

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA  
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# F 5a

## Addendum

October 6, 2009

To: Commissioners and Interested Persons

From: California Coastal Commission  
San Diego Staff

Subject: Addendum to **Item F 5a**, Local Coastal Program Amendment  
**City of Carlsbad LCP Amendment No. 1-09B (Legoland Hotel)**,  
for the Commission Meeting of October 9, 2009

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Staff recommends the following changes be made to the above-referenced staff report (language to be deleted is ~~struck out~~ and language to be added is underlined or **bold** if previously added):

1. Add the following two policies on Page 9 after the citation of Policy 6-5 - Need for Additional Hotel-Motel Rooms, and Visitor Serving Uses, as follows:

Policy-1.2 Environmentally Sensitive Habitat Areas (ESHA)

Pursuant to Section 30240 of the California Coastal Act, environmentally sensitive habitat area, 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.

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 enforce appropriate height limitations and see-through construction, as well as minimize any alterations to topography.

2. Modify the third full paragraph of Page 13 as follows:

The concern regarding reduction to the required parking is not necessarily with the reduction in the number of parking spaces specifically. The original Legoland Park amendment created a new parking generation rate because none existed in the City's zoning ordinance that addressed theme parks. Based on the parking needs for other

theme parks, the original parking estimate for the park was 94.2 parking spaces per acre of development. In 2007, the park had a peak vehicle attendance of 3,123 vehicles. Given the 39 acres of park development, the overall parking demand was therefore only 80.08 vehicles per acre of park development ( $3,123/39=80.08$ ) based on operations in 2007. The City also submitted an updated traffic/parking study that indicated that with the addition of the hotel and accessory hotel uses, the potential overall peak parking demand would be 4,168 parking spaces. The current number of Legoland parking spaces available is 5,304, of which, 4,851 will remain available after construction of the hotel is complete. Further, Legoland can convert some Bus/RV parking spaces to provide additional parking when needed. As such, the total number of parking spaces that will remain available is ranges between 4,851 and 5,000+ parking spaces depending on attendance. Therefore, since its original development and continuing to date, even with the addition of the hotel in the future, Legoland Park has had a parking surplus. The remaining parking spaces include some overflow, as well as allowance which could be utilized during the complete build out of the theme park with future uses in the expansion area. As such, the City has provided adequate documentation that the current parking stock is more than adequate to accommodate all patrons to Legoland Park and the proposed Legoland Hotel.

3. Modify the last paragraph on Page 14 as follows:

As previously discussed, the City is proposing four revisions to the Carlsbad Ranch Specific Plan. Two of these revisions are associated with a Legoland proposal to construct a 250-room hotel on the existing Legoland site. The other two revisions would be general updates to the Specific Plan modifying parking requirements for future gym developments, and replacing any reference to Hidden Valley Road with The Crossing Drive. Again, the latter two of the City's revisions do not raise concerns regarding consistency with the City's LUP and will not require any suggested modifications. However, the revision that added "hotel" as a permitted use within Legoland failed to address all the concerns associated with these types of developments and failed to include an alternative transportation policy for the hotel. Specifically, the City failed to protect the proposed hotel development from conversion to a limited use overnight facility. Second, the City failed to provide adequate provisions for alternative modes of transportation for Legoland visitors or employees. The portion of the proposed amendment that added "hotel" as an allowable use also included design standards. These design standards included setbacks, general architecture, public spaces requirements, roofs, etc. None of the standards proposed by the City raise concerns regarding visual or resource impacts. Three suggested modifications address these concerns and will be discussed in greater detail below. Additionally, the City's proposed revisions updated the language describing uses in Legoland Park it did not include updates to the associated figures mirroring these descriptions. As such, the fourth suggested modification requires the City to also update the associated figures.

4. Add a new paragraph directly following the second full paragraph on Page 15 as follows:

As briefly discussed previously, the City included certain design standards for the hotel development as a component of this LCP amendment, and while the physical development is not a component of the proposed amendment, these design standards must be consistent with the City's LUP in order to be included within the Carlsbad Ranch Specific Plan. As proposed, the City includes a number of standards addressing the style of hotel including roof, window, and balcony design, potential building materials, etc. These design standards are consistent with both the general development standards applicable for Carlsbad Ranch and the development standards specific to Legoland. Furthermore, the proposed amendment does not raise concerns regarding resource protection in that the hotel site is located on a previously developed parking lot. The project site also does not obstruct any public views of the coast as it is located a mile from the coastline. Further, the City submitted a sight line exhibit confirming the proposed location and scale of the hotel will not affect any public ocean views. Therefore, the design standards proposed for the hotel development can be found consistent with the City's certified LUP without any modifications.

5. Modify the final paragraph on Page 21, continuing on Page 22, of the staff report as follows:

Legoland has documented its projected rates for the proposed hotel development. The projected average cost of a room at the Legoland Hotel would be approximately \$225.00 per night. Using the formula described above, the proposed development would be considered high cost. However, several factors need to be included in determining whether the hotel would be accessible to the general population. The first to consider is that the Legoland Hotel will be a destination hotel associated with a family-oriented theme park. Legoland predicts that approximately 80% of hotel guests will also visit Legoland Park. Legoland has indicated that the hotel rates will be reduced when purchased in combination with admission to Legoland Park. Depending on the package chosen admissions to Legoland Park range from \$11.95 for a child (under twelve) to the Legoland Sealife Aquarium to \$80 for adults (thirteen and over) 2-day admission to all attraction at Legoland Park. The average price for a hotel room when combined with admission to Legoland Park is \$156.20, a savings of almost \$70 per night, which the Commission's 2007 formula defines as moderate cost. Additionally, the Commission's formula for determining affordability is based on an average hotel room (double occupancy). In 2007, the City of Carlsbad submitted LCP Amendment 1-07A for the DKN Hotel in downtown Carlsbad. The proposed amendment included the demolition of lower cost hotel rooms to be replaced by moderate cost hotel rooms. In the Commission's review of the project, the City raised the question of standard (two beds) rooms versus suites. The City felt, and the Commission ultimately agreed, that suites could not be classified as a standard hotel room because they provide additional beds and may accommodate up to four people, whereas a traditional hotel room typically accommodates two persons. The result being a family of four would have to reserve two traditional hotel rooms, but may only need to reserve one suite, thereby reducing the actual cost.

**CALIFORNIA COASTAL COMMISSION**

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September 21, 2009

**F 5a****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 LCP  
AMENDMENT NO. 1-09B (Legoland Hotel) for Commission Meeting of October  
7-9, 2009**

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**SYNOPSIS**

The subject LCP implementation plan amendment was filed as complete on July 13, 2009. A one-year time extension was granted on September 9, 2009. As such, the last date for Commission action on this item is October 11, 2010.

This staff report addresses one of two of the components submitted by the City for Local Coastal Program Amendment (LCPA) 1-09 (A&B). This submittal, LCPA 1-09B (Legoland Hotel), is the first to be heard by the Commission. The second component, LCPA 1-09A (Seascape) has not yet been scheduled for a Commission hearing.

**SUMMARY OF AMENDMENT REQUEST**

The subject LCP amendment proposes four modifications to the Carlsbad Ranch Specific Plan (Specific Plan). The Specific Plan serves, in part, as the certified implementation plan for the Carlsbad Ranch sub-area. All but one of the proposed revisions are within Planning Area 4, or the Legoland Park portion of the Carlsbad Ranch Specific Plan. The last will modify a parking standard that is applicable to the entire Carlsbad Ranch area. The proposed modifications will allow hotel and accessory uses to hotels, add design criteria for the hotel use, modify parking standards for the theme park, reflect the previous street name change of Hidden Valley Road to The Crossings Drive, and lastly modify the parking standards for gyms within the entire Specific Plan area. The amendment would also include language identifying a North County Transit District (NCTD) bus stop located at The Crossings Drive as a portion of reconfiguring the layout of Legoland to accommodate the development of Legoland Hotel. The hotel site is proposed in the Outer Park area of Legoland where presently identified and currently utilized uses include only visitor, bus, and RV parking. The proposed amendment would add the hotel use to the identified uses in the Outer Park portion of Legoland.

### **SUMMARY OF STAFF RECOMMENDATION**

Staff is first recommending denial of the Implementation Plan amendment and then approval with four suggested modifications. As submitted by the City, the proposal would change the text/graphics of the Specific Plan inconsistent with the currently adopted Figures 35, 37 and 38 for Legoland Park. Further, the proposed amendment does not protect any future hotel use from conversion to limited use overnight accommodations such as time share, condominium hotel, or fractional ownership units which would raise additional affordability and public availability issues. Additionally, while the modifications allow for a reduction in required parking, they do not provide a method to monitor the adequacy of the amended parking standards, should the number of patrons increase in the future. While the currently certified Specific Plan includes several measures to support alternate transit, there are additional refinements needed for Legoland as a large employer and major visitor destination. Therefore, since the amendment does not include any alternate transit improvements that are specifically tailored to Legoland's operations, further provisions are warranted. Given the park's close proximity to the Poinsettia and Carlsbad Village Transit Stations, a program should be established by Legoland facilitating the use of alternative transit by its park guests, hotel guests, and employees. The modifications suggested by staff serve to address all of the above stated concerns.

The appropriate resolutions and motions begin on Page 4. The suggested modifications begin on Page 5. The findings for denial of the Implementation Plan Amendment as submitted begin on Page 7. The findings for approval of the plan, if modified, begin on Page 14.

### **ADDITIONAL INFORMATION**

Further information on the City of Carlsbad LCP Amendment 1-09B may be obtained from Toni Ross, Coastal Planner, at (619) 767-2370.

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## **PART I. OVERVIEW**

### **A. BACKGROUND**

The City of Carlsbad's 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. This LCP amendment affects both the Mello II and the West Batiquitos/Sammis Properties Segments of the City's coastal zone.

The Mello II Segment Land Use Plan and Implementation Plan were approved in 1981. The Mello II Segment is comprised of 5,500 acres, or approximately 75% of the City. Unresolved issues remained for the segment regarding preservation of agricultural lands, and protection of steep sensitive slopes. Multiple additional amendments were brought forward; and, with the incorporation of the Carlsbad Ranch Specific Plan, the City's LCP was certified by the Commission, and the City obtained permit authority in 1996.

Carlsbad Ranch is comprised of 423.5 acres located on the north side of Palomar Airport Road, within the Mello II Segment of the City. Historically, this land was used for agriculture. The Carlsbad Ranch Specific Plan (Specific Plan) was originally approved by the Commission in 1993. In 1996, the City brought forward an amendment to include additional uses within the Carlsbad Ranch area to allow the development of office, research and development, related light manufacturing, commercial, hotel/timeshare, destination resort, golf course, agriculture, a vocational school, and Legoland.

At the August, 2009 hearing, the Commission approved the second amendment to the Carlsbad Ranch Specific Plan. LCP Amendment 1-08A included changes to the language and the associated map of the Flower Fields to show a second (ingress only) access from Palomar Airport Road. At the September, 2009 hearing, the Commission approved the third amendment to the Carlsbad Ranch Specific Plan. LCP Amendment 1-08B included an update to Legoland - Planning Area 4. This update streamlined the coastal development permit approval process, allowed for reduced fees for minor amendments to the Specific Plan, added an overnight use within the park, and updated the different planning areas within Legoland Park. The subject LCP amendment is also contained within the Legoland - Planning Area 4, and will be the fourth amendment to the Carlsbad Ranch Specific Plan.

