

CALIFORNIA COASTAL COMMISSION  
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RECORD PACKET COPY

March 21, 1996

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: CHUCK DAMM, SOUTH COAST DISTRICT DIRECTOR  
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LAURINDA R. OWENS, COASTAL PROGRAM ANALYST, SAN DIEGO AREA OFFICE

SUBJECT: STAFF RECOMMENDATION ON MAJOR AMENDMENT NO. 1-96B (Village Area)  
TO THE CITY OF CARLSBAD LCP VILLAGE REDEVELOPMENT AREA SEGMENT  
(For Public Hearing and Possible Final Action at the Coastal  
Commission Hearing of April 9-12, 1996)

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SYNOPSIS

SUMMARY OF STAFF'S PRELIMINARY RECOMMENDATION

Staff recommends that, following a public hearing, the Commission deny the land use plan amendment as submitted and then approve the land use plan, subject to suggested modifications, and approve the implementation plan amendment, as submitted.

Major issues of concern in the LUP amendment are: the lack of sufficient information to implement an in-lieu fee parking program, including a starting fee and identification of sites where parking facilities will be constructed, for that portion of the plan area west of the railroad right-of-way nearest the shoreline; permitted private uses within the transportation corridor; and sufficient space on public sidewalks to allow pedestrian circulation in association with sidewalk cafes. In particular, Suggested Modifications #3-7 pertaining to the in-lieu fee parking program, will precipitate discussion.

The suggested modifications are contained in the report beginning on Page 6. The motions and resolutions for these actions begin on Page 4. The findings for rejection of the Land Use Plan, as submitted, begin on Page 8, the findings for certification, if modified, begin on Page 17. The findings for approval, as submitted, of the various revisions to the Carlsbad Municipal Code begin on Page 21.

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## BACKGROUND

The Carlsbad Village Redevelopment Plan along with the Village Design Manual, comprises the Land Use Plan for the Carlsbad Village Redevelopment Area which is part of the City of Carlsbad's certified LCP. The City's LCP contains six segments as follows: Agua Hedionda, Mello I, Mello II, West Batiquitos Lagoon/Sammis Properties, East Batiquitos Lagoon/Hunt Properties, and the subject LCP -- the Carlsbad Village Redevelopment Area. The Commission approved, with suggested modifications, the Carlsbad Village Redevelopment Area and Village Design Manual LCP of the City of Carlsbad's Local Coastal Program on May 14, 1987.

## SUMMARY OF THE LOCAL COASTAL PROGRAM SUBMITTAL

The Carlsbad Village Redevelopment Master Plan and Design Manual has been developed to address the coastal issues which have been identified by City staff, along with the citizens and business and property owners of Carlsbad, as well as other interested parties. The Village Redevelopment Area comprises the downtown commercial core of Carlsbad. The proposed submittal comprises a comprehensive updated Land Use Plan component for the Carlsbad Village area. The City's intention and goal was to refine the vision statement for the downtown area, establish more appropriate/updated land use requirements, define a scale and character for new development, and develop a new, improved strategy to further guide and coordinate public and private investment within the Village Redevelopment Area. As such, the newly proposed LUP component results in the rescission of the existing Village Design Manual. In addition, the City is also proposing an Implementation Plan amendment in the form of associated revisions to Chapters 2.24, 2.26, 21.35, 21.41 and 21.81 of the Carlsbad Municipal Code to assure consistency with the newly proposed Village Redevelopment Master Plan and Design Manual.

While overall there are no major changes to the uses permitted in the various land use sub-areas/land use districts, the new plan results in reorganization of the permitted uses and land use districts. The most significant change is that existing Sub-area 5, which is the prime commercial tourist area, has been reduced in size. This area includes Carlsbad Boulevard (Highway 101), as well as the areas both to the west of Carlsbad Boulevard extending to the nearshore areas, and approx. one to one-and-a-half blocks east of Carlsbad Boulevard to the railroad right-of-way.

Whereas the presently-certified plan contained five sub-areas, the new plan establishes nine land use districts as follows: District 1 - Carlsbad Village Center, District 2 - Office Support, District 3 - Freeway Commercial Support Area, District 4 - Residential Support, District 5 - Hispanic Mixed Use Support Area, District 6 - Service Commercial Support, District 7 - Office Support, District 8 - Residential Support, and District 9 - Tourism Support. Of these, only land use districts 1, 2, 4, 6, and 9 are within the coastal zone.

## ADDITIONAL INFORMATION

Further information on the "Carlsbad Village Master Plan and Design Manual" Local Coastal Program Land Use Plan (LCP) submittal may be obtained from Laurinda Owens at the San Diego Area Office of the Coastal Commission at 3111 Camino Del Rio North, Suite 200, San Diego, CA 92108, (619) 521-8036.

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## PART I. OVERVIEW

### A. PLAN AREA DESCRIPTION

The Carlsbad Village Redevelopment Plan area comprises a portion of the "inner-city" of the Carlsbad community. It contains approx. 90 acres of which approximately half is within the coastal zone (reference Exhibit No. 2). In general, the area is geographically bounded by Carlsbad Boulevard (Highway 101) and Garfield Street to the west, Buena Vista Lagoon to the north, I-5 to the east, and Walnut Avenue to the south. The western boundary of the plan area is only approx. one block inland of the ocean and the first public roadway, Ocean Street. Only one block southwest of Carlsbad Village Drive is Carlsbad State Beach, which is a popular recreational and visitor-destination point. The west side of the road has an improved pedestrian walkway which is heavily used by the public for strolling, jogging and viewing the ocean. Nearby coastal cities include Oceanside to the north and Encinitas to the south. Because the Village Redevelopment Plan LCP area is largely developed, and due to its relatively flat terrain, few of the issues that were addressed in the other segments of the Carlsbad LCP are addressed in the subject LCP segment.

### B. STANDARD OF REVIEW

The standard of review for the proposed land use plan is found in Section 30512(c) of the Coastal Act. This section requires the Commission to certify the LUP if it finds that it meets the requirements of Chapter 3 of the Coastal Act. Specifically, it states:

(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, 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 taken action by a majority vote of the Commissioners present.

C. SUMMARY OF PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in local coastal program development and states:

During the preparation, approval, certification, and amendment of any local coastal program, the public, as well as all affected governmental agencies, including special districts, shall be provided maximum opportunities to participate. Prior to submission of a local coastal program for approval, local governments shall hold a public hearing or hearings on that portion of the program which has not been subjected to public hearings within four years of such submission.

Regarding the proposed LUP amendment and related revisions to the municipal code, the City of Carlsbad Planning Commission and Design Review Board held two noticed public hearings on September 6, 1995 and on October 4, 1995. Notice of the subject amendment request has been distributed to all known interested parties.

PART II. LAND USE PLAN SUBMITTAL - RESOLUTIONS.

The staff recommends adoption of the following resolutions and findings after the close of the public hearing. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

- A. RESOLUTION I. (Resolution to deny certification of the Carlsbad Village Redevelopment Master Plan and Design Manual, as submitted)

MOTION I

I move that the Commission certify the Carlsbad Village Redevelopment Master Plan and Design Manual, 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 appointed Commissioners is needed to pass the motion.

Resolution I

The Commission hereby denies certification of the Carlsbad Village Redevelopment Master Plan and Design Manual Local Coastal Program LUP amendment and adopts the findings stated below on the grounds that the Local Coastal Program Land Use Plan will not 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 will not 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 does not meet the requirements of Section 21080.5(d)(2)(i) of the California Environmental Quality Act, as there would be feasible measures or feasible alternatives which would substantially lessen significant adverse impacts on the environment.

- B. RESOLUTION II (Resolution to approve, with suggested modifications, the the Carlsbad Village Redevelopment Master Plan and Design Manual)

MOTION II

I move that the Commission certify the Carlsbad Village Redevelopment Master Plan and Design Manual, if it is modified in conformance with the suggested policy revisions set forth in the staff report.

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 II

The Commission hereby certifies the Carlsbad Village Redevelopment Master Plan and Design Manual Local Coastal Program LUP amendment, subject to the following modifications, and adopts the findings stated below on the grounds that the Land Use Plan, if modified as suggested below, 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 will contain a specific access component as required by Section 30500 of the Coastal Act; the Land Use Plan 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 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.

- C. RESOLUTION III (Resolution to approve certification of the City of Carlsbad LCP Implementation Plan Amendment No. 1-96B, as submitted)

MOTION III

I move that the Commission reject the Carlsbad LCP Implementation Plan Amendment No. 1-96B.

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 III

The Commission hereby approves certification of the amendment to the City of Carlsbad's 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.

PART III. SUGGESTED MODIFICATIONS

The following are the suggested modifications to the City of Carlsbad's Land Use Plan amendment. The underlined sections represent additional language that the Commission would suggest be added, and the "crossed-out" sections represent the language which the Commission would suggest be deleted from the policy as originally submitted.

1) On page 2-25, under Chapter 2 - Land Uses, the reference to Timeshares after the word "Hotels" shall be struck in its entirety.

2) On page 2-26, under Chapter 2 - Land Uses, in the Land Use Table in the column under "Land Uses", "Timeshares" shall be inserted after "Shoe/Garment Repair" and before "Travel Agent". The Land Use Table shall also indicate that timeshares are a prohibited use in Land Use District 9.

3) On page 2-32, under Chapter 2 - Land Uses, for Transportation Corridor, the following language shall be revised to read as follows:

~~THE/FOLLOWING/USES/MAY/BE/PROVISIONALLY/PERMITTED~~

~~COMMERCIAL/AND/RETAIL/BUSINESSES~~

~~MIXED/USE/PROJECTS~~

~~RESIDENTIAL/PROJECTS~~

~~ALL/provisional/uses/will/be/reviewed/on/a/case-by-case/basis~~

Any other use, including commercial and retail businesses, mixed use projects or residential projects, shall not be permitted without the completion of a master plan for the transportation corridor which would need to be reviewed and approved by the Coastal Commission as a local coastal program amendment.

4) On page 2-60, of Chapter 2 - Land Uses, under Location and Development Criteria, the language shall be revised to read as follows:

~~3//Tables/should/be/placed/a/minimum/of/feet/from/the/curb/to  
allow/adequate/space/for/the/opening/of/vehicle/doors/~~

4. A clear area of at least five feet in width measured from the curb of the sidewalk inland must be maintained for pedestrian use on ~~over~~ the ~~entire/length/of/the~~ sidewalk in front of the business.

5) On page 3-7, under Parking Requirements for District 1, the following language shall be revised to read as follows:

District is located within Zone 1 of the In-Lieu Fee Parking Program which means that properties east of the AT&SF railroad right-of-way within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

6) On page 3-16, under Parking Requirements for District 6, the following language shall be revised to read as follows:

District is located within Zone 2 of the In-Lieu Fee Parking Program which means that properties east of the AT&SF railroad right-of-way within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

7) On page 3-22, under Chapter 3 - Development Standards for District 9, the following language shall be revised to read as follows:

The boundaries of District 9 are shown in the map provided in Figure 14. District 9 will continue to provide a wide mix of uses with an emphasis upon facilities, goods and services to tourists and regional visitors travelling along the coast. High quality hotels, ~~and/residents/restaurants/~~ restaurants and retail shops will be emphasized.

Additional institutional uses such as schools, professional care facilities and churches will be discouraged within this area. Those institutional uses which currently exist will be allowed to remain with legislative approval of a Master Plan for the use and related site(s).

8) On page 3-23, under Parking Requirements for District 9, the following language shall be revised to read as follows:

~~Properties/within/the/District/may/not/be/allowed/to/meet/a/portion/of/their/on-site/parking/requirements/by/paying/an/in-lieu/fee.~~  
Properties within the District may not be allowed to meet a portion of their on-site parking requirements by paying an in-lieu fee.

9) On page 6-1 of Chapter 6 - Parking Program, under Minimum Parking Requirements, the language shall be revised to read as follows:

The parking standards for on-site parking for the properties located within the Village Redevelopment Area are set forth in the charts which follow this page. The requirements set forth within the following charts reflect the shared trip and high turnover characteristics of parking in a neighborhood-oriented commercial district, such as the Village Redevelopment Area. The applicant for a project or a land use change shall be required to satisfy the on-site parking requirements as set forth within this Chapter. The applicant may satisfy the parking obligation by providing the parking on-site or by receiving approval to implement one of the options noted in the "Parking Options" section of this Chapter, provided, however, that the in-lieu fee option shall only be permitted for those properties located east of the AT&SF railroad right-of-way.

10) On page 6-5 of Chapter 6 - Parking Program, Parking Option #3, shall be revised to read as follows:

3. In-Lieu Fee may be paid toward maintenance of existing or development of future, public parking facilities only for those areas of the Village Redevelopment Area that are located east of the AT&SF railroad right-of-way. An in lieu fee parking program shall only be permitted in the remaining redevelopment area west of the railroad right-of-way when it can be demonstrated that a bonafide fee has been established to implement such a program, specific sites have been identified where parking facilities will be constructed and detailed criteria and procedures have been established for the annual assessment of parking utilization subject to the completion of a parking study or other technical information. The broader program must be first reviewed and approved by the Coastal Commission as a separate LCP amendment for areas west of the AT&SF railroad right-of-way. (See Page 6-6 for full description of the Agency's proposed In-Lieu Fee Program for the Village Redevelopment Area)

#### PART IV. FINDINGS FOR DENIAL OF THE CARLSBAD VILLAGE REDEVELOPMENT MASTER PLAN AND DESIGN MANUAL, AS SUBMITTED

A. Amendment Description. The subject amendment request will essentially result in repealing the existing Village Design Manual and replace it with a new "Village Redevelopment Master Plan and Design Manual" which functions as the principal LUP component for the Carlsbad Village Redevelopment area. The proposal also incorporates a new "Housing and Redevelopment Commission Policies and Procedures Manual" and amendments to Chapters 2.24, 2.26, 21.35, 21.41, and 21.81 of the Municipal code in order to assure consistency with the Code and Design Manual. The most significant changes are that the land use areas and boundaries have been reorganized and reconfigured within the plan area. The primary commercial-tourist area which has historically been along the Carlsbad Boulevard (Old Highway 101) corridor has been narrowed in size and the provision that visitor-serving commercial uses be required on the ground floor will no longer be mandated as specified in the existing LUP. However, businesses that provide goods and services related to the tourist industry and retail uses that serve coastal visitors are strongly encouraged

and promoted in the two new land use districts that straddle Carlsbad Boulevard (Old Highway 101). Generally, most of the land uses will remain the same for each of the land use districts as compared to the existing permitted uses. The LUP also provides for variances to the height and building coverages, proposes the implementation of parking options to satisfy on-site parking requirements--including an in-lieu fee parking program. In addition, sidewalk cafes will become a permitted use whereas presently they are not permitted pursuant to the municipal code.

B. CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT.

The Commission finds, pursuant to Section 30512.2(b) of the Coastal Act, that portions of the Land Use Plan as set forth in the preceding resolutions, are not in conformance 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 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 development 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.

The Commission therefore finds, for the specific reasons detailed below, that the land use plan does not conform with Chapter 3 of the Coastal Act or the goals of the state for the coastal zone with regards to parking and its potential adverse impacts on public access.

C. NONCONFORMITY WITH CHAPTER 3 POLICIES.

1. PARKING/PUBLIC ACCESS/PEDESTRIAN ORIENTATION. Sections 30210, 30211, 30212 and 30252 of the Coastal Act address the protection of coastal access. Sections 30212 and 30252 are most applicable and state, in part:

30212

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:...

(2) adequate access exists nearby, or,....

30252

The location and amount of new development should maintain and enhance public access to the coast by .... (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation....

As cited above, the Coastal Act has numerous policies related to the provision and protection of public access and recreation opportunities. Because there is a lack of sufficient parking in the nearshore areas the potential displacement of parking for beach visitors is a major issue at this location. On the whole, the Village Redevelopment Master Plan and Design Manual adequately includes detailed parking standards that will be required for the permitted uses for the various land use districts within the plan area. The ratios are consistent with other local governments within the coastal zone and in some cases, are stricter than similar uses in other jurisdictions. However, there are several specific issues that must be addressed. These include proposals for implementation of a parking management program, provisions for a sidewalk cafes and utilization of an in-lieu fee parking program.

a. Parking Options/In-Lieu Fee Parking Program. In addition, with regard to on-site parking requirements for new development, the LUP provides for various parking options that will be made available to property and business owners for new construction or redevelopment. As noted in the LUP, parking within the village redevelopment area has long been a constraint in the revitalization of Carlsbad Village because it has been difficult to accommodate on-site parking requirements on small parcels throughout the area. This is partly due to high land costs and the inability of small properties to generate enough revenue and still accommodate the required parking. Specifically, applicants will be able to meet their on-site parking requirements through 1) shared parking, 2) off-site parking, or, 3) payment of an in-lieu fee. Regarding shared use parking, the LUP provides that lease arrangements may be provided including joint or shared parking which will be reviewed on a case-by-case basis. The parking to be shared must be within 300 feet of the proposed development or business requiring the parking. Examples of this situation would be a restaurant's proposal to utilize a parking lot for a bank that is typically closed on the evenings or weekends.

The second type of parking option that will be provided to property owners and businesses is for off-site parking. This type of parking arrangement

typically involves entering into a lease agreement for the long-term provision of off-site parking. The distance between the approved parking and subject facility requiring the parking must also be 300 feet. Both of these types of parking situations--shared and off-site parking are common and have been reviewed and approved by the Commission for other jurisdictions through their LCPs.

However, of significant concern is the third option which involves payment of an in-lieu fee which will be paid toward maintenance of existing or development of future public parking facilities. As described in the plan, the monies would be pooled for all the districts within the village to support the development and maintenance of public parking. The fees are based upon a determination of the estimated cost of providing an above ground structured parking space, including land, construction, soft costs and maintenance. The in-lieu fees alone are not likely to equal the entire cost of new parking facilities on a per space basis. The fees will need to be matched or leveraged with other funding sources.

In order to implement the fee, the City proposes to establish two parking zones (Zone 1 and Zone 2). Essentially, Zone 1 is the central downtown commercial area consisting of approximately ten city blocks. Zone 2 is the remainder of the Village Redevelopment Area which also includes the nearshore areas west of Carlsbad Boulevard. (See Exhibit No. 6). For Zone 1, developers/property owners are allowed to make an in-lieu fee payment for up to 100% of the on-site parking requirement for the proposed new development, conversion and/or intensification of use if the property is located within 600 feet of an existing public parking facility. If the property is not located within 600 feet of an existing public parking facility but a new facility is proposed to be constructed and available for use within two years, an in-lieu fee payment of up to 100% of the parking requirement will be allowed. Properties that are not, and will not soon be, located within 600 feet of a parking facility, will be permitted an in-lieu fee payment of up to 50% of the on-site parking requirement.

For Zone 2, developers/property owners may be allowed to make an in-lieu fee payment up to 50% of the on-site parking requirement for the proposed new development if it is located within 600 feet of an existing public parking facility. If the property is not within 600 feet of such a facility, but one is proposed to be constructed within two years, an in-lieu fee payment of up to 50% will still be permitted. If the property is not, and will not soon be located within 600 feet of an existing or proposed parking facility, an in-lieu fee payment of 25% of the parking requirement will be permitted.

Pursuant to the map contained in the LUP, there are ten existing public parking lots within the redevelopment area which total 530 parking spaces (reference Exhibit No. 7). Of these lots, the NCTD lot which is situated next to the transit station in Carlsbad, contains 150 parking spaces, which is by far, the largest lot in the village area. However, based upon staff site inspection during a weekday, this lot was at near-full capacity, presumably by the users of the facility, thus making the availability of public parking at

this location on weekdays non-viable. There appeared to be ample available parking, however, in the remainder of the public parking lots in the village redevelopment area on a weekday.

In San Diego County, there are no local jurisdictions which presently utilize an in-lieu fee parking program in the coastal zone. The Commission recently certified, however, an LCP amendment to the City of Imperial Beach's LCP where the City had also proposed an in-lieu fee parking program. Similarly, that program had not yet been sufficiently developed to address Commission concerns regarding its potential impacts on parking for beach visitors. The Commission found that an in-lieu fee program could only be permitted when the City could demonstrate that the in-lieu fee was sufficient to provide off-site parking, subject to a future LCP amendment.

The problem with the subject in-lieu fee parking program is that it raises serious concerns with the potential impacts such a program may have on the availability of parking for beach visitors, particularly for those areas west of Carlsbad Boulevard. For example, the program would permit developers to pay a fee in lieu of providing anywhere from 25-50% of the on-site parking requirements for Zone 2 which includes all those areas in the redevelopment area west of Carlsbad Boulevard. However, there are no municipal parking facilities whatsoever on the west side of Carlsbad Boulevard within the redevelopment plan area. In that area, while there are several beach accessways, public parking is limited to on-street spaces. The majority of the public parking facilities are located either within the railroad right-of-way, one block east of Carlsbad Boulevard, or east of the railroad right-of-way.

On a related point, at the southern terminus and west side of Ocean Street, south of Oak Avenue, there is a public state-owned parking lot that contains approximately 50 parking spaces. However, this lot is just outside of the boundary of the village redevelopment area. Of those spaces, ten are limited to one-hour duration, but the remainder contain no time restrictions and there is no fee for the parking. Of particular concern is that any development occurring in close proximity to the public parking lot that is permitted to pay an in-lieu fee could result in usurption of those parking spaces in the interim absent the construction of a new public parking facility in the immediate area. It is also important to note that there is very little on-street parking available for beach visitors on Ocean Street, the first public road in Carlsbad in this area. There are numerous driveways leading to double-car garages for the oceanfront properties that exist on the west side of the road. On one of the blocks, Ocean Street is also restricted in terms of no parking being permitted on the east side of the Street between Christiansen Way and Grand Avenue. By the same token, there are numerous vertical accessways that lead from the street to the ocean and the area is heavily used by the public for swimming, surfing and sunbathing, etc.

It is also important to note that of the east-west streets that cross Carlsbad Boulevard, only Carlsbad Village Drive and Grand Avenue cross the AT&SF railroad right-of-way, in the immediate vicinity thus providing for easy

access to the beach. This increases the likelihood that beach visitors would park in close proximity to the railroad as well as resulting in increased competition between beach visitors and patrons of commercial-retail establishments in the area.

Carlsbad Boulevard itself, is limited in terms of on-street parking. Due to the presence of bicycle lanes, there are long stretches of the roadway where no on-street parking is available. As the road gets closer to Carlsbad Village Drive, there is some on-street parking. There is no on-street parking on Carlsbad Village Drive itself, however, in that area closest to, and immediately east of Carlsbad Boulevard. It appears that the largest reservoir of on-street parking are in those residential areas which are on the east side of Carlsbad Boulevard, south of Carlsbad Village Drive.

In the review of the LCP amendment request, Commission staff asked if the City had completed a parking study which assessed the availability of parking in the village redevelopment area. The City indicated that a parking study was completed in 1992. Upon review of that study, including maps and other information, the study area focused on the downtown area, approx. four blocks east of the railroad right-of-way. The area four blocks west of the right-of-way was also included in the survey. The findings of that survey revealed that there were approx. 2,418 parking spaces in the study area consisting of leased parking from the AT&SF railroad right-of-way, city-owned spaces and other private leased spaces. With regard to occupancy, on-street parking for ten out of thirty blocks in the core area (study area) reached peak occupancy or above capacity at least one time during the weekday. In addition, two of the nine public parking lots reached peak occupancy or were above capacity at least once during the weekday. Those lots were identified as those closest to the commercial district. It was also noted in the study that the parking surveys were conducted during the winter months but had it been conducted during the summer, there would have been an increase in the number of on-street and off-street public parking as a result of beach users. The two areas identified as those which would likely be used by beach visitors were the public (state) parking lot located at the southern terminus of Ocean Street (which is just outside the Village redevelopment area boundary as previously noted) and a public parking lot on the west side of the railroad tracks on Washington Street, south of Carlsbad Village Drive. It was noted that the existing public lots which service the commercial district east of the railroad tracks are over a quarter of a mile from the beach. As such, few beachgoers would use those parking areas. The study also indicated that as demand for beach parking increases, other strategies may be required to provide more parking exclusively for beach users. While the study focused on the commercial core area, there was a count taken of the percent occupancy of public and private spaces outside the core area on a winter weekday. Those figures revealed that, for the all areas located within one block of the ocean, the percent occupancy for a winter weekday ranged from 35% to 79%. By contrast, the percent occupancy for a winter weekday for public off-street parking ranged from 6% to 32%.

While the concept of an in-lieu fee parking program can be found acceptable, a

parking study of the beach area including the peak summer season and holidays is needed to document that such a program will not result in any impacts to beach access or parking. In addition, payment of an-lieu fee could be considered if there was an existing parking lot within 600 feet that had the capacity to to meet the partial parking requirement of the proposed development. But presently, there is insufficient information to support the implementation of an in-lieu fee parking program. It must be noted that the City has provided for conducting a parking utilization program to identify the available parking and possible effects the in-lieu fee program may have on parking. However, this study has not yet been done and is being proposed to occur simultaneously with implementation program. Furthermore, a commitment for regular monitoring would be required as well as identification of the criteria for assessing whether or not adequate public parking supplies were available in a given area.

In addition, another shortcoming of the program at present is that it does not state what the fee will be in monetary terms so as to judge reasonably its ability to result in any new parking, and there are no plans as to where a public parking facility will be located. Since much of this information has not yet been finalized, it is difficult to assess the level of impacts which might occur to public access opportunities and parking for beach access in this area. Implementation of such a program could significantly affect beach access and parking in any of the areas west of the railroad tracks. However, concerns pertaining to adequacy of parking or its affect on beach access are not considered a coastal issue for those areas east of the railroad tracks. Therefore, since the LUP is deficient regarding the amount and justification of the fee, the prospective location of future parking facilities as well as there has been no current assessment of potential impacts on coastal access and parking, the Commission cannot approve the program for those areas located west of the railroad right-of-way. The review of any future request by the City as an LCP amendment for such a program would need to include a detailed parking study, as earlier noted, and include specific information in terms of sites where such parking facilities will be constructed and the amount of the in-lieu fee to be imposed, etc. Absent this information at present, this chapter of the LUP cannot be found consistent with the public access policies of the Coastal Act. Therefore, the Commission finds that, as proposed, this policy group must be denied.

b. Parking Management Plan. The LUP also provides for a parking management plan for the village area. It is noted in the Plan that one of the problems of the downtown area is that employees of various businesses often use prime customer on-street parking. In order to solve this problem, the City is proposing a parking management plan which will result in limiting on-street parking to two hours (maximum) within a specified area (see Exhibit No. 6). All of the public parking lots within the core downtown area will remain as unlimited parking with no time restrictions--or fees. These lots will be available to merchants and employees in the village area, as well as the general public, who will be in the area for longer than two hours. Initially, Commission staff was concerned as to how this may affect parking for beach visitors or result in spillover effects to the west side of Carlsbad

Boulevard (Old Highway 101) which is in close proximity to the beach. However, given that all of the public parking lots within the village downtown area will remain unlimited and free of charge, the proposed change to implement a two-hour parking limit can be found acceptable. If a fee were imposed in the public parking lots, however, this could result in employees or patrons of the business area crossing the railroad tracks and seeking free parking on the west side of Carlsbad Boulevard which is near the beach. As very little public parking and on-street parking is available in the nearshore area west of Carlsbad Boulevard, this could seriously impede the availability of parking for beach visitors. However, in this case, it appears the public parking lots in the downtown area would be more convenient for patrons of the business establishments and since they will remain free, the management plan adoption should not result in any adverse impacts to public access in the nearby areas. However, it should be noted for the record, that should the City propose to implement any type of fee for any of the public parking lots, including installation of meters in the public parking lots or on-street parking, an amendment to the LCP will be required.

c. Sidewalk Cafes. In general, the LUP proposals for traffic and circulation improvements appear to be fully consistent with the Coastal Act since they will provide for better bike paths in the community, and pedestrian links throughout this area. As noted in the LUP, the Carlsbad Village area is a pedestrian-oriented neighborhood commercial center. As such, there are numerous facilities designed to cater to pedestrians in the community. Presently, sidewalk cafes are not a permitted use within the Carlsbad Village area. However, through the LUP amendment, sidewalk cafes will be provisionally permitted. As defined, an outdoor eating establishment that is located on public land is a "sidewalk cafe". An outdoor eating establishment that is located on private land is an "outdoor cafe". No additional parking will be required for any sidewalk cafe. However, parking will be required for an outdoor cafe if the amount of seating outside exceeds the amount of seating inside. The parking requirement will then be one space per each 100 sq.ft. of gross floor area for the amount of area that exceeds the amount of indoor seating.

In comparing the proposed parking ratios required for sidewalk cafes in the City of Carlsbad to other local jurisdictions, the City of San Diego and City of Encinitas LCPs were both approved by the Commission with a parking ratio of 1:200 sq.ft. of gross floor area for sidewalk or outdoor cafes. While there is some concern that, by not requiring any additional parking for sidewalk cafes or outdoor cafes that don't exceed the amount of indoor dining, cumulative impacts could result in reduced parking within the village redevelopment area. However, given that the proposed parking ratios are 1:100, which is more restrictive than the City of San Diego and Encinitas, for example, the stated parking provisions can be found acceptable.

On a related note, the LUP also contains location and development criteria for sidewalk cafes which provide that tables should be placed a minimum of two feet from the curb to allow adequate space for the opening of vehicle doors. Then the LUP goes on to state that a clear area of at least five feet in width

should be maintained for pedestrian use over the entire length of the sidewalk in front of the business. These two policies contradict one another as it appears that the permitted tables can be placed up to a distance of two feet from the curb. It is unclear where a five-foot clearance would be provided and it appears as though pedestrians will have to meander through a maze of tables on what could be almost the entire width of the sidewalk. In the City of San Diego, for example, the amount of area required to remain clear for pedestrian movement is measured from the curb towards the business establishment. This clearly delineates the area for pedestrians to move freely as the tables and chairs are sited as closely to the building as possible. In some areas in Orange County, restaurants place a movable rope or other barrier on a daily basis which separates the outdoor dining area from the sidewalk area available to pedestrians and the general public. However, in this particular case, the policies as written are insufficient to clearly delineate the boundaries to separate competing uses and cannot be found consistent with Coastal Act policies.

2. PUBLIC FACILITIES/USE PRIORITIES. Section 30212.2 states in part:

Wherever appropriate or feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

In addition, Section 30213 provides that lower cost visitor and recreational facilities shall be protected and that developments providing public recreational opportunities are preferred. Also, Section 30222 generally provides that private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private development except for Agricultural uses or coastal-dependent uses.

An additional concern raised by the LUP is with regard to the permitted uses within the Transportation Corridor which consists of the AT&SF railroad right-of-way. The LUP provides that where a property is located within a land use district but also within the transportation corridor, only open space types of uses can be permitted such as field and seed crops, and related agricultural uses, light rail-related uses such as transmission or repair facilities, light-rail stations, passive open space, bicycle paths, and private or public parking lots. These types of uses are all compatible with the transportation corridor, however, the LUP also allows for provisional type uses which include commercial and retail businesses, mixed-use projects and residential projects. These latter types of improvements cannot be found compatible with the types of uses which are permitted within railroad rights-of-way. Only open space type of uses should be permitted as opposed to permanent structures or large-scale development projects in such areas so that adequate land is reserved for the potential expansion of existing railroad facilities. Also, as noted, public and private parking lots are typically permitted in such areas, as is the case in the Carlsbad Village Redevelopment Area. There, many of the existing public parking lots are presently located

within the railroad right-of-way. Land in such areas should thus be reserved for potential parking uses in these areas. If any other type of use is proposed to be located in such areas, it should be subject to the completion of a master plan for this corridor which fully addresses the suitability of the land for the proposed use and assesses the potential impacts to the land's availability for parking, transportation needs or other alternate public uses, such as open space, pedestrian paths or bikeway. As such, this component of the Land Use Plan cannot be found consistent with Coastal Act policies, and as proposed, must be denied.

3. VISITOR-SERVING USE PRIORITY. Section 30222 of the Act basically states that private lands that can be used for visitor-serving commercial recreational facilities which can enhance public opportunities for coastal recreation should have priority over use for private development with the exception of agriculture or coastal-dependent industry. The existing LUP contains a policy that states:

"This sub-area is located within the coastal zone. Developments entirely devoted to visitor commercial uses are preferred in this sub-area. The entire ground floor of all projects shall be devoted to visitor commercial uses. Mixed use projects which do not meet this criteria including but not limited to time share projects, shall require approval by the Coastal Commission or its executive director as an amendment to the Local Coastal Program...."

As such, timeshares are not presently permitted by right within the commercial-tourist zone of this sub-area. As the existing Village Design Manual is proposed to be rescinded through the subject LUP amendment, this requirement will no longer be applicable. In addition, the table in the new Village Design Manual which contains the land uses permitted for the various land use districts includes timeshares along with hotels, as a permitted use for Land Use District 9, and as a provisional use in Land Use District 1. Allowing timeshares to be a permitted use within Land Use District 9 is inconsistent with the provisions of the LUP for this former sub-area which did not permit timeshares.

The LUP contains several policies that call for promoting tourist-related commercial land uses. The allowance of time-shares in visitor-serving areas is problematic because such units do not offer the same accessibility such as a traditional hotel or motel operation. Such units tend to be more exclusive because they are pre-booked and may involve a greater financial commitment. As such, these types of units are not clearly a high priority visitor-serving use because they are more restricted. Therefore, the LUP needs to contain policy language that prohibits time-shares in Land Use District 9. However, the Commission finds it can accept the allowance of time-shares in Land Use District 1, east of Carlsbad Boulevard, even though these uses would now be provisionally permitted in an area that was previously within a sub-area which did not allow such uses. However, given that on the whole, the re-configuration of the land use district boundaries has not affected the permitted uses within the sub-area, time-shares east of Carlsbad Boulevard

will not significantly affect the adequacy of visitor-serving commercial uses in the coastal zone. In summary, absent policy language to prohibit time-shares in Land Use District 9, this policy group cannot be found consistent with Section 30222 of the Act.

**PART V. FINDINGS FOR CERTIFICATION OF THE VILLAGE MASTER PLAN REDEVELOPMENT AREA AND VILLAGE DESIGN MANUAL, IF MODIFIED**

**A. SUMMARY FINDING/CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT.**

The Commission finds that the proposed LUP amendment for the City of Carlsbad is approvable, if modified, in such a fashion as to include adequate language pertaining to the in-lieu fee parking program and where it may be permitted, sidewalk cafes, timeshares and future redevelopment of the transportation corridor. The proposed suggested modifications to the LUP have been drafted for this purpose. With these revisions, the Commission can find the amended plan would be consistent with Chapter 3 policies to the extent necessary to achieve the basic State goals specified in Section 30001.5 of the Act, as previously cited.

**B. CHAPTER 3 CONSISTENCY.**

**1. PUBLIC ACCESS/PARKING/PEDESTRIAN-ORIENTATION.** The proposed LUP update was found inconsistent with the Coastal Act in the area of parking, especially with regard to the implementation of an in-lieu fee parking program. In particular, the land use plan amendment calls for the provision of an in-lieu fee parking program which property owners may participate in to meet portions of their on-site parking requirements, dependent on the parking zones they are located in. As noted in the findings for rejection of the LUP as submitted, the monies will be collected and deposited into a fund which will ultimately be used to build new parking facilities or maintain existing ones. However, the in-lieu fee parking program does not establish or justify an initial starting fee or identify areas where new parking facilities will be constructed. While the LUP is clear that it wants to promote a pedestrian orientation and revitalize the downtown area and that it is difficult for small properties to meet all of their on-site parking requirements, it leaves questions unanswered as to how this program would ultimately affect parking for beach visitors and patrons of surrounding commercial establishments. Of particular concern are those areas located west of the AT&SF railroad right-of-way to the western boundary of the plan area which is immediately adjacent to the ocean or at least one block inland from the ocean. As noted previously, there is very little in the way of formal parking for beach visitors in the southeast portion of the village redevelopment plan area and nearshore area immediately west of the plan area.

As such, suggested modifications have been added which specify that the in-lieu fee program can only be presently implemented for those areas of the village redevelopment area that are located east of the AT&SF railroad right-of-way. The modification further provides that such a program may only

be permitted beyond those limits when it can be demonstrated that an initial fee has been established and that sites have been identified where parking facilities will be constructed. In so doing, it can be assured that such a program will be adequate to provide off-site parking and preserve other parking reservoirs for beach visitors. Finally, the modification stipulates that such a program for that area west of the AT&SF railroad right-of-way will be based upon the completion of a parking study or other technical information, subject to an LCP amendment. As such, this aspect of the LUP for those areas west of the railroad right-of-way will not be implemented at present until further information is obtained. The Commission finds that all areas east of the railroad right-of-way do not raise any coastal concerns with regard to public access and the City may implement the program for those areas through this LCP amendment.

In addition, the LUP amendment was deficient in that it contained conflicting information with regard to the amount of sidewalk clearance that would be required for a sidewalk cafe. As written, it appeared that tables and chairs could be placed as close as two feet from the curb, but also provided that a width of five feet be provided for pedestrians. This raised concerns with regard to inhibiting pedestrian access in the village or nearshore area. For this reason, a suggested modification has been added which requires that a five foot wide area measured from the curb be provided to allow for pedestrian circulation on public sidewalks.

One last problem area of the LUP was that it provisionally permits commercial and retail businesses, mixed use and residential projects within the transportation corridor (AT&SF railroad right-of-way). Only open space types of uses, transportation improvements or other public uses should be allowed in the transportation corridor absent a master plan being developed for the corridor. As such, a suggested modification has been included which strikes the reference to these uses and instead specifies that if any non-public uses or large-scale development is proposed in the transportation corridor, a master plan must first be completed. Only through the review process associated with a master plan can all of the public use issues be addressed in terms of how such a proposal could be found compatible. Therefore, with the above-described suggested modifications, the Commission finds the proposed LUP amendment consistent with the applicable public access and recreation policies of Chapter 3 of the Coastal Act.

2. RECREATION/VISITOR-SERVING COMMERCIAL USES. Section 30222 of the Act states:

Section 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

On the whole, this entire policy group was found acceptable as submitted, with the exception of the allowance of time-share units in Land Use District 9. As noted in the findings for rejection of the Land Use Plan as submitted, the existing Village Design Manual, which is part of the certified LUP, contains specific language which prohibits timeshares as a permitted use in Sub-area 5 which is generally that area along the Carlsbad Boulevard frontage. The Coastal Act encourages visitor-serving commercial uses, however, time-shares are generally more expensive and can tend to be exclusive in that they are generally not as accessible as a traditional hotel. In addition, it must be acknowledged that the City has also proposed to reduce the size of this key commercial-visitor area through the reconfiguration of the newly proposed land use districts. As such, it is especially critical that principal visitor-serving commercial uses continue to be provided in this area. Therefore, suggested modifications have been included, which clarify through the land use table/matrix in the LUP, that timeshares are not a permitted use in Land Use District 9. Reference to this use as being permitted under the chapter that discusses District 9 has also been struck. With these modifications, the Commission finds the proposed LUP amendment can be found consistent with Section 30222 of the Act.

With regard to the overall plan, as noted previously, one of the major changes to the Carlsbad Village Redevelopment Area is that the various land use districts are being proposed to be reconfigured and renamed; however, the basic land uses permitted within each category remains about the same (reference Exhibit Nos. 3-5). With regard to the the provision of visitor-serving commercial uses, it should be noted that the existing Sub-area 5 is the key commercial-tourist zone within the redevelopment area which includes the nearshore areas, Carlsbad Boulevard and extends to the east to the railroad right-of-way. The existing character of this sub-area is related to tourist, highway commercial activities and the community's local heritage. The existing LUP contains a policy that calls for reserving Sub-area 5 for visitor-serving commercial uses with a specific requirement that all ground floor uses within this sub-areas be reserved entirely for such use. Initially, Commission staff had concerns regarding the provision of visitor-serving commercial uses in this sub-area not just in terms of existing designations, but also with regard to the reservation of land for visitor-serving commercial uses in the future. As population increases, and the demand for such uses increases as well, there must be assurance that adequate land will be reserved to meet the needs of tourists in this nearshore region. In addition, through the subject LCP amendment request, existing Sub-area 5, will be reconfigured and reduced in size, as well as re-named (Land Use District 9). Presently, the sub-area extends to the railroad right-of-way east of Carlsbad Boulevard. The re-configured sub-area (proposed Land Use District 9) will only follow along Carlsbad Boulevard more closely. This results in a reduction of approx. eight acres from the sub-area. In order to address this concern, the City submitted a copy of its land use study that was conducted of the existing commercial-tourist uses within this sub-area. The findings of that study revealed the following information in terms of existing and future visitor-serving uses within the existing Sub-area 5:

	<u>ACRES</u>	<u>PERCENT</u>
Current tourist-serving development within sub-area 5:	23.77	48.40%
Land reserved for future tourist-serving development within Sub-area 5:	7.99	16.27%
Not anticipated for future tourist-serving development (Carlsbad Lutheran Homes, Army/Navy Academy, and St. Michael's Church)	17.35	35.32%
Total current/future tourist-serving commercial development within Sub-area 5:	31.76	64.67%

For purposes of clarification, the second category listed that states, "land reserved for future tourist-serving commercial development" includes any presently vacant land or building or any existing uses that are not now presently visitor-serving commercial uses, which when redeveloped, will be required to be developed with visitor-serving commercial uses. As can be seen, approximately two-thirds of the land in this sub-area will be reserved for visitor-serving commercial uses in the future.

As noted above, the revised tourist district will be smaller. However, because these acres are comprised of a comparable mix of residential, office and other uses, in addition to visitor-serving commercial uses, the overall percentage of existing commercial-tourist serving uses and land reserved for future uses remains approximately the same (2/3 of the sub-area).

In terms of how the permitted uses in the two sub-areas compare to one another, the uses are very similar. However, a significant change is that offices and multi-family uses are provisionally allowed in the new Land Use District 1 which would not be allowed in existing Sub-area 5. In other words, for those areas that are being removed from existing sub-areas and included in the new Land Use District 1 (3-4 block area west of the railroad tracks to Carlsbad Boulevard), office and residential development would be permitted whereas now it is not. The LUP does provide that for all village properties also located within the coastal zone, the primary permitted land uses for all ground floor space shall be visitor-serving commercial uses. As specified, these include, in part, hotels, motels, restaurants, recreational or tourist information facilities, souvenir, gift or novelty shops and/or other services related to the tourist industry. However, any other land use which is not expressly prohibited would be permitted as a provisional or accessory use, subject to the redevelopment process. Nevertheless, since Land Use District 9 is still being designated as the key area for visitor-commercial uses, and the area has the ability to attract visitor-serving uses due to its unique setting along Carlsbad Boulevard/Old Highway 101 and proximity to the ocean, as well as Interstate-5, the proposed changes to the Land Use Districts 1 and 9 can be found acceptable. In addition, even though Land Use District 9 will be reduced in size, the City is still proposing a sizable area for visitor-

serving commercial uses and is not proposing to change the entire boundary for this prime visitor-serving commercial-tourist area.

On a related point, it should also be noted that the City is processing a site-specific LCP amendment simultaneously with the subject amendment request, to exempt an existing professional care facility, Carlsbad by the Sea Lutheran Homes, from the provision to provide visitor-serving commercial uses on the ground floor. While the subject LUP does not specifically identify that property by name, existing institutional uses are grandfathered and are identified as professional care facility, secondary school or religious institutions. In proposed Land Use District 9, there are three major institutions consisting of the Carlsbad Lutheran Homes professional care facility, St. Michael's Church and the Army/Navy Academy. Again, while these sites are not called out specifically in the LUP, it is evident that the reference is with regard to these institutions. As can be seen from the land use table, these uses total 17.35 areas (35% of land use district) which will not be recaptured as visitor-serving development. In summary, the Commission finds that adequate visitor-serving commercial uses will continue to be provided and adequate land reserved in the coastal zone for future use within this community and the proposed land use plan amendment can be found consistent Section 30222 of the Act.

3. LAND USE. The bulk of the proposed revisions to the Land Use Plan are acceptable as submitted. As noted in the LCP amendment description, the proposed LUP amendment will incorporate new land use districts within the Carlsbad Village Redevelopment Area. The proposed new land use districts are intended to meet the City's goal to eliminate blight and economically enhance the downtown area and to establish a "vision" for Carlsbad Village. As such, the land use districts were developed to provide a unique mixed use set of districts combining shopping and living facilities within a compact, pedestrian-oriented environment. The center of the "village area" is surrounded by the proposed seven support areas, each which emphasizes a specialized land use function as compared with the existing LUP which consists of five sub-areas. For the most part, the permitted land uses within the sub-areas and new land use districts are very similar, with the exception of office and residential uses that will now be provisionally permitted in that portion of the newly proposed Land Use District 1 that is proposed to be removed from existing Sub-area 5 as part of the reorganization of the land use areas. (This issue was fully addressed in the previous finding).

In addition, the new LUP contains a very detailed land use matrix which contains a listing of all the permitted uses in alphabetical order for each land use district including whether it is permitted by right, provisionally permitted or prohibited. The LUP also identifies special opportunities within the redevelopment area where other types of development may be considered by developers/property owners such as multi-family housing, rail station/specialty center, museum center, tourist hotel, residential infill, etc. All of the proposed revisions are acceptable as submitted and are in keeping with the City's overall goal through its new LUP to promote redevelopment of the Carlsbad Village area. Thus, the proposed changes to the

various land uses can be certified, pursuant to the City's request.

4. VISUAL RESOURCES. This policy group, as submitted, conforms with all applicable Chapter 3 policies of the Coastal Act. The LUP contains numerous policies under the various land use districts for the commercial area regarding installation of landscaping in parking lots, along City streets and project sites to enhance the visual quality of these areas. The LUP specifies that a minimum of 20% of the site must be contained in open space and landscaped. While the LUP does not contain the specific requirements for landscaping, it refers to the City of Carlsbad's Landscape Manual, which has been incorporated by reference. As such, the requirements for landscaping in new development projects will be assured.

In addition, the LUP also contains detailed policies regarding permitted signage within the village area. The LUP includes the various types of signs which are permitted, maximum allowable sign heights (e.g., five feet for monument signs) with provisions that no pole, roof or off-premise signs (including billboards) will be permitted.

The LUP also contains several very detailed pages of design and architectural guidelines for the village area. Several of these policies in this section address the siting of buildings on lots, placing parking behind structures, limiting curb cuts along major pedestrian areas, terracing of taller structures at upper levels, and special treatment of building facades and roof lines to enhance the "village-like" character of the city.

It should also be noted that the LUP provides that the building height permitted is 35 feet with a minimum 5:12 roof pitch. The maximum height permitted is 45 feet with minimum 5:12 roof pitch for any size project where a residence or commercial/office space is located over a parking garage. While variances may be permitted to exceed the standard height limit cited for the particular land use districts, such variances will only be granted if specific design criteria is met including that the development must not adversely impact views and will be compatible in scale and character with the village area. Also, as noted in a City staff report, the standards in most of the land use districts allow for a project to be built to 45 feet high only if the project site is larger than 1.5 acres or provides for a steep roof pitch. There are very few situations where a 45 foot high building would be permitted because there are very few sites in the village that are greater than 1.5 acres in size. According to the City, in no case will any building exceed a height of 45 feet.

In addition, the LUP also specifies various building coverage ranges for the different land use districts depending on the type of development being proposed (i.e., commercial, mixed use, residential). The lowest of the range is always the desired standard, however, an increase in the standard to the maximum may be permitted subject to a variance. Similar to the provisions for variances to height, variances for building coverage are subject to implementation of unique and special criteria. Given that detailed findings must be made before a variance to height and building coverages could be

granted, it is not anticipated that such variances will be used often. As such, the visual resources of the community should not be adversely affected by any provisions contained in the LUP regarding this issue. Therefore, in summary, inasmuch as this policy group contains provisions for protection of visual resources including landscaping and signage provisions, the Commission finds the Visual Resources policy group consistent with Chapter 3 policies of the Coastal Act, as submitted.

PART VI. FINDINGS FOR APPROVAL OF THE CITY OF CARLSBAD'S IMPLEMENTATION PLAN, AS SUBMITTED

1. Chapters 2.24, 2.26, 21.35, 21.41 and 21.81

a) Purpose and Intent of the Ordinances. The purpose and intent of Chapter 2.24 of the Carlsbad Municipal Code is to outline when the Design Review Board will be designated as planning commission for certain purposes. Chapter 2.26 pertains to establishing the policies and procedures of the review bodies such as as the Design Review Board, etc., including membership and voting requirements. The purpose and intent of Chapter 21.35 is to establish land use classifications and development standards and procedures for the Carlsbad Village Area redevelopment plan. The zone adopts the land use classifications and development standards of the Carlsbad Village Area Redevelopment Plan and the Village Design Manual as the zoning for the area designated. Chapter 21.41 is the sign ordinance for the City of Carlsbad. The purpose and intent of this chapter is establish the various sign standards throughout the City. Chapter 21.81 is the coastal development permit ordinance for the village redevelopment area. The purpose and intent of the ordinance is to establish the policies and procedures for obtaining a coastal development permit in the village redevelopment area.

b) Major Provisions of the Ordinance. The major provisions of the aforementioned chapters include the standards for membership and terms of appointment to the Design Review Board; the standards for the types of permits in the V-R Village Redevelopment Zone such as provisional uses, redevelopment permits, application requirements, requirements of the director of housing and redevelopment, appeals procedures to the housing and redevelopment commission, notices of public hearing and procedures for variances, etc. In addition, the major provisions related to the sign ordinance include the types of signs that are prohibited, procedures for removal of non-conforming signs, height limitations, provisions for campaign signs, etc. The major provisions of Chapter 21.81 (Coastal development permit ordinance/Village Redevelopment Area) include definitions of development, provisions for when a permit is required, types of development that is exempt from permit requirements, types of repair and maintenance projects requiring a coastal development permit, appeal procedures of the design review board decision, provisions regarding public hearings and appeals to the Coastal Commission including procedures for emergency permits.

c) Adequacy of the Ordinance to Implement the Certified LUP Segment. The

proposed revisions to the above-described chapters of the municipal code are designed to assure consistency between the new Village Redevelopment Master Plan and Design Manual and the municipal code. For example, the Village Redevelopment Zone will contain new provisions that reference the new master plan throughout each of its subsections. In addition, new language has been inserted into the municipal code which references the Housing and Redevelopment actions required for the village area. This will correlate with the new policies and procedures manual for the Housing and Redevelopment Commission. In addition, the new language in the sign ordinance will specify that the signage requirements of the village master plan area are subject to the new design manual for the village area (as opposed to the city-wide municipal code). The coastal development permit ordinance section of the municipal code is being updated to be current with post-certification procedures as well as establishing the review bodies that will be involved in the coastal development permit process (i.e., Design Review Board, Housing and Redevelopment Commission). Therefore, in summary, the Commission finds that the proposed ordinance revisions are in conformance with, and are adequate to implement the certified LUP.

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

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local governments 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. However, 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 to find that the LCP does conform with CEQA provisions. As currently proposed, the Commission finds that approval of the subject LCP amendment, as modified, would not result in significant environmental impacts under the meaning of the California Environmental Quality Act.

Coastal Act inconsistencies were identified in the land use plan's treatment of parking requirements, specifically, with regard to the provision of an in-lieu fee parking program, pedestrian circulation as related to sidewalk cafes, and permitted uses within the transportation corridor.

Specifically, adverse environmental impacts such as air pollution resulting from increased traffic and congestion, could result from the lack of adequate parking that could result from implementation of an in-lieu fee parking program. Additionally, such a program could adversely affect parking which is used for beach visitors. Suggested modifications have been included that specifically prohibit the in-lieu fee program for those areas nearest the shoreline pending detailed information of an in-lieu fee program including location of potential sites for parking facilities. In addition, adverse environmental impacts, such as air quality degradation and public safety concerns, could result from a lack of sufficient open space within the transportation corridor. A

suggested modification has been included which specifies that any uses other than open-space uses or light-rail related uses which complement the railroad right-of-way shall not be permitted without completion of a master plan. Therefore, the Commission has suggested a modification to bring the land use plan into full conformance with the Coastal Act. As modified, the Commission finds that approval of the subject LUP will not result in significant environmental impacts under the meaning of the California Environmental Quality Act.

In the case of the implementation plan amendment, the Commission finds that approval of the various proposed Municipal Code revisions, in and of themselves, would not result in significant impacts under the meaning of the California Environmental Quality Act. Because no significant environmental impacts have been identified in relation to those items, it is not necessary to address possible alternatives to those actions. Future individual development projects relying on these amendments will be reviewed for CEQA consistency by the City or Coastal Commission when they are proposed.

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HOUSING AND REDEVELOPMENT COMMISSION RESOLUTION NO. 271

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A RESOLUTION OF THE HOUSING AND REDEVELOPMENT COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING A LOCAL COASTAL PROGRAM AMENDMENT FOR THE VILLAGE SEGMENT OF THE CARLSBAD LOCAL COASTAL ZONE AND A REDEVELOPMENT AREA IMPLEMENTATION AMENDMENT WHICH INCLUDES 1) THE REPEAL OF THE EXISTING VILLAGE DESIGN MANUAL AND ADOPTION OF A NEW MANUAL ENTITLED THE "VILLAGE MASTER PLAN AND DESIGN MANUAL"; 2) MUNICIPAL CODE AMENDMENTS TO TITLE 2, CHAPTERS 2.24 AND 2.26 AND ZONE CODE AMENDMENTS TO TITLE 21, CHAPTERS 21.35, 21.41 AND 21.81 OF THE CARLSBAD MUNICIPAL CODE TO ENSURE IMPLEMENTATION CONSISTENCY WITH THE NEW MANUAL; AND 3) ADOPTION OF A HOUSING AND REDEVELOPMENT COMMISSION POLICIES AND PROCEDURES MANUAL.

