

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



October 14, 2009

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TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: EXECUTIVE DIRECTOR'S DETERMINATION that the action by the City of Carlsbad, certifying the City's Local Coastal Program Amendment No. 3-07A, is adequate to effectively certify its local coastal program (for Commission review at its meeting of November 5, 2009)

BACKGROUND

At its 6/11/09 meeting, the Coastal Commission certified, with suggested modifications, the City of Carlsbad Local Coastal Program Amendment #3-07A, regarding the Village Master Plan and Design Manual. By its action adopting Resolution Nos. 476 and 2009-226 on 8/18/09 and Ordinance No. CS-052 on 9/15/09, the City Council has acknowledged and accepted all of the Commission's suggested modifications. The modifications addressed prospective transit-oriented redevelopment of the Transportation Corridor north of Carlsbad Village Drive, disallowance of pole signs within the coastal zone, removal of demolition of structures as exempt development activity and instead incorporation of an expedited review for certain demolitions with appropriate findings and incorporation of additional policies for alternative transit measures. The City already has coastal development permit authority over this geographic area and will continue issuing permits consistent with the local coastal program as amended.

As provided for in Section 13544 of the Commission's Code of Regulations, the Executive Director must determine if the action of the City of Carlsbad is legally sufficient to finalize Commission review of the LCP amendment. The City's actions have been reviewed and determined to be adequate by the Executive Director. Section 13554 of the Commission's Code of Regulations then requires this determination be reported to the Commission for its concurrence.

RECOMMENDATION

Staff recommends that the Commission **CONCUR** with the Executive Director's determination as set forth in the attached letter (to be sent after Commission endorsement).

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



November 6, 2009

Mayor Claude A. Lewis
City of Carlsbad – Office of the Mayor
1635 Faraday Avenue
Carlsbad, CA 92008-7314

RE: Certification of the City of Carlsbad Local Coastal Program Amendment
No. 3-07A (Village Master Plan and Design Manual)

Dear Mayor Lewis:

The California Coastal Commission has reviewed the City's Resolution Nos. 476 and 2009-226 on 8/18/09 and Ordinance No. CS-052 together with the Commission's action of June 11, 2009 certifying City of Carlsbad Local Coastal Program Amendment #3-07A pertaining to the Village Master Plan and Design Manual. In accordance with Section 13544 of the Commission's Code of Regulations, I have made the determination that the City's actions are legally adequate, and the Commission has concurred at its meeting of November 5, 2009.

By its actions on August 18, 2009 and September 15, 2009, the City has formally acknowledged and accepted the Commission's certification of the Local Coastal Program Amendment including all suggested modifications. The modifications addressed prospective transit-oriented redevelopment of the Transportation Corridor north of Carlsbad Village Drive, disallowance of pole signs within the coastal zone, removal of demolition of structures as exempt development activity and instead incorporation of an expedited review for certain demolitions with appropriate findings and incorporation of additional policies for alternative transit measures. The City is already issuing coastal development permits in conformance with the certified local coastal program for this area.

In conclusion, I would like to congratulate you and all other elected or appointed officials, staff and concerned citizens for continuing to work towards full implementation of the Coastal Act. We remain available to assist you and your staff in any way possible as you continue to develop and implement the City's local coastal program.

Sincerely,

Peter Douglas
Executive Director

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1 **HOUSING AND REDEVELOPMENT COMMISSION RESOLUTION NO. 476**
CALIFORNIA COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

2 A RESOLUTION OF THE HOUSING AND
3 REDEVELOPMENT COMMISSION OF THE CITY OF
4 CARLSBAD, CALIFORNIA, TO APPROVE AMENDMENTS
5 TO THE CARLSBAD VILLAGE MASTER PLAN AND
6 DESIGN MANUAL TO ACCEPT THE CALIFORNIA
7 COASTAL COMMISSION'S SUGGESTED MODIFICA-
8 TIONS FOR CERTIFICATION PURPOSES.

