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TO: COMMISSIONERS AND INTERESTED PERSONS

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SUBJECT: STAFF RECOMMENDATION ON MAJOR AMENDMENT 3-95 TO THE CITY OF CARLSBAD
LOCAL COASTAL PROGRAM MELLO I AND EAST BATIQUITOS LAGOON/HUNT
PROPERTIES SEGMENTS (For Public Hearing and Possible Commission
Action at the Meeting of December 13-15, 1995)

SYNOPSIS

SUMMARY OF AMENDMENT REQUEST/HISTORY

The subject amendment request amends the certified Mello I and East Batiquitos Lagoon/Hunt Properties LCP segments. The subject LCP segment includes roughly 1000 acres comprised of the eastern basin of Batiquitos Lagoon (440 acres) and approximately 550 acres of uplands located to the north and south of the lagoon. Other than 50 acres within the wetlands boundary of the lagoon owned by the State Department of Fish and Game and the right-of-way of portions of La Costa Avenue, the entirety of the lands within the LCP segment are privately owned. The LCP was submitted concurrent with a specific development proposal, including a Master Plan, for 1,402 acres of the Hunt properties known originally as the Pacific Rim Country Club and Resort, and now referred to as Aviara.

There are three components to the amendment request, one concerning the resort hotel and associated development. This part of the amendment (Part A) comes as a result of significant changes to the physical development plans for Planning Areas 1, 2, 9, 10 and 11. These planning areas represent the hotel, timeshare resort and sports complex that make up the core of the Master Plan's commercial development. The amendment to the Mello I and East Batiquitos/Hunt Segments would allow for changes in the design, siting and uses of each of these planning areas. The proposed changes, by use, are as follows: revise planning area (PA) boundaries and uses within PAs 1, 2, 9, 10, and 11 to allow for redesign of resort hotel and sports center/restaurant sites resulting in 16 additional guest rooms (336 rooms) at the hotel, revise shared parking agreement; replace 169 garden wing/villa hotel rooms and 89 multi-family units with 240 timeshare units in three villages. To accommodate these changes in the site plan, ten minor encroachments into open space deed restricted areas would be required. A larger replacement area would be enhanced and committed to open space. Finally, although no additional height is proposed, the amendment proposes approval of the hotel at 53 feet high, rather than the originally approved 45 foot height limit, as a result of a change in the way the City now measures building height.

The second part to the amendment (Part B) also concerns the Aviara holdings,

but at other planning areas not associated with the hotel resort/sports club. The amendment proposes to reduce front yard setbacks from 25 feet to 20 feet in PA 13; lower overall maximum building height from 35 to 30 feet and delete the 24 foot height restriction in PA 15; and increase building height from 22 feet to 30 feet in PA 28.

The third component of the amendment request (Part C) addresses revisions to the originally approved Aviara community public access trail system, seeking to realign and substitute an alternate trail for the Golf Course Trail in Phase 2 and realign the public upland trail in Planning Area 7. This component of the amendment request has been continued to another hearing at the City's request.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends approval of Parts A and B of the proposed amendment, as submitted. The appropriate resolutions and motions may be found on Pages 4 -6. Since the Master Plan serves as the Land Use Plan and Implementation Program for those portions of the Mello I and East Batiquitos/Hunt LCP Segments that correspond to the Aviara project, both the Land Use Plans and Implementation Programs of each segment must be changed to accommodate the proposed amendment. The land use plan amendment findings begin on Page 6 and findings for certification of the implementation plan amendment begin on Page 20. Part C involving the Golf Course Trail is deferred to a subsequent Commission hearing at the City's request.

BACKGROUND

The Carlsbad Local Coastal Program consists of six geographic segments. 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. However, the City of Carlsbad found several provisions of the Mello I and II segments unacceptable and declined to adopt the LCP implementing ordinances for the LCP. In October, 1985, the Commission approved major amendments related to steep slope protection and agricultural preservation to the Mello I and II segments, which resolved the major differences between the City and the Coastal Commission. The City then adopted the Mello I and II segments and began working toward certification of all segments of its local coastal program. Since the 1985 action, the Commission has approved many major amendments to the City of Carlsbad LCP.

The Commission certified the land use plan portion of the Agua Hedionda segment in 1982. In addition, two new segments were annexed to the City, the West Batiquitos Lagoon/Sammis Properties segment and the East Batiquitos Lagoon/Hunt Properties segment. The West Batiquitos Lagoon/Sammis Properties LCP was certified in 1985. The East Batiquitos Lagoon/Hunt Properties LCP was certified in 1988. In 1987, a resubmitted Carlsbad Village Redevelopment Area LCP was effectively certified and the Redevelopment Agency began issuing coastal development permits for that segment only in 1988.

ADDITIONAL INFORMATION

Further information on the City of Carlsbad LCP Amendment #3-95 may be obtained from Bill Ponder, Coastal Planner, at (619) 521-8036.

PART I. OVERVIEW

A. Local Coastal Program History-All Segments.

The City of Carlsbad Local Coastal Program (LCP) consists of six geographic segments: the Agua Hedionda Lagoon LCP segment comprised of approximately 1,100 acres; the Carlsbad Mello I LCP segment with 2,000 acres; the Carlsbad Mello II LCP segment which includes approximately 5,300 acres; the West Batiquitos Lagoon/Sammis Properties LCP segment with 200 acres; the East Batiquitos Lagoon/Hunt Properties LCP segment with 1,000 acres and the Village Area Redevelopment segment with approximately 100 acres.

Pursuant to Public Resources Code Sections 30170(f) and 30171, the Coastal Commission was required to prepare and approve an LCP for identified portions of the City. This resulted in the two Carlsbad LCP segments commonly referred to as the Mello I and Mello II segments. The Mello I and Mello II LCP segments were approved by the Coastal Commission in September 1980 and June 1981, respectively. The Agua Hedionda segment Land Use Plan was prepared by the City and approved by the Coastal Commission on July 1, 1982.

The Mello I, Mello II and Agua Hedionda segments of the Carlsbad LCP cover the majority of the City's coastal zone. They are also the segments of the LCP which involve the greatest number of coastal resource issues and have been the subject of the most controversy over the past years. Among those issues involved in the review of the land use plans of these segments were preservation of agricultural lands, protection of steep-sloping hillsides and wetland habitats and the provision of adequate visitor-serving facilities. Preservation of the scenic resources of the area was another issue raised in the review of these land use plans. As mentioned, the City had found the policies of the certified Mello I and II segments regarding preservation of agriculture and steep-sloping hillsides to be unacceptable. The City therefore did not apply these provisions in the review of local projects.

In the summer of 1985, the City submitted two amendment requests to the Commission and, in October of 1985, the Commission certified amendments 1-85 and 2-85 to the Mello I and Mello II segments, respectively. These (major) amendments to the LCP involved changes to the agricultural preservation, steep slope protection and housing policies of the Mello I and II segments of the LCP. After certification of these amendments, the City adopted the Mello I and II LCP segments.

The West Batiquitos Lagoon/Sammis Properties segment was certified in 1985 along with a coastal development permit for a project comprising the majority of the uplands within that plan segment (Batiquitos Lagoon Educational Park-Sammis).

The plan area of the Village Area Redevelopment segment was formerly part of the Mello II segment of the LCP. In August of 1984, the Commission approved the segmentation of this 100-acre area from the remainder of the Mello II LCP segment and, at the same time, approved the submitted land use plan for the area. In March of 1988, the Commission approved the Implementation Program

for the Village Area Redevelopment segment of the LCP. A review of the post-certification maps occurred in December and the City assumed permit authority for this LCP segment on December 14, 1988. The East Batiqitos Lagoon/Hunt Properties LCP was certified in 1988.

In addition to the review process for the six LCP segments mentioned, the City has also submitted at various times, packages of land use plan amendments to the certified LUP segments, including these segments, in an effort to resolve existing inconsistencies between the City's General Plan, Zoning Maps and the Local Coastal Program. After all such inconsistencies are resolved, the City plans to submit, for the Commission's review, the various ordinances and post-certification maps for implementation of the LCP. At that time, or perhaps earlier, the City may prepare and submit a single LCP document that incorporates all of the LCP segments as certified by the Commission and any subsequent LCP amendments. After review and approval of these documents by the Commission, the City would assume permit authority for all LCP segments.

B. STANDARD OF REVIEW

The standard of review for land use plans, or their amendments, is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP or LUP amendment if it finds that it meets the requirements of Chapter 3 of the Coastal Act. Specifically, it states:

Section 30512

(c) The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.

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 various components of 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.

- A. RESOLUTION I (Resolution to approve certification of the City of Carlsbad Mello I Segment and East Batiquitos/Hunt Properties Segment Land Use Plan Amendment 3-95 (A) and (B), as submitted)

MOTION I

I move that the Commission certify the City of Carlsbad Land Use Plan Amendment 3-95 (A) and (B), as submitted.

Staff Recommendation

Staff recommends a YES vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution I

The Commission hereby certifies the amendment request to the City of Carlsbad Mello I and East Batiquitos/Hunt Properties Segments and adopts the findings stated below on the grounds that the amendment will meet the requirements of and conform with the policies of Chapter 3 (commencing with Section 30200) of the California Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act; the land use plan, as amended, will contain a specific access component as required by Section 30500 of the Coastal Act; the land use plan, as amended, will be consistent with applicable decisions of the Commission that shall guide local government actions pursuant to Section 30625(c); and certification of the land use plan amendment does meet the requirements of Section 21080.5(d)(2)(i) of the California Environmental Quality Act, as there would be no feasible measures or feasible alternatives which would substantially lessen significant adverse impacts on the environment.

- B. RESOLUTION II (Resolution to approve certification of the City of Carlsbad Mello I Segment and East Batiquitos/Hunt Properties Segment Implementation Plan Amendment 3-95 (A) and (B), as submitted)

MOTION II

I move that the Commission reject the City of Carlsbad Implementation Plan Amendment 3-95 (A) and (B), as submitted.

Staff Recommendation

Staff recommends a NO vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners

present is needed to pass the motion.

Resolution II

The Commission hereby approves certification of the amendment to the City of Carlsbad Local Coastal Program on the grounds that the amendment conforms with, and is adequate to carry out, the provisions of the certified land use plan. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval would have on the environment.

As noted, the third component of the amendment request (Part C) addresses revisions to the originally approved Aviara community public access trail system. This amendment seeks to realign and substitute an alternate trail for the Golf Course Trail in Phase 2 and realign the public upland trail in Planning Area 7. In light of Aviara's request to have the focus of the LCPA be limited to the resort hotel and at the request of the City of Carlsbad, staff is recommending that the Commission waive the one year LCPA time limit on this part of the amendment request. In the interim additional information will be presented by the City which documents the hazard to pedestrians who would use the trail in its originally approved alignment, and evaluates whether a revised alignment similar to the originally approved alignment is feasible. It is anticipated that the item will be scheduled for the Commission's February hearing in San Diego.

PART III. FINDINGS FOR APPROVAL OF THE CITY OF CARLSBAD LAND USE PLAN AMENDMENT 3-95 (PARTS A and B)

A. AMENDMENT DESCRIPTION/PART A

1. Resort Hotel/Timeshares/Sports Center (Planning Areas 1, 2, 9, 10 and 11)

The proposed amendment request involves changes to the Master Plan for the Aviara Resort development (Master Plan MP-177). This Master Plan applies to areas contained within both the Mello I and East Batiquitos/Hunt segments. As such, the amendment request seeks to modify both segments of the LCP. In addition, since Master Plan MP-177 serves as both the Land Use Plan (LUP) and Implementation Program for the East Batiquitos/Hunt Properties and for that portion of the Mello I segment that is part of the Aviara Resort development, amendments for both elements are proposed for each segment.

The level of detail provided in the original Master Plan included the size, configuration and siting of the buildings that comprise the core of the resort. In LCPA 1-90, the Commission amended the originally approved site plan. This amendment modifies the site plan approved in LCPA 1-90 (the table below compares the two). Thus, this is the third time the Commission has reviewed a site plan regarding the resort hotel and its associated development. The current hotel operator, Four Seasons Resorts, concluded that the design approved in LCPA 1-90 was not adequate for their purposes which has

resulted in the proposed site design.