**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 City of Carlsbad Amendment No. 1-09B 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 City of Carlsbad 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. 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 City of Carlsbad Amendment No. 1-09B 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 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. 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. Add the following language to Development Standards and Design Guidelines, Section E - Planning Area 4, Subsection 2 - Development Standards, as a new Section "g" -Alternative Transit - of the Carlsbad Ranch Specific Plan:

g. Alternative Transit

The City and Legoland shall actively encourage convenient alternatives to automobile use throughout the Carlsbad Ranch and surrounding coastal areas including the Poinsettia Station and the Carlsbad Village Transit Center by implementing the following measures:

- The City shall encourage transit operators to provide low-cost transit service from Legoland Hotel and Legoland Park to beaches and visitor-serving areas, as well as major transit stations, and to provide such transit service within walking distance of Legoland Park, especially throughout the summer. Such encouragement should include, at a minimum, joint advertising of such services by Legoland and the City.
- If daily public transit service is not available, Legoland shall provide shuttle service to all Legoland Hotel and Legoland Park guests, as well as Legoland employees, providing transportation from the Poinsettia Station and the Carlsbad Village Transit Center on a regular schedule including at least two times each morning, with scheduled returns every afternoon. If after a minimum two-year period, the City has documentation that such a service is not being utilized by the public, an amendment to this LCP policy may be considered. Transit opportunities shall be advertised on the Legoland website explaining to all patrons how to make best use of transit when arriving at either the Poinsettia Station or the Carlsbad Village Transit Center.
- In order to minimize energy consumption and vehicle miles traveled and provide substitute means of serving development with public transportation, Legoland shall provide incentives for alternative transit use such as providing employee transit passes or subsidies, ridesharing programs, preferred parking for carpooling, company bulletin boards for use of organizing carpools, employee bike racks, and on-site shower facilities.

2. Add the following language to the Development Standards and Design Guidelines, Section E - Planning Area 4, Subsection 2 - Development Standards as a new paragraph "C" - within of the Carlsbad Ranch Specific Plan:

c. Uses not permitted within Legoland Carlsbad are as follows:

-Hotel Conversions. Any hotel rooms within Planning Area 4 of the Carlsbad Ranch Specific Plan shall not be converted to a limited use overnight visitor accommodation.

3. Add the following language to the Development Standards and Design Guidelines, Section E - Planning Area 4, Subsection 2.e. - Parking Standards - of the Carlsbad Ranch Specific Plan as follows:

Directed parking may be necessary during certain peak season days. A requirement for directed parking would be based on the final design of the parking lot and determined if necessary at the time of the Site Development Plan review.

Legoland shall monitor the number of vehicles entering Legoland on a daily basis, and combine the data collected through such monitoring to produce annual parking reports. Such reports shall be submitted for review by the City and the Coastal Commission in association with any request to modify the certified parking standards or any proposed alternative transportation plan.

4. Modify Figures 35, 38, and 39 in the Carlsbad Ranch Specific Plan to reflect the most current development configuration at Legoland Park site.

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

**A. AMENDMENT DESCRIPTION**

The subject LCP amendment proposes four modifications to the Carlsbad Ranch Specific Plan (Specific Plan). All but one of the proposed revisions are within Planning Area 4, or the Legoland Park portion of the Carlsbad Ranch Specific Plan. The last will modify a parking standard that is applicable to the entire Carlsbad Ranch area. The proposed modifications will allow hotel and accessory uses to hotels, add design criteria for the hotel use, modify parking standards for the theme park, reflect the previous street name change of Hidden Valley Road to The Crossings Drive, and lastly modify the parking standards for gyms within the entire Specific Plan area. The amendment would also include language identifying a North County Transit District (NCTD) bus stop located at The Crossings Drive as a portion of reconfiguring the layout of Legoland to accommodate the development of Legoland Hotel. The hotel site is proposed in the Outer Park area of Legoland where presently identified and currently utilized uses include only visitor, bus, and RV parking. The proposed amendment would add the hotel use to the identified uses in the Outer Park portion of Legoland.

**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.

**1) Purpose and Intent of the Ordinance.**

The subject LCP amendment is located within the Carlsbad Ranch Specific Plan Area. The Carlsbad Ranch Specific Plan (Specific Plan) was found consistent with the City's certified LUP in 1993 and became the Implementation Plan for this 423.5 acre region of the City. Carlsbad Ranch is located in the northwest quadrant of the City; it lies east of Interstate 5 between Cannon and Palomar Airport Roads. The purpose of the Specific Plan is to provide a comprehensive set of guidelines, regulations, and implementation programs for guiding and ensuring the orderly development of the Carlsbad Ranch area. This amendment is more expressly located in Planning Area Four - Legoland. The entire Legoland Park is zoned for Tourist Commercial with the Qualified Development Overlay

(CT-Q). Development within the Specific Plan area is subject to the development standards of the Specific Plan rather than the City's Zoning Ordinance.

**2) Major Provisions of the Ordinance.**

The major provisions of the Carlsbad Ranch Specific Plan for Planning Area 4 - Legoland address several elements. The focus of Legoland Carlsbad is on the provision of fun and creative, educational experiences for children in the age group of 2 through 13, and their families. The Specific Plan includes four planning areas including Inner Park, Outer Park, Parking and Circulation and Service and Administration. The Specific Plan also includes Development Standards that detail permitted uses, establish building setbacks, building heights, and parking standards for Legoland Park.

**3) Adequacy of the Ordinance to Implement the Certified LUP Segments.**

The City of Carlsbad has applicable policies within the Mello II Segment of its certified LCP that state:

Policy 2-2 LCPA 90-08 Carlsbad Ranch Specific Plan "Mixed-Use" Development

This policy provides conditional development standards for the area of approximately 423.5 acres north of Palomar Airport Road, east of Paseo del Norte, and east of Car Country Drive (See Exhibit 4.3, Page 74). All such lands owned by Carlitas or Ecker or their successors in interest shall be permitted, pursuant to approval of a Specific Plan to convert certain agricultural lands to residential and/or non-residential (including tourist-serving commercial) development as a means of providing supplementary uses which will assist in the retention of agricultural and public recreation uses on the remaining portions of these parcels. It should be noted that residential uses are possible only where they do not conflict with the Airport Influence Area and where compatible with adjacent uses.

[...]

(b) Uses Conditionally Permissible Pursuant to the Development of the Entire Area Subject to a Specific Plan.

- (1) Consistent with the Carlsbad General Plan residential, commercial (including tourist commercial), and other non-residential uses may be developed on up to 92.6 acres of the approximately 423 acre site subject to a Specific Plan for the entire site. Development of land within the Agricultural Preserve will be subject to the provision of the Williamson Act and specifically the Land Conservation Contract in effect at the time of development. Additional acreage beyond the 92.6 acres shall be permitted to be developed subject to approval of a Local Coastal Program Amendment, Specific Plan Amendment, and compliance with Policy 2-1 of the Mello II Land Use Plan.

[...]

- (8) The Specific Plan shall provide a mix, location, and intensity of land uses that are compatible with and will not adversely impact long term viability of agricultural and/or public recreational uses.

Policy 6-5 Need for Additional Hotel-Motel Rooms, and Visitor-Serving Uses

Approximately 40 acres of additional visitor-serving (hotel-motel and restaurant) uses should be established. Assuming a density of approximately ten hotel-motel rooms per acre, the estimated need of 200 additional rooms can be achieved. Restaurants and other visitor-serving facilities also need to be provided. Suggested locations are the intersections of I-5 with Palomar Airport Road and/or Poinsettia Lane. Not all of this demand needs to be met with land immediately within the coastal zone.

The City of Carlsbad also has applicable policies within the Carlsbad Ranch Specific Plan, a certified component of their Implementation Plan that states:

I. Introduction - H. Compliance with General Plan - 3 - Circulation Element

Alternate Modes of Transportation [...]

b. Goal A - A City which promotes, encourages and accommodates a variety of transportation modes as alternatives to the automobile.

The Specific Plan proposes goals, objectives, and policies to address potential transit services and opportunities provided for alternative modes of transportation for the tenants and guests of the Carlsbad Ranch Specific Plan Area.

The Carlsbad Ranch Specific Plan will provide a pedestrian circulation system which is both safe and comfortable thus encouraging non-vehicular traffic. The Carlsbad Ranch Specific Plan will provide a pedestrian oriented environment which will provide views of the surrounding open space and natural features while supplying access between the various uses. Sidewalk widths within the specific plan will be increased to 15 feet along portions of Armada Drive

The Carlsbad Ranch Specific Plan also identifies potential locations for future bus stops within the specific plan area. The potential bus stop locations are as shown on Figure 15 on page 47.

II. Land Use and Circulation - Policies 8A - 12B

Policy 8-A: Extend public transit service to provide employees, patrons and visitors to the Carlsbad Ranch.

With the development of Carlsbad Ranch as a significant community focal point and destination, there are significant opportunities for this area to emerge, over time, as a local transit hub. NCTD bus service should be extended to serve the project area as soon as feasible.

Transit stops may be established on Armada Drive near Legoland Carlsbad entrance, at the Gemological Institute of America, within Planning Area 2 and at the Hotel/Retail area. The potential transit stops, illustrated on the Circulation diagram, would make all destinations in the Carlsbad Ranch within a convenient walking distance. The proposed system of pedestrian paths and walkways provide direct and attractive linkages between the transit stops and office and commercial destinations.

Feeder buses linking the Carlsbad Ranch with the commuter rail station near Poinsettia Lane should be considered.

Policy 9-A: Provide incentives for the use of transit, carpools, vanpool and bicycles.

In order to meet regional goals to improve air quality, there is a need to reduce single-occupancy automobile use. New employment uses should be encouraged to provide incentives to their employees to use alternative modes of transportation. Priority parking places for car or vanpools shall be considered for new office development. Flexible work schedules and telecommuting should be offered to employees, in order to reduce peak hour trips. Larger employers may also consider hiring a transportation systems management coordinator to promote and coordinate the use of alternative modes of transportation, and monitor the project compliance with the regional Average Vehicle Ridership (AVR) goals. Transportation coordinators can distribute transit information, coordinate carpools and vanpools, sell transit passes, and assist employers with flexible work hours and telecommuting programs.

Policy 10-A: Incorporate bikeways into the circulation system of the Carlsbad Ranch.

Development of the Carlsbad Ranch will also promote the use of bicycles for commute and recreational trips. A Class III (shared route) bicycle route is planned along Armada Drive and the north portion of Lego Drive where the bicycle route would connect with Cannon and Palomar Airport Roads, both designated bicycle routes in the City's connect into the Citywide Trail System.

Policy 10-B: Provide facilities for bicycle parking at each development site.

The Carlsbad Ranch will be an attractive destination for both commuter and recreational bicyclists. To accommodate and encourage the use of bicycles for these trips, conveniently located bicycle parking facilities should be provided within each development site.

Policy 11-A: Establish a pedestrian promenade along the western perimeter of the planning area, which will serve as an active public gathering place for development, and the City of Carlsbad.

In planning the Carlsbad Ranch, emphasis has been placed on developing a friendly environment for the pedestrian. The promenade along the main road (Armada Drive) will be the backbone of the Carlsbad Ranch pedestrian network that will link together the various destinations within the Ranch. Located along the western ridge of the development area with sweeping views of the Pacific Ocean and flower fields, the promenade will provide an attractive setting for pedestrian use. An illustration section and plan of the pedestrian promenade can be found in Figure 50 on page 164.

Policy 11-B: Provide a pedestrian walkway linking the Carlsbad Ranch to the planned city-wide trail system.

A pedestrian system in the specific plan is designated to allow connection between the Carlsbad Ranch and the City of Carlsbad's Citywide trail system.

Policy 12-A: Encourage the shared use of parking lots and structures.

Policy 12-B: Review and update parking standards to respond to changes in transportation modes.

Development within the specific plan is required to comply with the requirements of the Carlsbad Municipal Code. In the future, there may be a need to reduce the current parking standards in order to encourage the use of alternative commute modes, such as transit, bicycle, and carpools. Most transit experts agree that an abundance of free parking is one of the most significant deterrents to reducing drive alone vehicle trips.

The LCP amendment as proposed by the City includes a number of changes to update the Carlsbad Ranch Specific Plan for the area within Legoland Park. The City has indicated that Legoland would like to have the ability to develop a 250-room hotel development on their existing theme park site. The hotel would be developed on a portion of the existing parking lot. The main components of the proposed amendment would be to facilitate the proposed hotel development and its associated uses. This would require new design guidelines and modifications to the current parking standards. Of the four proposed revisions to the Specific Plan, two raise concerns regarding consistency with the certified

Land Use Plan; namely, the addition of "hotel" as a permitted use and the revision to parking standards within Legoland Park. The concerns associated with adding the hotel as a permitted use in Legoland Park are mainly that the City did so without restricting the future conversion of traditional hotel rooms to a limited use facility and without the adequate provision of alternative transportation measures for Legoland Park and Hotel guests, as well as employees. The second concern also relates to the reduction in required parking for Legoland Park. The City and Legoland have provided sufficient information indicating that the current parking is more than adequate. However, the reduction in parking failed to adequately address *future* needs associated with the growth of the park attendance over time. In addition, the amendment would change land use designations and certain graphics in the Specific Plan without updating the figures in the Specific Plan that identify allowed uses or parking facilities. Thus, as proposed, the amendment would render the Specific Plan internally inconsistent. The other two revisions proposed by the City can be found consistent with the certified Land Use Plan and will be described in greater detail in the findings for approval.