9 CASE NO: LCPA95-10x1

10 WHEREAS, on November 21, 2007, the Housing and Redevelopment
11 Commission approved various actions to amend the Village Master Plan and Design
12 Manual to correct or clarify implementing policies and to amend one or more
13 development standards;

14 WHEREAS, on or about December 5, 2007, the City of Carlsbad took action to
15 submit an application for an amendment to the Local Coastal Program for the Village
16 Redevelopment Segment of the Carlsbad Local Coastal Program (and for all properties
17 located within the Village Redevelopment Project Area) with the California Coastal
18 Commission, including review, approval and certification of the Village Master Plan and
19 Design Manual; and

20 WHEREAS, said verified application was reviewed by the California Coastal
21 Commission and approved, with suggested modifications; and

22 WHEREAS, the California Coastal Commission has forwarded and the City of
23 Carlsbad acknowledges receipt of the Commission's resolution of certification, including
24 suggested modifications; and

25 WHEREAS, the Housing and Redevelopment Commission hereby accepts and
26 agrees to said suggested modifications to the Village Master Plan and Design Manual
27 as suggested by the California Coastal Commission; and

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1 WHEREAS, the Housing and Redevelopment Commission, together with the City
2 Council, held a public hearing to hear and consider all testimony and arguments, if any,
3 of all persons desiring to be heard on said modifications and the Commission
4 considered all factors relating to said modifications to the Village Master Plan and
5 Design Manual.

6 NOW, THEREFORE, BE IT RESOLVED by the Housing and Redevelopment
7 Commission of the City of Carlsbad, California, as follows:

- 8 1) That the above recitations are true and correct.
- 9 2) That this approved resolution shall serve as the record of formal action taken by
10 the Housing and Redevelopment Commission to approve the modifications to the
11 Village Master Plan and Design Manual as suggested by the California Coastal
12 Commission in their resolution of certification dated July 23, 2009.
- 13 3) The Village Master Plan and Design Manual is hereby amended to read as set
14 forth in Exhibit 4, which is incorporated hereby by reference, and summarized as
15 follows:
 - 16 a) Sign Section (Page 5-2) shall be revised to prohibit pole signs within the
17 Coastal Zone of the Village Segment of the Carlsbad Local Coastal
18 Program.
 - 19 b) Permit Types (Page 7-2) shall be revised to indicate that the demolition of
20 any building and/or other improvement within the Coastal Zone of the
21 Village Area shall require approval of an Administrative Redevelopment
22 (or Review) Permit, provided that said demolition has no potential to
23 create an adverse impact on coastal resources or public access to the
24 coast and does not include any overnight accommodations.

1 c) Transportation Section (Page 9-3) shall be revised to add a policy which
2 requires the City to actively encourage convenient alternatives to
3 automobile use throughout the Village by implementing the following
4 measures: 1) The City shall encourage transit operators to provide low-
5 cost transit services to beaches and visitor-serving areas, and to provide
6 transit service within walking distance of higher density residential areas
7 within the City; and 2) The City shall support higher density and mixed use
8 development within walking distance of the transit station; and 3) In order
9 to minimize energy consumption and vehicle miles traveled and provide
10 substitute means of serving development with public transportation,
11 coastal development permit approvals for new development within the
12 Coastal Zone shall require developers/employers to provide incentives for
13 alternate transit use such as providing employee transit passes or
14 subsidies, ridesharing programs, preferred parking for carpooling and on-
15 site facilities. .

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18 d) Amend the land use section (Page 2-32) to acknowledge that the primary
19 use of the Transportation Corridor shall be for transportation facilities and
20 improvements that provide rail and transit services, and support facilities
21 and allow the same permitted, provisional and accessory land uses in
22 Districts 1 and 4 to also be allowed within the Transportation Corridor, on
23 properties north of Carlsbad Village Drive only, with the additional
24 requirements for discretionary permits to be approved/issued by the City
25 of Carlsbad together with stated findings to ensure there remains
26 adequate land for transit-related facilities. The findings shall be as follows:
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1) The NCTD Board, or other appropriate transit agency, has declared the site of the proposed development to be surplus or excess right-of-way and not required for the purposes of construction and/or providing transit facilities, services or amenities and determined that a transit-oriented development is appropriate for said site; and 2) The development is consistent with the goals and objectives of the Village Master Plan and Design Manual, including the standards and policies related to transit and the use of alternate transit facilities/services and public access; and 3) The development complies with the land use plan and development standards set forth within the Village Master Plan and Design Manual for the respective land use district; and 4) The development shall incorporate and/or demonstrate support, including, but not limited to, parking, to the transit uses desired as priority uses within the Transportation Corridor.