The subject amendment request again involves the resort facility previously approved in Planning Areas (PA) 1, 2, 9, 10 and 11. There are some important site and design changes that are proposed with this amendment as compared to LCPA 1-90. First, the planning area design of the master plan is being revised: new PA 2B (timeshare resort club) is being proposed--previous PA 2 included the hotel only--new PA 2A is now the hotel; PA 9 (old 32.5 acre site associated with multi-family residential near hotel) and PA 11 (old 2.4 acre restaurant site associated with the sports complex) are being deleted; PA 10 (sports center) and restaurant uses in old PA 11 are being merged. Second, PA 1 (Golf Course Clubhouse) is being added to the shared parking program. In summary, the proposed permit amendment request involves changes to the following approved projects in the identified planning areas:

SUMMARY OF PROPOSED CHANGES

USE	APPROVED PLAN	PROPOSED PLAN
MAIN HOTEL		
Guest Rooms	320 rooms	336 rooms
Food/beverage	662 seats	629 seats
Conference/Banquet	32,769 sq.ft.	22,888 sq.ft. 12,490 sq.ft. of void space
Retail	6,000 sq.ft.	5,808 sq. ft.
SPORTS CENTER		
Main Building	47,000 sq.ft.	47,000 sq. ft.
Restaurant	up to 10,000 sq.ft.	5,869 sq. ft.
Tennis Courts	11 regular courts 1 tournament court	12 courts (1 with limited seating)
Racquetball/Squash	4 courts	4 courts
RESORT CLUB/PREVIOUS HOTEL & RESIDENTIAL		
	169 garden wing/villa hotel rooms	deleted
	89 multifamily units	deleted
	No timeshare units	240 timeshare units

The following is a more detailed description of the proposed amendment:

a. Hotel. The proposed revisions to the hotel building and site include interior alterations, redesign of the surrounding landscaped areas, and an update to the master plan development standards. The approved 823 parking garage contains a large subterranean area which was designed to extend under the porte cochere. This portion of the approved parking structure would be removed and backfilled, creating a 651 space garage. A discussion of the parking supply implications will be described in the "Parking" section of this

report.

Within the hotel itself, some of the approved public spaces, such as meeting rooms, foyers, and portions of the lounge would initially be used by timeshare marketing staff in the selling of the timeshare units. Once the timeshares are sold, this space would be used as meeting area. Also proposed is a consolidation of some of the larger hotel suites into individual guest rooms. This would increase the number of rooms in the main hotel building from 320 to 336. Overall, the number of hotel rooms is decreasing by 153 rooms as the previously approved 169 garden wing villa hotel rooms are being deleted from the site plan. The internal revisions to the garage and hotel would not be apparent from the exterior as proposed hotel elevations will remain consistent with approved elevations. In LCPA 1-90, the Commission approved a five-story hotel structure while observing the 45 foot height limit approved in the original permit through a lowering of the ceiling for each floor.

The hotel amendment also proposes a minor redesign of the pool areas and surrounding landscaping areas. The approved fire access route around the pool areas would remain and no significant loss in approved amenities would result. All approved specimen landscaping, including the 30 foot high palm trees around the main hotel, would remain as approved.

b. Sports Center and Restaurant. The proposed revisions to the sports center and restaurant include the replacement of the approved 668 space parking structure with surface parking, the merging of the sports center and restaurant buildings into a single structure, and the relocation of the tennis courts towards the golf course. All ancillary recreational amenities such as the lap pool, children's pool and outdoor lounge would remain substantially as currently approved. The redesign of the entire sports center and restaurant sites would allow the creation of a 380 space surface parking area with landscaping. Elimination of the parking structure and relocation of the tennis courts allows for more parking lot landscaping and improved views from the exhibition tennis court. Merging of the restaurant and sports center uses into a single 52,400 sq. ft. building frees up more area for landscaping, provides a more cohesive resort setting and promotes joint use of the facilities.

c. Time Share Villages. The proposed timeshare development encompasses all of the previous Planning Area 9 and the eastern and southern portions of Planning Area 2. These areas will become the new Planning Area 2B. The 240 unit timeshare project would be divided into three villages, each with a recreation building, support service buildings and surface parking. The timeshare buildings would consist of four types, ranging from three-story, six unit buildings to two-story, two or four unit buildings. All architecture and landscaping within the timeshare villages is designed to match that of the hotel and sports center.

The parking for the timeshare project would be separate from the shared parking arrangement in the remainder of the resort. The 360 surface parking spaces proposed for the timeshare units provides a parking supply ratio of 1.5 spaces per unit, which is 25% more parking than required by the parking

ordinance. All parking areas are connected to the timeshare units with a system of trails and bridges. Each timeshare guest would also be able to use the hotel's shuttle system to travel to the main hotel, sports center or golf clubhouse.

As noted, a separate component of the timeshare use is pre-development marketing and administration. Office space for approximately 60 staff members would be necessary to allow for on-site marketing of the timeshare units. The project proponent is proposing that this office space be temporarily accommodated within the voided areas of the hotel. According to the new parking study and shared parking program (the parking study and shared parking program approved in LCPA 1-90 has been updated for the current site design), occupation of the voided hotel area by marketing staff would create a need for shared parking between the hotel area and sports center during mid-day on weekdays and early evenings on Saturdays. This temporary occupation of the hotel area would be controlled under the City's conditional use permit for the timeshares and monitored for impacts to parking availability and use compatibility.

d. Shared Parking Program. The current hotel and sports center parking program involves shared parking between the hotel and sports center uses. This shared parking is based upon a parking study which has been incorporated into the master plan. The proposed shared parking program would still involve the hotel and sports center and also include the golf club/driving range parking areas.

The essence of the shared parking program is that different uses within the resort will have different peak parking demands, thereby allowing shared use of their respective parking facilities. The new parking study and shared parking program would operate on the same assumptions as the approved study and program; however, the total number of parking spaces per hotel room would increase from 1.6 spaces per room to 1.9 spaces per room. According to the new program, shared parking between the hotel, sports center and golf club might be necessary on weekday and Saturday early evenings once the meeting areas are established in the hotel. The currently proposed operations, excluding the hotel void space, would not generate a need for shared parking.

In addition to the overflow parking, the hotel is conditioned to operate on a valet parking system. According to the applicant, a valet system allows for aisle parking, which would increase the total parking supply of the hotel garage by over 100 spaces.

B. AMENDMENT DESCRIPTION/PART B

The second part to the amendment (Part B) also concerns the Aviara holdings, but at other planning areas not associated with the hotel resort/sports club. The amendment proposes to reduce front yard setbacks from 25 feet to 20 feet in PA 13; lower overall maximum building height from 35 to 30 feet and delete the 24 foot height restriction in PA 15; and increase building height from 22 feet to 30 feet in PA 28.

C. CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT

The Commission finds, pursuant to Section 30512.2b of the Coastal Act, that the land use plan amendment, as set forth in the resolution for certification as submitted, is consistent with the policies and requirements of Chapter 3 of the Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act which states:

The Legislature further finds and declares that the basic goals of the state for the coastal zone are to:

- a) Protect, maintain and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.
- b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- d) Assure priority for coastal-dependent and coastal-related development over other developments on the coast.
- e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

D. CHAPTER 3 CONSISTENCY

1. Sensitive Coastal Resources. Section 30231 of the Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30240(b) of the Act states:

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Finally, Section 30251 of the Act states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character surrounding areas....

The major issue presented by the proposed hotel resort/resort club and sports center development is the conversion of previously dedicated open space required under the policies of the Master Plan to urban uses and their replacement with other areas that were not previously reserved as open space. The policies of the certified Mello I and East Batiquitos segments of the City's LCP contain the following language regarding the development of steeply sloping hillsides with native vegetation:

Grading and Erosion Control

- a) For those slopes mapped as possessing endangered plant/animal species and/or coastal sage scrub and chaparral plant communities, the following shall apply:
 - 1) Slopes of 25% grade and over shall be preserved in their natural state, unless the application of this policy would preclude any reasonable use of the property, in which case an encroachment not to exceed 10% of the steep slope area over 25% grade may be permitted...This policy shall not apply to the construction of roads of the City's Circulation Element or the development of utility systems. Uses of slopes over 25% may be made in order to provide access to flatter areas if there is no less environmentally-damaging alternative available.

Of the roughly 310 acres of slope of 25% grade or greater contained within the Master Plan area, about 160 or one-half of those on-site meet the dual criteria of 25% grade and coastal sage and chaparral plant communities. Of the 160 acres which meet the dual criteria, the Master Plan as approved by the Commission allowed encroachment onto about 50 acres. Some of this encroachment involves small and isolated pockets of slopes meeting the dual criteria. However, the topography of the site is such that it also includes some of the major continuous steep slope landforms.

In its original findings for the approval of the Master Plan, the Commission found that a system of weighted values could be applied to the site. These weighted values were assigned to the various steep slope areas which met the dual criteria and were protected under the LCP policies. Only the most critical slopes, based on local review after application of the weighting system, were designated for permanent open space and other steep slope areas meeting the dual criteria were determined to be less important and viable as species habitats.

Another major factor in allowing the encroachment into the dual criteria areas

was that the Master Plan called for other areas of slopes or more gentle terrain of the site, not ordinarily subject to the development prohibitions contained in the LCP, to be retained as natural open space. These other open space areas, exclusive of the wetlands of Batiquitos Lagoon or the proposed golf course, include 132 acres or roughly three times the amount of area proposed for encroachment into the sensitive steep slopes identified using the LCP criteria.

The determination to retain this additional acreage in natural open space was due to a variety of factors. In some cases, the areas in question included flora or fauna, such as the black-tailed gnat catcher, which through the CEQA review process was determined to be appropriate for protection. In other cases, the additional areas to be retained in natural open space involved other development constraints, such as the existence of major overhead electrical transmission lines. Other areas were constrained pursuant to project requirements applied at the local level. For instance, the City required, primarily for visual reasons, that large stands of mature eucalyptus groves be preserved, even though the LCP, as previously certified or now proposed, would not have specifically required their retention.

The Commission found that the retention of these areas of the proposed Master Plan committed substantial acreage to permanent open space and the preservation of natural landforms consistent with Coastal Act Section 30240. The Commission further found that the proposal served to off-set and mitigate the proposed encroachment into sensitive steep slope areas that are shown in the Master Plan.

The currently proposed amendment would require some encroachment into the areas that were protected under the Commission's original approval of the Master Plan. The ten "take" areas proposed for the additional encroachment, totalling 6,487 sq. ft. (0.149 acres) abut the approved development pad edge and are small in size; the largest being only 2,447 sq. ft.. According to the project proponent, these areas are now being proposed for "take" to allow better views to Batiquitos Lagoon. All ten areas combined equal slightly less area than the open space "give-back" area #11 (6,568 sq. ft./0.151 acres)

According to the project proponent, the proposed "give back" area is "presently developable area" (i.e., 6-87-680-A-5 allows development of this area). The proponent states there are several areas along the perimeter of the resort where development is proposed to be pulled further back from the edge (at the interface with deed restricted open space) than is allowed by CDP 6-87-680-A-5. Most of these areas were disturbed by mass grading of the site, so the biological quality is poor; and as a result, these areas are not good candidates for "give-back". According to the proponent, Area #11 ("give back") was not graded as allowed in CDP 6-87-680-A-5. Its biological quality is good, native sage scrub. This assessment has been confirmed by staff in the field. Since the proponent is proposing to pull back development from this area, and its vegetation is good, the proponent has proposed it as the "give back" area.

A biological survey has been conducted of both the so-called "take" areas and

for the area that is proposed to be placed into the open space deed restriction as compensation for the areas to be removed from open space. The assessment has found that the area proposed as compensation for the removal of the "take" areas is superior habitat than those areas previously restricted. Given that the "take" area as identified by a site-specific biological survey does not represent good quality habitat, the Commission finds that suitable protection of the sensitive coastal resources in the area has been given.

Additionally, this open space tradeoff can be found consistent with the NCCP planning process which preserves sensitive resources on a regional scale. The proposed minor encroachments are isolated patches of disturbed habitat on the periphery of the approved open space area. They are not part of a larger contiguous stand of undisturbed vegetation that has been identified in the NCCP program as environmentally sensitive habitat which is important for the continued survival of sensitive plants and animals in the region. Because the proposed open space tradeoff does not involve one of these sensitive areas, and the proposed replacement area is of a higher quality habitat, the Commission can find that the proposed amendment will not prejudice the NCCP process and is consistent with the resource protection provisions of Sections 30231, 30240 (b) and 30251 of the Coastal Act, as well as the certified Mello I and East Batiquitos Lagoon LCPs.

3. Parking. Section 30252 of the Coastal Act provides that new development provide adequate parking facilities. The East Batiquitos LUP and the certified Aviara Master Plan also provide that adequate parking facilities be provided for new development.