CASE NAME: VILLAGE MASTER PLAN AND DESIGN MANUAL; MUNICIPAL AND ZONE CODE AMENDMENTS; HOUSING AND REDEVELOPMENT COMMISSION POLICIES AND PROCEDURES MANUAL.  
CASE NO: LCPA 95-10

WHEREAS, the Carlsbad Redevelopment Agency has filed a verified application for an amendment to the Local Coastal Program for the Village Redevelopment Segment of the Carlsbad Local Coastal Zone (and for all properties located within the Village Redevelopment Project Area) by adoption of a new Master Plan and Design Manual, zone code and municipal code amendments to ensure consistency with the new manual, and adoption of a Housing and Redevelopment Commission Policies and Procedures Manual; and

WHEREAS, said verified application constitutes a request for amendment as provided in Public Resources Code Sections 30510 et.seq.; and

WHEREAS, said verified application also constitutes a request for amendment of the Redevelopment Plan implementation as provided in the Village Redevelopment Area Land Use Plan; and

WHEREAS, the Design Review Board and the Planning Commission did recommend approval of the subject application;

EXHIBIT NO. 1  
Carlsbad LCPA #1-96B/  
Village Redevelopment Area  
Resolution of Approval

1           WHEREAS, the Housing and Redevelopment Commission did on the  
2 21st day of November, 1995, hold a duly noticed public hearings  
3 prescribed by law to consider said proposed Local Coastal Program  
4 Amendment, Zone Code Amendment and Redevelopment Plan  
5 implementation amendment; and

6           WHEREAS, at said public hearing, upon hearing and considering  
7 all testimony and arguments, if any, of all persons desiring to be  
8 heard, said Housing and Redevelopment Commission considered all  
9 factors relating to said Local Coastal Program Amendment and  
10 Redevelopment Plan implementation amendment.

11           NOW, THEREFORE, BE IT HEREBY RESOLVED by the Housing and  
12 Redevelopment Commission of the City of Carlsbad, as follows:

13           A) That the foregoing recitations are true and correct.

14           B) That based on the evidence presented at the public  
15 hearing, the Housing and Redevelopment Commission APPROVES LCPA  
16 95-10, which is a Redevelopment Plan implementation amendment  
17 which includes repeal of the Village Design Manual and adoption of  
18 a new Master Plan and Design Manual which includes a Zone Code  
19 Amendment, a Municipal Code Amendment and adoption of the Housing  
20 and Redevelopment Commission Policies and Procedures Manual, as  
21 shown in Exhibits "A"- "C", dated October 4, 1995, as revised, and  
22 as amended by the Commission or the City Council during the public  
23 hearing held on November 21, 1995, as follows and based on the  
24 following findings:

25           Amendments:

- 26           1. Height of project/building may be increased to 45 feet for  
27 any project which provides a structured parking facility;  
28 otherwise maximum height standard shall be 30 feet or 35 feet  
depending upon land use district in which property is  
located.

1 2. Sidewalk vendors shall not be permitted within the Village;  
2 this provisional land use shall be deleted from Master Plan  
and Design Manual.

3 3. The following standard shall be deleted from page 5-20 of  
4 Draft Master Plan and Design Manual:

5 "Total square footage of the sidewalk sign  
6 shall be included in the total calculation of  
7 maximum signage permitted for an individual  
8 business/building based on the standards set  
9 forth for the Village Redevelopment Area."

10 4. The following standards shall be added to the section of  
11 the Master Plan and Design Manual which addresses Sidewalk  
12 or Freestanding Signs:

13 "These sign regulations shall be subject to  
14 annual review by the Housing and Redevelopment  
15 Commission"; and

16 "All existing building signage for a business  
17 must conform to the sign standards set forth  
18 within the Master Plan and Design Manual  
19 before a permit will be approved for a  
20 sidewalk sign"; and

21 "A business arcade or courtyard area shall be  
22 allowed only one (1) tenant directory sidewalk  
23 sign upon which lists all of the businesses  
24 within an arcade or courtyard. Each single  
25 business within an arcade or courtyard is not  
26 allowed to have an individual sidewalk sign."

27 Findings:

28 1. The proposed amendment to the Local Coastal Program for  
the Village Redevelopment segment of the Carlsbad Local  
Coastal Zone is necessary to ensure the continued success  
of revitalization efforts, through the elimination of  
blight and economic development activities, within the  
Village Redevelopment Project Area of the City of  
Carlsbad.

2. The new land use policies within the Village Master Plan  
and Design Manual document provide for adequate visitor  
serving uses and provide for visitor serving commercial  
uses to satisfy future demand within the Coastal Zone.

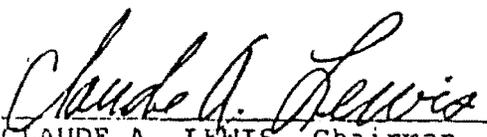
3. The proposed amendment to the Local Coastal Program  
provides for the maintenance of public access to local  
coastal resources and will have no negative impact on  
these resources.

...

1 4. The proposed amendment is consistent with the Carlsbad  
2 General Plan and the Carlsbad Village Redevelopment  
Plan/Local Coastal Program Land Use Plan.

3 PASSED, APPROVED AND ADOPTED at a regular meeting of the  
4 Housing and Redevelopment Commission of the City of Carlsbad,  
5 California, held on the 21st day of November, 1995, by the  
6 following vote to wit:

- 7 AYES: Commissioners Lewis, Kulchin, Finnila  
8 NOES: None  
9 ABSENT: Commissioners Nygaard, Hall  
10 ABSTAIN: None

11  
12   
13 CLAUDE A. LEWIS, Chairman

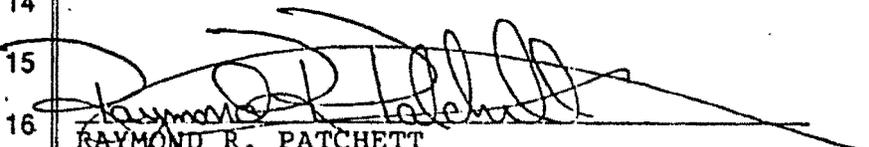
14 ATTEST:  
15   
16 RAYMOND R. PATCHETT  
17 Secretary to Commission

Figure 5 provides two maps which indicate the coastal zone boundaries for the Village Redevelopment Area. The shaded area indicates the coastal zone. All non-exempt development on properties within the Coastal Zone will require approval of a coastal development permit.

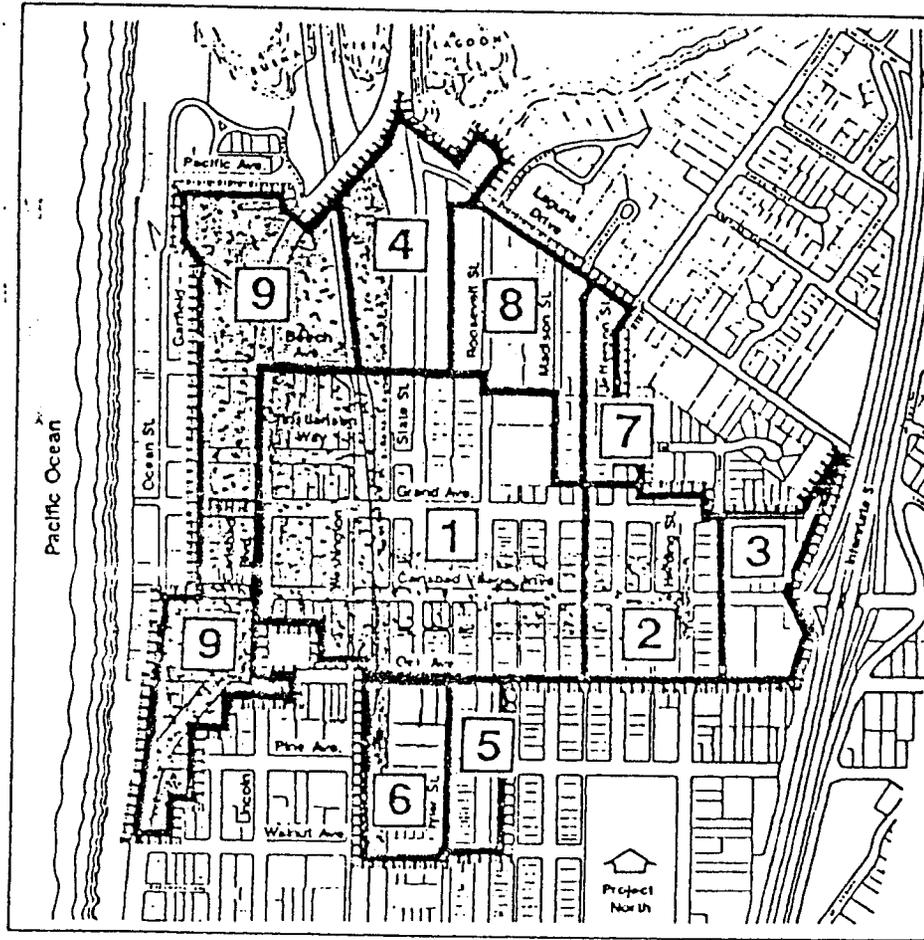
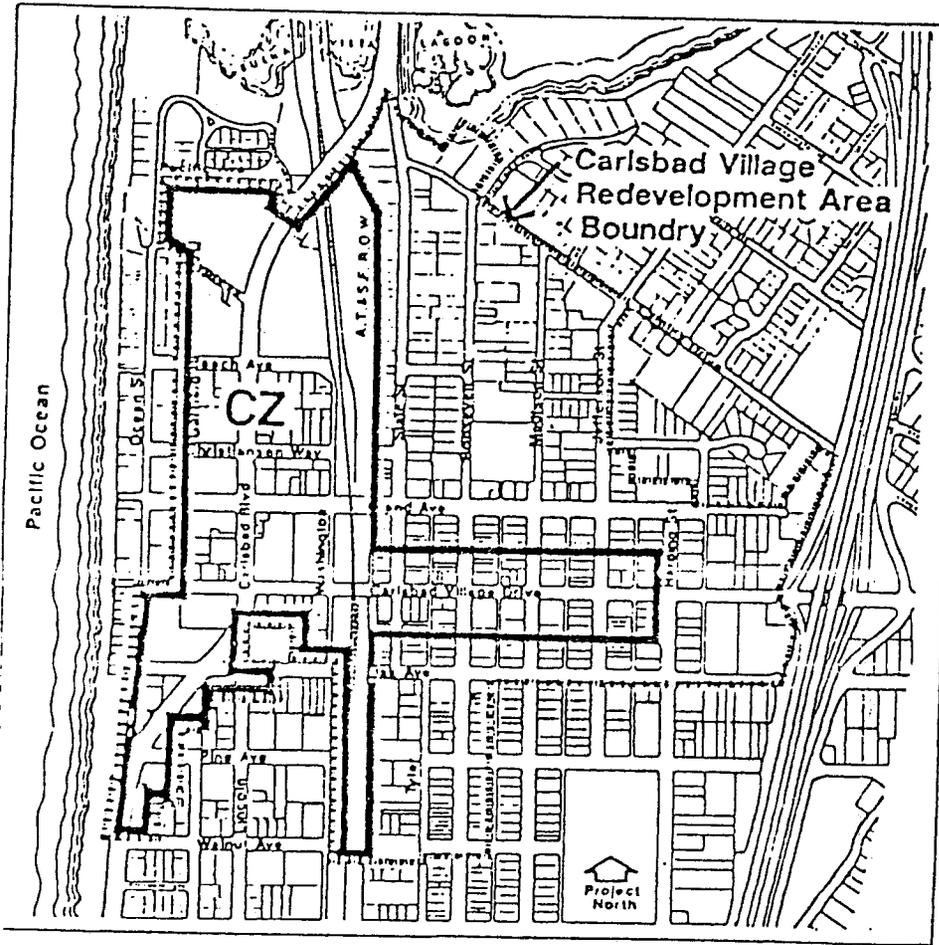
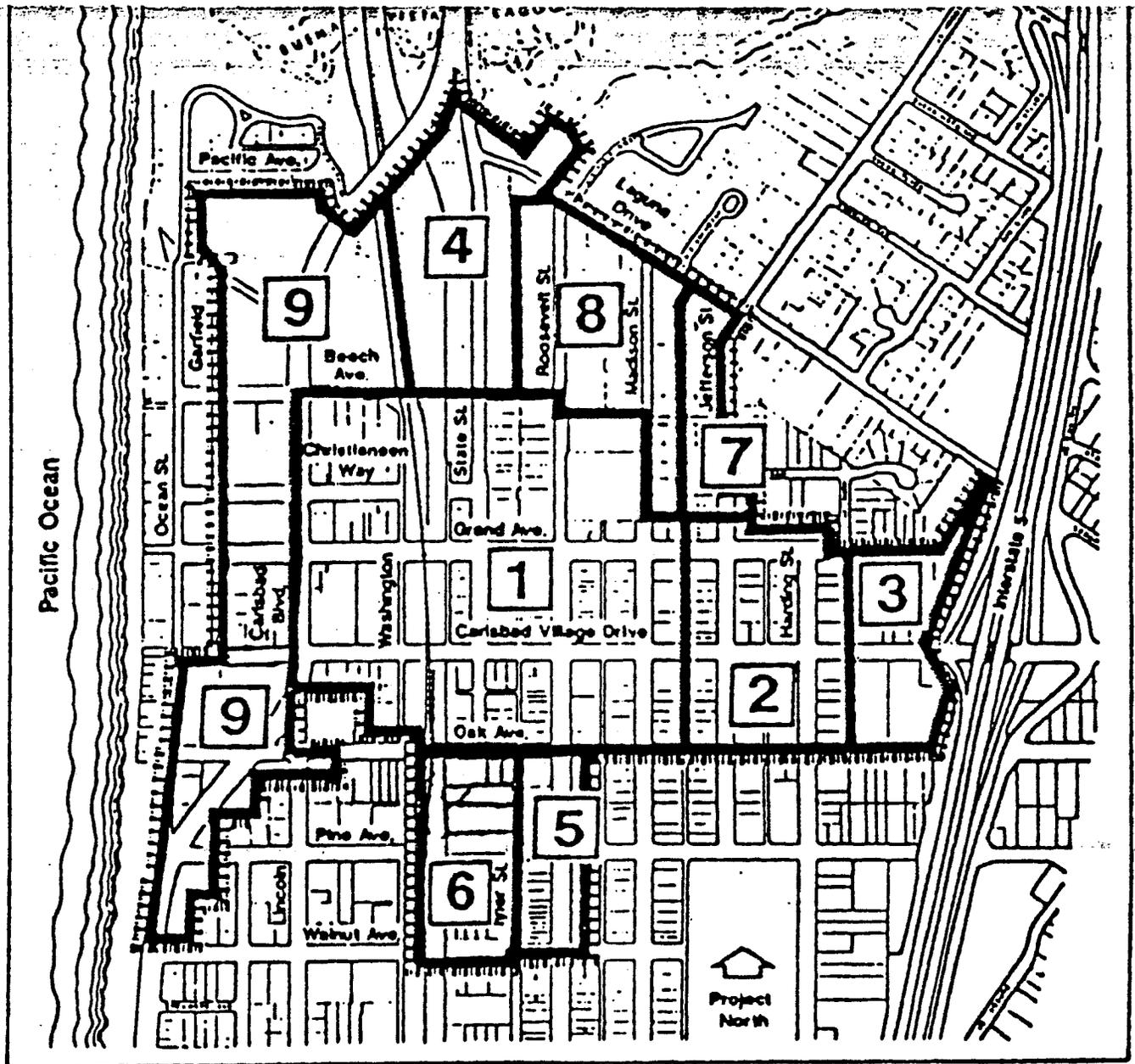


Figure 5. Village Redevelopment Area Boundaries and Coastal Zone Boundaries

Figure 5. Village Redevelopment Area Boundaries, Land Use District Boundaries and Coastal Zone Boundaries (shaded area).

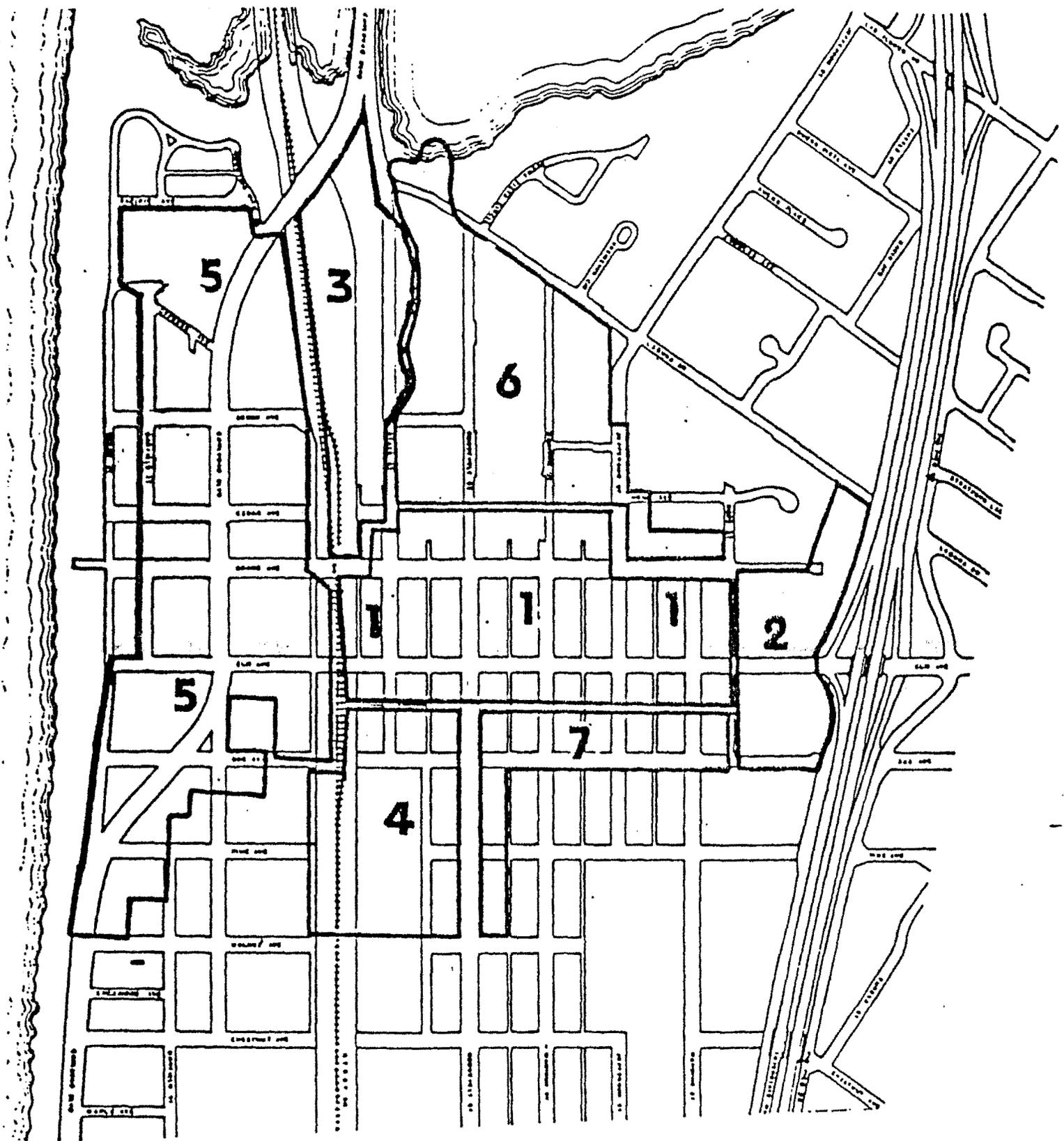


**Land Use Districts**

- District 1: Carlsbad Village Center
- District 2: Office Support
- District 3: Freeway Commercial Support
- District 4: Residential Support
- District 5: Hispanic Mixed Use Support
- District 6: Service Commercial Support
- District 7: Office Support
- District 8: Residential Support
- District 9: Tourism Support

# PROPOSED LAND USES

EXHIBIT NO. 3  
 Carlsbad LCPA #1-96B/  
 Village Redevelopment Area  
 Proposed Land Uses



# CARLSBAD VILLAGE REDEVELOPMENT PROJECT

SUB-AREA MAP

EXHIBIT NO. 4  
Carlsbad LCPA #1-96B/  
Village Redevelopment Area  
Existing Sub-areas



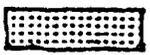
PACIFIC OCEAN



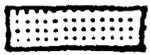
### VILLAGE AREA LAND USE MAP



COMMERCIAL AREA



SPECIAL TREATMENT VILLAGE  
CORE AREA



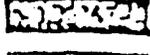
COMMERCIAL - LIMITED INDUSTRIAL



TRAVEL SERVICES COMMERCIAL



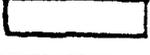
COMBINATION DISTRICT (RM, RMB, RC)



OPEN SPACE,



HIGH DENSITY RESIDENTIAL



LOW MEDIUM DENSITY "

EXHIBIT NO. 5  
Carlsbad LCPA #1-96B/  
Village Redevelopment Area  
Existing Land Uses

CARLSBAD VILLAGE  
REDEVELOPMENT  
PARKING PLAN

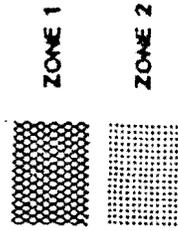
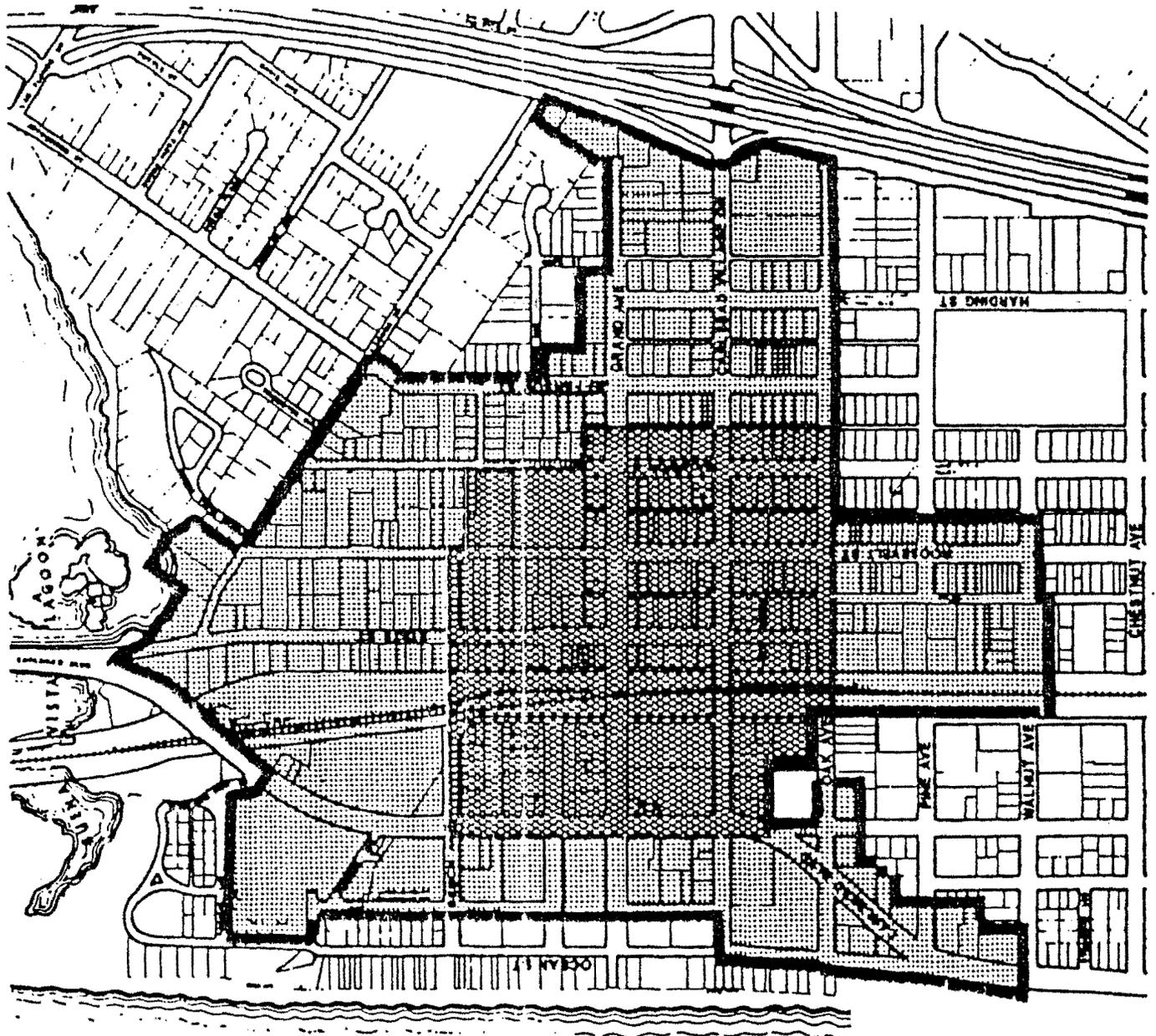


FIGURE 16



PACIFIC OCEAN

PACIFIC

EXHIBIT NO. 6  
Carlsbad LCPA #1-96B/  
Village Redevelopment Area  
Parking Plan Zones

**Public Parking Resources**

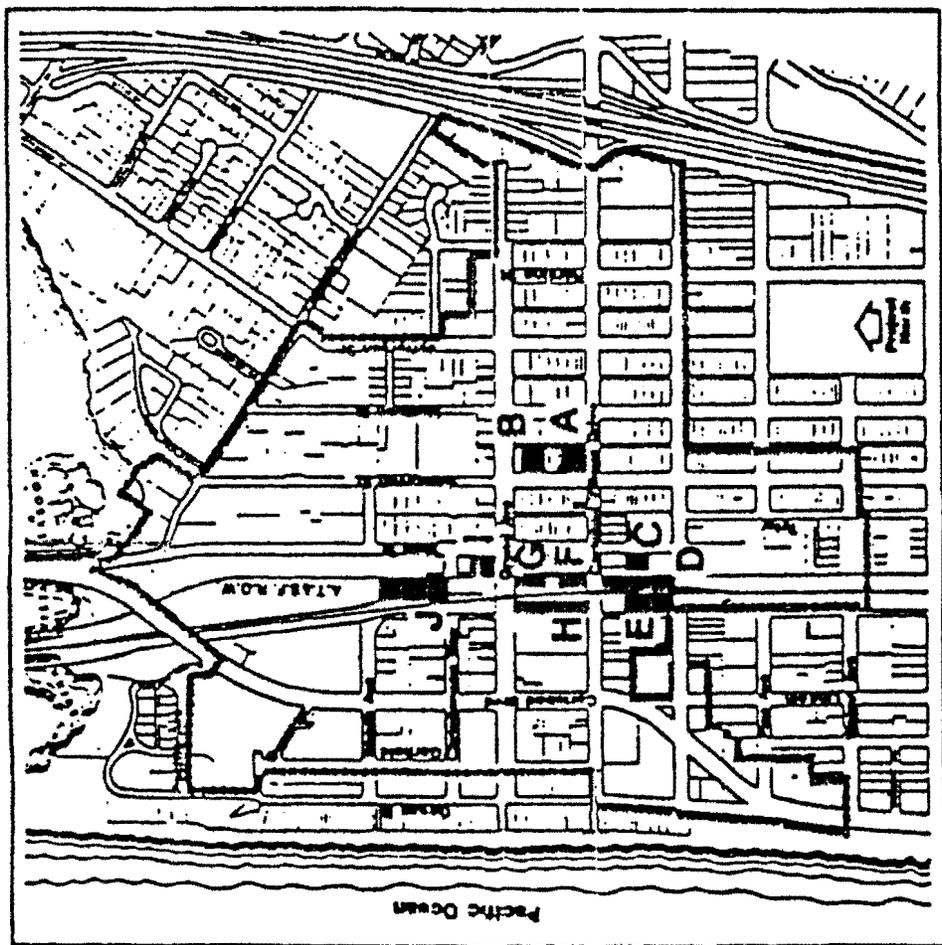


Figure 17

Existing Public Parking Resources

- A 51 spaces
- B 56 Spaces
- C 50 Spaces
- D 77 Spaces
- E 39 Spaces
- F 33 Spaces
- G 29 Spaces
- H 30 Spaces
- I 15 Spaces
- J 150 Spaces (MCTD Property)

EXHIBIT NO. 7  
 Carlsbad LCPA #1-96B/  
 Village Redevelopment Area  
 Location of Existing Public Parking  
 Facilities within Plan area

**PARKING PROGRAM**

CARLSBAD VILLAGE  
REDEVELOPMENT MASTER PLAN  
AND  
DESIGN MANUAL

Th 9c



RECORD PACKET COPY

CITY OF CARLSBAD, CALIFORNIA  
JANUARY, 1996

# CARLSBAD VILLAGE MASTER PLAN AND DESIGN MANUAL

## COMMISSION AND CITY COUNCIL

Claude A. Lewis, Chairman and Mayor

Julianne Nygaard, Vice-Chairman and  
Mayor Pro Tem

Ann Kulchin

Ramona Finnila

Matt Hall

## COMMISSION AND CITY STAFF

Raymond R. Patchett, Executive Director  
and City Manager

Martin Orenyak, Community Development  
Director

James F. Elliott, Financial Management  
Director

Ronald R. Ball, City Attorney

Evan E. Becker, Housing and  
Redevelopment Director

Michael Holzmilller, Planning Director

Lloyd Hubbs, City Engineer

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Tom Blake

Tom Erwin

Ofelia Escobedo

Steve Fehlhaber

Belynn Gonzales

Matt Hall

Mario Monroy

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Witt Rowlett

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Bob Wojcik, Principal Civil Engineer

prepared by  
HOUSING AND REDEVELOPMENT  
DEPARTMENT  
CITY OF CARLSBAD

## Preface

This document has been prepared to serve a variety of purposes. First, the Village Master Plan and Design Manual is the City of Carlsbad's Official Statement of design, land use and redevelopment strategy policy for the Village Redevelopment Area; it implements the Carlsbad Village Area Redevelopment Plan which is the legal document that establishes the boundaries of the redevelopment area and sets forth the framework for redevelopment activities. Second, the Village Redevelopment Master Plan and Design Manual, the Carlsbad Village Area Redevelopment Plan, together with the implementing ordinances and Manual of Policies and Procedures serve as the Local Coastal Program for the area pursuant to requirements of the California Coastal Act.

For the purposes of this document, the term "Master Plan" shall mean a "plan which gives overall guidance for redevelopment activities within the Village Redevelopment Area". The Village Redevelopment Plan is basically a specific plan which implements the General Plan for the City of Carlsbad within the Village Redevelopment Area. The Village Master Plan and Design Manual document is an implementing document which further specifies the land use policy and redevelopment strategy for the Village.

The document establishes a "Vision" for the ideal future character and development of the Village Redevelopment Area and then sets forth an implementation strategy or "roadmap" for obtaining the goals identified for the area by:

- ▣ Providing guidance to property owners, merchants, and others interested in development or property improvements within the Village;
- ▣ Providing guidance to City staff members in interpreting planning and zoning requirements for properties within the Village;
- ▣ Providing the Design Review Board with principles, standards and design guidelines which may be applied to proposed improvements within the Village; and,
- ▣ Providing a strategy for implementing various programs/projects to assist in eliminating blight and revitalizing the Village Redevelopment Area.

Upon approval by the Housing and Redevelopment Commission of the City of Carlsbad, this entire document shall replace the Village Design Manual adopted in 1982 and amended and certified by the Coastal Commission in 1988. For portions of the Village which are within the Coastal Zone, the land uses, standards and guidelines contained within this document shall not become effective until this amended document has been approved and certified by the State Coastal Commission or by its Executive Director pursuant to Coastal Commission regulations.

This document is divided into three (3) sections. Section 1 contains a brief history of the redevelopment area, a vision for the Village, goals and objectives and instructions for using the Manual. Section 2 consists of Chapters 2 through 8 which make up the Village Design Manual for the Village Redevelopment Area. This document is referenced in the Carlsbad Village Redevelopment Plan and serves as the official statement of design and land use policy for the Village. Section 3 contains the Implementation Program, or Strategy, for the redevelopment area for the next approximately ten (10) years of the Village Redevelopment Plan. The Village Design Manual (Section 2) primarily focuses on private development and public improvements related to development within the area. The Implementation Program addresses such issues as cultural activities, historic preservation, business attraction/retention and other activities which assist in the revitalization of the redevelopment area.

# TABLE OF CONTENTS

This document is divided into three (3) general sections:

## Section 1 - Introduction:

Chapter 1

## Section 2 - Village Design Manual:

Chapters 2 through 8

## Section 3 - Implementation Strategy

Chapter 9

## **1 INTRODUCTION - VILLAGE DESIGN MANUAL**

History.....	1-1
How to Use Manual.....	1-3
Vision, Goals & Objectives.....	1-4

## **2 LAND USES**

Organizational Concept.....	2-1
Functional Components.....	2-2
Districts/Parcel Numbers.....	2-9
Land Use Key.....	2-23
Land Use Charts by District.....	2-25
Provisional Land Uses.....	2-33
Non-Conforming Uses.....	2-65
Special Opportunities.....	2-66

## **3 DEVELOPMENT STANDARDS**

Regulatory Framework.....	3-1
Boundaries.....	3-2
Universal Standards.....	3-3
District 1 Standards.....	3-6
District 2 Standards.....	3-8
District 3 Standards.....	3-10
District 4 Standards.....	3-12
District 5 Standards.....	3-14
District 6 Standards.....	3-16
District 7 Standards.....	3-18
District 8 Standards.....	3-20
District 9 Standards.....	3-22

## **4 DESIGN GUIDELINES**

Basic Design Principles.....	4-1
Site Planning.....	4-2
Parking & Access.....	4-4
Building Forms.....	4-7
Roof Forms.....	4-9
Building Facades.....	4-11
Commercial Storefronts.....	4-15
Residential.....	4-18
Interim Conditions.....	4-21

## **5 SIGNAGE**

Regulations/Applicability.....	5-1
Maximum Signage.....	5-3
Wall Sign Standards.....	5-4
Projecting Sign Standards.....	5-6
Awning Sign Standards.....	5-8
Banner Sign Standards.....	5-9
Neon Sign Standards.....	5-10
Marquee Sign Standards.....	5-11
Hanging Sign Standards.....	5-12
Window Sign Standards.....	5-13
Plaque Sign Standards.....	5-14
Menu Sign Standards.....	5-15
Address Sign Standards.....	5-16
Tenant Directory Standards.....	5-17
Monument/Ground Signs.....	5-18
Sidewalk/Freestanding Signs.....	5-20
Sign Demonstration.....	5-22

TABLE OF CONTENTS

**6**  
**PARKING PROGRAM**

Parking Plan.....6-1  
Requirements.....6-2  
Parking Options .....6-5  
Parking In-Lieu Fee Program... 6-6  
Public Parking Management.....6-8  
In-Lieu Fee.....6-8  
Parking Management Plan.....6-11  
Parking Improvements.... 6-11  
Time Restricted Parking.... 6-12

**7**  
**DESIGN REVIEW AND  
DEVELOPMENT  
APPROVAL PROCESS**

Redevelopment Permits.....7-1  
Permit Types Chart.....7-2  
Authority Approvals.....7-3  
Processing Permits.....7-4  
Process Chart.....7-5

**8**  
**CIRCULATION PLANS**

Vehicle Circulation.....8-1  
Pedestrian Circulation.. 8-2

**9**  
**IMPLEMENTATION  
STRATEGY**

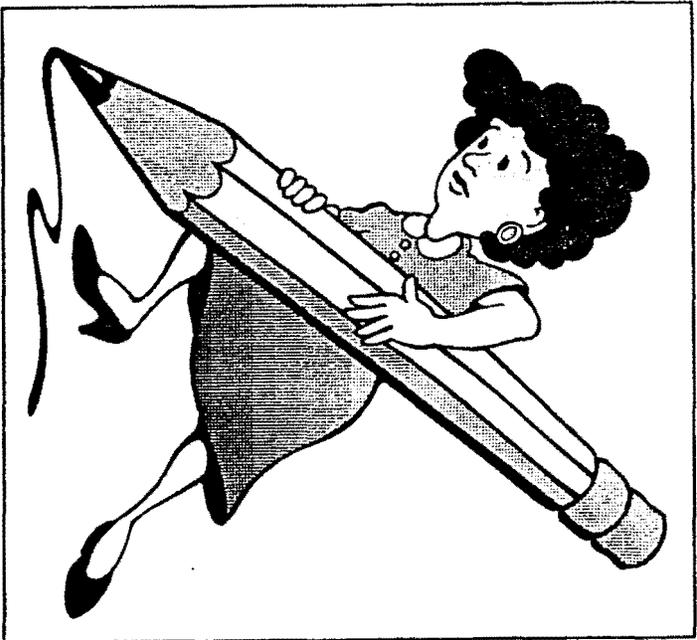
Introduction.....9-1  
Financing.....9-2  
Circulation Improvements.....9-3  
Public Improvements.....9-3  
Transporation.....9-3  
Cultural Facilities.....9-4  
Historic Preservation.....9-5  
Economic Restructuring.....9-6  
Building Improvements.....9-6  
Roles & Responsibilities.....9-7

**TABLE OF CONTENTS**

**LIST OF FIGURES:**

1. Carlsbad Village Area.....	1-1	18. 2 Hour Parking Zones.....	6-12
2. Village Planning Framework.....	2-1	19. Village Circulation Plan .....	8-1
3. Land Use Districts.....	2-9	20. Pedestrian Framework.....	8-2
4. Special Develop. Opportunities..	2-66		
5. Coastal Zone Boundaries .....	3-2		
6. District 1 Boundaries .....	3-6		
7. District 2 Boundaries.....	3-8		
8. District 3 Boundaries.....	3-10		
9. District 4 Boundaries .....	3-12		
10. District 5 Boundaries.....	3-14		
11. District 6 Boundaries.....	3-16		
12. District 7 Boundaries.....	3-18		
13. District 8 Boundaries.....	3-20		
14. District 9 Boundaries.....	3-22		
15. Typical Facade Signs.....	5-22		
16. Parking Zones.....	6-9		
17. Public Parking Locations.....	6-10		

**SECTION I**

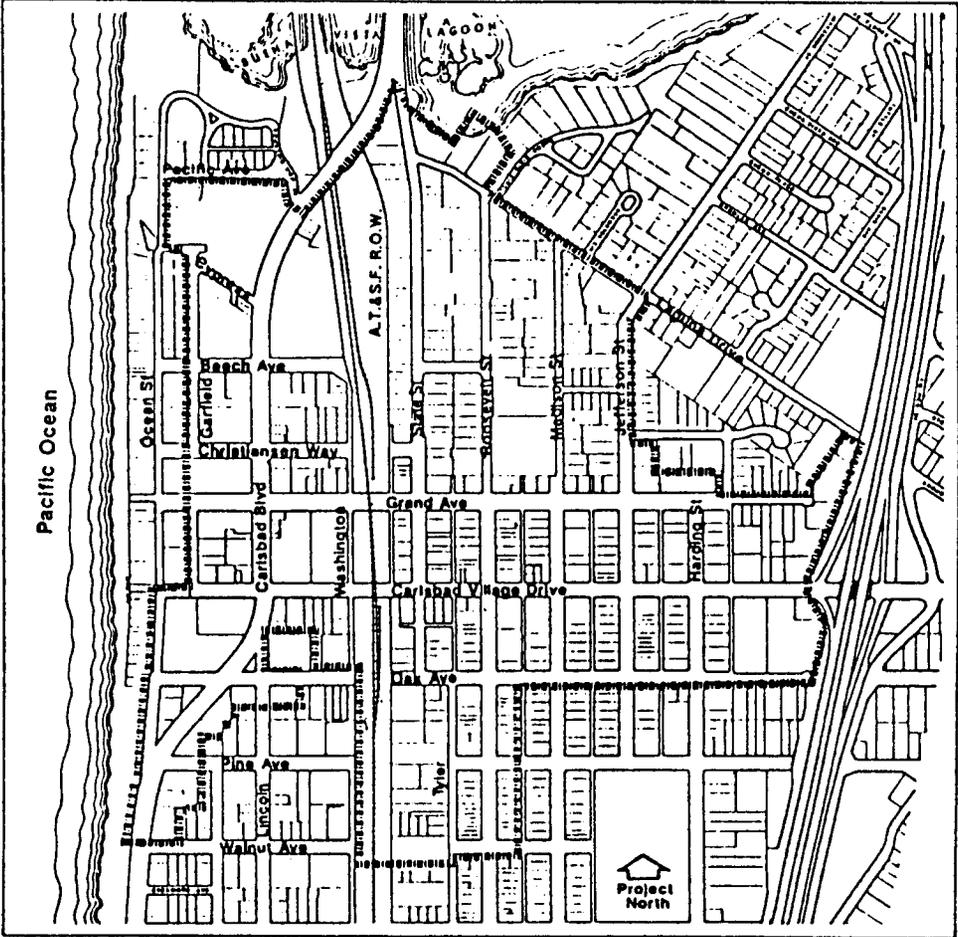


**1**  
**INTRODUCTION**

History

Carlsbad Village has a colorful history reaching at least back to the 1880's when the rail line linking San Diego and Los Angeles was constructed. In the mid-1880's an underground mineral water stream was tapped by John A. Frazier and the City was later named after the European spa city of Karlsbad, Bohemia in an effort to promote the fledgling City. The Village Area experienced early days of glory with the construction of large hotels and spas, but one hundred years later, by the 1980's, was beset by problems common to many older downtowns. Buildings were in many cases seriously dilapidated, competition from modern shopping centers had sucked away much of the area's commercial vitality and the small lot sizes and patterns made new construction to current City development standards difficult and in some cases impossible.

In response to these problems, the Carlsbad Housing and Redevelopment Commission established the Village Area as a Redevelopment Project Area under California Redevelopment Law in 1981 (Figure 1). Using the powers granted by that law, the City proceeded to address blighted conditions within the Village. Codes were enforced, some properties were acquired, public parking lots were established, overhead utilities were undergrounded, public improvements were constructed and a host of other actions were taken with highly visible results. The Redevelopment Plan and accompanying Village Design Manual



Carlsbad Village Area

Figure 1

## History

were used as the basis for the City's Local Coastal Plan under the California Coastal Act and a separate chapter of the City's Zoning Ordinance was prepared for the Village Redevelopment Area.

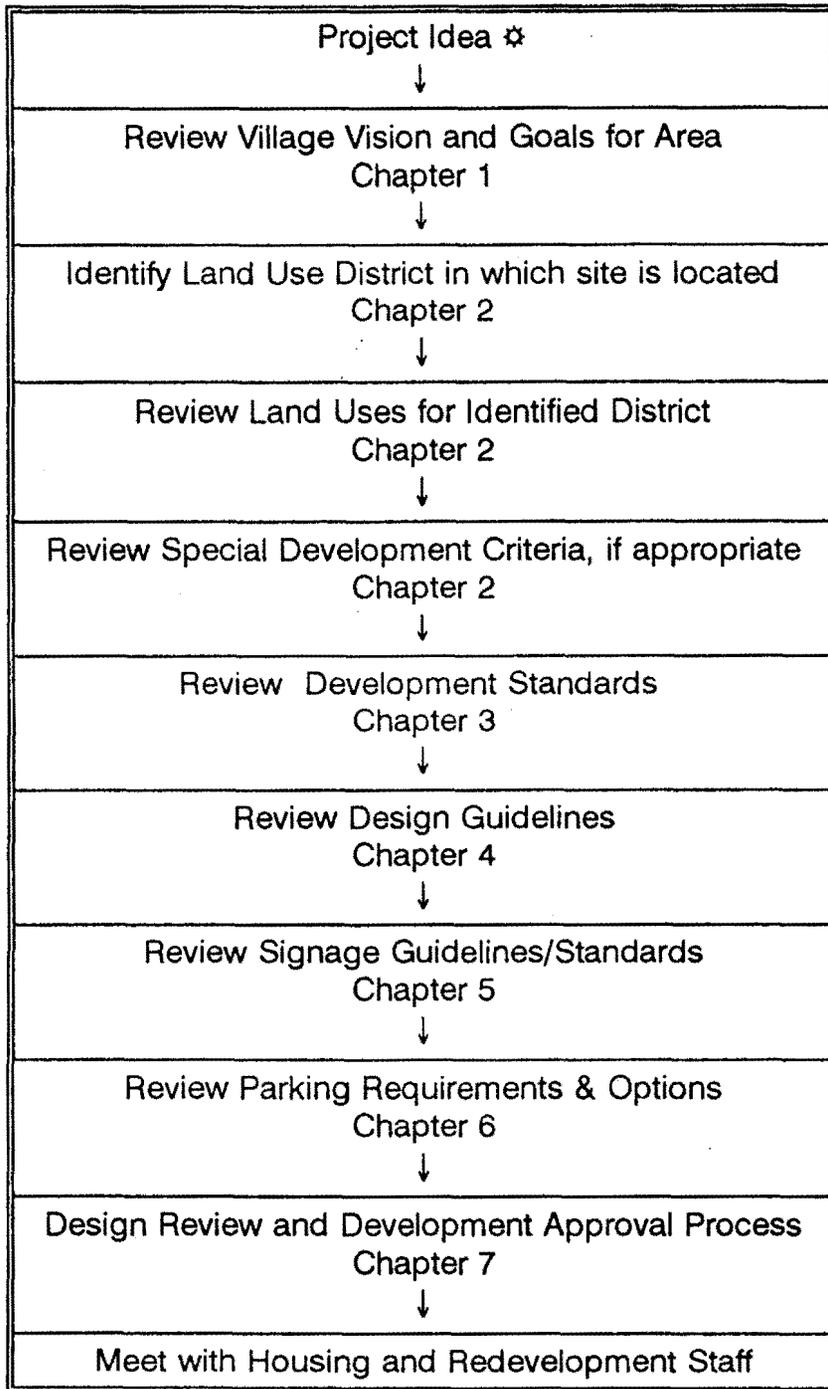
In 1986, a Carlsbad Redevelopment Area Economic, Circulation and Design Study was undertaken by a private consulting team to assess the progress which had been accomplished since 1981 and to set planning, design and implementation priorities for the immediate future. Those studies and the resulting public improvements served to reinforce the visions of the Village as outlined in the original Village Design Manual which was updated in 1988.

After ten (10) years of effort in redeveloping the Village Area, the Carlsbad Redevelopment Agency decided it was time again to step back and look at the actions that had been taken to date to eliminate blight and economically enhance the downtown area. In 1992, the Agency initiated a comprehensive review/planning process to refine the vision for the downtown area, establish more appropriate land use requirements, define a supportive development scale and character, and develop a new strategy to further guide and coordinate public and private investment within the Village Redevelopment Area. The primary purpose of the comprehensive review was to establish a "vision" for what the Village would look like when the term of the Redevelopment Plan expires and then develop the "roadmap" for getting to the vision of the future downtown. It was very important for the Redevelopment Agency to take a look at "where it had been" and "where it was going."

Extensive interviews with Carlsbad residents, business people, property owners, and community leaders were conducted and public workshops were held to assist in defining problems and the future role of the Village within the City of Carlsbad. Technical studies addressing land use, circulation, parking and future economic potentials were completed by the consultant team, led by the Cannon Design Group. To assist in providing further insight into the history and future vision for the Village Area and to provide community feedback, the City Council appointed an eleven member (with 2 alternates) Master Plan Citizens Advisory Committee. The Committee consisted of: one Planning Commissioner; one Traffic Safety Commissioner; two Housing and Redevelopment Advisory Committee Members; one representative of the Village Business Association; one Village Business Owner; one citizen-at-large; and, one representative from each of the four quadrants of the City. There were also two alternates assigned to the Committee which generally served as full voting members related to the various actions taken by the Committee.

The Master Plan Advisory Committee held extensive public meetings to review and comment on the consultant team's evaluation of current problems, recommended strategies and proposed land use, parking and design regulations. The Committee provided an excellent representation of interested parties throughout the City and was quite effective in identifying a "vision" for the Village Redevelopment Area and developing appropriate goals and objectives for future activities.

## INTRODUCTION



## HOW TO USE THE VILLAGE DESIGN MANUAL

This flow chart is intended to assist persons in understanding the organization of this Village Design Manual.

In developing the Manual, the intent was to provide an easy to read document which progresses in a rational approach based on the order in which project applicants will need to resolve questions and issues as related to a proposed project or activity to be developed within the Village Redevelopment Area.

The Manual can be used for the purposes of determining the acceptability of a project and the regulations governing development in the Village. It is organized in a manner which allows a project applicant to move from the basic question regarding permitted/desired land uses to the more complex issues related to project design and the process to gain approval of the project by the City/Redevelopment Agency.

If at any time, a project applicant is in doubt about a project or is confused by the information provided within this Manual, he/she is encouraged to contact the City of Calsbad's Housing and Redevelopment Department directly for clarification purposes. It is also always recommended that a project applicant meet directly with staff of the Housing and Redevelopment Department before proceeding with the final submittal of a project application.

## VILLAGE VISION

The **VISION** for the Village Redevelopment Area of Carlsbad is:

- X The Village has a distinct visual identity that makes it unique and a memorable place with identifiable landmarks.
- X The Village strives for excellence through high quality, well-designed private development and public improvements.
- X The Village accommodates a wide range of land uses and also serves as a specialty retail center for the entire City of Carlsbad.
- X The Village has a strong civic character and provides a place for people to come to be a part of important community events.
- X The Village is a comfortable and safe place to work, shop, visit and live.
- X The Village demonstrates a welcoming attitude and a spirit of cooperation to new businesses and developers who are interested in becoming a part of the downtown.

## VILLAGE GOALS AND OBJECTIVES

The goals and objectives outlined within this section have been established to guide and direct redevelopment activities to help make the "vision" a reality.

### **GOAL 1: Establish Carlsbad Village as a Quality Shopping, Working and Living Environment**

#### **Objectives:**

- 1.1 Remove blighting conditions from the Village.
- 1.2 Retain and increase uses serving Carlsbad residents.
- 1.3 Attract additional tourist-serving uses.
- 1.4 Encourage uses which are complementary to the new rail station.
- 1.5 Reinforce pedestrian retail continuity within the Village commercial areas.
- 1.6 Limit commercial development in and adjacent to residential neighborhoods.
- 1.7 Improve the condition and appearance

of the current Village housing stock.

- 1.8 Increase the number, quality, diversity and affordability of housing units within the Village.

### **GOAL 2: Improve the Pedestrian and Vehicular Circulation in the Village Area.**

#### **Objectives:**

- 2.1 Minimize pedestrian/vehicular conflicts along major pedestrian walkways.
- 2.2 Provide a stronger pedestrian linkage between Carlsbad Boulevard and State Street.
- 2.3 Establish a quality pedestrian environment along North State Street.
- 2.4 Improve access to North State Street.
- 2.5 Establish sidewalks throughout the Village area.
- 2.6 Promote use of rail transit and other modes of public transportation to improve vehicular and pedestrian circulation throughout the Village.

**GOAL 3: Stimulate Property Improvements and New Development in the Village**

**Objectives:**

- 3.1 Establish development standards which recognize the unique small lot conditions within the Village.
- 3.2 Establish a parking program which allows off-site parking in public lots with payment of a fee.
- 3.3 Increase the intensity of development within the Village.
- 3.4 Encourage mixed use development projects in the Village.
- 3.5 Provide greater certainty as to acceptable land uses and development intensities.
- 3.6 Simplify the project application and review process.

**GOAL 4: Improve the Physical Appearance of the Village Area.**

**Objectives:**

- 4.1 Reinforce the Village character with appropriate site planning, architectural design and signage guidelines and standards.
- 4.2 Establish commercial buildings whose scale and character are compatible with Village residential neighborhoods.
- 4.3 Minimize the land area required to accommodate additional parking in the Village, anticipating the need for structured parking.
- 4.4 Create a sense of design unity and character while encouraging design diversity.
- 4.5 Require design sensitivity to surrounding development within the area.

***Goals and Objectives***



## Goals and Objectives



### Goal 5

Provide signage which is supportive of commercial vitality and a unique Village image.

#### Objectives:

##### 5.1

Reinforce the positive image of Carlsbad Village with appropriately designed and scaled signage.

##### 5.2

Use signage to establish a unique visual image for the Village.

##### 5.3

Encourage pedestrian-oriented signs.

