coastal program. The Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required, in a LCP submittal or, as in this case, a LCP amendment submittal, to find that the approval of the proposed LCP, or LCP, as

amended, conforms to CEQA provisions, including the requirement in CEQA section 21080.5(d)(2)(A) that the amended LCP will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. 14 C.C.R. §§ 13542(a), 13540(f), and 13555(b). The proposed zoning amendments will not result in adverse impacts on coastal resources or public access. The Commission finds that there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the LCP amendment may have on the environment. Therefore, in terms of CEQA review, the Commission finds that approval of the LCP amendment will not result in any significant adverse environmental impacts.

Exhibit 2  
RECEIVED  
MAY 03 2007

RESOLUTION NO. 2007-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION FOR A ZONE CODE AMENDMENT AND LOCAL COASTAL PROGRAM AMENDMENT, AND APPROVING SAID LOCAL COASTAL PROGRAM AMENDMENT TO AMEND THE STANDARDS IN MUNICIPAL CODE CHAPTER 21.45 (PLANNED DEVELOPMENTS), CHAPTER 21.44 (PARKING), AND CHAPTER 21.82 (BEACH AREA OVERLAY ZONE) TO FACILITATE THE DEVELOPMENT OF HIGH QUALITY RESIDENTIAL PROJECTS CONSISTENT WITH THE RESIDENTIAL DENSITY POLICIES OF THE GENERAL PLAN, AND TO CLARIFY AMBIGUITIES AND CORRECT INCONSISTENCIES.

CASE NAME: PLANNED DEVELOPMENT REGULATION AMENDMENTS  
CASE NO.: ZCA 05-02/LCPA 05-07

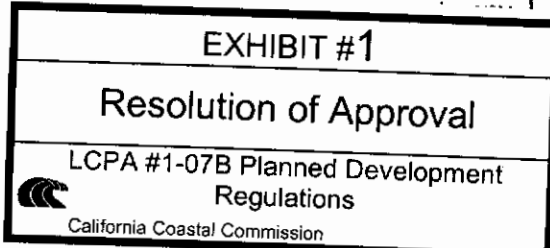
The City Council of the City of Carlsbad, California, does hereby resolve as follows:

WHEREAS, the Planning Commission did on October 18, 2006 and December 6, 2006, hold duly noticed public hearings as prescribed by law to consider the Negative Declaration, Zone Code Amendment (ZCA 05-02) and Local Coastal Program Amendment (LCPA 05-07) to amend the standards in the Planned Development, Parking, and Beach Area Overlay Zone chapters of the Zoning Ordinance to facilitate the development of high quality residential projects consistent with the residential density policies of the general plan, and to clarify ambiguities and correct inconsistencies..

WHEREAS, the Planning Commission adopted Planning Commission Resolutions No. 6140, and 6142 recommending to the City Council that the Negative Declaration be adopted, and LCPA 05-07 be approved; and

WHEREAS, the City Council did on the 20th day of February, 2007 hold a duly noticed public hearing as prescribed by law to consider the Negative Declaration and Local Coastal Program Amendment, and;

WHEREAS, at said public hearing, up and arguments, if any, of all persons desiring to be heard relating to the Negative Declaration and Local Coastal



1 NOW, THEREFORE, the City Council of the City of Carlsbad, California does  
2 hereby resolve as follows:

3 1. That the above recitations are true and correct.

4 2. That the findings of the Planning Commission in Planning Commission  
5 Resolutions No. 6140 and 6142 constitute the findings of the City Council in this matter.

6 3. That the Negative Declaration is adopted as shown in Planning  
7 Commission Resolution No. 6140 on file with the City Clerk and incorporated herein by  
8 reference.

9 4. That the amendment to the Local Coastal Program (LCPA 05-07), is  
10 approved as shown in Planning Commission Resolution No. 6142, on file with the City Clerk and  
11 incorporated herein by reference.

12 5. That the approval of LCPA 05-07 shall not become effective until it is  
13 approved by the California Coastal Commission and the California Coastal Commission's  
14 approval becomes effective.

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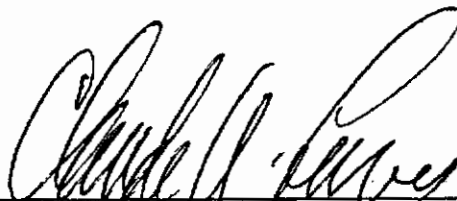
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PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council  
of the City of Carlsbad on the 20<sup>th</sup> day of February, 2007, by the following vote:

AYES: Council Members Lewis, Kulchin, Hall  
NOES: None  
ABSENT: Council Members Packard, Sigafoose

  
\_\_\_\_\_  
CLAUDE A LEWIS, Mayor

ATTEST:

  
\_\_\_\_\_  
LORRAINE M. WOOD, City Clerk



1  
2  
3 PLANNING COMMISSION RESOLUTION NO. 6142

4 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
5 CITY OF CARLSBAD, CALIFORNIA, RECOMMENDING  
6 APPROVAL OF AN AMENDMENT TO THE IMPLEMENTING  
7 ORDINANCE OF THE CARLSBAD LOCAL COASTAL  
8 PROGRAM (TITLE 21 - ZONING) TO (1) AMEND  
9 STANDARDS OF THE PLANNED DEVELOPMENT,  
10 PARKING AND BEACH AREA OVERLAY ZONE CHAPTERS  
11 OF THE ZONING ORDINANCE TO FACILITATE THE  
12 DEVELOPMENT OF HIGH QUALITY RESIDENTIAL  
13 PROJECTS CONSISTENT WITH THE MINIMUM DENSITY  
14 AND GROWTH MANAGEMENT CONTROL POINT OF THE  
15 UNDERLYING GENERAL PLAN LAND USE DESIGNATION,  
16 AND (2) AMEND THE PLANNED DEVELOPMENT  
17 ORDINANCE TO CLARIFY AMBIGUITIES AND CORRECT  
18 INCONSISTENCIES.

19 CASE NAME: PLANNED DEVELOPMENT REGULATION  
20 AMENDMENTS

21 CASE NO: LCPA 05-07

22 WHEREAS, California State law requires that the Local Coastal Program,  
23 General Plan, and Zoning designations for properties in the Coastal Zone be in conformance; and

24 WHEREAS, the City of Carlsbad, "Applicant," has filed a verified application  
25 for an amendment to the Local Coastal Program implementing ordinance; and

26 WHEREAS, said verified application constitutes a request for a Local Coastal  
27 Program Amendment as shown on Exhibit "X" dated December 6, 2006, attached to Planning  
28 Commission Resolution No. 6141 and incorporated herein by reference, as provided in Public  
Resources Code Section 30574 and Article 15 of Subchapter 8, Chapter 2, Division 5.5 of  
Title 14 of the California Code of Regulations of the California Coastal Commission  
Administrative Regulations; and

WHEREAS, the Planning Commission did on the 18th day of October, 2006,  
and the 6th day of December, 2006, hold duly noticed public hearings as prescribed by law to  
consider said request; and

1 WHEREAS, at said public hearings, upon hearing and considering all testimony  
2 and arguments, if any, of all persons desiring to be heard, said Commission considered all factors  
3 relating to the Local Coastal Program Amendment; and  
4

5 WHEREAS, State Coastal Guidelines requires a six-week public review period  
6 for any amendment to the Local Coastal Program.

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

- 9 A) That the foregoing recitations are true and correct.
- 10 B) At the end of the State-mandated six-week review period, starting on **June 9,**  
11 **2006,** and ending on **July 22, 2006,** staff shall present to the City Council a  
12 summary of the comments received.
- 13 C) That based on the evidence presented at the public hearing, the Commission  
14 **RECOMMENDS APPROVAL** of **PLANNED DEVELOPMENT**  
15 **REGULATION AMENDMENTS – LCPA 05-07,** based on the following  
16 findings, and subject to the following conditions:

17 **Findings:**

- 18 1. That the proposed Local Coastal Program Amendment meets the requirements of, and is  
19 in conformity with, the policies of Chapter 3 of the Coastal Act and all applicable policies  
20 of the Carlsbad Local Coastal Program, in that **no development or construction is**  
21 **proposed with this amendment and all future residential development projects**  
22 **located in the coastal zone that are processed pursuant to these revised standards**  
23 **would be subject to discretionary review and a Coastal Development Permit to**  
24 **ensure consistency with Local Coastal Program policies.**
- 25 2. That the proposed amendment to the implementing ordinances of the Carlsbad Local  
26 Coastal Program is required to bring it into consistency with **the City's Zoning**  
27 **Ordinance.**
- 28 ...
- ...
- ...
- ...
- ...



1 PASSED, APPROVED, AND ADOPTED at a regular meeting to the Planning  
2 Commission of the City of Carlsbad, held on the 6th day of December, 2006, by the following  
3 vote, to wit:  
4

5 AYES: Chairperson Montgomery, Commissioners Baker, Dominguez,  
6 Heineman, Segall, and Whitton

7 NOES:

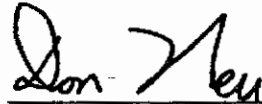
8 ABSENT: Commissioner Cardoso

9 ABSTAIN:

10   
11

12 MARTELL B. MONTGOMERY Chairperson  
13 CARLSBAD PLANNING COMMISSION

14 ATTEST:

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17 DON NEU  
18 Assistant Planning Director  
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EXHIBIT C1  
ZCA 05-02 / LCPA 05-07 PLANNED DEVELOPMENT REGULATION AMENDMENTS  
STRIKE-OUT/UNDERLINE OF PLANNED DEVELOPMENTS CHAPTER

Chapter 21.45


PLANNED DEVELOPMENTS

**RECEIVED**  
MAY 03 2007  
CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

- 21.45.010 Intent and purpose.
- 21.45.020 Applicability.
- 21.45.030 Definitions.
- 21.45.040 Permitted zones and uses.
- 21.45.050 Application and permit.
- 21.45.060 General development standards.
- 21.45.070 ~~Small lot, single-family and two-family dwelling~~ Development standards for one-family dwellings and twin-homes on small lots.
- 21.45.080 ~~Multiple dwelling~~ Development standards for condominium projects.
- 21.45.090 Residential additions and accessory uses.
- 21.45.100 Amendments to permits.
- 21.45.110 Conversion of existing buildings to planned developments.
- 21.45.120 Expiration, extension and revisions.
- 21.45.130 Proposed common ownership land or improvements.
- 21.45.140 Maintenance.
- 21.45.150 Failure to maintain.
- 21.45.160 Model homes.
- 21.45.170 Restriction on reapplication for planned development permit.