The subject amendment request has been accompanied by a detailed parking study for all the uses in Planning Areas 1, 2, 10 and 11. As a result of the parking study, a revised parking program that does not meet the standards of the Municipal Code has been proposed to be employed in these planning areas. The Commission approved a similar study and shared parking arrangement in LCPA 1-90 and CDP #6-87-680-A-5. The concern with parking is that the amended site plan not adversely impact the public's ability to park near and access the continuous public access trail along the north shore of the lagoon, which is presently served by limited street parking near the trail and one public access parking lot in Phase I of 10 parking spaces.

The previously approved hotel and sports center parking program involves shared parking between the hotel and sports center uses. The shared parking is based upon a parking study which has been incorporated into the master plan. The proposed shared parking program would still involve the hotel and sports center and also include the golf club/driving range parking areas. As indicated in the parking demand study performed for the Master Plan amendment, use of the proposed shared parking will occur when the hotel is at or near full occupancy and non-hotel guests wish to use the hotel's ballrooms and/or banquet facilities. This is anticipated to occur on weekends, when low sports center occupancy is anticipated.

The essence of the shared parking program is that different uses within the resort will have different peak parking demands, thereby allowing shared use

of their respective parking facilities. The new parking study and shared parking program would operate on the same assumptions as the approved study and program; however the total number of parking spaces per hotel room would increase from 1.6 spaces per room to 1.9 spaces per room. According to the new program, shared parking between the hotel, sports center and golf club might be necessary on weekday and Saturday early evenings in a worst case scenario. The currently proposed operations, excluding the hotel void space, would not generate a need for shared parking.

According to the City, the main reason for the proposed inclusion of the golf course parking lots to the shared parking arrangement is the proposed revision to the hotel parking garage. While the total number of hotel rooms is being reduced, so to are the number of parking spaces, although at a lessened proportion. Since the number of spaces has diminished, there is now potential that, at buildout of all meeting space within the hotel, there will be a need for some golf course parking lot use during weekday and Saturday early evenings. However, even with the shared use of the golf course parking lots, there will be an excess of 20 to 30 spaces, considering full use of the golf course facilities and meeting spaces in the hotel.

In addition to the overflow parking, the hotel is conditioned to operate on a valet parking system. According to the applicant, a valet system allows for aisle parking, which would increase the total parking supply of the hotel garage by over 100 spaces. This additional parking supply, along with the shared parking program and future parking safeguards required by the City in its conditional use permit ensures that no adverse impacts due to parking inadequacy should occur.

In addition, as part of the approval of the Master Plan amendment and the modified site development permit, the City is requiring an additional Conditional Use Permit (CUP 90-05-A) which would require a yearly monitoring report on parking at the project site. If changes to the valet system are proposed or if any negative parking impacts are identified, one of several actions could be triggered. First, an amendment to the site development plan or conditional use permit could be processed, limiting further development. Second, parking could be added at the sports center through the construction of a parking structure. Third, additional parking within the service area of the hotel shuttle could be added. Fourth, the City has required in its CUP that should parking problems persist the periods of occupancy of various uses within the hotel, sports center and golf clubhouse could be restricted. Finally, the CUP identifies the permit may be revoked at any time after a public hearing, if it is found that the use has a substantial detrimental effect on surrounding land uses and the public's health and welfare, or the conditions imposed above have not been met.

Historically, the Commission has not been inclined to support such parking arrangements because of their difficulty in both administration and long-term monitoring or security. However, in judging the adequacy of parking, whether in its review of a permit or a planning item, the Commission must determine whether the parking arrangement will serve as a barrier to public access to the coast. In this regard, the submitted parking demand study has indicated

that there will be sufficient parking available to serve the proposed development, particularly when compared to other, similar resorts in other areas.

Second, the proposed amendment provides for proposed uses in Planning Areas 1, 2, 10 and 11 which are all visitor-serving commercial uses. Each of the proposed uses in these planning areas are high priority uses under the Coastal Act and will, by their nature, facilitate the public's ability to gain access to the coast and Batiquitos Lagoon.

In spite of these two reasons, however, if the reduced parking to be provided under the amendment were found to serve as an impediment to public access to the coast by displacing other visitors or usurping public parking areas, it would still not be consistent with Section 30252 of the Act. For example, if there were other coastal access opportunities in the project, not related to the commercial recreation facilities located in the subject planning areas, inadequate parking could result in significant barriers to access that would not be consistent with the public access and recreation policies of the Act.

Relative to other public access considerations, the East Batiquitos Lagoon/Hunt Properties segment of the Carlsbad LCP, which covers the shoreline of Batiquitos Lagoon, calls for the provision of a continuous public pedestrian access trail along the north shore of the lagoon. The Master Plan and permit, as approved by the City and the Commission, also require the provision of a continuous public access trail along the north shore of the lagoon, which would be served by public parking areas and trailhead facilities.

The north county of San Diego is one of the fastest growing regions in the state. Batiquitos Lagoon is nationally known for its shorebirds, as a migratory bird stopover, and for the Batiquitos Lagoon Enhancement Plan (BLEP). BLEP is a major lagoon restoration project that is currently underway which creates a permanent ocean entrance for the lagoon and generally reshapes its bottom to make it deeper. The North Shore Trail (NST) generally follows the north shore of Batiquitos Lagoon, is about 1.5 miles long and contains decomposed granite and interpretive signage. An interpretive center is being considered near or along the NST. Thus, the lagoon represents a very desirable lower cost visitor-serving destination point to the public.

Aviara Land Associates and staff are currently working on a parking issue associated with PA 28 and the NST. Staff believes the public should have access to the interior streets of the subdivision because the streets would provide a parking reservoir close to the trail. Aviara proposes a "gated community" to keep the public out, and is proposing an alternate parking plan that would provide parking spaces outside the subdivision without using the interior streets. Aviara believes if adequate parking can be provided outside the subdivision for the trail staff can then recommend approval of the private gates. Both staff and Aviara are currently determining how many parking spaces could be provided on the interior streets, determining the carrying capacity of the trail system and how much parking would be necessary to serve the NST at buildout of the Aviara Master Plan (500 units exist now, about 1,000 more at buildout).

It is against this backdrop that the amendment is being evaluated. In this case only the Phase I public access parking lot is located near the project area where the above parking arrangements may conflict or adversely impede public access. The Phase II public parking lot located in PA 28 is well-removed from the project area. As noted above, the shared parking program can be accepted because although it would use the golf course parking lot which is near the Phase I lot, the expected worst case parking demand scenario in the amendment leaves 20-30 parking spaces available in the golf course lot so parking associated with the amendment should not overflow into the public access lot. This 20-30 space reserve would also accommodate the 10 parking spaces Aviara has proposed to provide in the golf course lot for users of the NST in the PA 28 trail parking discussions. Thus, parking demand associated with the amendment should not have to rely on parking lots and street parking associated with providing a parking reservoir for the NST. Therefore, the Commission finds that the proposed amendment is consistent with the public access/parking provisions of Section 30252 of the Coastal Act.

4. Visitor Accomodations/Priority Uses

The Coastal Act promotes and preserves a full range of public access opportunities along the shoreline, including the provision of lower cost visitor-serving facilities which serve and support coastal visitors. Section 30221 provides for the protection of oceanfront land suitable for recreational use unless present and foreseeable future demand obviates such protection; Section 30222 gives priority for the use of private lands suitable for visitor-serving commercial recreational facilities to the exclusion of residential, general commercial, and other uses. Section 30223 provides that upland areas necessary to support coastal recreational uses shall be reserved.

The proposed amendment provides for proposed uses in Planning Areas 1, 2, 10 and 11 which are all visitor-serving commercial uses. Each of the proposed uses in these planning areas are high priority uses under the Coastal Act and will, by their nature, facilitate the public's ability to gain access to the coast and Batiquitos Lagoon. However, there is a loss of visitor commercial uses in the amended plan. The amended plan deletes 169 hotel units and only recoups 16 rooms in the main hotel. More importantly, the amendment adds 240 timeshares that can be exclusively occupied up to four months a year. Timeshares typically involve the "selling" of units to more affluent vacationers who typically use the units for longer periods of time than overnight use. Because they are occupied for long periods of time by those who buy interests in them, they are considered by some almost a residential use rather than a transient visitor-serving use. Under the Coastal Act, residential uses are a low priority use when compared to a visitor-serving use which is given a higher priority. Thus the Commission must find that lower cost facilities are not being eliminated or limited to a point where such opportunities would be adversely affected when compared to the previously approved plan.

In this case such a finding can be made. The Commission can find that while lower cost visitor facilities are being reduced, they still remain within the

subject area. The project proponent has committed to building the hotel and timeshares together. In this way the hotel rooms will be available to the general public at least concurrently with the more expensive time share units. Regarding the supply of lower affordable hotel/motel units in Carlsbad, the Commission participated in a study of the Carlsbad area which found that the City has a good supply of such units. Additionally, the proposed timeshares are replacing the previously approved multi-family housing which is not a visitor-commercial or high priority use. Therefore, the Commission finds the proposed amendment can be found consistent with the above Coastal Act sections which

Regarding public access/trails, there is a upland community trail that runs through the hotel and sports center sites to provides public access between Batiquitos Drive and Alga Road. As such, the trail is also a lower cost recreational facility which gives access to the Four Seasons resort. Its alignment, as approved in LCPA 1-90, generally follows the proposed street system and would be located on sidewalks adjacent to the streets. The City has submitted revised language in the LCPA which identifies the trail will be located in the PA 10 (Sports Center) rather than the proposed to be deleted PA 9 (multi-family residential). An exhibit has also been submitted which indicates a revised alignment for a portion of the trail through an approved open space area near the hotel. The Commission is endorsing the original alignment, along the road, as it generally provides good views of the golf course and results in less habitat impacts. Based on the above the Commission can find the proposed amendment consistent with the visitor-serving sections of the Coastal Act.

5. Visual Resources. The site of both amendments is a visually prominent area on the north shore of Batiquitos Lagoon. The site is visible from I-5, La Costa Avenue, El Camino Real, Old Highway 101 and from at least two designated vista points identified in the previously certified County of San Diego Local Coastal Program, which, at one time, covered the project site and what is now the City of Encinitas. Any development occurring on this site will have impacts upon public views, compared to the formerly vacant slopes and valleys located adjacent to the open lagoon area. Given the visual prominence of the site, the goal has been to soften or to minimize the impacts of the large-scale development approved for the site.

Since the previous coastal development permit amendment approval for the main hotel building, the method of measurement for building height has changed in the City of Carlsbad. It is now measured to the roof peak whereas it was previously measured to the mid-point of the roof. There is no proposed change to the actual height of the hotel over what the Commission has previously approved (45 feet), only an acknowledgement that the new method of measuring building to the roof peak height will result in a measurement of 53 feet. This necessitates a revision to the master plan development standard for maximum height in the planning area. Overall, the City's change in definition resulted in a reduction in allowed building heights within the Aviara Master Plan.

No obstruction of existing views from public or private lands will occur,

except for those private development areas to be developed within the Master Plan area. The small change in the design of the building will not increase the overall height of the structure and no obstruction of existing public views will occur. Additionally, Special Condition #3 of CDP 6-87-680-A-5 required that a landscaping plan be submitted which placed emphasis on the treatment of the hotel complex, as viewed from Batiquitos Lagoon, with use of specimen size (24 inch box) trees which at mature height to serve to break-up the building facade. This condition remains in full force and effect. The Commission finds that the subject amendment request for the hotel/resort complex is consistent with Section 30251 of the Coastal Act and the visual resource provisions of the Aviara Master Plan.

The PA 13 LCP amendment proposes to reduce front yard setbacks for side-loaded garages from 25 feet to 20 feet. PA 13 contains 69 pregraded lots, 36 with flat pads and 33 split-level pads. The proposed revisions to the front yard setbacks involve only those lots with flat pads. All other development standards for flat pads would remain the same and all split-level pads would remain unaffected. Currently, all flat pads within the custom home development are required to maintain a 25 foot front yard setback. One alternative to the uniform 25 foot setback that has arisen is the concept of side-loaded garages accompanied by an increased setback for the remaining first floor area. City staff has found this site design to have two aesthetic advantages. It turns the garage door away from the street, allowing a more pleasing street scene; it also varies the first floor setback offering a more interesting facade with multiple building planes. These advantages can only occur if certain restrictions are placed upon the reduced setback allowance. The City found that, while the use of side-loaded garages and reduced front yard setback is not required and may not be incorporated into each flat pad, the option will likely increase the variety of site and architectural designs within PA 13. The Commission concurs and notes the proposed amendment is a minor design change and will not result in adverse visual impacts.