##### 5.4

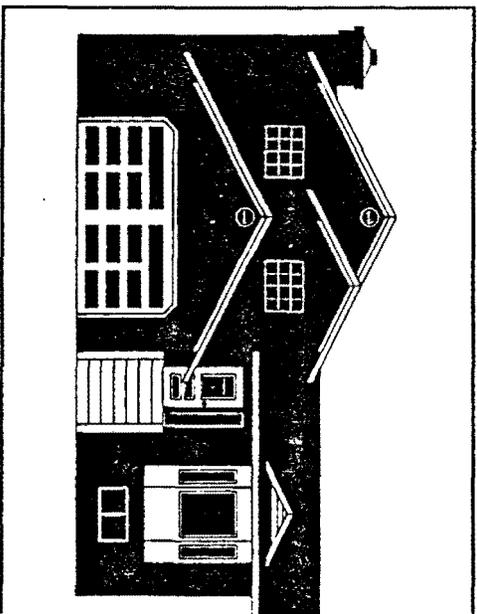
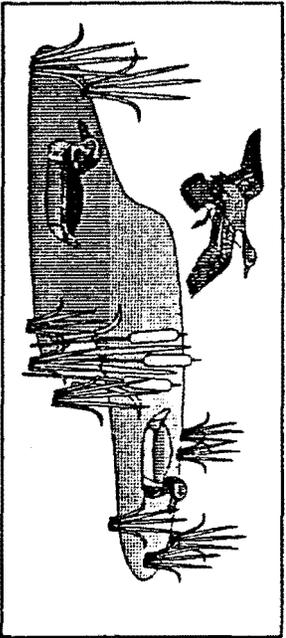
Insure that signage is compatible with the architecture of each structure and its unique location.

##### 5.5

Encourage signs which reflect the special type or personality of each business.

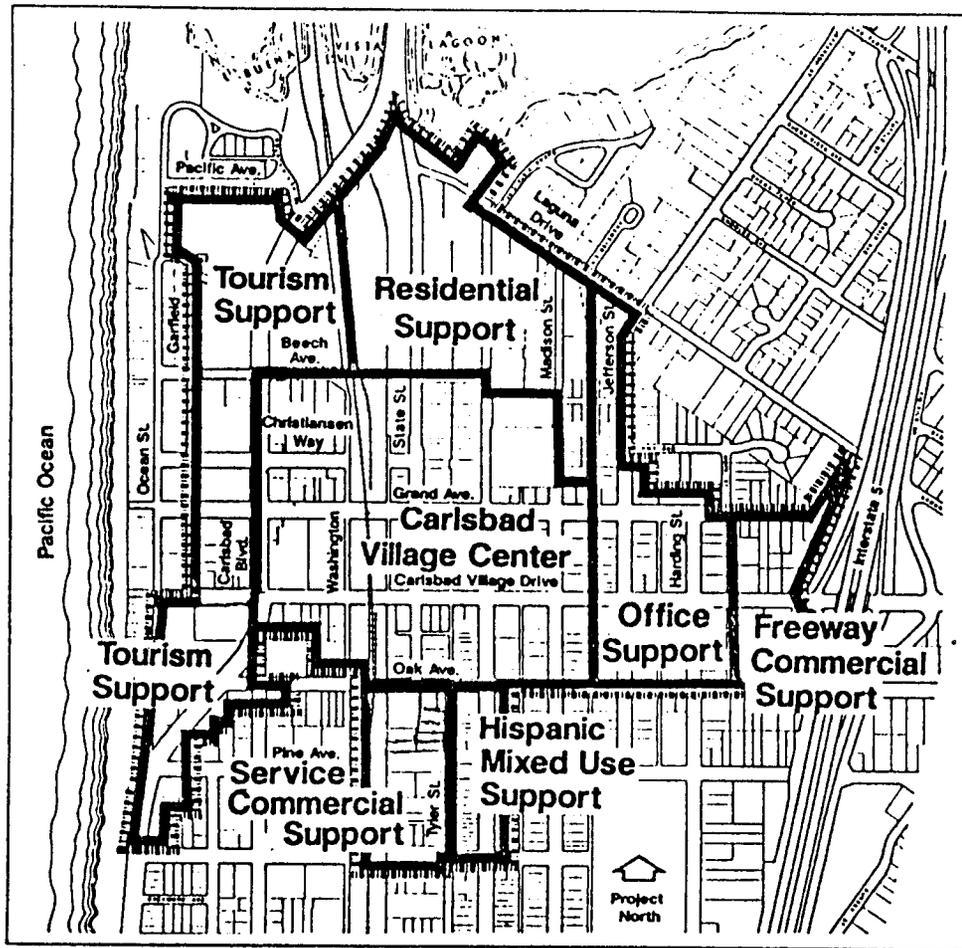
# SECTION II





2

LAND USES



Village Planning Framework

Figure 2

**ORGANIZATIONAL CONCEPT**

Carlsbad Village shall provide a unique mixed use set of districts combining shopping, and living facilities within a compact, pedestrian-oriented environment. The heart of the Village, "Carlsbad Village Center", contains a vital mix of shopping, dining and visitor services. It is surrounded by seven (7) support areas, each of which emphasizes a specialized land use function while containing a mix of uses appropriate to the urban village environment.

The functional components are: Carlsbad Village Center, Office Support, Residential Support, Hispanic Mixed Use, Freeway Commercial, Service Commercial and Tourism Support.

Figure 2 reflects the boundaries of the seven (7) functional components of the Village.

On the pages to follow, a description of each functional component of the Village is provided.

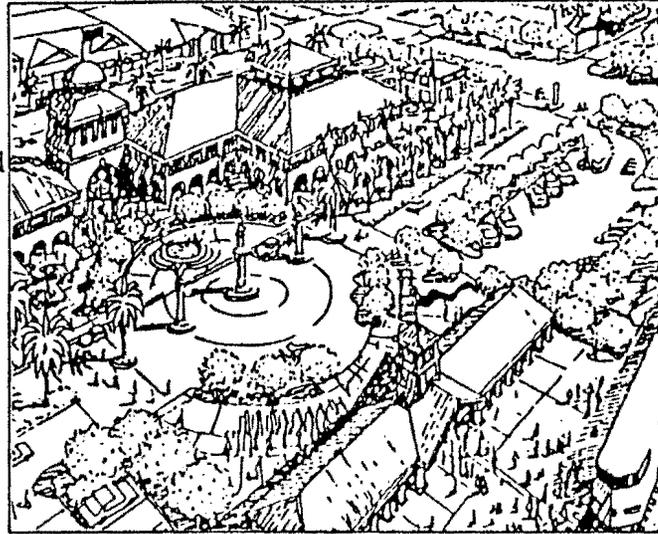
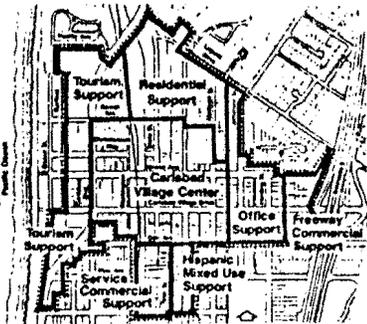
## FUNCTIONAL COMPONENTS

### Carlsbad Village Center

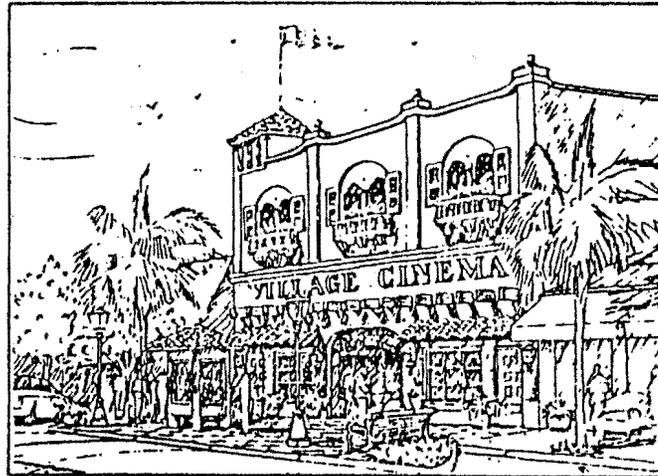
Carlsbad Village Center shall provide a lively mix of shops, restaurants, entertainment uses, visitors accommodations, and commercial services contained in an environment which emphasizes pedestrian convenience and a high degree of architectural, landscape and urban design quality. It is the heart of the Village and a major focus of community and regional activity. The City's unique history is celebrated here at its early nucleus and the visual environment is enriched with works of art, flowers and a unique architectural character.

**Commercial Support Uses**  
Convenience service shops and other businesses.

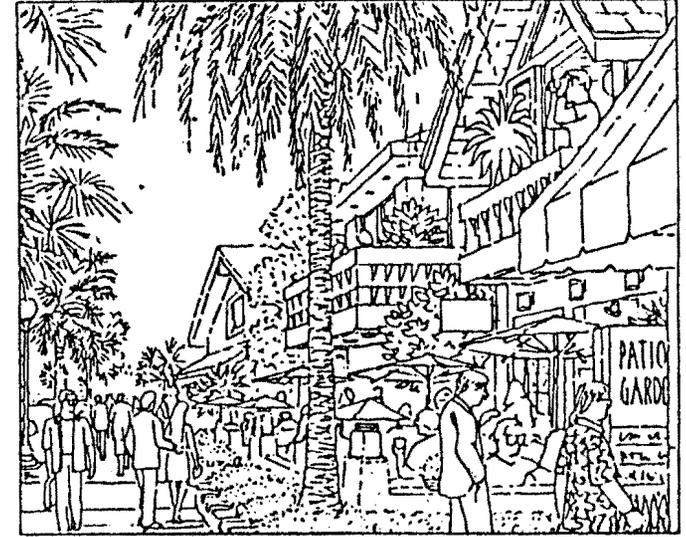
**Visitor Accommodations**  
Hotels, condominiums, bed and breakfast inns and shops to serve travelers along the coastal highway.



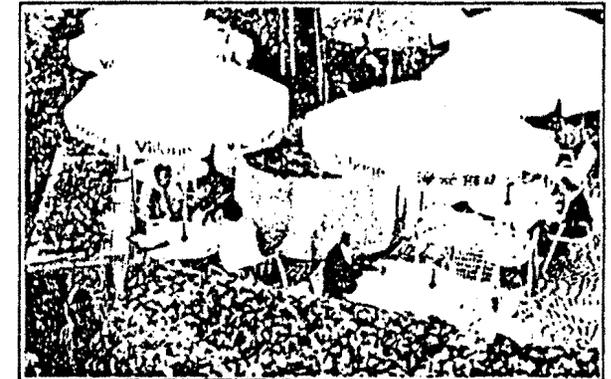
**Public Transit Hub**  
A commuter rail station and public transit transfer area.



**Entertainment Uses**  
Cinemas and other entertainment uses to attract weekend and nighttime activity to the Village.



**Retail Shops**  
A diversity of shops to serve Carlsbad residents, tourists and regional shoppers.



**Restaurants**  
A variety of eating establishments with both indoor and outdoor dining areas.



**Carlsbad Village Drive Terminus**  
 Visual improvements and new development north of Carlsbad Village Drive to link the Village more strongly with the city's ocean frontage.

**Joint Use Parking**  
 Public parking lots and structures to allow small lot development and support a strong pedestrian environment.

**Courtyards**  
 Landscaped areas in the middle of blocks for outdoor dining and entrances to small shops.

**Heritage Buildings**  
 Preservation and renovation of structures reflecting Carlsbad's unique history plus a new Carlsbad History Museum.

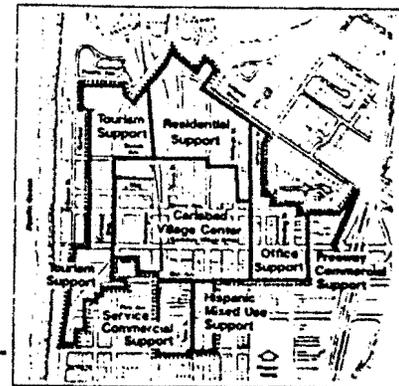
## FUNCTIONAL COMPONENTS

### *Carlsbad Village Center*

**Village Character**  
 Strong emphasis upon pedestrian amenities, Village scale buildings, unique signs and colorful landscaping.



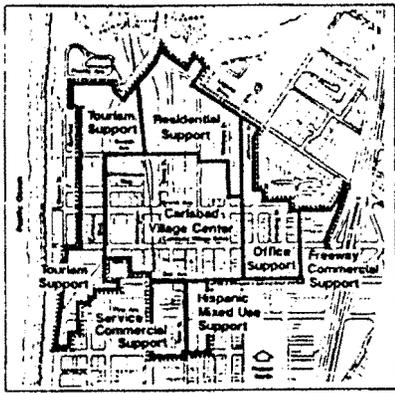
**Public Art**  
 Sculpture, murals, mosaics and special paving.



## FUNCTIONAL COMPONENTS

### Office Support Area

*A mix of uses extends the Village Center vitality eastward between Carlsbad Village Drive and Grand Avenue with an emphasis upon small office structures designed to reinforce a Village scale and character. Individual buildings set back from the street and surrounded by landscaping provide a quality office environment within easy and pleasant walking distance of shops and restaurants.*



## LAND USES

### Alley-Oriented Parking

Parking access from alleys to minimize curb cuts, reduce pedestrian/vehicle conflicts and limit views of parking areas from the street.

### Below Grade Parking

Parking located below buildings where feasible to allow more development and landscaped area.

### Reduced Street Widths

Landscaped medians or landscaped parkways where traffic volumes permit.

### Street Trees

Special landscaping to visually link the area with the Carlsbad Village Center.

### Shops and Services

Retail shops and other service commercial uses.

### Financial Institutions

Banks and other financial institutions serving downtown businesses and the city as a whole.

### Infill Development

Conversion over time of older bank drive up window facilities to more intensive commercial uses.

### Landscaped Setbacks

Lawn and ground cover between sidewalks and buildings and between adjacent buildings.



### Village Scale Offices

Small office buildings designed to be compatible with adjacent retail and residential buildings.



### North State Street Mixed Use

Conversion over time of automotive and industrial areas to residential and supportive commercial uses with a strong pedestrian orientation to North State Street.

### Residential Neighborhood

Preservation, enhancement and expansion of the existing residential area to create a highly livable neighborhood.

### Railroad Right-of-Way Reuse

Removal of blighted uses and conversion to residential, recreation and open space uses.

### Enhanced Pedestrian Linkages

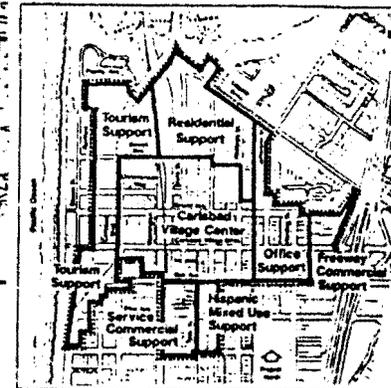
New through-block pedestrian paths to allow easier pedestrian access from residences to North State Street.

### Housing Diversity

A wide variety of housing types and sizes to encourage use of the commuter rail station. Housing units above commercial uses along North State Street.

### Cottage Scale

Houses, townhouses and apartments which are compatible with a village character and the existing small houses in the neighborhood.



## FUNCTIONAL COMPONENTS

### *Residential Support Area*

*Small homes, condominiums, and apartments are located in close proximity to shops, restaurants and the commuter rail station serving Downtown San Diego. The area provides a rich mix of housing types and emphasizes a sense of neighborhood through a close relationship to Village residential streets.*

*North State Street will, over time, redevelop into a mix of supportive uses with a strong emphasis upon new residential development including smaller, affordable units near public transit.*

### Day Care Facilities

Child care centers to serve the Village residents and enhance the use of the commuter rail station.

### Neighborhood Amenities

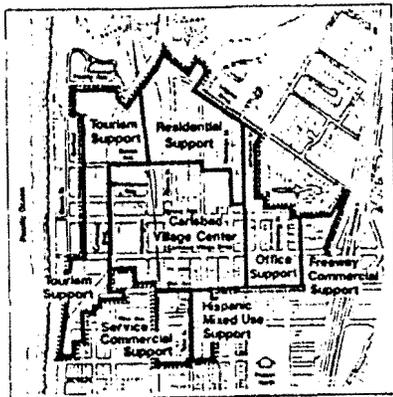
Seating areas, mini-parks, tot lots and other small scale improvements to enhance the livability and social intercourse of the neighborhood.

## LAND USES

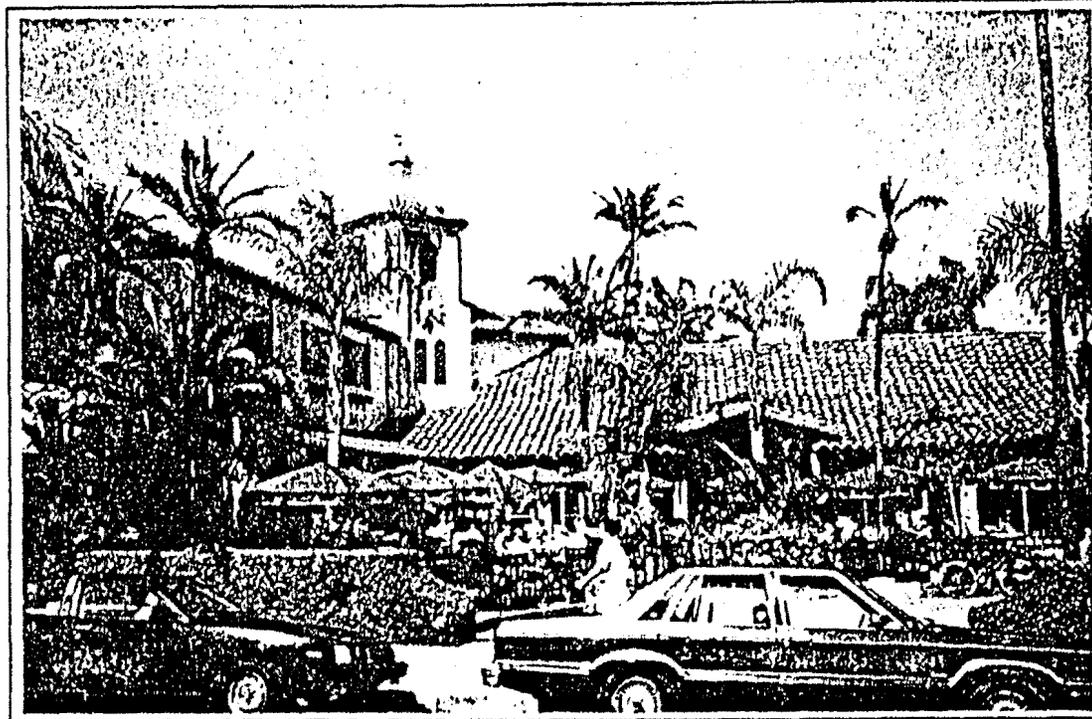
## FUNCTIONAL COMPONENTS

### *Tourism Support Area*

*Hotels, time share condominiums, restaurants and shops to serve visitors to Carlsbad's ocean front and travelers along the coastal highway serve as lower intensity extensions of the Village Center's uses along Carlsbad Boulevard.*



## LAND USES



### **Visitor Accommodations**

Hotels, bed and breakfast inns and other facilities serving tourists and travelers along the coastal highway.

### **Tourist Retail**

Shops serving the special needs of travelers.

### **Restaurants**

A diversity of restaurants serving residents and visitors.

### **Multi-Family Residential**

Condominiums and apartments within easy walking distance of the rail station.

### **Landscaped Setbacks**

Lawn areas and informal landscaping to reinforce the existing character of the area.

### **Army and Navy Academy**

Continued presence of the Academy but recognition of the property's resort development potential if the Academy ever relocates.

### Tourism Uses

Shops and restaurants with a unique Hispanic flavor to enrich visitors' experience in the Village.

### Local Serving Commercial Uses

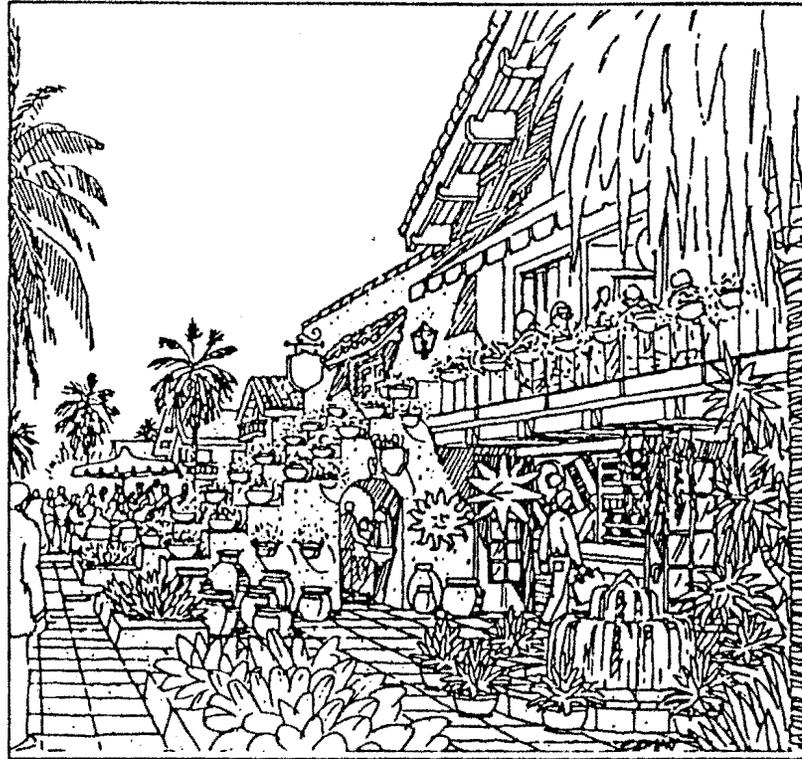
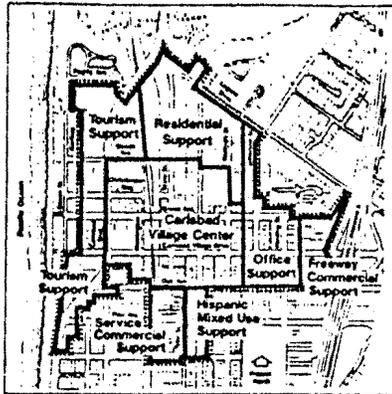
Shops, offices and commercial services to meet the needs of the local neighborhood and city population.

### Residential Preservation

Retention of existing houses along the east side of Roosevelt Street.

## SHOPKEEPER UNITS

**Encouragement of mixed use involving a live/work arrangement. In a shopkeeper unit, the owner of a retail business could live above the shop.**



### Hispanic Character

Emphasis upon stucco, clay tiles and other elements common to a Hispanic architectural theme.

### Building Setbacks

Paved and landscaped setbacks to allow outdoor dining and the display of retail merchandise.

### Colorful Landscaping

Plazas, stairs, walls and balconies enhanced by flowering plants.

## FUNCTIONAL COMPONENTS

### *Hispanic Mixed Use Area*

*Tourist and local serving commercial uses are emphasized within a colorful, ethnic-oriented environment featuring flowers and a special architectural character celebrating the adjacent Barrio's Hispanic heritage.*



*Outdoor Dining  
Street frontage and courtyards.*

## LAND USES

## FUNCTIONAL COMPONENTS

### *Freeway Commercial Area*

*Commercial services and other convenient uses serving Carlsbad residents and travelers along Interstate Highway 5 are conveniently located adjacent to freeway ramps.*

### *Service Commercial Area*

*Commercial services and continued employment opportunities support both the Village Center and adjacent Hispanic Mixed Use area while allowing gradual change to include both supportive commercial and residential development.*

## LAND USES

### **Traveler Services**

Service stations, motels, restaurants and convenience stores to serve Carlsbad residents and travelers.

### **Improved Village Character**

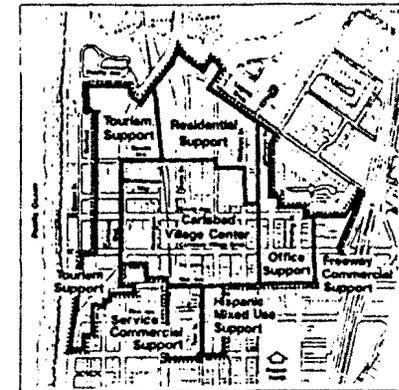
Future development more oriented to Carlsbad Village Drive with parking located behind buildings.

### **Light Industrial Uses**

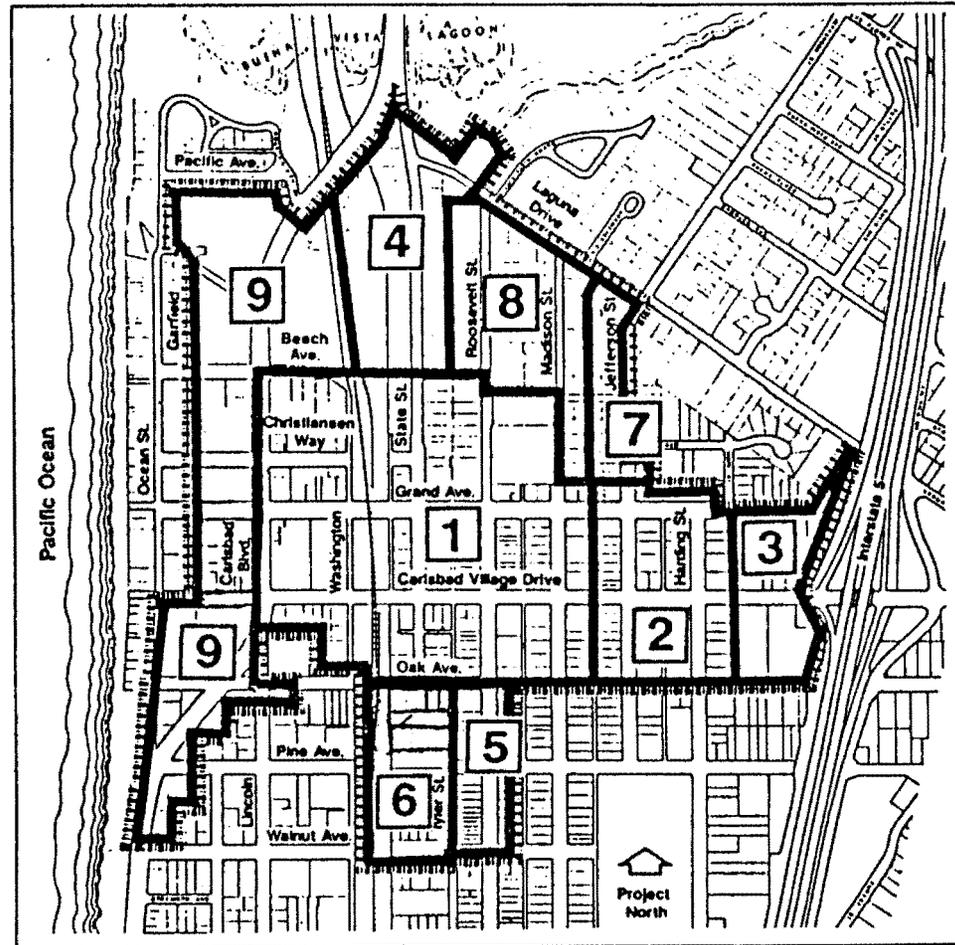
Continuation of current and similar uses including the possible relocation of some North State Street automotive businesses.

### **Landscape Buffering**

Additional landscaping along the Tyler Street frontage to improve the area's appearance and screen industrial uses from view of Roosevelt Street development.



## Land Use Districts



Land Use Districts

FIGURE 3

Figure 3 provides a map which reflects the boundaries of the nine (9) land use districts within the Village Redevelopment Area which represent the various functional components described in the previous section.

The following pages provide a listing of parcel numbers and street addresses which are included in each identified land use district. A project applicant can locate his/her address or parcel number within the following pages and identify the land use district which applies to any given property. Parcels which straddle district boundaries are noted with an asterisk and listed in both districts. Each portion of these sites must conform to the standards of their respective land use districts.

Following the assessor parcel information, land use charts are provided which indicate the types of uses which are permitted, provisionally permitted, and not permitted within any given land use district. A project applicant will first identify the land use district in which his/her property is located and then will move forward to the land use charts which will identify the types of uses permitted on the subject property.

**Land Use District 1**

<u>Parcel No.</u>	<u>Address</u>
203-054-01	2763 State St.
03	2725 State St.
04	State St.
24	2739 State St.
28 *	State St. (District 4)
203-101-11	2730 State St.
12	2747 Roosevelt St.
16	2700 State St.
34	2727 Roosevelt St.
203-102-16	2737 Madison St.
203-172-02	351 Beech Ave.
03	367 Beech Ave.
04	385 Beech Ave.
05	2733 Washington St.
06	2747 Washington St.
07	Washington St.
08	382 Christiansen Way
10	370 Christiansen Way
12	352 Christiansen Way
14	2780 Carlsbad Blvd.
15	2796 Carlsbad Blvd.
16	380 Christiansen Way
203-172-20	333 Beech Ave.
21	327 Beech Ave.
23	Carlsbad Blvd.

<u>Parcel No.</u>	<u>Address</u>
203-173-01	2802 Carlsbad Blvd.
02	Christiansen Way
03	381 Christiansen Way
04	390 Grand Ave.
05	Grand Ave.
06	Grand Ave.
08	Grand Ave.
09	2858 Carlsbad Blvd.
12	370 Grand Ave.
13	Grand Ave.
203-174-01	2906 Carlsbad Blvd.
04	2924 Carlsbad Blvd.
06	2978 Carlsbad Blvd.
07	300 Carlsbad Village Dr.
203-175-01	3016 Carlsbad Blvd.
02	3040 Carlsbad Blvd.
03	325 Carlsbad Village Dr.
04	355 Carlsbad Village Dr.
05	363 Carlsbad Village Dr.
06	377 Carlsbad Village Dr.
07	395 Carlsbad Village Dr.
08	3031 Washington St.

*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

<u>Parcel No.</u>	<u>Address</u>
203-181-03	2780 State St.
04	2802 State St.
05	2808 State St.
07	2801 Roosevelt St.
08	2785 Roosevelt St.
09	2777 Roosevelt St.
10	2775 Roosevelt St.
12	2805 Roosevelt St.
13	2832 State St.
16	Roosevelt St.
19	2742 State St.
203-182-04	2808 Roosevelt St.
08	2772 Roosevelt St.
203-232-03	2935 Carlsbad Blvd.
04	2939 Carlsbad Blvd.
05	2968 Garfield St.
08	2975 Carlsbad Blvd.
09	276 Carlsbad Village Dr.
13	Garfield St.
15	201 Grand Ave.
203-261-03	354 Oak Ave.
07	390 Oak Ave.
203-291-01	570 Grand Ave.
02	558 Grand Ave.
03	510 Grand Ave.

<u>Parcel No.</u>	<u>Address</u>
203-292-01	2998 State St.
02	2978 State St.
03	2960 State St.
04	2956 State St.
05	2946 State St.
06	2940 State St.
07	2916 State St.
08	507 Grand Ave.
09	555 Grand Ave.
10	2921 Roosevelt St.
11	2933 Roosevelt St.
15	Carlsbad Village Dr.
16	Roosevelt St.
17	560 Carlsbad Village Dr.
18	570 Carlsbad Village Dr.
19	562 Carlsbad Village Dr.
21	2965 Roosevelt St.
203-293-01	2907 State St.
04	2947 State St.
05	2967 State St.
06	2995 State St.
08	2943 State St.
09	State St.
10	2917 State St.
203-294-01	2825 State St.
02	2829 State St.
03	2833 State St.
04	State St.
05	State St.
06	2897 State St.

**Land Use District 1**

*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

Land Use District 1

<u>Parcel No.</u>	<u>Address</u>
203-295-01	2787 State St.
203-296-03	3077 State St.
04	3087 State St.
05	3095 State St.
06	3045 State St.
07	417 Carlsbad Village Dr.
08	457 Carlsbad Village Dr.
09	2787 State St.
10	State St.
203-297-01	539 Carlsbad Village Dr.
02	525 Carlsbad Village Dr.
03	505 Carlsbad Village Dr.
04	3044 State St.
05	3060 State St.
06	3068 State St.
07	3080 State St.
08	3080 State St.
09	542 Oak Ave.
203-301-05	640 Grand Ave.
203-302-01	710 Grand Ave.
02	752 Grand Ave.
203-303-21	725 Grand Ave.
24	2958 Madison St.
26	710 Carlsbad Village Dr.

<u>Parcel No.</u>	<u>Address</u>
203-304-01	645 Grand Ave.
02	2922 Roosevelt St.
03	Roosevelt St.
04	Roosevelt St.
05	2936 Roosevelt St.
09	2992 Roosevelt St.
15	Madison St.
16	2945 Madison St.
17	2937 Madison St.
18	Madison St.
19	699 Grand Ave.
20	2970 Roosevelt St.
24	2975 Roosevelt St.
26	660 Carlsbad Village Dr.
27	2956 Roosevelt St.
28	Madison St.
29	690 Carlsbad Village Dr.
203-305-09	3096 Roosevelt St.
10	3095 Madison St.
11	3081 Madison St.
12	3055 Madison St.
13	675 Carlsbad Village Dr.
14	Madison St.
15	645 Carlsbad Village Dr.
16	3060 Roosevelt St.

*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

<u>Parcel No.</u>	<u>Address</u>
203-306-01	561 Carlsbad Village Dr.
02	563 Carlsbad Village Dr.
06	3045 Roosevelt St.
07	Roosevelt St.
08	3055 Roosevelt St.
09	3067 Roosevelt St.
10	3085 Roosevelt St.
11	3091 Roosevelt St.
12	3025 Roosevelt St.
203-351-03	3050 Madison St.
04	3062 Madison St.
05	3070 Madison St.
06	3080 Madison St.
07	740 Oak Ave.
18	745 Carlsbad Village Dr.
204-010-05	Oak Ave.
06	Oak Ave.
16	505 Oak Ave.

**Land Use District 1**

*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

**Land Use District 2**

<u>Parcel No.</u>	<u>Address</u>
203-202-07	2892 Jefferson St.
13	2879 Hope St.
18	800 Grand Ave.
203-302-03	756 Grand Ave.
04	786 Grand Ave.
203-303-16	2971 Jefferson St.
17	2959 Jefferson St.
18	2943 Jefferson St.
27	770 Carlsbad Village Dr.
28	785 Grand Ave.
203-351-08	3091 Jefferson St.
11	3071 Jefferson St.
12	Jefferson St.
13	3039 Jefferson St.
14	3037 Jefferson St.
15	3021 Jefferson St.
16	755 Carlsbad Village Dr.
17	3081 Jefferson St.
203-352-02	Jefferson St.
03	Jefferson St.
04	3048 Jefferson St.
11	3095 Harding St.
12	3075 Harding St.
13	3055 Harding St.
14	3043 Harding St.
15	3035 Harding St.
18	825 Carlsbad Village Dr.
19	3090 Jefferson St.

<u>Parcel No.</u>	<u>Address</u>
203-353-04	3042 Harding St.
05	Harding St.
06	3096 Harding St.
07	Harding St.
09	901 Carlsbad Village Dr.
203-354-01	802 Carlsbad Village Dr.
05	2928 Jefferson St.
07	861 Grand Ave.
08	2921 Harding St.
12	880 Carlsbad Village Dr.
13	2910 Jefferson St.
14	2945 Harding St.
15	840 Carlsbad Village Dr.
16	Carlsbad Village Dr.
203-355-01	921 Grand Ave.
02	2928 Harding St.
03	2941 Hope Ave.
04	2952 Harding St.
05	920 Carlsbad Village Dr.

*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

<u>Parcel No.</u>	<u>Address</u>
203-130-18	
20	
203-320-02	955 Grand Ave.
03	Grand Ave.
04	1006 Carlsbad Village Dr.
12	Carlsbad Village Dr.
20	945 Grand Ave.
27	Carlsbad Village Dr.
28	
29	955 Carlsbad Village Dr.
30	1025 Carlsbad Village Dr.
31	1089 Carlsbad Village Dr.
32	1048 Carlsbad Village Dr.
33	1044 Carlsbad Village Dr.
35	Carlsbad Village Dr.
39	1048 Carlsbad Village Dr.
40	950 Carlsbad Village Dr.
41	2944 Hope Ave.
43	Grand Ave.
44	Grand Ave.

**Land Use District 3**

*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

**Land Use District 4**

<u>Parcel No.</u>	<u>Address</u>
155-200-04	2333 State St.
07	2531 State St.
08	State St.
10	2501 State St.
155-221-11	550 Laguna Dr.
12	570 Laguna Dr.
203-054-07	2685 State St.
10	2663 State St.
13	2647 State St.
14	2639 State St.
16	2633 State St.
17	2627 State St.
18	2615 State St.
19	2589 State St.
20	2577 State St.
21	2551 State St.
22	2541 State St.
24	2739 State St.
25	2677 State St.
26	2659 State St.
27	2691 State St.
28 *	State St. (District 1)

<u>Parcel No.</u>	<u>Address</u>
203-101-01	2676 State St.
03	2680 State St.
04	2695 State St.
15	2698 State St.
19	2656 State St.
20	2646 State St.
22 *	2631 Roosevelt St. (District 8)
24	2608 State St.
25	2586 State St.
28	2568 State St.
29 *	2564 State St. (District 8)
30	539 Laguna Dr.
31	2548 State St.
32	State St.
33	2528 State St.

*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

<u>Parcel No.</u>	<u>Address</u>
204-081-01	507 Pine Ave.
02	3213 Roosevelt St.
03	3235 Roosevelt St.
06	3255 Roosevelt St.
07	3258 Tyler St.
08	Roosevelt St.
09	3279 Roosevelt St.
10	Roosevelt St.
11	3293 Roosevelt St.
12	3293 Roosevelt St.
13	3290 Tyler St.
14	3243 Roosevelt St.
15	3293 Roosevelt St.
204-082-01	635 Pine Ave.
02	3222 Roosevelt St.
03	3234 Roosevelt St.
06	3256 Roosevelt St.
09	3280 Roosevelt St.
10	3286 Roosevelt St.
20	3250 Roosevelt St.
21	3274 Roosevelt St.

<u>Parcel No.</u>	<u>Address</u>
204-084-09	3190 Roosevelt St.
10	3170 Roosevelt St.
11	3160 Roosevelt St.
12	3150 Roosevelt St.
13	3138 Roosevelt St.
14	Roosevelt St.
15	Roosevelt St.
16	3110 Roosevelt St.
204-085-01	3115 Roosevelt St.
02	3135 Roosevelt St.
03	3147 Roosevelt St.
04	3155 Roosevelt St.
05	3163 Roosevelt St.
06	3177 Roosevelt St.
07	3176 Tyler St.
08	3179 Roosevelt St.

**Land Use District 5**

*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

Land Use District 6

<u>Parcel No.</u>	<u>Address</u>
204-010-03	3135 Tyler St.
04	Tyler St.
07	3135 Tyler St.
08	3195 Tyler St.
09	3215 Tyler St.
10	Tyler St.
11	3235 Tyler St.
12	3265 Tyler St.
204-070-01	Tyler St.
02	Tyler St.
03	3281 Tyler St.
04	Tyler St.
05	3261 Tyler St.
06	3259 Tyler St.
07	3253 Tyler St.
08	3305 Tyler St.

*Parcels marked with an asterisk (\*)  
are also partially located within  
another land use district.*

**ASSESSOR  
PARCELS**

<u>Parcel No.</u>	<u>Address</u>
203-110-02	2737 Jefferson St.
09 *	2755 Jefferson St. (District 8)
13	752 Arbuckle Pl.
14	2753 Jefferson St.
15	750 Arbuckle Pl.
25	2785 Jefferson St.
28	2801 Jefferson St.
29	2815 Jefferson St.
32	2865 Jefferson St.
33	2879 Jefferson St.
44	2745 Jefferson St.
45	2725 Jefferson St.
47	2777 Jefferson St.
203-202-19	2848 Jefferson St.

**Land Use District 7**

*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

**Land Use District 8**

<u>Parcel No.</u>	<u>Address</u>
203-101-02	2685 Roosevelt St.
05	2715 Roosevelt St.
14	580 Beech Ave.
18	2667 Roosevelt St.
21	2653 Roosevelt St.
22 *	2631 Roosevelt St. (District 4)
23	2621 Roosevelt St.
26	2571 Roosevelt St.
27	2569 Roosevelt St.
29 *	2564 State St. (District 4)

<u>Parcel No.</u>	<u>Address</u>
34	2727 Roosevelt St.
203-102-05	2740 Roosevelt St.
10	2733 Madison St.
11	2725 Madison St.
12	2715 Madison St.
14	2687 Madison St.
15	2690 Roosevelt St.
16	2737 Madison St.
18	2705 Madison St.
19	2718 Roosevelt St.
20	2720 Roosevelt St.
24	Roosevelt St.
25	2650 Roosevelt St.
26	Roosevelt St.
27	2669 Madison St.
28	2620 Roosevelt St.
29	2645 Madison St.
30	2635 Madison St.
31	2615 Madison St.
32	2605 Madison St.
33	2578 Roosevelt St.
34	655 Laguna Dr.
35	2558 Roosevelt St.
36	605 Laguna Dr.

*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

<u>Parcel No.</u>	<u>Address</u>
203-110-01	Madison St.
04	2710 Madison St.
05	2712 Madison St.
08	2714 Madison St.
09 *	2755 Jefferson St. (District 7)
12	722 Arbuckle Pl.
20	725 Arbuckle Pl.
21	715 Arbuckle Pl.
26	2770 Madison St.
27	2790 Madison St.
30	2810 Madison St.
31	2820 Madison St.
34	2840 Madison St.
38	2646 Madison St.
39	2644 Madison St.
40	2642 Madison St.
41	755 Laguna Dr.
42	735 Laguna Dr.
43	Laguna Dr.
46	2738 Madison St.

Land Use District 8

*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

Land Use District 9

<u>Parcel No.</u>	<u>Address</u>
203-041-01	2585 Carlsbad Blvd.
203-051-01	2560 Carlsbad Blvd.
02	2564 Carlsbad Blvd.
03	2500 Carlsbad Blvd.
04	2550 Carlsbad Blvd.
203-052-01	Carlsbad Blvd.
02	Carlsbad Blvd.
203-053-01	Carlsbad Blvd.
203-142-02	2645 Carlsbad Blvd.
03	2655 Carlsbad Blvd.
04	258 Beech Ave.
06	Cypress Ave.
203-143-01	2715 Carlsbad Blvd.
02	2729 Carlsbad Blvd.
06	2747 Carlsbad Blvd.
07	2775 Carlsbad Blvd.

<u>Parcel No.</u>	<u>Address</u>
203-231-01	2855 Carlsbad Blvd.
203-250-06	201 Oak Ave.
15	Carlsbad Blvd.
16	3179 Carlsbad Blvd.
17	3145 Carlsbad Blvd.
21	3150 Ocean St.
22	3100 Ocean St.
26	3136 Carlsbad Blvd.
29	3056 Carlsbad Blvd.
203-252-04	Carlsbad Blvd.
05	Carlsbad Village Dr.
06	Carlsbad Blvd.
203-351-07	201 Grand Avenue
203-351-19	2935 Carlsbad Boulevard
203-352-03	2939 Carlsbad Boulevard
203-353-06	Garfield Street
203-354-07	2975 Carlsbad Boulevard
203-354-16	2968 Garfield Street
203-355-03	264 Carlsbad Village Drive
204-010-03	276 Carlsbad Village Drive
204-124-01	Carlsbad Boulevard

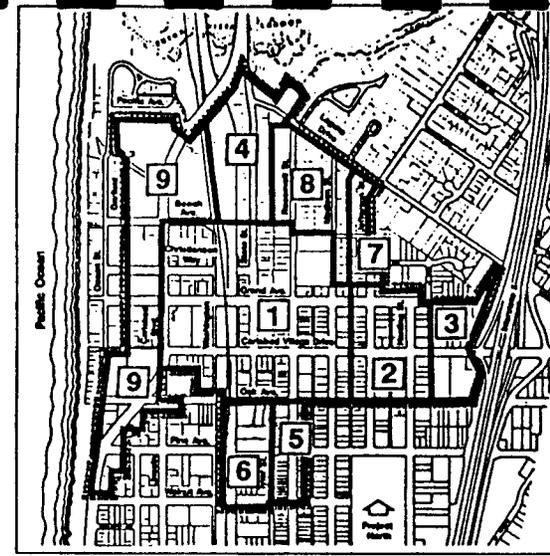
*Parcels marked with an asterisk (\*) are also partially located within another land use district.*

**ASSESSOR  
PARCELS**

## LAND USE KEY

The Village Redevelopment Area is divided into nine (9) land use districts which represent the various functional components described in the previous sections. The districts are identified below and shown on the map to the right as well as on Figure 3 (page 2-9).

- District 1: Carlsbad Village Center
- District 2: Office Support
- District 3: Freeway Commercial Support
- District 4: Residential Support
- District 5: Hispanic Mixed Use Support
- District 6: Service Commercial Support
- District 7: Office Support
- District 8: Residential Support
- District 9: Tourism Support



The charts which follow this page list the various types of land uses and identify whether or not a use is "permitted", "provisional", "accessory", or "not permitted" within the noted land use district.

**(●) Permitted Uses** are those which are permitted by right because they are considered to be consistent with the vision and goals established for each district within the Village boundaries. Although these land uses may be permitted by right, satisfactory completion of the Design Review process and compliance with all other requirements of the Redevelopment Permit process is still required for the permitted use.

**(○) Provisional Uses** are those which are permitted subject to discretionary approval (by either the Housing and Redevelopment Director or the appropriate decision making authority). They are approved based upon findings that the use is consistent with the Village vision and goals under specific conditions imposed by the permit. Uses in this category require special scrutiny concerning location, size, and anticipated impact on adjacent uses. For the purposes of land use policy within the Village, the term "provisional use" replaces the term "conditional use" which is used within the Carlsbad Municipal Code.

**(A) Accessory Uses** are those which are incidental and subordinate to the primary permitted or approved use.

**(X) Not Permitted** means that a land use is not consistent with the permitted or provisional uses of a district or does not achieve the long range goals of the Village Redevelopment Area. Therefore, these uses will be prohibited within the specified land use district.

### Non-Conforming Uses:

A property owner should refer to page 2-64 for information on "non-conforming" land uses. In general, if an existing use is noted as "not permitted" in the following land use charts, the use will be allowed to remain until 1) it ceases to exist; 2) the property is abandoned for a period of 6 months or longer; or 3) there is a proposed change in use. Non-conforming uses, however, will not be allowed to expand or intensify.

### Enforcement of Permits:

The enforcement of all approved permits shall be governed by Chapters 21.35 and 21.58 of the Carlsbad Municipal Code, which includes the process for revocation of permits. Revocation of permit proceedings shall be conducted by the original approving body.

On the following pages, land use charts are provided which list the various types of land uses which are permitted, provisional, accessory or not permitted as a result of adoption of this land use plan within the Village Master Plan and Design Manual. The uses are listed alphabetically by category of land use and according to land use district. For example, for information on where a motel could be located within the Village Redevelopment Area, an applicant/developer would find "motel" (use) under the "commercial services" (category) within the land use chart and learn that motels are permitted by right in land use district 9, provisionally permitted in districts 1 and 3, and not permitted in districts 2, 4 through 8.

There are eight (8) land use categories listed within the following land use charts. The categories are identified and defined below:

1. **Commercial Services.** These are uses where there is generally an exchange or buying and selling of a service commodity. This relates specifically to services which a person, or persons, may provide to another person, or persons. As examples, these uses include automotive repair services, beauty salons, health clubs, hotels, travel agents and music schools.
2. **Entertainment and Recreation.** These are uses which generally provide an activity which is diverting or engaging, usually an activity which is sought for relaxation and amusement. As examples, these uses include: an art gallery, swim club, cinema, and a park.
3. **Food Services.** These are uses which generally allow for the purchase of food and/or beverage items which have been prepared and served, or made available for purchase, by another person and intended to be consumed either on or off the premises. As examples, these uses include fast food restaurants, quick stop food stores, restaurants and sidewalk cafes.
4. **Light Industrial.** These are uses which generally provide for small scale manufacturing of products through the use of specialized tools and machines. In some cases, these are also uses which result in larger scale commercial operations which are primarily designed to provide services to manufacturers in either the transportation of goods or other types of services. As examples, these uses include cabinet shops, research laboratories, machine shops, parcel delivery services, and wholesale businesses.
5. **Offices.** These are uses which generally provide for place where a particular kind of business is transacted or a service is supplied. As examples, these are places where a professional person such as an attorney, contractor, investment officer, or a doctor conducts business.
6. **Residential.** These are uses which generally provide for a dwelling place. As an example, these are places such as single-family homes or an apartment where a person lives, or persons live, on a permanent or continuous basis.
7. **Retail Businesses.** These are uses which generally provide for the sell of small quantities of commodities or goods directly to the ultimate consumer. As examples, these uses include businesses which sell appliances, crafts, clothing, florists, hardware, pets or pet supplies, videos, and/or musical recordings.
8. **Miscellaneous.** The miscellaneous category has been established to encompass the various land uses which do not clearly fit into one of the above categories.

**ALLOWABLE LAND USES**

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

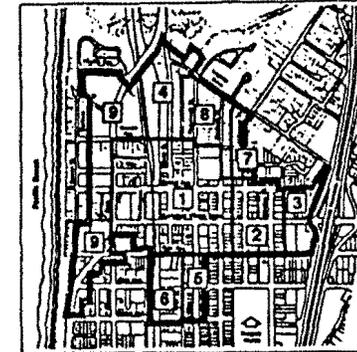
The key for the chart is: ● = Permitted Use

○ = Provisional Use

A = Accessory Use

X = Not Permitted Use

LAND USES	LAND USE DISTRICTS								
	1	2	3	4	5	6	7	8	9
<b>COMMERCIAL SERVICES</b>									
AEROBICS STUDIO (SI)	○	○	○	○	○	○	X	X	○
AUTO PAINTING/DETAILING	X	X	○	X	X	●	X	X	X
AUTO REPAIR/SERVICES	X	X	○	X	X	●	X	X	X
AUTO TOWING	X	X	○	X	X	●	X	X	X
AUTOMATIC TELLER MACHINE (ATM) (S)	○	○	○	○	○	○	X	X	○
BARBERSHOPS	●	●	●	●	●	○	X	X	○
BEAUTY PARLORS	●	●	●	●	●	○	X	X	○
BED AND BREAKFAST INNS (S)	○	○	X	○	○	○	○	○	○
BLUEPRINT/COPY/DUPLICATING SERVICES (S)	○	●	●	○	○	○	○	X	X
BUSINESS AND PROFESSIONAL SCHOOLS (SI)	○	○	○	○	○	○	X	○	X
CAR WASH	X	A	A	X	X	A	X	X	X
CHILD CARE CENTER (S)	○	○	○	○	○	○	○	○	○
DANCE STUDIO/MARTIAL ARTS STUDIO (SI)	○	○	○	○	○	○	X	X	○
DRAMA SCHOOL (SI)	○	○	○	○	○	○	X	X	X
DRY CLEANERS	●	●	●	●	●	○	X	X	○
GAS STATION W/BAYS	X	○	○	X	X	X	X	X	X
GAS STATION W/MINI MARTS	X	○	○	X	X	X	X	X	X
HEALTH CLUBS/SPAS (SI)	○	○	○	○	○	○	X	X	○
HOTELS (S) (+ time shares)	○	○	○	○	X	X	X	X	●
LAUNDROMAT (S)	X	X	●	○	○	○	X	X	A
LIBRARIES	●	●	●	●	●	○	X	X	A
MORTUARIES	○	○	○	○	○	○	X	X	A
MOTELS (S)	○	X	○	X	X	X	X	X	●
MUSIC SCHOOL (SE)	○	○	○	○	○	○	X	X	X



- Outdoor seating in R-O-W is permitted in Districts 1, 2, 5 & 9 only with a provisional use permit approved by the Housing and Redevelopment Director.
- For all Village properties which are also located within the Coastal Zone, the primary permitted land uses for all ground floor space shall be those which are visitor-serving commercial. Visitor-serving commercial uses include but are not limited to: hotels, motels, restaurants, recreational or tourist information facilities, souvenir, gift or novelty shops and/or services which will aid in the comfort/enjoyment of a tourist or regional guest's visit to the area. All other land uses, which are not expressly prohibited as noted herein, shall be provisional or accessory uses; these uses must be approved, or conditionally approved, via the redevelopment permit process.
- No Adult Entertainment Uses permitted within any land use district within the Village.
- All existing uses which are noted as "not permitted" within a land use district noted on this land use chart shall be allowed to remain pursuant to the non-conforming regulations set forth within this chapter. No expansion or intensification of non-conforming uses will be permitted.

**Footnotes:**

- (1) Office Uses permitted on Roosevelt Street Only.
- (2) The ground floor of all approved mixed use projects shall be devoted to commercial uses.
- (3) No drive-thrus.
- (S) See specific land use under Provisional Use Standards.
- (SI) See Self-Improvement Services category under Provisional Use Standards.
- (SE) See Sport Entertainment category under Provisional Use Standards.