- 21.45.010 Intent and purpose.
- ~~A.~~ The purpose of the planned development ordinance is to:
    - ~~A1.~~ Recognize the need for a diversity of housing and product types;
    - ~~B2.~~ Provide a method for clustered property development that recognizes that the impacts of environmentally and topographically constrained land preclude the full development of a site as a standard single-family subdivision;
    - ~~G3.~~ Establish a process to approve the following: ~~separate ownership of dwelling units with lots or exclusive use areas of less than seven thousand five hundred square feet in size or as otherwise allowed by the underlying zone; condominium ownership in multiple unit buildings; and conversion of existing residential development to condominiums;~~
      - a. One-family dwellings and twin-homes on individual lots of less than 7,500 square feet in size or as otherwise allowed by the underlying zone;
      - b. Condominium projects consisting of two-family and multiple-family dwellings, as well as one-family dwellings developed as two or more detached dwellings on one lot;
      - c. Condominium conversions; and
      - d. Private streets;
    - ~~D.~~ Allow the development of small lot subdivisions in existing R-1 neighborhoods when the proposed site is contiguous to a higher intensity land use or an existing project of comparable or higher density;
    - ~~E.~~ Allow the development of small lot subdivisions, two-family and multiple family dwellings on existing R-1 zoned properties when the project site contains sensitive biological resources as identified in the Carlsbad habitat management plan;
    - ~~F.~~ Permit the development of small lot subdivisions in multi-family zones (except when the multiple-family zone implements the RH land use designation) as an alternative product type to attached dwelling units; and
  - ~~G4.~~ Encourage and allow more creative and imaginative design by including relief from compliance with standard residential zoning regulations. To offset this flexibility in development standards, planned developments are required to incorporate amenities and features not normally required of standard residential developments.

- 21.45.020 Applicability.
- ~~A.~~ A planned development permit is required for the ~~exclusive use areas~~ one-family dwellings or twin-homes on lots ~~hundred 7,500~~ square feet or as otherwise allowed by the under

<b>EXHIBIT #2</b>
<b>Language in strike-out underline format</b>
LCPA #1-07B Planned Development Regulations
 California Coastal Commission

condominiums, ~~and the conversion of existing residential development to condominiums~~ condominium conversions, and private streets.

~~B.~~ These regulations do not apply to attached residential units proposed for inclusion as part of a commercial development project.

~~BC.~~ Any application for a planned development permit that was deemed complete prior to the effective date of the ordinance reenacting this chapter, shall not be subject to the amended provisions of this chapter but shall be processed and approved or disapproved pursuant to the ordinance superseded by the ordinance codified in this chapter.

~~C.~~ ~~Enlargement of buildings that are legally nonconforming is permitted provided that such enlargement does not increase the floor space more than forty percent of that existing prior to such enlargement and that the new addition complies with the new setback and lot coverage requirements of this chapter.~~

~~D.~~ If there is a conflict between the regulations of this chapter and any regulations approved as part of the city's certified local coastal programs, a redevelopment plan, or a master plan or specific plan, the regulations of the local coastal program, redevelopment plan, or the master plan or specific plan shall prevail.

~~E.~~ A planned development permit shall apply to residential projects only, as specified in "Table A Permitted Residential Uses" of this chapter. The city council, planning commission or planning director, as provided in this chapter, may approve a permit for a planned development in any residential zone or combination of zones subject to the requirements thereof except as they may be modified in accord with this chapter. When approved, a planned development permit shall become a part of the zoning regulations applicable to the subject property.

~~F.~~ In granting a planned development permit, the planning commission or city council may modify the plan or impose such conditions as it deems necessary to protect the public health, safety and general welfare. Any development standards of the underlying zone in which the property is situated, including yards, parking, coverage, signs, fences and walls, may be modified by the planning commission or city council as necessary to accomplish the purposes of this chapter.

F. A planned development permit shall be required for the development of a private street within a residential development that is not otherwise subject to the requirements of this chapter. Such residential development shall not be subject to any development standard of this chapter, except the private street standards.

#### 21.45.030 Definitions.

~~A.~~ Whenever the following terms are used in this chapter, they shall have the meaning established by this section:

~~A1.~~ "Condominium project" means a common interest subdivision development defined by Sections ~~1350-1376~~ 1351 of the California Government Civil Code, and which consists of two or more attached or detached dwelling units on one lot.

~~B2.~~ "Driveway (SF)" means an improved surface on private property intended for exclusive vehicular access from a public/private street or drive-aisle to open/enclosed parking for a single residential unit (attached or detached) ~~detached single family home.~~

~~G3.~~ "Driveway aisle (Project)" means an improved surface on private property intended for shared vehicular access (serving two or more residential units, attached or detached) from a public/private street to a driveway(s) or open/enclosed parking for two or more residential units.

~~D.~~ "Duplex" means ~~two homes on one lot attached by a common wall and under common ownership. Duplex may be converted to individual ownership with approval of a planned development permit.~~

~~E4.~~ "Net pad area" means the building pad of a lot excluding all natural or manufactured slopes greater than ~~three~~ 3 feet in height except intervening manufactured slopes between split-level pads on a single lot.

~~F5.~~ "Planned development" means a form of development usually characterized by a unified site design for a number of housing units, clustering buildings and providing common open space, recreation and streets.

~~G6.~~ "Twin-home" means two homes dwellings attached by a common wall where each home dwelling and is on a separate lot or exclusive use area has that allows for separate ownership.

21.45.040 Permitted zones and uses.

A. Permitted Zones. The planning director, planning commission or city council may approve a permit for a planned development in the R-1, R-2, R-3, RD-M, R-W and P-C residential zones or combination of zones subject to the requirements of this chapter. When approved, a planned development permit shall become the zoning regulations applicable to the subject property.

BA. Permitted Uses. Table A, Permitted Residential Uses, specifies the types of residential uses, and the zones where such uses are permitted, subject to the approval of a planned development permit. The uses specified in Table A are in addition to any principal use, accessory use, transitional use or conditional use permitted in the underlying zone, ~~planned developments that are proposed in the following residential zones may include the following residential uses listed in Table A, Permitted Residential Uses, below.~~

TABLE A  
PERMITTED RESIDENTIAL USES

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

(1) ~~Only p~~Permitted when: 1) the project site is contiguous to a higher intensity land use designation or zone, or an existing project of comparable or higher density; or 2) the project site contains sensitive biological resources as identified in the Carlsbad Habitat Management Plan.

(2) ~~Only p~~Permitted when: 1) the proposed project site is contiguous to a lot or lots zone R-3, R-T, R-P, C-1, C-2, C-M or M, but in no case shall the project site consist of more than one lot nor be more than ninety feet in width, whichever is less; or 2) the project site contains sensitive biological resources as identified in the Carlsbad Habitat Management Plan.

(3) Permitted when developed as two or more detached units on one lot.

(4) Permitted when the project site contains sensitive biological resources as identified in the Carlsbad Habitat Management Plan. In the case of a condominium project, attached or detached units may be permitted when the site contains sensitive biological resources.

(5) Permitted when the R-P zone implements the RMH land use designation.

(6) Permitted when the R-P zone implements the RMH or RH land use designations.

(37) Permitted uses shall be consistent with the master plan.

(8) Refer to the Carlsbad Village Redevelopment Master Plan for permitted uses.

(49) Refer to Table F for specific permitted accessory uses.

(5) ~~"Housing for senior citizens" is not permitted in R-1 and R-2 zones.~~

(6) ~~Only permitted when the project site contains sensitive biological resources as identified in the Carlsbad Habitat Management Plan.~~

21.45.050 Application and permit.

A. Application.

1. The application for a planned development permit shall be made in writing on the form provided by the planning department, and shall be accompanied by the required fee in an amount specified by city council resolution.

2. ~~The application shall include a site plan, building elevations and floor plans (i.e. site plan, building elevations, floor plans, landscape plans, etc.) as required by the city's submittal requirements, which demonstrate compliance with addressing all development standards and design requirements as contained in this chapter and shall be accompanied by the required fee in an amount specified by city council resolution.~~

a. ~~A planned development permit application for a small-lot subdivision (intended to be developed with one dwelling per lot) may be approved without architecture and plotting; in which case, approval of a major planned development permit amendment will be required at a later date to authorize the proposed structures and their placement.~~

b. ~~A planned development permit application for a condominium project shall require approval of architecture and plotting concurrent with the approval of the condominium subdivision.~~

3. ~~The application for a planned development permit shall state whether the applicant intends to develop the project as a planned development or condominium project and the proposed method of land division (i.e., postage stamp small lots, or air-space condominiums).~~

#### **AB. Processing Procedures.**

1. ~~Table B, Required Processing Procedures, identifies required procedures for a Minor (four or fewer dwelling units) and a Major (five or more dwelling units) Planned Development permits.~~

**TABLE B  
REQUIRED PROCESSING PROCEDURES**

Topic	Minor <u>Planned Development Permit</u>	Major <u>Planned Development Permit</u>	
Decision-Making Body or Official	Planning Director	Planning Commission (up to 50 DU); City Council (more than 50 DU)	
		<u>Planning Commission (PC)</u>	<u>Up to 50 DU</u>
		<u>City Council (upon PC recommendation)</u>	<u>More than 50 DU</u>
Map Required	Minor Subdivision Map (See Title 20, Chapter 20.24)	Major Subdivision Map (See Title 20, Chapter 20.12)	
Required Findings	See Section 21.45.050( <u>BC</u> )	See Section 21.45.050( <u>BC</u> )	
Public Notice Required	See Title 20, Chapter 20.24, Section 20.24.115	Chapter 21.54, Section 21.54.060(1)	
Public Hearing Required	No	Yes	
Appeals	See Chapter 21.54, Section 21.54.140	See Chapter 21.54, Section 21.54. <u>150</u>	

#### **BC. Required Findings.**

1. ~~The planning director, planning commission or city council shall approve or conditionally approve a planned development permit only if it finds that both of the following facts exist: findings are made:~~

4a. ~~The proposed project is consistent with the general plan, and complies with all applicable provisions of this chapter, and all other applicable provisions of this code development standards included within this chapter;~~

2b. ~~The proposed project density, site design and architecture are compatible with surrounding development 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.~~

c. ~~The project will not adversely affect the public health, safety, or general welfare;~~

d. ~~The project's design, including architecture, streets, and site layout;~~

i. ~~Contributes to the community's overall aesthetic quality;~~

ii. ~~Includes the use of harmonious materials and colors, and the appropriate use of landscaping; and~~

iii. ~~Achieves continuity among all elements of the project.~~

#### **D. Modifications to Development Standards.**

1. ~~The decision-making body with the authority to approve a planned development permit may approve a modification to the development standards specified in this chapter if all of the following findings are made in writing:~~

- a. The proposed planned development designed with the modified development standard(s) is consistent with the purpose and intent of this chapter; and
- b. The proposed modification(s) will result in the preservation of natural habitat as required by the Carlsbad Habitat Management Plan (HMP); and
- c. The amount of natural habitat preservation required by the HMP could not be achieved by strict adherence to the development standards of this chapter; and
- d. The proposed modification(s) will not adversely affect the public health, safety, or general welfare; and
- e. If the project is located within the coastal zone, the modification is consistent with all Local Coastal Program policies and standards for the protection of coastal resources.
2. Any application for a planned development permit that involves a request for a modification to the development standards of this chapter shall include documentation that clearly demonstrates the modification is necessary to implement the natural habitat preservation requirements of the HMP.
3. The decision-making body with the authority to approve a planned development permit may modify the plan, or impose such conditions or requirements that are more restrictive than the development standards specified in this chapter, the underlying zone or elsewhere in this code, as deemed necessary to protect the public health, safety and general welfare, or to insure conformity with the general plan and other adopted policies, goals or objectives of the city.