Regarding the PA 15 amendment, the City proposes to lower the overall maximum building height from 35 to 30 feet and delete the 24 foot height restriction applied to new development in PA 15. Section 30251 of the Coastal Act provides that new development not adversely impact scenic resources. With respect to scenic resources, the subject site contains hillside portions that are highly visible from Batiquitos Lagoon and the Aviara Golf Course. To mitigate the visual impact of the structures, the Master Plan requires a 20 foot setback from the top of the slopes adjacent to the golf course.

With respect to building height, the Master Plan allows a maximum of 35 feet/3 stories. The 35 feet figure was based on building height being measured to the mid-point of the roof. Since the time the master plan was approved, the City has changed the way building height is measured. It is now measured to the roof peak. This change can result in an average difference of 3 to 6 feet depending on roof pitch and other factors. Therefore, the City's change in definition resulted in an overall reduction in allowed building heights within the Aviara Master Plan.

Although 192 residential units are allowed in this planning area under the

master plan, only 54 residential units are proposed. This reduction in the intensity of development on this site will result in reduced visual impacts to the viewshed as building massing and separation would be significantly less intensive than development associated with 192 units. Additionally, the Master Plan requires that individual planning areas provide specimen-sized street and accent trees as well as building design standards (varying roof planes, offset second stories) to mitigate the adverse visual impacts to scenic areas. Thus, with the proposed decrease of the development potential allowed on this site and the existing measures in place within the master plan to mitigate the adverse visual impacts of new development, the Commission finds the proposed amendment consistent with Section 30251 of the Coastal Act and the scenic resource provisions of the Mello I and East Batiquitos Lagoon/Hunt Properties LCP segments.

The PA 28 LCP amendment would revise development standards to allow two-story 30 foot high homes. The revision would increase the potential height of about two-thirds of the future single family homes from 22 to 30 feet, as measured to the peak of the roof. Currently, only one-story homes to 22 feet high are permitted in this planning area. Planning Area 28 is an important site as it lies between the first public road, Batiquitos Drive, and Batiquitos Lagoon. One of the major provisions of the Aviara Master Plan with respect to PA 28 is that a minimum setback of 150 feet from the wetlands boundary is required for all grading and structures except for trail-related features. Additionally, all structures are required to be setback a minimum of 35 feet from Batiquitos Drive.

In recognition of the visual effect new development would have in PA 28 from surrounding scenic areas (Batiquitos Lagoon, I-5, La Costa Avenue, El Camino Real), the master plan originally proposed an absolute 18 foot height limit (one-story only) on PA 28 homes. In LCPA 1-92, the Commission approved a 22 foot height limit standard to the peak of the roof in PA 28 based on the City's change in building height measurement (from mid-point of the roof to the peak).

This amendment would allow a majority of the proposed homes to be two stories and 30 feet high as measured to the peak of the roof. The one-and two-story homes are interspersed throughout the subdivision design; some two-story homes are proposed on the first row of lots adjacent to the lagoon. The project proponent states that the visual concerns associated with the increased mass and height of the buildings can be addressed through architectural design criteria and landscaping. The proposed criteria would limit the size of second story dimensions and define the minimum number of roof planes. Specimen landscaping is also proposed along the southern boundary of the planning area and on slopes internal to the project to soften the views from I-5 and La Costa Avenue.

The Commission finds the amendment can be accepted. The visual impact of the two-story homes would be mitigated by: their distance from the north shore of Batiquitos Lagoon (i.e., a minimum setback of 150 feet from the wetlands boundary which would minimize the bulk mass of the structures from the North Shore Trail); the existing eucalyptus trees and fill slope that separates the

developable portion of the site from the North Shore Trail; the proposed architectural design criteria and landscaping, and a master plan requirement that the homes be appropriately colored to minimize their visual impact. Further, the visual impacts of the homes will be addressed when they come before the Commission in a permit action. Thus, the Commission finds the proposed amendment for PA 28 can be found consistent with Section 30251 of the Coastal Act.

PART IV. FINDINGS FOR APPROVAL OF THE CITY OF CARLSBAD IMPLEMENTATION PLAN AMENDMENT 3-95 (PARTS A and B)

A. AMENDMENT DESCRIPTION

Both the Mello I and East Batiquitos/Hunt Properties LCP segments include the use of the Master Plan as the Implementation Program for those portions of the land use plan segments which correspond to the Master Plan. As such, the proposed amendment to the Implementation Program is identical to that of the LUP, as discussed above.

B. FINDINGS FOR CERTIFICATION

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. In the case of the subject LCP amendment, the Master Plan serves as both the LUP and Implementation Program for those portions of the two LCP segments that are subject to the Master Plan. Given that the identical document serves as both the planning and implementation documents, the Commission finds that the proposed amendments to the Mello I and East Batiquitos/Hunt segments are consistent with the corresponding certified land use plans.

In addition, the proposed amendment to the Implementation Program contains a level of detail and specificity corresponding to that previously approved by the Commission in its certification of the Master Plan as the Implementation Program for the subject LCP segments. Therefore, the Commission finds that the subject amendment to the Implementation Program is adequate to carry out the policies of the certified LUP.

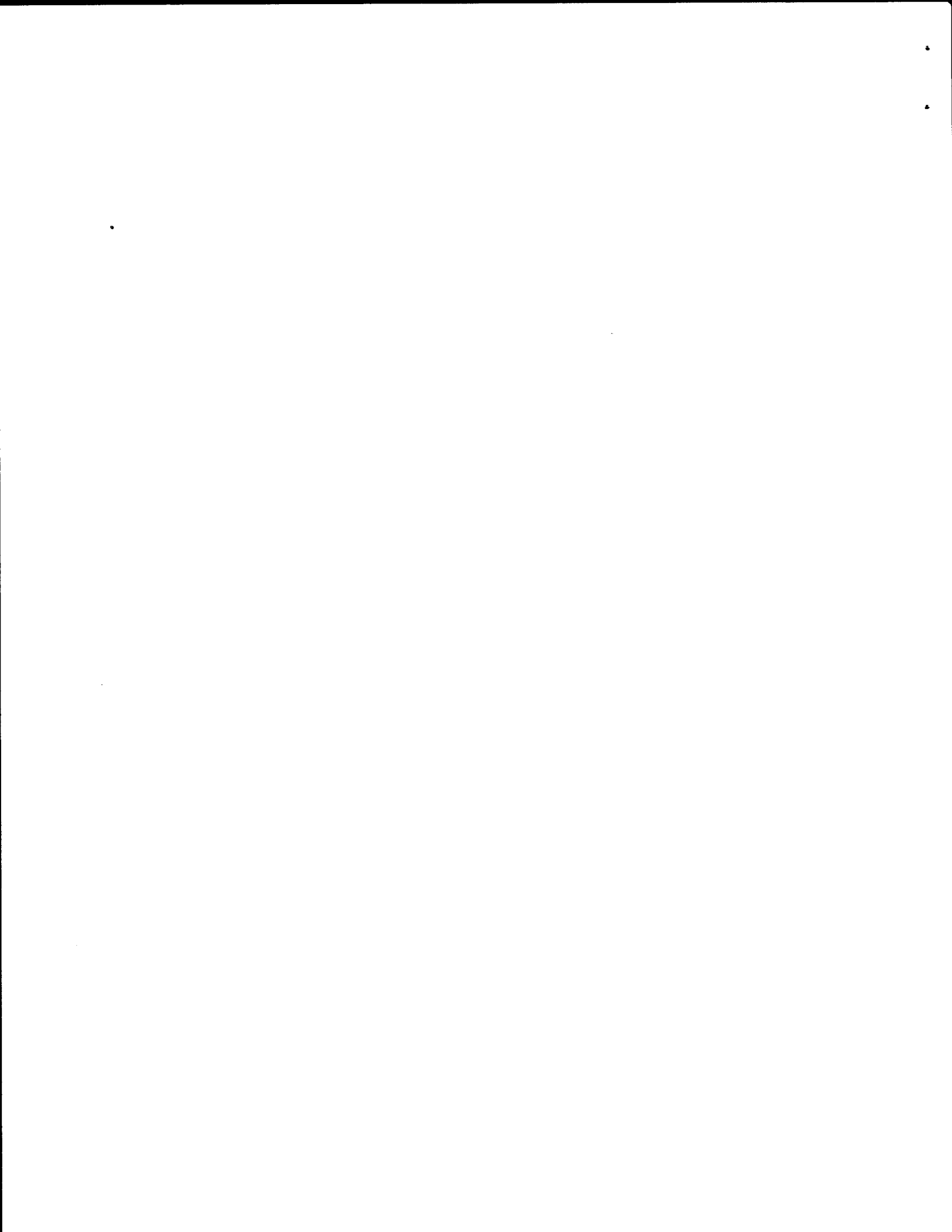
PART V. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, or LCP, as amended, does conform with CEQA provisions. In the case of the subject LCP amendment request, the Commission finds that approval of the subject LCP amendment would not result in potentially significant environmental impacts under the meaning of the California Environmental Quality Act. As discussed above, the proposed encroachments into previously deed restricted area would be more than offset by the provision of a larger replacement area, given that the proposed replacement area has been identified as higher quality habitat. Furthermore, all erosion control and drainage facilities are already in place and being properly maintained to avoid any downstream sedimentation or off-site impacts related to proposed grading. In addition, the proposed parking plan is not anticipated to have any impacts upon the ability of the public to gain access to coastal areas.

As mitigated through existing and proposed building design measures and guidelines, the proposed increase in height in PA 28 is not anticipated to have any adverse visual impacts. Similarly the proposed amendment to the height standard in PA 15 is not expected to have any adverse visual impacts as 192 residential units were approved in the master plan and only 54 are proposed through the subdivision design approved by the City of Carlsbad. The amendment to reduce front yard setbacks in PA 13 is also not anticipated to result in adverse impacts based on the mitigating design requirements approved by the City. Therefore, the Commission finds that no significant, unmitigable environmental impacts under the meaning of CEQA will result from the approval of the proposed amendment.

(0751A)





AVIARA

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REPLACEMENT PAGES
MASTER PLAN MF-177(9)

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City of Carlsbad

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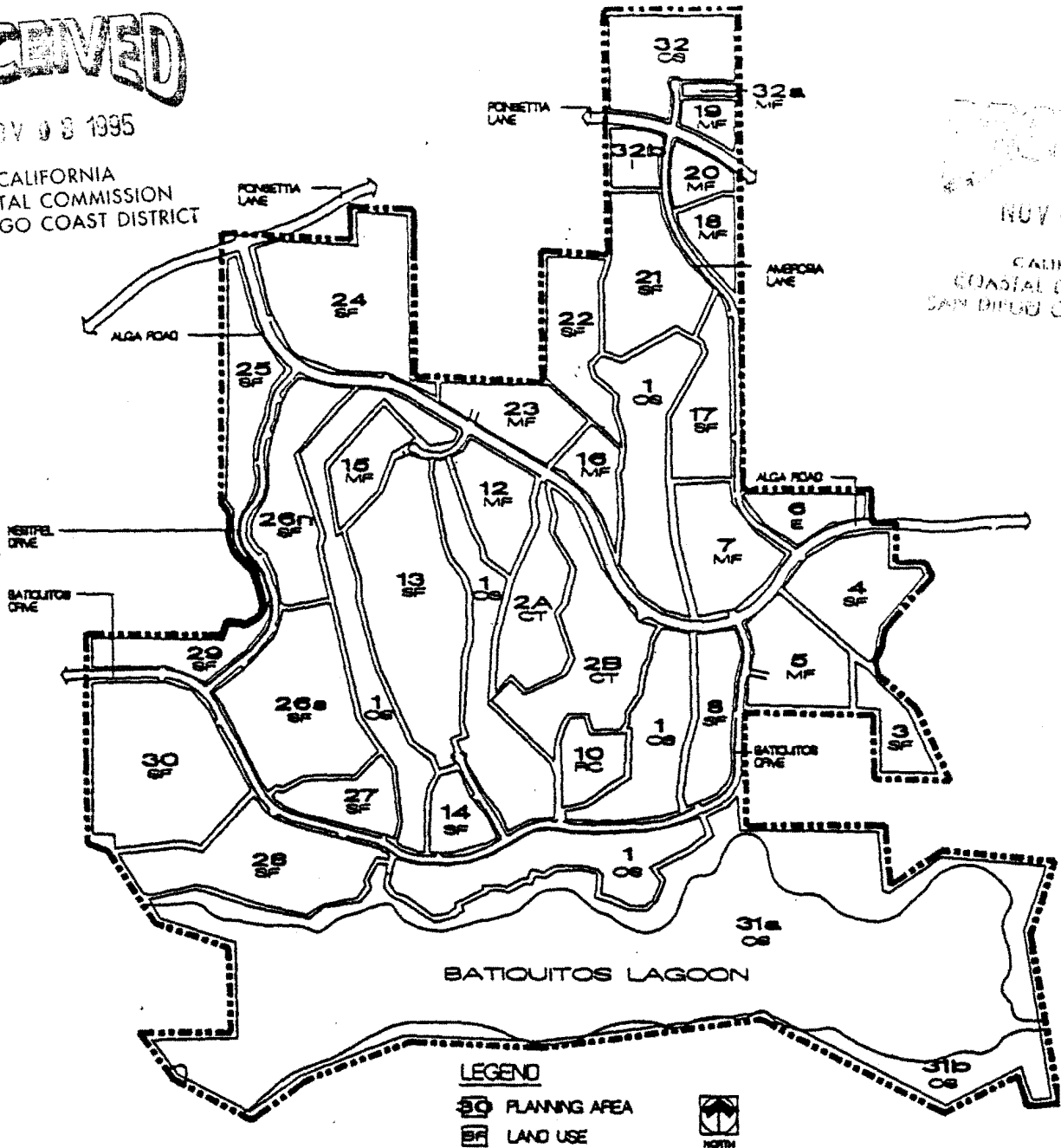
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CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT



