

CALIFORNIA COASTAL COMMISSION

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



February 18, 2010

W23b**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. 1-09B (Legoland Hotel), is adequate to effectively certify its local coastal program (for Commission review at its meeting of March 10-12, 2010)**BACKGROUND**

At its October 9, 2009 meeting, the Coastal Commission certified, with suggested modifications, the City of Carlsbad Local Coastal Program Amendment #1-09B, regarding an amendment to the certified Implementation Plan to update the Carlsbad Ranch Specific Plan to allow hotel and accessory uses as permitted uses within the Outer Park and modify parking provisions at the Legoland Park property. By its action adopting Resolution No. CS-069 on December 8, 2009, the City Council has acknowledged and accepted all of the Commission's suggested modifications. The modifications addressed; 1) the prohibition of conversion of the hotel units into any type of limited use overnight accommodations; 2) language endorsing the use of alternative transit, including shuttle service from the local transit centers; and 3) the requirement for Legoland to submit annual parking reports to the City and the Commission. 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



March 15, 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. 1-09B (Legoland Hotel)

Dear Mayor Lewis:

The California Coastal Commission has reviewed the City's Resolution No. CS-069 together with the Commission's action of October 9, 2009 certifying City of Carlsbad Local Coastal Program Amendment #1-09B pertaining to the update of the City's Carlsbad Ranch Specific Plan to allow hotel and accessory uses as permitted uses within the Outer Park and modify parking provisions at the Legoland Park property. 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 March 10-12, 2010.

By its action on December 8, 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: 1) the prohibition of conversion of the hotel units into any type of limited use overnight accommodations; 2) language endorsing the use of alternative transit, including shuttle service from the local transit centers; and 3) the requirement for Legoland to submit annual parking reports to the City and the Commission. 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

cc: Van Lynch

RECEIVED

DEC 14 2009

ORDINANCE NO. CS-069

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA APPROVING A SPECIFIC PLAN AMENDMENT AND LOCAL COASTAL PROGRAM AMENDMENT TO REVISE THE CARLSBAD RANCH SPECIFIC PLAN ACCEPTING THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO ENCOURAGE ALTERNATIVE TRANSPORTATION MODES, PRECLUDE HOTEL CONVERSIONS, AND MONITOR PARKING.
CASE NAME: LEGOLAND HOTEL CALIFORNIA
CASE NO.: SP 207(H)/LCPA 08-01

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WHEREAS, the Planning Commission did on January 21, 2009 hold a duly noticed public hearing as prescribed by law to consider Specific Plan Amendment (SP 207(H) and Local Coastal Program Amendment (LCPA 08-01) to amend the text of the Carlsbad Ranch Specific Plan to add hotel and accessory uses to the Legoland Theme Park, revise the parking rates for theme parks and gyms within the Carlsbad Ranch Specific Plan, and reflect the street name change to The Crossings Drive; and

WHEREAS, the Planning Commission adopted Planning Commission Resolutions No. 6525 and 6526 recommending to the City Council approval of SP 207(H) and LCPA 08-01; and

WHEREAS, the City Council did on March 10, 2009, hold a duly noticed public hearing as prescribed by law to consider said SP 207(H) and LCPA 08-01, and introduced Ordinance No. CS-025 to approve SP 207(H), and adopted Resolution No. 2009-047, approving LCPA 08-01, the effective date of which was subject to the California Coastal Commission's approval of said LCPA; and

WHEREAS, the City Council did on March 17, 2009, adopt Ordinance No. CS-025, approving SP 207(H), the effective date of which was subject to the California Coastal Commission's approval of LCPA 08-01; and

EXHIBIT #1
<i>Resolution of Approval of Suggested Modifications</i>
LCPA #1-09B Legoland Hotel
California Coastal Commission

1 WHEREAS, on October 9, 2009, the California Coastal Commission
2 approved LCPA 08-01 with suggested modifications; and

3 WHEREAS, the City Council did on December 15th, 2009, hold a
4 duly noticed public hearing as prescribed by law to consider said SP 207(H) and LCPA
5 08-01, and

6 WHEREAS, accepting and administering the California Coastal
7 Commission's suggested modifications, as set forth in this ordinance, is necessary to
8 comply with the California Coastal Act and California Administrative Code.