21.45.060 General development standards.

A. All planned developments shall comply with the general development standards specified in Table C below. Specific standards applicable to **one-family dwellings and twin-homes on small-lots** can be found in Table D; and standards applicable to condominium projects can be found in Table E. single-family/two-family dwelling and multiple-dwelling condominium projects can be found in Tables D and E, respectively.

B. In addition to the provisions of this chapter, a planned development project shall be subject to the development standards of the project site's underlying zone.

C. If there is a conflict between the development standards of this chapter and the development standards applicable to the project site's underlying zone, the standards of this chapter shall prevail. Exception: the development standards specified in the city's local coastal program, a redevelopment plan, master plan or specific plan shall prevail if such standards conflict with the standards of this chapter.

D. When approved, a planned development permit shall become a part of the zoning regulations applicable to the subject property.

TABLE C  
GENERAL DEVELOPMENT STANDARDS APPLICABLE TO ALL PLANNED DEVELOPMENTS

GENERAL DEVELOPMENT STANDARDS APPLICABLE TO ALL PLANNED DEVELOPMENTS										
REF. NO.	SUBJECT	DEVELOPMENT STANDARD								
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 not be transferred from one general plan designation to another without a general plan amendment.								
C.2	Arterial Setbacks	<p>All dwelling units and accessory structures 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:</p> <table><tr><td>Prime Arterial</td><td>50 Feet</td></tr><tr><td>Major Arterial</td><td>40 Feet</td></tr><tr><td>Secondary Arterial</td><td>30 Feet</td></tr><tr><td>Carlsbad Boulevard</td><td>20 Feet</td></tr></table> <p>An average of <u>Half (50%)</u> of the required <u>arterial</u> setback area that is located closest to the arterial shall be <u>fully</u> landscaped to enhance the streetscene and buffer homes from traffic on adjacent arterials, <u>and</u>:</p> <ul style="list-style-type: none"><li>• <u>Shall contain a minimum of one 24" box tree for every 30 lineal feet of street frontage; and</u></li><li>• <u>Shall be commonly owned and maintained</u></li></ul>	Prime Arterial	50 Feet	Major Arterial	40 Feet	Secondary Arterial	30 Feet	Carlsbad Boulevard	20 Feet
Prime Arterial	50 Feet									
Major Arterial	40 Feet									
Secondary Arterial	30 Feet									
Carlsbad Boulevard	20 Feet									

**TABLE C, CONTINUED**  
**GENERAL DEVELOPMENT STANDARDS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD																											
C.2, cont.	Arterial Setbacks, cont.	<p>Project perimeter walls <u>greater than 42 inches in height</u> shall not be located in the <u>required landscaped portion of the arterial setback landscaped buffer, except noise attenuation walls that:</u></p> <ul style="list-style-type: none"><li>• <u>Are required by a noise study, and</u></li><li>• <u>Due to topography, are necessary to be placed within the required landscaped portion of the arterial setback.</u></li></ul> <p>The landscaped buffer shall contain a minimum of one 24" box tree for every 30 lineal feet of street frontage. This arterial landscape setback shall be commonly owned and maintained by the homeowners' association.</p>																											
Building Setbacks		All setbacks shall be measured from the property line, from the back of sidewalk or from the edge of the project driveway, whichever is closest to the structure.																											
C.3	Permitted Intrusions into Setbacks/ Building Separation	<u>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.</u> Projecting architectural features, which do not increase the useable living area of a dwelling unit, (including, but not limited to, cornices, eaves, belt courses, sills, buttresses and fireplaces) may intrude up to 2 feet into required building setbacks.																											
C.4	Streets	<table><tr><td rowspan="4">Private</td><td>Minimum right-of-way width</td><td>56 feet</td></tr><tr><td>Minimum curb-to-curb width</td><td>34 feet</td></tr><tr><td>Minimum parkway width (curb adjacent)</td><td>5.5 feet, including curb</td></tr><tr><td>Minimum sidewalk width</td><td>5 feet (setback 6 inches from property line)</td></tr><tr><td rowspan="4">Public</td><td>Minimum right-of-way width</td><td>60 feet</td></tr><tr><td>Minimum curb-to-curb width</td><td>34 feet</td></tr><tr><td>Minimum parkway width (curb adjacent)</td><td>7.5 feet, including curb</td></tr><tr><td>Minimum sidewalk width</td><td>5 feet (setback 6 inches from property line)</td></tr><tr><td rowspan="4">Street Trees within parkways</td><td>One-family dwellings and twin homes on small-lots</td><td>A minimum of one street tree (24-inch box) per lot is required to be planted in the parkway along all streets.</td></tr><tr><td>Condominium projects</td><td>Street trees shall be spaced no further apart than 30 feet on center within the parkway.</td></tr><tr><td colspan="2">Tree species should be selected to create a unified image for the street, provide an effective canopy, avoid sidewalk damage and minimize water consumption.</td></tr><tr><td colspan="2"></td></tr></table>	Private	Minimum right-of-way width	56 feet	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	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.	Condominium projects	Street trees shall be spaced no further apart than 30 feet on center within the parkway.	Tree species should be selected to create a unified image for the street, provide an effective canopy, avoid sidewalk damage and minimize water consumption.			
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C.5	Drive-aisles	<table><tr><td>3 or fewer dwelling units</td><td><u>Minimum 12 feet wide when the drive-aisle is not required for emergency vehicle access, as determined by the Fire Chief.</u> <u>If the drive-aisle is required for emergency vehicle access, it shall be a minimum of 20 feet wide.</u></td></tr><tr><td>4 or more dwelling units</td><td><u>Minimum 20 feet wide.</u></td></tr><tr><td rowspan="5">All projects</td><td><u>No parking shall be permitted within the minimum required width of a drive-aisle.</u></td></tr><tr><td><u>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).</u></td></tr><tr><td><u>Additional width may be required for vehicle/emergency vehicle maneuvering area.</u></td></tr><tr><td><u>Parkways and/or sidewalks may be required.</u></td></tr><tr><td><u>No more than 24 dwelling units shall be located along a single-entry drive-aisle.</u></td></tr><tr><td colspan="2"><u>All drive-aisles shall be enhanced with decorative pavement.</u></td></tr></table>	3 or fewer dwelling units	<u>Minimum 12 feet wide when the drive-aisle is not required for emergency vehicle access, as determined by the Fire Chief.</u> <u>If the drive-aisle is required for emergency vehicle access, it shall be a minimum of 20 feet wide.</u>	4 or more dwelling units	<u>Minimum 20 feet wide.</u>	All projects	<u>No parking shall be permitted within the minimum required width of a drive-aisle.</u>	<u>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).</u>	<u>Additional width may be required for vehicle/emergency vehicle maneuvering area.</u>	<u>Parkways and/or sidewalks may be required.</u>	<u>No more than 24 dwelling units shall be located along a single-entry drive-aisle.</u>	<u>All drive-aisles shall be enhanced with decorative pavement.</u>																
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**TABLE C, CONTINUED**  
**GENERAL DEVELOPMENT STANDARDS**

<u>REF. NO.</u>	<u>SUBJECT</u>	<u>DEVELOPMENT STANDARD</u>	
<u>C.6</u>	<u>Number of Visitor Parking Spaces Required</u> <sup>(1)</sup>	1. 10 units or less: <u>Projects with 10 units or fewer</u>	1 space for each 2 units or fraction thereof. <u>A .30 space per each unit.</u>
		2. 11 units or more: <u>Projects 11 units or more</u>	5 spaces for the first 10 units, plus 1 space for each 4 units above 10. <u>A .25 space per each unit.</u>
		3. Housing for senior citizens: 1 space for each 5 units.	
		4. In cases where a fractional parking space is required, the required number of spaces shall be rounded to the nearest highest whole number. <u>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.</u>	
<u>C.7</u>	<u>On Private/Public Streets</u>	<u>On Private/Public Streets</u>	Visitor parking may be provided: (1) along both sides of a minimum 34-foot wide private/public street or (2) in perpendicular bays. <u>As parallel parking along public/private street(s) (minimum 34-foot wide curb-to-curb), as follows:</u>
			<ul style="list-style-type: none"> <li>• <u>Along both sides of any private/public street(s) located within the project boundary.</u></li> <li>• <u>Along the abutting side and portion of any existing public/private street(s) that is contiguous to the project boundary.</u></li> </ul>
			<u>In parking bays along driveways, drive-aisles, or public/private streets within the project boundary.</u>
	<u>Location of Visitor Parking</u>	<u>On Drive-aisles</u>	When visitor parking is provided <u>as on-street parallel parking</u> , not less than 24 lineal feet per space, exclusive of driveway/ <u>drive-aisle</u> entrances and driveway aprons, shall be provided for each parking space, except where parallel parking spaces are located immediately adjacent to driveway/ <u>drive-aisle</u> aprons, then 20 lineal feet may be provided.
			<u>Within the Beach Area Overlay Zone, on-street parking shall not count toward meeting the visitor parking requirement.</u>
			Visitor parking must be provided in parking bays <u>that are located outside the required minimum drive-aisle width.</u>
	<u>Driveways</u>	<u>Outside the Beach Area Overlay Zone</u>	<u>One required visitor parking space may be credited for each driveway in a project that has a depth of 40 feet or more.</u>
			<u>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.</u>
		<u>On a Driveway</u>	<u>One required visitor parking space may be credited for each driveway in a project that has a depth of 40 feet or more.</u>
			<u>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:</u> <ul style="list-style-type: none"> <li>• <u>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.</u></li> <li>• <u>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).</u></li> </ul>