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

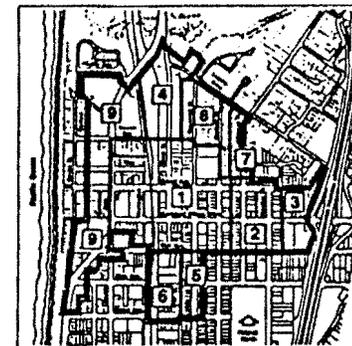
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LAND USES	LAND USE DISTRICTS								
	1	2	3	4	5	6	7	8	9
<b>COMMERCIAL SERVICES</b>									
NAIL SALONS	●	●	●	●	●	○	X	X	○
OFFICE EQUIPMENT RENTAL/SALES	○	●	●	○	○	○	○	X	X
PARKING LOT/STRUCTURES	●	●	●	●	●	●	●	●	●
PRIVATE SECONDARY SCHOOLS	X	X	X	X	X	X	X	X	○
PROFESSIONAL CARE FACILITY	X	X	X	X	X	X	X	X	○
SHOE/GARMENT REPAIR	●	●	●	●	●	○	X	X	○
TRAVEL AGENT	●	●	●	●	●	○	X	X	○
WORD PROCESSING SERVICES (S)	○	●	●	○	○	○	○	X	X
<b>ENTERTAINMENT AND RECREATION</b>									
ART GALLERY	●	●	●	●	●	○	X	X	●
BAR/COCKTAIL LOUNGE (S)	A	X	A	A	X	X	X	X	A
BOWLING ALLEYS (SE)	○	X	○	○	X	X	X	X	○
CINEMA (THEATER) (S)	○	X	X	○	X	X	X	X	○
FORTUNE TELLER (as defined in § 5.50.010(c) of the CMC)	○	X	X	X	X	X	X	X	X
ICE/ROLLER SKATING RINKS (SE)	X	X	○	○	X	○	X	X	○
MUSEUMS (S)	●	●	●	●	●	X	X	X	●
NIGHT CLUB (S)	○	○	○	X	X	X	X	X	A
PERFORMING ARTS (CULTURAL FACILITY) (S)	○	X	○	○	○	X	X	X	○
PINBALL MACHINE ARCADE (S)	○	X	○	X	X	X	X	X	A
POOL HALL/BILLIARDS PARLOR (S)	○	○	○	○	○	X	X	X	A
PRIVATE CLUBS/LODGES	○	○	○	X	X	○	X	X	X
SWIM CLUBS (SE)	X	X	○	○	X	○	X	X	○
TENNIS CLUBS (SE)	X	X	○	○	X	○	X	X	○
VIDEO GAME ARCADE (S)	○	X	○	X	X	X	X	X	A



- ☒ Outdoor seating in R-O-W is permitted in Districts 1, 2, 5 & 9 only with a provisional use permit approved by the Housing and Redevelopment Director.
- ☒ For all Village properties which are also located within the Coastal Zone, the primary permitted land uses for all ground floor space shall be those which are visitor-serving commercial. Visitor-serving commercial uses include but are not limited to: hotels, motels, restaurants, recreational or tourist information facilities, souvenir, gift or novelty shops and/or services which will aid in the comfort/enjoyment of a tourist or regional guest's visit to the area. All other land uses, which are not expressly prohibited as noted herein, shall be provisional or accessory uses; these uses must be approved, or conditionally approved, via the redevelopment permit process.
- ☒ No Adult Entertainment Uses permitted within any land use district within the Village.
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**Footnotes:**

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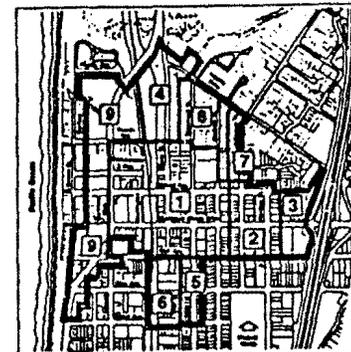
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LAND USES	LAND USE DISTRICTS								
	1	2	3	4	5	6	7	8	9
<b>FOOD SERVICES</b>									
FAST FOOD RESTAURANT (Large) (S)	○ (S)	●	●	X	X	X	X	X	X
FAST FOOD RESTAURANT (Small)	● (S)	●	●	X	●	X	X	X	X
QUICK STOP FOOD STORE (S)	X	X	●	X	X	X	X	X	○
RESTAURANT W/ENTERTAINMENT (S)	○	○	●	○	○	X	X	X	○
RESTAURANT	●	●	●	●	●	X	X	X	●
SIDEWALK CAFE (S)	○	○	X	○	○	X	X	X	○
<b>LIGHT INDUSTRIAL</b>									
AUCTION HOUSES/STORES	X	X	X	X	X	○	X	X	X
BOAT BUILDING (Limited to those craft which may be transported over a state highway without permit)	X	X	X	X	X	○	X	X	X
CABINET SHOPS	X	X	X	X	X	●	X	X	X
CERAMIC PRODUCTS MANUFACTURER	X	X	X	X	X	○	X	X	X
ELECTRONICS ASSEMBLY	X	X	X	X	X	○	X	X	X
RESEARCH LABORATORIES	X	X	X	X	X	○	X	X	X
FROZEN FOOD LOCKERS	X	X	X	X	X	○	X	X	X
GLASS STUDIOS (Edging, beveling and silvering in connection with sale of mirrors and glass for decorating purposes)	○	○	X	○	●	○	X	X	X
LAUNDRIES	X	X	X	X	X	○	X	X	X
MACHINE SHOPS	X	X	X	X	X	○	X	X	X
MANUFACTURING PLANTS (Small Scale)	X	X	X	X	X	○	X	X	X
MOTION PICTURE LABORATORIES	X	X	X	X	X	○	X	X	X
MUSICAL INSTRUMENT MANUFACTURER	X	X	X	X	X	○	X	X	X
PARCEL DELIVERY SERVICE	X	X	X	X	X	●	X	X	X
PLUMBING SHOP	X	X	X	X	X	●	X	X	X



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**Footnotes:**

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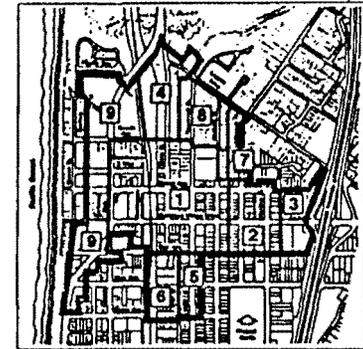
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LAND USES	LAND USE DISTRICTS								
	1	2	3	4	5	6	7	8	9
PLUMBING SHOP SUPPLY YARDS	X	X	X	X	X	●	X	X	X
PUBLIC SCALES	X	X	X	X	X	○	X	X	X
SHEET METAL SHOPS	X	X	X	X	X	○	X	X	X
STAINED GLASS STUDIOS	○	○	○	○	○	●	X	X	○
STORAGE BUILDINGS/WAREHOUSES	X	X	X	X	X	●	X	X	X
TESTING LABORATORIES	X	X	X	X	X	○	X	X	X
TIRE REBUILDING	X	X	X	X	X	○	X	X	X
TIRE RECAPPING	X	X	X	X	X	○	X	X	X
TIRE RETREADING	X	X	X	X	X	○	X	X	X
WHOLESALE BUSINESSES	X	X	X	X	X	●	X	X	X
<b>OFFICES (S)</b>									
ACCOUNTANTS	○	●	●	○	○	○	●	○ <sup>(1)</sup>	X
ADMINISTRATIVE	○	●	●	○	○	○	●	○ <sup>(1)</sup>	X
ADVERTISING AGENCIES	○	●	●	○	○	○	●	○ <sup>(1)</sup>	X
APPRAISERS	○	●	●	○	○	○	●	○ <sup>(1)</sup>	X
ARCHITECTS/PLANNERS	○	●	●	○	○	○	●	○ <sup>(1)</sup>	X
ATTORNEYS	○	●	●	○	○	○	●	○ <sup>(1)</sup>	X
CONSULTANTS	○	●	●	○	○	○	●	○ <sup>(1)</sup>	X
CONTRACTORS OFFICES	○	●	●	○	○	○	●	X	X
EMPLOYMENT AGENCIES	○	●	●	○	○	○	●	X	X
ENGINEERS	○	●	●	○	○	○	●	○ <sup>(1)</sup>	X
ESCROW OFFICES	○	●	●	○	○	○	●	○ <sup>(1)</sup>	X
FINANCIAL INSTITUTION (FULL) (S)	○	●	●	X	X	X	X	X	○
FINANCIAL INSTITUTION (LIMITED) (S)	○	●	●	X	●	X	X	○ <sup>(1)</sup>	X
GOVERNMENT OFFICES	○	●	●	○	○	○	●	X	X
INSURANCE AGENCIES	○	●	●	○	○	○	●	○ <sup>(1)</sup>	X



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**Footnotes:**

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- (3) No drive-thrus.
- (S) See specific land use under Provisional Use Standards.
- (SI) See Self-Improvement Services category under Provisional Use Standards.
- (SE) See Sport Entertainment category under Provisional Use Standards.

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

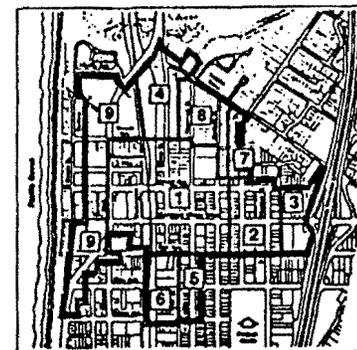
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X = Not Permitted Use

LAND USES	LAND USE DISTRICTS								
	1	2	3	4	5	6	7	8	9
INVESTMENT SERVICES	○	●	●	○	○	○	●	● <sup>(1)</sup>	X
LABOR UNION OFFICES	○	●	●	○	○	○	●	X	X
MEDICAL THERAPY OFFICE <sup>(S)</sup>	○	●	●	●	●	○	●	● <sup>(1)</sup>	○
MEDICAL TREATMENT OFFICE <sup>(S)</sup>	○	○	●	○	○	○	●	○ <sup>(1)</sup>	○
MEDICAL TREATMENT OFFICES (w/incidental pharmacies and medical labs)	○	○	●	○	○	○	●	○ <sup>(S)</sup>	○
REAL ESTATE BROKERS	○	●	●	○	○	○	●	● <sup>(1)</sup>	X
TITLE COMPANIES	○	●	●	○	○	○	●	● <sup>(1)</sup>	X
<b>RESIDENTIAL</b>									
LIVE/WORK STUDIO <sup>(S)</sup>	○	X	X	○	○	○	X	○	X
MANAGED LIVING UNITS <sup>(S)</sup>	X	X	X	○	○	○	○	○	X
MIXED USE (Residential and Commercial Uses)	● <sup>(2)</sup>	● <sup>(2)</sup>	X	● <sup>(2)</sup>	● <sup>(2)</sup>	○	X	●	● <sup>(2)</sup>
MULTI-FAMILY DWELLING <sup>(S)</sup>	○	● <sup>(1)</sup>	○	○	○	X	○	○	X
SECOND DWELLING UNITS	X	X	X	○	○	X	X	○	X
SINGLE-FAMILY DWELLING	X	X	X	○	○	○	X	○	X
<b>RETAIL BUSINESSES</b>									
ACCESSORIES	●	●	●	●	●	○	X	X	A
ANTIQUES	●	●	●	●	●	○	X	X	○
APPLIANCES	●	●	●	X	●	○	X	X	X
ARTS/CRAFTS	●	●	●	●	●	○	X	X	●
BAKERY/CANDY/CREAMERY	●	●	●	●	●	○	X	X	●
BOOKS	●	●	●	●	●	○	X	X	○
CLOCKS	●	●	●	●	●	○	X	X	○
CLOTHING/SHOES	●	●	●	●	●	○	X	X	○
COFFEE HOUSES/TEA ROOMS	●	●	●	●	●	○	X	X	●
DRUG STORE	●	●	●	X	●	○	X	X	○



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- For all Village properties which are also located within the Coastal Zone, the primary permitted land uses for all ground floor space shall be those which are visitor-serving commercial. Visitor-serving commercial uses include but are not limited to: hotels, motels, restaurants, recreational or tourist information facilities, souvenir, gift or novelty shops and/or services which will aid in the comfort/enjoyment of a tourist or regional guest's visit to the area. All other land uses, which are not expressly prohibited as noted herein, shall be provisional or accessory uses; these uses must be approved, or conditionally approved, via the redevelopment permit process.
- No Adult Entertainment Uses permitted within any land use district within the Village.
- All existing uses which are noted as "not permitted" within a land use district noted on this land use chart shall be allowed to remain pursuant to the non-conforming regulations set forth within this chapter. No expansion or intensification of non-conforming uses will be permitted.

**Footnotes:**

- (1) Office Uses permitted on Roosevelt Street Only.
- (2) The ground floor of all approved mixed use projects shall be devoted to commercial uses.
- (3) No drive-thrus.
- (S) See specific land use under Provisional Use Standards.
- (SI) See Self-Improvement Services category under Provisional Use Standards.
- (SE) See Sport Entertainment category under Provisional Use Standards.

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

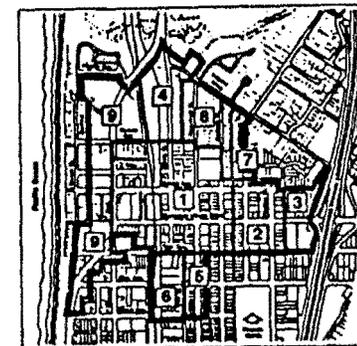
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X = Not Permitted Use

LAND USES	LAND USE DISTRICTS								
	1	2	3	4	5	6	7	8	9
DRY GOODS	●	●	●	X	●	○	X	X	○
ELECTRONIC EQUIPMENT	●	●	●	X	●	○	X	X	A
FARMERS MARKET	○	X	X	X	X	○	X	X	X
FLORIST	●	●	●	●	●	○	X	X	○
FURNITURE/FLOOR COVERINGS	●	●	●	X	●	○	X	X	X
GIFTS	●	●	●	●	●	○	X	X	●
GROCERY STORE/DELICATESSEN/MEAT MARKET	●	●	●	●	●	○	X	X	○
HARDWARE	●	●	●	X	●	○	X	X	X
HOBBY ITEMS/TOYS	●	●	●	●	●	○	X	X	○
ICE CREAM/FROZEN YOGURT	●	●	●	●	●	○	X	X	●
INTERIOR DECORATOR W/GOODS	●	●	●	●	●	○	X	X	X
JEWELRY	●	●	●	●	●	○	X	X	○
LINENS	●	●	●	●	●	○	X	X	X
LIQUOR/TOBACCO	●	●	●	X	●	○	X	X	○
LUGGAGE	●	●	●	X	●	○	X	X	○
MUSIC INSTRUMENTS/SUPPLY	●	●	●	X	●	○	X	X	X
NEWSSTAND	●	●	●	●	●	○	X	X	●
OFFICE SUPPLY/STATIONERY/CARDS	●	●	●	X	●	○	X	X	○
OPTICAL GOODS/SERVICES	●	●	●	●	●	○	X	X	X
PAINT/WALLPAPER	●	●	●	X	●	○	X	X	X
PETS	●	●	●	X	●	○	X	X	X
PHOTO SUPPLY/PHOTO PROCESSING	●	●	●	●	●	○	X	X	○
PICTURE FRAMING/ART GALLERY	●	●	●	●	●	○	X	X	○
PORTRAIT STUDIOS/PHOTOGRAPHERS	●	●	●	●	●	○	X	X	X
POST OFFICE/PARCEL SERVICE	●	●	●	X	●	○	X	X	X



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

**Footnotes:**

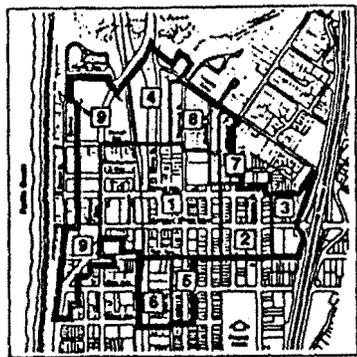
- (1) Office Uses permitted on Roosevelt Street Only.
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- (SI) See Self-Improvement Services category under Provisional Use Standards.
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ALLOWABLE LAND USES

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

The key for the chart is: ● = Permitted Use                      ○ = Provisional Use                      A = Accessory Use                      X = Not Permitted Use

LAND USES	LAND USE DISTRICTS								
	1	2	3	4	5	6	7	8	9
RECORDINGS (TAPES, CD'S, RECORDS)	●	●	●	●	●	○	X	X	○
SIDEWALK VENDOR (S)	○	○	X	X	○	X	X	X	○
SPORTING GOODS/BICYCLES	●	●	●	●	●	○	X	X	○
STAMPS/COINS/COLLECTIBLES	●	●	●	●	●	○	X	X	○
VIDEO SALES/RENTAL	●	●	●	●	●	○	X	X	○
MISCELLANEOUS									
Churches (or similar facilities)	○	○	○	○	○	○	○	○	○
Youth Facilities	X	○	○	○	○	○	○	○	X
TRAILER PARK	X	X	X	X	X	X	X	X	○



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

**Footnotes:**  
 (1) Office Uses permitted on Roosevelt Street Only.  
 (2) The ground floor of all approved mixed use projects shall be devoted to commercial uses.  
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 (S) See specific land use under Provisional Use Standards.  
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## TRANSPORTATION CORRIDOR

Portions of Land Use Districts 1, 4, and 6 which are located within the Village Redevelopment Area are also located within the Transportation Corridor. The shaded area on the map below indicates the areas within Districts 1, 4 and 6 which are located within the Transportation Corridor.

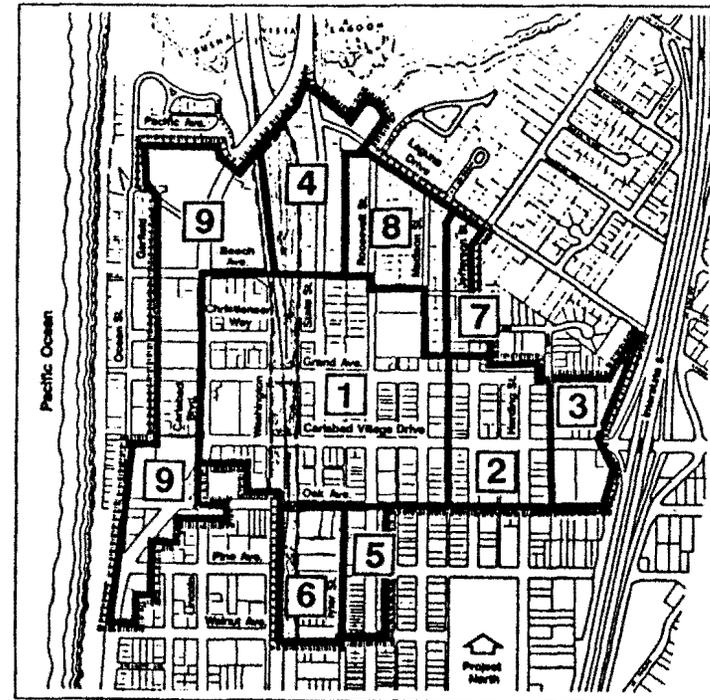
Notwithstanding the previous land use charts and the Carlsbad Municipal Code, for those properties which are located both within the Village Redevelopment Area and the Transportation Corridor, the following land uses are the **only** uses which will be permitted:

- Field and Seed Crops
- Truck Crops
- Horticultural Crops
- Orchards and Vineyards
- Tree Farms
- Fallow Lands
- Light-Rail Transmission Facilities
- Light-Rail Maintenance/Repair Facilities
- Light-Rail Stations
- Passive Open Space
- Bicycle Paths
- Pedestrian Trails
- Private or Public Parking Lots
- Railroad Tracks

The following uses may be provisionally permitted:

- Commercial and Retail Businesses
- Mixed Use Projects
- Residential Projects

All provisional uses will be reviewed on a case-by-case basis.



↑  
**TRANSPORTATION CORRIDOR**

(Boundaries shown with dotted line)

## Provisional Use Standards Contents

- Amusement Games Arcades
- Automatic Teller Machines (ATMs)
- Bars/Cocktail Lounges
- Bed and Breakfast Inns
- Business/Professional Offices
- Business/Professional Services
- Child Care Centers
- Cinemas
- Cultural Facilities
- Fast Food Restaurants (large)
- Financial Institutions (Full)
- Institutional Uses
- Hotels
- Laundromats
- Live/Work Studios
- Medical Therapy Offices
- Medical Treatment Offices
- Motels
- Multi-Family Dwellings
- Night Clubs
- Pool Halls/Billiard Parlors
- Professional Care Facilities
- Quick Stop Food Stores
- Managed Living Units
- Restaurants with Entertainment
- Self-Improvement Services
- Sidewalk Cafes
- Sports Entertainment Uses

**PROVISIONAL LAND USES**

### Considerations

1. Arcades can provide entertainment and a social focus for young adults in the community. However, they can also create a foci of behavior which can be disruptive to other commercial activities and to nearby residential development.
2. Since arcade games can be relatively expensive to play over extended time periods, the activity in arcades often involves numbers of youth periodically participating as spectators. This pattern can result in a relatively high number of occupants compared to the number of machines and in a potential loitering problem on adjacent public sidewalks.
3. Younger users may arrive at the arcade on bicycles which often are allowed to litter sidewalks in and adjacent to the business, resulting in obstacles to pedestrian movements.
4. Arcades in primary shopping area generally interrupt retail continuity.
5. Other on-premise uses and the number of machines are relevant issues. Arcade machines which are subsidiary to other major uses such as a cinema are generally not a major problem since their primary function is to provide entertainment while patrons are engaging in or waiting for other events. In contrast, large numbers of machines which serve as the major draw of the business are likely to have a different user profile.

### Location and Development Criteria

1. Arcades should not be placed on sidewalks adjacent to primary pedestrian streets.
2. Arcades should not be located in areas where they would interrupt existing or anticipated retail continuity.
3. Arcades which are intended as primary destinations should be located near public parking lots.
4. Arcades in Land Use District 3 should generally be limited to tenancies within larger shopping complexes with adequate parking and facilities for bicycle parking.
5. Unless an adequate supply of public bicycle racks are located nearby, arcades should provide on-premise racks or install public racks in a location and manner acceptable to the City.
6. Locations and/or hours of operation should be such as to minimize any conflicts between the use and Village residences.

## ***Amusement Game Arcades***

---

### *Definition*

*A retail use which provides five or more amusement game devices such as video games, pinball machines or other similar mechanical and electronic amusement devices.*

*Amusement Game  
Arcades*

---

**Findings**

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The Arcade will not interrupt retail continuity or pedestrian movement.
2. Adequate parking for vehicles and bicycles exist either on-site or in nearby public resources.
3. Adequate planning has been conducted to minimize loitering activities which could negatively impact adjacent uses.
4. The location and/or hours of operation are such that activity and noise impacts on Village residents are likely to be minimal.

### Considerations

1. ATM's have become an accepted and valued convenience for most bank customers. They allow relatively rapid transactions that save customers time and are often available in locations other than parent financial institutions. They serve to support adjacent commercial uses by providing a ready source of cash for shoppers including tourists.
2. Parking is often an issue. Because most transactions are rapid and generally take less than a minute of actual machine time, users are often tempted to park illegally while using the machines. This can cause circulation difficulties as well as create hazards for both motorists and pedestrians.
3. In some commercial locations, the demand for usage can create queues which conflict with pedestrian movements on the adjacent sidewalk and block display windows or entries to adjacent businesses.
4. Each bank's ATM has a standard design and appearance which can have a visual impact on the general character of a storefront.
5. Security concerns related to ATM's result in a generally high level of illumination at and surrounding the machine location.

### Location and Development Criteria

1. Machines should be located within 100 feet of at least two short term parking spaces which are available to the user.
2. ATM's should not be located immediately adjacent to primary pedestrian sidewalks. Locations should be on sidewalks or within recesses where adequate use and queuing space exists.

### Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The proposed location of the ATM will not adversely affect pedestrian traffic movements and will not result in negative impacts to adjacent uses.
2. The ATM is not expected to create additional parking and traffic problems in the area.
3. The appearance of the ATM and its related lighting and signage is appropriate to its location and the Village.
4. Adequate lighting and visibility provisions have been made for user safety.

## ***Automatic Teller Machines (ATM's)***

### *Definition*

*Machines for the automatic processing of banking transactions including the dispensing of cash without assistance from on-site employees. Machines are generally mounted on building walls and may be installed adjacent to financial institutions or in off-premise locations.*

**PROVISIONAL USE  
STANDARDS**

## BARS AND COCKTAIL LOUNGES

### **Definition**

**Any establishment serving an alcoholic beverage which does not meet the definition of, or requirements for, a bona fide public eating establishment (see appendix for definition of bona fide public eating establishment).**

### **Considerations**

1. Bars are often sources of late night noise near premise exits, around parking areas and on vehicular and pedestrian paths leading away from the premises.
2. Front facades are often largely devoid of windows or covered with signs and other obstructions resulting in a gap in an otherwise interesting street facades.

### **Location and Development Criteria**

1. Bars/Cocktail Lounges should not be located along frontages where they would disrupt retail continuity unless their frontage is limited to 25 feet or less.
2. Bars/Cocktail Lounges should not be located where they are likely to adversely impact residential uses.
3. Bars/Cocktail Lounges should not be located so as to create a concentration of this use in one area. No bar/cocktail lounge shall be located within 500 feet of any other bar/cocktail lounge.
4. An adequate supply of parking, as set forth within this Manual, shall be located conveniently nearby.
5. Facades shall be treated in a manner similar to other storefronts and should be designed with a Village character.
6. An opening shall be provided through which an unobstructed view of the interior of the premises can be obtained from

the street upon which business fronts.

7. Surrounding grounds, including parking areas, shall be maintained in a neat and orderly condition at all times.
8. Any structure housing such operation shall meet all applicable building code provisions prior to occupancy.
9. Owner shall not permit open containers of alcoholic liquor to be taken from the premises.

### **Findings**

In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:

1. The Bar/Cocktail Lounge will not likely have a negative impact on Village residents.
2. Adequate parking is conveniently located near the premises.
3. The exterior design of the facility and signage are appropriate to the Village and compatible with adjacent uses.

## **PROVISIONAL USE STANDARDS**

### Considerations

1. Provisions for on-site parking can become visually unattractive on small sites or on sites where existing residential structures have been converted to Bed and Breakfast uses. Parking which spills out onto residential street can be a particular nuisance to adjacent residents.
2. The noise and activity of late evening arrivals and early morning departures can be disruptive to residents living near the site.

### Location and Development Criteria

1. Parking areas should not be located adjacent to existing residences.

### Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The Bed and Breakfast Inn can accommodate its parking requirement without disrupting the visual and landscape character of its Village surroundings.
2. The Bed and Breakfast Inn will not result in unacceptable levels of noise which would disrupt adjacent or nearby residents.
3. The proposed site is large enough to accommodate the proposed development while still providing adequate landscaping to be compatible with the surrounding neighborhood.

### Bed and Breakfast Inns

#### Definition

*An historical or architecturally significant building which is located in a scenic or other environment with a distinct character which has no less than three and no more than eight attractively decorated lodging rooms, and one common room available for social interaction where short-term lodging and primarily breakfast meals are provided for compensation. Bed and Breakfast Inns do not include rest homes, convalescent homes, hotels, motels, boarding houses<sup>1</sup> or lodging houses.*

**PROVISIONAL USE  
STANDARDS**

## ***Business/ Professional Offices***

### ***Definition***

*A commercial facility used for business involving information processing, clerical work, consulting and record keeping rather than the sale or manufacture of goods.*

### **Considerations**

1. Many types of offices can be disruptive to retail continuity when located in commercial shopping areas because of their non-retail nature and generally inward-oriented character.
2. A significant portion of the parking spaces needed to serve office uses are occupied by employees who are on-premises all or most of the work day.
3. Some office uses, such as real estate offices, are more consumer-oriented and can be beneficial to a lively mix of uses if small enough in scale to avoid disrupting retail continuity.
4. Some developers may wish to construct typical speculative office buildings with large floor plates and extensive quantities of window area for maximum tenant subdivision flexibility. Such facilities are likely to be out of scale and character in all areas of the Village.
5. Office uses will generally provide for their parking requirements on-site. Some sites with alley access can accommodate on-site parking without undue visual impact on the Village streetscape. Others may have more difficulty.
6. Office structures adjacent to residential uses can result in a loss of privacy for residents.

### **Location and Development Criteria**

1. Ground floor office uses should not be located along commercial shopping streets where they would disrupt retail continuity. An exception to this criterion would be real estate offices or other "walk-in" uses which are strongly public consumer-oriented with a frontage of 50 feet or less.
2. Office uses are generally appropriate on the upper floors where they do not impact retail continuity.
3. Offices should be allowed on lots which back up to or are adjacent to residential properties only where development plans demonstrate that only minimal impacts will result.

### **Findings**

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The office development will be compatible in scale and character to the surrounding Village development.
2. The development is not likely to negatively impact existing or planned retail continuity in significant concentrations of commercial shops.
3. Sufficient on-site parking will be available to serve employee parking needs.
4. The office development will not result in an undue reduction of livability for adjacent residents.

### Considerations

1. Some Business/Professional Services uses can be disruptive to retail continuity when located in commercial shopping areas because of their non-retail nature and generally inward-oriented character. Others are more drop-in customer oriented and appropriate to retail areas except where they might occupy critical locations or occupy large street frontages.
2. A significant portion of the parking spaces needed to serve office uses are occupied by employees who are on-premises all or most of the work day.

### Location and Development Criteria

1. Ground floor usage in heavily retail-oriented areas should be limited to Business/Professional Service tenants who provide drop-in services to the general public such as quick copying and desktop publishing.
2. Business/Professional Service uses are generally appropriate on upper floors, in courtyards or along commercial alleys where they do not impact retail continuity.

### Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The Business/Professional Service use is not likely to negatively impact existing or planned retail continuity in significant concentrations of commercial shops.
2. Sufficient on-site parking will be available to serve employee parking needs.
3. Adequate short term parking exists in reasonable proximity to the use to accommodate drop-in customers.

## ***Business/ Professional Services***

### *Definition*

*A retail use which provides clerical, duplicating and other services to businesses and the general public.*

## **Child Care Centers**

### **Definition**

*A day care facility of any capacity, other than a family day care home as defined in Section 21.04.146 of the Carlsbad Municipal Code, in which less than twenty-four-hour per day non-medical care and supervision is provided for children in a group setting including nursery schools but not elementary schools.*

### **Considerations**

1. Child care facilities require outdoor play areas. In some locations, these exterior areas could be subjected to physical or environmental conditions which might be injurious to the health of the children.
2. Drop off and pick up of children can create additional traffic in the immediate vicinity of the center as well as require short-term parking. Impacts on residents and potential traffic conflicts should be considered for specific locations.
3. Children playing in the outdoor areas around the center can produce noise levels which might negatively impact some residential uses.
4. Convenient child care centers could encourage increased utilization of the Village's commuter rail station.

### **Location and Development Criteria**

1. Sites should enjoy ease of vehicular access.
2. Parcels should be sufficiently large to accommodate on-site parking and waiting zones or should be able to accommodate these functions within the public right-of-way without negatively impacting traffic flows or creating nuisances for occupants and/or customers of adjacent businesses or residences.

### **Findings**

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The Child Care Center meets relevant State of California locational criteria.
2. The Center will not cause undue traffic impacts on adjacent uses.
3. Adequate provisions have been made for parking and the drop-off and pick up of children.

### Considerations

1. Cinemas require substantial parking in reasonably close proximity to the facility. However, peak usage of cinema parking often occurs when other downtown uses are closed or in need of fewer parking spaces to satisfy customer and employee needs.
2. Substantial traffic can be generated by a cinema facility when hit movies are shown or on peak weekend evenings. Patrons arriving for the next feature showing are seeking parking spaces prior to and while other patrons are leaving the facility.
3. The final film of an evening often lets out around midnight or later. Cinema exits and parking lots can become a source of noise which would be unwelcome near residential development.

### Location and Development Criteria

1. Lots should provide or be located near parking areas with adequate spaces to meet the cinema's parking peak demand.
2. Sites adjacent to residential development would generally not be acceptable unless noise, traffic and other potential impacts can be adequately mitigated.

3. Locations which have or can accommodate supportive nighttime activities (e.g., restaurants, book stores, etc.) are preferable to isolated sites where movie-goers are less likely to patronize other downtown businesses.

### Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. Adequate and available parking resources exist on-site, in nearby public resources or in nearby private parking lots for which a binding use agreement has been executed to meet the cinema needs.
2. Traffic generated by the facility will not unduly impact residents or other businesses in the Village.
3. The facility is not likely to create noise, security or other adverse impacts on adjacent residential development.
4. The facility's location is supportive of a lively Village environment and has a high potential for stimulating support for other Village uses.

## Cinemas

### *Definitions*

*A commercial enterprise containing fixed seating and dedicated to the showing of motion pictures on one or more screens.*

## **Cultural Facilities**

### ***Definition***

*A public or quasi-public facility devoted to museum displays, interactive displays and education devoted to history or cultural heritage, or live theatrical, music and/or dance performances.*

### **Considerations**

1. Live performance theatres are open to public use for only a very few hours each week and are devoid of apparent activity for the remainder of the time. If located in areas of intense retail activity, they can disrupt retail continuity.
2. If intensively programmed, live performance theatres have the potential of creating increased patronage of nearby restaurants and other nighttime use facilities.
3. Live performance theatres generally are designed as large windowless boxes to accommodate the facility's functional requirements and could be out of scale with nearby commercial and residential developments. Facilities with "fly lofts" to store scenery vertically above the stage can have windowless building components over 60 feet in height.
4. Live performance facilities, like cinemas, require substantial amounts of parking nearby. However, unlike cinemas, there is usually only one performance in an afternoon or evening. Therefore, potential traffic congestion is generally only related to the period immediately following a performance.
5. Like cinemas, live performance theatres often close late in the evening and have the potential of creating undesirable noise impacts if sited near residential development.

6. Museum's often require substantial floor area to accommodate exhibits and artifacts. While "storefronts" can contribute to the liveliness of the street environment with visible display items and museum sales shops, the overall facility might occupy space more appropriately devoted to retail activities.

### **Location and Development Criteria**

1. Cultural Facilities should be located near parking resources adequate to meet public attendance and employee needs.
2. Locations and frontages should be sensitive to any adjacent retail needs in regard to use compatibility and critical mass of retail uses.

### **Findings**

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. Adequate parking resources exist on-site or in nearby public resources to accommodate the cultural facility's needs.
2. Traffic generated by the facility will not unduly impact residents or other businesses in the Village.
3. The facility is not likely to create noise, security or other adverse impacts on adjacent residential development.
4. The facility's contribution to Village vitality and community identity outweighs any potential negative impacts on retail intensity and continuity.

## Considerations

1. Although fast food restaurants in some urban locations are pedestrian-oriented, most are auto-oriented, require substantial amounts of parking and generate considerable traffic by virtue of their rapid turn-over and take-out food policies. These characteristics can be detrimental to retail continuity and pedestrian safety.
2. Food for take out service is generally packaged in throw away containers. These along with straws, napkins and wrappers can create special trash problems at and for some distance from fast food restaurants.
3. Most fast food chains desire to utilize their recognizable corporate building and signage styles. While some have made special efforts in modifying their designs to fit special community circumstances, there may be problems in integrating the facility into the desired Village design character.
4. Fast food restaurants often extensively utilize paper or painted window signs as part of their promotional effort. These can detract from the quality of the Village visual environment.

## Location and Development Criteria

1. Fast Food Restaurants with on-site parking should not be located in areas where retail or visual continuity are important nor in areas where vehicular traffic related to their use will disrupt significant pedestrian movement patterns.
2. The site should be large enough to accommodate on-site parking away from street frontages.
3. The developer/franchisee should be willing to design specifically and uniquely for the Carlsbad Village visual environment as well as agree to restrictions on temporary advertising signs.

## Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The use is not likely to create pedestrian and traffic hazards.
2. The use is consistent with and supportive of adjacent commercial uses.
3. Parking locations and visual treatments are consistent with Village goals.
4. The design of the facility and signage is compatible with the desired Village character.

## ***Fast Food Restaurants (Large)***

### *Definition*

*A retail eating or eating and drinking use designed to attract and accommodate high customer volumes or turnovers and which provides ready-to-eat food for consumption on or off the premises and meets the following criteria:*

- *A gross floor area of 1000 square feet or more, + more than 50 seats*
- *A limited menu of ready-to-eat food prepared in advance of customer orders, or food which may be quickly prepared.*
- *Food served in disposable wrappers or containers.*
- *Food is ordered at a customer service counter.*
- *Food is paid for prior to consumption.*

**PROVISIONAL USE  
STANDARDS**

## ***Financial Institutions (Full)***

### ***Definition***

*Financial uses providing banking services and products to the public and which occupy more than 25 feet of linear frontage or 1000 square feet of gross floor area including banks, savings and loans, and credit unions.*

### **Considerations**

1. Large financial institutions can utilize large street frontages which can interrupt retail continuity.
2. Financial institutions often seek locations in downtown areas in order to compete with others with regard to identity and name recognition. This tendency along with their ability to pay relatively high rents frequently resulted in substantial concentrations of these uses with the resultant loss of space for other retail and service uses.
3. Aggressive promotional campaigns for financial products and services often leads to the extensive use of temporary signs placed in window areas facing the street. This can lead to an appearance of visual chaos.
4. Most financial institutions also provide on-site Automatic Teller machines for quick transactions. This can increase traffic congestion and lead to parking problems as outlined in the provisional use standards outlined for ATM's.
5. Some financial institutions wish to incorporate drive-in banking facilities. These take up large areas of land, contribute to air quality problems by virtue of idling engines and can result in traffic circulation problems.

### **Location and Development Criteria**

1. Sites should not contain on-site parking unless such parking can be accessed from streets or alleys without conflict with pedestrians along primary pedestrian paths.
2. Drive-in banking windows should not be allowed.
3. Street frontages should be appropriate to the location relative to retail continuity and should generally not exceed 50 feet.

### **Findings**

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The scale and character of the development are in keeping with adjacent Village development.
2. The use will not adversely affect retail continuity or pedestrian movements.
3. The use will not unduly affect the orderly flow of vehicular traffic in the area.

**PROVISIONAL USE  
STANDARDS**

Institutional uses, except for schools, should be located away from residential areas where noise and/or traffic could be a problems.

**INSTITUTIONAL USES**

1. The development of additional Institutional Uses within the Village Redevelopment Area will generally be discouraged because these type of projects most often consume large street frontages which interrupt retail continuity.
2. Institutional Uses generally do not assist in the effort to economically enhance an area or serve to meet the revitalization goals the Village Redevelopment Area.
3. Since existing Institutional Uses within the Village have been "good neighbors" for a number of years and have developed strong relationships within the community which give additional identity to the Village Redevelopment Area, existing Institutional Uses will be allowed to remain with legislative approval of a long term Master Plan for all related property.
4. Permission may be granted by the Carlsbad Redevelopment Agency to allow the expansion or intensification of an existing institutional use only if the expansion or intensification provides public benefits, such as street improvements, and it is determined that the project will have no adverse impacts on the surrounding properties.

**Location and Development/Redevelopment Criteria:**

Although new institutional uses will be discouraged within the Village Redevelopment Area, it is possible that a new institutional use may be proposed for the Village. In this case, the following location and development criteria shall apply:

1. Institutional Use frontages should be limited in areas of intense retail activity unless substantial portions of the frontages are utilized for retail uses which are easily accessible from the sidewalk.

3. Access to loading or parking facilities should be located away from primary pedestrian areas wherever possible to prevent conflicts and assist with traffic circulation.

For existing Institutional Uses, the location is already fixed. However, if redevelopment of a site is proposed, the above criteria shall remain applicable.

**FINDINGS:**

For a new institutional use to receive a Redevelopment Permit, the following findings must be made:

1. The scale and character of the Institutional Use is appropriate to its location and the desired Village character.
2. The use is consistent with the goals and objectives of the Village.
3. Street frontage uses are appropriate to the site and location and adjacent uses.
4. Loading facilities and access to parking will not adversely effect pedestrian movement and safety.

In addition to the above findings, the following findings must also be made for all existing institutional uses:

5. A Master Plan has been submitted and approved by the appropriate legislative body.
6. Expansion or intensification of the use will not have an adverse impact on future development within the area or on revitalization activities.

**Definitions:**

**Institutional Uses** are those which are generally characterized as being established by a non-profit organization or corporation of a public character with a public purpose being served (ie., education, religious services, elderly care, etc.).

**Private Secondary School** is an educational facility which is established, conducted and primarily supported by a nongovernmental agency and offers general, technical, vocational or college-preparator courses at a level and to an age group which is intermediate between elementary school and college.

**Professional Care Facility** is a facility in which food, shelter and some form of professional service is provided such as nursing, medical, dietary, exercising or other medically recommended programs. Not included in this definition are hospitals and mental hospitals.

**Church** is generally considered to be a worship facility for a body or organization of religious believers.

### Considerations

1. Hotels are generally acceptable in all of the designated land use districts. However, issues of scale and potential conflicts must be addressed in each individual circumstance.
2. Hotel street frontages can negatively impact retail continuity unless uses are placed along those frontages which complement the adjacent retail uses.
3. Visitor loading areas can disrupt traffic flows and remove on-street parking resources for retail uses.
4. Functional areas of hotels (e.g., kitchen and trash areas) can be sources of noise which could affect any adjacent residential uses.

### Location and Development Criteria

1. Hotel frontage dimensions should be limited in areas of intense retail activity unless substantial portions of the frontages are utilized for retail uses which are easily accessible from the sidewalk.
2. Hotel service areas should be located away from any adjacent residential uses where noise could be a problem.
3. Access to any loading or parking facilities should be located away from primary pedestrian areas wherever possible.

### Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The scale and character of the hotel is appropriate to its location and the desired Village character.
2. Street frontage uses are appropriate to the site location and adjacent uses.
3. Loading facilities and access to parking will not adversely affect pedestrian movement and safety.

### HOTELS

#### Definition

**A building in which there are five or more guest rooms where lodging is provided on a nightly basis, with or without meals provided for compensation, and where no provision is made for cooking in any individual room or suite and shall not include buildings where persons are housed under legal restraint.**

## **Laundromats**

### **Definition**

*A commercial business wherein coin-activated washers, dryers and similar cleaning equipment are self-operated by individuals not permanently living or temporarily residing on the premises.*

### **Considerations**

1. Laundromats provide important services for Village and nearby residents without their own on-premises equipment and for travellers staying in the area at facilities which do not have laundry facilities.
2. Recent development prototypes in many urban areas have included coffee houses, cocktail lounges or other entertainment uses along with the laundromat functions. These mixes of use must be evaluated with respect to their relative size and ability to attract patronage separately from on-site laundromat users.
3. Typical laundromat frontages are often lacking in visual interest and exhibit high levels of fluorescent lighting which could be at odds with adjacent uses.
4. Convenient parking is generally needed.

### **Location and Development Criteria**

1. Laundromats should not be placed in areas where there is a high degree of retail continuity.

### **Findings**

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The use or combination of uses is compatible with adjacent uses and will not unduly interrupt important areas of retail continuity.
2. The scale and character of the facility is compatible with a Village character.

### Considerations

1. The issues of Live/Work Studios deal both with the impact of business uses on adjacent residential uses as well as the impact of adjacent non-residential uses on the livability of the residential units in cases where the studios are located in commercial or industrial areas.
2. Some on-site business activities such as the creation of metal or wood sculpture could introduce a noise element into the residential neighborhood.
3. On-premise display and/or sales activities could generate traffic and parking concerns in residential areas.
4. In commercial areas, the residential units could be substandard in terms of access, light, air and open space unless specifically designed to address those issues.
5. In industrial areas, residents could be subjected to adjacent noise or other environmental impacts.

### Location and Development Criteria

1. On-site display and sales functions should be limited to sites where vehicular access and parking will not negatively impact other residential units.
2. Live/Work Studios in residential environments should be limited to activities which will not adversely impact adjacent residents.

### Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The Live/Work Studio use is compatible with adjacent development.
2. Adequate parking is available for tenants and anticipated visitors.
3. Dwelling units will enjoy a residential environment of comparable quality to other standard units in the Village.

### Live/Work Studios

#### *Definition*

*A residential structure, generally in loft-type unit, in which one or more of the residents utilize a portion of the dwelling unit for business purposes involving the creation or assembly of art, craft, graphic design, photography or similar hand-crafted products for display and/or sale. On-site business activities may include in some but not all cases the display and sale of those hand-crafted goods.*

## ***Medical Therapy Offices***

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### ***Definition***

*Medical or allied health service offices which generally meet the following criteria:*

- *Fewer than 3 professionals in the office*
- *Treatment sessions lasting 45 minutes or more*
- *Treatment limited to 1 individual or 1 family at a time.*
- *Includes these and similar uses:*
  - *Chiropractor*
  - *Family Therapy*
  - *Psychologist*
  - *Psychotherapy (Individual)*

### **Considerations**

1. Medical therapy offices, if located in ground floor storefront space, could interrupt retail continuity given their generally inward-oriented character.

### **Location and Development Criteria**

1. These uses should be limited to locations on levels above the ground floor or in off-street locations where they will not adversely impact retail continuity.

### **Findings**

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. On-premise activities and related parking requirements are compatible with the land use district and adjacent development.
2. Adverse impacts on retail intensity or retail continuity are not likely.

### Considerations

1. This type of medical use has the potential of generating higher parking demands than other commercial uses which could impact the visual quality of the Village for on-site parking and the availability of parking for retail uses within the parking district.
2. Medical offices are generally inward-oriented in character and could negatively impact retail continuity if placed in areas with a high retail potential.

### Location and Development Criteria

1. Medical Treatment Offices should be placed on levels above the ground floor or in off-street locations in areas of retail activity.
2. Sites should be large enough to accommodate on-site parking.

### Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The use is compatible with the land use district and adjacent development.
2. The use will not adversely affect retail intensity or retail continuity in the Village.
3. Adequate parking exists to serve the needs of this use.

## **Medical Treatment Offices**

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### Definition

*Medical or allied health service offices which meet one or more of the following criteria:*

- 3 or more professionals in the office
- Treatment periods of less than 45 minutes
- Waiting rooms accommodating more than 5 people
- Treatment sessions involving 3 or more patients at the same time.
- Includes these and similar uses:
  - Dental Clinic
  - Medical Clinic
  - Medical Office
  - Psychotherapy (Group)

**PROVISIONAL USE  
STANDARDS**

## **Motels**

### **Definition**

*A group of attached or detached buildings containing individual sleeping or living units where a majority of such units open individually and directly to the outside, and where a garage is attached or a parking space is conveniently located to each unit, all for the temporary use by automobile tourists or transients, and includes motor lodges. An establishment is considered a motel when it is required by the Health and Safety Code of the State of California to obtain the name and address of the guests, the make, year and license number of the vehicle and the state in which it was issued.*

### **Considerations**

1. Motels are traveller-oriented, therefore should be conveniently located on travel corridors and near other visitor-serving facilities.
2. Motels by their nature have a very strong automobile-to-room relationship which could limit building activity which may be oriented towards Village streets.
3. Because many motels survive on drop-in business, their signage is often aggressive in size and appearance.

### **Location and Development Criteria**

1. Parking areas should be located away from street frontages and buffered from public view.

### **Findings**

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The use is appropriate to the land use district and adjacent development.
2. The site is adequate in size to provide the necessary parking as well as adequate space for landscaping to integrate the project into the Village character.
3. The project enhances the Carlsbad Village image and character.

### Considerations

1. Multi-family housing is appropriate near the Land Use District 1 rail station but could displace important ground floor retail uses in some locations.
2. Multi-family residential uses generally require on-site dedicated parking which could be difficult to provide in retail-oriented districts unless located below grade.
3. In Land use District 6, large parcels lend themselves to multi-family residential development. However, the impact of adjacent industrial uses on the quality of the residential environment may be of concern.

### Location and Development Criteria

1. Residential units and parking should not be placed on ground floor levels where they would displace desired retail uses or otherwise lessen active street frontage.
2. Sites should be large enough to accommodate parking requirements on-site or below grade.
3. Residential units should not be placed in close proximity to uses which would adversely affect the health and welfare of the residents.
4. For locations adjacent to the A.T.&S.F. Railroad Right-of-Way, adequate provisions should be made to buffer residents from train noise.
5. Where feasible and possible, multi-family housing near the rail station should be constructed as part of a mixed use development project.

### Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The Multi-family Residential use is appropriate to the site and adjacent development.
2. The site is of adequate size and shape to accommodate its required on-site parking without adversely affecting the visual environment of the Village.

### Multi-Family Dwellings

#### Definition

*A building, or portion thereof, designed for occupancy by three or more families living independently of each other and containing three or more dwelling units.*

**PROVISIONAL USE  
STANDARDS**

## ***Night Clubs***

### ***Definition***

***A place of entertainment, mostly open at night, serving food and liquor or other refreshments, and having a floor show or providing music and a space for dancing.***

### **Considerations**

1. Nightclubs, as nighttime activities, have the potential of creating noise problems for nearby residential areas.
2. Nightclubs, because of their floor show and/or dance floor requirements, often require large blocks of floor area which could displace other desired uses.
3. Nightclubs are generally inactive during normal business hours and can create a gap in interesting activity if located along retail frontages.
4. The intensity of use of nightclubs is generally very high since many patrons may be standing or dancing rather than seated at tables. This intensity can create the need for substantial nearby parking.
5. Sidewalk crowds waiting to enter the nightclub and during intermissions or music breaks are not uncommon and can be a hindrance to normal pedestrian movement if located near other nighttime uses such as restaurants.
6. The total number of night clubs within the Village at any given time shall be limited. An overconcentration of night clubs could be detrimental to the Village. Special consideration shall be given to the potential for proliferation of night clubs by assessing the number and type within the Village at any given time and the impact an additional club might have on the environment or atmosphere within the Village.

### **Location and Development Criteria**

1. Nightclubs or parking serving nightclub uses should not generally be located adjacent to residential development.
2. Nightclubs should contain adequate on-site parking or be located near public parking resources with sufficient capacity to serve their parking requirements.
3. The location should be such that conflicts with other nighttime uses are minimized or design steps should be taken to accomplish that goal.

### **Findings**

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The site is suitable for a nightclub use and will have a minimal impact upon Village traffic, parking, residents and other adjacent uses.

### Considerations

1. Pool Halls and Billiard Parlors have become a popular form of both participatory and spectator activity in recent years and cater to a wide range of social, economic and age groups. The issues related to this use are primarily related to those of displacement of desired retail activity in important shopping areas and the disruption of retail continuity.

### Location and Development Criteria

1. Pool Halls/Billiard Parlors should not be located along prime retail frontages.

### Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The Pool Hall/Billiard Parlor use is appropriate to the site and is not likely to adversely affect the Village's retail potential.

### Pool Halls/ Billiard Parlors

#### Definition

*Any place of business where billiards or pool is played, and a fee is charged to those playing for the use of the equipment. The billiard room shall not be connected with any other business, nor shall any other business be permitted to be carried on, except that the billiard room may have therein ordinary merchandise vending machines and no more than four coin-operated games of skill, including pinball machines. A bar or cocktail lounge, having two or less pool or billiard tables, shall not be considered to be a pool hall or billiard parlor.*

**PROVISIONAL USE  
STANDARDS**

## ***Professional Care Facilities***

### ***Definition***

*A facility in which food, shelter, and some form of professional service is provided such as nursing, medical, dietary, exercising or other medically recommended programs. Not included in this definition are hospitals and mental hospitals.*

### **Considerations**

1. The Village should not generally be thought of as a location for new facilities of this type given the Village's emphasis upon retail shopping, small scale offices, visitor services and residential development in close proximity to the commuter rail station.

### **Location and Development Criteria**

1. The use should only be considered in Land Use District 1 on the site currently occupied by a similar use (Carlsbad Boulevard and Grand Avenue). Should significant changes to that property or use occur in the future, strong encouragement should be given for conversion of the site to commercial and visitor-serving uses.
2. No new development of this type should be allowed in Land Use District 9 aside from the redevelopment or rebuilding of similar uses currently occupying sites within the district.
3. Historic portions of existing buildings should be retained and enhanced.
4. New development on existing sites should reinforce the visual interest of adjacent streets and contain substantial landscaping.

### **Findings**

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The use is a rebuilding or redevelopment of existing or similar uses.
2. The development is consistent with the goals of the Village Design Manual with regard to pedestrian movement and visual character.

### Considerations

1. Quick stop food stops are likely to be automobile-oriented with rapid parking space turnover and with little spill-over commercial benefit to other Village uses.
2. These uses are often chain franchise operations with a standard appearance that would not comfortably fit into the desired Village visual character without significant architectural and signage modifications.

### Location and Development Criteria

1. Parking lots should not dominate the site development.
2. Parking lots should be buffered from public view by screening and substantial landscaping.
3. The character of structures and signage must be compatible with a Village character.

### Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The use is appropriate to the Village and the site.
2. The project has been designed to be compatible with the Village environment.

### Quick Stop Food Stores

#### Definition

*A retail facility selling take-out food, liquor or other convenience goods and containing fewer than 20 seats where the majority of sales are removed and consumed outside the premises.*

**PROVISIONAL USE  
STANDARD**

Managed Living Units

**Definition**

Managed Living Units within the Village shall be defined in the same manner as those allowed, if allowed, within the remainder of the City. The definition shall be established by ordinance approved by the City Council.

All Managed Living Units produced within the Village shall comply with the standards and conditions set forth within applicable regulations set forth within the Carlsbad Municipal Code.

If a Managed Living Unit Ordinance is not adopted for the remainder of the City, these type of units will also not be permitted within the Village Redevelopment Area.

Development of all Managed Living Units shall be consistent with the Carlsbad Municipal Code.

**PROVISIONAL USE  
STANDARDS**

### Considerations

1. The activity often results in many customers leaving the facility late at night with the potential for noise impacts on nearby residences from patrons and vehicles.
2. Restaurants with entertainment often have a use intensity with a significant number of patrons in the premises at one time. Parking conveniently located to the facility is important.