RESIDENTIAL			
SF	ACRES	PA	ACRES
3	54		
4	228		
8	273		
13	885		
14	209		
17	251		
21	304		
22	218		
24	540		
25	284		
26	784		
27	159		
28	458		
29	154		
30	574		
TOTAL 5211			

RESIDENTIAL			
MF	MULTI-FAMILY	PA	ACRES
5			238
7			303
12			281
15			222
18			82
19			118
19			93
20			132
TOTAL 1447			

COMMERCIAL			
PA	USE	ACRES	ACRES
N	23	NEIG-BOR-OOD	183
CT	2A	REORT HOTEL	14.4
CT	2B	REORT CLUB	45.8
RC	10	RECREATION AND RESTAURANT	10.8
TOTAL 289			

OPEN SPACE			
PA	USE	ACRES	ACRES
1		GOLF COURSE	1715
32		PARK	243
32A		PARK RESERVE	57
31A		LAGOON	3071
31A		WETLANDS	79.9
31B		RECREATION	82
13		INTEREST COFFICHO	272
TOTAL 6235			

INSTITUTIONAL			
PA	USE	ACRES	ACRES
8		ELEMENTARY SCHOOL	24
32B		DAY CARE / CHURCH	4.5
TOTAL 18.9			

MASTER LAND USE PLAN

EXH' 31'

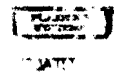


TABLE 1

MAXIMUM CONCEPTUAL LAND USE SUMMARY

PLAN AREA	PHASE	LAND USE	ACRES ¹	BUILDING AREA SQ. FT.	NO. OF UNITS GROWTH CONTROL	DENSITY DU/AC	NO. OF POTENTIAL UNITS IF PERMITTED UNDER 21.90*
1	I	GOLF COURSE	171.5	30,000			
2a	I	RESORT HOTEL	20.3	661,200			
2b	I	RESORT CLUB	46.0	415,500			
3	I	SINGLE FAMILY	5.4		27	5.4	*See discussion in text.
4	I	SINGLE FAMILY	22.8		103	4.5	
5	I	MULTIPLE FAMILY	23.8		189	7.9	
6	I	ELEMENTARY SCHOOL	12.4				
7	I	MULTIPLE FAMILY	30.3		240	7.9	
8	I	SINGLE FAMILY	27.3		75	2.7	
9	I	MULTIPLE FAMILY	32.5		100	3.1	
10	I	SPORTS CENTER	8.2	11.8 47,000	52,400		
11	I	RESTAURANTS	2.4	10,000			
12	I	MULTIPLE FAMILY	26.1		351	13.4	
13	I	SINGLE FAMILY	66.5		72	1.1	
14	I	SINGLE FAMILY	20.9		52	2.5	
15	I	MULTIPLE FAMILY	22.2		192	8.2	
16	I	MULTIPLE FAMILY	8.2		121	14.9	
17	III	SINGLE FAMILY	25.1		43	1.7	
18	III	MULTIPLE FAMILY	11.6		145	12.5	
19	III	MULTIPLE FAMILY	9.3		184	19.8	
20	III	MULTIPLE FAMILY	13.2		120	9.1	
21	III	SINGLE FAMILY	30.4		82	2.7	
22	III	SINGLE FAMILY	21.6		16	1.3	
23	III	NEIGHBORHOOD SHOPPING CENTER	18.3	120,000			
24	II	SINGLE FAMILY	54.0		193	3.6	
25	II	SINGLE FAMILY	28.4		37	1.3	
26	II	SINGLE FAMILY	78.4		185	2.35	
27	II	SINGLE FAMILY	18.9		55	2.9	
28	II	SINGLE FAMILY	45.6		66	1.44	
29	II	SINGLE FAMILY	18.4		36	1.9	
30	II	SINGLE FAMILY	57.4		105	1.82	
31	II	OPEN SPACE	387.0				
32	City	PARK	24.3				
32(a)	III	PARK RESERVE	1.75				
32(a)	III	CHURCH/DAY CARE	4.5				
TOTAL			1356.15	20	2789	3.13	

¹ Excludes 27.2 Acre Utility Corridors

- 20 -

PLANNING AREA 1: GOLF COURSE

DESCRIPTION:

This 171.5 acre planning area includes a private 18-hole championship golf course located along the north shore of the lagoon and in three of the canyons to the north of the lagoon. A driving range, clubhouse and related parking facilities are located along Pacific Rim Drive.

DEVELOPMENT STANDARDS: O-S

All development in Planning Area 1 shall conform to the standards of the O-S Open Space zone (Carlsbad Municipal Code, Chapter 21.33) unless otherwise noted in this chapter.

USE ALLOCATION:

18-hole golf course

Driving Range

Maximum of 30,000 square feet golf course clubhouse which will include:

Dining Room	2,000 s.f.
Lounge	1,300 s.f.
Grill	700 s.f.
Pro Shop	1,030 s.f.
Administration	700 s.f.
Locker Rooms	3,000 s.f.
Cart and bag Storage	5,500 s.f.
Other related areas	16,500 s.f.

PERMITTED USES:

The following uses are allowed within the Golf Course Planning Area: an 18-hole golf course, a driving range, a golf course clubhouse which includes a pro shop, administrative offices, dining room, lounges, cart storage, locker rooms, and any other related accessory uses or structures determined to be consistent with a typical golf course operation by the Planning Director.

CONDITIONAL USES:

A City Manager's conditional use permit shall be required for any major or professional golf tournaments held at the golf course.

SITE DEVELOPMENT STANDARDS:

Height:

The maximum height of the clubhouse shall not exceed 28 feet. Accessory structures shall not exceed 14 feet. All heights shall be determined per Section 21.04.065 of the Carlsbad Municipal Code.

Setbacks:

The clubhouse structure shall be a minimum of 50 feet from the edge of curb of Pacific Rim Drive and 175 feet from the Batiquitos Lagoon wetlands boundary. Clubhouse parking facilities shall be a minimum of 20 feet from edge of curb of Pacific Rim Drive and shall be located below the grade of the adjacent elevations of Pacific Rim Drive.

Parking:

Parking shall be provided per the Parking Demand Study, Four Seasons Aviara Resort, dated August 3, 1995. Up to 25% of the required parking may be compact spaces with minimum dimensions of 8.5 feet by 15.0 feet. A shuttle service shall provide transportation between the clubhouse, the Sports Center, restaurants and the hotel.

SPECIAL DESIGN CRITERIA:

Design:

All community-wide design standards described in Section A of Chapter IV shall be embodied in the architecture of this planning area. The following specific guidelines shall also be included for this planning area:

- * The structural length of the clubhouse parallel with La Costa Avenue shall not exceed 200 feet maximum.
- * Due to its close proximity to the lagoon and because it is highly visible from many offsite as well as onsite locations, special care shall be taken to ensure that all elevations of the golf course clubhouse are compatible with the architecture of the hotel.
- * Strong architectural relief features shall be incorporated into the design of the clubhouse.
- * All out buildings (maintenance, restrooms, etc.) shall be compatible with the architecture of the golf clubhouse.

Entry Treatment:

The golf course clubhouse will have an enhanced entrance at Pacific Rim Drive.

Fencing:

Open fencing of a uniform design may be located along the edges of the golf course on adjacent planning areas.

Landscape:

All community-wide landscape standards described in Section A, Community Design Elements of Chapter IV shall be incorporated into this planning area. In addition, the following specific landscape concepts shall be included in the development of this planning area:

- * Views to and from the golf course, lagoon, La Costa Avenue and Pacific Rim Drive must be preserved.
- * Common streetscape areas shall conform to community requirements. Street trees, landscape planting intensity zones, paving, entry monuments, irrigation systems, walls, fences, lighting, etc., have been predetermined to provide consistency in design quality.
- * A fire suppression zone subject to the approval of the Planning Director and Fire Marshall shall be established between native areas and structures. The fire suppression plan should incorporate structural setbacks from native areas in combination with a program of selective thinning of native vegetation subject to the approval of the Planning Director.

- * Manicured fairways and greens will be used with native or naturalized grasses and sage scrub in rough areas. Existing trees shall be preserved to the extent possible and selectively pruned. Eucalyptus, native sycamore and poplar trees shall be introduced. Water features shall provide a visual connection to Batiquitos Lagoon.
- * Full landscaping of the clubhouse and associated structures shall be incorporated to soften views from Pacific Rim Drive and La Costa avenue.
- * All parking areas along Pacific Rim Drive shall be recessed below the grade of Pacific Rim Drive and fully landscaped to screen them from views. A minimum 320 square feet landscaped island shall be provided for every ten parking spaces.

Street Trees:

The style of street trees in Planning Area 1 shall be informal. The dominant street tree shall be the existing eucalyptus. Support trees may include Western Cottonwood (*Populus fremonti*).

Open Space:

With the exception of the clubhouse, out buildings and associated parking area, all of this planning area shall be maintained as open space by the golf course management.

Trails:

A continuous trail system shall be located along the north shore of Batiquitos Lagoon, consistent with that approved as part of the Batiquitos Lagoon Enhancement Plan.

Grading:

No grading or development (exclusive of the public access trail along the lagoon shoreline which shall be consistent with the Lagoon Enhancement Plan) shall be allowed within 100 feet of the wetland boundary.

Any development within this planning area shall comply with the City's Hillside Development Regulations and the slope and resource preservation policies of the underlying local coastal program and subsequent coastal permit. Any application for development within this planning area shall require a slope analysis/biological resource map during Site Development Plan

PLANNING AREA 2a: HOTEL

DESCRIPTION:

This 27.5-20.3 acre planning area includes a destination resort hotel and related accessory uses, including a parking garage. ~~The hotel facilities will include the main hotel structure, garden wing buildings with special suites and bistro restaurant, villas, banquet and conference facilities and a parking structure with tennis courts above.~~

DEVELOPMENT STANDARDS: C-T

All development in Planning Area 2a shall conform to the standards of the C-T Commercial Tourist zone (Carlsbad Municipal Code, Chapter 21.29) unless otherwise noted in this chapter.

USE ALLOCATION:

Guestrooms:

Main Building	336 rooms
Garden Wing Buildings	130 rooms
Villas	39 rooms
	489 rooms

Banquet/Conference Facilities:

Main Building	36,000 s.f.
Maximum Area Allowed	40,000 s.f

Two restaurants ~~A specialty restaurant~~ within the main building with a floor area not to exceed 5,300-10,000 square feet with additional terrace seating.

~~A Cafe within the main building of not to exceed 4,500 square feet with additional terrace seating.~~

The restaurants ~~and the cafe~~ shall not include any signage along the exterior of the hotel structure, nor shall ~~it~~ they include a separate access way from the hotel's exterior.

The restaurants shall be oriented to the interior of the hotel.

~~A Bistro restaurant at the garden wing area with not to exceed 3,900 square feet of seating with additional support areas.~~

~~An identity sign only, not to exceed 20 square feet shall be allowed on the exterior of the Bistro.~~

Parking structure.

Other associated hotel uses internal to the hotel structure.