9
10 NOW, THEREFORE, the City Council of the City of Carlsbad, California
11 does ordain as follows:

12 1. Add the following language to Development Standards and Design
13 Guidelines, Section E – Planning Area 4, Subsection 2 – Development
14 Standards, as a new Section "c" as follows:

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

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

19 2. Add the following language to Development Standards and Design
20 Guidelines, Section E – Planning Area 4, Subsection 2.e – Parking
21 Standards, as follows:

22 Directed parking may be necessary during certain peak season days. A requirement for
23 directed parking would be based on the final design of the parking lot and determined if
24 necessary at the time of the Site Development Plan review. Legoland shall monitor the
25 number of vehicles entering Legoland on a daily basis, and combine the data collected
26 through such monitoring to produce annual parking reports. Such reports shall be
27 submitted for review by the City and the Coastal Commission in association with any
28 request to modify the certified parking standards or any proposed alternative
transportation plan.

3. Add the following language to Development Standards and Design
Guidelines, Section E – Planning Area 4, Subsection 2 – Development
Standards, as a new Section "h" as follows:

h. Alternative Transit

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

5 • The City shall encourage transit operators to provide low-cost transit service from
6 Legoland Hotel and Legoland Park to beaches and visitor-serving areas, as well as
7 major transit stations, and to provide such transit service within walking distance of
8 Legoland Park, especially throughout the summer. Such encouragement should
9 include, at a minimum, joint advertising of such services by Legoland and the City.

10 • If daily public transit service is not available, Legoland shall provide shuttle
11 service to all Legoland Hotel and Legoland Park guests, as well as Legoland
12 employees, providing transportation from the Poinsettia Station and the Carlsbad
13 Village Transit Center on a regular schedule including at least two times each morning,
14 with scheduled returns every afternoon. If after a minimum two-year period, the City
15 has documentation that such a service is not being utilized by the public, an amendment
16 to this LCP policy may be considered. Transit opportunities shall be advertised on the
17 Legoland website explaining to all patrons how to make best use of transit when arriving
18 at either the Poinsettia Station or the Carlsbad Village Transit Center.

19 • In order to minimize energy consumption and vehicle miles traveled and provide
20 substitute means of serving development with public transportation, Legoland shall
21 provide incentives for alternative transit use such as providing employee transit passes
22 or subsidies, ridesharing programs, preferred parking for carpooling, company bulletin
23 boards for use of organizing carpools, employee bike racks, and on-site shower
24 facilities.

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

28 EFFECTIVE DATE: This ordinance shall be effective thirty days after its
adoption. The City Clerk shall send notice to the California Coastal Commission of the
acceptance of modifications by this ordinance, and the City Clerk shall certify to the
adoption of this ordinance and cause it to be published at least once in a publication of
general circulation in the City of Carlsbad within fifteen days after its adoption.

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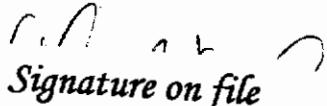
INTRODUCED AND FIRST READ at a regular meeting of the Carlsbad City Council on the 1st day of December, 2009, and thereafter.


PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the 8th day of December, 2009, by the following vote to wit:

- AYES: Council Members Lewis, Kulchin, Hall, Packard and Blackburn.
- NOES: None.
- ABSENT: None.
- ABSTAIN: None.

APPROVED AS TO FORM AND LEGALITY

Signature on file

 _____ *all*
 RONALD R. BALL, City Attorney
12/9/09.

Signature on file

 _____ *MAC*
 CLAUDE A. LEWIS, Mayor

ATTEST:
Signature on file

 _____ *Lorraine M. Wood*
 LORRAINE M. WOOD, City Clerk

(SEAL)