4) The Housing and Redevelopment Director is hereby authorized to submit the revised documents and this resolution of approval to the California Coastal Commission, on behalf of the City of Carlsbad, in order to obtain final certification of the amended Village Master Plan and Design Manual and related implementing ordinance by the California Coastal Commission.

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PASSED, APPROVED AND ADOPTED at a Joint Special Meeting of the Housing and Redevelopment Commission and the City Council of the City of Carlsbad on the 18th day of August, 2009, by the following vote, to wit:

AYES: Lewis, Kulchin, Blackburn

NOES: None

ABSENT: Hall, Packard

Signature on file *Signature on file*

~~CLAUDE A. LEWIS, CHAIRMAN~~

ATTEST:

Signature on file

LISA HILDABRAND, SECRETARY
(SEAL)



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CITY COUNCIL RESOLUTION NO. 2009-226

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING A ZONE CODE AMENDMENT (CHAPTER 21.35) TO APPROVE AMENDMENTS TO THE VILLAGE MASTER PLAN AND DESIGN MANUAL AND IMPLEMENTING ORDINANCE TO ACCEPT THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS FOR LOCAL COASTAL PLAN CERTIFICATION PURPOSES.

CASE NAME: VILLAGE MASTER PLAN AND DESIGN MANUAL AMENDMENTS

CASE NO.: ZCA 95-10(a)/LCPA 95-10(a)/MCA95-01(a)

WHEREAS, on or about December 5, 2007, the City Council took action to submit an application for an amendment to the Local Coastal Program (LCPA 95-10a) for the Village Redevelopment Segment of the Carlsbad Coastal Zone, and for all properties located within the Village Redevelopment Project Area, to the California Coastal Commission, including review, approval and certification of the Village Master Plan and Design Manual approved by the Housing and Redevelopment Commission on November 20, 2007; and

WHEREAS, said verified application was reviewed by the California Coastal Commission and approved, with suggested modifications; and

WHEREAS, the California Coastal Commission has forwarded and the City of Carlsbad acknowledges receipt of the Commission's resolution of certification dated July 23, 2009, including suggested modifications; and

WHEREAS, in accordance with Carlsbad Municipal Code, Title 21, Chapter 21.52, Section 21.52.020, the City of Carlsbad has prepared an amendment to Carlsbad Municipal Code Title 21, Chapter 21.35 relating to policies, processes, procedures for the V-R Village Redevelopment Zone (CMC 21.35) and the Village Master Plan and Design Manual, which sets forth the land use classifications and development standards for the Village Redevelopment Zone; and

WHEREAS, the proposed amendment is set forth in Ordinance No. CS-052, and noted as Exhibit "Xa," dated July 31, 2009, and attached hereto as "Chapter 21.35 V-R VILLAGE REDEVELOPMENT ZONE - ZCA 95-10(A)"; and

WHEREAS, the City Council did on the 18th day of August, 2009 hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, analyzing the information submitted by staff, and considering any written comments received, the City Council considered all factors relating to the Zone Code Amendment.

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1 NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council
2 as follows:

3 a) That the foregoing recitations are true and correct.

4 b) That based on the evidence presented at the noted public hearing, the Council
5 hereby APPROVES said amendments to the Village Master Plan and Design
6 Manual as set forth by the Housing and Redevelopment Commission as
7 acknowledgement of receipt of the California Coastal Commission's resolution of
8 certification, dated July 23, 2009 approving the City's Local Coastal Program
9 Amendment 95-10a with suggested modifications, and hereby APPROVES
10 Ordinance No. CS-052 to incorporate said amendments into Chapter 21.35 of the
11 Carlsbad Municipal Code.