The first revision that raises concerns regarding consistency with the certified Land Use Plan (LUP) is the protection of the new Legoland hotel units from conversion to any form of a limited use overnight accommodation. Limited use facilities can be plainly described as any facility that contains some combination of fractional interests, time shares, or condo-hotel units. The Legoland Park area is designated as Travel/Recreational (TR), and is zoned Tourist Commercial (TC), both designations promoting visitor-serving developments as the highest priority use. The Commission has previously determined that limited use overnight accommodations are a lower-priority use in such areas reserved specifically for visitor-serving nodes because of their semi-residential qualities and their increased exclusivity. Furthermore, the City's certified Land Use Plan (LUP) Mello II Segment Policy 6-2, specifically states the need for additional hotel developments. As proposed, the City's language fails to expressly indicate how the proposed hotel units will operate, and, as such, it cannot ensure the protection of the Legoland hotel units as traditionally operated hotel rooms and thus ensure that the highest priority use will be protected. Without requirements that the proposed hotel remain a traditional hotel, the proposed amendment cannot be found consistent with the City's certified LUP.

The second revision that raises issues with the certified LUP is the lack of an adequate alternative transportation plan. The Carlsbad Ranch Specific Plan has nine policies promoting the use of alternative transportation, including the development of a pedestrian and bicycle circulation system within Carlsbad Ranch. The Specific Plan also includes policies requiring the provision of bike racks, employee incentives, and the extension of public transit services in general throughout Carlsbad Ranch. The proposed amendment includes what is clearly a large employer and key destination point, increasing use of the park and therefore providing an important opportunity to incorporate site-specific, public transportation opportunities into the City's action. As proposed, no alternative transportation plan was developed. The general intent of Policy Group 7 in the Mello II Segment of the City's LUP is to encourage improvements to public access along the shoreline and, without the inclusion of an alternative transit program, public access may

become impeded and the proposed amendment therefore cannot be found consistent with the certified LUP.

The Specific Plan also provides numerous policies encouraging and, in some cases, requiring the development of alternative modes of transportation. More specifically, Policy 10-B in the Specific Plan requires that conveniently located bicycle parking facilities should be required with any development. Currently, Legoland has 20 bike stalls. Policy 9-A also promotes the use of bicycles by employees that work in the Carlsbad Ranch area. Therefore, a proposal of this scale to incorporate a new permitted use cannot be found consistent with the certified LUP and current development standards of the Implementation Plan (IP) unless adequate support measures, including bike racks, are provided. Further, good practice measures promoting the use of bicycles by employees would be the inclusion of shower facilities and other supporting uses, such as employee lockers, as a viable component of any development. The City did indicate that Legoland Park currently provides shower facilities for their employees. However, no such policy mandate was included in the amendment request. Because none of these provisions were included in the amendment as submitted, the amendment cannot be found consistent with the City's certified LUP.

The Specific Plan, Policy 9-A, also requires that any new employment uses should be encouraged to provide incentives to their employees to use alternative modes of transportation, beyond bicycle use. The agent for Legoland has indicated to Commission staff that Legoland currently provides priority parking, and a carpool bulletin board to coordinate and promote employee carpooling. At one time, Legoland also provided subsidized public transportation (reduced price bus passes), but has since eliminated the program due to lack of interest. Legoland Hotel is projected to provide approximately 150 additional employment positions. Because the amendment, as proposed, would allow development that would increase the number of employees at the park, without creating more specific provisions for Legoland, and given that the current alternative transportation program is deficient, the proposed amendment cannot be found consistent with the public access policies included in the City's LUP.

The concern regarding reduction to the required parking is not necessarily with the reduction in the number of parking spaces specifically. The original Legoland Park amendment created a new parking generation rate because none existed in the City's zoning ordinance that addressed theme parks. Based on the parking needs for other theme parks, the original parking estimate for the park was 94.2 parking spaces per acre of development. In 2007, the park had a peak vehicle attendance of 3,123 vehicles. Given the 39 acres of park development, the overall parking demand was therefore only 80.08 vehicles per acre of park development ( $3,123/39=80.08$ ) based on operations in 2007. The City also submitted a traffic/parking study that indicated that with the addition of the hotel and accessory hotel uses, the potential overall peak parking demand would be 4,168 parking spaces. The total number of parking spaces that remain available is 4,960 parking spaces. Therefore, since its original development and continuing to date, even with the addition of the hotel in the future, Legoland Park has had a parking surplus. The remaining parking spaces include some overflow, as well as allowance which could be

utilized during the complete build out of the theme park with future uses in the expansion area. As such, the City has provided adequate documentation that the current parking stock is more than adequate to accommodate all patrons to Legoland Park and the proposed Legoland Hotel.

The City did not, however, address the potential for these parking reductions to result in impacts to public access in the future. The City failed to identify a means to determine whether additional parking may be necessary over time. By simply requiring Legoland to monitor their parking needs over time, and to submit them to the City for review, the City could have effectively eliminated any concerns associated with the inability to protect the future parking needs of Legoland. Moreover, Policy 12-B states that in the future there may be a need to reduce the current parking standards within Carlsbad Ranch in order to encourage the use of alternative commute modes, such as transit, bicycle, and carpools. By requiring Legoland to monitor the use of its parking facilities, the intent of Policy 12-B is satisfied and there will also be sufficient oversight to assure that substantial parking deficits do not occur. Without this review and these assurances, public access is not sufficiently protected and the amendment cannot be found consistent with the City's certified LUP.

The final concern associated with the proposed amendment is its consistency with other sections of the Legoland Park planning area within the Specific Plan. The Legoland Park section of the Specific Plan includes text, development standards, as well as figures that pertain to Legoland Park specifically. Figure 35 depicts the various planning areas and Figures 38 & 39 depict the parking for Legoland Park. The proposed amendment includes adding a hotel in the area identified as parking; and, as such, if approved, Figures 35, 38, and 39 will no longer be consistent with the actual development at Legoland Park. The City did not include updating these figures in the subject amendment and therefore it impedes the clear implementation of the Specific Plan.

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

As previously discussed, the City is proposing four revisions to the Carlsbad Ranch Specific Plan. Two of these revisions are associated with a Legoland proposal to construct a 250-room hotel on the existing Legoland site. The other two revisions would be general updates to the Specific Plan modifying parking requirements for future gym developments, and replacing any reference to Hidden Valley Road with The Crossing Drive. Again, the latter two of the City's revisions do not raise concerns regarding consistency with the City's LUP and will not require any suggested modifications. However, the revision that added "hotel" as a permitted use within Legoland failed to address all the concerns associated with these types of developments and failed to include an alternative transportation policy for the hotel. Specifically, the City failed to protect the proposed hotel development from conversion to a limited use overnight facility. Second, the City failed to provide adequate provisions for alternative modes of transportation for Legoland visitors or employees. Three suggested modifications

address these concerns and will be discussed in greater detail below. Additionally, the City's proposed revisions updated the language describing uses in Legoland Park but it did not include updates to the associated figures mirroring these descriptions. As such, the fourth suggested modification requires the City to also update the associated figures.

One of the proposed revisions that does not present any concerns is the revision that updates any reference to Hidden Valley Road. The street name was changed to The Crossings Drive when the municipal golf course, The Crossings, was completed in 2007. This change would simply replace any reference to Hidden Valley Road with The Crossings Drive to accurately identify the road. Without this change, it may be unclear what road the Specific Plan is identifying. Therefore, this component of the proposed amendment can be found consistent with the City's certified LUP as proposed by the City.

An additional revision proposed by the City that does not raise any concerns involves revising the parking standards within the entire Carlsbad Ranch area. The revision would decrease the required parking for any future gym developments. The current parking requirement for gym establishments is one parking space per 35 square feet of floor area. Since the City's adoption of the Specific Plan, a city-wide zone amendment was approved that reduced the parking requirements to one space per 200 square feet of floor area. This portion of the proposed amendment would make the Specific Plan consistent with the most recent requirements for the rest of the City.

**A. High-Priority Visitor-Serving Uses/Public Access & Affordability**

The primary revision proposed by the City that cannot be found consistent with the City's LUP is the addition of "hotel" and its ancillary uses as permitted uses in Legoland Park, absent any policy to protect it as a traditional overnight accommodation. The concerns raised are the protection of the highest-priority accommodation types and the protection of overnight accommodations that can be considered affordable to the general population. Further, the construction and operation of the hotel will attract additional patrons and employees, resulting in increased use of the park and therefore an opportunity to expand upon and tailor Legoland's public transportation and alternative transportation measures. As discussed above, the City did not adequately address alternative transportation in its proposed amendment.

The Legoland Park area is designated as Travel/Recreational (TR), and is zoned Tourist Commercial (TC), both designations promoting visitor-serving developments as the highest priority use. The City and Legoland have indicated that the intent of the proposal is to construct a 250-room standard operation hotel. A hotel that operates in such a fashion can be considered one of the highest-priority uses for lands designated for visitor-serving uses located in the coastal zone. Additionally, Policy 6-5 addresses the need for additional hotel-motel rooms and visitor-serving commercial uses within the coastal zone, and one of the suggested locations is near I-5 and Palomar Airport Road; the proposed hotel use is located near this intersection. As such, the proposed development that precipitated this amendment would be consistent with the City's LUP, but the

proposed IP Amendment did not include any assurances that the hotel would remain as a traditional hotel and therefore a higher priority use. If the hotel converted to a more exclusive and higher cost limited use overnight accommodation, which is defined as any development that includes some portion as fractional hotel, condominium hotel, and/or timeshare facility, it would no longer be considered a higher-priority use on land designated for visitor-serving uses, consistent with the LUP. The Commission has therefore included a modification; Suggested Modification No. 2 prohibits any hotel development within Legoland Park to convert to any type of limited use overnight accommodation. This suggested modification provides the assurances necessary to protect the highest-priority use, and is thus consistent with the City's LUP.

The second immediate concern associated with any hotel development in the coastal zone is maximizing the affordability of the hotel stock in each community to assure more of the state's general population will be served. In the same fashion that timeshares and condominium hotels are innately exclusive, high-cost hotels limit the number of people able to utilize the facility. The Commission has identified this as a statewide public access concern; and, as such, policy measures need to be developed to better provide developments that serve a wider population.

In a constantly changing market, it can be difficult to define what price point constitutes "lower-cost," "moderate," and "higher-cost" accommodations for a given area. To address this, the Commission has created a formula to define these different markets.

The proposed formula is based on hotel accommodations (single room, up to double occupancy) in California. At this time, it does not incorporate hostels, RV parks, campgrounds or other alternative accommodations, as these facilities do not provide the same level of accommodation as hotels and motels. (However, these facilities are inherently lower cost, and are the type of facilities that a mitigation fee could go towards providing).

This method compares the average daily rate of lower cost hotels in the San Diego coastal zone with the average daily rate of all types of hotels across the state. Under this formula, lower-cost is defined as **the average room rate of all hotels that have a room rate less than the statewide average daily room rate.**

To determine this number, Commission staff surveyed average daily room rates for all hotels in California. Statewide average daily room rates are collected monthly by Smith Travel Research, and are available on the California Travel and Tourism Commission's website: <http://www.visitcalifornia.com/page.php?id=526>, under the heading "California Lodging Reports." Smith Travel Research data is widely used by public and private organizations.