### Location and Development Criteria

1. Restaurants with Entertainment should not be located where they are likely to adversely impact residential uses.
2. An adequate supply of parking should be located conveniently nearby.
3. Consideration must be given to ensure that there will not be an overconcentration of restaurants with entertainment at any given time prior to approving a new restaurant with entertainment.

### Findings

*In order for this use to receive a Redevelopment Permit, it should be consistent with the following findings:*

1. The Restaurant with Entertainment is not likely to have a negative impact on Village residents.
2. Adequate parking is conveniently located near the premises.

### ***Restaurants with Entertainment***

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#### *Definition*

*A restaurant whose bar area exceeds 50 seats and which provides live music, recorded music for dancing, comedy or other entertainment on a regular basis.*

## Considerations

1. Since all or a portion of Sidewalk Cafes occupy public property, tables, chairs and waste receptacles can interfere with normal pedestrian movements.
2. Tables, chairs, waste receptacles and other items, if located near street curbs, can interfere with car doors and pedestrian access to parking spaces.
3. Too many tables and chairs can block access to the business's entry.
4. Since tables, chairs, umbrellas, waste receptacles, planters and other items are prominently located within the public right of way, they can have a substantial impact on the immediate visual environment.

## Location and Development Criteria

1. Sidewalk tables should be limited to eating and drinking establishments.
2. Tables and chairs should not unduly disrupt pedestrian and vehicular movement.
3. Tables should be placed a minimum of two feet from the curb to allow adequate space for the opening of vehicle doors.
4. A clear area of at least five feet in width must be maintained for pedestrian use over the entire length of the sidewalk in front of the business.

5. Tables are encouraged to be placed in line with tree wells, street lights and other street furnishing elements in order to maximize a linear unobstructed area.
6. Where tables are placed next to the building facade, a clear area of at least five feet in width must be maintained to building entries.
7. Tables must not block access to fire emergency facilities (i.e., fire hydrants).
8. Tables, chairs and umbrellas should be restricted to the frontage of the business, and should not encroach on the frontage of any adjacent business.
9. All sidewalk obstruction including non-permanent trash receptacles should be removed completely from the sidewalk area daily prior to the close of business.
10. Furniture should be of a uniform color and design and of substantial construction to withstand outdoor use. Umbrellas should be made of a wood or metal framework and should be covered with fabric. No vinyl umbrellas shall be permitted. The Housing and Redevelopment Director shall develop guidelines for examples of acceptable sidewalk cafe furniture.
11. Trash receptacles should be provided by the eating or drinking establishment and the area of the sidewalk cafe should be kept free of litter.

## SIDEWALK CAFES

### *Definition*

*An outdoor extension of a restaurant, delicatessen, ice cream parlor or similar food service use with the majority of its seating capacity located indoors and where exterior seating occurs partially or wholly on public property.*

*A delicatessen is defined as an establishment which typically has less than 1600 square feet of gross floor area and provides ready-to-eat food products (such as cooked meats or prepared salads) and canned or bottled beverages which are purchased on the premises and consumed off-site. There are no on-site stoves or ovens for the cooking or preparation of food sold at the site. Serving and eating utensils are disposable; no dishwashing facilities are located on site. Food service is not provided to any tables which might be located on the premises; no waiters or waitresses are employed on the premises. A delicatessen is defined as "retail" for land use purposes.*

*A restaurant is defined under "Bona Fide Public Eating Establishment" in Section 21.04.056 of the Carlsbad Municipal Code.*

## SIDEWALK CAFES

12. A Sidewalk Table permit must be approved by the Housing and Redevelopment Director prior to the use of sidewalk tables. A fee to be set by the City Council shall be required for processing the subject permit. This fee must be paid before the permit will be processed.
13. The approved sidewalk table permit shall remain in effect for as long as sidewalk tables are permitted within the Village Area and the permittee remains in compliance with the subject approved permit. No new permit shall be required unless the applicant ceases to use the sidewalk tables for a period of 6 months or longer; in this case, a new permit with appropriate fee would be required. The approved permit which remains in effect may be amended without additional fees as approved by the Housing and Redevelopment Director.
14. All other necessary City and/or Agency permits must be also be obtained prior to the use of sidewalk tables. These permits may include a business license and/or a redevelopment permit if required for the primary eating/drinking establishment.
15. The State Department of Alcohol Beverage Control (ABC) shall regulate the sale of alcoholic beverages within the Village. The applicant must obtain the appropriate permits and/or approvals from ABC prior to selling or serving alcoholic beverages to customers using the sidewalk tables.
16. The Housing and Redevelopment Director may approve temporary or permanent enclosures for the sidewalk cafe area as part of the sidewalk table permit if the Director finds that the enclosure will not impede pedestrian traffic and is desired for other safety or aesthetic reasons.
17. Applicant/Permittee must sign an Indemnification Statement holding the City of Carlsbad and the Carlsbad Redevelopment Agency harmless from any legal action resulting from sidewalk cafe operations and/or any approved enclosures for the sidewalk cafe.
18. The applicant must submit a Certificate of Insurance to the City of Carlsbad in an amount to be established by the Risk Manager of the City of Carlsbad. The City and the Carlsbad Redevelopment Agency shall be listed as an "additional insured" on the Certificate. The Certificate must remain in effect for as long as the tables and chairs are placed within the public right-of-way (on the sidewalk).
19. In accordance with Chapters 21.35 and 21.58 of the Carlsbad Municipal Code, the sidewalk cafe permit may be revoked by the Housing and Redevelopment Director following due process procedures, if 1) the conditions of the approved permit are not being met; 2) conditions at or around the sidewalk cafe change; and/or 3) if operation of the sidewalk cafe interferes with adequate or safe public use of the sidewalk.

## PROVISIONAL USE STANDARDS

## FINDINGS

In order for the sidewalk table use to receive a permit, it shall be consistent with the following findings:

1. The Applicant has complied with all of the criteria established relative to Sidewalk Cafes.
2. The use is not likely to result in health or safety problems nor is it likely to adversely impact adjacent uses.

## SIDEWALK CAFES

PROVISIONAL USE STANDARDS

### Considerations

1. These uses generally require relatively large sites to accommodate facilities and parking.
2. The uses generally offer relatively little visual interest or street facades.
3. Some facilities have peak usage of an evening hour which could impact adjacent residential uses.

### Location and Development Criteria

1. Uses should not occupy State Street frontage in Land Use District 4.
2. Sites should be large enough for on-site parking which can be adequately screened and landscaped.

### FINDINGS

In order for this use to receive a Redevelopment Permit, it should be consistent with the following finding:

1. The Sports Entertainment Use is compatible with adjacent development, consistent with a Village character and provides sufficient land on which to accommodate building, parking, and landscaping.

### SPORTS ENTERTAINMENT USES

#### *Definition*

*A commercial facility characterized by patron participation in sporting activities and relatively large building volume and/or site. The definition includes bowling alleys, ice/roller rinks, swim clubs and tennis clubs but does not include any use related to gambling or games of chance.*

Land Uses which are not consistent with the allowable or provisional uses of a district or which do not follow the long range goals of the Village Redevelopment Area are considered to be non-conforming uses for land use review purposes under this Manual. Non-conforming land uses in the Village Redevelopment Area can preclude revitalization or redevelopment activities in two primary ways. First, they occupy a site that could be used for redevelopment according to the goals of the underlying district and the Village area as a whole. Second, some non-conforming uses can actually have adverse impacts that reach beyond the confines of the site and actually preclude the redevelopment of neighboring properties.

Non-conforming uses in the Village Redevelopment Zone are specifically defined as those within a specific land use district which are: 1) not permitted by right; 2) have not been provisionally approved by the City or the Redevelopment Agency; or, 3) prohibited. Although the City and the Carlsbad Redevelopment Agency will take no action to initiate immediate, or time-specific, abatement of non-conforming uses within the Village Redevelopment Area, property owners are encouraged to bring their properties into conformance with the regulations of this Manual as soon as possible to assist with the revitalization and redevelopment of the Area. All existing non-conforming uses within the Village Redevelopment Area will be allowed to remain until 1) they simply cease to exist for economic or other reasons; 2) the property is abandoned for a period of 6 months or longer (which means that a building has not been used); or 3) there is a proposed change in use. If any of these conditions exist, the property owner will be

required to bring the property to compliance with current land use policies and building codes/regulations.

### EXPANSION OR INTENSIFICATION OF NON-CONFORMING LAND USES

Expansion or intensification of non-conforming uses will not be allowed by the Agency. However, property owners and/or building tenants will be permitted to complete building facade improvements, add perimeter fencing as appropriate and provide additional landscaping for beautification purposes. Any proposed structural alteration, incidental reconstruction, repair, site alteration, or other property improvements shall conform to the current development standards and design guidelines permitted by the Village Design Manual section of this document.

### RETURN TO ORIGINAL USE

Often difficult situations are created when a property owner wishes to return to the "original use" (from a non-conforming or conforming use) of a building which may have been approved prior to formation of the Village Redevelopment Area (1981) but may have become non-conforming per the approved Land Use Plan for the Village Redevelopment Area. In the past, the public policy has not been clear regarding the property owner's right to return to an "original use". The following is provided in an attempt to clarify the Agency's position and outline the policy which results from adoption of this Manual.

Uses within existing buildings located in the Village Redevelopment Area as of November 1, 1991, per the Carlsbad Village Redevelopment Agency's Land Use Survey, will be considered to be the "original use" of a building for the purposes of this section. No land use which may have existed prior to November 1, 1991 will be considered as the "original use" of the property for purposes of determining conformance with the Land Use Plan implemented by this Manual. If a property owner does not agree with the "original use" identified by the Survey, the property owner shall bear the "burden of proof" responsibility for providing documentation to the Carlsbad Housing and Redevelopment Director that proves an alternate land use, as identified by the property owner, existed as of November 1, 1991.

#### CONFORMING ORIGINAL USE

If the "original use", conforms to the Land Use Plan identified within this Manual, the use may continue without any further requirement to obtain a redevelopment permit regardless of whether or not it meets all current development standards set forth for the Area by this Manual. Expansion or intensification of the "original use", however, may still generate a need for redevelopment and/or coastal development permits. The property owner may also be required to obtain appropriate building permit(s) for improvements to the property which are necessary or required to ensure conformance to applicable building codes for the type of use existing within any given building as of November 1, 1991.

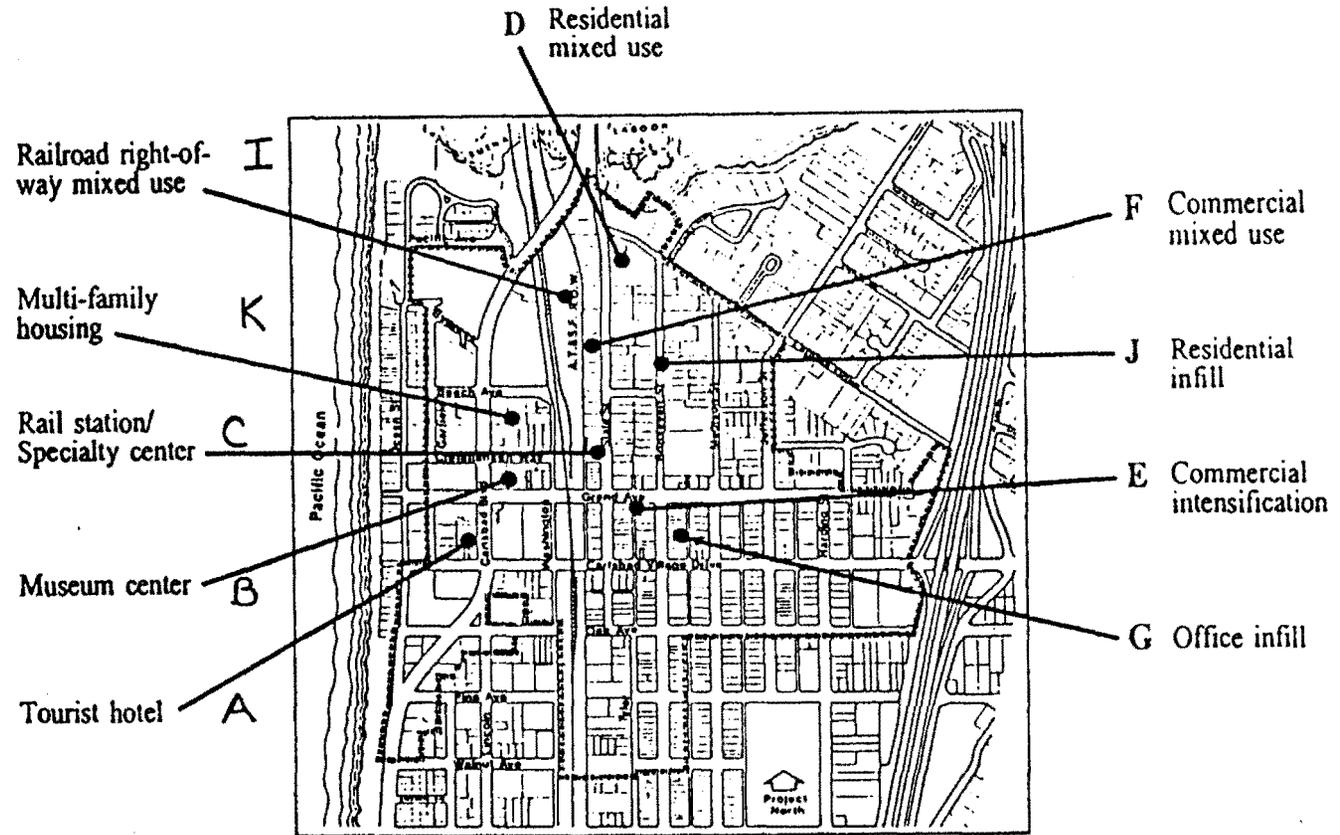
If the "original use" does not conform to the Land Use Plan identified within this Manual, the use may continue until one or more of the previously identified conditions exist, then the property must be brought into conformance with existing regulations. A change to another non-conforming use will not be permitted. If a property owner changed from an "original use" to another use (conforming or non-conforming) after November 1, 1991 but did not obtain appropriate redevelopment permits, the property owner will be required to comply with existing regulations and obtain the appropriate redevelopment and/or building permits. If the Design Review Board determines that the property owner is unable to meet the existing regulations and has exhausted all avenues to legalize the non-conforming use and obtain the appropriate redevelopment and/or building permits to convert an "original use" to a new, conforming use, per the Land Use Plan within this Manual, the property owner will be allowed, with approval of the Design Review Board via issuance of a minor redevelopment permit, to return the use of the property to the "original use" regardless of whether or not the "original use" itself conforms to the Land Use Plan; this is the only situation whereby a property owner will be able to convert to a non-conforming use. No expansion or intensification of the "original use", however, will be permitted for a non-conforming use. With approval of the subject minor redevelopment permit, the Design Review Board will identify an amortization period for the non-conforming use. This means that at the end of the amortization period set forth by the Design Review Board, the "original use" (non-conforming) must be brought into conformance with the existing land use plan and development standards applicable to the area.

## Special Opportunities

As a part of the planning studies leading to the Village Master Plan and Design Manual, a number of specific sites were studied to provide the basis for establishing appropriate development intensities, parking requirements and design guidelines to achieve a Village scale and character. Figure 4 provides a map which identifies the location of the sites studied as special opportunity areas.

Each site identified in Figure 4 represents a special development opportunity which is consistent with the Village's market potential. However, there is no intention to require the development of these specific sites in the manner shown. Rather, the material contained in the following pages should be considered by property owners and potential developers as reflective of the type and scale of development desired in the Village.

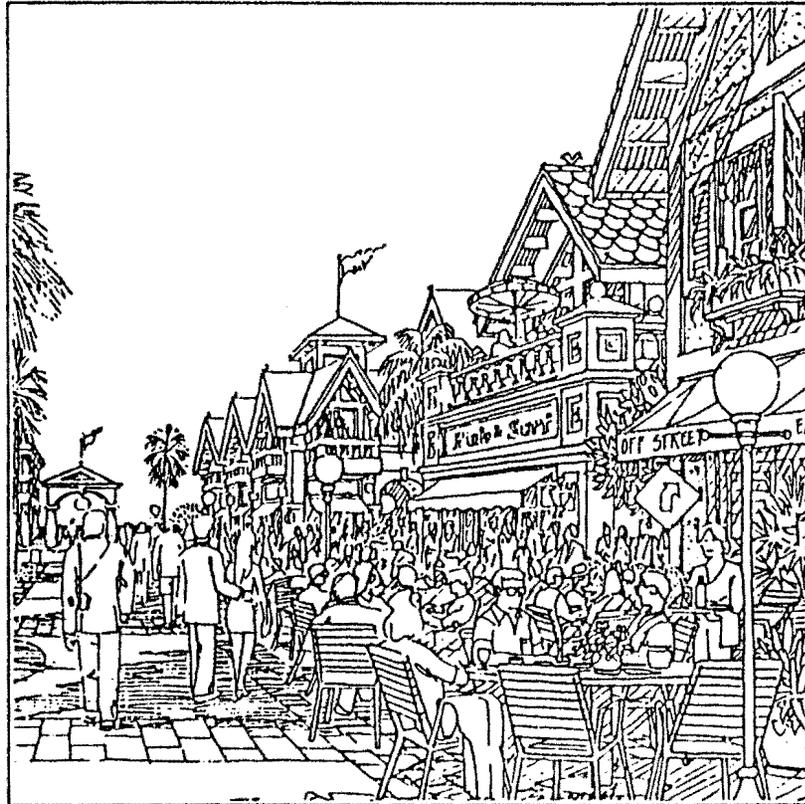
On the following pages, a description of the special opportunity project identified for the site shown in Figure 4 is provided for review and consideration. The conceptual project design provides an example of the type of design which has been determined to be desirable for the Village.



Special Development Opportunities

Figure 4

## **SPECIAL OPPORTUNITIES**



*Carlsbad Village Drive Terminus*

## *Special Opportunities*

### *Tourist Hotel*

# A

- *100 ± Room Hotel*
- *Ground Floor Retail and Restaurants*
- *Visual Terminus to Carlsbad Village Drive Entry.*
- *Special Carlsbad Village Drive Activity and Pedestrian Edge.*
- *Pedestrian Link to the Ocean*
- *Below Grade Parking*

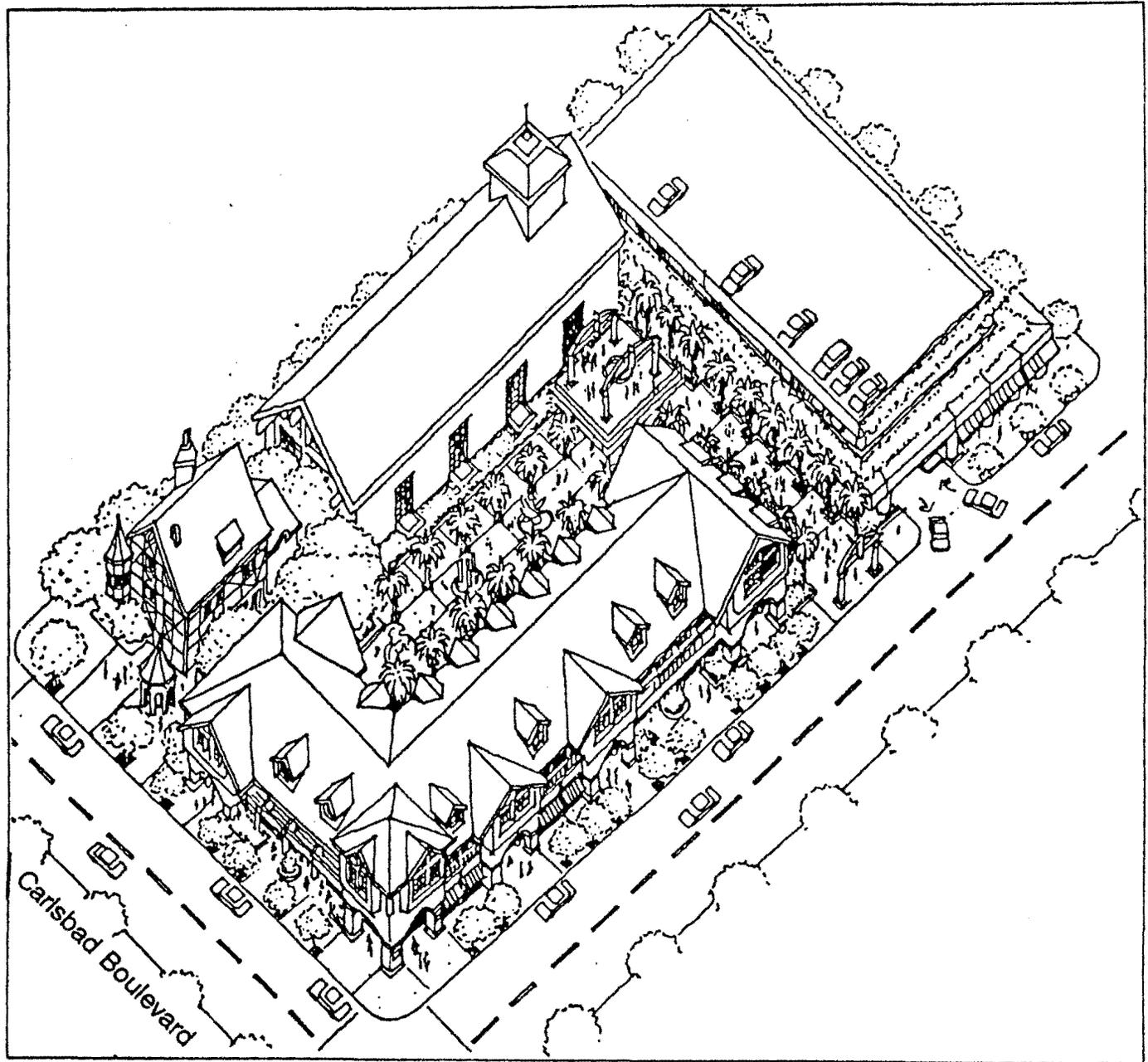
**SPECIAL OPPORTUNITIES**

***Special Opportunities***

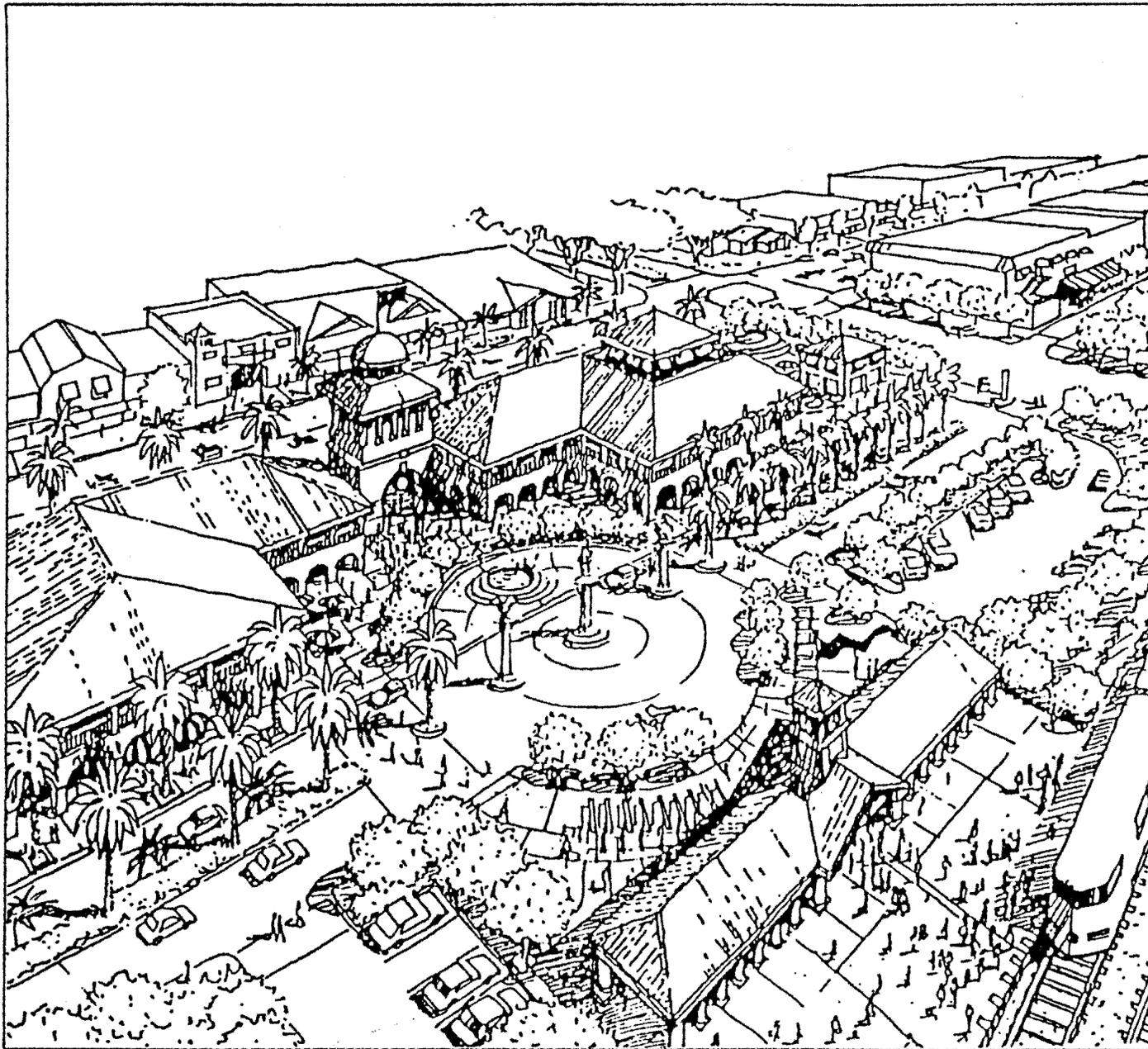
*Museum Center*

**B**

- New Carlsbad History Museum with Grand Avenue Entry
- Alt Karlsbad Retention
- Bed and Breakfast Inn
- Ground Floor Retail and Restaurants
- Parking Structure with Ground Floor Retail uses
- Pedestrian Amenities along Grand Avenue
- Museum/Inn Garden



**SPECIAL OPPORTUNITIES**



## Special Opportunities

### *Rail Station Specialty Center*

C

- Retail Shops and Restaurants
- Professional Offices
- Commercial Service Shops
- Passageway Between State Street and Rail Station
- Fountains and Plazas
- Future Expansion along Grand Avenue

**SPECIAL OPPORTUNITIES**

## Special Opportunities

### *Residential Mixed Use*

# D

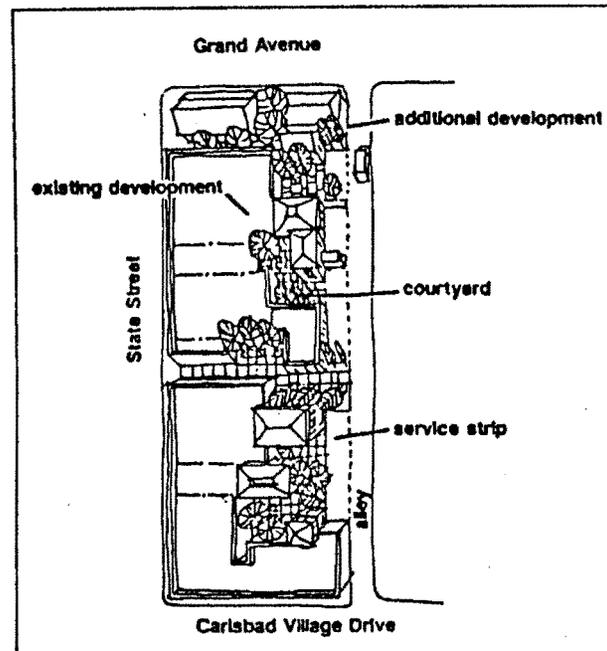
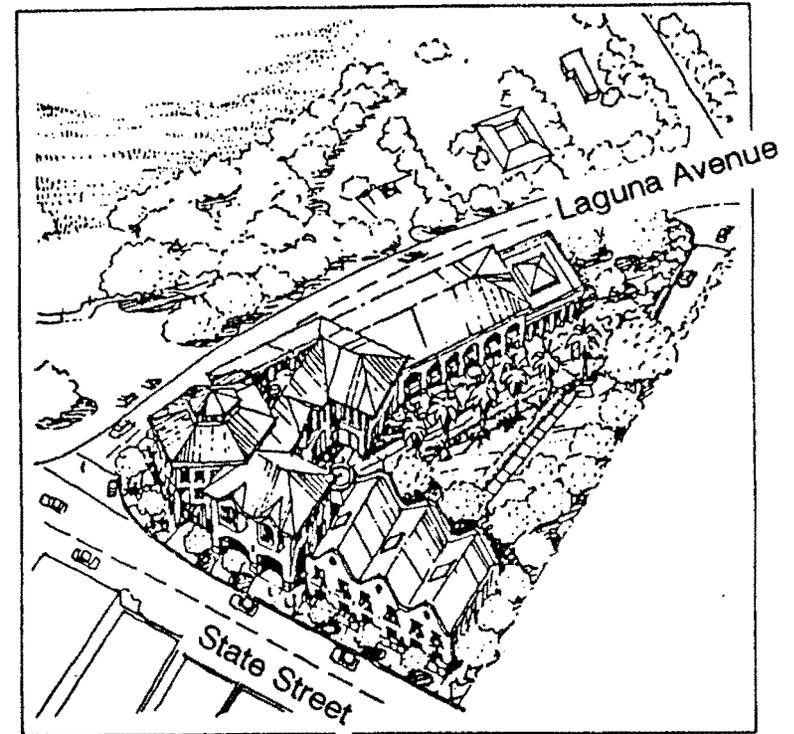
- Multi-Family Residential Units
- Ground Floor Retail
- Restaurant
- Views of Buena Vista Lagoon
- Below Grade Parking

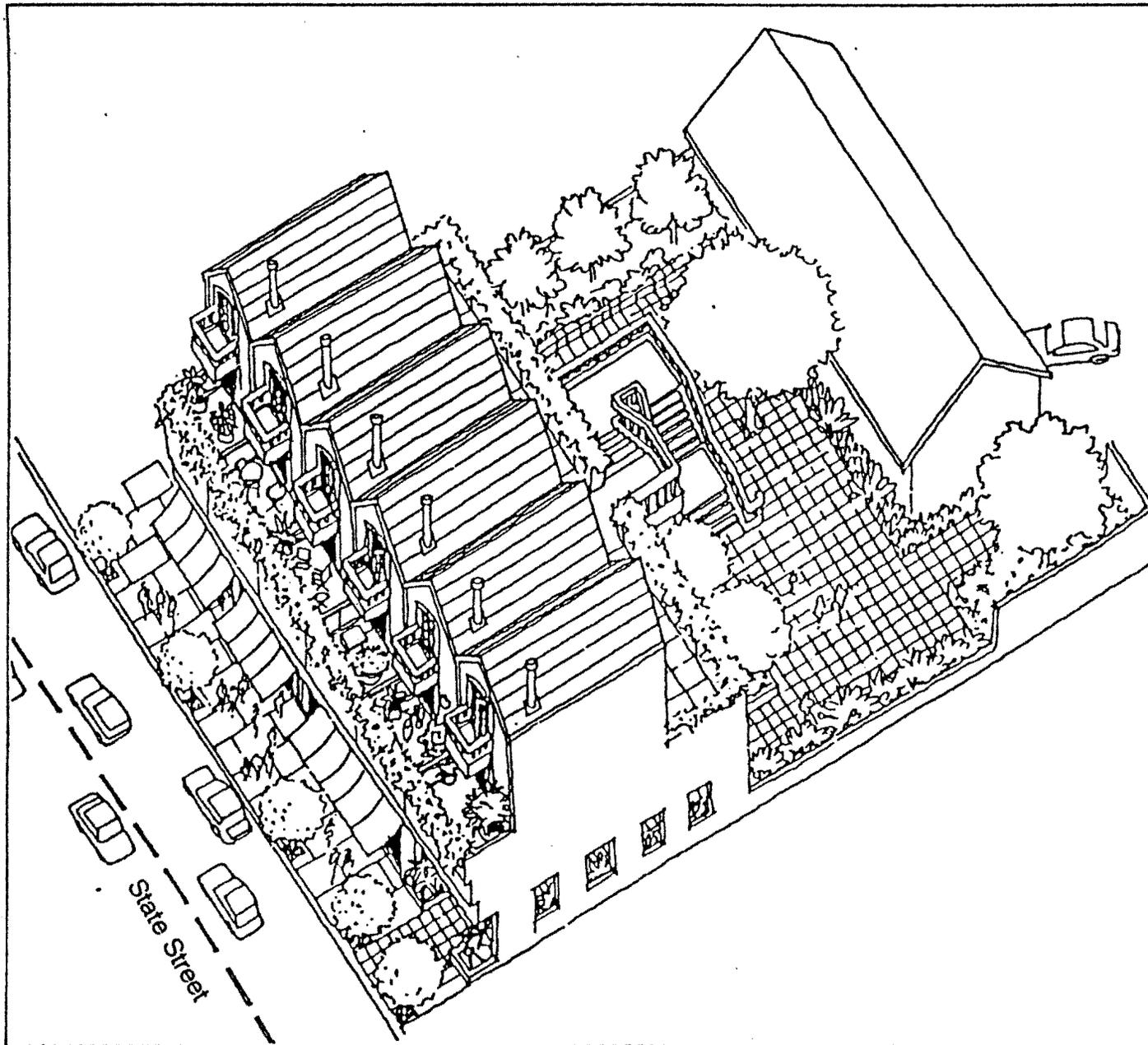
### *Commercial Intensification*

# E

- Development Additions near Alley
- Interior Block Courtyards
- Outdoor Dining
- Retail and Service Shops
- Pedestrian Passageways from State Street
- Parking Relocated to Public Lots
- Alley Service Access

## **SPECIAL OPPORTUNITIES**





## Special Opportunities

### *Commercial Mixed Use*

# F

- Ground Floor Commercial
- Upper Level Residential Units
- Residential Courtyards
- Easy Access to Commuter Rail Station
- North State Street Residential Entry
- Garage Parking on Alley

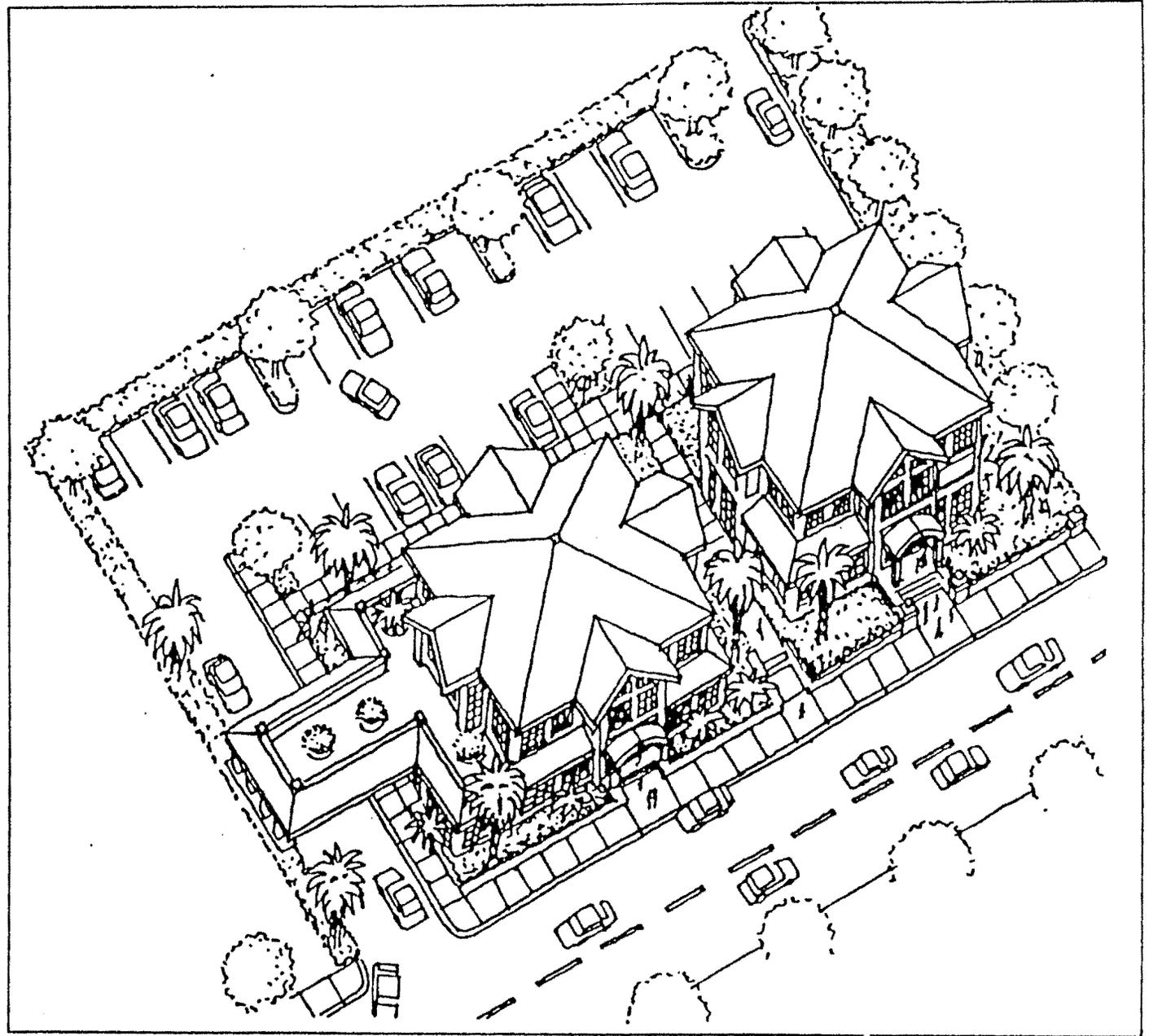
**SPECIAL OPPORTUNITIES**

## Special Opportunities

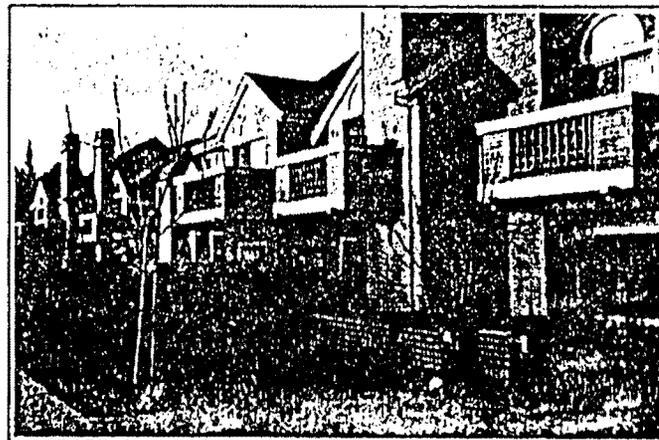
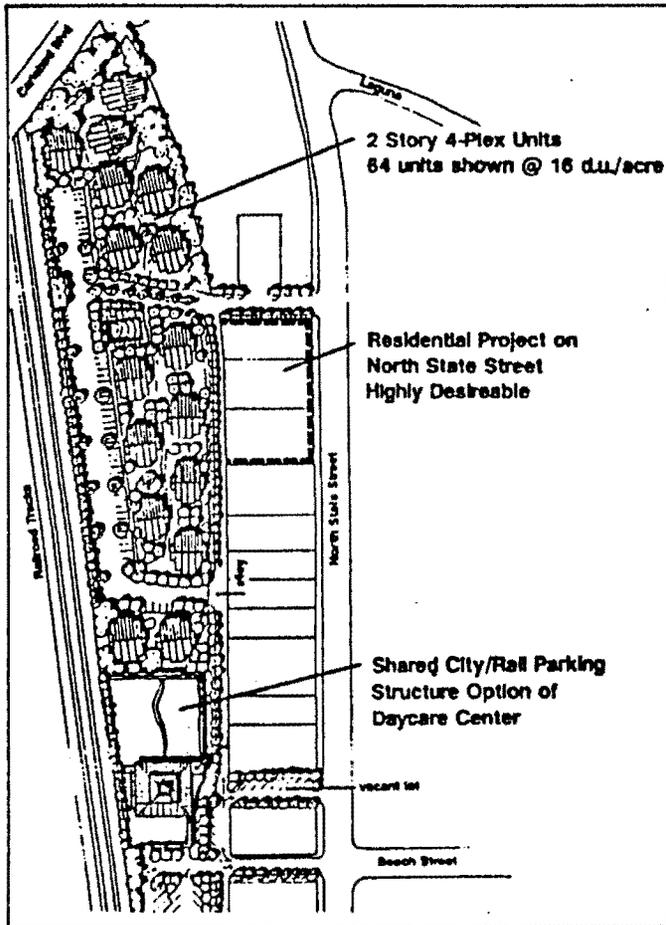
### *Office Infill*

# G

- Small Buildings near Street
- Parking near Alley
- Entry porches
- Pitched Roofs
- Partial Parking in Public Lots
- Potential Below Grade Parking



**SPECIAL OPPORTUNITIES**



## *Special Opportunities*

*Rail Road Right of Way  
Mixed Use*

# H

- Multi-Family Residential Units
- Outdoor Recreation Space
- Shared Village and Commuter Rail Parking Facilities
- Potential Child Care Center

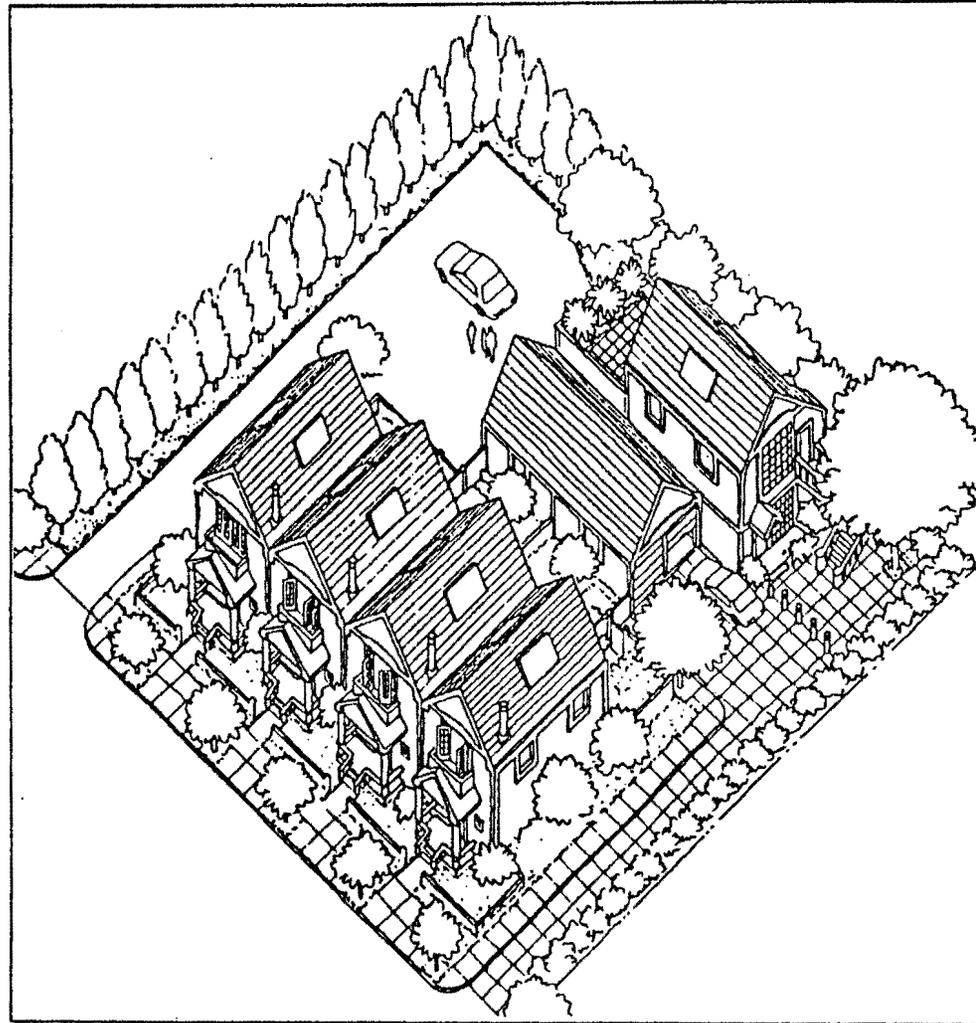
**SPECIAL OPPORTUNITIES**

## Special Opportunities

### *Residential Infill*

# I

- Cottage-type units
- Garage Parking
- Garden Units
- Porches Facing the Street



**SPECIAL OPPORTUNITIES**

### Multi-Family Housing

- Residential Units
- Ground Floor Commercial Potential
- Below Structure Parking
- Easy Access to Commuter Rail Station



### Special Opportunities

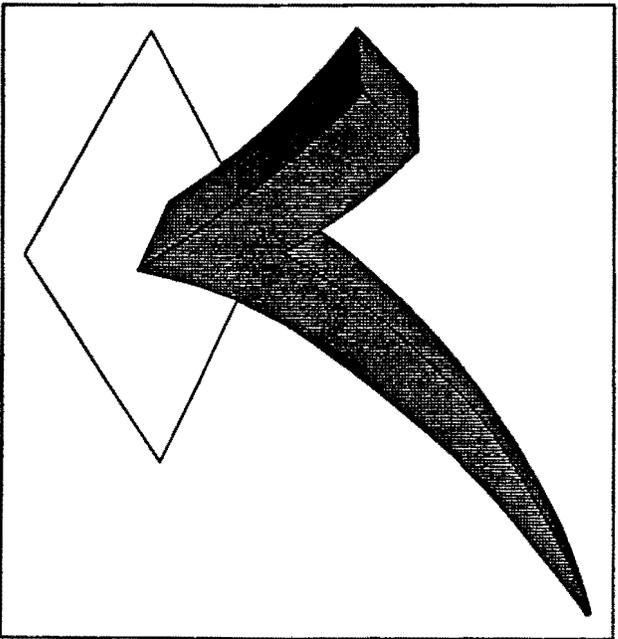
### *Other Opportunities*

J

### Carlsbad Village Cinema

- Single or Multi-screen Cinema
- Theatre Rehabilitation or New Facility
- Strong Support for Village Nighttime Uses
- Performing Arts Theatre Potential
- Joint Utilization of Public Parking

**SPECIAL OPPORTUNITIES**



**DEVELOPMENT<sup>3</sup> STANDARDS**

## Regulatory Framework

### Village Redevelopment Zone (VR)

All properties within the Carlsbad Village Redevelopment Area are zoned V-R Village Redevelopment Zone (per Chapter 21.35 of the City of Carlsbad Zoning Ordinance). The boundaries of the Village Redevelopment Area are shown on Figure 5 (page 3-2). Land uses and development standards are hereby established by this Village Design Manual upon approval of the Housing and Redevelopment Commission.

For development standards and other regulations which are *not* specifically identified within this Village Master Plan and Design Manual, the appropriate reference document shall be the current Carlsbad Municipal Code.

### Village Area Redevelopment Plan

All development within the Village Redevelopment Area is regulated by the Carlsbad Village Area Redevelopment Plan. This Master Plan and Design Manual implements the fundamental Land Use Plan set forth in that Plan.

### Uniform Building Code

The Uniform Building Code shall be the appropriate reference document for identifying the appropriate building standards for all buildings to be constructed, renovated or rehabilitated within the Village Redevelopment Area. Applicants should consult with the City's Building Department to identify the sections of the building codes which shall be applicable to any project within the Village Redevelopment Area. See Title 18 of the Carlsbad Municipal Code for Building Codes and Regulations.

### Local Coastal Program

Non-exempt Development on properties located within the Coastal Zone requires a Coastal Development Permit issued by the Carlsbad Redevelopment Agency/City of Carlsbad (depending on whether the project is located within the Coastal Zone but not in the Redevelopment Area, or within both the Redevelopment Area and the Coastal Zone). The boundaries of the Coastal Zone within the Village Redevelopment Area are shown on Figure 5 (page 3-2). The Village Master Plan and Design Manual, the Carlsbad Village Area Redevelopment Plan, together with their implementing ordinances and the Manual of Policies and Procedures constitute the Local Coastal Program for the Village Redevelopment Area. These documents shall establish the standards for all development within the Village Area of the Coastal Zone.

## Policies and Procedures Manual

From time to time, the Carlsbad Housing and Redevelopment Commission may also establish policies and procedures which must be adhered to for development and/or other activities within the Village Redevelopment Area. These policies and procedures shall be adopted by the Commission and included within a "Housing and Redevelopment Commission Policies and Procedures Manual." When these policies and procedures impact any development and/or activities located on properties within the Coastal Zone, the policies and procedures must be approved by the Coastal Commission or its executive director prior to becoming effective within the Coastal Zone.

### Development Standards

This Development Standards section is divided into two (2) parts. The first part outlines "Universal Standards" which are applicable to all projects within the Village Redevelopment Area, regardless of district location. The second part outlines the "Individual Standards" for each Land Use District; these standards will differ from district to district and will be applied according to the location of the proposed development and/or activity.

### Variances

Variances to development standards set forth within this Village Master Plan and Design Manual document shall be processed according to regulations established within Section 21.35.130 of the Carlsbad Municipal Code.

### Non-Conforming Uses

The provisions set forth for non-conforming uses within this Village Master Plan and Design Manual document shall supersede regulations set forth within the Carlsbad Municipal Code. See Chapter 2 (page 2-64) of this document for information related to regulations for non-conforming uses in the Village Redevelopment Area. Chapter 2 provides regulations regarding 1) the continued operation of a non-conforming use; and 2) the conditions upon which a property owner can return to an "original use" of the property, even if it determined to be non-conforming under the Land Use Plan set forth within this Manual.

### Code Enforcement

For the purposes of code enforcement as related to the regulations set forth by this Village Master Plan and Design Manual, Title 21 of the Carlsbad Municipal Code shall serve as the applicable regulations in terms of procedures and due process.

Figure 5 provides two maps which indicate the coastal zone boundaries for the Village Redevelopment Area. The shaded area indicates the coastal zone. All non-exempt development on properties within the Coastal Zone will require approval of a coastal development permit.

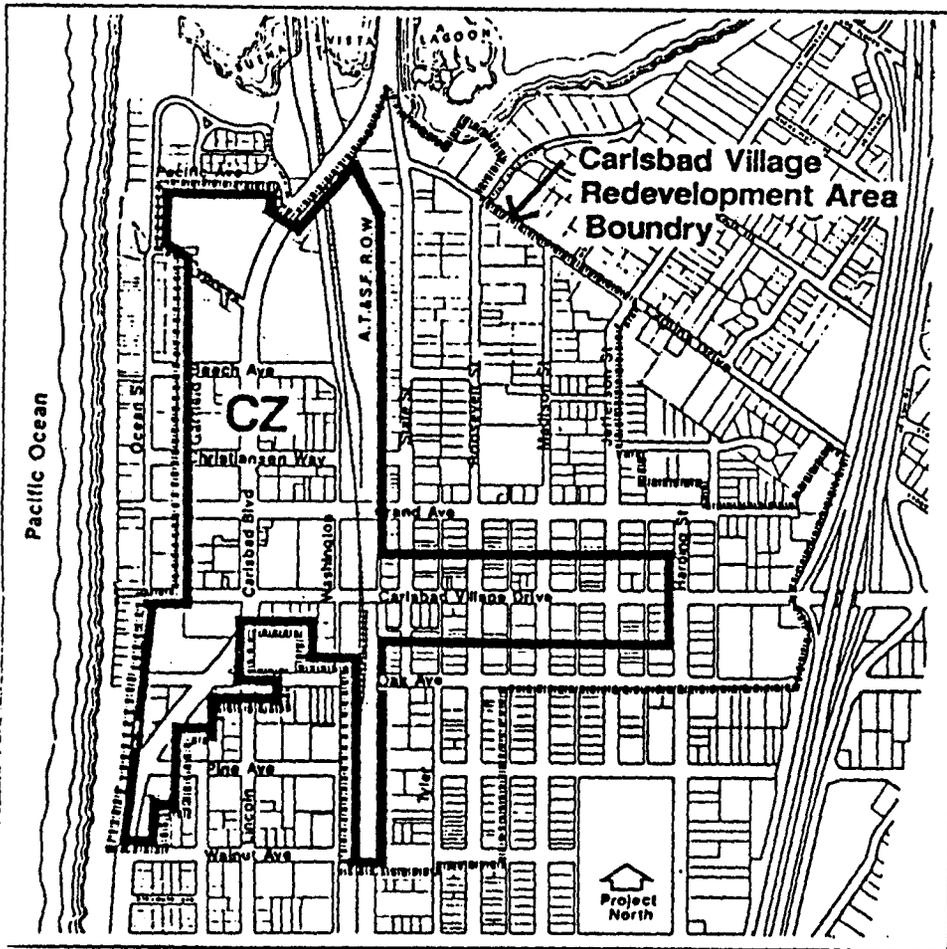


Figure 5. Village Redevelopment Area Boundaries and Coastal Zone Boundaries

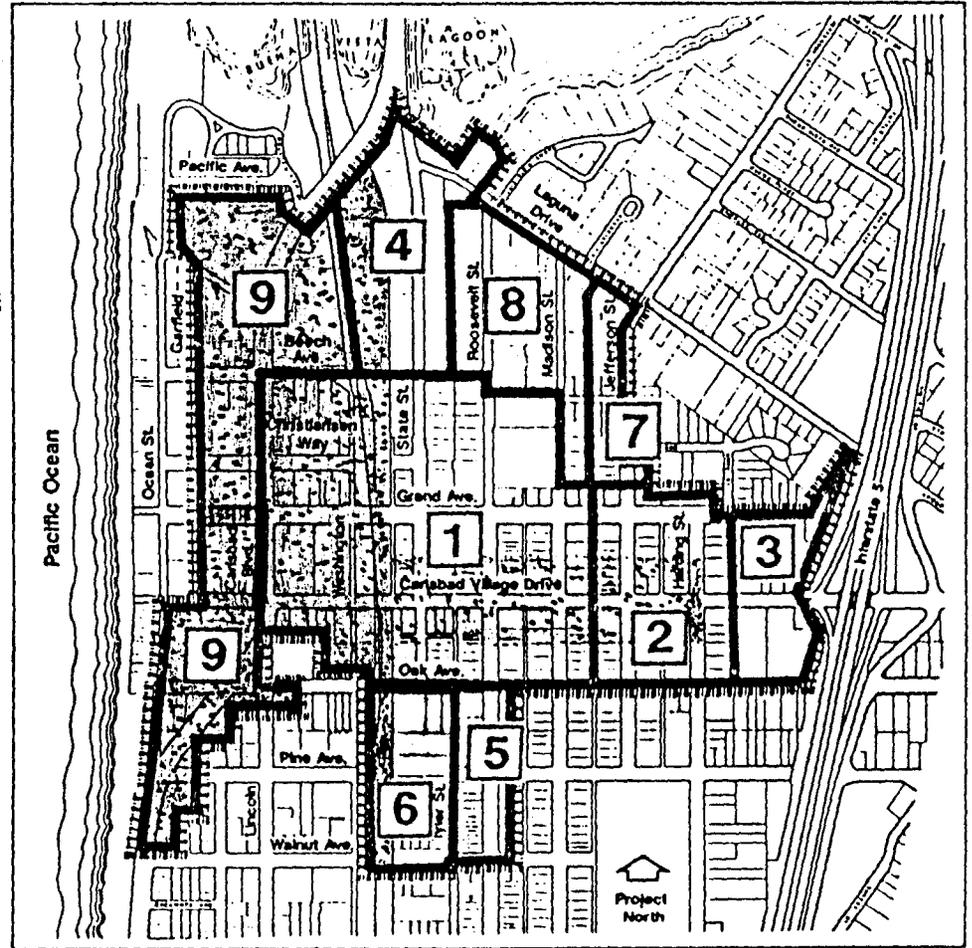


Figure 5. Village Redevelopment Area Boundaries, Land Use District Boundaries and Coastal Zone Boundaries (shaded area).