**TABLE C, CONTINUED**  
**GENERAL DEVELOPMENT STANDARDS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD		
C.7. cont.	Location of Visitor Parking, cont.	On a Driveway, cont.	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.
		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.
				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).
		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.	
Private Streets		Minimum 34 feet wide (curb to curb) with parkways (minimum 5.5' wide) and sidewalks (minimum 5' wide) on both sides of the street.		
Public Streets		Minimum 34 feet wide (curb to curb) with parkways (minimum 7' wide) and sidewalks (minimum 5' wide) on both sides of the street.		
Parkways with Street Trees		Minimum 5.5 feet wide parkways are required along both sides of private streets. For small-lot, single-family and two-family projects, a minimum of one street tree (24-inch box) per lot is required to be planted in the parkway along all streets. For multi-family projects, street trees shall be spaced no further apart than 30 feet on center within the parkway. Tree species should be selected to create a unified image for the street, provide an effective canopy, avoid sidewalk damage and minimize water consumption.		
Driveway (Project)		1. Minimum 24 feet wide with no parking permitted in travel way. 2. Additional width may be required for maneuvering area in front of garages, carports or uncovered parking spaces or to provide transition to a driveway approach. 3. No more than 20 single-family/two-family dwelling units shall be located along a single-entry driveway. 4. Parkways/sidewalks may be required. 5. Driveways in motor courts shall be constructed of concrete. 6. All driveways/motor courts shall be accented with enhanced pavement treatment.		
Dwelling Unit Setback from Open Parking		All dwelling units shall be set back a minimum of 5 feet from open parking areas.		
C.8	Screening of Parking Areas	All <del>Open</del> parking areas shall <u>should</u> be screened from adjacent residences and public rights-of-way by either a view-obscuring wall, <u>landscaped berm</u> , or landscaping, <u>except parking located within a driveway</u> .		
C.9	Community Recreational Space <sup>(1)</sup>	All projects of more than 10 dwelling units shall provide 200 square feet of centralized, community recreational space per unit. <u>Community recreational space shall be provided for all projects of 11 or more dwelling units, as follows:</u>		
		<u>Minimum community recreational space required</u>	Project is NOT within RH general plan designation	<u>200 square feet per unit</u>
			Project IS within RH general plan designation	<u>150 square feet per unit</u>
		Projects with <u>11 to 25 or fewer dwelling units</u>	<u>Community recreational space shall be provided as either (or both) passive or active recreation facilities.</u>	
		Projects with <u>26 or more than 25 dwelling units</u>	<u>Community recreational space shall be provided as both passive and active recreational facilities with a minimum of 75% percent of the area allocated for active facilities.</u>	
		Projects with <u>50 or more than 50 dwelling units</u>	<u>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).</u>	

**TABLE C, CONTINUED  
GENERAL DEVELOPMENT STANDARDS**

<u>REF. NO.</u>	<u>SUBJECT</u>	<u>DEVELOPMENT STANDARD</u>
<u>C.9. cont.</u>	<u>Community Recreational Space, cont.</u>	<p>Projects with <u>50 or more than 50 dwelling units, cont.</u></p> <p>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.</p> <ul style="list-style-type: none"> <li>• <u>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.</u></li> </ul>
		<p><u>All projects (with 11 or more dwelling units)</u></p> <p><u>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.</u></p> <p><u>Credit for indoor recreation facilities shall not exceed 25% of the required community recreation area.</u></p> <p><u>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).</u></p>
		<p><u>Recreation Area Parking</u></p> <p><u>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.</u></p> <p><u>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).</u></p>
		<p>Examples of recreation facilities include, but are not limited to, the following:</p>
		<p>Active:</p> <p>Swimming pool with cabana area Children's playground equipment Spa <u>Courts (tennis, racquetball, volleyball, basketball)</u> Tennis court, racquetball court, volleyball court, basketball court, Recreation rooms or buildings Horseshoe pits Pitch and putt Grassy play areas <u>with a slope of less than 5% (minimum area of 5,000 square feet and a minimum dimension of 50 feet)</u> a minimum of 100 feet by 100 feet and Any other facility deemed by the planning director to satisfy the intent of providing active recreational facilities.</p>
		<p>Passive:</p> <p>Benches Barbecues Community gardens or Grassy play areas with a slope of less than 5%.</p>
		<p>1. <u>Credit for indoor recreation facilities shall not exceed 25% of the required centralized community recreation area.</u></p> <p>2. <u>Required recreation areas shall not be located in any required front yard and may not include any driveways, parking areas, walkways, storage areas, or any slopes of 5% or greater.</u></p> <p>3. <u>For single family or two family projects of 50 units or more, at least 25 percent of the common recreation space must be provided as pocket parks. 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.</u></p> <p><u>Note: These community recreational space requirements shall not apply to housing for senior citizens (refer to Chapter 21.84 of this code for common area requirements for housing for senior citizens).</u></p>
		<p><u>1 space for each 15 residential lots or fraction thereof for lots located more than 1,000 feet from a centralized community recreation center lot.</u></p> <p><u>Note: Housing for senior citizens is not required to be provided with recreation area parking.</u></p>

**TABLE C, CONTINUED  
GENERAL DEVELOPMENT STANDARDS**

<b>REF. NO.</b>	<b>SUBJECT</b>	<b>DEVELOPMENT STANDARD</b>
<b>C.10</b>	Lighting	Lighting adequate for pedestrian and vehicular safety shall be provided.
<b>C.11</b>	Utilities	Separate utility systems shall be provided for each unit.
<b>C.12</b>	Recreational Vehicle (RV) Storage <sup>(1)</sup>	1. Required for projects with 25-100 or more units, <u>or a master or specific plan with 100 or more planned development units. Exception: RV storage is not required for projects located within the RMH or RH land use designations.</u>
		2. 20 square feet per unit, <u>not to include</u> exclusive of area required for driveways and approaches.
		3. 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.
		<u>RV storage areas shall be designed to accommodate recreational vehicles of various sizes (i.e. motorhomes, campers, boats, personal watercraft, etc.).</u> 4. 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. <u>All RV storage areas shall be screened from adjacent residences and public rights-of-way by a view-obscuring wall and landscaping.</u> All RV storage areas shall be landscaped to screen vehicles to the maximum extent feasible. Note: Housing for senior citizens is not required to be provided with recreational vehicle storage. If no RV storage is provided for housing for senior citizens, the CC&Rs for the project shall clearly specify that RV storage is not available.
<b>C.13</b>	Storage Space	480 cubic feet of separate storage space per unit.
		If all storage for each unit is located in one area, the space may be reduced to 392 cubic feet.
		This <u>Required storage</u> space shall be separately enclosed for each unit and be conveniently accessible to the outdoors.
		The <u>Required storage</u> space may be designed as an enlargement of the required <u>a</u> covered parking structure provided it does not extend into the area of the required parking stall, <u>and does not impede the ability to utilize the parking stall (for vehicle parking).</u>
		<u>A garage (12'x20' one-car, 20'x20' two-car, or larger) satisfies the required storage space per unit.</u>
	Antennas	This requirement is in addition to closets and other indoor storage areas. Each project shall have a master antenna and/or a cable television hookup. Antennas are permitted subject to the provisions of Chapter 21.53 of this code and any applicable federal regulations.

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

21.45.070 ~~Small lot, single family and two family dwelling development standards.~~ Development standards for one-family dwellings and twin-homes on small lots.

A. In addition to the general development standards found in Table C, planned developments that include ~~single one-family dwellings or twin-homes on small lots two-family dwelling product types~~ shall comply with the following development standards found in Table D, One-Family Dwellings and Twin-Homes on Small Lots. ~~Small Lot, Single Family and Two-Family Dwelling Development Standards.~~

**TABLE D  
SMALL LOT, SINGLE FAMILY AND TWO FAMILY DWELLING DEVELOPMENT STANDARDS  
ONE-FAMILY DWELLINGS AND TWIN-HOMES ON SMALL LOTS**

<b>Ref. No.</b>	<b>SUBJECT Standard</b>	<b>DEVELOPMENT STANDARD Requirement</b>
<b>D.1</b>	Livable Neighborhood Policy	Must comply with city council Policy 66, Principles for the Development of Livable Neighborhoods.
<b>D.2</b>	Architectural Requirements	Must comply with city council Policy 44, Neighborhood Architectural Design Guidelines.