12 c) The City Council accepts the suggested modifications proposed by the
13 California Coastal Commission in its conditional approval of LCPA 95-10a.

14 d) The proposed amendments will be effective for all properties within the Village
15 Segment of the Carlsbad Coastal Zone upon final certification by the California
16 Coastal Commission.

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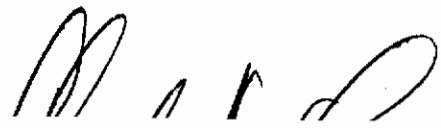
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PASSED, APPROVED AND ADOPTED at a Joint Special Meeting of the City Council and the Housing and Redevelopment Commission of the City of Carlsbad on the 18th day of August, 2009, by the following vote, to wit:

AYES: Lewis, Kulchin, Blackburn
NOES: None
ABSENT: Hall, Packard



Signature on file *Signature on file*

CLAUDE A. LEWIS, MAYOR

ATTEST:

Signature on file

KAREN R. KUMSTZ, ASSISTANT CITY CLERK
(SEAL)



Regulations

The following signs shall be permitted within the Village Redevelopment Area:

- Wall Signs
- Projecting Signs
- Fabric Awning Signs
- Banner Signs
- Neon Signs
- Marquee Signs
- Hanging Signs
- Window Signs
- Plaque Signs
- Restaurant Menu Signs
- Address Signs
- Tenant Directory Signs
- Monument or Ground Signs (limited)
- Pole Signs (limited) (outside Coastal Zone Only)
- Freestanding Sidewalk Signs (public property)
- Freestanding Sign (private property)

The following signs shall be prohibited within the Village Redevelopment Area:

- Interior illuminated Boxed Display Signs (which are designed to be mounted on the exterior of a building).
- Changeable Letter Signs, except for marquee signs for cinemas or performing arts theatres.
- Off-Premises signage (including billboard signs and signs which are not located directly in front of a related businesses)
- Roof Signs (which are signs located on the top of any building that extend above the peak of the roofline).

PERMIT TYPES

Exempt	Administrative Redevelopment	Minor Redevelopment	Major Redevelopment
<p>1. Interior or Exterior improvements to existing structures which do not result in the intensity of use of a structure; and/or</p> <p>2. Additions to existing structures which result in a cumulative increase of less than 10% of the internal floor area; and/or</p> <p>3. Demolition of a structure outside the Village Segment of the Carlsbad Coastal Zone, provided that said demolition has no potential to create an adverse impact on coastal resources or public access to the coast; and/or</p> <p>4. Changes in permitted land uses which do not require site changes, result in increased ADT, result in increased parking requirements, or result in compatibility issues or problems; and/or</p> <p>5. Landscaping on the lot unless it will result in erosion or damage to sensitive habitat; and/or</p> <p>6. Repair or Maintenance Activities; and /or</p> <p>7. Activities of public utilities; and</p>	<p>1. New construction of building(s) or addition(s) to the building footprint which have a building valuation which is less than \$60,000; and/or</p> <p>2. Interior or Exterior improvements to existing structures which result in an intensity of use; and/or</p> <p>3. Provisional Land Uses, where a minor or major redevelopment permit is not required.</p> <p>4. Changes in permitted land uses which result in site changes, increased ADT, increased parking requirements, or result in compatibility issues/problems; and/or</p> <p>5. Demolition of structure within the Village segment of the Carlsbad Coastal Zone provided that said demolition has no may have the potential to create an adverse impact on coastal resources or public access to the coast, and does not include any overnight accommodations; and/or</p> <p>6. Signs for existing businesses or facilities; and/or</p>	<p>1. New construction of building(s) or addition(s) to the building footprint which have a building valuation which is equal to or greater than \$60,000 but less than \$150,000.</p> <p>2. Non-Administrative Variances for projects within this category and those which would otherwise be exempt or be eligible for an administrative permit as indicated within this chart.</p>	<p>1. New construction of building(s) or addition(s) to the building footprint which have a building permit valuation which is equal to or greater than \$150,000.</p> <p>2. Non-Administrative Variances for projects within this category.</p>

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<p>8. Project does not require a variance of any type.</p>	<p>7. Repair or Maintenance Activities which are not exempt; and 8. Project requires an administrative variance.</p>		
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1 See Section 21.81.030 of the Carlsbad Municipal Code for exceptions to when a project is exempt from permit requirements for redevelopment and/or coastal development purposes

2 See Section 21.81.035 of the Carlsbad Municipal Code for exceptions to when a project is exempt from permit requirements for redevelopment or coastal development purposes.