## UNIVERSAL STANDARDS

These standards are applicable to all development in the Village.

### GENERAL PLAN:

All redevelopment projects must be consistent with all General Plan policies, goals, and action programs.

### RESIDENTIAL DENSITY:

The applicable General Plan residential density designation shall be determined for each project based upon compatibility findings with surrounding area. Maximum project density may not exceed the Growth Management Control Point for the applicable density designation unless a density increase or bonus is granted in accordance with Chapters 21.53 and 21.86 of the Carlsbad Municipal Code.

The Village Redevelopment Area is exempt from Council Policy No. 43 which regulates and/or prioritizes the use of excess dwelling units throughout the City.

### PLANNED DEVELOPMENT:

Residential units proposed for separate ownership shall comply with the development standards and design criteria set forth

by Planned Development Ordinance, Chapter 21.45 of the Carlsbad Municipal Code.

### INCLUSIONARY HOUSING REQUIREMENTS:

All residential projects including the conversion of apartments to airspace condominiums are subject to the City's Inclusionary Housing Ordinance, Chapter 21.85 of the Carlsbad Municipal Code, and those requirements imposed by Redevelopment Law.

Per Redevelopment Law, 15% of the private housing units constructed must be affordable to low and moderate income persons, of which not less than 40% (or 6% of the total units) must be affordable to very low income households.

Per City Ordinance, 15% of the total housing units constructed must be affordable to low income households. Projects consisting of 6 or fewer market rate units may pay an in-lieu fee rather than constructing a unit.

**PARKING**

New development and additions to existing buildings within the Village Redevelopment Area will be required to provide parking per the standards contained within Chapter 5 of this Village Master Plan and Design Manual.

Changes of use within an existing structure or building may require additional parking if the new use creates a parking demand greater than the structure or building's previous use or existing on-site parking spaces.

The Parking In-Lieu Fee Program described in Chapter 6 may be available as an option for property owners/tenants who are unable to meet their on-site parking requirements. Requests for variances from the on-site parking requirements shall be processed as set forth in Chapter 6 of this document.

**BUILDING COVERAGE, BUILDING HEIGHT AND BUILDING SETBACKS**

The standards for building coverage, height and setbacks are established individually according to the applicable Land Use District within the Village Redevelopment Area. See the appropriate development standards section for the applicable Land Use District to identify the standards which apply to projects within the area..

Where a range is established for the subject standard, the individual project standard may be set anywhere within the range based on findings that the project design or site constraints justify the standard and subject to the findings/criteria outlined below for each type of standard noted.

In all cases where a range has been established as the appropriate building coverage standard within a given district, the bottom of the range shall be considered the desired standard. However, an increase in the standard to the maximum, or anywhere within the range, may be allowed if the project warrants such an increase and appropriate findings are made by the authorized approving body/official.

The authorized approving body/official must find that:

1. The increased standard will not have an adverse impact on surrounding properties.
2. The increased standard will assist in developing a project which meets the goals of the Village Redevelopment Area and is consistent with the objectives for the land use district in which the project is to be located.
3. The reduced standard will assist in creating a project design which is interesting and visually appealing and reinforces the Village character of the area.

For approval of a building coverage standard which is above the maximum for the subject land use district, a **variance** must be approved by the authorized approving body/official. Variances shall be granted according to the regulations set forth in Section 21.35.130 of the Carlsbad Municipal Code.

A variance for a building coverage standard which exceeds the top of the range, or the

individual standard set forth, will be granted only if the project meets one or more of the following criteria:

1. The project is a mixed use project which provides for residential living units located in close proximity (reasonable walking distance) to the Village Commuter Rail Station.
2. The project is a hotel facility whose scale, design and auxiliary facilities are judged to be appropriate to the Village.
3. The project is a residential project providing a quality living environment and where increased density would not negatively impact adjacent residential development.
4. The project provides for exceptional public amenities in terms of site design or facilities.

**BUILDING HEIGHT:**

The height standard for a building, or buildings, within the Village Redevelopment Area, is noted as a maximum within the individual land use district development standards. The height of a proposed building may not exceed the standard set forth for the given land use district, but it may be set lower if deemed desirable for the project. As a note, additional building height is permitted for all projects in all land use districts for architectural features which are designed as part of the project. For information on architectural features which are exempt from the height limit calculation, see Section 21.46.20 of the Carlsbad Municipal Code.

(Continued)

**BUILDING HEIGHT (CONT.)**

To exceed the maximum height standard set forth within the development standards for a given land use district, a variance must be granted by the appropriate approving body/official for the project.

A variance for a height standard which exceeds the standard set forth for a given land use may be granted only if the project meets one or more of the following criteria:

1. The increased height will be visually compatible with surrounding buildings.
2. The increased height will not unduly impact nearby residential areas.
3. The taller project will not adversely impact views.
4. The project will maintain a scale and character compatible with the Village and the guidelines contained within this Village Master Plan and Design Manual.
5. The project provides for exceptional design quality and is consistent with the goals and objectives of the Village Redevelopment Area.

**SETBACKS:**

In all cases where a range has been established as the appropriate setback standard within a given district, the top of the

range shall constitute the desired standard. However, a reduction in the standard to the minimum, or anywhere within the range, may be allowed if the project warrants such a reduction and appropriate findings are made by the authorized approving body/official.

The authorized approving body/official must find that:

1. The reduced standard will not have an adverse impact on surrounding properties.
2. The reduced standard will assist in developing a project which meets the goals of the Village Redevelopment Area and is consistent with the objectives for the land use district in which the project is to be located.
3. The reduced standard will assist in creating a project design which is interesting and visually appealing and reinforces the Village character of the area.

For approval of a setback standard which is above the maximum or below the minimum for the subject land use district, a variance must be approved by the authorized approving body/official. Variances shall be granted according to the regulations set forth in Section 21.35.130 of the Carlsbad Municipal Code.

A variance for a setback standard which exceeds the top of the range, or the individual standard set forth, will be granted only if the project meets one or more of the following criteria:

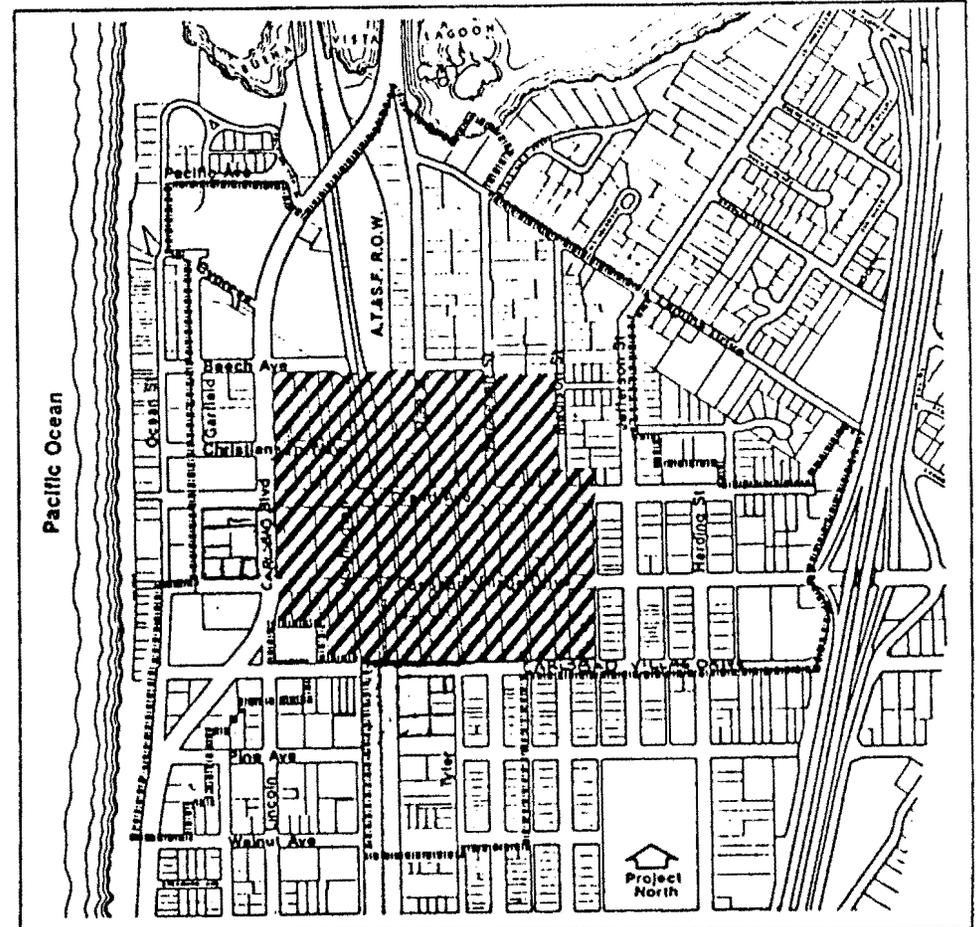
1. The project is in a location where

adjacent buildings are setback less than the permitted standard (range), adjacent buildings are likely to remain and setting the structure back to the desired standard will maintain and reinforce the Village character of the area.

2. The project is in a location which is in a transition area to residential development and where increased setbacks would soften the visual transition between commercial and residential development or would protect the liveability of the residential development.
3. Restaurant uses where a larger front setback will be utilized for outdoor dining space subject to approval by the Design Review Board and/or Housing and Redevelopment Commission, whichever is the appropriate approving body.

## District 1

The boundaries for District 1 are shown on the map provided in Figure 6. This District has traditionally been the Central Business District of Carlsbad. Although shopping centers and other development outside of the Village have drawn some uses away from the area, the District 1 Village Center continues to function as a strong retailing and financial services core serving city residents as well as tourists and regional visitors. The intent of land use standards for this district is to reinforce the pedestrian shopping environment, encourage mutually supportive uses and provide a major activity focus for Carlsbad Village and the City as a whole. Retail shopping continuity, local serving commercial shops, stores and restaurants as well as facilities and services for travellers in the coastal zone are emphasized.



District 1

Figure 6

### CARLSBAD VILLAGE CENTER

**DEVELOPMENT  
STANDARDS**

**DISTRICT 1 - CARLSBAD VILLAGE CENTER**

Following are the individual development standards which have been set forth for all projects to developed within District 1 of the Village Redevelopment Area.. Please see the "Universal Standards" section of this Chapter for information on variances and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

**SETBACKS:**

Front: 0 to 10 feet maximum

Side: No minimum or maximum setback requirement

Rear: No minimum or maximum setback requirement

Exception: Parking lots must be set back a minimum of 5 feet from any property line for landscaping purposes.

**OPEN SPACE:**

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape Manual. Open Space may be dedicated to

landscaped planters, open space pockets and/or connections, roof gardens, balconies, patios and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

**BUILDING COVERAGE:**

Commercial: 80% to 100%  
Mixed Use: 60% to 80%  
Residential: 60% to 80%

**BUILDING HEIGHT:**

35' maximum with minimum 5:12 roof pitch.

45' maximum with minimum 5:12 roof pitch for any size project where a residence or commercial/office space is located over a parking structure.

**PARKING REQUIREMENTS:**

See Chapter 6 of the Village Design Manual for list of parking requirements by land use.

District is located within Zone 1 of the In-Lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-Lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

## District 2

The boundaries of District 2 are shown on the map provided in Figure 7. District 2 contains a mixture of commercial uses and is strongly pedestrian-oriented as a continuation of the Village Center (District 1) in terms of building scale and character. Existing residential uses will be phased out of the district over time. Buildings will be set back from the sidewalk in a landscaped lawn setting and any on-site parking will be located adjacent to alleys and away from street frontages.



District 2

Figure 7

OFFICE SUPPORT

**DEVELOPMENT  
STANDARDS**

DISTRICT 2 - OFFICE SUPPORT  
AREA

Following are the individual development standards which have been set forth for all projects to developed within District 2 of the Village Redevelopment Area.. Please see the "Universal Standards" section of this Chapter for information on variances and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

**SETBACKS:**

Front: 5 - 15 feet

Side: 5 - 10 feet  
10 feet minimum, street side

Rear: 5 - 10 feet

**OPEN SPACE:**

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape Manual. Open Space may be dedicated to landscaped planters, open space pockets and/or connections, roof gardens, balconies, patios and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

**BUILDING COVERAGE:**

All projects: 60 to 80%

**BUILDING HEIGHT:**

35' with minimum 5:12 roof pitch.

45' maximum with minimum 5:12 roof pitch for any size project where a residence or commercial/office space is located over a parking structure.

**PARKING REQUIREMENTS:**

See Chapter 6 of the Village Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-Lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-Lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

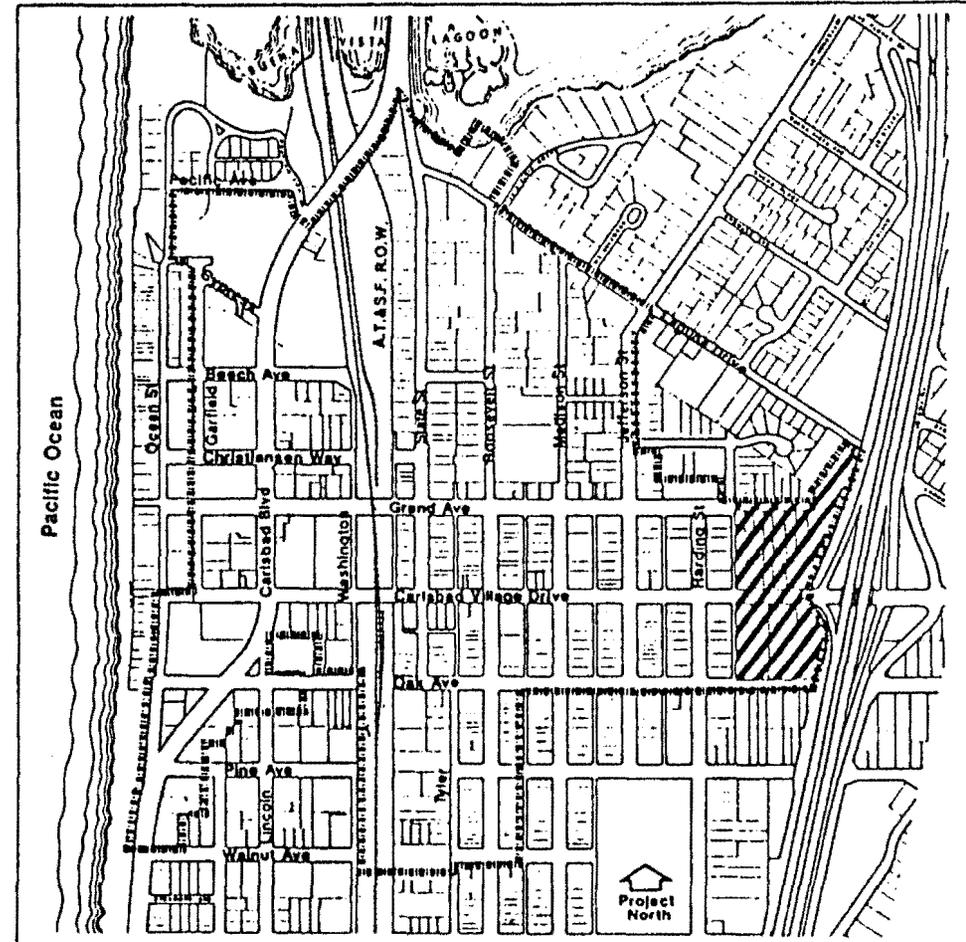
**OTHER MISCELLANEOUS  
REQUIREMENTS:**

No outdoor storage is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the Housing and Redevelopment Commission.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines. Also any non-residential development constructed on Oak Avenue shall be designed in a manner which respects the area's residential character.

The boundaries for District 3 are shown on the map provided in Figure 8. District 3 comprises the easterly entry to Carlsbad Village from Interstate Highway 5. The district is, and will continue to be, the location of traveler services normally associated with urban freeway interchanges. In addition, land uses will include other convenience services to meet the needs of the broader Carlsbad community.



District 3

Figure 8

**FREEWAY COMMERCIAL SUPPORT**

**DEVELOPMENT STANDARDS**

DISTRICT 3 - FREEWAY  
COMMERCIAL SUPPORT AREA

Following are the individual development standards which have been set forth for all projects to developed within District 3 of the Village Redevelopment Area.. Please see the "Universal Standards" section of this Chapter for information on variances and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

**SETBACKS:**

Front: 5 - 20 feet.

Side: 5 feet minimum , Commercial  
10 feet minimum, if adjacent to  
existing residential use.

Rear: 5 - 10 feet

No parking in front or rear set-backs;  
these areas must be maintained for  
landscaping only.

**OPEN SPACE:**

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape

Manual. Open Space may be dedicated to landscaped planters, open space pockets and/or connections, roof gardens, balconies, patios and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

**BUILDING COVERAGE:**

All projects: 60 - 80%

**BUILDING HEIGHT:**

35' with minimum 5:12 roof pitch.

45' maximum with minimum 5:12 roof pitch for any size project where a residence or commercial/office space is located over a parking structure.

**PARKING REQUIREMENTS:**

See Chapter 6 of the Village Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-Lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-Lieu Fee Parking Program option for meeting on-site parking requirements are outlined in

Chapter 6 of this Manual.

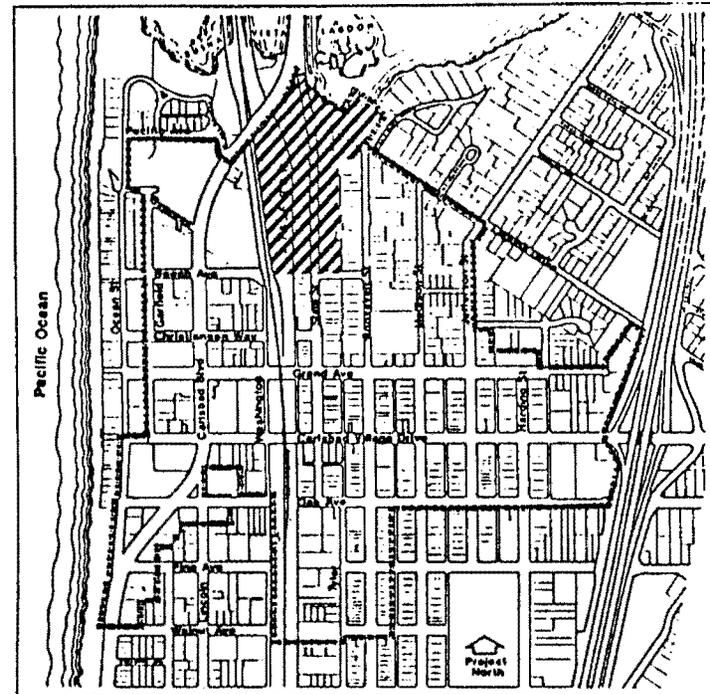
**OTHER MISCELLANEOUS  
REQUIREMENTS:**

No outdoor storage is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the Housing and Redevelopment Commission.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

## District 4

The boundaries for District 4 are shown on the map provided in Figure 9. District 4 has in the past been a commercial service and light industrial area featuring automotive repair, building services and other uses characterized by low levels of investment in buildings, large exterior service and storage areas and a significant amount of visual deterioration. The intent of current land use policy is to provide for a gradual transition in this district to a mix of higher quality commercial and residential uses which will provide positive support for the District 1 Village Center and reinforce the Village area north of Beech Street as a quality residential neighborhood.



District 4

Figure 9

## RESIDENTIAL SUPPORT

**DEVELOPMENT  
STANDARDS**

DISTRICT 4 - RESIDENTIAL  
SUPPORT AREA

Following are the individual development standards which have been set forth for all projects to developed within District 4 of the Village Redevelopment Area.. Please see the "Universal Standards" section of this Chapter for information on variances and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

**SETBACKS:**

Front: 0-10 feet

Side: 5 - 10 feet

Rear: 5 - 10 fee

No parking in rear setback, except for properties on the west side of State Street; this area is primarily to be used for landscaping purposes only.

**OPEN SPACE:**

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape Manual. Open Space may be dedicated to landscaped planters, open space pockets

and/or connections, roof gardens, balconies, patios and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

**BUILDING COVERAGE:**

All projects: 80 to 90%  
Residential: 60 to 80%  
Mixed Use: 60 to 80%

**BUILDING HEIGHT:**

35' with minimum 5:12 roof pitch.

45' maximum with minimum 5:12 roof pitch for any size project where a residence or commercial/office space is located over a parking structure.

**PARKING REQUIREMENTS:**

See Chapter 6 of the Village Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-Lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-Lieu Fee Parking Program option for meeting on-site parking requirements are outlined in

Chapter 6 of this Manual.

**OTHER MISCELLANEOUS  
REQUIREMENTS:**

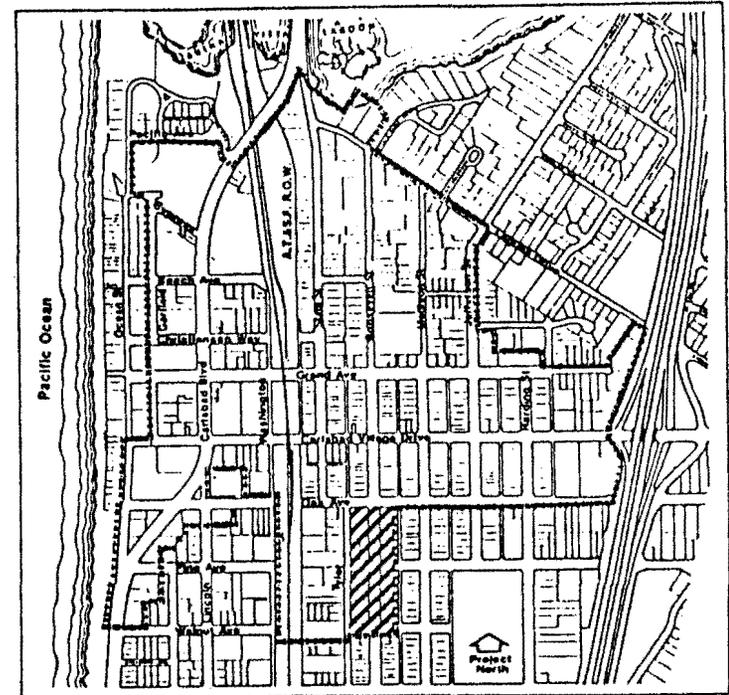
No outdoor storage is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the Housing and Redevelopment Commission.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines. Also any non-residential development constructed shall be designed in a manner which respects the area's residential character.

**District 5**

The boundaries of District 5 are shown in the map provide in Figure 10. District 5 will continue as a mixed use area related to the District 1 Village Center while also serving the special needs of the adjacent Barrio neighborhood.



District 5

Figure 10

**DEVELOPMENT  
STANDARDS**

**HISPANIC MIXED USE SUPPORT**

DISTRICT 5 - HISPANIC MIXED USE  
SUPPORT AREA

Following are the individual development standards which have been set forth for all projects to developed within District 5 of the Village Redevelopment Area. Please see the "Universal Standards" section of this Chapter for information on variances and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

**SETBACKS:**

Front: 5 - 20 feet , residential  
5 - 10 feet, commercial

Side: 5 - 10 feet

Rear: 5 - 10 feet

No parking in front or rear setback; this area is to be used primarily for landscaping purposes only.

**OPEN SPACE:**

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape Manual. Open Space may be dedicated to landscaped planters, open space pockets and/or

connections, roof gardens, balconies, patios and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

**BUILDING COVERAGE:**

All projects: 60 to 80%

**BUILDING HEIGHT:**

30' feet maximum with a minimum 4:12 roof pitch.

Due to the fact that this District is located in the Barrio Carlsbad neighborhood, special scrutiny will be given to any requests for exceptions to the height restrictions. In most cases, additional height will be granted only if there are no objections from the barrio community, business and/or residential.

**PARKING REQUIREMENTS:**

See Chapter 6 of the Village Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-Lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-Lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

**OTHER MISCELLANEOUS  
REQUIREMENTS:**

Access to parking will not be allowed from Roosevelt Street unless no other access is available.

No outdoor storage is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the Housing and Redevelopment Commission.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines. Also any non-residential development constructed shall be designed in a manner which respects the area's transitional or residential character.

## District 6

The boundaries of District 6 are shown in the map provided in Figure 11. District 6 has traditionally functioned as a light industrial area with an emphasis upon automotive towing, repair and detailing uses. Other building services and light industrial activities have also occupied large parcels in the area. Land uses of this type will be allowed to continue in the area with some limitations to better integrate them into the surrounding Village environment. However, as economics begins to play its role in the area, this area may begin to transition into a more commercial retail and business area much different from the industrial land uses. The land use plan within this document allows for the gradual transition of the area into uses which will be more compatible with the residential character of the Barrio neighborhood.



District 6

Figure 11

SERVICE COMMERCIAL SUPPORT

**DEVELOPMENT  
STANDARDS**

DISTRICT 6 - SERVICE  
COMMERCIAL SUPPORT AREA

Following are the individual development standards which have been set forth for all projects to developed within District 6 of the Village Redevelopment Area. Please see the "Universal Standards" section of this Chapter for information on variances and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

**SETBACKS:**

Front: 5 - 20 feet

Side: 5 - 10 feet

Rear: 5 - 10 feet

No parking in front setbacks; this area is to be used primarily for landscaping purposes..

**OPEN SPACE:**

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape Manual. Open Space may be dedicated to landscaped planters, open space pockets and/or connections, roof gardens, balconies,

patios and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

**BUILDING COVERAGE:**

All Projects: 50 to 80%

**BUILDING HEIGHT:**

35' feet with a minimum 5:12 roof pitch.

**PARKING REQUIREMENTS:**

See Chapter 6 of the Village Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-Lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-Lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

**OTHER MISCELLANEOUS REQUIREMENTS:**

Existing residential structures converted to commercial purposes must be brought

into conformance with Title 18 of the Carlsbad Municipal Code.

Use of railroad right-of-way for structures or parking will only be allowed subject to provisions for future public access along the right-of-way, conditions of approval related to future use or a determination by the City that provisions for future public use are not needed.

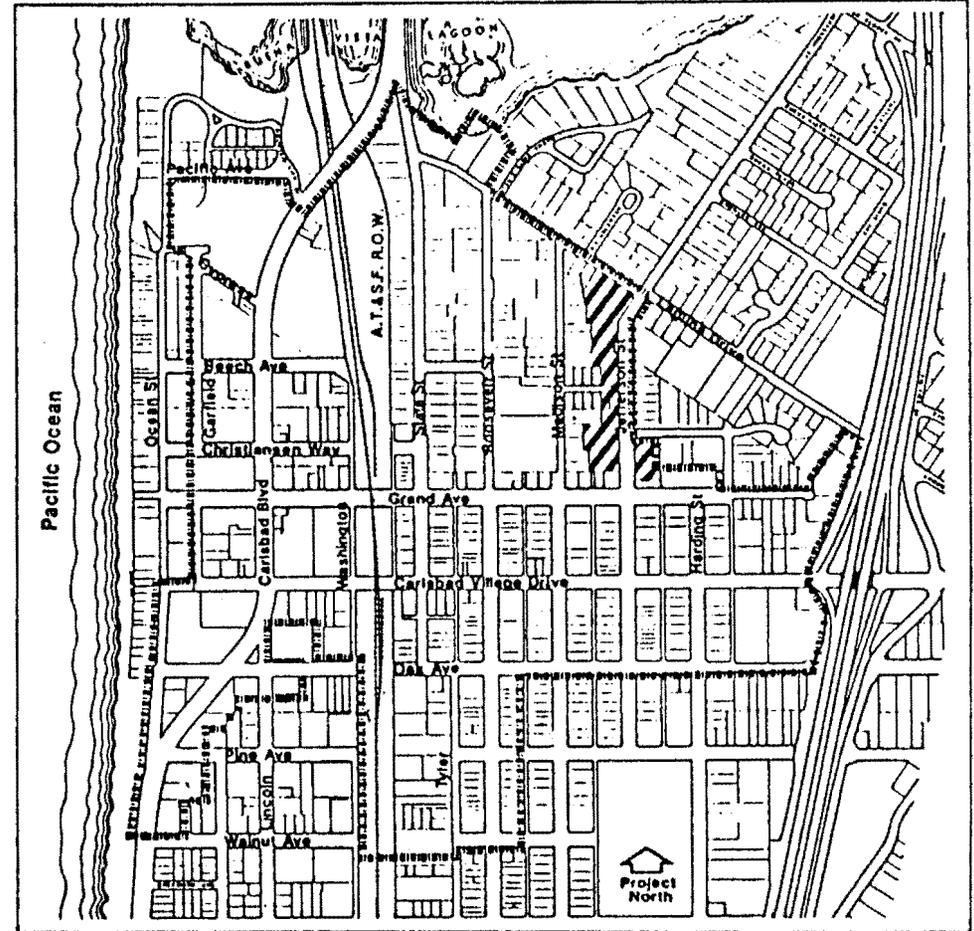
Existing automotive and light industrial uses in District 6 will be allowed to remain. If a land use change is proposed, the new land use must conform with this Village Master Plan and Design Manual.

All city ordinances related to health and safety will be strictly enforced.

Owners of existing uses on Tyler Street will be encouraged to relocate parking areas away from street frontages where possible and to improve the appearance of their properties through landscaping and exterior building improvements.

## District 7

The boundaries of District 7 are shown in the map provided as Figure 12. District 7 accommodates professional and medical offices contained in new structures and converted residences.



District 7

Figure 12

OFFICE SUPPORT

**DEVELOPMENT  
STANDARDS**

## DISTRICT 7- OFFICE SUPPORT AREA

Following are the individual development standards which have been set forth for all projects to developed within District 7 of the Village Redevelopment Area. Please see the "Universal Standards" section of this Chapter for information on variances and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

### SETBACKS:

Front: 5 to 20 feet

Side: 5 to 10 feet

Rear: 5 to 10 feet

No parking in rear setback; this area is for landscaped purposes only. No parking in front setback.

### OPEN SPACE:

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape Manual. Open Space may be dedicated to landscaped planters, open space pockets and/or connections, roof gardens, balconies, patios and/or outdoor eating areas. No

parking spaces or aisles are permitted in the open space.

### MAXIMUM BUILDING COVERAGE:

All projects: 60 to 80%

### MAXIMUM BUILDING HEIGHT:

35' feet with a minimum 5:12 roof pitch.

### PARKING REQUIREMENTS:

See Chapter 6 of the Village Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-Lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-Lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

### OTHER MISCELLANEOUS REQUIREMENTS:

No outdoor storage is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the Housing and Redevelopment Commission.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines. Also, any non-residential development constructed shall be designed in a manner which respects the area's residential character.

## District 8

The boundaries of District 8 are shown in the map provided as Figure 13. District 8 contains predominantly residential uses with some existing professional and medical offices. The area is intended to be a relatively dense urban residential neighborhood with a village scale and character.



District 8

Figure 13

RESIDENTIAL SUPPORT

**DEVELOPMENT  
STANDARDS**

DISTRICT 8 - RESIDENTIAL  
SUPPORT AREA

Following are the individual development standards which have been set forth for all projects to developed within District 8 of the Village Redevelopment Area. Please see the "Universal Standards" section of this Chapter for information on variances and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

**SETBACKS:**

Front: 5 to 15 feet

Side: 10% of lot width  
5 to 10 feet, street side

Rear: 5 to 10 feet

Open entry porches may extend into the front setback. Parking is not allowed in front yard setback.

**OPEN SPACE:**

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape Manual. Open Space may be dedicated to landscaped planters, open space pockets and/or

connections, roof gardens, balconies, patios and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

**BUILDING COVERAGE:**

All Projects: 60 to 80%

**BUILDING HEIGHT:**

35' feet with a minimum 5:12 roof pitch.

**PARKING REQUIREMENTS:**

See Chapter 6 of the Village Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-Lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-Lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

**OTHER MISCELLANEOUS  
REQUIREMENTS:**

No outdoor storage is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the Housing and Redevelopment Commission.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines. Also, any non-residential development constructed shall be designed in a manner which respects the area's residential character.

## District 9

The boundaries of District 9 are shown in the map provided in Figure 14. District 9 will continue to provide a wide mix of uses with an emphasis upon facilities, goods and services to tourists and regional visitors traveling along the coast. High quality hotels, time share residential condominiums, restaurants and retail shops will be emphasized.

Additional institutional uses such as schools, professional care facilities and churches will be discouraged within this area. Those institutional uses which currently exist will be allowed to remain with legislative approval of a Master Plan for the use and related site(s).



District 9

Figure 14

**TOURISM SUPPORT**

**DEVELOPMENT  
STANDARDS**

DISTRICT 9 - TOURISM SUPPORT  
AREA

Following are the individual development standards which have been set forth for all projects to developed within District 9 of the Village Redevelopment Area. Please see the "Universal Standards" section of this Chapter for information on variances and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

**SETBACKS:**

Front: 5 to 20 feet

Side: 5 to 10 feet

Rear: 5 to 15 feet

No parking will be allowed in the front setback; this area is to primarily be used for landscaping purposes..

**OPEN SPACE:**

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape Manual. Open Space may be dedicated to landscaped planters, open space pockets and/or connections, roof gardens,

balconies, patios and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

**BUILDING COVERAGE:**

Commercial: 80 to 100%

Mixed Use: 60 to 80%

**BUILDING HEIGHT:**

35' feet with a minimum 5:12 roof pitch.

45' maximum with minimum 5:12 roof pitch for any size project where a residence or commercial/office space is located over a parking structure.

**PARKING REQUIREMENTS:**

See Chapter 6 of the Village Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-Lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-Lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

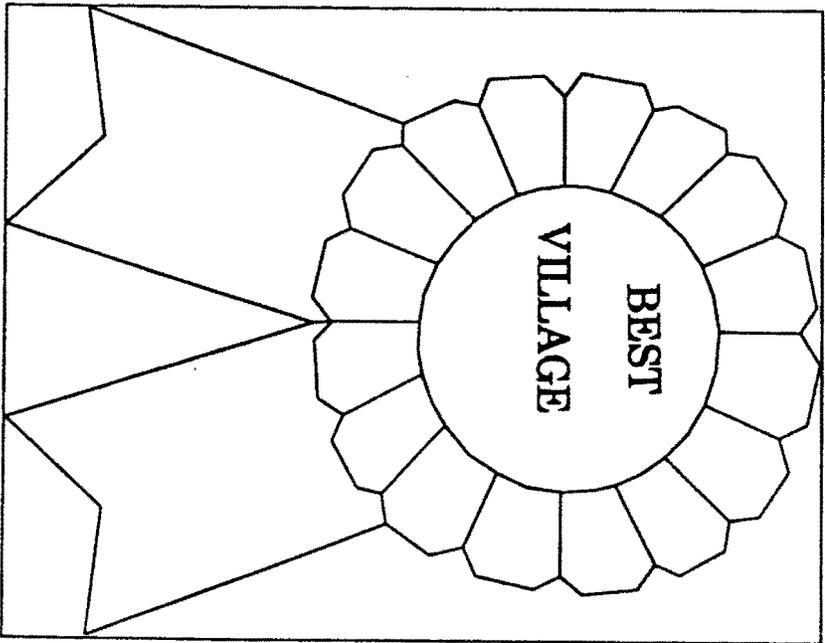
**OTHER MISCELLANEOUS  
REQUIREMENTS:**

No outdoor storage is permitted within this District. Display of products outdoors will be permitted within this District if it is consistent with standards set forth within this Design Manual or policies established by the Housing and Redevelopment Commission.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines.

For Army/Navy Academy and Carlsbad by the Sea Retirement Home, a long range master plan must be approved prior to the issuance of any permits for improvements and additions to existing facilities. All future changes must conform to this approved Master Plan, or as amended by the original approving body.



**4**  
**DESIGN GUIDELINES**

## *Basic Design Principles*

---

*A Village scale and character will be emphasized for all future development and property improvements to reinforce Carlsbad Village's uniqueness, enhance its image as a shopping and entertainment destination and improve its livability as a mixed use residential environment.*

*Ten basic design principles will be utilized in the design review process for property improvements and new construction in the Village. The Design Review Board must be satisfied that the applicant has made an honest effort to conform to each of these principles.*

1. DEVELOPMENT SHALL HAVE AN OVER-ALL INFORMAL CHARACTER.
2. ARCHITECTURAL DESIGN SHALL EMPHASIZE VARIETY AND DIVERSITY.
3. DEVELOPMENT SHALL BE SMALL IN SCALE.
4. INTENSITY OF DEVELOPMENT SHALL BE ENCOURAGED.
5. ALL DEVELOPMENT SHALL HAVE A STRONG RELATIONSHIP TO THE STREET.
6. A STRONG EMPHASIS SHALL BE PLACED ON THE DESIGN OF GROUND FLOOR FACADES.
7. BUILDINGS SHALL BE ENRICHED WITH ARCHITECTURAL FEATURES AND DETAILS.
8. LANDSCAPING SHALL BE AN IMPORTANT COMPONENT OF THE ARCHITECTURAL DESIGN.
9. PARKING SHALL BE VISUALLY SUBORDINATED.
10. SIGNAGE SHALL BE APPROPRIATE TO A VILLAGE CHARACTER.

1

**Provide a Variety of Setbacks along any single commercial block front**

*Varied setbacks will provide a desired informality and diversity of appearance and will allow for special landscaping. The range of setbacks along a frontage need not be great and need not be applied along any single parcel frontage.*



2

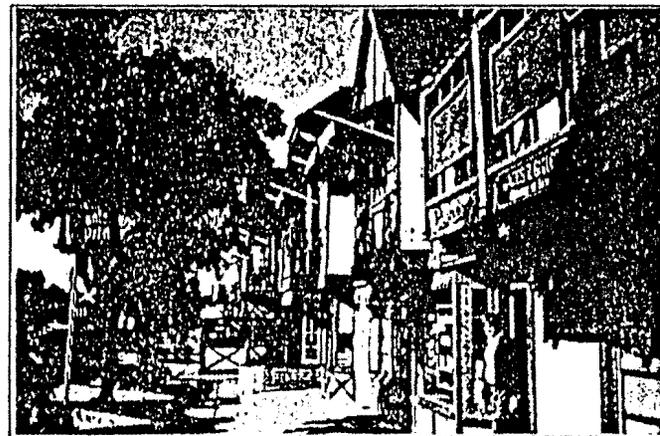
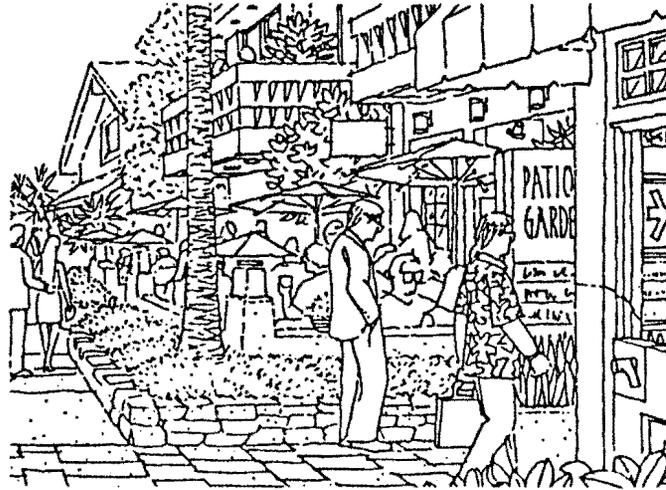
**Provide benches and low walls along public pedestrian frontages.**

*Places for people to rest briefly or wait for friends can both encourage longer shopping trip to the Village and express the feeling that Village merchants care about the comfort and convenience of their customers.*

3

**Maintain Retail Continuity along Pedestrian-oriented frontages**

*The pedestrian shopping experience should not be interrupted by parking lots, blank walls or non-contributing uses.*



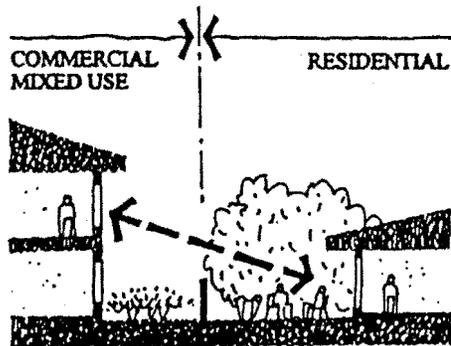
## Site Planning

4

**Avoid Drive-Through Service Uses**  
*Drive-through windows for banks, fast food restaurants and similar uses take up valuable Village land area and create potential pedestrian/vehicular conflicts.*

**DESIGN  
GUIDELINES**

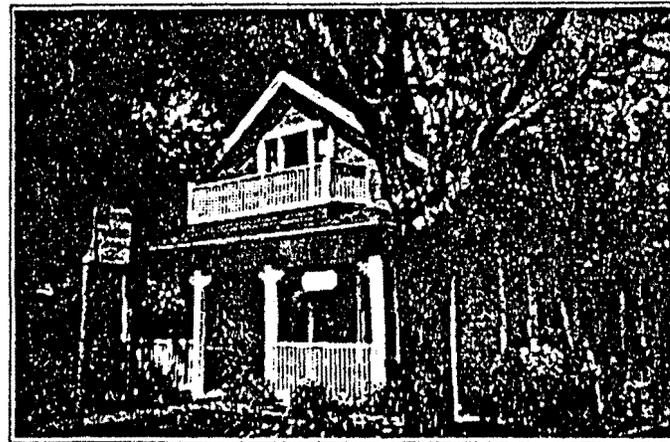
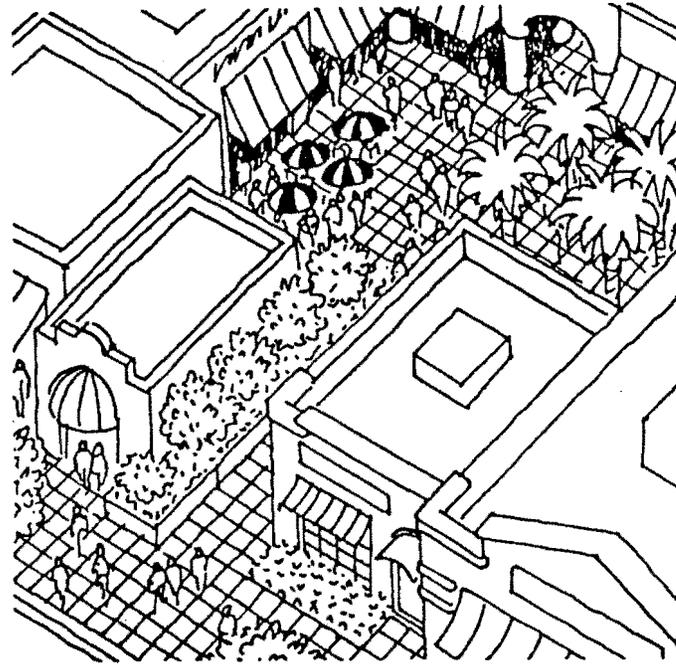
## Site Planning



5

### Minimize Privacy Loss for Adjacent Residential Uses

*Placement of windows and trash areas should be sensitive to any adjacent residential units, outdoor dining areas or pedestrian areas.*



**DESIGN  
GUIDELINES**

6

### Encourage off-street courtyards accessible from major pedestrian walkways

*Courtyards can enrich the Village environment providing more businesses (e.g., art galleries and restaurants) and personal services (e.g., beauty and nail salons) conveniently located near the greatest intensity of pedestrian shopping activity.*

7

### Emphasize an abundance of landscaping planted to create an informal character.

*Like its architecture, the Village landscaping should be informal in character with a great deal of variety and diversity. Landscaping within each parcel should be personalized to the specifics of the building and site. Colorful flowers in planter boxes and pots, in planting beds, on trellises and on flowering trees will add to the richness of the visual environment and to the unique living and marketing image sought for the Village. All landscaping including required irrigation systems must conform to the City's adopted Landscape Manual.*

8

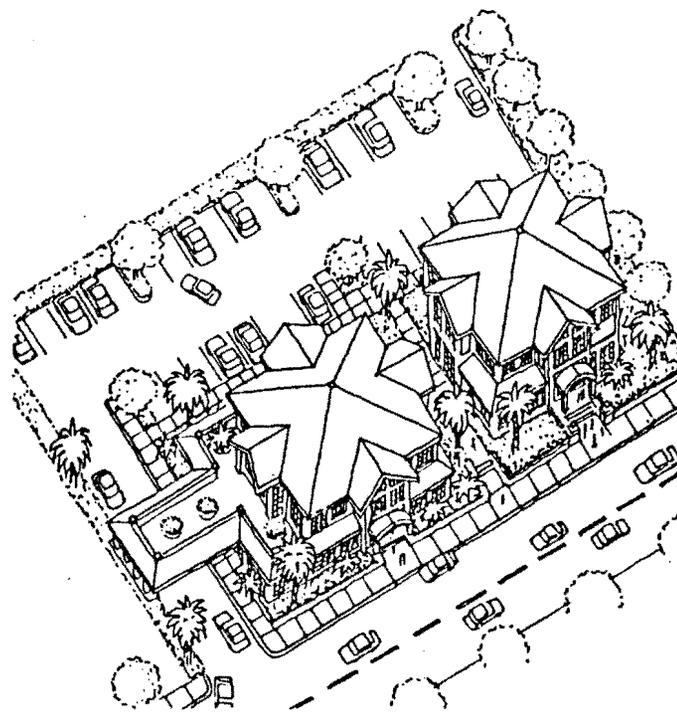
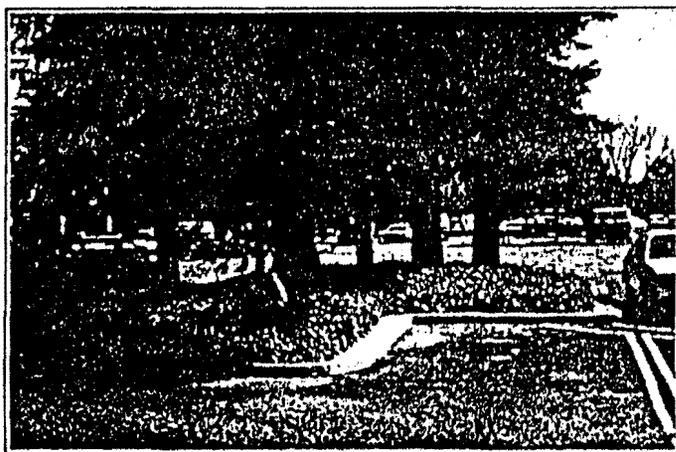
### Treat structures as individual buildings set within a landscaped green space.

*Exceptions: Buildings fronting on:*

- Carlsbad Village Drive
- State Street
- Grand Avenue
- Carlsbad Blvd. between Carlsbad Village Drive and Grand Avenue
- Roosevelt Street (West Side)

**1**  
**Provide landscaping within surface parking lots.**

*Trees in addition to perimeter landscaping should be provided within parking lots at a ratio of one for every four parking stalls. Trees may be clustered in concentrated planting areas to break up large parking lot surfaces.*



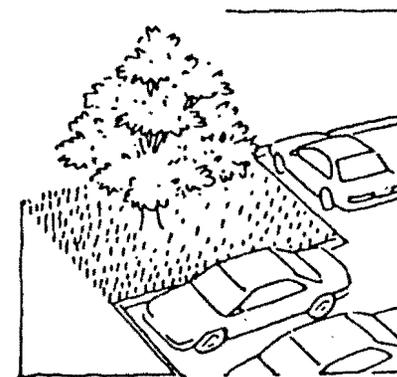
**2**  
**Provide access to parking areas from alleys wherever possible.**

*Access from adjacent alleys will allow more of the site to be devoted to landscaping and will minimize conflicts between pedestrians and vehicles.*

**3**  
**Locate parking at the rear of lots.**

*Parking areas behind buildings will have the least visual impact and likelihood of affecting retail continuity.*

## ***Parking and Access***



**4**  
**Devote all parking lot areas not specifically required for parking spaces or circulation to landscaping.**

*Paving within parking areas should be minimized and landscaped areas maximized to provide the visual and environmental quality needed to support the desired Village character.*

## Parking and Access

5

**Avoid parking in front setback areas.**  
*All commercial and residential buildings should have a strong relationship to the street and setback areas should be devoted to landscaping.*



6

**Avoid curb cuts along major pedestrian areas.**

- *State Street*
- *Grand Avenue (between Roosevelt Street and Carlsbad Blvd.)*
- *Carlsbad Boulevard (between Grand Avenue and Carlsbad Village Drive)*
- *Roosevelt Street (between Beech and Walnut)*

Pedestrian retail continuity relies on a minimum of conflicts between vehicles and pedestrians. Exceptions to the curb cut prohibition may be considered where no other access to parking is possible or where conflicts are likely to be minimal.

7

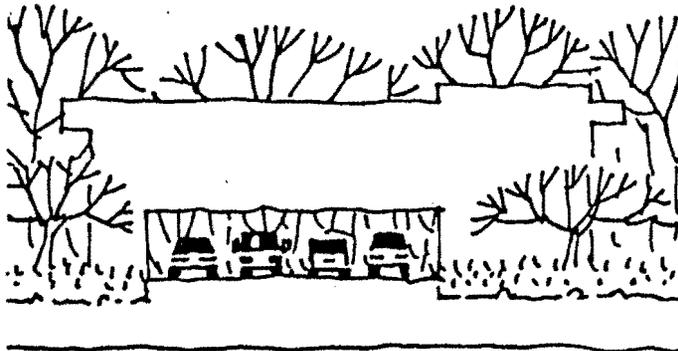
**Avoid parking in block corner locations.**

*Corners within the Village are visually important and should be occupied by interesting buildings. However, owing to limited location opportunities, public parking facilities may be exempted so long as substantial setbacks and landscaping are provided.*

8

Provide setbacks and landscaping between any parking lot and adjacent sidewalks, alleys or other paved pedestrian areas.

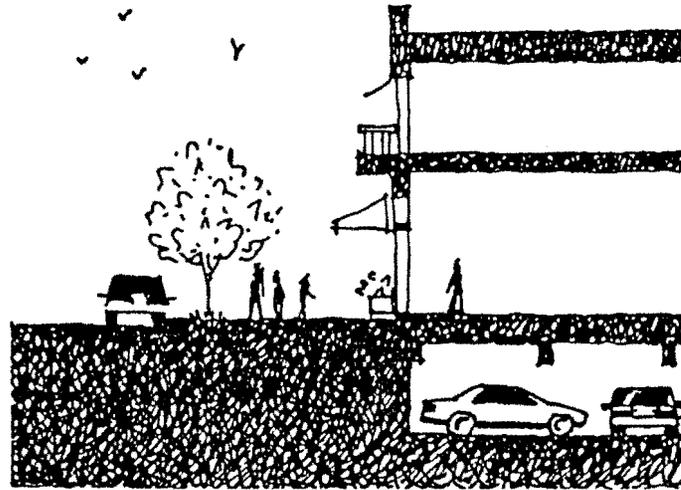
*The visual intrusion of automobile parking within the Village needs to be minimized. Parking lots should be integrated with adjacent buildings by low walls and landscaping to the maximum degree possible.*



9

Avoid buildings which devote significant portions of their ground floor space to parking uses.