**TABLE D, CONTINUED**  
**ONE-FAMILY DWELLINGS AND TWIN-HOMES ON SMALL LOTS**

<u>Ref. No.</u>	<u>SUBJECT</u>	<u>DEVELOPMENT STANDARD</u>	
<u>D.3</u>	<u>Minimum Lot Area</u>	<u>One-family dwellings</u>	<u>5,000 square feet (one dwelling per lot)</u>
		<u>Twin-homes</u>	<u>3,750 square feet (one dwelling per lot)</u>
		<u>Exception</u>	<u>3,500 square feet (one-family or twin-home - one dwelling per lot) when either:</u> <u>1. The project site contains sensitive biological resources as identified in the Carlsbad habitat management plan; or</u> <u>2. The site has a general plan designation of RMH and unique circumstances such as one of the following exists:</u> <u>a. The project is for lower income or senior citizen housing;</u> <u>b. The site is located west of Interstate 5;</u> <u>c. The dwelling units are designed with alley-loaded garages; or</u> <u>d. The site is either located contiguous to a Circulation Element roadway or within 1200 feet of a commuter rail/transit center, commercial center or employment center.</u>
	<u>Minimum Lot Size or Exclusive Use Area</u>	<u>1. Single-family: 5,000 square feet; except that lots sizes less than 5,000 square feet to a minimum lot size of 3,500 square feet may be used when the site has a general plan designation of RMH and when unique circumstances such as one of the following exists:</u> <u>a. The project is for lower income or seniors housing;</u> <u>a. The site is located west of Interstate 5;</u> <u>c. The dwelling units are designed with alley-loaded garages; or</u> <u>d. The site is either located contiguous to a Circulation Element roadway or within 1200 feet of a commuter rail/transit center, commercial center or employment center.</u> <u>2. Two family: 3,750 square feet when developed as a twin home; 7,500 square feet when developed as a duplex.</u>	
<u>D.4</u>	<u>Maximum Lot Coverage</u>	<u>1 story homes</u>	<u>60% of the net pad area</u>
		<u>2 story homes</u>	<u>45% of the net pad area for all lots in a project, if the minimum lot area in the project is 5,000 square feet or greater.</u>
			<u>50% of the net pad area for all lots in a project, if the minimum lot area in the project is less than 5,000 square feet.</u>
		<u>3. Porches with no livable space above the porch, and porte-cocheres no more than 20 feet in width and 6 feet in depth are exempt from lot coverage requirements.</u>	
<u>D.5</u>	<u>Minimum Lot Width <sup>(1)</sup></u>	<u>1. SingleOne-family dwellings on lots equal to or greater than 5,000 square feet</u>	<u>50 feet (35 feet when a lot is located on a cul-de-sac, or the curved portion of a sharply curved street/drive-aisle)</u>
		<u>2. SingleOne-family dwellings on lots less than 5,000 square feet</u>	<u>40 feet (35 feet when a lot is located on a on-cul-de-sac, or the curved portion of a sharply curved street/drive-aisle)</u>
		<u>3. Two-familyTwin-homes</u>	<u>35 feet when developed as a twin home; 70 feet when developed as a duplex.</u>
<u>D.6</u>	<u>Minimum Street/Drive-Aisle Frontage</u>	<u>Lots located on the curved portion of sharply curved streets/drive-aisles or cul-de-sacs: 25 feet.</u>	
	<u>Maximum Building Height</u>	<u>Maximum 30 feet, and two stories if a minimum roof pitch of 3/12 is provided or 24 feet and two stories if less than a 3/12 roof pitch.</u>	
<u>D.7</u>	<u>Minimum Front Setback from a Private or Public Street <sup>(2)(3)</sup></u>	<u>Residential structure</u>	<u>10 feet</u>
		<u>1. Covered front porch</u>	<u>8 feet</u>
		<u>2. Residence</u>	<u>12 feet average <sup>(3)</sup>, 10 feet minimum</u>
		<u>3. Side-entry-garage</u>	<u>10 feet</u>
	<u>A. From a private or public street <sup>(2)</sup></u>	<u>4. Direct entry garage</u>	<u>20 feet</u>

**TABLE D. CONTINUED**  
**ONE-FAMILY DWELLINGS AND TWIN-HOMES ON SMALL LOTS**

Ref. No.	SUBJECT	DEVELOPMENT STANDARD				
D.8	<u>Minimum Setback from a Drive-Aisle<sup>(4)</sup></u> B. From a driveway (project)	1. Residence <u>Residential structure</u>	8-5 feet, fully landscaped ( <u>walkways providing access to dwelling entryways may be located within required landscaped area</u> )			
		2. Garage	5-3 feet			
			3. Garages facing directly onto a project driveway <u>drive-aisle</u> shall be equipped with an automatic garage door opener.			
Minimum Street Frontage		On sharply curved streets or cul-de-sacs: 35 feet. This frontage may be reduced to a minimum of 25 feet if adequate guest parking (that does not directly back onto the street) is provided near the end of the cul-de-sac in parking bays or another acceptable manner. Such lots must reach a width of 35 feet at some point near the middle of the lot.				
Minimum Street Side Yard Setback		10 feet; 20 foot setback required for garages that face a street side yard.				
D.9	Minimum Interior Side Yard Setback	<u>One-family dwellings</u>	Option 1	<u>Residential structure</u>	<u>Each interior side yard setback shall be a minimum of 10% of the lot width; provided that each side yard setback is not less than 5 feet, and need not exceed 10 feet.</u>	
				<u>Garage</u>	<u>Located on the front half of the lot</u>	<u>Same as required for residence.</u>
					<u>Located on the rear half of the lot</u>	<u>Need not exceed 5 feet</u>
					<u>Any second story living space above a garage shall observe the same interior side yard setback required for the residence.</u>	
				Option 2	<u>Residential structure and Garage</u>	<u>One interior side yard setback may be reduced to 0 feet (zero lot line); provided the other side yard setback is a minimum of 20% of the lot width, and need not exceed 20 feet.</u>
			<u>Twin-homes</u>	3. Zero lot line homes may reduce one side yard setback to 0 feet provided that the other side yard setback is equal to 20% or 25% of the lot width as required herein. <u>One side yard – 0 feet (the side yard where the dwellings on each lot are attached).</u> <u>The other side yard setback shall be a minimum of 20% of the lot width, and need not exceed 20 feet.</u>		
D.10	Minimum Rear Yard Setback ( <u>where the rear property line does not front on a street or drive-aisle</u> ) for Garages located on the rear half of the lot	<u>Residential structure</u>	4. 20% of lot width, <u>provided the rear yard setback is not less than 10 feet, and need not exceed 20 feet.</u>			
		<u>Garage (located on the rear half of the lot)</u>	2. 5 feet from rear property line			
			3. Any second story living space above a garage shall observe <u>the same rear yard setback required for "residence", above, a minimum 10-foot setback from the rear property line.</u>			
D.11	<u>Maximum Building Height</u>	<u>Same as required by the underlying zone and not to exceed two stories <sup>(5)</sup></u>				

**TABLE D, CONTINUED**  
**ONE-FAMILY DWELLINGS AND TWIN-HOMES ON SMALL LOTS**

<u>Ref. No.</u>	<u>SUBJECT</u>	<u>DEVELOPMENT STANDARD</u>	
	Recreational Space Private Rear Yard	1. Projects of 1-10 dwelling units: 25 feet x 25 feet of useable rear yard with no slope gradient greater than 5 percent. 2. Projects of more than 10 dwelling units: 18 feet x 18 feet of useable rear yard with no slope gradient greater than 5 percent. 3. Alley-loaded projects: 15 feet x 15 feet of useable side yard with no slope gradient greater than 5 percent.	
	Common recreation	1. Projects of more than 10 dwelling units: See General Standards, Table C.	
<b>D.12</b>	<b>Private Recreational Space</b>	<u>Minimum total area per unit</u>	<u>400 square feet (may consist of more than one recreational space)</u>
		<u>Minimum dimension of recreational space</u>	<u>15 feet</u>
		<u>Required private recreational space shall be located at ground level and designed so as to be functional, usable, and easily accessible from the dwelling it is intended to serve, and shall not have a slope gradient greater than 5%.</u>	
		<u>Required private recreational space shall not be located within front yard setback areas, and may not include any driveways, parking areas, storage areas, or walkways (except those walkways that are clearly integral to the design of the recreation area).</u>	
		<u>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 specified in Section 21.45.090).</u>	
		<u>Attached solid patio covers and second story decks/balconies may project into a required private recreational space, subject to the following:</u> <ul style="list-style-type: none"> <li>• <u>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).</u></li> <li>• <u>The length of the projection shall not be limited, except as required by any setback or lot coverage standards.</u></li> <li>• <u>The patio cover/deck/balcony shall comply with all applicable standards, including the required setbacks specified in Section 21.45.090.</u></li> </ul>	
	Tandem Visitor Parking Credit	Credit for one tandem visitor parking space in front of a garage may be given for: 1. Existing two-family homes that are proposed to be converted to condominiums provided that the garage is set back a minimum of 20 feet from the front property line; and 2. Single-family or two-family homes lots with a driveway that is equal to or greater than 40 feet in length.	
<b>D.13</b>	Resident Parking	<u>2 spaces per unit, provided as either:<sup>(6)</sup></u>	<u>a two-car garage (minimum 20 feet x 20 feet), or</u> <u>2 separate one-car garages (minimum 12 feet x 20 feet each)</u>
	Garages	1. On a project basis, garages for single-family or two-family homes dwelling units shall be sited as follows: <sup>(4)</sup> <ol style="list-style-type: none"> <li>For a project with 3 floor plans:               <ol style="list-style-type: none"> <li>A minimum of 33% of all units shall include garages that are recessed a minimum of 5 feet behind the front house facade;</li> <li>An additional 33% of all units shall include garages that are located a minimum of 30 feet behind the front property line;</li> <li>A maximum of 33% of all units may be side-loaded or project 6 feet forward of the front house facade provided that the garages do not exceed 50% of the total house frontage;</li> </ol> </li> <li>For a project with 4 or more floor plans:               <ol style="list-style-type: none"> <li>A minimum of 50% of all units shall include garages that are recessed a minimum of 5 feet behind the front house facade</li> <li>An additional 25% of all units shall include garages that are located a minimum of 30 feet behind the front property line</li> <li>A maximum of 25% of all units may be side-loaded or project 6 feet forward of the front house facade provided that the garages do not exceed 50% of the total house frontage</li> </ol> </li> </ol>	

**TABLE D, CONTINUED**  
**ONE-FAMILY DWELLINGS AND TWIN-HOMES ON SMALL LOTS**

<b>Ref. No.</b>	<b>SUBJECT</b>	<b>DEVELOPMENT STANDARD</b>
<b>D.14</b>	<b><u>Garages for 3 or more cars-in-a-row</u></b>	<p>e. No more than 20% of the total project units may include <u>garages with doors for 3 or more cars</u> three-in-a-row car garages that directly face the street, <u>including</u> Three-in-a-row garages that directly face the street are defined as garages having space for three cars whether constructed as 3 one-car garages located adjacent to each other, or constructed as a two-car garage separated from a one-car garage with all garage doors directly parallel to the street. The garages must have a plane change of a minimum of 18 inches between the two-car and one-car garages. This configuration must also break the roof plane with a design element such as a gable or trellis.</p> <p>Garages that are recessed 20 feet <u>or more</u> back from the forward-most plane of the house <u>shall not be subject to the 20% 3-car garage limitation stated above</u>, are exempt from this provision. Such garages may occur only when they do not exceed 40% of the width of the home along the street frontage.</p> <p>In special circumstances, when lots less than 5,000 square feet in size are permitted in a planned development, three-in-a-row car garages may not be used. Tandem garages are exempt from this requirement.</p> <p><u>Garages with doors for 3 or more cars in-a-row shall not be permitted on lots less than 5,000 square feet in area.</u></p>
<b>D.15</b>	<b><u>Driveways</u></b>	<p>2. 25% of all driveways for non-alley-loaded projects must be designed as "Pasadena" driveways with grass or enhanced pavement in the middle.</p> <p>3. Driveways for side-loaded garages must incorporate <u>be enhanced with decorative</u> pavement to improve appearance.</p>