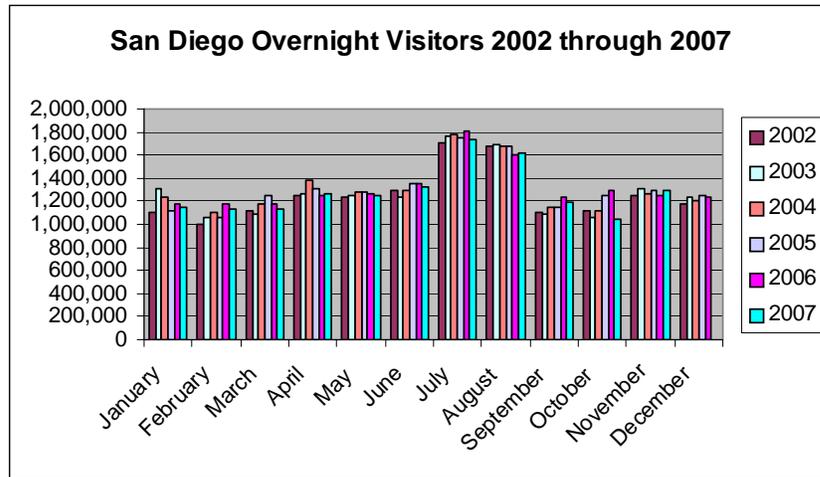
Table 1 shows statewide average daily rates for 2003 through 2007, projected through 2008.

Table 1. Statewide Average Room Rates for 2003 to 2007 projected through 2008						
	2003	2004	2005	2006	2007	<b>Projected 2008</b>
January	\$95.39	\$92.07	\$96.64	\$104.32	\$112.12	<b>\$114.22</b>
February	\$95.16	\$97.35	\$100.62	\$108.30	\$118.07	<b>\$121.72</b>
March	\$93.70	\$96.42	\$100.33	\$109.68	\$116.64	<b>\$122.10</b>
April	\$93.18	\$95.03	\$102.25	\$110.49	\$117.31	<b>\$124.04</b>
May	\$93.88	\$96.65	\$102.39	\$112.08	\$119.02	<b>\$125.82</b>
June	\$92.46	\$95.86	\$102.82	\$111.96	\$119.01	<b>\$126.73</b>
July	\$95.09	\$98.70	\$106.31	\$116.39	\$124.45	<b>\$132.92</b>
August	\$96.28	\$100.18	\$107.37	\$116.81	\$124.82	<b>\$132.88</b>
September	\$92.56	\$95.48	\$105.66	\$112.45	\$119.84	<b>\$128.41</b>
October	\$94.65	\$98.32	\$104.60	\$115.48	\$123.43	<b>\$131.40</b>
November	\$91.10	\$93.86	\$101.67	\$110.55	\$118.38	<b>\$126.12</b>
December	\$86.19	\$90.51	\$96.12	\$103.92	\$110.06	<b>\$117.05</b>
<b>ANNUAL AVERAGE</b>	<b>\$93.30</b>	<b>\$95.87</b>	<b>\$102.23</b>	<b>\$111.04</b>	<b>\$118.60</b>	<b>\$125.28</b>

Source: Smith Travel Research, *California Tourism, June 2003 through June 2007*. <http://www.visitcalifornia.com/page.php?id=526> [14 January 2008].  
 \*2008 value projected using exponential regression based on 2003 through 2007 values.

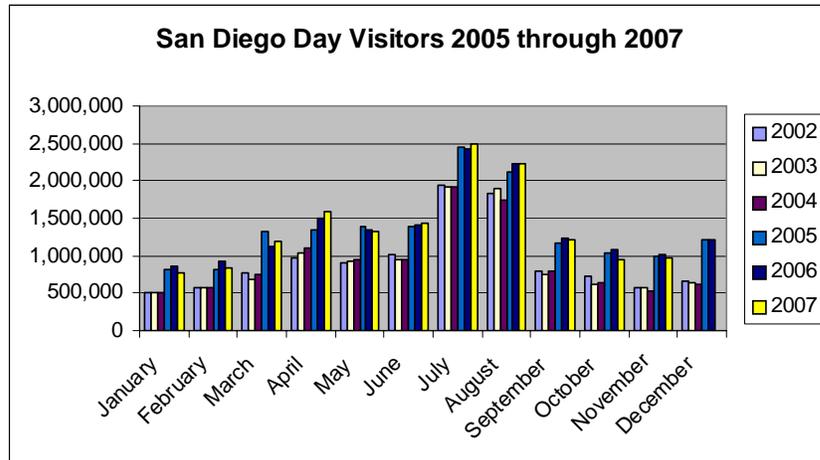
To be most meaningful, peak season room rates are used. To determine the peak months in San Diego, the number of visitors to San Diego County from 2002 through 2007 were reviewed. This data is shown on Charts 1 and 2, below. The peak visitor months in San Diego for both day and overnight visitors are July and August.

Chart 1. San Diego Overnight Visitors



Source: San Diego Convention & Visitors Bureau, *San Diego County Visitor Industry Summary*.  
 <<http://www.sandiego.org/nav/Travel/ResearchAndReports>> [5 March 2008].

Chart 2. San Diego Day Visitors



Source: San Diego Convention & Visitors Bureau, *San Diego County Visitor Industry Summary*.  
 <<http://www.sandiego.org/nav/Travel/ResearchAndReports>> [5 March 2008].

To ensure that the lower cost hotels and motels surveyed meet an acceptable level of quality, including safety and cleanliness, only AAA rated properties were surveyed. According to their website, “to apply for [AAA] evaluation, [hotel] properties must first meet 27 essential requirements based on member expectations — cleanliness, comfort, security, and safety.” AAA assigns hotels ratings of one through five diamonds. The standards are described in Table 2.

Table 2. AAA Diamond Ratings	
<b>One Diamond</b>	These establishments typically appeal to the budget-minded traveler. They provide essential, no-frills accommodations. They meet the basic requirements pertaining to comfort, cleanliness, and hospitality.
<b>Two Diamond</b>	These establishments appeal to the traveler seeking more than the basic accommodations. There are modest enhancements to the overall physical attributes, design elements, and amenities of the facility typically at a moderate price.
<b>Three Diamond</b>	These establishments appeal to the traveler with comprehensive needs. Properties are multifaceted with a distinguished style, including marked upgrades in the quality of physical attributes, amenities, and level of comfort provided.
<b>Four Diamond</b>	These establishments are upscale in all areas. Accommodations are progressively more refined and stylish. The physical attributes reflect an obvious enhanced level of quality throughout. The fundamental hallmarks at this level include an extensive array of amenities combined with a high degree of hospitality, service, and attention to detail.
<b>Five Diamond</b>	These establishments reflect the characteristics of the ultimate in luxury and sophistication. Accommodations are first class. The physical attributes are extraordinary in every manner. The fundamental hallmarks at this level are to meticulously serve and exceed all guest expectations while maintaining an impeccable standard of excellence. Many personalized services and amenities enhance an unmatched level of comfort.
Source: AAA, <i>What the Hotel Ratings Mean</i> < <a href="http://ww2.aaa.com/scripts/WebObjects.dll/AAAOnline?association=AAA&amp;club=005&amp;page=HotelCriteria&amp;zip=">http://ww2.aaa.com/scripts/WebObjects.dll/AAAOnline?association=AAA&amp;club=005&amp;page=HotelCriteria&amp;zip=</a> > [6 March 2008].	

To develop the sample to represent lower cost hotels in San Diego, the AAA online database for AAA rated hotels within 5 miles of the cities and towns along the San Diego coast was searched. These cities and towns include: San Onofre, Las Flores, Oceanside, Carlsbad, Leucadia, Encinitas, Solana Beach, Del Mar, La Jolla, Pacific Beach, Ocean Beach, San Diego, National City, Chula Vista, Coronado, and Imperial Beach.

One way to identify lower cost hotels would have been to survey only One Diamond hotels. However, of all the San Diego hotels identified in the AAA database search, only

three one diamond hotels were found. Therefore, the criterion was expanded to include One and Two Diamond hotels.

A total of 55 AAA-rated One or Two Diamonds room rates were compiled; of these, 25 were within the Coastal Zone. Table 3 shows these 25 hotels.

1	Ocean Palms Beach Resort	2950 Ocean St	Carlsbad
2	Ramada Inn & Suites	751 MacAdamia Drive	Carlsbad
3	Crown City Inn	520 Orange Ave	Coronado
4	La Avenida Inn	1315 Orange Ave	Coronado
5	Villa Capri By the Sea	1417 Orange Ave	Coronado
6	Ocean Inn	1444 N Coast Highway 101	Encinitas
7	Portofino Beach Inn	186 N Coast Highway 101	Encinitas
8	Days Inn Encinitas/Moonlight Beach	133 Encinitas Blvd	Encinitas
9	Howard Johnson	607 Leucadia Blvd.	Encinitas
10	Southbay Travelodge	1722 Palm Ave	Imperial Beach
11	La Jolla Cove Suites	1155 Coast Blvd	La Jolla
12	Scripps Inn	555 Coast Blvd S	La Jolla
13	Pacific Shores Inn	4802 Mission Blvd	La Jolla
14	La Jolla Beach Travelodge	6750 La Jolla Blvd.	La Jolla
15	Motel 6	909 N Coast Hwy	Oceanside
16	Days Inn at the Coast	1501 Carmelo Dr	Oceanside
17	La Quinta Inn	937 N Coast Hwy	Oceanside
18	Days Inn Mission Bay/Sea World	4540 Mission Bay Drive	San Diego
19	Beach Haven Inn	4740 Mission Blvd	San Diego
20	Diamond Head Inn	605 Diamond St	San Diego
21	America's Best Value Inn - Mission Bay/Sea World	4545 Mission Bay Dr	San Diego
22	Ramada Limited Sea World	3747 Midway Drive	San Diego
23	Vagabond Inn Point Loma	1325 Scott St	San Diego
24	Best Western Posada at the Yacht Harbor	5005 N Harbor Dr	San Diego
25	Ocean Villa Inn	5142 W Point Loma Blvd	San Diego

The survey did not capture every hotel that might be considered “lower-cost;” not every hotel is listed with AAA, and it is possible that the AAA list could be incomplete. However, the survey did capture hotels from all along the coastline, and it is expected that these 25 One and Two Diamond hotels provide a good representation of hotels and allow for a sufficient hotel sample size of non-luxury hotels in San Diego’s coastal zone. Next, the average monthly rates for these 25 hotels were determined. In most cases, rate information was obtained from the hotel website. If the hotel did not have a website, or their website was unable to give reservation information, a phone survey was performed. The rates do not reflect discounts for multiple night stays; each rate obtained was for one night only. The rates do not reflect discounts for exclusive groups, such as AAA members or AARP members.

Again looking at peak season room rates, the statewide average daily room rate in California in 2008 for the months of July and August is projected to be \$132.90. Of the above 25 hotels in San Diego County, eight (8) properties charged less than the \$132.90 statewide average (see Table 4).

	<b>Hotel Name</b>	<b>AAA Rating</b>	<b>Address</b>	<b>City</b>	<b>July Average</b>	<b>August Average</b>
1	Ocean Inn	2 Diamonds	1444 N Coast Highway 101	Encinitas	\$109.65	\$108.68
2	Portofino Beach Inn	2 Diamonds	186 N Coast Highway 101	Encinitas	\$114.99	\$114.99
3	Days Inn Encinitas/Moonlight Beach	2 Diamonds	133 Encinitas Blvd	Encinitas	\$131.58	\$132.23
4	Southbay Travelodge	2 Diamonds	1722 Palm Ave	Imperial Beach	\$106.58	\$97.23
5	Motel 6	2 Diamonds	909 N Coast Hwy	Oceanside	\$83.89	\$84.54
6	Days Inn at the Coast	2 Diamonds	1501 Carmelo Dr	Oceanside	\$93.91	\$93.50
7	Days Inn Harbor View	2 Diamonds	1919 Pacific Highway	San Diego	\$126.84	\$107.39
8	Days Inn Mission Bay/Sea World	2 Diamonds	4540 Mission Bay Drive	San Diego	\$119.52	\$108.00
<b>AVERAGE FOR JULY AND AUGUST</b>					<b>\$108.35</b>	

The average room rate of these eight (8) hotels was \$108.35. Thus, based on the above formula, for San Diego County in 2008, lower-cost accommodations can be defined as those charging less than \$108.35 per night, or 18% below the 2008 statewide average daily room rate of \$132.90.

At some point, a survey of hotels charging more than the statewide average could be undertaken. But for now, an estimate of “higher-cost” can be defined as those hotels with daily room rates 20% (rounding up to be conservative) higher than the statewide average of \$132.90, or \$159.48. Rates between \$108.35 and \$159.48 would be considered moderately priced.