*The placement of buildings over ground level parking limits the accommodation of supportive ground floor uses and detracts from the appearance of the building.*



10

Place parking for commercial or larger residential projects below grade wherever feasible.

*The vertical stacking of uses will allow greater development intensity in the Village and the provision of more surface area for landscaping.*

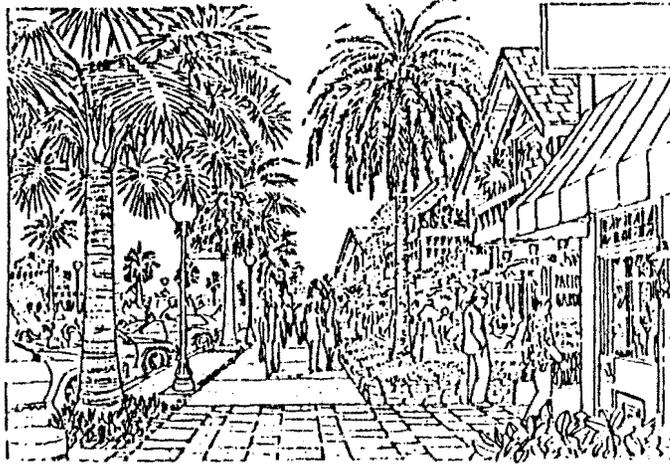
11

Enhance parking lot surfaces.

*The use of modular concrete pavers, and the use of brick or concrete bands to divide parking lot paving into small, interrelated segments should be used wherever possible.*

## Parking and Access

## Building Forms



1

### **Provide for variety and diversity.**

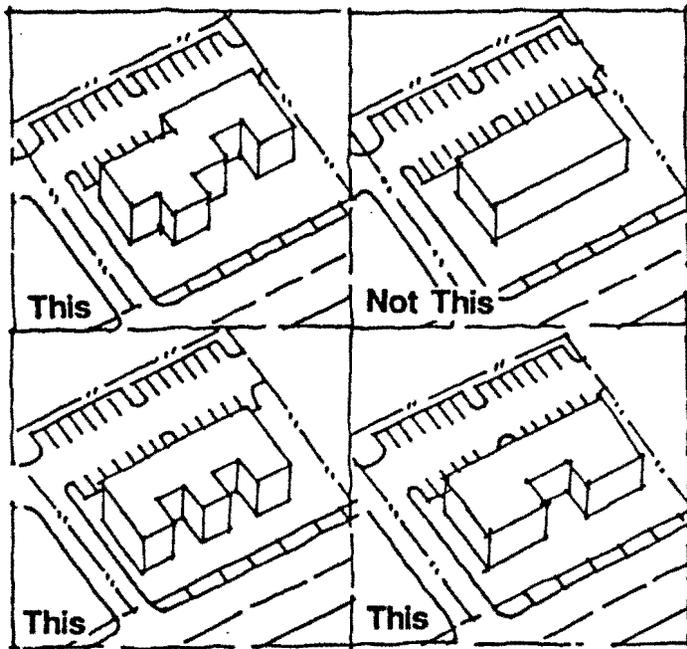
*An informal character and a sense of individuality are desired. Each building should express its uniqueness of structure, location or tenant and should be designed especially for their sites and not mere copies of generic building types which might be found anywhere.*

2

### **Step taller buildings back at upper levels.**

*Building structures should not overwhelm adjacent pedestrian areas. Stepbacks on taller buildings allow the maintenance of a small scale character near street level. In cases where taller buildings do not negatively affect the visual appearance of a block area, the use of balconies and richer details may be considered in lieu of stepbacks.*





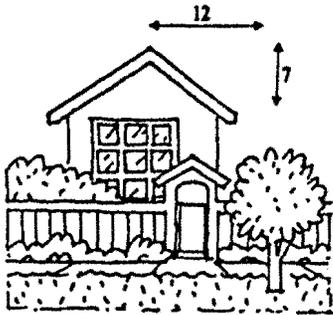
**3**  
**Break large buildings into smaller units.**  
*Separations between structures or recessed facade areas should be used to break large building masses into units similar in size to adjacent and nearby smaller lot development.*

**4**  
**Maintain a relatively consistent building height along block faces.**  
*Village-scale streetscapes generally maintain an appearance of one and two story buildings which unifies the commercial areas and integrates the appearance of adjacent commercial and residential areas.*

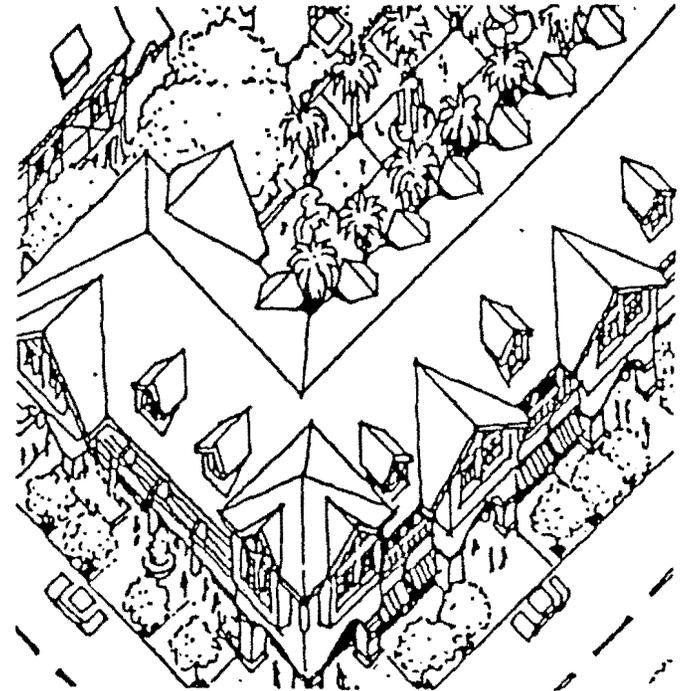
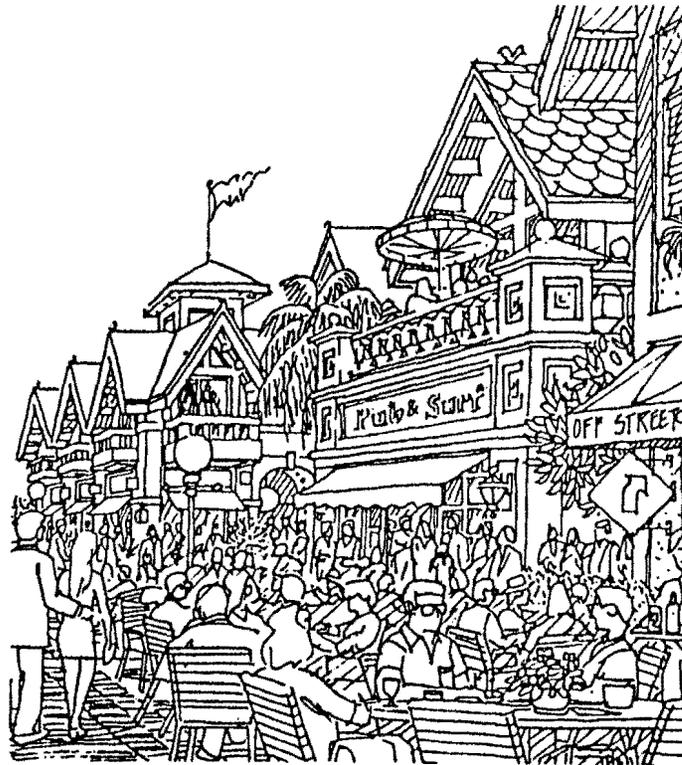
**5**  
**Utilize simple building forms.**  
*Simple building forms related to classic residential building shapes can establish a sense of timelessness and comfortably relate buildings to one another. Trendy and "look at me" design solutions are strongly discouraged.*



## Roof Forms



- 1  
Emphasize the use of gable roofs with slopes of 7 in 12 or greater.  
*Roof forms should be prominent, simply treated and used to integrate commercial and residential structures into a unified visual environment. Gable ends or elements which face the street are encouraged*



- 2  
Encourage the use of dormers in gable roofs.  
*Dormers can add scale and interest to larger roof forms as well as provide additional occupied space within the roof form.*

3

Emphasize wood and composition shingle roofs. Roofs within the Village need some sense of material and color continuity because of their visual prominence and the desire to integrate commercial and residential developments into a visually unified mixed use neighborhood. Textured roofs of similar materials and a medium to dark color range should be used to accomplish this goal.

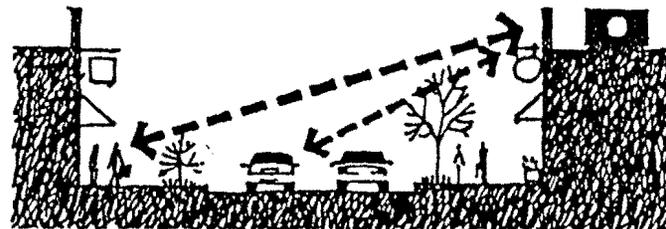
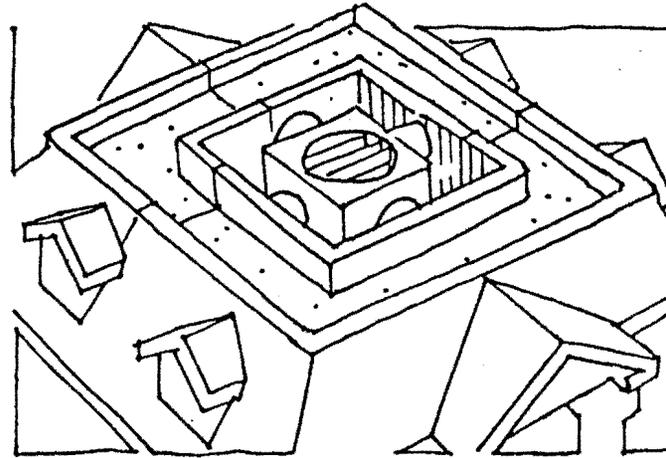
Exceptions:

- Clay tile roofs are acceptable in Land Use District 5 and north along Roosevelt Street to Carlshad Village Drive in order to promote an Hispanic character.
- Metal roofs are acceptable in Land Use District 6.

4

Avoid flat roofs

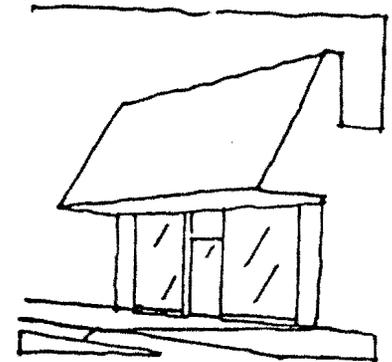
Flat roofs should be limited to minor areas which cannot be easily seen.



5

Screen mechanical equipment from public view. Roof mounted mechanical equipment should be integrated into the roof form or screened from view with elements appropriate to the building's form and appearance. Ground mounted equipment should be screened with walls and landscaping.

## Roof Forms



6

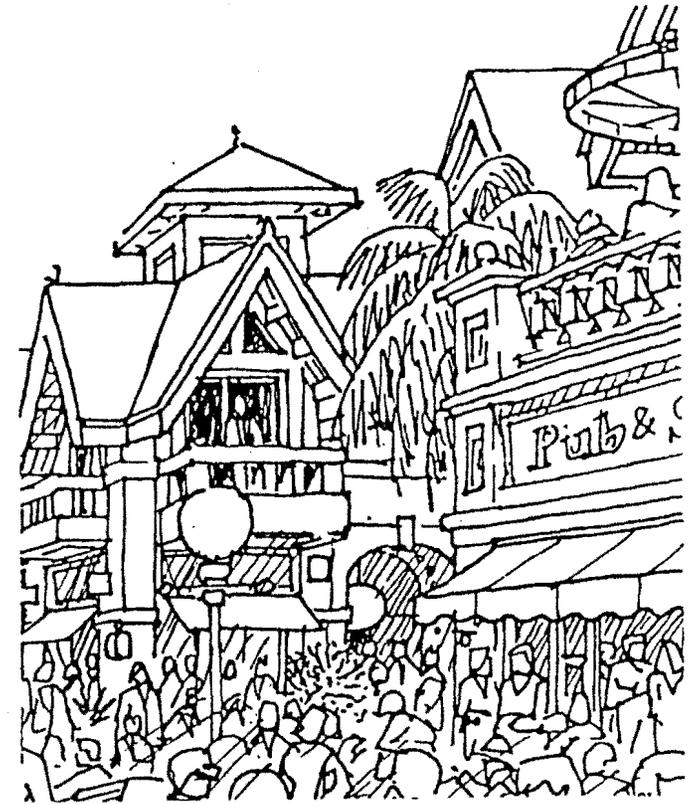
Avoid mansard roof forms. Facade elements made to appear as roofs are not appropriate to the desired Village character.

## Building Facades

1  
**Emphasize an informal architectural character.**  
*Building facades should be visually friendly and larger buildings should be non-symmetrical in composition.*

2  
**Design visual interest into all sides of buildings**  
*Front and side facades facing streets or public access ways should receive special design attention. Other facades which are visible should also be visually pleasant.*

3  
**Utilize small individual windows except on commercial storefronts.**  
*Smaller punched window openings are appropriate to the village character and will assist in emphasizing the larger commercial storefront windows. Proportions of windows should generally be vertical. Strip ribbon windows as found on commercial office buildings are not appropriate.*



4  
**Provide facade projections and recesses.**  
*Facade projections such as bay windows, planter boxes and roof overhangs as well as entry way recesses are elements which add richness to village facades through the creation of shadows and the contrast between sunny and shady surfaces. Roof overhangs should be large enough to be a strong element of the design and supporting brackets, extended roof rafters or beams, and rich architectural detail are strongly encouraged.*

5

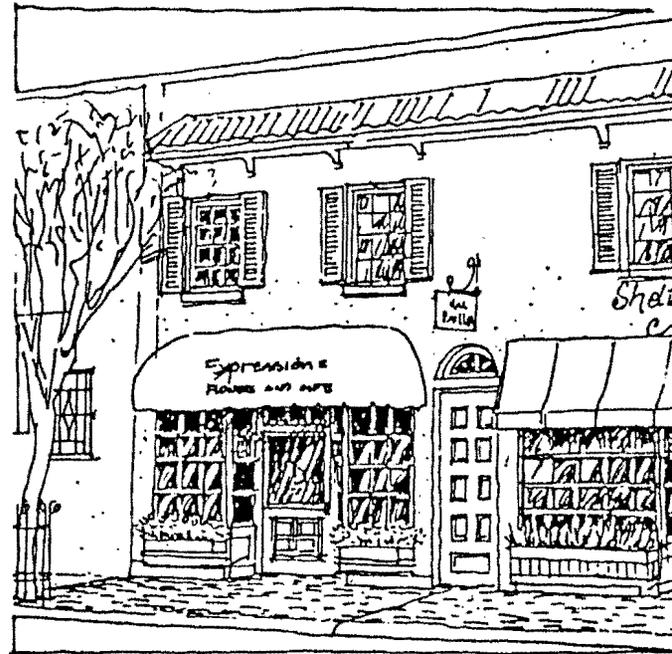
Give special design attention to upper levels of commercial structures.

*Special window trim, awnings, flower boxes and other details should be used to increase the visual attractiveness of upper levels and relate the businesses or residences more strongly to the street and public walkways.*

6

Provide special treatment to entries for upper level uses.

*Recesses, paneled doors, side lights, awnings, carriage lights, planters, special signing and similar features should be used to make entries to upper level businesses or residences distinctive.*

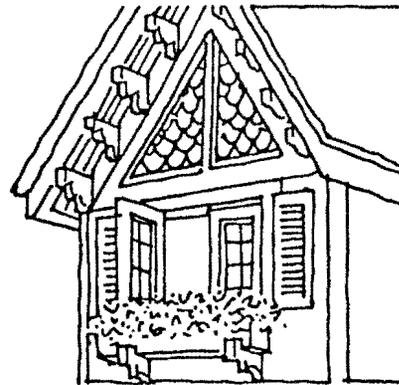


## Building Facades

7

Utilize applied surface ornamentation and other detail elements for visual interest and scale.

*Tile, wood and metal ornament should be considered where appropriate to add richness and small scale detail to building facades. Examples include street numbers, accent spots or bands and art elements. Special treatment of gable ends such as shingles should be considered. Interesting projecting sign, planter box and flag display brackets may also be appropriate.*



DESIGN  
GUIDELINES

## **Building Facades**

**8**

**Respect the materials and character of adjacent development.**

*Building materials and colors of new construction should be sensitive to adjacent buildings and should promote a sense of visual continuity along the street rather than seeking to be focal points.*

**9**

**Emphasize the use of the following wall materials:**

- *Wood siding*
- *Wood shingles*
- *Wood board and batten siding*
- *Stucco*

*Exception:*

*Metal siding is acceptable in the District 6 for automotive and light industrial uses.*

**10**

**Avoid the use of the following materials:**

- *Simulated materials such as imitation brick or stone, marble, wood, etc.*
- *Indoor/outdoor carpeting.*
- *Any material that would constitute a fire and/or public hazard.*
- *Distressed wood of any type (i.e., pecky cedar).*

**11**

**Avoid tinted or reflective window glass.**

*Clear window glass allows views into storefronts and other spaces as well as allows those inside to be connected with the environment and activity outside. Tinted and reflective glass establish an appearance of isolation and should not be used in the Village. Where glare and heat gain are problems, other means of shielding openings such as awnings should be utilized.*

**12**

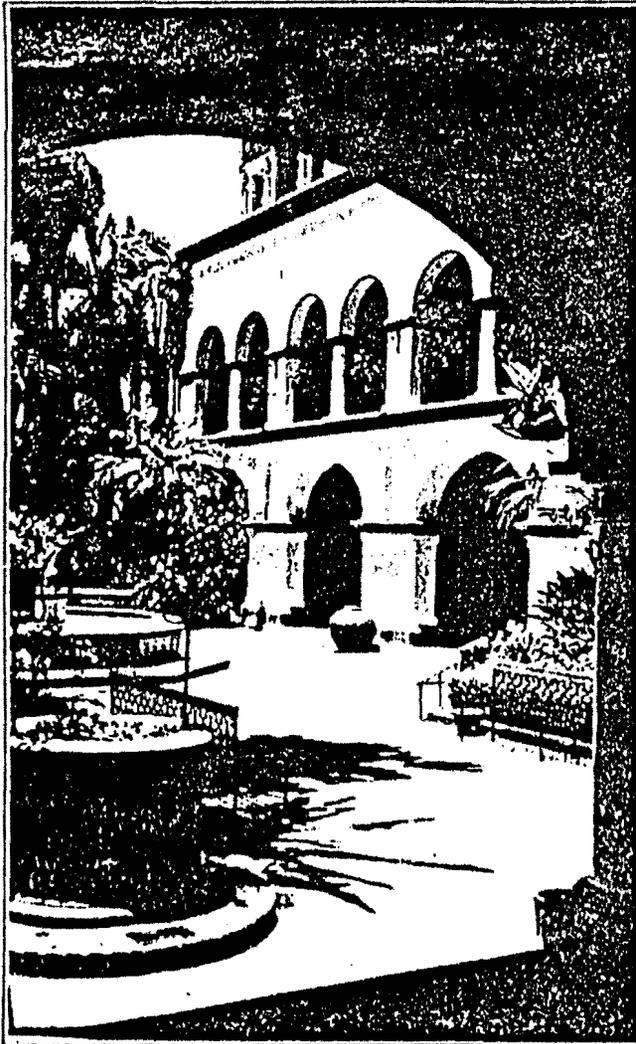
**Utilize wood, dark anodized aluminum or vinyl coated metal door and window frames.**

*Shiny, mill finished aluminium materials typical of storefronts of the 1950's and 60's are inappropriate to the Village.*

**13**

**Avoid metal awnings and canopies.**

*Fabric awnings should be used to add color and interest to the Village. They should be constructed of fire treated or non-flammable materials.*



14

Encourage architectural facades emphasizing an Hispanic character in Land Use District 5. *Stucco walls, clay tile roofs, glazed tile trim and tile paving are encouraged. Planters and pot brackets should be generously used to provide for an abundance of flowering plants.*

15

Utilize light and neutral base colors. *Generally muted color schemes will promote visual unity and allow awnings, window displays, signs and flower landscaping to be given proper emphasis. White, dark and brighter trim colors are all generally acceptable.*

16

Limit the materials and color palette on any single building. *Variety and diversity are encouraged in the Village but too much on any single building can be visually disruptive. The utilization of more than three surface materials or colors should only rarely be considered.*

## Building Facades

## Commercial Storefronts



$$A + B + C = 60\% \text{ of } D$$

1

**Provide significant storefront glazing.**

*A minimum of 60% of ground floor storefronts should be devoted to display windows and entries.*

2

**Avoid large blank walls.**

*Blank walls are disruptive to retail continuity. Where areas of blank walls adjacent to pedestrian areas are unavoidable, they should be treated with lattice work and landscaping or other elements such as art work to soften their impact.*



3

**Encourage large window openings for restaurants.**

*Sliding or fold back windows which provide large openings can do much to add interest to adjacent pedestrian areas while creating an outdoor dining feeling while seated inside.*

4

**Encourage the use of fabric awnings over storefront windows and entries.**

*Awnings add color, pedestrian weather protection and special signing opportunities and should be provided wherever possible to establish a sense of continuity along the street frontage. Back lit awnings where the awning is treated as a large sign should not be used.*



5

**Emphasize display windows with special lighting.**

*Special display lighting should be provided and the use of small pin lights should be strongly considered to frame display windows and provide a nighttime sparkle. Use of pin lights should also be considered to highlight interesting facade profiles or special elements such as balconies, cornices and similar features.*

6

**Encourage the use of dutch doors.**

*Wood dutch doors where the upper panels may be separately opened in good weather serve to create a friendly shopping environment and strong connection between the shops and passing pedestrians.*

## Commercial Storefronts

7

**Utilize small paned windows.**  
*Divided pane windows used in storefront display windows, entry doors and transoms lend a traditional feel to shops and reinforce a village character. Not all windows need to be treated in this way but enough along a block front should be to become a noticeable feature of the Village's storefronts.*

8

**Develop a total design concept.**  
*Facade designs should unify all design elements including upper level treatments and building signage.*

**DESIGN  
GUIDELINES**

## Commercial Storefronts

9

**Provide frequent entries.**

*Long storefronts should have multiple entries to preserve the small scale and character of the Village.*

10

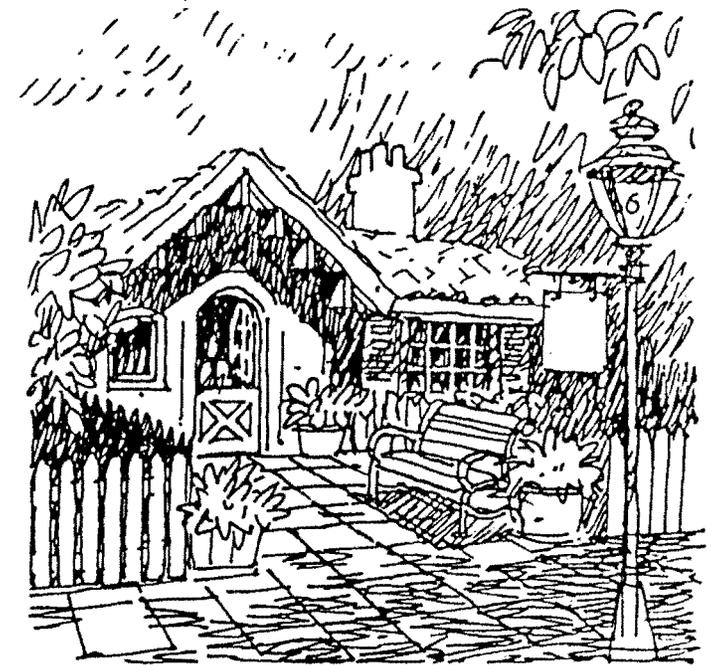
**Limit the extent of entry openings.**

*Entry openings should be limited to about 30% of the storefront width or about 8 feet whichever is larger to preserve display windows. Exceptions may be made for uses which open up all or most of the facade (e.g., bookstalls, produce markets).*

11

**Avoid exterior pull down shutters and sliding or fixed security grilles over windows along street frontages.**

*The presence of such security devices is inappropriate to the image and character of the Village.*



12

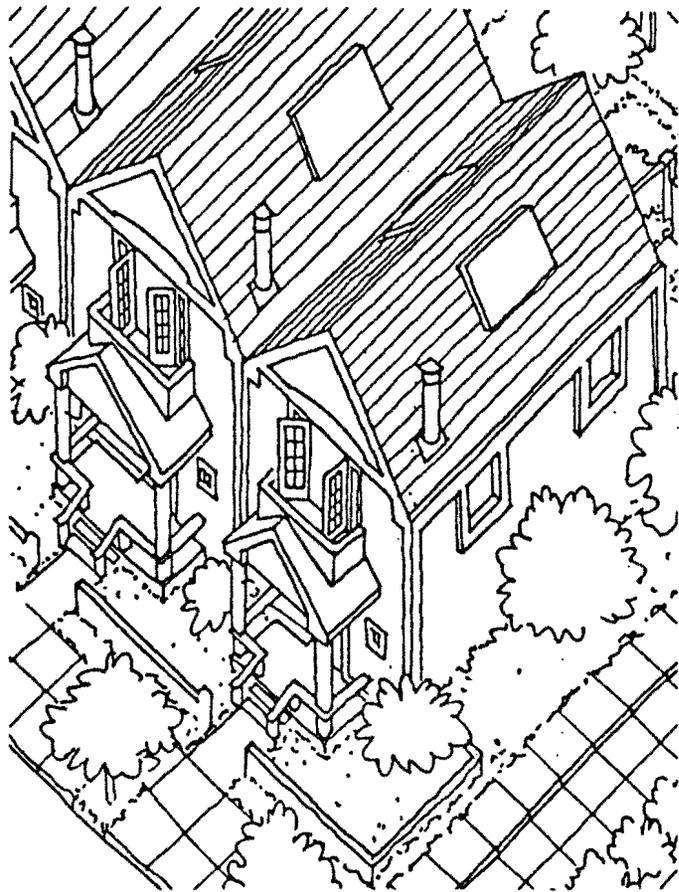
**Emphasize storefront entries.**

*Entries should be recessed and designed to uniquely express the special quality of the store, merchandise or owner. Planters, small display windows, special lighting fixtures, textured paving, creative signing and similar features should be used.*

13

**Integrate fences and walls into the building design.**

*Fences and walls, such as those surrounding trash areas and mechanical equipment, should appear to be a part of the building and not merely tacked on utilitarian elements.*



1

**Encourage front entry gardens.**

*Even small setbacks can be enhanced with shrubs and flowers to both bring visual pleasure to the occupants and contribute to the overall visual quality of the neighborhood.*

2

**Locate residential units near front property lines and orient entries to the street.**

*Residential units and entries oriented to the street can increase the sense of neighborhood and provide more private outdoor space at the rear of parcels.*

3

**Provide front entry porches.**

*Covered entry areas from small porches over entry doors to larger porches stretching across the width of the facade are one of the features which distinguish older, traditional residential areas in our cities. Porches provide a welcome sense of entry and give depth and richness to street front facades.*

4

**Provide windows looking out to the street.**

*Windows related to the street can increase the feeling of neighborhood and enhance a sense of security. Unfriendly blank facades and high walls should be avoided.*

## ***Residential***

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5

**Utilize simple color schemes.**

*A neutral base color with white or a light color trim accented with the limited use of brighter colors would be appropriate to the scale and character of the neighborhood. The trim color should be used to link porches, windows, gable trim and other building details into a unified composition. In some cases, brighter base colors may be acceptable but only on very small residences or in limited areas.*

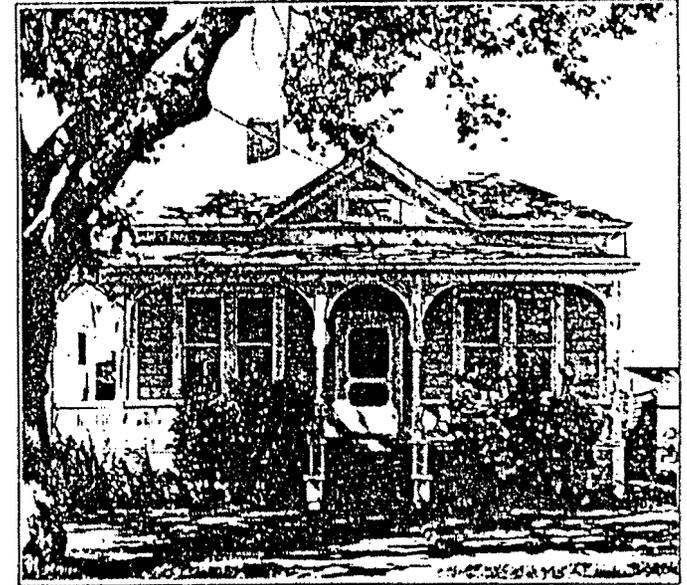
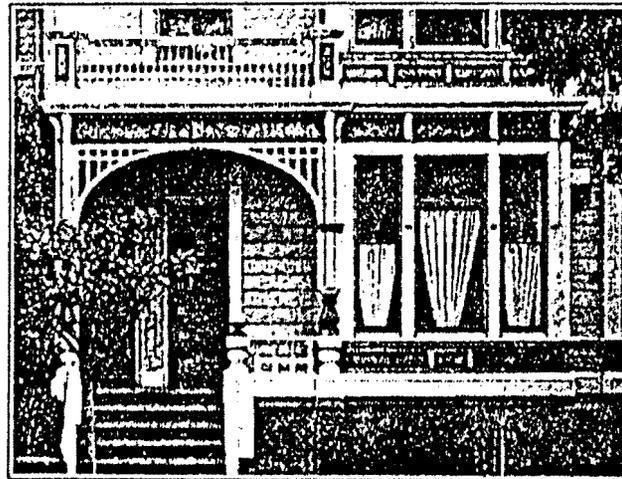
## Residential

6

Provide decorative details to enrich facades including the following:

- *Decorative balustrades and column capitals or brackets on entry porches.*
- *Decorative trim and brackets at gable ends and other roof overhangs.*
- *Decorative infill materials such as shingles at gable ends.*
- *Bay windows.*
- *Divided window panes.*
- *Projecting decorative window trim.*
- *Below window planter boxes.*
- *Attached lattice work to accommodate flowering plants and vines.*

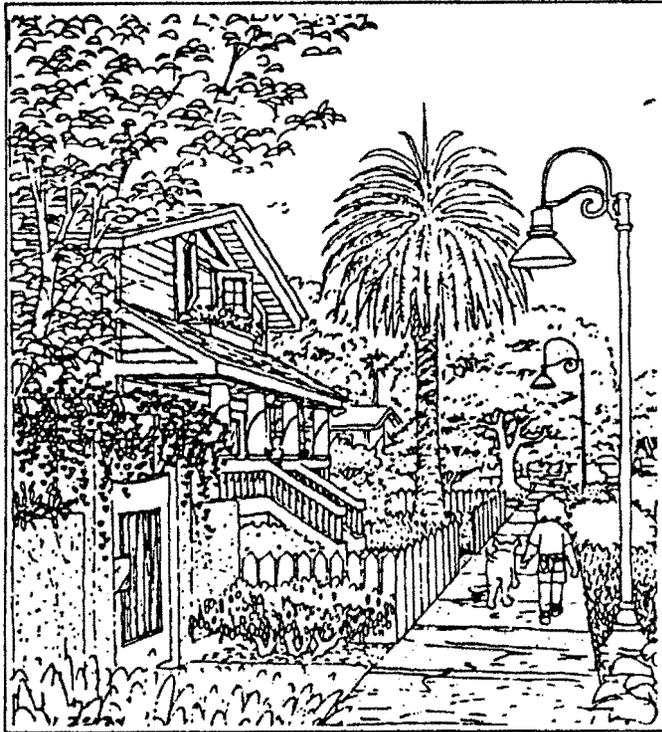
*Elements of this type will add shade and shadow to facades to increase their interest while also providing the means to establish a subtle but rich uniqueness for each residence.*



7

Emphasize “Cottage” form, scale and character.

*The use of gable roofs, varied roof heights, dormers to provide additional usable space in attic areas, interesting details and an informal composition even on larger sites, will enhance the area’s Village character and provide a visual relationship between residential and adjacent commercial buildings.*



8

**Emphasize an abundance of landscaping.**

*Informal landscaping with trees, shrubs, ground cover, overhead trellises and especially flowering plants will enhance the overall character of the neighborhood. provide additional privacy between residences and allow each family to project their unique identity. Large areas of paving especially when visible from adjacent sidewalks are discouraged and front or side yard paved areas for vehicle parking are not appropriate.*

9

**Limit access drives to garages or surface parking areas.**

*The minimization of paving along street frontages will allow the development of a richer landscaped environment. Drive ways should be limited to a maximum of 10 feet in width except along alleys where 20 feet is acceptable.*

10

**Encourage detached garages which are subordinate in visual importance to the house itself.**

*Garages and their entries should not be allowed to dominate the architectural character of a home or residential complex. They should be placed toward the rear of a parcel wherever possible.*

11

**Provide quality designed fences and walls.**

*Open picket fences are encouraged along street frontages and perpendicular to streets in front yard areas. Other fences and walls should provide a positive visual appearance and depth of surface treatment provided by vertical posts, board and battens, lattice work or similar constructions. Chain link fences and solid concrete block walls are strongly discouraged.*

**Residential**

12

**Visually separate multi-family developments into smaller components.**

*Multi-family complexes should be divided into elements which are compatible with nearby single family units by offsets in the building facade and other building elements. An overall appearance of vertical elements is desired over a horizontal character, and multiple entries oriented to the street are encouraged.*

## Interim Conditions

*In District 4 along North State Street and District 6 along Tyler Street, existing automotive and industrial uses will remain for some time before being replaced by new construction conforming to the requirements of this Village Design Manual. Property owners are encouraged to improve the appearance of their properties during that interim period to reduce negative visual impacts which might discourage nearby property investments to improve the Village.*

*Property owners and tenants may seek assistance from the Director of Housing and Redevelopment in planning and carrying out physical building improvements, perimeter fence changes and general landscape beautification.*

## **DESIGN GUIDELINES**

1

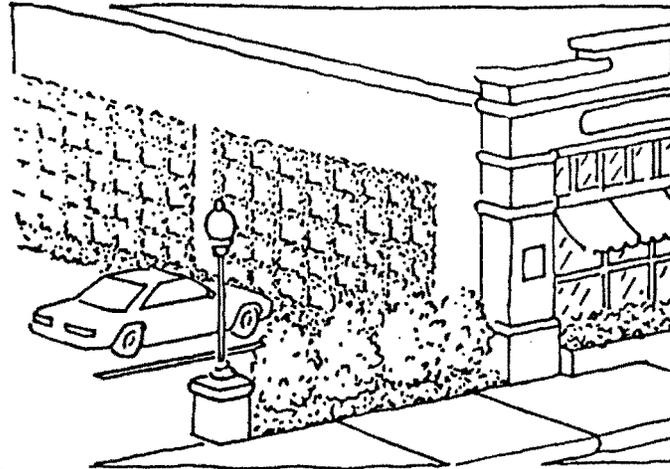
**Add fabric awnings and planter boxes at windows and near entries.**

*The shadow lines and color from these elements will soften the appearance of the utilitarian buildings while adding emphasis to main office entries.*

2

**Add lattice work and landscaping to blank walls.**

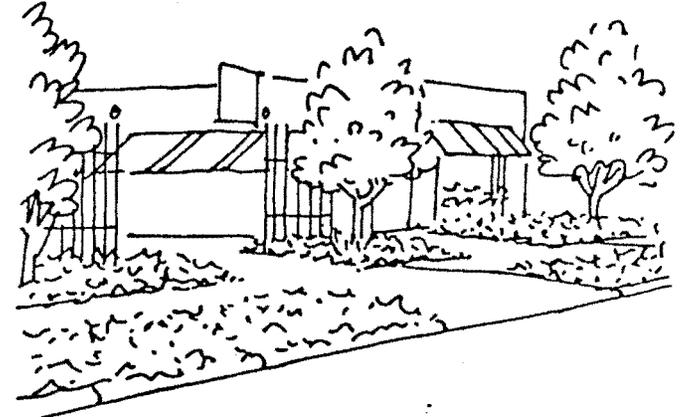
*Large blank walls which can be seen from the street should have simple lattice work attached to the wall to support flowering vines growing out of planters placed at their base.*



3

**Paint faded building facades.**

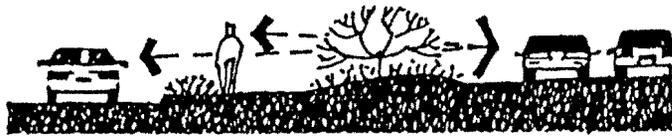
*New paint in muted colors will give the buildings a fresh look while blending into the surrounding environment more successfully.*



4

**Plant fast growing and flowering vines along fences and walls.**

*Vines supplemented by trees and other landscaping will soften the appearance of the fencing and screen views to functional on-site work and storage areas.*



5

**Separate parking areas from sidewalks with low walls and landscaping.**

*This separation will assist in creating a positive edge to the street and sidewalk.*

6

**Upgrade exterior lighting fixtures.**

*Older industrial-type fixtures should be replaced with newer ones which are attractive in appearance and allow direct light for security purposes without glare.*

7

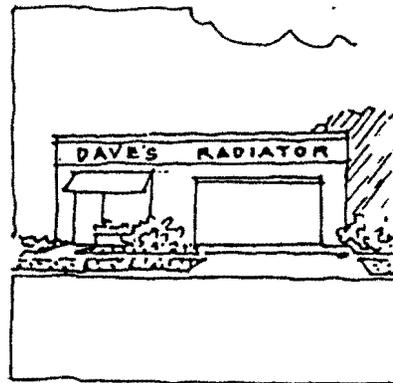
**Minimize the visual impact of trash collection areas.**

*Any trash areas and dumpsters which can be seen from the street should be relocated and screened.*

8

**Reduce the amount of paving adjacent to or near the front property line.**

*The use of landscaping or, if paving is absolutely necessary, modular concrete pavers will soften the appearance of building fronts and eliminate the sense of a broad expanse of paving across streets, sidewalks and building parcels. Parking or lots in front of buildings should be relocated or eliminated.*

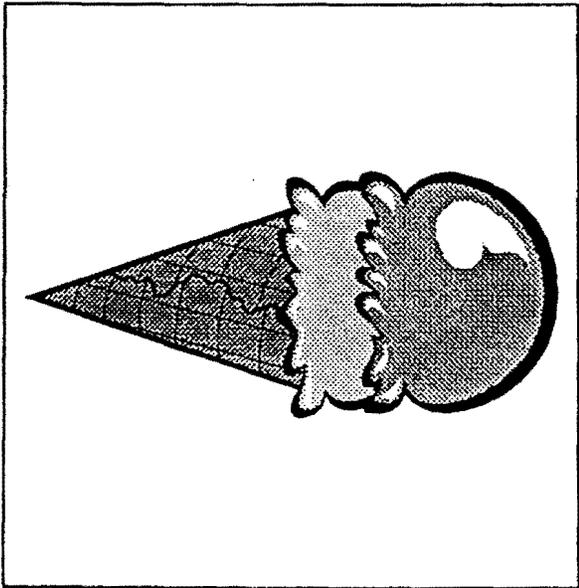


9

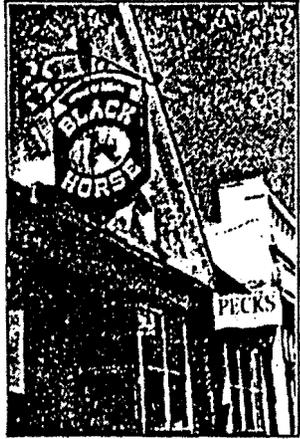
**Improve business signage.**

*The proliferation of secondary signs should be reduced and remaining signs reorganized or replaced to reduce overall visual clutter. Interior illuminated signs should be replaced with exterior illuminated ones appropriate to the desired Village character.*

## Interim Conditions



5  
SIGNAGE



- The standards set forth in this section of the Village Master Plan and Design Manual apply to all properties within the Village Redevelopment Area. All new signs, replacement signs or modifications to existing signs must conform to these standards.
- Every applicant shall apply for and obtain a sign permit according to the procedures set forth in Chapter 7 of this Village Master Plan and Design Manual before any sign may be modified, replaced or newly installed.
- The standards contained in this section take precedence over the requirements of Chapter 21.41 of the Carlsbad Municipal Code for all matters directly addressed by this section. For all other matters and all other types of signs which are not specifically excluded from the Village Redevelopment Area, Chapter 21.41 of the Carlsbad Municipal Code shall be referenced for regulation purposes.
- Many non-conforming signs exist within the Village Redevelopment Area and these signs can have an adverse impact on revitalization efforts within the area. Therefore, every effort will be made to encourage voluntary compliance with the standards set forth within this Manual. Mandatory conformance with the standards set forth herein for signs within the Village Redevelopment Area shall be required whenever 1) a business ceases to exist for any reason ; 2) the property/business is abandoned for a period of six (6) months or longer; or 3) their is a change in use or business.

## Regulations

### *Village Signs*

- *Signs are expected to support the Village's image as a high quality specialty shopping district and business location.*
- *Sign sizes, shapes and colors will be reflective of the lower traffic speeds and pedestrian orientation of the Village.*
- *Public sector signs will also be unique to the Village location and visual character.*
- *Creative and interesting signs will be encouraged.*
- *Businesses will be given a variety of options in meeting their signage needs.*

## REGULATIONS

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

- Wall Signs
- Projecting Signs
- Fabric Awning Signs
- Banner Signs
- Neon Signs
- Marquee Signs
- Hanging Signs
- Window Signs
- Plaque Signs
- Restaurant Menu Signs
- Address Signs
- Tenant Directory Signs
- Monument or Ground Signs (Limited)
- Sidewalk Signs (public property)
- Freestanding Signs (private property)

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

- Interior Illuminated Boxed Display Signs (which are designed to be mounted on the exterior of a building).
- Changeable Letter Signs, except for marquee signs for cinemas or performing arts theaters.
- Pole signs.
- Off-Premises signage (including billboard signs and signs which are not located directly in front of a related business).
- Roof signs (which are signs placed on the top of any building).

**REGULATIONS**

Each building/project in the Village Redevelopment Area is allowed a total of 1.0 square foot of signage for each lineal foot of building frontage.

All buildings will be allowed window signs, restaurant menu signs and address signs which meet the standards set forth herein. These types of signs will not be calculated in the total amount of signage permitted for each building. These signs may be provided in addition to the signs which are included within the 1.0 square foot/lineal foot of street frontage calculation.

All signs shall be designed and installed in a manner which does not obscure or interfere with any official notice or public safety sign or device. Signs shall not simulate in color or design a traffic sign or signal, or make use of words, symbols or characters in such a manner as to confuse pedestrian or vehicular traffic. In addition, all signs shall be located in a manner which does not cause an obstruction for pedestrians and/or cause sight distance problems for vehicles.

For the purposes of calculating the amount of signage permitted for a building, "building frontage" shall mean the total width of the elevation of a building structure which fronts on one or more public streets or in which the main entrance exists; an alley shall not be a public street within this definition for sign calculations.

**SIGNAGE**

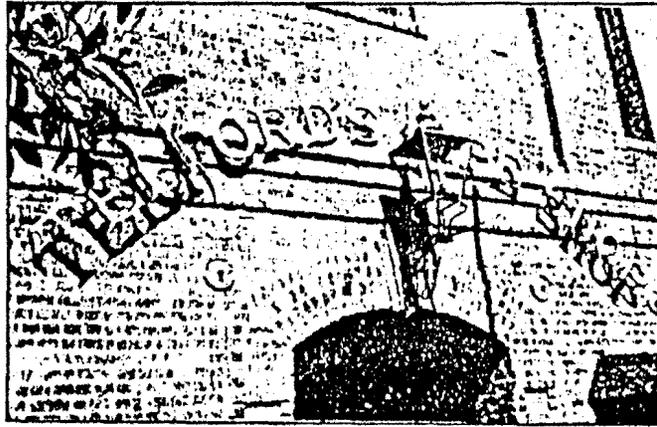
## Sign Guidelines

### Wall Signs

Wall signs are generally the most used type of business identification signing. Located on the face of buildings they are usually larger than other types of signage. The location of signs with respect to the character and detail of a building are extremely important.

#### Allowable Area

Wall signs shall not exceed 1.0 square feet of sign area for each linear front foot of building elevation.



1

Use Wall Signs primarily to identify specific buildings or major tenants.

- Wall signs are intended to be used primarily for identification of a specific building or major tenant. However, service and product information may be permitted if it can be provided on the sign and/or within the maximum sign area permitted.
- The date of building construction is also permitted but should be smaller in size than the main wall sign.

2

Limit wall signs to the following types:

- Individual solid metal letters
- Individual internally illuminated letter. (Matte translucent plexiglass faces and opaque dark metal sides)
- Plaque signs mounted to the wall surface.
- Exposed neon directly attached to the building face.
- Individual letters painted directly onto the building face. (Not appropriate on frontages facing a public street)

3

Place wall signs within a clear Signable Area.

Signable Areas should have the following characteristics:

- An architecturally continuous wall surface uninterrupted by doors, windows or architectural detail.
- Area does not exceed 15% of the building facade.

4

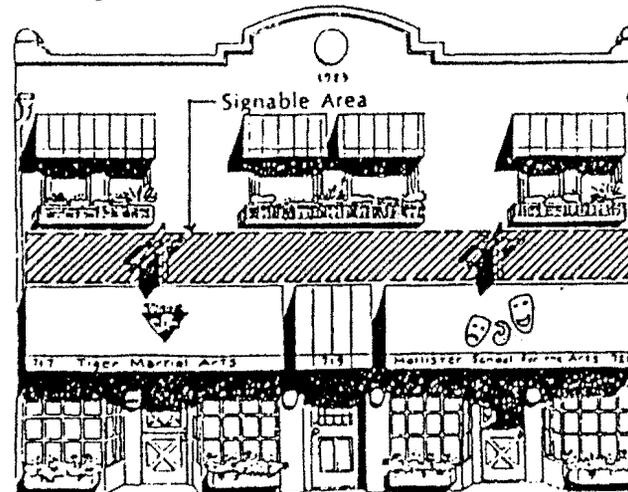
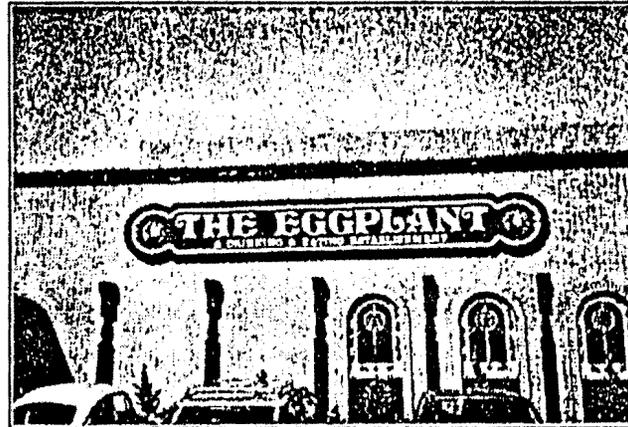
Limit the size of signs within the Signable Area.

- Maximum Area: 40%
  - Maximum Length: 2/3
  - Maximum Height: 2/3
- The letter height should generally be 18 inches or less.
- Maximum Projection: 12 inches from wall face

5

Discourage signs on walls not directly fronting on a public street.

- Commercial signs seeking distant visibility from major streets are not appropriate to the desired Village character.
- Signs at business entries serving the public and facing alleys or parking lots are appropriate but should be limited in size to 10 square feet.



Signable Area Example

## Sign Guidelines

### Wall Signs

## Sign Guidelines

### Projecting Signs

*Projecting signs featuring simple information or uniquely designed ones with colors and icons can do a great deal to enhance the visual appearance of the Village and set it apart from other commercial areas in the City and region. They are strongly encouraged and should be carefully designed to reflect the character of each building and business as well as fit comfortably with other adjacent or nearby signage.*

*These signs are affixed to the face of a building structure and project perpendicular to the structure.*

#### Allowable Area

*Six (6) square feet each, excluding supporting brackets.*



1

Relate the location of signs to the building on which they are attached.

- Projecting signs should not generally be mounted above the second floor window sill in multi-storied buildings. In some cases, a higher mounting height is appropriate but the sign top, bottom and mounting should bear some relationship to the second floor windows.
- Projecting signs should be oriented to pedestrians passing on the sidewalk in front of the building.

2

Relate the design of projecting sign to the individual business and building.

- Square or rectangular shapes with painted or applied letters and shapes are generally appropriate for any business.
- Painted or applied logos or other shapes (e.g., a hanger for dry cleaners) can add special interest to otherwise flat surfaced projecting signs.
- Projecting signs with irregular outlines and/or internal cut-outs should be considered.
- Two or three dimensional icon signs related to specific businesses can add interest and a touch of humor to the shopping and business environment. The following are examples:
  - Unicycle for a bicycle shop
  - Tooth for a dentist
  - Eyeglasses for an optometry shop.
  - Wok for a Chinese restaurant
  - Boot for a shoe repair business
  - Film projector for a video store

## SIGNAGE

3

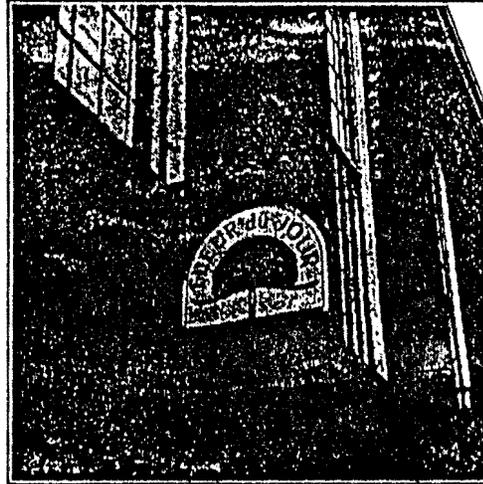
**Provide well designed mounting brackets.**

Simple round pipe brackets with plugged ends or added decorative end elements are generally appropriate for any signs. However, metal brackets of a more decorative and complex shape are encouraged where appropriate to the character of the sign and the buildings. In addition to adding to the uniqueness and visual character of the sign, they cast interesting shadows on wall surfaces and convey an impression of special concern for the appearance of the business.

4

**Limit sign projections and mounting heights from the face of the buildings.**

- Projections of 36 inches are appropriate at a sidewalk.
- Projections of 24 inches are appropriate at alleys and other locations.
- Provide a minimum clearance of 12 inches between the building face and sign.
- Vertical clearance of 8 feet should be provided along pedestrian areas.
- Vertical clearance of 14 feet is needed at alleys, parking lots or other areas subject to vehicular traffic.



5

**Maintain a unity to the general size of projecting signs.**

Projecting signs, excluding supporting brackets, should fit within an imaginary rectangle with a maximum area of 6 square feet. Exceptions to this limitation may be considered for special signs utilizing shapes, symbols or icons uniquely suited to the business.

***Sign Guidelines***

***Projecting Signs***



Awning signs add color to the Village shopping environment and are often more visible to passing automobiles and by pedestrians from the opposite side of the street, especially in circumstances where street trees partially obstruct wall signs. In addition they offer the potential for unique design applications to enrich the shopping environment in the Village.

Awning signs are those signs which are printed on, painted on or attached to an awning or canopy above a business door or window. Also, in some cases, as determined by the Housing and Redevelopment Director pursuant to applicable sign regulations, an awning sign may be defined as an awning without any business information printed on, painted on or attached to it, if the awning serves as an attention-getting device on its own due to coloring, design, lighting or other architectural features.

Allowable Area

- **Awning Valences**  
0.5 square feet for every lineal foot of valence length
- **Awning Faces**  
10% of awning face area
- **Awning Sides**  
40% of awning side area

For any awning which serves as a sign in itself, the entire awning will represent the sign for calculation purposes. In this case, the awning size may not exceed 1 square foot in size for each lineal foot of street frontage.



**1**  
**Limit the size of lettering on awnings.**

- Awning valences (i.e., vertical faces) should not exceed 12 inches in height.
- Letter height on valences should not exceed 8 inches
- Letters applied to the sloping awning face should be appropriate in the context of other building signs but should not generally exceed 18 inches in height.

**2**  
**Keep logo and graphics on awning faces and sides modest in size.**

- Logos or symbols depicting the unique nature of a business are permitted.

**3**  
**Minimize signing on upper level awnings.**

- Awning signs at windows above the ground floor are permitted.
- Upper level awning signs are limited to the name of the business or generic description of products or services (e.g., tailor).
- Awning valence and letter heights should be smaller than those on ground floor awnings.

**4**  
**Awning Materials/Lighting**

- All awnings or canopies should be made of fabric. No vinyl or metal awnings will be permitted.
- No back lit awnings or canopies shall be permitted where the awning is treated as a large sign. Exterior lighting of awnings/canopies is permitted.