- (1) Lot width is measured 20' behind the front property line.
- (2) Setbacks are applicable to streets that include parkways and sidewalks along both sides. For existing streets without parkways, the front setback shall be as follows: Front porch — 15', Residence — 15' (average), 10' (minimum), Side entry garage — 10', Direct entry garage — 20'.
- (3) The average front yard setback is determined by adding together all of the unit front yard setbacks (the setback for each unit should be measured from that element of each building, excluding projections, that is located closest to the front property line) and dividing that total by the total number of project units.
- (4) Garage standards do not apply to alley-loaded projects.
- (2) See Table C in Section 21.45.060 for required setbacks from an arterial street.
- (3) Building setbacks shall be measured from one of the following (whichever is closest to the building): a) property line; or b) the outside edge of the required street right-of-way width.
- (4) Building setbacks shall be measured from one of the following (whichever is closest to the building): a) property line; b) the outside edge of the required drive-aisle width; c) the back of sidewalk; or d) 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).
- (5) 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.
- (6) The required resident parking within the R-W zone shall be 2 spaces/unit, 1 of which must be covered. Any uncovered required parking space in the R-W zone may be located within a required front yard setback and may be tandem.

21.45.080 Multiple dwelling development standards Development standards for condominium projects.

A. In addition to the general development standards found in Table C, planned developments that include multiple dwelling units condominium projects shall comply with the following development standards listed in Table E, Multiple Dwelling Development Standards Condominium Projects.

**TABLE E**  
**MULTIPLE DWELLING DEVELOPMENT STANDARDS CONDOMINIUM PROJECTS**

<b>REF. NO.</b>	<b>SUBJECT Standards</b>	<b>DEVELOPMENT STANDARD Requirement</b>
<b><u>E.1</u></b>	Livable Neighborhood Policy	Must comply with city council Policy 66, Principles for the Development of Livable Neighborhoods.



**TABLE E, CONTINUED  
CONDOMINIUM PROJECTS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
<b>E.2</b>	<b>Architectural Requirements</b>	<u>One-family and two-family dwellings</u>	<u>Must comply with city council Policy 44, Neighborhood Architectural Design Guidelines</u>
		<u>Multiple-family dwellings</u>	<u>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.</u>
			<u>All building elevations shall incorporate a minimum of four complimentary design elements, including but not limited to:</u> <ul style="list-style-type: none"> <li>• <u>A variety of roof planes;</u></li> <li>• <u>Windows and doors recessed a minimum of 2 inches;</u></li> <li>• <u>Decorative window or door frames;</u></li> <li>• <u>Exposed roof rafter tails;</u></li> <li>• <u>Dormers;</u></li> <li>• <u>Columns;</u></li> <li>• <u>Arched elements;</u></li> <li>• <u>Varied window shapes;</u></li> <li>• <u>Exterior wood elements;</u></li> <li>• <u>Accent materials such as brick, stone, shingles, wood, or siding;</u></li> <li>• <u>Knee braces; and</u></li> <li>• <u>Towers.</u></li> </ul>
<b>E.3</b>	Maximum Lot Coverage	60% on a project basis of total project net developable acreage.	
<b>E.4</b>	Maximum Building Height	<u>Same as required by the underlying zone, and not to exceed three stories <sup>(1)</sup></u>	
		<u>Projects within the RH general plan designation <sup>(1)</sup></u>	<u>40 feet, if roof pitch is 3:12 or greater</u>
			<u>35 feet, if roof pitch is less than 3:12</u>
			<u>Building height shall not exceed three stories</u>
<b>E.5</b>	Minimum Building Setbacks Private or public street <sup>(4)</sup>  Driveway (Project)	<u>From a private or public street <sup>(2)(3)</sup></u>	<u>Residential structure</u> <u>10 feet</u>
			1. To front porch      11 feet
			2. To residential structure      45-foot average <sup>(2)</sup>
			3. To street side yard      10 feet
			4. To side entry garage      10 feet
			5. To direct entry garage      20 feet
		<u>From a drive-aisle <sup>(4)</sup></u>	1. Residence <u>Residential structure (all floors, except as specified below).</u> <u>8-5 feet, fully landscaped (walkways providing access to dwelling entryways may be located within required landscaped area)</u>
			Residential structure – 2 <sup>nd</sup> & 3 <sup>rd</sup> floors directly above a garage <u>0 feet when projecting over the front of a garage</u>
			2. Garage      5-3 feet 3. Garages facing directly onto a driveway-aisle shall be equipped with an automatic garage door opener.
		<u>From the perimeter property lines of the project site (not adjacent to a public/private street)</u>	<u>The building setback from an interior side or rear perimeter property line shall be the same as required by the underlying zone for an interior side or rear yard setback.</u>



**TABLE E, CONTINUED  
CONDOMINIUM PROJECTS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
Architectural Design Elements		<p>1. There shall be at least 3 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.</p> <p>2. Building facades shall incorporate a minimum of four of the following types of design elements:</p> <ul style="list-style-type: none"> <li>a. Covered front porches (may count toward meeting recreation space requirements);</li> <li>b. A variety of roof planes;</li> <li>c. Windows and doors recessed a minimum of 2 inches;</li> <li>d. Paned windows and doors;</li> <li>e. Exposed roof rafter tails;</li> <li>f. Window and door lintels;</li> <li>g. Dormers;</li> <li>h. Accent and varied shape windows;</li> <li>i. Exterior wood elements;</li> <li>j. Raised stucco trim around windows and doors;</li> <li>k. Accent materials such as brick, stone, shingles, wood or siding; and</li> <li>l. Knee braces.</li> </ul>	
		<p><b>10 feet</b> 20-foot average with a minimum of 10 feet between structures. No structures (i.e., stairs, stairwells, balconies, etc.) are permitted to encroach into this setback.</p>	
E.6	Minimum Building Separation		
E.7	Resident Parking <sup>(6)</sup>	<p><u>All dwelling types</u></p>	<p><u>If a project is located within the RH general plan designation, resident parking shall be provided as specified below, and may also be provided as follows:</u></p> <ul style="list-style-type: none"> <li>• <u>25% of the units in the project may include a tandem two-car garage (minimum 12 feet x 40 feet).</u></li> <li>• <u>Calculations for this provision resulting in a fractional unit may be rounded up to the next whole number.</u></li> </ul>
		<p><u>One-family and two-family dwellings</u></p>	<p><u>2 spaces per unit, provided as either:</u></p> <ul style="list-style-type: none"> <li>• <u>a two-car garage (minimum 20 feet x 20 feet), or</u></li> <li>• <u>2 separate one-car garages (minimum 12 feet x 20 feet each)</u></li> <li>• <u>In the R-W Zone, the 2 required parking spaces may be provided as 1 covered space and 1 uncovered space <sup>(5)</sup></u></li> </ul>
		<p><u>Studio and one-bedroom units</u></p>	<p><u>1.5 spaces per unit, 1 of which must be covered <sup>(5)</sup></u></p> <p><u>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.</u></p>
		<p><u>Multiple-family dwellings</u></p> <p><u>Units with two or more bedrooms</u></p>	<p><u>2 spaces per unit, provided as either:</u></p> <ul style="list-style-type: none"> <li>• <u>1. a one-car garage (12 feet x 20 feet) car garage and 1 covered or uncovered space per unit; or <sup>(5)</sup></u></li> <li>2. Studio units ~ 1.5 spaces; 1 covered per unit.</li> <li>3. Housing for senior citizens: 1.5 covered spaces per unit, plus 1 covered space for an onsite manager's unit (when provided).</li> <li>• <u>a two-car garage (minimum 20 feet x 20 feet), or</u></li> <li>• <u>2 separate one-car garages (minimum 12 feet x 20 feet each)</u></li> <li>• <u>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></u></li> </ul>

**TABLE E, CONTINUED  
CONDOMINIUM PROJECTS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
E.7. cont.	Resident Parking, cont.	Multiple-family dwellings, cont.	<p>Required parking may be provided within an enclosed parking garage with multiple, open parking spaces, subject to the following:</p> <ul style="list-style-type: none"> <li>Each parking space shall maintain a standard stall size of 8.5 feet by 20 feet, exclusive of supporting columns; and</li> <li>A backup distance of 24 feet shall be maintained in addition to a minimum 5 feet turning bump-out located at the end of any stall series.</li> </ul> <p>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.</p>
	Visitor Parking		<ol style="list-style-type: none"> <li>10 units or less: 1 space for each 2 dwelling units or fraction thereof.</li> <li>11 units or more: 5 spaces for the first 10 units, plus 1 space for each 4 dwelling units above 10.</li> <li>Housing for senior citizens: 1 space for each 5 dwelling units.</li> <li>Visitor parking spaces must be located no more than 150 ft. as measured in a logical walking path from the entrance of the unit it could be considered to serve.</li> <li>Visitor parking must be provided in parking bays.</li> </ol>
	Compact Parking		For projects of more than 25 units, up to 25 percent 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.
	Recreational Space Private		<ol style="list-style-type: none"> <li>Projects of 1 - 10 dwelling units: 15 ft. x 15 ft. patio or 120 square feet of balcony area</li> <li>Projects of more than 10 dwelling units: 10 ft. x 10 ft. patio or 6 ft. x 10 ft. balcony</li> </ol>
	Common		1. Projects of more than 10 dwelling units: See General Standards, Table C.
E.8	Private Recreational Space	One-family and two-family dwellings	Minimum total area per unit
			400 square feet (may consist of more than one recreational space)
			Minimum dimension of recreational space
			15 feet
			Required private recreational space shall be located at ground level and designed so as to be functional, usable, and easily accessible from the dwelling it is intended to serve, and shall not have a slope gradient greater than 5%.
			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.
			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).
			<p>Attached solid patio covers and second story decks/balconies may project into a required private recreational space, subject to the following:</p> <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> <li>The length of the projection shall not be limited, except as required by any setback or lot coverage standards.</li> </ul> <p>The patio cover/deck/balcony shall comply with all applicable standards, including the required setbacks specified in Section 21.45.090.</p>

**TABLE E, CONTINUED  
CONDOMINIUM PROJECTS**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
<u>E.8, cont.</u>	<u>Private Recreational Space, cont.</u>	<u>Multiple-family dwellings</u>	<u>Minimum total area per unit (patio, porch, or balcony)</u> <u>60 square feet</u>
			<u>Minimum dimension of patio, porch or balcony</u> <u>6 feet</u>
			<u>Required private recreational space shall be functional, usable, and easily accessible from the dwelling it is intended to serve.</u>
			<u>Projects within the RH 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.</u>

- (1) ~~Setbacks are applicable to streets that include parkways and sidewalks along both sides. For existing streets without parkways, the front setback shall be as follows: Front porch — 16 feet, residence — 20-foot minimum, side entry garage — 10 feet, direct entry garage — 20 feet.~~
- (2) ~~The average front yard setback is determined by adding together all of the unit front yard setbacks (the setback for each unit should be measured from that element of each building, excluding projections, that is located closest to the front property line) and dividing that total by the total number of project units.~~
- (1) 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.
- (2) See Table C in Section 21.45.060 for required setbacks from an arterial street.
- (3) Building setbacks shall be measured from the outside edge of the required street right-of-way width.
- (4) 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).
- (5) Any uncovered required parking space in the R-W zone may be located within a required front yard setback and may be tandem.
- (6) This standard does not apply to housing for senior citizens (see Chapter 21.84 of this code).