Circulation Improvements

Generally, it has been determined that the circulation system within the Village Redevelopment Area is adequate to support existing and future development. However, a number of areas within the Village still need sidewalks and other street improvements. As funds become available and as private properties are developed, the Carlsbad Redevelopment Agency will continue its efforts to provide sidewalks and appropriate street improvements throughout the Village to improve/enhance vehicular and pedestrian circulation.

Public Improvements

With completion of the five (5) phases of the Streetscape Project, much of the public improvement program within the Village has been accomplished. However, the Redevelopment Agency will continue efforts to complete public improvements as appropriate over the next ten (10) years. The following public improvement projects will be pursued: 1) street enhancements (including decorative crosswalks, landscaping and street furniture) to Roosevelt Street from Carlsbad Village Drive to Walnut Street; 2) the construction of a boardwalk and ocean scenic overlook at the end of Carlsbad Village Drive; 3) addition of street trees and hanging flower baskets at various locations in the Village; 4) pedestrian scale lighting throughout the Village; 5) pedestrian connections between Madison and Roosevelt Streets; 6) enhanced public signage for such facilities as public parking lots, parks, etc; 7) pursue development of additional public restrooms within the Village; 8) work with SDG&E and private property owners/developers to underground utilities throughout the Village.

Transportation

The Redevelopment Agency will continue to support projects which will enhance public transportation opportunities for persons living, working, shopping or visiting within the Village Area.

The Commuter Rail and Bus Transfer Station within the Village Area will provide opportunities for persons who live in or around the Village to access job sites in downtown San Diego or in other Cities north/south of Carlsbad. Eventually, the San Diego Commuter Rail System will also connect with the Commuter Rail System (Metrolink) currently operating in Orange/Los Angeles County; this will offer enhanced public transportation opportunities to persons living in Carlsbad, specifically the Village, and commuting to jobs in other areas. The City will pursue transit-oriented developments which will enhance this transportation center within the Village.

As feasible and possible, the Redevelopment Agency will also encourage North County Transit District to improve bus transportation services both in and around the Village Area.

—The Redevelopment Agency will also research and pursue alternate forms of public transportation systems to be used within the boundaries of the Village and/or to selected locations outside the Village such as the City Library, Parks, Recreation Centers, etc. These alternate forms of transportation to be pursued may include, but are not limited to: 1) a horse and carriage service; mini-trolley (motorized) system; and/or, 3) a dial-a-ride van or cab service.

IMPLEMENTATION STRATEGY

To encourage the greater use of bicycles and mopeds, the Agency will pursue funding to install bike racks in the various public parking lots within the Village and at various locations on the public sidewalks throughout the Village. Private developers of new projects within the Village will also be encouraged to add bicycle racks on private property to develop this "bicycle friendly" environment. Additionally, the Agency will work with the City's Engineering Department to ensure that there are adequate and safe bicycle lanes within the Village to enhance circulation opportunities and reduce conflicts with vehicles and/or pedestrians.

The City shall actively encourage convenient alternatives to automobile use throughout the Village Area by implementing the following measures:

- 1) The City shall encourage transit operators to provide low-cost transit service to beaches and visitor-serving areas, and to provide transit service within walking distance of higher density residential areas within the City.
- 2) The City shall support higher density and mixed-use development within walking distance of the transit station.
- 3) In order to minimize energy consumption and vehicle miles traveled and provide substitute means of serving development within public transportation, coastal development permit approvals for new development within the Coastal Zone shall require developers to provide incentives for alternate transit use such as providing employee transit passes or subsidies, ridesharing programs, preferred parking for carpooling and on-site shower facilities.