The result is a formula defining lower cost as a percentage of the most recent statewide average room rates available. One advantage of using this formula is that it adjusts over time without having to undertake new surveys of local hotel room rates. In 2008, any hotel charging less than \$108.35 per night would be considered lower-cost. In future years in San Diego, taking 82% of statewide average daily room rate for that year will yield the room rate for a lower-cost hotel, higher cost as 120% of the peak statewide average, and so on.

Legoland has documented its projected rates for the proposed hotel development. The projected average cost of a room at the Legoland Hotel would be approximately \$225.00 per night. Using the formula described above, the proposed development would be

considered high cost. However, several factors need to be included in determining whether the hotel would be accessible to the general population. The first to consider is that the Legoland Hotel will be a destination hotel associated with a family-oriented theme park. Legoland predicts that approximately 80% of hotel guests will also visit Legoland Park. Legoland has indicated that the hotel rates will be reduced when purchased in combination with admission to Legoland Park. The average price for a hotel room when combined with admission to Legoland Park is \$156.20, which the Commission formula defines as moderate cost. Additionally, the Commission's formula for determining affordability is based on an average hotel room (double occupancy). In 2007, the City of Carlsbad submitted LCP Amendment 1-07A for the DKN Hotel in downtown Carlsbad. The proposed amendment included the demolition of lower cost hotel rooms to be replaced by moderate cost hotel rooms. In the Commission's review of the project, the City raised the question of standard (two beds) rooms versus suites. The City felt, and the Commission ultimately agreed, that suites could not be classified as a standard hotel room because they provide additional beds and may accommodate up to four people, whereas a traditional hotel room typically accommodates two persons. The result being a family of four would have to reserve two traditional hotel rooms, but may only need to reserve one suite, thereby reducing the actual cost.

As proposed, Legoland Hotel was tailored specifically to accommodate families. The proposed design would include rooms providing occupancy of 4-6 people per room. Legoland has submitted "mockups" that show rooms with one queen bed, 2 bunk beds, 2 Murphy beds and a couch (ref. Exhibit No. 3). Such a design would allow a family of up to seven (with one sleeping on the couch) to stay in one room. As such, when looking at the proposed development comprehensively, the proposed hotel can be considered accessible to the broader public and therefore, can be found consistent with the City's LUP.

### **B. Alternative Transit**

As previously discussed, the City failed to adopt a comprehensive alternative transportation plan designed for the Legoland Park. Encouraging and providing alternative transportation amenities helps reduce vehicle miles traveled, aids in the protection of marine resources, and can even increase public access, all of which are mandated through various policies within the City's LUP. Further, the Carlsbad Ranch Specific Plan contains nine policies promoting and, in some cases, requiring the provision of alternative modes of transportation. However, these provisions are broad policies and the Commission finds it is appropriate to now tailor and strengthen policies specifically for Legoland Park. Suggested Modification No. 1 will serve to remedy this deficiency for such a major employer and visitor destination point.

The suggested modification has three components all serving to maximize the future use of alternative transit such as the coaster and public transit. The first component is directed at the City and requires the City to encourage public transit service from Legoland Park to beaches and other visitor serving areas, as well as major transit stations. The City has indicated that North County Transit District's (NCTD) current bus service,

Routes 321 and 445, provide adequate service from the two transit centers in Carlsbad - the Poinsettia Station and Carlsbad Village Transit Center to Legoland Park. These routes are offered numerous times throughout the day and the bus ride from each station to Legoland would take less than 30 minutes. In particular, the route between Carlsbad Village and Legoland operates from 6 a.m. to almost 9 p.m. during weekdays, with hourly departures and arrivals. The Commission agrees that commute times of less than 30 minutes for either transit station, offered on a regular basis, could be considered an adequate program. However, neither of these routes run on weekends or holidays. Given that theme park and hotel attendance is traditionally highest on weekends and holidays, the existing program cannot be found consistent with the City's LUP.

The second component of Suggested Modification No.1 is directed at Legoland's responsibility to provide transportation service from the City's transit centers to Legoland. In the absence of adequate public transit service, as described above, the modification would require Legoland to provide an independent shuttle program that will service the two transit stations both to and from Legoland on a regular schedule for its park and hotel guests, as well as Legoland employees. The modification would not require Legoland to provide this shuttle service if there is an adequate public transit service. Therefore, based on the current public transit opportunities, the suggested modification would only require Legoland to provide the shuttle service on weekends and holidays. Because mass transit, or alternative transit options, are often under-utilized due to lack of public knowledge, the suggested modification encourages both the City and Legoland to advertise these transportation services to increase public awareness.

The third component of Suggested Modification No. 1 is directed at Legoland's responsibility to encourage the use of alternative transit by its employees. Included options are the provision of employee transit passes or subsidies, ridesharing programs, preferred parking for carpoolers, company bulletin boards for organizing carpools, employee bike racks, and on-site shower facilities. Again, Legoland has indicated that they currently provide most of these for their Legoland Park employees, including 20 bike racks, shower facilities, preferred parking for carpoolers and a carpooling bulletin board. They do not however, provide or subsidize transit passes. They historically provided subsidized passes but eliminated the program due to low employee interest. However, the proposed hotel is estimated to provide an additional 150 jobs. As such, the previously provided incentives may need to be expanded, i.e. bike racks, shower stalls, carpool parking spaces, to accommodate all employees that wish to use these amenities. Further, the additional employees combined with the above described shuttle service may result in a viable public transportation subsidy program. Therefore, with the incorporation of all of the components of Suggested Modification No. 1, the proposed amendment will promote the use of alternative modes of transportation for Legoland's park and hotel guests, as well as its employees, to the maximum extent practicable, and can thus be found consistent with the City's LUP.

### **C. Reduction in Legoland Parking Requirements**

The last revision that raises concerns is the reduction in required parking within Legoland Park. As proposed, the City is modifying the Specific Plan language to facilitate the development of a 250-room hotel in a portion of the Park currently occupied by parking spaces. As previously stated, the City has provided sufficient evidence that Legoland currently has more than ample parking. The City also demonstrated that there is enough excess parking that the spaces usurped by the construction of the hotel and the additional parking requirements associated with the hotel can be accommodated by the current parking stock. However, the City failed to take into account that the need for parking may change in the future. It is possible that future developments may trigger the need for additional parking. For example, the City is currently reviewing a Legoland proposal to construct a water park attraction also to be located within the existing park's footprint. It is unclear at this point how the reduction in parking spaces or the construction of the hotel will actually affect the parking needs at the park. A potential additional use in the future, changes in the Park's attractions or revisions in the tourism market may create additional demand for parking. A required monitoring plan would provide for a comprehensive determination of actual parking needs for all development within Legoland Park. Furthermore, Policy 12-B encourages the City to look at reducing parking requirements for all types of developments at Carlsbad Ranch with the idea that a limited number of parking spaces will further encourage the use of alternative transit. A monitoring plan could also aid in determining if a reduced parking supply is appropriate. As such, Suggested Modification No. 3 requires Legoland to monitor daily parking counts and to provide these monitoring reports to the City for review, in association with an application for a permit requiring discretionary review or any future LCP amendments for the Carlsbad Ranch. By requiring the submittal of such reports, the City has opportunities to address what the most up-to-date parking needs are, consistent with the City's policies pertaining to public access and the promotion of alternative modes of transportation.

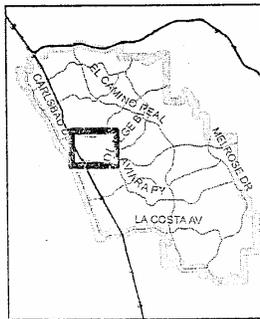
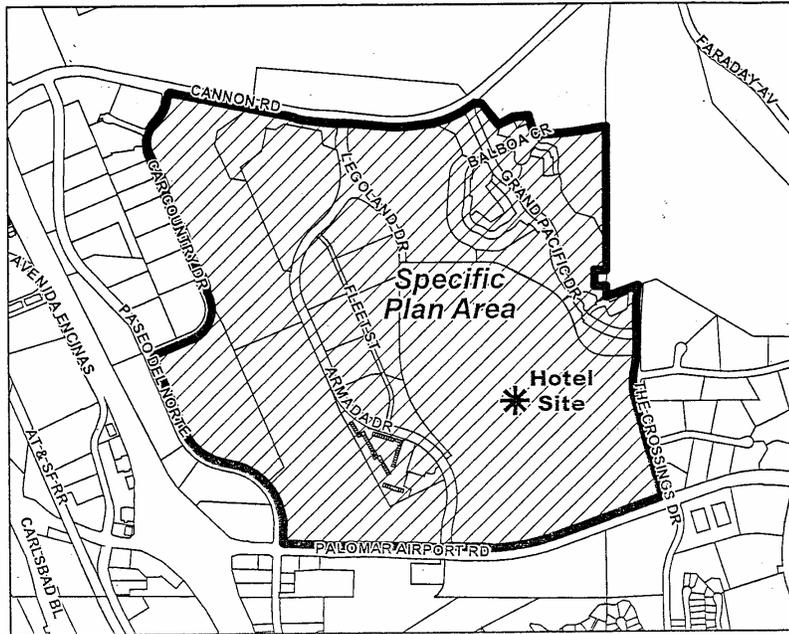
### **D. Administrative Revisions/Figures 35, 38, and 39**

The last concern associated with the proposed amendment is the proposed modifications that would render the language/graphics of the Legoland Park area inconsistent with the presently adopted Specific Plan. The Legoland Park section of the Specific Plan includes text, development standards, as well as figures that pertain to Legoland Park specifically. Figure 35 depicts the various planning areas, and Figures 38 & 39 depict the parking for Legoland Park. The proposed amendment includes adding a hotel in the area identified as parking; and, as such, if approved, Figures 35, 38, and 39 will no longer be representative of the actual development at Legoland Park. Suggested Modification No. 4 requires the City to update Figures 35, 38, and 39 to accurately represent Legoland Park facilities. In summary, with the adoption of the four suggested modifications, the amendment can be approved and found consistent with the certified land use plan.

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

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. 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 Commission finds that approval of the proposed LCP amendment, as submitted, would result in significant impacts under the meaning of the California Environmental Quality Act. However, with the inclusion of the suggested modifications, the adoption would not result in significant impacts to the environment within the meaning of the California Environmental Quality Act. Therefore, the Commission finds that approval of the LCP amendment, as modified, will not result in any significant adverse environmental impacts.



SITE MAP



NOT TO SCALE

Legoland Hotel Carlsbad

SP 207(H) / LCPA 08-0  
 SDP 96-14(C) / CDP 96-

EXHIBIT #1
Location
LCPA #1-09B Legoland Hotel
California Coastal Commission

Exhibit 1

ORDINANCE NO. CS-025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, ADOPTING AN AMENDMENT TO THE CARLSBAD RANCH SPECIFIC PLAN (SP 207(G)) TO ADD HOTEL AND ACCESSORY USES TO PLANNING AREA 4 OF THE CARLSBAD RANCH SPECIFIC PLAN AND TO REVISE THE PARKING RATE FOR LEGOLAND AND GYMS WITHIN THE CARLSBAD RANCH SPECIFIC PLAN ON PROPERTY GENERALLY LOCATED NORTH OF PALOMAR AIRPORT ROAD, SOUTH OF CANNON ROAD, EAST OF PASEO DEL NORTE AND WEST OF THE CROSSINGS DRIVE IN THE MELLO II SEGMENT OF THE LOCAL COASTAL PROGRAM AND IN LOCAL FACILITIES MANAGEMENT ZONE 13.  
CASE NAME: LEGOLAND HOTEL CALIFORNIA  
CASE NO.: SP 207(H)

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

WHEREAS, the Carlsbad Ranch Specific Plan was originally adopted by City Council Ordinance No. NS-277 on March 16, 1993 and has been amended several times and contains the uses, development standards and design guidelines for the development of the subject property; and

WHEREAS, the City Council of the City of Carlsbad has reviewed and considered a Specific Plan Amendment (SP 207(H)) for the Carlsbad Ranch Specific Plan; and

WHEREAS, after procedures in accordance with requirements of law, the City Council has determined that the public interest indicates that said Specific Plan Amendment (SP 207(H)) be approved.