21.45.090 Residential additions and accessory uses.

~~Residential Additions and Accessory Uses. Table F includes a listing of residential additions and accessory use standards that are permitted based on the type of residential use, the type of permit required and the required development standards.~~

A. General.

1. Additions and accessory uses shall be subject to all applicable development standards of this chapter, unless otherwise specified in this section.

2. Enlargement of buildings that are legally non-conforming by reason of inadequate setbacks is permitted, provided that such enlargement does not increase the floor space more than 40% of that existing prior to such enlargement, and that the new addition complies with the setbacks and lot coverage requirements of this chapter.

B. One-family dwellings and twin-homes on small lots.

1. Table F lists the provisions for residential additions and accessory uses to one-family dwellings and twin-homes on small lots.

2. The additions and accessory uses listed in Table F shall be subject to the approval/issuance of a building permit.

**TABLE F  
RESIDENTIAL ADDITIONS/ AND ACCESSORY USES STANDARDS  
TO ONE-FAMILY DWELLINGS AND TWIN-HOMES ON SMALL LOTS**

<u>Addition/Accessory Use</u>	<u>Minimum Front Yard Setback</u>	<u>Minimum Side and Rear Yard Setbacks</u>
<u>Attached/detached patio covers <sup>(2)</sup></u>	<u>10 feet to posts (2-foot overhang permitted)</u>	<u>5 feet to posts (2-foot overhang permitted)</u>
<u>Pool, spa</u>	<u>20 feet</u>	<u>5 feet — pool 2 feet — spa</u>
<u>Non-habitable detached accessory buildings/ structures (e.g., garages, workshops, decks over 30 inches in height) (1) (2) (3)</u>	<u>20 feet</u>	<u>5 feet</u>

**TABLE F, CONTINUED**  
**RESIDENTIAL ADDITIONS AND ACCESSORY USES**  
**TO ONE-FAMILY DWELLINGS AND TWIN-HOMES ON SMALL LOTS**

<u>Addition/Accessory Use</u>	<u>Minimum Front Yard Setback</u>	<u>Minimum Side and Rear Yard Setbacks</u>
<u>Habitable detached accessory buildings (i.e. guest houses and second dwelling units) <sup>(2) (3) (4)</sup></u>	<u>Same setbacks as required for the primary dwelling</u>	
<u>Additions to dwelling (attached)</u>	<u>Same setbacks as required for the dwelling</u>	

**Notes:**

- <sup>(1)</sup> Maximum building height is 1 story and 14 feet with a 3:12 roof pitch or 10 feet with less than a 3:12 roof pitch.
- <sup>(2)</sup> Minimum 10-foot separation required between a habitable building and any other detached accessory building/structure.
- <sup>(3)</sup> Must be architecturally compatible with the existing structure.
- <sup>(4)</sup> Second dwelling units are subject to Section 21.10.030.

**C. Condominium projects.**

**1. Additions and accessory uses to condominium projects shall be subject to Section 21.45.100 (amendments to permits).**

Type of Residential Use	Type of Accessory Use	Frontyard Setback	Sidyard Setback	Rear Yard Setback	Remarks	Required Permit
Single-family (SF), Two-family (TF)	Attached/Detached Patio Covers	20 feet	5 feet to posts with a permitted 2-foot overhang	5 feet to posts with a permitted 2-foot overhang	Open or lattice-top patio covers may be located within the required private recreation space.	Building
SF	Garages, Workshops	20 feet	5 feet	5 feet	See (2)	Residential Addition
SF, TF	Frontyard Arbors	5 feet	5 feet	NA	Open trellises or arbors not greater in size than 4 ft. x 6 ft. x 10 ft. x the width of the driveway if used over a driveway	Building
SF, TF	Tool Sheds, Decks over 30 inches in height	20 feet	5 feet	5 feet	See (1)	Building
SF, TF	Porte-cochere	Must observe same setbacks as home	Must observe same setbacks as home	NA		Residential Addition
SF, TF	Room Additions, Other Habitable Structures	Must comply with all development standards of Section 21.45.070			See (1), (2)	Residential Addition
SF	Second Dwelling Units	Must comply with all development standards and of Sections 21.10.030 and 21.45.070.			See (2), (3)	Building

SF	Guest Houses	Must comply with all development standards of Section 21.45.070			See (2), (3)	Residential Addition
SF, TF	Pool, Spa	20-foot	5-foot—pool 2-foot—spa	5-foot—pool 2-foot—spa		Building
SF, TF	Satellite Antenna	NA	NA	NA	NA	See Sections 21.53.140, 21.45.060

**Note:**

- (1) Maximum building height is 14 feet with a 3:12 roof pitch or 19 feet with less than a 3:12 roof pitch.  
(2) Minimum 10-foot separation required between habitable structures.  
(3) Must be architecturally compatible with the existing structure.

**B. Residential Addition Permit.** Application for a planned development residential addition permit (PDRAP) shall be made in accordance with the procedures set forth in this subsection.

1. **Application Process.** An application for a planned development residential addition permit may be made by the owners of the property or an authorized agent. The application for a residential addition permit shall be made in writing on the form provided by the planning department and shall be accompanied by the required fee. The application shall include amended exhibits, graphics, statements or other information as specified by the planning director.

2. **Noticing.** Upon the acceptance of a complete application and payment of the required fees, the planning director shall notify, at least fifteen days prior to a decision on an application by mail or personal delivery, all property owners as shown on the latest equalized assessment role and located within one hundred feet from the property line of the subject property.

a. **Written Objections.** Any person so notified may file written objections or a written request to be heard within ten days after the mailing or personal delivery of the notice. If a written request to be heard is filed, the planning director shall schedule a hearing and provide written notice to the applicant and the person who requested the hearing at least five days prior to the hearing. The hearing is not a public hearing and may be informal.

b. **Notice of Decision.** Notice of the planning director's decision on a residential addition permit shall be mailed to the applicant within five days of the date of the decision. The planning director may approve or conditionally approve the request if all of the required standards are met. If a hearing is held, he shall render his decision within ten days after the conclusion of the hearing. The letter shall also be sent to any person who requested notice or appeared at the hearing.

c. **Appeal.** Any decision of the planning director pursuant to this section may be appealed by any person to the planning commission in accordance with Chapter 21.54, Section 21.54.140 of this code.

**21.45.100 Amendments to permits.**

A. Amendments to a permit may be initiated by the property owner or an authorized agent, or by motion of the city council, as follows:

**1B. Minor Amendment.**

1. A project revision may be considered and approved as a minor amendment only if all of the following findings are made:

a. **Density.** The proposed revision does not increase the density (i.e., the addition of units);

**b. The proposed revision does not decrease the density by more than 10% ten percent, and provided the density is not decreased below the minimum density of the underlying residential land use designation of the General Plan;** or

**c. The proposed revision does not** change the boundary of the subject property;

**b.d. Addition of New Land Use.** The proposed revision does not involve the addition of a new land use not shown on the original permit (e.g., adding a commercial use to a residential project, replacing single-family units with attached residential units, vice versa for each example, etc);

~~e.e.~~ **Rearrangement of Land Uses.** The proposed revision does not rearrange the major land uses within the development (e.g., it does not exchange the locations of single-family units with attached units);

~~d.f.~~ **Compliance with Standards.** The proposed revision does not create changes of greater than ~~10%ten percent~~, provided that compliance will be maintained with the applicable development standards of this code as follows:

(1)~~i.~~ Per individual lot or structure basis: ~~Yards, setbacks~~ **Building floor area**, coverage or height (except that height reductions of more than ~~10%ten percent~~ are permitted);

(2)~~ii.~~ On an aggregate project basis: Parking, open space, recreation or landscaping areas;

**g. The proposed revision is architecturally compatible with existing structures within the development.**

~~e2.~~ Application Process.

**a.** The application for a minor amendment shall be made in writing on the form provided by the planning department and shall be accompanied by the required fee.

**b.** The application shall include amended exhibits, graphics, statements or other information as may be required to explain and justify the request;

~~f3.~~ Notice.

**a.** If the planning director considers the amendment minor in nature the planning director shall give written notice by mail or personal delivery to all property owners within ~~three hundred~~ **100** feet of the subject property, as shown on the latest equalized assessment role, at least ~~fifteen~~ **15** days prior to a decision on an application;

~~g4.~~ **Effective date of orderAppeal.** Otherwise, any decision of the planning director pursuant to this section shall be processed, heard and determined

**a.** **The effective date of the planning director's decision and method for appeal of such decision shall be governed by in accordance with Section 21.54.140 of this code;**

~~2C.~~ Major Amendment.

**1.** **Any other revision to a project that does not meet the criteria for a minor amendment, as described in subsection "B.1" of this section, shall be considered a major amendment.**

**2.** An application for a major amendment of a planned development permit shall be processed, heard and determined in the same manner as an application for a planned development permit.

**3.** When necessary, the amendment shall be accompanied by an amendment to the corresponding parcel map or tentative map.