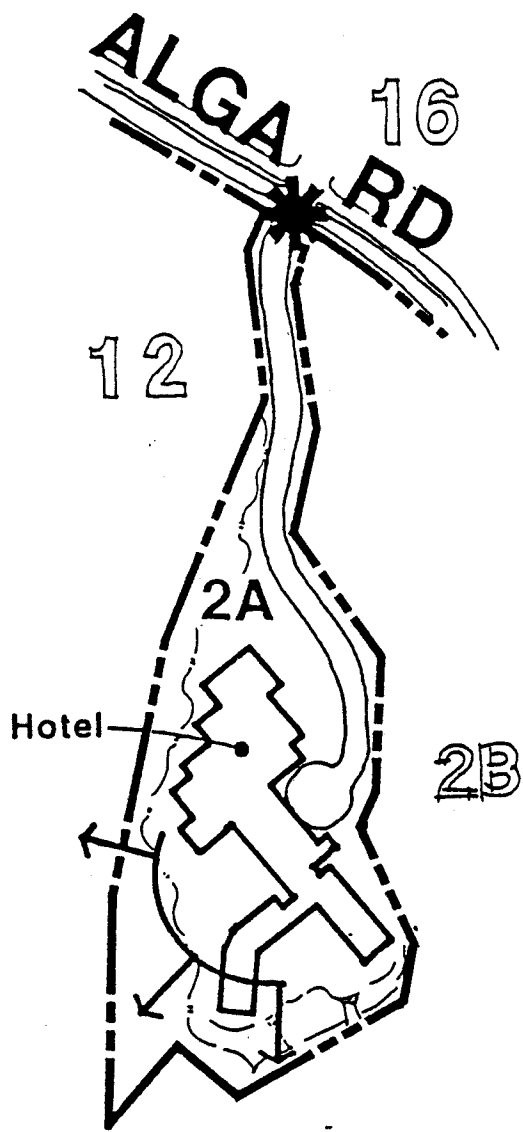
PERMITTED USES:

Hotel and accessory uses commonly associated with a full service hotel which could include, but are not limited to: restaurant, coffee shop, lounge, health club, ballroom, banquet rooms, meeting rooms, administrative offices, timeshare marketing and administrative offices, and retail uses (not to exceed 6,000 s.f.) provided for the convenience of hotel guests when located within the hotel structure(s).




SITE DEVELOPMENT STANDARDS:



Height:

The maximum height of the main hotel structure shall not exceed 35 53 feet per the City's Ordinance. Any portion of the structure exceeding 35 53 feet shall be for architectural features only and shall not increase the useable floor area

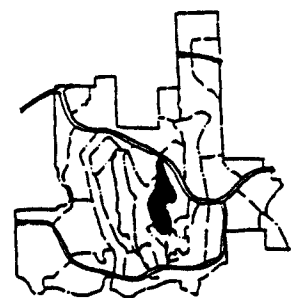


Legend

-  Entry Treatment
-  Wall/Fencing
-  Trail

-  Scenic Point
-  View Orientation

Key Map



Design Criteria - Planning Area 2A

Exhibit V- 3

of the hotel. ~~The maximum height of all other structures is 35 feet. Excluding the main hotel structure, at least 50% of the structures in this Planning Area shall be no more than two stories in height. Where three story structures are proposed, no more than two thirds of the structure shall be three stories in height.~~ Heights shall be determined per Section 21.04.065 of the Carlsbad Municipal Code.

Parking:

Parking requirements shall be as defined in the Parking Demand Study, Four Seasons Aviara Resort, Dated August 3, 1995. Up to 25% of the required parking may be compact spaces with minimum dimensions of ~~8-5-8.0~~ 8.0 feet by 15.0 feet. A shuttle service, provided by the hotel, shall provide transportation between the hotel, resort club, sports center, ~~restaurants~~ and golf course clubhouse at reasonably scheduled intervals as approved by the Planning Director.

Landscape in Parking Areas:

~~For all at grade parking lots, a minimum 320 square foot landscaped island shall be provided for every ten parking spaces.~~

Setbacks:

~~The minimum building separation for conference suite wing buildings shall be 10 feet.~~

Fire Suppression:

- * A fire suppression zone subject to the approval of the Planning Director and Fire Marshall shall be established between native/naturalized areas and structures. The fire suppression plan should incorporate structural setbacks from native areas in combination with a program of selective thinning of native vegetation subject to the approval of the Planning Director.

Street Trees:

The hotel entry road shall be planted with Mexican Fan Palm (*Washingtonia robusta*). Alga Road will feature Canary Island Pine (*Pinus canariensis*) as a theme tree and Western Cottonwood (*Populus fremontili*) as a support tree.

Open Space:

The slope areas of the hotel site shown on the Special Design Criteria exhibit shall be retained as open space and shall be maintained by a community open space maintenance district.

Trails:

A segment of a major community trail shall begin at the trail along Alga Road and continue southward along the hotel entry road southerly through the open space to Planning Area 9 10. This trail segment shall be constructed as a condition of development for this planning area.

Grading:

Any development within this planning area shall comply with the City's Hillside Development Regulations and the slope and resource preservation policies of the underlying local coastal program and subsequent coastal permit. Any application for development within this planning area shall require a slope analysis/biological resource map during Site Development Plan review.

PLANNING AREA 2b: RESORT CLUB

DESCRIPTION:

This 46.0 acre planning area includes interval ownership (timeshare) and tourist-serving uses.

DEVELOPMENT STANDARDS: C-T

All development in Planning Area 2b shall conform to the standards of the C-T Commercial Tourist Zone (Carlsbad Municipal Code, Chapter 21.29) unless otherwise noted in this chapter.

USE ALLOCATION:

A maximum 240 timeshare units.

A maximum 26,000 square foot reception and recreation building.

Freestanding accessory and maintenance buildings.

Surface parking areas.

Permitted Uses:

Timeshare units and accessory tourist uses, including reception, sales, recreation and maintenance, subject to the following conditions:

1. Except for the requirement of a conditional use permit, the timeshare project must comply with the provisions of Section 21.42.010(10) (C.M.C.).
2. If the proposed project cannot be successfully marketed as a timeshare project, the development shall be converted to a hotel use in conjunction with the hotel in Planning Area 2A subject to a Master Plan Amendment and all conditions of Section 21.42.010(11)(A)(I) and (II).
3. The maximum time increment for recurrent exclusive use of occupancy of a timeshare unit shall be four (4) months. A note indicating this requirement shall be placed on the final map. The seller of the timeshare units shall disclose this maximum time increment to all potential buyers.

SITE DEVELOPMENT STANDARDS:

The maximum height of all structures is 35 feet. Heights shall be determined per Section 21.04.065 of the Carlsbad Municipal Code.

Parking:

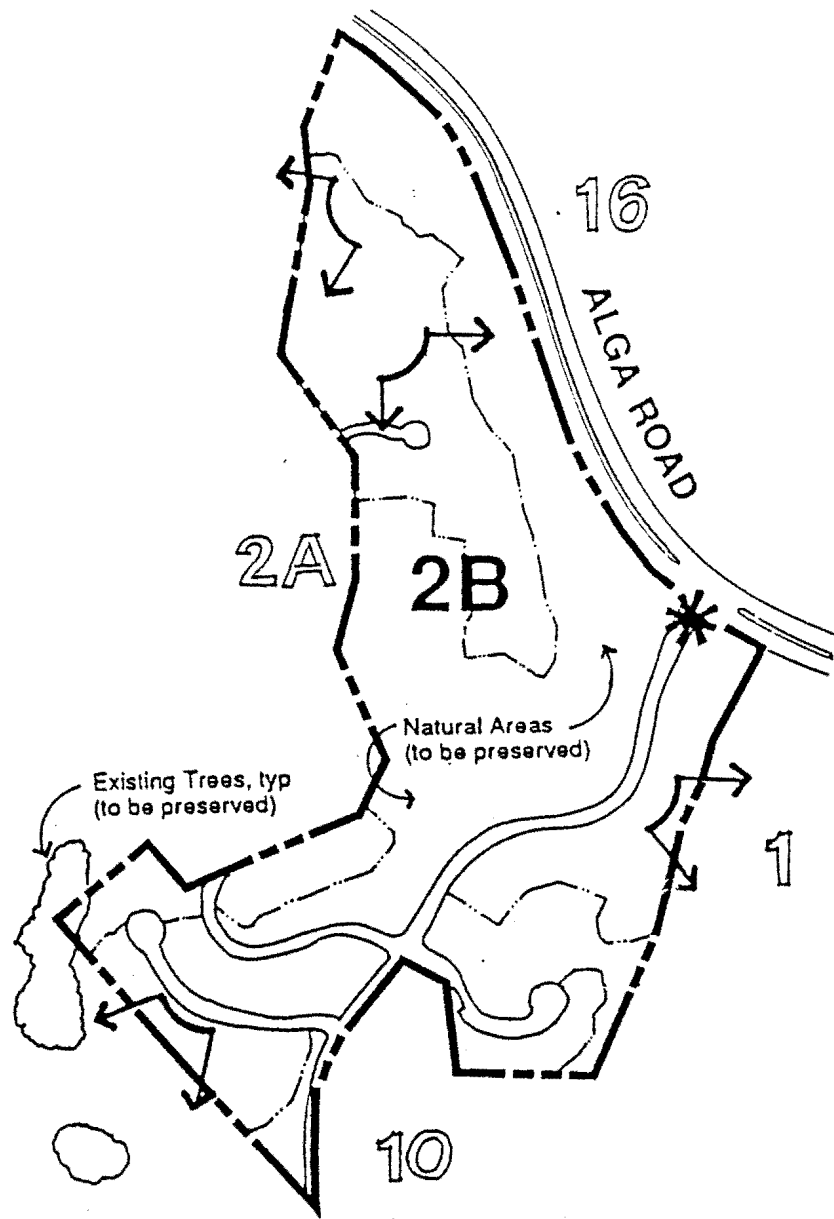
Parking requirements shall be a minimum of 1.2 spaces per timeshare unit. A shuttle service, provided by the Hotel, shall provide transportation between the hotel, resort club, sports center, and golf course clubhouse at reasonably scheduled intervals as approved by the Planning Director.

Fire Suppression:

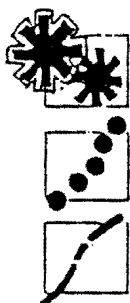
- * A fire suppression zone subject to the approval of the Planning Director and Fire Marshall shall be established between native/naturalized areas and structures. The fire suppression plan should incorporate structural setbacks from native areas in combination with a program of selective thinning of native vegetation subject to the approval of the Planning Director.

Open Space:

The slope areas of the Planning Area 2b site shown on the Special Design Criteria exhibit shall be retained as open space and shall be maintained by a community open space maintenance district.



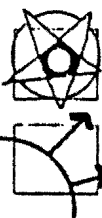
Legend



Entry Treatment

Wall/Fencing

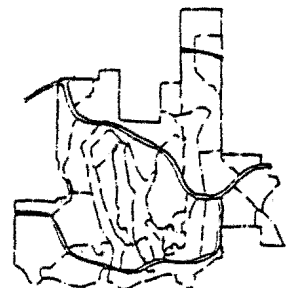
Trail



Scenic Point

View Orientation

Key Map



Trails:

A segment of a major community trail shall begin at the trail along Alga Road and continue southward along the hotel entry road southerly through the open space to Planning Area 10. This trail segment shall be constructed as a condition of development for this planning area.

Grading:

Any development within this planning area shall comply with the City's Hillside Development Regulations and the slope and resource preservation policies of the underlying local coastal program and subsequent coastal permit. Any application for development within this planning area shall require a slope analysis/biological resource map during Site Development Plan review.

PLANNING AREA 9

The Aviara Master Plan does not contain a Planning Area 9. The previous Planning Area 9 has been amended for inclusion into present Planning Area 2b through City of Carlsbad and Coastal Commission action MP 177(O) and LCPA 90-03(A) approved on _____ . As a result, Planning Area 9 no longer exists.

PLANNING AREA 9, MULTI-FAMILY RESIDENTIAL DESCRIPTION

This 32.5 acre planning area provides multi-family residential housing.

DEVELOPMENT STANDARDS: PD

All development in Planning Area 9 shall conform to the development standards of the PD Ordinance (Carlsbad Municipal Code, Chapter 21.45.090) unless otherwise noted in this chapter.

USE ALLOCATION:

Maximum of 100 multi-family residential units. (3.1 DU/AC)
Private recreation facilities shall be required in this planning area.

PERMITTED USES:

Multi-family residential housing.
Recreational facilities.

SITE DEVELOPMENT STANDARDS:

Height:

The maximum height shall not exceed 35 feet. All heights shall be determined per Section 21.04.065 of the Carlsbad Municipal Code. At least 50% of the structures in this Planning Area shall be no more than two stories in height. Where three story structures are proposed, adequate structural relief and roofline variation shall be incorporated into the structure to reduce the mass.