NOW, THEREFORE, the City Council of the City of Carlsbad does ordain as follows:

SECTION 1: That Specific Plan SP 207(H), on file in the Planning Department, and incorporated herein by reference, is adopted. The Carlsbad Ranch Specific Plan (SP 207(H)) shall constitute the development plan for the property and all development within the plan area shall conform to the plan.

SECTION 2: That the Carlsbad Ranch Sp...  
date, and further amended by Specific Plan Amendment...  
approved.



1                   SECTION 3: That Specific Plan Amendment SP 207(H) replaces text in the  
2 Carlsbad Ranch Specific Plan, as shown on Attachment SP 207(H).

3                   SECTION 4: That the findings and conditions of the Planning Commission in  
4 Planning Commission Resolution No. 6525 shall constitute the findings and conditions of the  
5 City Council.

6                   EFFECTIVE DATE:       This ordinance shall be effective thirty days after its  
7 adoption, but not until Local Coastal Program Amendment LCPA 08-01 is approved by the  
8 California Coastal Commission, and the City Clerk shall certify to the adoption of this ordinance  
9 and cause it to be published at least once in a publication of general circulation in the City of  
10 Carlsbad within fifteen days after its adoption.

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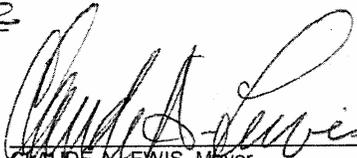
1 INTRODUCTION AND FIRST READ at a regular meeting of the Carlsbad City Council on  
2 the 10<sup>th</sup> day of March, 2009, and thereafter.

3 PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the  
4 City of Carlsbad on the 17<sup>th</sup> day of March, 2009, by the following vote to wit:

- 5  
6 AYES: Council Members Lewis, Kulchin, Hall, Packard and Blackburn.  
7 NOES: None.  
8 ABSENT: None.  
9 ABSTAIN: None.  
10

11 APPROVED AS TO FORM AND LEGALITY

12   
13 RONALD R. BALL, City Attorney  
14 3/17/09.

15   
16 CLAUDE A. LEWIS, Mayor

17  
18 ATTEST:

19   
20 LORRAINE M. WOOD, City Clerk

21 (SEAL)



Attachment Legoland Hotel California – SP 207(H)

Much of the most visible west-facing slope will maintain agricultural use of the site as flower fields. Formal elements will heighten the sense of the hillside landscape and will reinforce the visual importance of the ridgeline extending through the site and creating a prominent brow at the southwest end. A transitional wall will create an edge to the flower fields that will become a promenade providing scenic vistas to the fields, the city and the ocean.

Development will be concentrated within a limited area along the western-most ridge and areas to the east. A hotel/timeshare will occupy a prominent location at the southern end of the site. The hotel/timeshare will serve a role in Carlsbad much like the La Valencia Hotel in La Jolla and the Hotel Del Coronado in Coronado as a major landmark and social gathering place for the community. The use of courtyards, terraces, landscaping, sloping and tiled roofs, distinctive massing and many of the qualities characteristic of Mediterranean buildings are envisioned.

The focus of development in the north and central portion of the specific plan will be on Biotech, research/corporate users and a vocational campus housing the Gemological Institute of America. The development will be a mix of one, two and three-story buildings. Design standards will continue to require architectural articulation on all buildings, incorporating a vocabulary, which is compatible with the overall Mediterranean character of the Carlsbad Ranch.

LEGOLAND Carlsbad will be situated on the southeast quadrant of the Carlsbad Ranch. It will consist of ~~parking~~, an inner park of active and passive clusters, ~~an outer park and along with a~~ service and administration area and an outer park containing a hotel and parking. All areas of the park will be heavily landscaped. The inner park will also contain water features. All areas of the park will be child and pedestrian oriented. All structures will be designed to blend in with the extensive landscaping in garden-like settings. LEGO models will be featured in LEGOLAND Carlsbad.

A full-service destination resort, which may include up to 700 suites is proposed to be located on the northeast corner of the Ranch. The architecture will be compatible with the same Mediterranean vocabulary prevalent throughout the Ranch and features such as sloping tile roofs, terraces, arches, and elevated walkways connecting the various buildings should be encouraged. A golf course, open to the public, will be situated below the resort adding to the open space in the Ranch.

The western-most portion of the Ranch below the flower fields and adjacent to Paseo Del Norte will be developed as a specialty retail center. Buildings will be designed and oriented to allow for views of the flower fields to the east. There will be a focus on food service at the end of the pedestrian access to the flower fields and ridge promenade.

2. BUILDING COVERAGE

For developments which utilize surface parking, all structures shall not cover more than fifty percent of the lot on which they are located.

For developments which include a parking structure or parking is located within or under the building it serves, the total coverage of all structures shall not exceed seventy-five percent of the lot. This provision shall apply only if seventy-five percent of the required parking is located in the parking structure or within or under the building it serves.

3. PARKING STANDARDS

Parking spaces for all permitted and ancillary uses shall be provided consistent with the parking standards and parking ratios set forth in this specific plan. Facilities for bicycle parking shall be provided within all planning areas. The parking requirements for LEGOLAND Carlsbad are provided in the development standards for Planning Area 4.

If the parking standards or parking ratios are not specifically addressed in this specific plan then Chapter 21.44 of the Carlsbad Municipal Code shall be utilized.

a. Parking Ratios

Parking ratios shall conform with the following standards:

Art Galleries/Museums	1 space per 500 GSF
Financial Institutions	1 space per 250 GSF
Gyms and Health Clubs	1 space per <del>35</del> 200 GSF
Hotels	1.2 spaces per room
Manufacturing	1 space per 400 GSF plus 1 space for each vehicle used in conjunction with the use
Medical Offices	1 space per 200 GSF
Pre-schools/Daycare Facilities	1 space per employee and 1 space per 10 students
Professional Offices	1 space per 250 GSF
Research and Development	1 space per 250 GSF
Bio Industrial -	
Research and Development	1 space per 300 GSF
Restaurants - <4000 sq.ft.	1 space per 100 GSF
Restaurants - >4000 sq.ft.	40 spaces plus 1 space per 50 sq.ft. over 4000 sq.ft.
Retail	1 space per 200 GSF

e. ~~Hidden Valley Road~~The Crossings Drive

i. Roadway Character

~~Hidden Valley Road~~The Crossings Drive will provide emergency and service access to Planning Areas 4 & 5, LEGOLAND Carlsbad and the Resort. ~~Hidden Valley Road~~The Crossings Drive will end outside the northeastern boundary of the specific plan and may provide secondary access to the future Veteran's Memorial Park. From Palomar Airport Road to the entrance to LEGOLAND Carlsbad, ~~Hidden Valley Road~~The Crossings Drive will have a Right-of-Way width of 84', with a curb-to-curb width of 64'. From the LEGOLAND Carlsbad Entrance to its northern terminus it will have a 62' Right-of-Way with a curb-to-curb width of 40'.

Sidewalks in conformance with City standards shall be constructed on both sides of ~~Hidden Valley Road~~The Crossings Drive from Palomar Airport Road to the entrance to LEGOLAND Carlsbad. From the entrance to LEGOLAND Carlsbad to the northern edge of the specific plan, an 8' wide meandering trail in 14' landscaped area shall be provided along the western edge of ~~Hidden Valley Road~~The Crossings Drive. This will accommodate Segment 28 of the City's Trail Plan. A standard 5.5' wide sidewalk shall be provided along the easterly side of this portion of ~~Hidden Valley Road~~The Crossings Drive.

If the City of Carlsbad develops the property to the east of ~~Hidden Valley Road~~The Crossings Drive as a public golf course, Segment 28 of the Citywide Trail System may be located along the eastern side of ~~Hidden Valley Road~~The Crossings Drive, subject to the approval of the City.

ii. Landscaping/Street Trees

Landscaping shall be installed concurrent with the development of the roadway in conformance with all applicable City standards. The Landscaping of ~~Hidden Valley Road~~The Crossings Drive shall be compatible with the landscaping of LEGOLAND Carlsbad. As a guideline, one tree should be provided for every 40 linear feet of road frontage, to comply with the City's minimum standards.

**LEGO Attraction Areas** - Other attractions in LEGOLAND Carlsbad emphasize LEGO themes such as Town, Castle, and Pirates. Activities created for these areas will be designed to allow the child and his/her family to view and interact with the theme LEGO models and attractions.

**Passive Clusters** will be located next to the Active Clusters within the Inner Park. The Passive Clusters are characterized by unobstructed park like plantings with occasional walkways and limited paving, site furnishings, garden features and landscape lighting. The key objective of the passive clusters is to allow families to picnic, relax, and enjoy the park atmosphere.

#### **Service and Administration**

The Service and Administration planning area is located on the eastern end of the project site. The service and administrative buildings will include storage, workshops, staff, educational and administrative facilities. External waste and storage facilities will be established in connection with the storage building.

#### b. Outer Park

The Outer Park contains landscape areas, LEGOLAND hotel and parking facilities for LEGOLAND Carlsbad. The actual boundaries of both the Inner Park and Outer Park as well as the acreage of the Planning Areas may vary and will be precisely determined at the time of the Site Development Plan review.

#### LEGOLAND Hotel

The hotel, accessory uses to the hotel and hotel guest parking are to be located in the Outer Park between the LEGOLAND entrance and administrative offices. Hotel parking will be separated from the general visitor parking for LEGOLAND Carlsbad and accessible from the main entrance and The Crossings Drive. Details of the hotel, accessory uses and hotel guest parking will be provided as part of the application for the Site Development Plan.

Parking and Circulation

Proposed parking consists of areas for guest parking, bus parking, recreation vehicle, ~~and employee parking and hotel parking.~~

Guest parking includes provisions for handicap parking in accordance with the Americans with Disabilities Act. In an effort to work with the existing topography of the site and maximize views within LEGOLAND Carlsbad, the parking area is designated for the southern portion of the LEGO site. Access to the guest parking will be taken from LEGO Drive by way of Cannon Road. All directional signage including freeway signs, signs on Palomar Airport Road and promotional advertisements shall direct motorists towards Cannon Road. Parking expansion space will be provided within the LEGO park site adjacent to the parking lot on the south. This will also provide space for parking overflow should it be needed during peak visitor days.

~~Employee and bus parking facilities will be provided at the southeastern portion of the site. Bus/RV parking will be provided at the southwestern portion of the site. The bus/RV parking area will be double striped and available for use as standard LEGOLAND visitor parking during peak periods in which bus demand is low, on an as-needed basis. Charter bus and school bus access to LEGOLAND theme park will be through the main entrance. Bus drop-off areas are provided in the parking lot along the pedestrian spine which leads into LEGOLAND.~~

~~NCTD bus access will be provided via The Crossings Drive. Charter bus service to the hotel will be via The Crossings Drive.~~

~~Employee parking facilities are provided at the southeastern portion of the site. Access to these areas will be from Palomar Airport Road via Hidden Valley Road. The Crossings Drive. Emergency vehicle access is also provided via Hidden Valley Road. The Crossings Drive. Details of the parking areas will be provided as a part of the application for the Site Development Plan.~~

~~Hotel parking will be separated from the general visitor parking for LEGOLAND Carlsbad and accessible from the main entrance and The Crossings Drive. It is anticipated that upon initial arrival to the hotel, guests will enter from Cannon Road through the LEGOLAND main entrance. Once at the hotel, guests are likely to utilize the entrance via The Crossings Drive to avoid the general park traffic.~~

a. Permitted uses within LEGOLAND Carlsbad are as follows:

- Entrance facility;
- Toll "plaza";
- Retail shops, not including drive-up or drive-in services;
- Restaurants, not including drive-up or drive-in services;
- Service buildings associated with Park activities;
- Offices related to Park activities, business and administration;
- Ancillary uses related to LEGO park;
- Hotel and accessory uses to the hotel including:
  - Retail
  - Restaurants, not including drive-up or drive-in services
  - Health and Fitness Clubs
  - Staged entertainment
  - Recreational facilities for water play
  - Rental car agency
  - Childcare facilities
  - Personal services, Barbers, Beauty shops, etc.
  - Bars and Nightclubs
  - Art Galleries/Museums
  - Administrative and Business Offices
- Indoor and outdoor facilities for children related to entertainment and education including overnight uses, but not including high-speed thrill rides (those rides typically oriented towards the teenage and young adult audience);
- Water features, lakes;
- Picnic areas;
- Landscaped areas;
- Guest services and facilities;
- Accessory uses which are clearly incidental or necessary to principal permitted uses;
- People moving systems;
- Signs related to Park activities;
- Parking;
- Any other uses as determined by the Planning Director to be of the same general character as the uses listed above.

b. Permitted temporary uses within LEGOLAND Carlsbad which are limited in duration, but occur from time to time, are as follows:

- Festivals;
- Craft fairs;
- Markets;

iii. ~~Hidden Valley Road~~ The Crossings Drive (Area 3)

Building Setbacks

- No building shall be closer than 20 feet from the right-of-way line.