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IMPLEMENTATION STRATEGY

ALLOWABLE LAND USES

The land uses noted below are listed in alphabetical order by category and according to land use district. The chart provides information on the type of land uses which are permitted, provisionally permitted or not permitted within a given land use district. Definitions for these categories can be found on page 2-24. Following the land use charts are "Provisional Land Use Standards" which are listed by either category or specific use; these standards are provided for selected provisional land uses to identify special considerations, findings and conditions which will be used to determine whether or not the identified use will be permitted within the subject land use district.

LAND USES	LAND USE DISTRICTS								
	1	2	3	4	5	6	7	8	9
Video Sales/Rental	•	•	•	•	•	•	X	X	
MISCELLANEOUS									
Churches (or similar facilities)	•	•	•	•	•	•	•	•	•
Youth Facilities	X	X	X	X	X	X	X	X	X
Trailer Park	X	X	X	X	X	X	X	X	X

Transportation Corridor

Portions of Land Use Districts 1, 4, and 6 which are located within the Village Redevelopment Area are also located within the Transportation Corridor. The highlighted area on the map that follows, indicates the boundaries of the Transportation Corridor.

For those properties which are located both within the boundaries of the Village Redevelopment Area and the Transportation Corridor, the following land uses are the uses which will be permitted:

- The following transit-related uses shall be permitted: Field and Seed Crops; Truck Crops; Horticulture Crops; Orchards and Vineyards; Tree Farms; Fallow Lands; Light-Rail and other Public Transit Transmission Facilities; Light-Rail and/or public transportation Maintenance/Repair Facilities; Light-Rail Stations; Passive Open Space; Bicycle Paths; Pedestrian Trails; Private or Public Parking Lots; and Railroad Tracks.

The primary use of the Transportation Corridor shall be for transportation facilities and improvements that provide rail and transit services and support facilities (as noted above). The permitted, provisional and accessory land uses allowed in Districts 1, 4 and 6, respectively, as set forth in the land use matrix of this

DISTRICT USES

The key for the chart is:

•	Permitted Use	•	Accessory Use
•	Provisional Use	X	Not Permitted

Footnotes

- (1) Office uses permitted on Roosevelt Street only.
- (2) The ground floor of all approved mixed use projects shall be devoted to commercial uses.
- (3) No drive-thru.

*See specific land use under Provisional Use Standards.
 **See Self-Improvement Services under Provisional Use Standards.

***See Sport Entertainment Uses under Provisional Use Standards.

General Notes

Outdoor Seating in ROW is permitted in Districts 1, 2, 5 & 9, only with a provisional use permit approved by the Housing & Redevelopment Director.

All existing uses which are noted as "not permitted" within a land use district noted on this land use chart shall be allowed to remain pursuant to the non-conforming regulations set forth within this chapter. No expansion or intensification of non-conforming uses will be permitted.

No Adult Entertainment Uses permitted within any land use district within the Village.

For all Village properties which are also located within the Coastal Zone, the primary permitted land uses for all ground floor space shall be those which are visitor-serving commercial. Visitor-serving commercial uses include but are not limited to: hotels, motels, recreational or tourist restaurants, gift or information souvenir, gift or novelty shops and/or services which will aid;

Village Master Plan and Design Manual will also be allowed on the properties located within the corresponding and adjacent portions of the Transportation Corridor and north of Carlsbad Village Drive. All non-transit related development shall comply with all regulations and procedures set forth within this Village Master Plan and Design Manual, including obtaining a coastal development permit. In addition, in order to approve any coastal development and/or redevelopment permit related to non-transit related uses/improvements within the Transportation Corridor and north of Carlsbad Village Drive, the appropriate legislative body within the City of Carlsbad must be able to make all of the following findings:-