21.45.110 Conversion of existing buildings to planned developments.

A. Applicability.

**1.** Any application for **the conversion of existing buildings to a planned development (e.g., converting apartments to condominiums)** ~~a condominium conversion, shall not be subject to all the amended provisions of this chapter but shall be processed and approved or disapproved pursuant to the ordinance in effect at the time that the original project was approved or constructed.~~

B. Building Plans and Gas/Electric Plan.

**1.** An application for conversion of an existing structure to a planned development shall include building plans indicating how the building relates to present building and zoning regulations and where modifications will be required.

**2.** Also, the application shall include a letter from San Diego Gas and ~~e~~Electric explaining that the plans to connect the gas and electric system to separate systems are acceptable.

**C. Conversions within the Coastal Zone.**

**1.** **The conversion of existing residential units within the Coastal Zone that are occupied by persons or families of low or moderate income shall be subject to the requirements of Section 65590 of the California Government Code.**

~~GD.~~ Notice to Tenants and Findings.

**1.** **Each prospective and existing tenant of the proposed condominium project shall be given written notice of the proposed conversion in accordance with Sections 66452.8 and 66452.9 of the California Government Code (Subdivision Map Act); and**

**2.** In addition to all other required findings for a subdivision, the city council shall ~~find that~~ **make all of the findings set forth in Section 66427.1 of the California Government Code (Subdivision Map Act).**

1. ~~First Notice. Each of the tenants of the proposed condominium or planned development project has been or will be given one hundred eighty days written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion. The provisions of this subdivision shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provisions of services, payment of rent or the obligations imposed by Section 1941, 1941.1 and 1941.2 of the Civil Code.~~

2. ~~Right to Contract for Purchase. Each of the tenants of the proposed condominium or planned development project has been or will be given notice of an exclusive right to contract for the purchase of their respective units upon the same terms and conditions that such units will be initially offered to the general public at terms more favorable to the tenant. The right shall run for a period of not less than ninety days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his intention not to exercise the right.~~

3. ~~Relocation Assistance. The subdivider shall provide relocation assistance equal to one month's rent to any residential tenant who relocated from the building to be converted after receipt from the subdivider of the notification required by this chapter, except when the tenant has given notice of his intent to vacate prior to receipt of the notification from the subdivider. Relocation assistance shall be provided no later than fifteen days following the subdivider's receipt of notification from the tenant of the tenant's intent to vacate unless other arrangements are made in writing between the tenant and the subdivider.~~

21.45.120 Expiration, extension and revisions.

A. The expiration, extension or revision of a planned development of four or less lots or units shall be governed by the provision of Section 20.24.160, 20.24.180 and 20.24.080 of this code.

B. The expiration, extension or revision of a planned development of five or more lots or units shall be governed by the provisions of Sections 20.12.100, 20.12.110 and 20.12.120 of this code.

21.45.130 Proposed common ownership land or improvements.

A. Where a planned development contains any land or improvement proposed to be held in common ownership, the applicant shall submit a declaration of covenants, conditions and restrictions (CC&Rs) with the final map. Such declaration shall set forth provisions for maintenance of all common areas, payment of taxes and all other privileges and responsibilities of the common ownership.

B. The CC&Rs shall include provisions:

1. For maintenance of all common areas, payment of taxes and all other privileges and responsibilities of the common ownership.

2. ~~The CC&Rs shall include provisions p~~Prohibiting the homeowners' association from quitclaiming land in an association easement for ownership to private property owners thus allowing the homeowners to privatize a common area for his own use.

C. The CC&Rs shall be reviewed by and subject to approval of the planning director. (Ord. NS-612 § 1 (part), 2001)

21.45.140 Maintenance.

A. All private streets, walkways, parking areas, landscaped areas, storage areas, screening sewers, drainage facilities, utilities, open space, recreation facilities and other improvements not dedicated to public use shall be maintained by the property owners. Provisions acceptable to the planning director shall be made for the preservation and maintenance of all such improvements prior to the issuance of building permits.

21.45.150 Failure to maintain.

A. Public Nuisance.

1. All commonly-owned lots, improvements and facilities shall be preserved and maintained in a safe condition and in a state of good repair.

2. Any failure to so maintain is unlawful and a public nuisance if it endangers the health, safety and general welfare of the public and is a detriment to the surrounding community.

B. Removal of Public Nuisance.

1. In addition to any other remedy provided by law for the abatement, removal and enjoinder of such public nuisance, the community development director or public works director may, after giving notice, cause the necessary work of maintenance or repair to be done.



2. The costs thereof shall be assessed against the owner or owners of the project.
  - C. Notice of Maintenance Required.
    1. The notice shall be in writing and mailed to:
      - a. ~~a~~ All persons whose names appear on the last equalized assessment roll as owners of real property within the project at the address shown on the assessment roll; and
      - b. ~~Notice shall also be sent to a~~ Any person known to the public works director to be responsible for the maintenance or repair of the common areas and facilities of the project under an indenture or agreement.
    2. ~~The public works director shall also cause a~~ At least one copy of such notice to shall be posted in a conspicuous place on the premises. ~~No assessment shall be held invalid for failure to post or mail or correctly address any notice.~~
    - D. ~~Commence Work Within Thirty Days of Notice.~~
    3. The notice shall particularly specify:
      - a. ~~The work required to be done; and shall state that~~
      - b. ~~That if the work is not~~ must be commenced within thirty 30 days after receipt of such notice, and diligently and without interruption prosecuted to completion; and
      - c. If upon the expiration of the 30 day period, the work is not commenced and being performed with diligence, the city shall cause such work to be done; in which case, the cost and expense of such work, including incidental expenses incurred by the city, will be assessed against the property or against each separate lot and become a lien upon such property.
    - E. ~~Expiration of Thirty-Day Period.~~

If, upon the expiration of the thirty day period provided for in subsection (D) of this section, the work has not been done, or having been commenced, is not being performed with diligence, the public works director shall proceed to do such work or cause such work to be done.
    - D. Upon completion of such work, the community development director or public works director shall file a written report with the city council setting forth the fact that the work has been completed and the cost thereof, together with a legal description of the property against which the cost is to be assessed.
      1. ~~The public works director shall thereafter give notice in writing to the owners of the project in the manner provided in subsection (C) of this section~~ Written notice shall be provided to all persons specified in subsection C.1 of this section of the hour and place that the city council will pass upon the public works director's written report and will hear any protests against the assessments shall be provided. Such notice shall also set forth the amount of the proposed assessment.
    - Fa. ~~Hearing.~~ Upon the date and hour set for the hearing, the city council shall hear and consider the ~~public works director's~~ report and any protests before proceeding to confirm, modify or reject the assessments.
    - GE. ~~Confirmation of Assessment.~~ A list of assessment as finally confirmed by the city council shall be sent to the city treasurer for collection.
      1. If any assessment is not paid within ten days after its confirmation by the city council, the city clerk shall cause to be filed in the office of the county recorder a notice of lien, in a form approved by the city attorney.
    - H. ~~Notice of Lien.~~
      - a. From and after the date of recordation of such notice of lien, the amount of the unpaid assessment shall be a lien on the property against which the assessment is made, and such assessment shall bear interest at the maximum rate allowed by law until paid in full.
      - b. The lien shall continue until the amount of the assessment and all interest thereon has been paid.
      - c. The lien shall have priority according to law.
- 21.45.160 Model homes.
- A. Except for model homes, building permits for construction within the proposed planned development shall not be issued until a final subdivision map has been recorded for the project.
  - B. A maximum of six model home units may be constructed prior to recordation of the final map, provided that adequate provision acceptable to the planning director and city attorney are made guaranteeing removal of such complex if the final map is not recorded.



21.45.170      Restriction on reapplication for planned development permit.

A.      The restrictions on the reapplication for a planned development permit are specified in Section 21.54.130 of this code. ~~No application for a planned development permit on the same property or essentially the same property for which a permit has been denied by the city council shall be accepted within twelve months of such denial. This provision may be waived by the affirmative vote of a majority of the city council.~~

TH  
cc. DUK  
SS

# HowesWeiler & Associates

LAND USE PLANNING AND CONSULTATION

**RECEIVED**

NOV 17 2008

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

November 13,, 2008

Toni Ross  
California Coastal Commission  
7575 Metropolitan Drive #103  
San Diego, CA 92108

RE: Amendment to Carlsbad's Planned Development Ordinance

Dear Toni,

We have been told by City staff that the amendment to the city of Carlsbad's Planned Development Ordinance could be presented to the Coastal Commission during the December hearing. I would like to urge the Coastal Commission staff to recommend the Coastal Commission approve the proposed amendment to Carlsbad's Planned Development as submitted.

The revisions to the Planned Development Ordinance will facilitate development of higher density multifamily projects in Carlsbad. The development standards of the existing Planned Development Ordinance make it very difficult to develop multifamily projects in Carlsbad in accordance with the density allowed by their existing General Plan designations. This problem has been especially difficult on the smaller infill lots, most of which are located within the Coastal Zone of Carlsbad. In the past, this has resulted in many of those lots being developed with larger units at densities significantly below that allowed by their General Plan designations. However, during the past few years, the City has been requiring the infill sites to be developed at the density allocated by the General Plan designation. This has created significant problems for many of the undeveloped and underdeveloped properties in the City. The proposed revisions to development standards and design criteria of the Planned Development Ordinance will eliminate many of these constraints, but still ensure that these properties are developed with well designed projects.

Since most of the future development in Carlsbad will be of a higher density infill variety, especially in the Coastal Zone, it is important to have the proper tools to encourage this type of development. Most of the higher density land in the City of Carlsbad is within walking distance of the beach. Many of the remaining higher density sites that are not within walking distance of the beach are within walking distance of public transportation corridors, commercial centers, or places of employment. In accordance with the requirements of recently approved SB 375, the City and State need to do everything feasible to encourage development that is not auto dependent to get to jobs, schools, and shopping.

EXHIBIT #3

Letter of Comment

LCPA #1-07B Planned Development  
Regulations



California Coastal Commission

proposed revisions to Carlsbad's Planned Development Ordinance are a step in the right direction to implementing this goal.

In conclusion we are requesting that the Coastal Commission approve the proposed revisions to Carlsbad's Planned Development Ordinance as submitted. We believe that these revisions will not adversely impact any Coastal Resources and will allow more people to live within walking distance of the beach.

Sincerely,



Signature on File

Mike Howes

Cc Deborah Lee  
Sheryln Sarb