Landscape Setbacks

- Landscaping shall extend a minimum of 20 feet from the right-of-way line.

Parking Setbacks

- No parking area shall be allowed closer than 20 feet from the right-of-way line.

iv. Palomar Airport Road (Area 4)

Building Setbacks

- No building shall be closer than 300 feet from the northern right-of-way line along Palomar Airport Road.

Landscape Setbacks

- Landscaping shall extend a minimum of 140 feet from the northern right-of-way line along Palomar Airport Road (150 feet from the curb).

Parking Area Setbacks

- No parking area shall be allowed closer than 140 feet from the northern right-of-way line along Palomar Airport Road (150 feet from the curb).

e. Parking Standards<sup>3</sup>

The required parking for LEGOLAND Carlsbad is as follows: following parking spaces will be provided on the opening day of LEGOLAND Carlsbad:

<u>Visitor Parking</u>	
Automobiles	3410 spaces
Handicapped	45 spaces
RV Parking	45 spaces
<u>Employee Parking</u>	
Employee Parking	600 spaces
Bus Parking	60 spaces
TOTAL	4160 spaces

<u>LEGOLAND</u>	
Park - Autos	3,103 spaces
Park - RV's	20 spaces
Employee	600 spaces
Hotel	1.2 spaces per room
Restaurant	1 space per 100 SF
(if over 4,000 SF)	40 + 1 space per 50 SF
Retail	1 space per 300 SF

In addition, 60 bus spaces and an additional 26 RV spaces are provided as a convenience to touring bus companies and schools. During peak demand events however, this parking may be converted to visitor parking spaces. If additional uses not specifically listed above are developed, Chapter 21.44 of the Carlsbad Municipal Code shall be utilized for the parking standards or parking ratios.

Guest Automobile parking stall sizes shall be a minimum width of 8'6" x 19' with a minimum area of 170 square feet. All aisles shall be a minimum of 40'-24" feet in width (single direction with the parking stalls oriented at 60 degrees). Employee parking stalls shall be a minimum of 9' x 20'. Recreation Vehicle parking stalls shall be 34' x 11'. Bus parking stalls shall be 40' x 12'. All bus aisles shall be a minimum of 75 feet in width. If tandem bus parking occurs, there shall be a minimum of 3 feet between buses. All handicapped parking stalls shall meet the requirements of the

<sup>3</sup> The City of Carlsbad does not have a specific parking standard for a theme park such as LEGO. The theme park standards are derived based on the justification and analysis contained in an addendum prepared by RBF dated January 23, 2005 to the April 1994 Traffic Study for LEGOLAND Carlsbad, which was prepared by KAKU Associates, Inc. (Traffic Study for the Carlsbad LEGOLAND Carlsbad, dated April 1994, pages 50 to 49). This report and addendum are available at the City of Carlsbad Planning Department and is incorporated herein by reference.

Americans With Disabilities Act. The proposed parking concept shall meet or exceed the City of Carlsbad landscape requirements of 1 tree per 4 parking stalls. Bicycle access to the parking lot shall be provided at the trail connections off LEGO Drive and off ~~Hidden Valley Road~~ The Crossings Drive. Bicycle racks shall be provided within the parking area.

~~Parking expansion will be provided within the LEGO site adjacent to the Palomar Airport Road buffer zone. This area will be landscaped, and parking will occur in the grass/turf portions of this area which will also serve as space as needed for parking overflow. The City may require the paving of the parking overflow area when warranted by traffic usage, but not before. This overflow parking area will accommodate an additional 1,150 parking spaces. The City will conduct traffic counts periodically to determine the adequacy of the parking lot with respect to health and safety standard to determine if this overflow area needs to be paved. The City shall advise LEGO of any health and/or safety problems and, at the direction of the City Engineer, may require any necessary remedies to correct the problems.~~

The parking lot layout and design are shown on Figure 38 on page 125 and the parking lot geometrics are illustrated in Figure 39 on page 126. These Figures are intended to show that it is feasible to design a parking layout to accommodate the required parking on the LEGO site. It is not intended to be a final design. The actual design may vary subject to the review of the Site Development Plan. The final parking lot layout shall be subject to City approval at the time of Site Development Plan review.

Directed parking may be necessary during certain peak season days. A requirement for directed parking would be based on the final design of the parking lot and determined if necessary at the time of the Site Development Plan review.

f. Circulation Plan

The Circulation Plan is shown in Figure 40 on page 127. The Circulation Plan establishes the roadway network and the basic standards for safe automotive, bicycle and pedestrian movement within the LEGO site and as it relates to the proposed circulation system of the adjacent Carlsbad Ranch Planning Areas. Figure 40 on page 127 of this document illustrates the overall circulation plan for the Carlsbad Ranch Specific Plan. In order to comply with the established performance standard for circulation facilities contained in the Local Facilities Management Plan, Zone 13, the only directional signing allowed on Palomar Airport Road will be a directional sign for west bound vehicles directing them to go north on Armada Drive to LEGO Drive. All directional signage located along the I-5 corridor shall direct visitors to the Cannon Road off ramps.

All promotional material, television and radio advertising, shall direct visitors to access the Park using the I-5 and Cannon Road interchange.

Visitor traffic will approach the Park heading east on Cannon Road from the I-5 interchange, then make a right turn at LEGO Drive.

A roundabout will be located at the intersection of LEGO Drive and Armada Drive. This roundabout will guide visitors to LEGOLAND Carlsbad. LEGO Drive empties directly into the private driveway leading to the LEGO visitor parking lot.

Access to the bus, employee parking, LEGOLAND Hotel and service areas ~~only~~ shall be provided from ~~Hidden Valley Road~~ The Crossings Drive via Palomar Airport Road.

Access to charter/school bus parking will be provided through the main LEGOLAND entrance. Drop-off areas for buses are provided along the pedestrian spine that leads from the parking lot into the LEGOLAND park. NCTD bus access shall be provided from The Crossings Drive via Palomar Airport Road. In the event of a chartered bus specifically for LEGOLAND Hotel guests, access will be provided via The Crossings Drive.

The service road will be landscaped and screened to prevent public view from Park visitors. Vehicles shall be separated from the Active and Passive Clusters of the Park to avoid pedestrian contact. The service road shall be constructed to meet the City of Carlsbad standards to accommodate emergency vehicles.

Pedestrian access is provided through a system of circulation which links a series of Active Clusters. This system provides a main circulation route with opportunity to return to clusters of particular interest. Trail links/connections to adjacent portions of the Carlsbad Ranch will be provided on the southwestern boundary of the park on LEGO Drive, adjacent to Armada Drive and on the eastern boundary of the Park off of ~~Hidden Valley~~ The Crossings Drive at the entrance to the employee parking or service administration area.

g. Operation and Safety

LEGO Drive shall comply with the operation and safety standards and criteria as provided in the Standards for Design and Construction of Public Works Improvements in the City of Carlsbad. Lighting shall be provided that will conform with the City lighting standards.

The LEGO parking concept allows for the maximization of landscape opportunities, while providing for the required amount of parking in a safe and efficient manner. If it is required that the parking area be lit, it will conform to the City lighting standards. The LEGO parking lot will be loaded

- vi. Parking lot lighting shall be designed in conformance with City standards.
- vii. Lighting should provide a safe and desirable level of illumination for both pedestrians and motorists without intruding into adjacent areas.
- viii. Project signage should be illuminated on the sign face only, in such a way as to minimize light overflow.
- ix. Search lights and lasers directed towards the sky should not be permitted.

### 3. DESIGN GUIDELINES

The following are specific development and design guidelines applicable to this Planning Area. However, Section III.A. GENERAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES beginning on page 63 contains additional development standards and design guidelines that are applicable to all Planning Areas within this Specific Plan Amendment.

The purpose of the following section is to provide sufficient design guidelines and descriptive text to give the City an idea of the appearance and feeling of LEGOLAND Carlsbad when it is developed. The exact details of LEGOLAND Carlsbad will be provided when the Site Development Plan is processed for this area.

#### LEGOLAND Park

##### a. General Building Orientation

##### LEGOLAND Carlsbad Building Orientation

The LEGOLAND Carlsbad entrance structures will be oriented toward the guest parking area. Other Park buildings and structures will be oriented, in general, toward a main pedestrian pathway system linking the various Activity Clusters. Entrance to the various buildings and structures should in general be from the main pathway system. Secondary entrances and service entrances will be from a secondary pathway system and the outer ring service road surrounding the Inner Park. Buildings and structures should be of various masses and orientation in a "village/town landscape" arrangement. Provisions for comfortable service and emergency vehicular access will be established park-wide and will link up with the service and emergency road system.

Service and Administration Building Orientation

LEGO service buildings shall be architecturally compatible with the administration building. Primary service building entrances shall be oriented to the access road area. Secondary building entrances will in general be oriented toward the Family Park. Building mass should be parallel or on axis with the access road.

Provisions for comfortable pedestrian as well as vehicular linkages between the Park, access road, staff car parking and the service administration building shall be provided.

b. Access

LEGOLAND Carlsbad Buildings

The main entrance for guests to LEGOLAND Carlsbad will be from the guest car parking via guest "car park islands" to an entrance plaza in front of the entrance structure. In connection with the entrance plaza, disabled parking, charter/school bus and taxi drop-off will be established. NCTD bus access is provided via The Crossings Drive.

From the main entrance, a main pedestrian pathway will lead through the various Active and Passive Clusters. Access to the various attractions will be from the main pathway system as well as a secondary pathway system in each individual cluster. Entrance facilities to each individual attraction will include various setbacks and/or queuing facilities to secure sufficient flow on pathway systems.

Pathway systems and access to attractions will satisfy all applicable requirements for disabled accessibility. A service road system will be established within the Outer Park area for easy accessibility for service vehicles to the various main facilities in the Park. An emergency and fire engine corridor system will be established acceptable to the Carlsbad Fire Department.

Service and Administration Buildings

Main access to the administration building and service building area will be from the secondary access road via ~~Hidden Valley Road~~ The Crossings Drive off Palomar Airport Road. Secondary access to administration and service buildings, including service gates to the service building, will be from a service yard between the administration and service building. A combined staff service road and pathway will connect the service yard with the service road around the Park. The service area will be screened from the surroundings by planting.

#### Windows

Windows may commonly appear recessed on general buildings. Detail treatments include the use of architectural accents. Shutters will be common where suitable. A variety of styles and sizes will typically be used together to form a random pattern.

#### Balconies & Verandas

Balconies and verandas will be used as strong ornamental elements, in order to add interest to the elevation and shade to the buildings and outdoor areas.

#### Public Spaces

Shaded areas will be established park-wide through the use of pergola structures, etc. A warm, relaxed atmosphere will be created to enhance the guest's comfort.

#### d. Potential Building Materials

Building materials utilized in the LEGOLAND Carlsbad buildings shall incorporate or be generally compatible with a theme architectural vocabulary and shall use durable, high quality building and roofing materials. The Inner Park will include a variety of architectural themes, which will delineate different activity areas of the Park. Exterior wall and roof colors shall be carefully selected. Stucco with accent materials are preferred. Roof colors shall be low intensity colors, which blend with the environmental setting of the project.

#### e. Citywide Trail Segment

Trails within Planning Area 4 shall be designed to link into the Citywide Trail System along Hidden Valley Drive. Trail Segment 28 of the Citywide Trail System may be located on the east side of ~~Hidden Valley Road~~ The Crossings Drive if that area is developed as a public golf course by the City of Carlsbad and its relocation is approved by the City.