1. The North County Transit District Board, or other appropriate transit agency, has declared the site of the proposed development to be surplus or excess right-of-way and not required for the purposes of constructing and/or providing transit facilities, services or amenities and determined that a transit-oriented development is appropriate for said site.
2. The development is consistent with the goals and objectives of the Village Master Plan and Design Manual, including the standards and policies related to transit and the use of alternate transit facilities/services and public access.
3. The development complies with the land use plan and development standards set forth within the Village Master Plan and Design Manual for the respective land use district.
4. The development shall incorporate and/or demonstrate support, including, but not limited to, parking, to the transit uses desired as priority uses within the Transportation Corridor.

the comfort/enjoyment of a tourist or regional guest's visit to the area. All other land uses, which are not expressly prohibited as noted herein, shall be provisional or accessory uses; these uses must be approved, or conditionally approved, via the redevelopment permit process.

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- 1 (2) Additions to existing structures which result in a cumulative increase of less than 10% of the internal
- 2 floor area; and/or
- 3 (3) Changes in permitted land uses which do not require site changes, result in increased ADT, result in
- 4 increased parking requirements, or result in compatibility issues or problems; and/or
- 5 (4) Landscaping on the lot unless it will result in erosion or damage to sensitive habitat; and/or,
- 6 (5) Repair or maintenance activities which are exempt from a coastal development permit; and/or.
- 7 (6) Activities of public utilities regulated by a government agency; and/or
- 8 (7) A project that requires no variance of any type; and/or
- 9 (8) Demolition of a structure outside the Village Segment of the Carlsbad Coastal Zone, provided that said
- 10 demolition has no potential to create an adverse impact on coastal resources and/or access to the coast.

11 (b) Nonexempt Projects. There are three types of redevelopment permits required for nonexempt projects.
12 One permit for each type of redevelopment project described as follows:

13 (1) Administrative Redevelopment Project. An administrative redevelopment project is one which results in
14 minor new construction and/or a change in a development which requires no other discretionary
15 approvals, except an administrative variance within the authority of either the director of planning or the
16 housing and redevelopment director, and includes, but is not limited to:

- 17 (A) New construction of building(s) or addition(s) to the building footprint with an estimated permit value of
- 18 less than sixty thousand dollars; and/or
- 19 (B) Interior or exterior improvements to existing structures which result in an intensity of use; and/or
- 20 (C) Provisional land uses, where a minor or major redevelopment permit is not required; and/or
- 21 (D) Changes in permitted land uses which result in site changes, increased ADT, increased parking
- 22 requirements, or result in compatibility issues/problems; and/or
- 23 (E) Signs for existing businesses or facilities; and/or
- 24 (F) Repair or maintenance activities which are not exempt projects; and/or
- 25 (G) Demolition of a structure within the Village Segment of the Carlsbad Coastal Zone provided that said
- 26 demolition has no potential to create an adverse impact on coastal resources and/or public access to the
- 27 coast; and does not include any overnight accommodations

28 (2) Minor Redevelopment Project. A minor redevelopment project is one which does not qualify as an
administrative redevelopment project and/or involves new construction with an estimated permit value of

1 sixty thousand dollars or more but less than one hundred fifty thousand dollars.

2 (3) Major Redevelopment Project. A major redevelopment project is one which does not qualify as an
3 administrative or minor redevelopment project and/or involves new construction with an estimated permit
4 value of one hundred fifty thousand dollars or more.

5 EFFECTIVE DATE: This Ordinance shall become effective thirty days after its adoption, and
6 the City Clerk shall certify to the adoption of this ordinance and cause it to be published at least once in a
7 local newspaper of general circulation within fifteen days after its adoption.

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INTRODUCED AND FIRST READ at a regular meeting of the Carlsbad City Council on the 18th day of August, 2009, and thereafter

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Carlsbad on the 15th day of September, 2009 by the following vote to wit:

AYES: Council Members Lewis, Kulchin and Blackburn.

NOES: None.

ABSENT: Council Members Hall and Packard.

ABSTAIN: None.

Approved as to form and legality

Signature on file

Ronald R. Ball, City Attorney

Signature on file
CLAUDE A. LEWIS, MAYOR

Signature on file
LORRAINE M. WOOD, City Clerk