Setbacks:

A minimum 50-foot landscaped setback shall be maintained for all structures along Alga Road. Parking shall be setback a minimum of 35 feet from Alga Road provided that it is fully screened. All front-yard setbacks shall be per Section 21.45.090(b) of the Carlsbad Municipal Code. All buildings shall be located a minimum of 20 feet from the planning area boundary. A minimum building separation of 10 feet shall be maintained for one-story structures, 15 feet for one and two-story structures and 20 feet for two or more story structures. All structures and parking shall be setback a minimum of 20 feet from internal streets. However, setbacks on attached structures with side-loaded garages may be varied to a 15 foot average with a 10 foot minimum.

Parking:

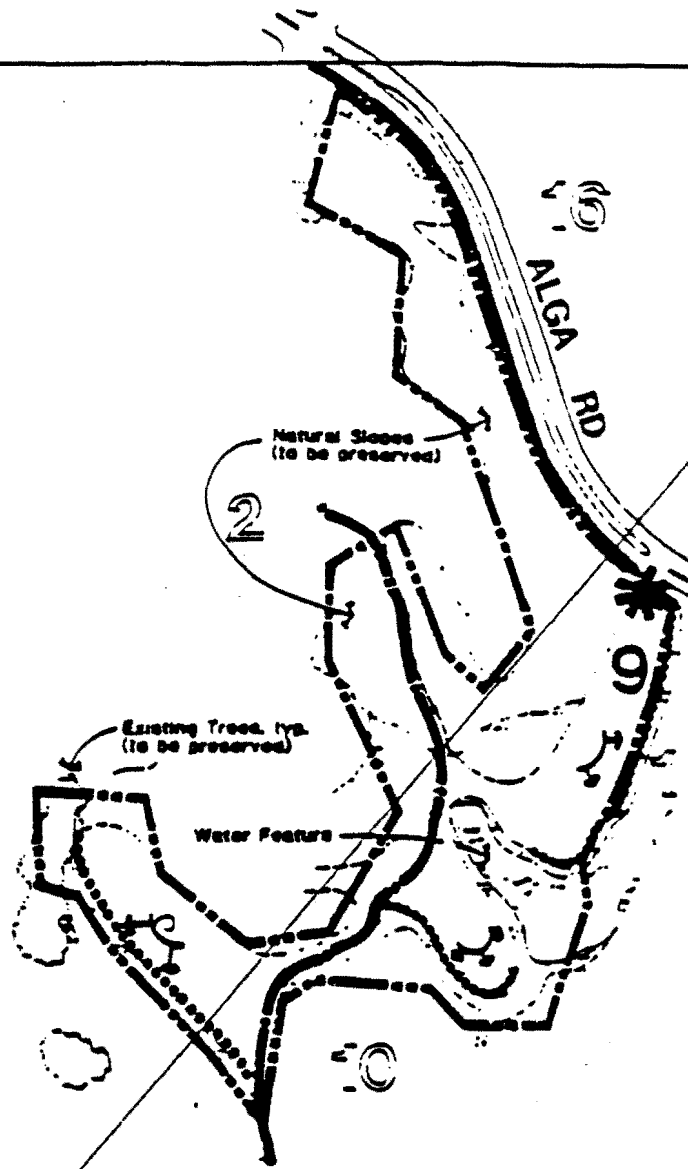
Parking shall conform to the standards of Chapter 21.44 of the Carlsbad Municipal Code.

SPECIAL DESIGN CRITERIA:

Design:

All community-wide design standards described in Section A of Chapter IV shall be embodied in the architecture of this planning area. The following specific guidelines shall also be included for this planning area:

- * The architecture of all structures shall be compatible with that of the hotel.



Legend



Entry Treatment



Wall/Fencing



Trail

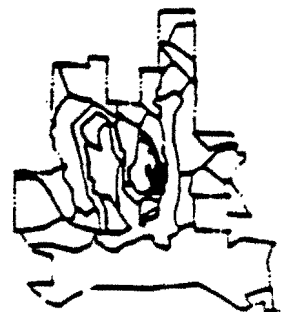


Scenic Point



View Orientation

Key Map



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~~strong architectural relief features shall be incorporated into all structures visible from Alga Road, Pacific Rim Drive and La Costa Avenue.~~

- * Buildings in this neighborhood shall be related strongly to the sloping site and shall avoid large flat pad areas by the incorporation of stepped building footprints.
- * Curvilinear streets shall be combined with varied structural setbacks to strengthen the mediterranean hilltown appearance of the planning area.
- * As shown on the conceptual site plan for this planning area, the identified natural slopes and tree groves shall be preserved and maintained as open space.

Fencing:

A noise study shall be conducted and submitted during site plan review to determine if a noise attenuation structure is required along portions of Alga Road adjacent to development. If required, the structure shall be a decorative solid masonry wall, earthen berm or combination of the two. Open fencing may be located at the top of slope of areas which face the golf course to the east and/or Planning Area 10 to the south.

Landscape:

All community-wide landscape standards described in Section A, Community Design Elements of Chapter IV shall be incorporated into this planning area. In addition, the following specific landscape concepts shall be included in the development of this planning area:

- * Views to and from the golf course, lagoon, Alga Road, Pacific Rim Drive and La Costa Avenue shall be preserved.
- * Common streetscape acres shall conform to community requirements. Street trees, landscape planting intensity zones, paving, entry monuments, irrigation systems, walls, fences, lighting, etc. have been predetermined to provide consistency in design and quality.
- * Existing trees identified during Site Development Plan review shall be preserved.
- * Landscape screening of the dwelling units shall be incorporated to soften views of these structures from Alga Road, Pacific Rim Drive and La Costa Avenue.
- * A fire suppression zone subject to the approval of the Planning Director and Fire Marshal shall be established between native/naturalized areas and structures. The fire suppression plan should incorporate structural setbacks from native areas in combination with a program of selective thinning of native vegetation subject to the approval of the Planning Director.

~~Where parking lots are provided, a minimum 320 square foot landscaped island shall be provided for every ten parking spaces.~~

Open Space:

~~Common open space areas shall be maintained by a community open space maintenance district. A majority of the planning area frontage along Alga Road and the slope areas adjacent to the hotel planning area shall be maintained as open space. The open space areas shall include both natural and enhanced landscape as approved by the Planning Director. A water element which begins at the hotel and flows toward the Sports Center and golf course is a major feature of the open space element. The open space areas noted here shall be maintained by the community open space maintenance district.~~

Trails:

~~A portion of the major community trail located along the southwesterly side of Alga Road and a portion of the pedestrian trail which connects Alga Road and Pacific Rim Drive are located in this planning area. The onsite section of these trails shall be constructed as a condition of development.~~

Grading:

~~Any development within this planning area shall comply with the City's Hillside Development Regulations and the slope and resource preservation policies of the underlying local coastal program and subsequent coastal permit. Any application for development within this planning area shall require a slope analysis/biological resource map during Site Development Plan review.~~

PLANNING AREA 10: SPORTS CENTER

DESCRIPTION:

This ~~8.2~~ 11.8 acre recreation site permits a community membership sports center which provides active recreation facilities. ~~primarily for residents and guests within the Pacific Rim Country Club and Resort Master Plan Area.~~

DEVELOPMENT STANDARDS: C-T

Development in this planning area shall conform to the standards of the C-T Commercial-Tourist zone (Carlsbad Municipal Code, Chapter 21.29) unless otherwise noted in this chapter.

USE ALLOCATION:

Sports center shall be a maximum of ~~47,000~~ 52,400 square feet including a restaurant, ~~11~~ 12 regulation tennis courts and including one tournament tennis court with seating for membership and resort guest tournaments.

A 25 meter pool and a recreational pool.

A sports center cafe restaurant not to exceed ~~2,500~~ 5,500 square feet with indoor and outdoor eating areas.

~~A parking garage of approximately 290 spaces with additional surface parking.~~

Approximate areas shall include:

Administrative Offices	2,400 s.f.	
Pro Shops	1,000 s.f.	
Aerobics and Nautilus	8,000 s.f.	
Gymnasium	4,800 s.f.	
Day Care	600 s.f.	
Youth Club	1,175 s.f.	
Racquetball and squash courts	3,500 s.f.	
Sports Clinic	1,000 s.f.	
Cafe	2,100 s.f.	
Aerobics	3,700 s.f.	
Free weights/Stationary weights	5,300 s.f.	
Restaurant	4,600 s.f.	
Cafe	1,600 s.f.	
Gymnasium	2,800 s.f.	
Other Related Uses	26,000 s.f.	35,400 s.f.

PERMITTED USES:

The following uses are allowed with the Sports Club Planning Area: tennis courts, swimming pools, and a health club facility which could include a cafe restaurant, bar, lounge, pro shop, sports boutique, beauty salon, meeting rooms, day care, racquetball courts and other health or fitness related retail uses.

CONDITIONAL USES:

A City Manager's Conditional Use Permit shall be required for all tournament competitions at the tennis facilities or swimming meets at the pool and diving facilities.

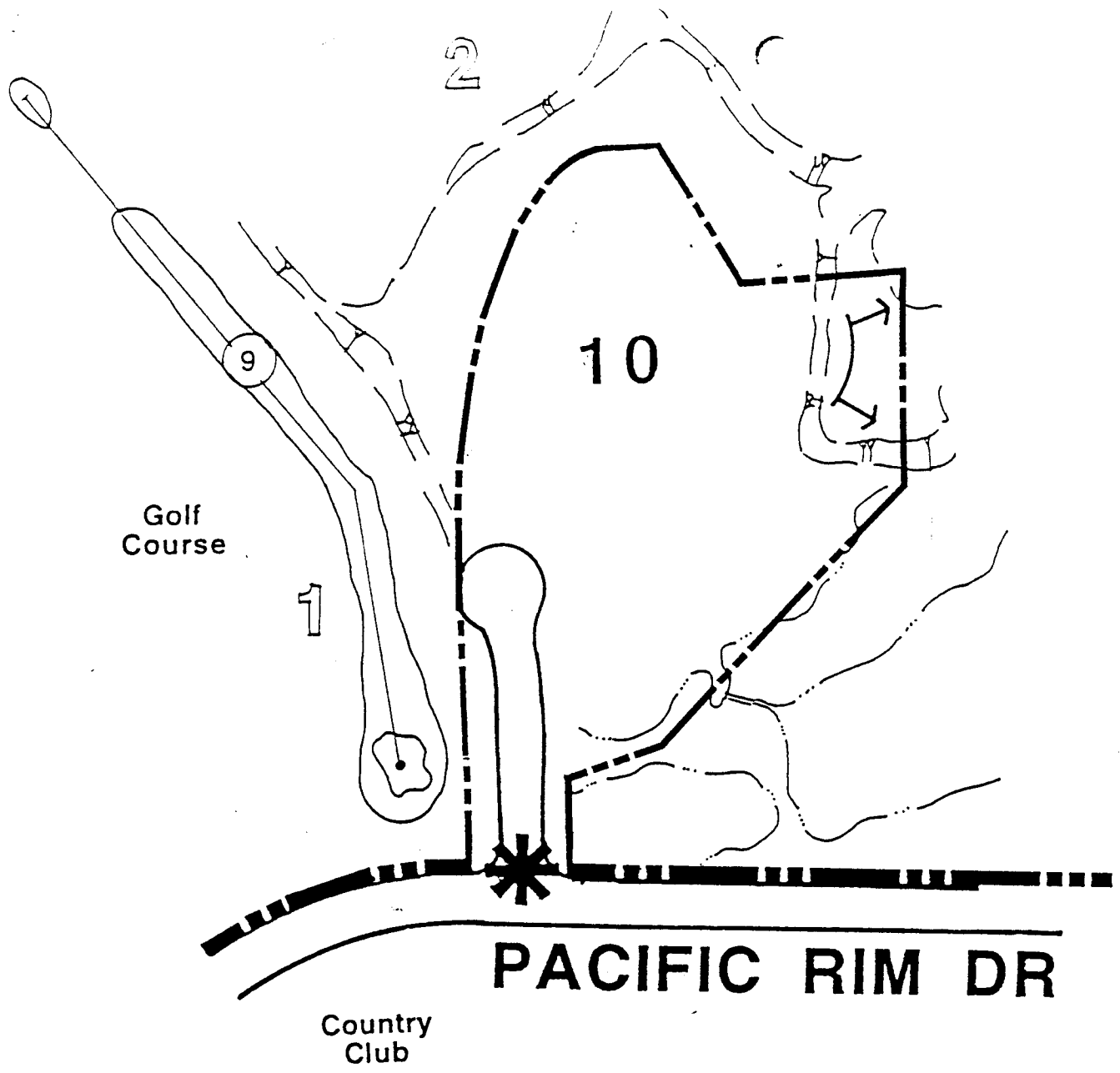
SITE DEVELOPMENT STANDARDS

Height:

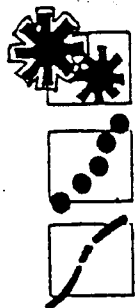
The maximum height shall be 35 feet per Section 21.04.065 of the Carlsbad Municipal Code.