### LEGOLAND Hotel

#### a. General Building Orientation

The hotel will be set in an articulated form to help create an entrance plaza for the Park on the North side.

The service area will orient to the existing Park service area to the East of admissions. This area links to the outer ring service road.

At the option of LEGOLAND, the hotel construction may be phased. A phasing concept will be provided and reviewed through the site development plan process.

b. Access

Guests

Guests arriving by car will access the hotel through the main LEGOLAND entrance or via The Crossings Drive. Upon arrival, guests will be directed to the hotel entrance plaza where there will be a covered area for drop-off from cars and taxis. Parking for disabled people will be provided close to the entrance and there will be dedicated parking for other hotel guests. NCTD bus access will be provided via The Crossings and drop-off guests at the east end of the hotel.

Service Area

This will be accessed (as is the LEGOLAND administration building and service building area) from the secondary access road via The Crossings Drive off Palomar Airport Road. A combined staff service road and pathway will connect the service yard with the service road around the Park. The service area will be screened from the surroundings by planting.

c. General Architectural Character

Architectural features, such as well articulated and varied facades, roofs and courtyard plaza elements that provide building articulation, diversity and pedestrian amenity will be provided. Variations in design are anticipated and will incorporate some of the features described below.

Building Form

The LEGOLAND hotel will be articulated both in plan and section to reduce the appearance of bulk and to create an interesting building silhouette. The typical facade will incorporate some fantasy features to reinforce the LEGOLAND brand and these will be most intense at the entrance to the hotel.

---

Roofs

Roofs will be low pitch or flat. Roof materials will be of suitable roof sheet material or tiles. Roof planes will be varied for visual interest and to achieve intimate scale.

---

Entrances

Entrances to the hotel and public areas will be recessed and covered. They will be compatible with the theme and character of the building. Materials may include rendered facades and tiles.

---

Windows

The design of windows will follow the themes mentioned above.

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Balconies

Balconies and french balconies may be used as strong ornamental elements, in order to add interest to the building and outdoor areas.

---

Public Spaces

Public space may be established through the creation of a plaza at the connection of the hotel and LEGOLAND Park. A warm, relaxed atmosphere will enhance the guest's comfort.

d. Potential Building Materials

Building materials utilized in the LEGOLAND Hotel will incorporate or be generally compatible with a theme architectural vocabulary and shall use durable, quality building and roofing materials. Exterior wall and roof colors will be carefully selected. Stucco with accent materials will be preferred. Roof colors will blend with the environmental setting of the project.

- A 1.5 MG steel tank reservoir located adjacent to the east boundary of the specific plan.
- Two pressure reducing stations, one at the 1.5 MG steel tank, and the other at the intersection of Palomar Airport Road and Armada Drive.
- A 16-inch and 12-inch pipeline from the 1.5 MG steel tank aligned southwesterly to Palomar Airport Road.
- A 10-inch pipeline in Palomar Airport Road from Armada Drive to Paseo Del Norte.
- A 12-inch pipeline in Paseo Del Norte and Car Country Drive.

The existing water facilities for the 375 Pressure Zone include:

- One 8.5 MG steel tank reservoir (now under construction to replace 1.25 MG).
- A 16-inch pipeline in Palomar Airport Road.
- A 16-inch pipeline from the existing 1.5 MG reservoir to Palomar Airport Road.
- Removal of the existing 12-inch and 16-inch transmissions lines.

The existing water facilities are shown on Figure 57 on page 183.

To provide adequate water service, the following facilities are required in the 375 Pressure Zone only:

- A 16-inch pipeline in ~~Hidden Valley Road~~The Crossings Drive extending from Camino de Los Ondas north to the vicinity of the existing 1.5 MG reservoir. This will enable the fire flow to be provided to the area from the 8.5 MG reservoir now under construction.
- A 12-inch pipeline extending in on easement across Parcel 11 from ~~Hidden Valley Road~~The Crossings Drive to Cannon Road.
- A 16-inch pipeline in Armada Drive from Palomar Airport Road to Cannon Road.
- A 10-inch pipeline in LEGO Drive.
- A minimum 8-inch pipeline in "D" Street.

### C. RECLAIMED WATER

On March 21, 1989 the City of Carlsbad adopted an interim Reclaimed Water Use Policy for new land development projects. The policy specified that all new development shall use reclaimed water when reasonably available and that the installation of dual irrigation systems may be required subject to the terms of the Water Reclamation Master Plan.

The Carlsbad Municipal Water District operates and maintains two reclaimed water pipelines in the specific plan area. There is an existing 8-inch pipeline in Palomar Airport Road. Another 8-inch pipeline is in ~~Hidden Valley Road~~ The Crossings Drive extending from Palomar Airport Road north to the vicinity of an existing 1.5 MG steel tank. The water pressure in these pipelines is the same as the 375 Pressure Zone for domestic water. However, it is noted that the pipeline in ~~Hidden Valley Road~~ The Crossings Drive may need to be relocated based on proposed site grading plans.

To utilize the reclaimed water supply will require the following:

- A 12-inch pipeline in ~~Hidden Valley Road~~ The Crossings Drive and an easement from Palomar Airport Road to Cannon Road. (There is an existing temporary 8-inch water line in ~~Hidden Valley Road~~ The Crossings Drive from Palomar Airport Road to the reservoir.)
- A 20-inch pipeline in Cannon Road from Car Country Drive to the proposed 12-inch pipeline described above.
- An 8-inch pipeline in Armada Drive from Palomar Airport Road to Cannon Road (Carlsbad Ranch Unit No. 1 has been designed and approved as a part of CT 92-07 on December 23, 1993.)
- An 8-inch pipeline in LEGO Drive.
- An 8-inch pipeline in Paseo Del Norte from Palomar Airport Road to Car Country Drive.

There also exists a 16" line located within and south of Palomar Airport Road belonging to the Vallecitos Water District. The City of Carlsbad has the rights to use reclaimed water from that line. That line has the capacity of two million gallons per day. As long as there is a surplus of reclaimed water available, development within this project could use this pipeline as a source of reclaimed water.

- g. Lego Drive/Cannon Road - Install traffic signal. Provide two left-turn lanes and an exclusive right-turn lane in the northbound direction; two through lanes and an exclusive right-turn lane in the eastbound direction; and two left-turn lanes and two through lanes in the westbound direction.

Estimated Cost - \$5,000 (signal cost included in LEGO Drive/Armada Drive cost estimate)

Timing:

Prior to recordation of a final map, issuance of a grading or building permit, whichever occurs first for any project within subarea TR-1, TR-2, TR-3, O/PI-1 or O/PI-2 of Zone 13, if the City Engineer determines that this improvement is necessary to maintain the Growth Management Circulation Performance Standard, the developer of that subarea shall financially guarantee its construction as set forth in the Finance section of the Zone 13 LFMP.

- h. Armada Drive/Palomar Airport Road - Install traffic signal modifications as necessary. Restripe the northbound approach for two left-turn lanes and a shared through/right-turn lane. In the southbound direction, provide two left-turn lanes, one shared through/right-turn lane, and an exclusive right-turn lane. Also, add an eastbound left-turn lane and a westbound exclusive right-turn lane.

Estimated Cost: \$205,000

Timing:

Prior to recordation of a final map, issuance of a grading or building permit, whichever occurs first for any project within subarea O/PI-2, TR-3 or TR/C of Zone 13, if the City Engineer determines that this improvement is necessary to maintain the Growth Management Circulation Performance Standard, the developer of that subarea shall financially guarantee its construction as set forth in the Finance section of the Zone 13 LFMP.

- i. ~~Hidden Valley Road~~The Crossings Drive/Palomar Airport Road - Construction of intersection to include two through lanes, one shared right/through lane and one left turn lane in the eastbound and westbound directions. Provide one shared southbound left/right/through lane. Provide a shared right-turn/through lane and one left-turn lane in the northbound direction.

3. Planning Area 3

Any development of the property including hotels and/or commercial living units (timeshares) shall be subject to the approval of a Site Development Plan pursuant to Section 21.06 (Qualified Overlay Zone) of the Carlsbad Municipal Code. In addition, a hotel or commercial living unit (timeshare) project shall be subject to the requirements of Section 21.42.010(10) of the Carlsbad Municipal Code. In addition to the above requirements, the City Council shall make the final decision to approve or disapprove the Site Development Plan.

Any other uses proposed for this site that is not specifically addressed herein shall be subject to all applicable processing requirements of the underlying zone and Title 21 (Zoning) of the Carlsbad Municipal Code.

4. Planning Area 4 (LEGOLAND Carlsbad)

Planning Area 4 contains the entire LEGOLAND theme park. As shown on Exhibit 35, the park is divided into the inner park and the outer park. The inner park contains all of the existing attractions, food services and administrative services and areas for future expansion. The outer park is the area reserved for LEGOLAND theme park visitor parking, LEGOLAND hotel and hotel guest parking and a large portion of the perimeter landscape buffer. This specific plan authorizes and approves a LEGOLAND family park as a permitted use subject the approval of a Site Development Plan. A Site Development Plan (SDP 96-14) and Coastal Development Permit (CDP 96-16) were approved for the entire park by City Council Resolution 97-670 on May 20, 1997. This specific plan authorizes and approves a LEGOLAND family park as a permitted use of the Planning Area for zoning purposes and, therefore, a conditional use permit shall not be required pursuant to Section 21.42.010(5)(F) of the Carlsbad Municipal Code. Any development of the property shall be subject to the processes as described below.

Outer Park

Any development within the Outer Park shall be subject to the approval of a Site Development Plan pursuant to Section 21.06 (Qualified Overlay Zone) of the Carlsbad Municipal Code.

Inner Park

All future park projects within the Inner Park that comply with the development standards and design guidelines set forth in this Specific Plan shall be processed as a Minor Site Development Plan and Minor Coastal Development Permit subject to Planning Director approval. The Planning

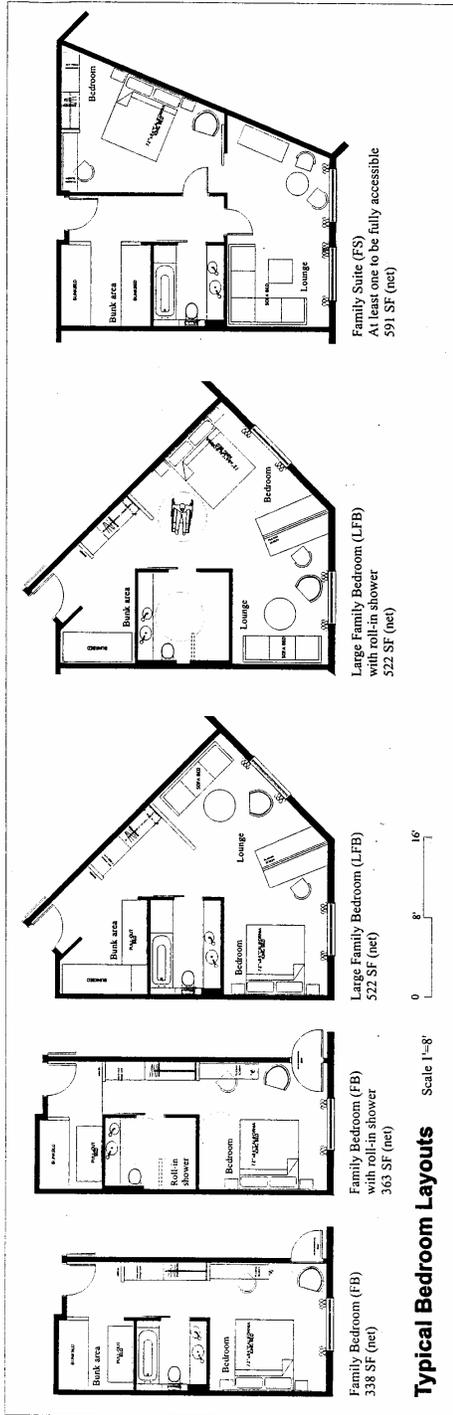


EXHIBIT #3  
 Proposed Hotel Room Design  
 LCPA #1-09B Legoland Hotel  
 California Coastal Commission