Setbacks:

All structures shall be located a minimum of 30 feet from ~~Pacific Rim~~ Batiqitos Drive. The sports center building shall be located a minimum of 200 feet from the nearest residential structure. ~~A minimum 20 foot building separation shall be maintained.~~



Legend



Entry Treatment

Wall/Fencing

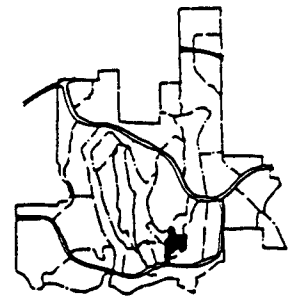
Trail



Scenic Point

View Orientation

Key Map



Design Criteria - Planning Area 10

Exhibit V- 11

Parking:

Parking shall be as defined in the Parking Demand Study, Four Seasons Aviara Resort, dated ~~February 28, 1990~~ August 3, 1995. A maximum of 25% of the required parking may be compact spaces with minimum dimensions of ~~8-5~~ 8.0 feet by 15.0 feet. A shuttle service, provided by the hotel, shall provide transportation between the Sports Center, restaurants, golf course, clubhouse and the hotel at reasonably scheduled intervals as approved by the Planning Director.

Landscaping in Parking Area:

A minimum of 15 percent of the open parking areas shall be landscaped subject to the approval of the Planning Director.

SPECIAL DESIGN CRITERIA:

Design:

All community-wide design standards described in Section A of Chapter IV shall be embodied in the architecture of this planning area. The following specific guidelines shall also be included for this planning area:

- * Strong architectural relief features shall be incorporated into the design of the Sports Center. The architectural design shall assure the preservation of views from ~~Pacific Rim Drive~~ Batiquitos Drive and La Costa Avenue.
- * The architecture of the Sports Center shall be compatible with that of the hotel and golf clubhouse.
- * Outdoor courtyards, patios and plazas should be included.
- * Special attention shall be given to the incorporation of the adjacent open space area as an amenity to the planning area.

Entry Treatment:

A secondary entry treatment shall be located at the intersection of ~~Pacific Rim Drive~~ Batiquitos and ~~"L" Street~~ Kingfisher Road.

Landscape:

All community-wide landscape standards described in Section A, Community Design Elements of Chapter IV shall be incorporated into this planning area. In addition, the following specific landscape concepts shall be included in the developments of this planning area:

- * ~~Landscaping for the parking structure shall incorporate perimeter berming, mounding and landscaping to screen the structure from views.~~
- * Landscape screening of the Sports Center, including the use of specimen trees, shall be incorporated to soften the view of these structures from ~~Pacific Rim~~ Batiquitos Drive and La Costa Avenue.
- * Views to and from the golf course, lagoon, ~~Pacific Rim~~ Batiquitos Drive and La Costa Avenue shall be preserved.

- * Existing trees identified during Site Development Plan review shall be preserved.
- * A fire suppression zone subject to the approval of the Planning Director and Fire Marshall shall be established between native/naturalized areas and structures. The fire suppression plan should incorporate structural setbacks from native areas in combination with a program of selective thinning of native vegetation subject to the approval of the Planning Director.

Open Space:

All open space areas shall be landscaped as described in the Landscape section above.

Trails:

A portion of the Stream and Lake Trail, which extends from Alga Road to Pacific Rim Batiquitos Drive, is located within this planning area. The onsite segment shall be constructed as a condition of development of this planning area.

Grading:

Any development within this planning area shall comply with the City's Hillside Development Regulations and the slope and resource preservation policies of the underlying local coastal program and subsequent coastal permit. Any application for development within this planning area shall require a slope analysis/biological resource map during Site Development Plan review.

PLANNING AREA 11

This Master Plan does not contain a Planning Area 11. The previous Planning Area 11 has been amended for inclusion into present Planning Area 10 through City of Carlsbad and Coastal Commission action MP 177(O) and LCPA 90-03(A) approved on _____ . As a result, Planning Area 11 no longer exists.

PLANNING AREA 11: COMMERCIAL

DESCRIPTION:

This 2.4 acre planning area includes one restaurant which will provide dining facilities primarily for guests of the resort, sports complex and residents of the area.

DEVELOPMENT STANDARDS: C-T

All development in Planning Area 11 shall conform to the standards of the C-T Commercial Tourist zone (Carlsbad Municipal Code, Chapter 21.29) unless otherwise noted in this chapter.

USE ALLOCATION:

One restaurant with a total gross floor area (including outdoor eating areas) not to exceed 10,000 sq. ft. including indoor and outdoor eating areas and related accessory uses listed below.

PERMITTED USES:

The following uses are allowed within this planning area: restaurants and related accessory retail uses such as bakeries or confectionery shops. Other similar uses are allowed upon the approval of the Planning Director. An architectural theme tower located near the water elements shall also be permitted. This theme tower shall not include any usable floor area.

SITE DEVELOPMENT STANDARDS:

Height:

The maximum height in this planning area is 30 feet as determined by Section 21.04.065 of the Carlsbad Municipal Code.

Setbacks:

The distance between structures shall not be less than 50 feet. All structures shall be located a minimum of 50 feet from "L" Street and all parking shall be located a minimum of 20 feet from "L" Street. All structures shall be located a minimum of 10 feet from Planning Area boundary.

Outdoor Storage:

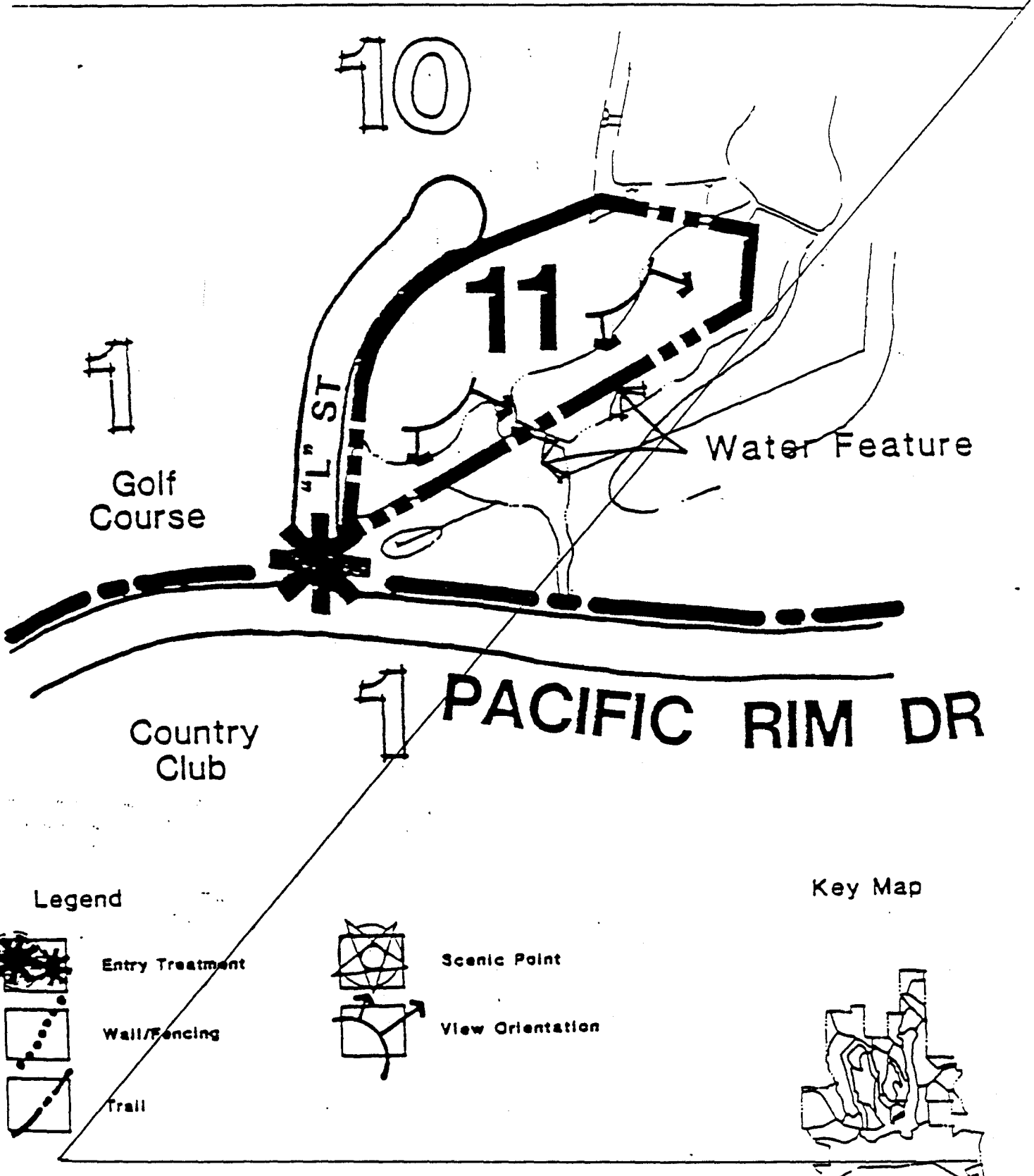
No outdoor storage permitted.

Loading Areas:




Loading areas shall be screened from the lagoon, streets and pedestrian areas.



Parking:

Parking shall be provided per the Parking Demand Study, Four Seasons Aviara Resort, dated February 28, 1990. The parking structure proposed within Planning Area 10 (Sports Center) shall be required to be constructed prior to any development within this Planning Area. A conditional use permit shall be required if shared parking between the hotel, sports center and restaurant is proposed. A shuttle service will provide transportation between the restaurants, sports center, golf course clubhouse and the hotel.

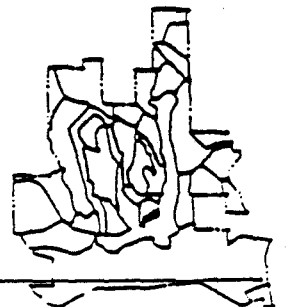


Legend

-  Entry Treatment
-  Wall/Fencing
-  Trail

-  Scenic Point
-  View Orientation

Key Map



Landscape in Parking Areas:

A minimum of 15 percent of the parking area shall be landscaped subject to the approval of the Planning Director. A minimum 320 square foot landscaped island shall be provided for every ten parking spaces.

SPECIAL DESIGN CRITERIA:

Design:

All community-wide design standards described in Section A of Chapter IV shall be embodied in the architecture of this planning area. The following specific guidelines shall be included for this planning area:

- * Outdoor courtyards, patios and plazas shall be included especially in the area of the water features.
- * Special attention shall be given to incorporate the adjacent open space area as an amenity to the planning area.
- * Strong architectural relief features shall be incorporated into the design of the restaurants. The architectural design shall assure the preservation of views from Pacific Rim Drive and La Costa Avenue.
- * The architecture of the restaurants shall be compatible with that of the hotel and Sports Center.
- * No restaurant wall or pole signs are allowed.

Entry Treatment:

A secondary entry element may be located at the planning area entry along Pacific Rim Drive.

Landscape:

All community-wide landscape standards described in Section A, Community Design Elements of Chapter IV shall be incorporated into this planning area. In addition, the following specific landscape concepts shall be included in the development of this planning area:

- * Landscape screening of restaurants shall be incorporated to soften views of structures from Pacific Rim Drive and La Costa Avenue.
- * Views to and from the golf course, lagoon, Pacific Rim Drive and La Costa Avenue shall be preserved.
- * Existing trees identified during Site Development Plan review shall be preserved.
- * A fire suppression zone subject to the approval of the Planning Director and Fire Marshal shall be established between native/naturalized areas and structures. The fire suppression plan should incorporate structural setbacks from native areas in combination with a program of selective thinning of native vegetation subject to the approval of the Planning

Director.

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~~All open parking shall be screened from Pacific Rim Drive by the use of berming and heavy landscaping.~~

Open Space:

All open space areas of this planning area shall be landscaped in accordance with the landscape criteria above.

Grading:

Any development within this planning area shall comply with the City's Hillside Development Regulations and the slope and resource preservation policies of the underlying local coastal program and subsequent coastal permit. Any application for development within this planning area shall require a slope analysis/biological resource map during Site Development Plan review.