1

### Use banner signs sparingly.

- Banner signs are allowed as a type of projecting sign at the discretion of the Housing and Redevelopment Director.
- Applications for banner signs must be accompanied by a Replacement Plan consistent with the fabric manufacturer's and sign installation company's recommendations.
- Banners are treated as Signable Area for the purposes of calculating the allowable size copy to be applied.
- Limitations of sign copy including logos and other symbols within the banner area should comply with the wall sign guidelines.

2

### Relate banner signs to the building face to which they are attached.

- Banners should be mounted perpendicular to the face of the facade.
- Banners should be hung from projecting metal brackets of a size and design appropriate to the banner and the architectural character of the building.
- Banner size, proportions and number should be appropriate to the building facade to which they are attached.



3

### Limit banner projections from the face of buildings.

- Projections of 36 inches are appropriate at a sidewalk.
- Projections of 24 inches are appropriate at alleys and other locations.
- Vertical clearance of 10 feet should be provided along pedestrian areas.
- Vertical clearance of 14 feet is needed at alleys, parking lots, or other areas subject to vehicular traffic.

## Sign Guidelines

### Banner Signs

*Banner signs can add liveliness to the shopping environment with their color and motion. They are generally of 4 types:*

- Advertising of the business name
- Advertising for the brand names (e.g., Sony) or generic products (e.g., records, antiques) sold within the shop
- Information on current special events (e.g., an art gallery exhibition of California Plein Air Paintings)
- Color fabric banners with or without designs but with no advertising text

### Allowable Area

*0.5 square feet of banner area per foot of building frontage.*

## SIGN GUIDELINES

### Neon Signs

The use of neon signs fell out of favor and for a while they were felt to be too gaudy to be acceptable. However, in recent years, neon has come back into favor as communities have recognized its ties to the downtown's historic past and the liveliness which neon can add to the commercial environment.

### Allowable Area

The maximum allowable sign area shall be based upon the sign size limits set forth within this Village Master Plan and Design Manual for the particular type of sign to be used with the neon (i.e., wall or projecting sign).

1

### Use neon signs sparingly.

- Neon signs are allowed at the discretion of the Housing and Redevelopment Director.
- Neon signs should be limited to retail and restaurant uses only.
- Neon signs are allowed at the discretion of the Housing and Redevelopment Director for the following applications:
  1. Wall Signs
  2. Projecting Signs (on flat panels)
  3. Window Signs
  4. Marquee Signs



2

Neon used as window signs should minimize the appearance of support materials

- Signs should be suspended from above.
- Signs should be set back a minimum of 3 inches from the storefront glazing.
- All ballasts, supporting mechanisms and other non-illuminated elements of the sign should be concealed from public view.
- Neon window signs may be mounted on a transparent panel.

1

Limit marquee signs to special uses.

- Marquee signs are allowed at the discretion of the HOUSING + REDEVELOPMENT DIRECTOR.
- Marquee signs should generally be used only for cinemas and performing arts facilities.

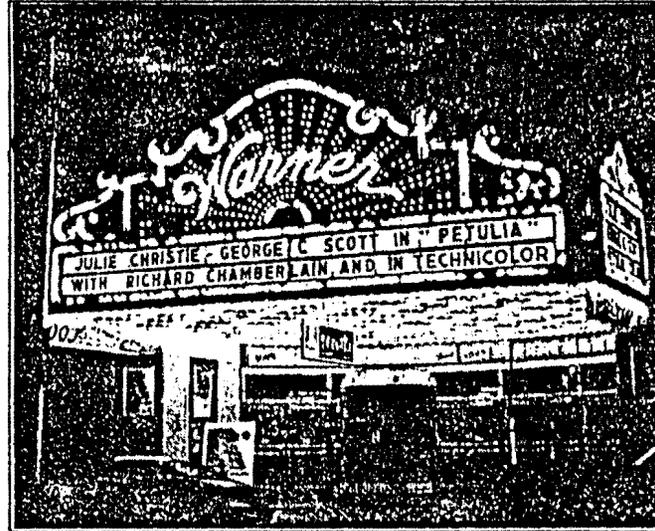
2

Provide a minimum clearance of 10 feet above sidewalks and 14 feet above a vehicular right of way parking lot.

3

Limit the amount of sign copy.

- Sign copy should include only the facility's name and changeable copy related to current and future attractions.
- The changeable copy portions of the sign should not exceed 80% of the total sign area.
- The facility name portion of the sign should not exceed 40% of the total sign area.



## Sign Guidelines

### *Marquee Signs*

*Marquee signs are generally not in keeping with a village scale and character. However, certain types of uses have traditionally relied on marquee signs and marquees are an integral part of those facilities. It is important, however, to keep the marquees small and in scale with the overall character of the village.*

### *Allowable Area*

*The size of the approved Marquee Sign shall serve as the maximum signable area.*

**SIGNAGE**

## Sign Guidelines

### Hanging Signs

*Hanging Signs are similar to Projecting Signs except that they are suspended below a marquee or under an awning. As with Projecting Signs, they can be simple (e.g., store name on a single color background) or fanciful with irregular outlines and multiple colors. In general, Hanging Signs will be smaller than Projecting Signs by virtue of their normally lower mounting height.*

#### Allowable Area

*4 square feet, excluding supporting brackets.*



1

Use hanging signs only at ground floor locations.

- Exceptions
  - Upper floor covered entry porches and balconies.
  - Upper level private balconies.

2

Treat hanging signs similar to but smaller than projecting signs.

- Hanging signs, excluding supporting rods, chains or similar hangers, should fit within an imaginary rectangle with a maximum area of 4 square feet.
- Larger signs may be considered for special hanging signs utilizing shapes, symbols or icons uniquely suited to the business.
- A variety of shapes and styles are acceptable.
- Vertical clearances for pedestrian and vehicular traffic should be maintained.



1

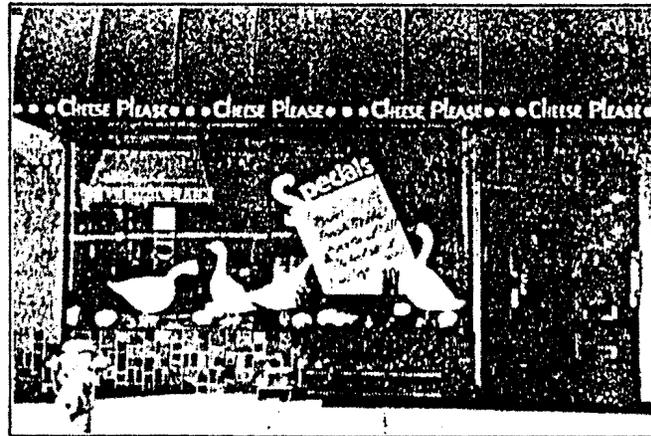
Limit the type and amount of information placed on business windows.

- Window sign copy should include only business name, address, hours of business, emergency telephone numbers, business tenant logos, generic products and brand names offered by the business.
- Window sign area should not exceed 25% of any single window area.
- Sign copy should not exceed 8 inches in height.
- Sign copy under 2 inches in height should be counted in calculating percent of window coverage but need not be included in the maximum sign area allowance.
- Window sign copy should be applied directly to glazed area.

2

Use temporary window signs with care.

- Temporary window signs are subject to approval by the Director of Housing and Redevelopment.
- Temporary signs include:
  - Coming events posters
  - Video sales/rental advertisements
  - Special sales and promotion information
- Temporary signs should not exceed a total of 25% of any single glazed area or be placed on an entry door to a business tenant space.



3

Use special window graphics to express the unique personality of a business.

- Special window graphics are permitted at the discretion of the Design Review Board based upon the following criteria:
  - Signs effectively express the type of business located on the premise.
  - Signs relate positively to the character, scale and color of the building structure, awnings and other signage.
  - Signs contribute a special liveliness and interest to the Village without conflict with other adjacent businesses.
- Business tenant logos and special graphics are counted in the calculation for maximum window coverage and total sign area.

## Sign Guidelines

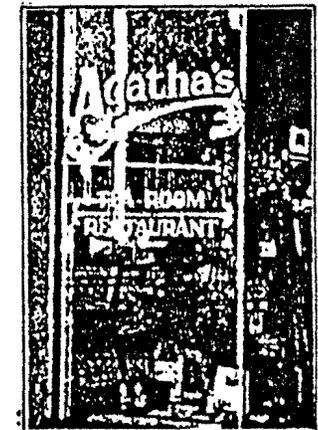
### Window Signs

Window signs offer a variety of information to passing pedestrians. This type of signage generally contains only text but in special circumstances can express a special business personality through graphic logos or images combined with color.

#### Allowable Area

10% of aggregate ground floor window area.

Window signs are not included in the total calculation for the maximum amount of signage permitted on a building. This type of signage is allowed in addition to the maximum amount of signage permitted herein as long as it is consistent with the standards set forth within this section.



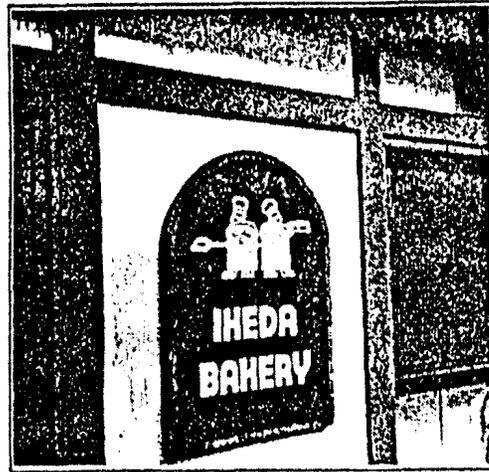
- Exposed neon is permitted at the discretion of the Housing and Redevelopment Director.

## Sign Guidelines

### *Plaque Signs*

*Plaque signs are small versions of wall signs which are attached to surfaces adjacent to shopfront entries. Generally they include the business name and often contain major products or services offered and hours of operation. They may include designs or other decoration and may be irregular in outline shape.*

*Allowable Area  
2 square feet.*



1

Place plaque signs only on wall surfaces adjacent to tenant entries.

2

Design plaque signs to fit within an imaginary rectangle with a maximum area of 2 square feet.

3

Limit plaque sign projections from wall surfaces to a maximum of 2 inches.

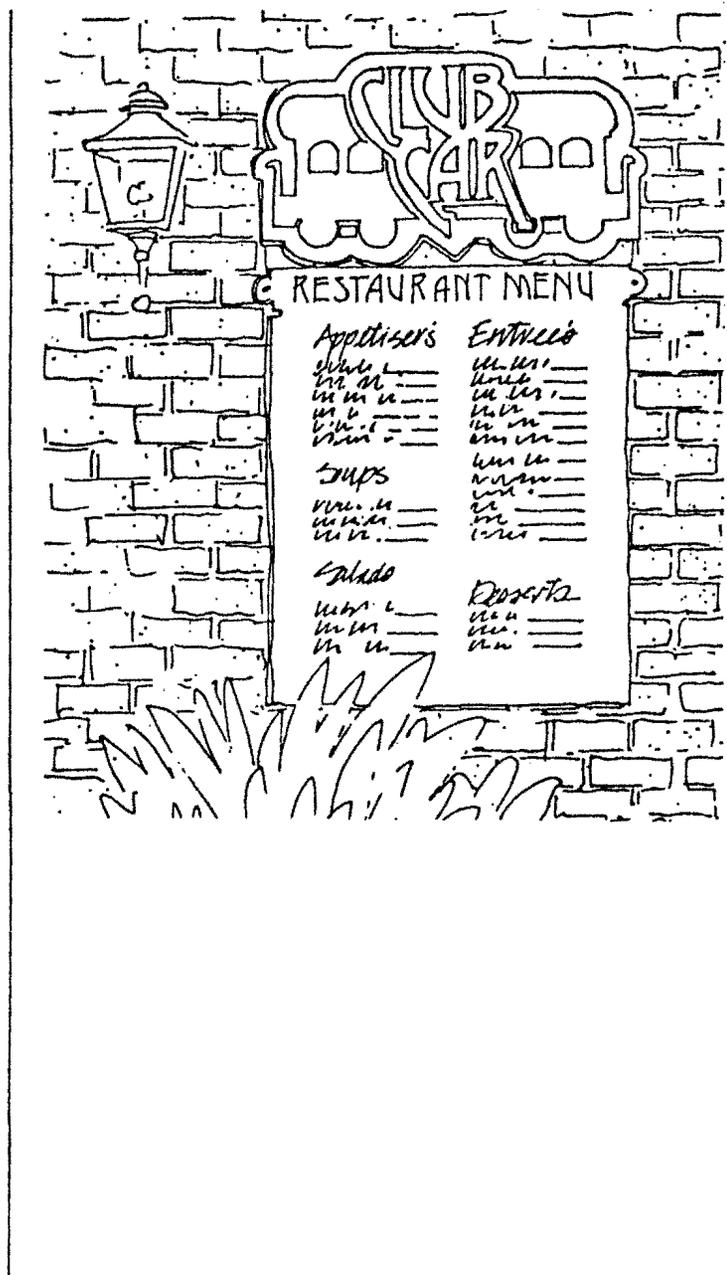


**SIGNAGE**

1

Provide menu signs for all restaurants with sit-down dining.

- Restaurant menu signs are not included in the calculation of maximum sign area.
- Restaurant menu signs should incorporate an actual menu or reasonable facsimile thereof containing food served, prices for each item and other relevant information pertaining to service and pricing.
- Signs should be prominently located near the restaurant entry or near the public sidewalk where entries are more than 10 feet from the sidewalk.
- Restaurant menu signs should be appropriate in size, location and design to the character and architectural detail of the building as well as to the character of the restaurant.



## Sign Guidelines

### Restaurant Menu Signs

Small commercial areas like the Village can flourish as restaurant centers. If a sufficient number of restaurants exist with a wide enough variety of food styles or ethnic identity, people will go to the Village with the idea that they will decide which restaurant to patronize after they get there. Prominently displayed menus with prices and other important information (e.g., credit cards accepted) can help to reinforce this pattern. While restaurant menus are often placed inside of a window adjacent to the entry, special menu display boxes offer the opportunity to create a more inviting atmosphere.

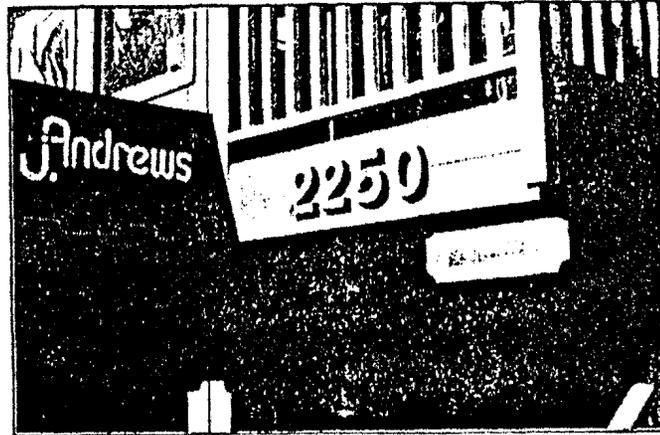
#### Allowable Area

6 square feet (including menu sign case)

## Sign Guidelines

### Address Signs

*Easy to see and read address signs can assist shoppers in locating businesses prior to parking. Likewise, legible residential addresses will help visitors locate the proper home.*



### Allowable Area

*The maximum allowable sign area shall be at the discretion of the Housing + Redevelopment Director. SIGNS WILL NOT BE INCLUDED IN MAXIMUM SIGNAGE CALCULATION.*

## SIGNAGE

1

Provide address signs on all commercial and residential buildings.

- Address signs should be prominently displayed facing the public street.
- Signs should include the street address number and may also include the street name.
- Signs may be placed on awnings, doors, windows, transoms or on wall surfaces adjacent to business or residential entries.
- Size, location, type style and the design of address signs should be appropriate to the character of the building.

1

Use Tenant Directory Signs only where they are really needed.

- Tenant directory signs are allowed at the discretion of the HOUSING AND Redevelopment Director.
- Signs may be used for the following:
  - Buildings with business tenants located in courtyards separated from sidewalks adjacent to public streets.
  - Buildings with business tenants located above the ground floor level.

2

Minimize the size of Tenant Directory Signs.

- Signs should be mounted flat against a solid wall or incorporated into a free standing kiosk or sign located wholly on the property on which the tenants are located.
- Sign copy may include the following:
  - Building or Project Name
  - Project Logo
  - Address
  - Business Tenant Names
  - Suite Numbers or Letters
- Building name, project name or project logo should not exceed 4 inches.
- All other sign copy should not exceed 2 inches in height.



3

Provide signs with a strong visual quality.

- Interesting frames and sign types are encouraged.
- Changeable sign panels may be used so long as the changeable part consists of the entire name of a business and other related information such as suite number. Individual letter changeable signs should not be used.

4

Minimize visual conflicts

- Signs shall not be placed in such a way as to interfere with pedestrian or vehicular sight lines as specified by the City.
- Sign shall not be placed in such a way as to obstruct access to a public street, driveway, fire escape, handicapped access or obstructs free passage over any public right-of-way.

## Sign Guidelines

### *Tenant Directory Signs*

*Some building may have multiple tenants who do not have direct frontage on a public street. Buildings with upper floors and those with businesses located in off-street courtyards are two examples. Tenant directory signs which are intended to be read from passing automobiles are not appropriate in the Village context. However, pedestrian-oriented signs can be useful in locating a desired destination business.*

*Allowable Area*

*15 square feet.*

**SIGNAGE**

**MONUMENT OR GROUND SIGNS**

Monument or Ground signs are used where building complexes are separated from adjacent streets by substantial setbacks. They are generally of four (4) types.

- Identification Sign  
Identification of the project name and occasionally major tenants.
- Identification Yard Sign  
Identification of business in a residential structure converted to commercial purposes and other uses setback from the sidewalk.
- Vehicular Direction Sign  
Display of information relative to service entries and to parking lot entries and exits.
- Service Station Price Sign  
Display of information relative to prices for gasoline or other services at the service station.

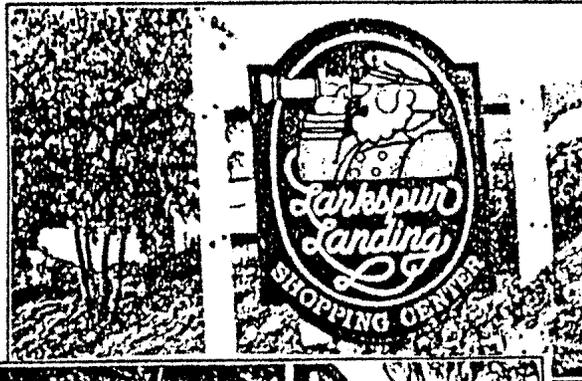
Monument or ground signs should be used on a very limited basis. They are to be used only for properties which have constraints due to substantial setbacks from adjacent streets. No more than one (1) monument sign shall be permitted per property. One (1) additional ground sign may be permitted, at the discretion of the Housing and Redevelopment Director, for pedestrian or vehicular directional purposes only.

Allowable Area

- Identification Sign: 24 square feet.
- Identification Yard Sign: 6 square feet.
- Vehicular Direction Sign: 4 square feet.
- Service Station Sign: See standards noted herein.

SIGNAGE

A Monument or Ground Sign does not overhang public property. It is a sign which is supported by one or more columns, uprights, or braces in or upon the ground. The supports are all located outside of a building.



1 - Identification Signs - Vehicle Oriented

Ground signs should be used primarily to identify uses which may be in the rear of a property, such as a parking lot, or to identify other facilities or major tenants which may be located behind the building which fronts on the street. The signs may also be used for uses which have substantial front-yard setbacks and have a need to direct traffic to the building location. These type of signs should be used for buildings where other allowed types of signage would not provide adequate identification. It is anticipated that this type of signage would only rarely be appropriate.

The maximum allowable sign area includes any surrounding frame materials.

The maximum sign height should not exceed (60) inches including any sign base.

Letter heights should not exceed 12 inches which provides for adequate letter recognition from a distance of 400 feet.

Sign Text should be limited to the building or project name and the business address. Signage for the identification of multiple tenants would not generally be appropriate.

All signs should be exterior illuminated by fixtures designed to complement the appearance of the sign.

Sign materials shall be consistent with the structure and use.

2 - Identification Yard Signs

Identification signs will be allowed at the discretion of the Housing and Redevelopment Director for residential structures converted to commercial uses and for uses setback from the sidewalk at least 15 feet.

Signs may be ground mounted on double supports.

Sign, excluding supports, may not exceed 6 square feet in size.

Signs should not exceed 6 feet in height, including supports.

Letter height should not exceed 4 inches.

Exterior illuminated fixtures must be designed to compliment the appearance of the sign.

## MONUMENT OR GROUND SIGNS (CONT)

## 3 - Vehicular Directional Signs

Vehicular Directional Signs will be allowed at the discretion of the Housing and Redevelopment Director following consultation with the City's Traffic Engineer.

Signs should not exceed 30 inches in height, and the signable area should be limited to a total area, excluding supports, of 4 square feet.

Only letter type and directional arrow information should be provided on the sign. Other information, such as a business name, should occur only in cases where driver confusion would result without such information.

Vehicular Directional Signs should be limited to a single letter and arrow color on a single background color. Generally, letter colors should be light and background colors dark unless specific on-site conditions would compromise the readability of the information



The sign shall display only the minimum information required by Chapter 8.49 of the Carlsbad Municipal Code and by Article 12 of Chapter 14 of Division 5 of the State Business and Professions Code commencing with Section 13530.

The sign may be double faced and monument in style or attached to an existing pole sign located on the site.

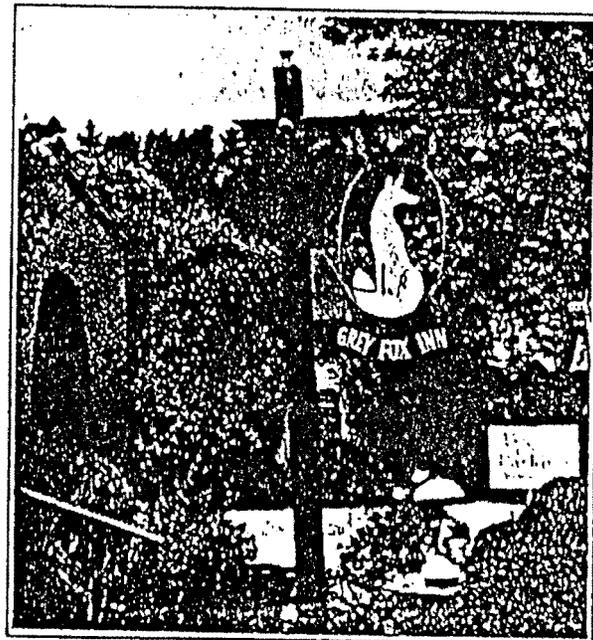
The sign shall be placed ten (10) feet from the face of the curb of the street. For corner lots, no sign over 30 inches in height shall be permitted in the triangular area created by the intersection of the two property lines along the street and 2 points twenty-five (25) feet behind each back of the curb return.

Monument signs shall be located so as not to impede vehicular sight distance to the satisfaction of the City's Traffic Engineer.

See Sign Ordinance 21.44.074(b) of the Carlsbad Municipal Code, Zoning Ordinance for additional standards related to these signs.

On an existing sign pole, the sign area, excluding the supports, may not exceed 12 square feet. For a monument sign (price only), the sign area, excluding supports, shall not exceed 16 square feet. If a combination identification and price sign is used for a single service station and no other free-standing sign is located on the property, the maximum sign area for the combined sign, excluding supports, shall not exceed 48 square feet with a maximum height of 6 feet.

Service Station Price Signs shall be permitted to use changeable letters and numbers for the purposes of advertising service station gas prices. The size of the letters and numbers, color and font shall be consistent with the balance of the sign design.

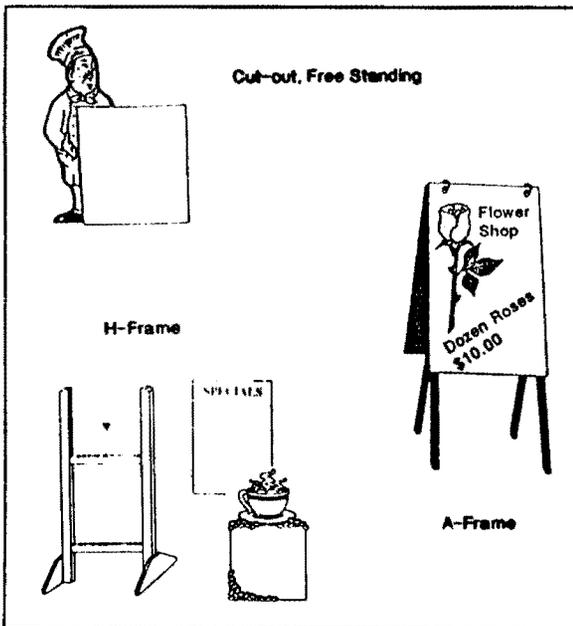


## SIGN GUIDELINES

### **SIDEWALK OR FREESTANDING SIGNS**

These signs are designed to stand on their own either on public or private property. Freestanding signs will be allowed on public sidewalks within the Village Redevelopment Area only 1) for as long as the Housing and Redevelopment Commission allows them to remain; an annual review of the regulations and their applicability will be conducted by the Commission; and, 2) for as long as the subject sign meets the standards outlined herein; and 3) if the appropriate permit is obtained from the Housing and Redevelopment Director.

The Sidewalk or A-Frame sign may be an H-Frame, a Vertical Cut-Out or a standard A-Frame sign with a sturdy, secure outdoor base, or a similar vertical, free-standing sign with an outdoor base (see examples). The cut-outs may be any shape (incl. square or rectangular).



Each business within the Village Redevelopment Area shall be permitted to have of one (1) sidewalk or free-standing sign, **except** where a business is located within a business arcade or courtyard area. A business arcade or courtyard area will be allowed only one (1) "tenant directory" sidewalk sign which lists all of the businesses within the arcade or courtyard. Each single business within an arcade or courtyard is not allowed to have an individual sidewalk sign.

#### Allowable Area

Maximum Size: 3 feet wide by 5 feet high.  
A maximum of two (2) faces per sign. Sign faces shall be back to back.

Changeable Text Areas should occupy no more than 50% of the sign face.

The sidewalk/free standing sign shall not count as part of the total signage permitted for a given building or business. This type of signage is allowed in addition to the maximum amount of signage permitted herein as long as it is consistent with the standards set forth within this section.

#### Standards

1. No paper or non-rigid changeable areas are acceptable.
2. The sign shall be made of durable material such as medium density overlay plywood or similar wood-like material which can withstand the weather. No glass, breakable materials or illumination shall be allowed. Every sign and all parts, portions, and materials shall be manufactured, assembled and erected in compliance with all applicable state, federal and city regulations and the Uniform Building Code.

3. The sign shall be produced in a manner which is professional in quality such as that demonstrated by an experienced business sign maker.
  4. The sign shall be displayed during business hours only. Signs shall not remain on the sidewalk during non-business hours.
  5. The sign must be self-supporting, stable and weighted or constructed to withstand overturning by wind or contact. The sign shall not be permanently affixed to any object, structure or the ground including utility poles, light poles, trees, or any merchandise or products displayed outside permanent buildings.
  6. Every sign and all parts, portions and materials shall be kept in good repair. The signs shall be stable. The display surface shall be kept clean, neatly painted, and free from rust and corrosion. Any cracked, broken surfaces, missing sign copy or other unmaintained or damaged portion of a sign shall be repaired or replaced or removed within thirty (30) calendar days following notification by the city.
  7. Every sign shall have a smooth surface, free of protruding tacks, nails and/or wires.
- The following standards apply specifically to signs placed within the public right-of-way:
1. No sign shall be placed in such a way as to interfere with pedestrian or vehicular sight lines or corner clear zone requirements as specified by the City.

2. No sign shall be placed in such a way as to obstruct access to a public sidewalk, public street, driveway, parking space, fire door, fire escape, handicapped access or in such a way that it obstructs free passage over any public right-of-way.
3. A clear area of at least five feet in width should be maintained for pedestrian use over the entire length of the sidewalk in front of the business.
4. Signs shall not obscure or interfere with the effectiveness of any official notice or public safety device. Signs shall not simulate in color or design a traffic sign or signal, or make use of words, symbols or characters in such a manner as may confuse pedestrian or vehicular traffic.
5. Signs shall be located directly in front of the buildings/business to which they relate.
6. Applicant for a Sidewalk Sign permit must sign an Indemnification Statement holding the City of Carlsbad and the Carlsbad Redevelopment Agency harmless from any legal action resulting from placement of the sign on the public sidewalk.
7. Insurance shall be required naming the City of Carlsbad and Carlsbad Redevelopment Agency as additionally insured. The amount of the insurance required shall be established by the Risk Manager for the City. A Certificate of Insurance must be submitted to the City/Agency and remain in effect for as long as the Sidewalk Sign remains in the public right-of-way.

8. All existing building signage for a business must conform to the sign standards set forth within this document before a permit will be approved for the sidewalk sign.

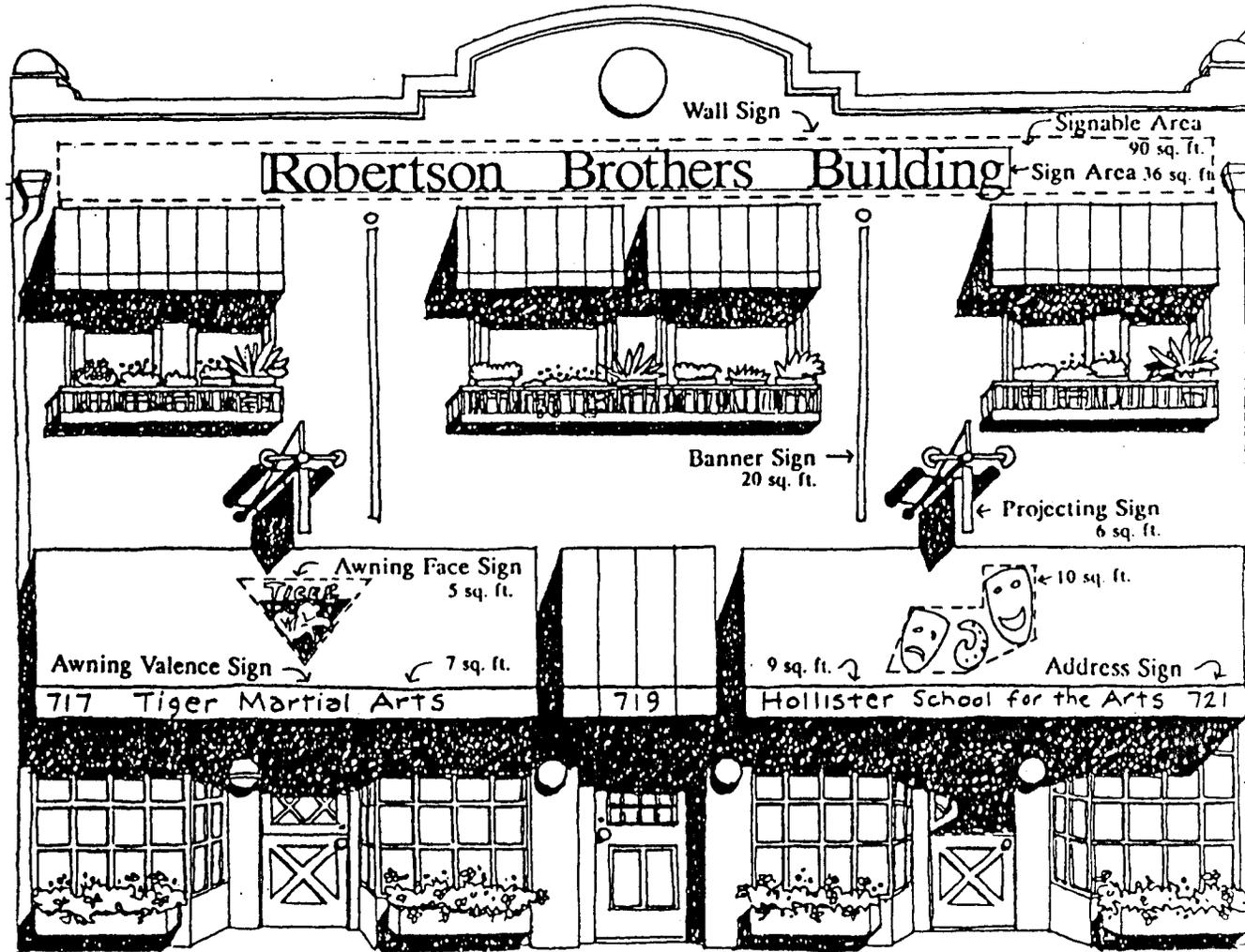
## SIGN GUIDELINES

**SIGNAGE**

## Sign Demonstration

Figure 15 provides an illustration of signage alternatives applied to a commercial facade.

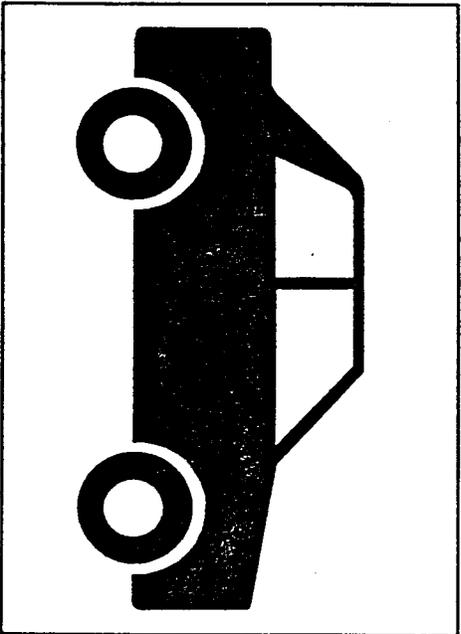
Utilization of all of the signage would probably be inappropriate and exceed the sign area permitted. However, Figure 15 provides examples of the types of sign and locations permitted for placement. Sign types and sizes should be chosen to enhance the image of the business, the scale of the facade and the character of the Village.



Typical Facade Signs

Figure 15

**SIGNAGE**



**6**  
**PARKING PROGRAM**

## VILLAGE PARKING PLAN

Parking within the Village Redevelopment Area has long been a constraint in the revitalization of Carlsbad Village because of the difficulties in accommodating parking requirements on the small parcels throughout the area. This condition substantially inhibits creative and desirable building use changes, expansion of successful businesses and the redevelopment of properties to more appropriate uses. Given the relatively high land costs, small properties have just not been able to generate enough revenue producing space and still accommodate the required parking. In general, the basic parking requirements are reasonable based on parking demand for various land uses. However, the Redevelopment Agency has determined that options need to be available to developers/property owners for meeting the on-site parking requirements.

The primary purpose of this parking plan is to use parking policies and standards as tools to achieve Village revitalization. The objectives of the parking plan are as follows:

1. To establish appropriate parking requirements and options to providing parking that <sup>is</sup> an incentive for new investment in the Village.
2. Increase the utility of existing parking resources and the overall supply of parking as needed to accommodate relocated and newly-recruited businesses and new customers.
3. Control the design and configuration of parking facilities to promote a storefront shopping environment.

Unless otherwise specified within this Village Master Plan and Design Manual, the parking standards set forth within this Chapter shall apply to all properties within the Village Redevelopment Area for the applicable land use. Chapter 21.44 (parking) of the Carlsbad Municipal Code shall be referenced for regulation purposes only on matters which are not specifically addressed within this Chapter of the Village Master Plan and Design Manual.

## MINIMUM PARKING REQUIREMENTS

The parking standards for on-site parking for the properties located within the Village Redevelopment Area are set forth in the charts which follow this page. The requirements set forth within the following charts reflect the shared trip and high turnover characteristics of parking in a neighborhood-oriented commercial district, such as the Village Redevelopment Area. The applicant for a project or a land use change shall be required to satisfy the on-site parking requirements as set forth within this Chapter. The applicant may satisfy the parking obligation by providing the parking on-site or by receiving approval to implement one of the options noted in the "Parking Options" section of this Chapter.

## CONVERTING USES

Space may be converted from one approved use to another approved use without additional parking providing both uses have the same parking requirements according to the parking requirements set forth within this Chapter of the Village Master Plan and Design Manual.

The applicant for a change in use must refer to Chapter 7 (page 7-12) of this Village Master Plan and Design Manual to determine if a redevelopment permit is required for the subject use conversions. The project may either be exempt from a redevelopment permit or require an administrative redevelopment permit.

## VILLAGE PARKING REQUIREMENTS TABLE

Retail Business:	1 space per 300 square feet (sf) of gross floor space
Commercial (General): Includes ATMs, copying/duplicating services, word processing services, dry cleaners, laundromat, beauty and barber shops, cosmetic services, nail salons, shoe/garment repair, travel agent, etc.	1 space per 300 sf of gross floor space
Automotive Services: Includes painting/detailing, service/repair, towing, gas/service station with bays, gas/service stations with mini-mart, car wash, etc.	4 spaces per work bay through 3 bays and 2 spaces per bay in excess of 3. Work bays do not count as parking spaces. If no work bays, 1 space per 300 sf of gross floor space, excluding gas pumps.
Child Care Center:	1 space per employee plus a minimum of 1 space per 10 children.
Professional Care Facility:	.45 parking spaces per every bed.
Self-Improvement Services: Includes aerobic/exercise studio, business and professional schools, dance and music studio/school, health spa, and martial arts studio.	1 space per 35 sf of gross floor space.
Fast Food Restaurant (large and small) with seating inside or outside.	1 space per 200 sf of gross floor space.
Quick Stop Food: Includes coffee house, tea rooms, convenience store, self-service restaurant, take-out food establishment.	1 space per 200 sf of gross floor space.
Sidewalk Cafe (on public property):	No additional parking required.

Restaurant (with or without entertainment):	1 space per 100 sf of gross floor space for facilities less than 4000 sf; for facilities larger than 4000 sf, 40 spaces plus 1 space per 50 sf of gross floor space in excess of 4000 sf.
Outdoor Cafe (on private property):	No additional parking required if outdoor seating is equal to or less than amount of indoor seating; 1 space per 100 sf of gross floor space for outdoor seating area which exceeds amount of indoor seating.
Microbrewery:	If incidental to a restaurant use, 1 space per 300 sf of gross floor space. If sole use, 1 space per 50 sf of gross floor space.
Amusement Games Arcade: Includes video games, pinball machines, other mechanical and electronic amusement devices.	1 space per 100 sf of gross floor space.
Bar/Cocktail Lounge:	1 space per 50 sf of gross floor space.
Cinema:	1 space per each 5 seats.
Cultural Facilities:	Museums: 1 space per 500 sf of gross floor space. Performing Arts: 1 space per 5 seats or 1 space per 100 sf of assembly area, whichever is greater.
Night Club:	1 space per 50 sf of gross floor space.
Pool Hall/Billiard Parlor:	1 space per table.
Sports Entertainment Uses:	Bowling Alley: 1 space per 6 lanes. Ice/Roller Rink: 1 space per 200 sf of gross floor space. Swim Clubs: 1 space per 35 sf of pool area. Tennis Clubs: 3 spaces per court.
Professional office: Includes business and medical offices.	1 space per 300 sf of gross floor space.

Financial Institutions: Including banks, savings and loans, and credit unions.	1 space per 250 sf of gross floor space.
Bed and Breakfast Inns:	2 spaces (including 1 covered) for owner's unit plus 1 space per guest room.
Hotel/Motel:	1.2 spaces per room.
Managed Living Unit:	See Carlsbad Municipal Code.
Single Family Dwellings:	2 car garage.
Multi-Family Dwellings:	<p>Condominiums: 2 standard spaces per unit with 1 being covered (exception 1.5 spaces per unit for studios with 1 being covered). Guest Parking: .5 spaces per unit up to 10 and .3 spaces per unit in excess of 10.</p> <p>Apartments: 1.5 spaces per unit for studio and 1 bedroom; 2 spaces per unit for 2 bedroom or more. Guest Parking: .5 spaces for each unit up to 10 and .25 spaces per unit in excess of 10.</p>

**APPLICATION OF PARKING REQUIREMENTS**

The above parking requirements shall apply to all projects within the Village Redevelopment Area. When the parking requirement is not specified herein, it shall be determined as provided in Chapter 21.44, based upon requirements for the most comparable use specified herein or in Chapter 21.44 of the Carlsbad Municipal Code. If Chapter 21.44 allows the Planning Director to make the determination, the Housing and Redevelopment Director shall be authorized to make the determination for projects within the Village Redevelopment Area.

Mixed Use Parking Ratios may be used for calculating the on-site parking requirements for a project within the Village Redevelopment Area if, and when, there are clearly identifiable service or business areas within a building which justify the mixed parking ratio. No administrative or regular redevelopment permit may be granted, however, unless the decision maker finds that use of the mixed parking ratio will not have an adverse parking impact on surrounding land uses.

A maximum of forty percent (40%) of the total number of parking spaces provided on-site may be constructed to meet the requirements of a small or compact vehicle, as defined in the Carlsbad Municipal Code.

## PARKING OPTIONS

Providing required parking on-site is not the only option available for meeting the parking requirements set forth in this Chapter of the Village Master Plan and Design Manual. The following options are also available:

1. **Lease arrangements for providing joint or shared parking in existing or new parking lots for one or more developments may be permitted on a case by case basis.**

Chapter 21.44 of the Carlsbad Municipal Code outlines the conditions under which a joint./shared parking arrangement may be permitted by the Redevelopment Agency for two or more development projects, or businesses, within the Village Redevelopment Area. In the Village Redevelopment Area, however, shared parking arrangements may be permitted with distances of 300 feet between the parking and the subject developments/businesses requiring the parking. This is an exception to the regulations outlined in Chapter 21.44 of the Municipal Code for projects located within the Village Redevelopment Area only..

The Housing and Redevelopment Director must evaluate the feasibility of a joint/shared parking arrangement between private parties and then make a recommendation to the Design Review Board for consideration of approval.. If the Design Review Board does not have final approving authority, the Board must then make a recommendation to the Housing and Redevelopment Commission as to whether or not the parking arrangement should ultimately be approved to assist in the subject development.

Banks are an example of a type of business that has an on-site parking lot which may be underutilized during the evenings and weekends. A restaurant which in only open evenings and weekends may be able to receive approval for a joint/shared parking arrangement with the bank.

2. **Provision of parking for a specific development or business on another private lot within at least 300 feet of the subject development or business.**

Under this option, a developer or business owner may purchase additional property, or enter into a long term lease for additional property, within 300 feet of the property for the subject new development or business and meet the required on-site parking on this separate property. This option may be used by several businesses or developers to meet individual parking requirements. One or more developers/business owners could arrange to provide parking for their individual developments or businesses in a central location within 300 feet of each development or business. All of the developers/businesses would be responsible for on-going maintenance of the joint/shared parking lot.

The Housing and Redevelopment Director must evaluate the feasibility of this type of a joint/shared parking arrangement between private parties and then make a recommendation to the Design Review Board for consideration of approval.. If the Design Review Board does not have final approving authority, the Board must then make a recommendation to the Housing and Redevelopment Commission as to whether or not the parking arrangement should ultimately be approved to assist in the subject development.

This option would be similar to a parking district which assesses property owners for the provision of parking for customers or patrons to the area.

3. **In-Lieu Fee may be paid toward maintenance of existing, or development of future, public parking facilities (See Page 6-6 for full description of the Agency's parking In-Lieu Fee Program for the Village Redevelopment Area).**

### PARKING IN-LIEU FEE PROGRAM

The in-lieu (impact) fee program pools fees for all districts within the Village to support the development and maintenance of public parking. Fees are based upon a determination of the estimated cost of providing an above ground structured parking space, including land, construction, soft costs and maintenance. The in-lieu fee payment will always be made for a whole parking space.

Fees collected will be deposited into an earmarked, interest-bearing fund to be used for construction of new, or maintenance of existing, public parking facilities within the Village Redevelopment Area. The funds are pooled because all of the land use districts within the Village share a common trade area and all are part of a coordinated revitalization strategy. A public parking facility which may have direct benefit for one district will have indirect benefits for other districts and for the Village as a whole.

Two aspects of the in-lieu fee program are essential to understand:

1. **The funds are put toward development, or maintenance, of shared Village public parking facilities.** They do not result in a reserved parking space or spaces for those who pay the fees. Reserved parking conflicts with the objective of maximizing the utility of all parking resources.
2. **In-Lieu fees alone are not likely to equal the entire cost of new parking facilities on a per space basis.** They will need to be matched or leveraged with other funding sources. Because they are intended to function as an incentive, in-lieu fees are not expected to cover the cost of remedying existing parking deficits. In-Lieu fees will also reflect the fact that public parking will be shared resulting in better utilization and relatively lower costs in comparison to the cost of exclusive on-site private parking.

For the purposes of determining participation in the Village Parking In-Lieu Fee Program, the Village is hereby divided into two (2) parking zones as shown on Figure 16 (page 6-9). Developers/property owners will be eligible to participate in the program according to the parking zone in which they are located. No redevelopment permit will be issued unless the appropriate decision-maker finds that:

1. The project is consistent with the goals and objectives of the Village Master Plan and Design Manual; and
2. The use is consistent with the land use district in which the property is located; and,
3. Adequate public parking is available within the Village to accommodate the project's parking demand; and
4. The In-Lieu Fee Program has not been suspended or terminated by the Housing and Redevelopment Commission.

PARKING ZONES

Figure 16 identifies the zones for the In-Lieu Fee Parking Program. The participation restrictions outlined below correspond to the appropriate zone number.

**ZONE #1:**

Developers/property owners within this zone may be allowed to make an In-Lieu Fee payment for up to one hundred percent (100%) of the on-site parking requirement for the proposed new development, conversion and/or intensification of use if the property is located within 600 feet of an existing public parking facility. (See Figure 17 for existing public parking facility locations.)

If the property is not located within 600 feet of an existing public parking facility but a new facility is proposed to be constructed and available for use within a period not to exceed two (2) years, a developer/property owners will be eligible to make an in-lieu fee payment for up to 100% of the on-site parking requirement.

If the property is not, and will not soon be, located within 600 feet of an existing or proposed public parking facility, a developer/property owner will be eligible to make an in-lieu fee payment for a maximum of 50% of the on-site parking requirement.

**ZONE #2:**

Developers/property owners within this zone may be allowed to make an In-Lieu Fee payment for up to fifty percent (50%) of the on-site parking requirement for the proposed new development, conversion and/or intensification of use if the property is located within 600 feet of an existing public parking facility. (See Figure 17 for existing public parking facility locations.)

If the property is not located within 600 feet of an existing public parking facility but a new facility is proposed to be constructed and available for use within a period not to exceed two (2) years, a developer/property owners will be eligible to make an in-lieu fee payment for up to 50% of the on-site parking requirement.

If the property is not, and will not soon be, located within 600 feet of an existing or proposed public parking facility, a developer/property owner will be eligible to make an in-lieu fee payment for a maximum of 25% of the on-site parking requirement.

In order to manage the existing public parking resources for the In-Lieu Fee Program and insure timely construction of new public parking facilities, the Housing and Redevelopment Department shall conduct a Village Parking Utilization Survey. The Housing and Redevelopment Department may conduct the survey at any time when deemed appropriate and/or necessary to insure the timely construction of new public parking facilities and continuation of the In-Lieu Fee Program; this may be on an annual basis or several times a year. Upon reviewing the survey results, if the Department finds that there are insufficient public parking resources during peak hours/days to accommodate additional requests from developers/property owners to make an In-Lieu Fee payment for on-site parking in either zone, the Department shall recommend to the Housing and Redevelopment Commission that this policy be temporarily suspended until additional parking capacity has been provided or is sufficiently committed to insure the timely development of additional public parking facilities.

By annually reviewing the status of the In-Lieu Fee Program and plans for constructing new public parking facilities as appropriate, the Housing and Redevelopment Commission will ensure that implementation of this parking program/option will *not* have a significant adverse impact on public parking resources within the Village Redevelopment Area.

The Housing and Redevelopment Commission shall annually determine the appropriate public parking utilization ratio to be considered in determining whether or not there are adequate public parking resources available to continue the program.

The methodology for determining the In-Lieu Fee Parking Fee and the respective amount of the fee shall be fixed by a schedule adopted, from time to time, by resolution of the Housing and Redevelopment Commission in accordance with the Housing and Redevelopment Commission Policies and Procedures Manual..

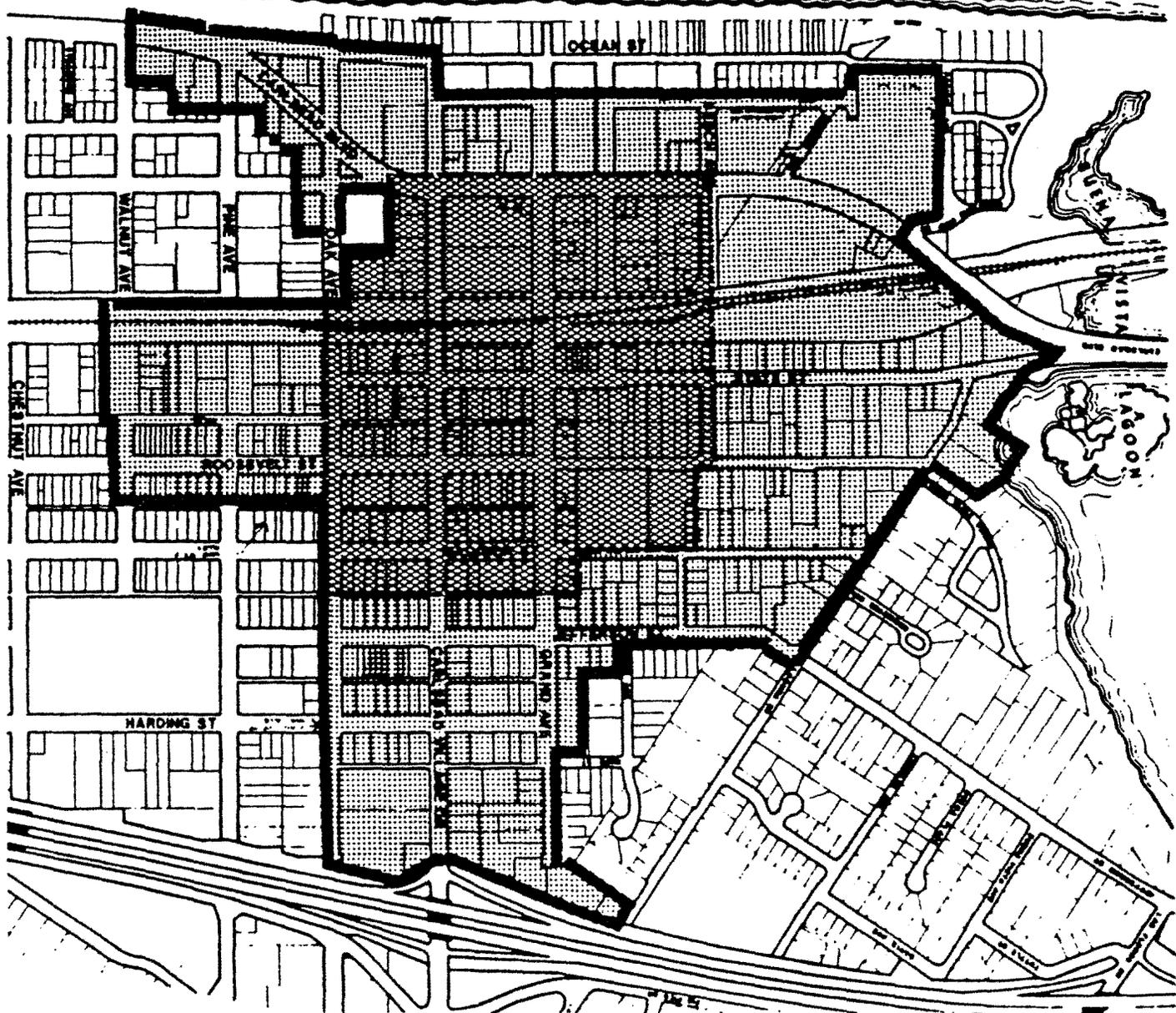
The fee shall be set at a given percentage of the total cost of providing a single above ground structured public parking space; the percentage shall be set by the Housing and Redevelopment Commission as part of the "method" for determining the fee. This percentage shall recognize the fact that the in-lieu fees will need to be matched or leveraged in order to produce public parking for the Village and that public parking will be jointly used by developers paying the In-Lieu fee. The fee is not expected to cover the entire cost of providing a single space of public parking. The fees will be pooled and matched/leveraged to produce additional parking facilities.

For more details on the methodology to be used for establishing the fee for the program, reference should be made to the Housing and Redevelopment Commission Policies and Procedures Manual.

PARKING ZONES FOR IN-LIEU FEE PROGRAM

Figure 16 (page 6-9) provides a map which sets forth the boundaries for the two (2) zones for the In-Lieu Fee Parking Program. The participation restrictions outlined in the previous pages correspond to the zone number indicated on the following map shown in Figure 16. Figure 17 (page 6-10) provides a map of the various public parking lots which are located within the Village Redevelopment Area.. As outlined in the previous pages on the In-Lieu Fee program, the location of the public parking lots is used to determine the percentage of the on-site parking requirement which can be satisfied through payment of a parking in-lieu fee.

PACIFIC OCEAN



**CARLSBAD VILLAGE  
REDEVELOPMENT  
PARKING PLAN**

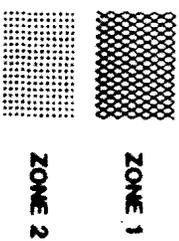
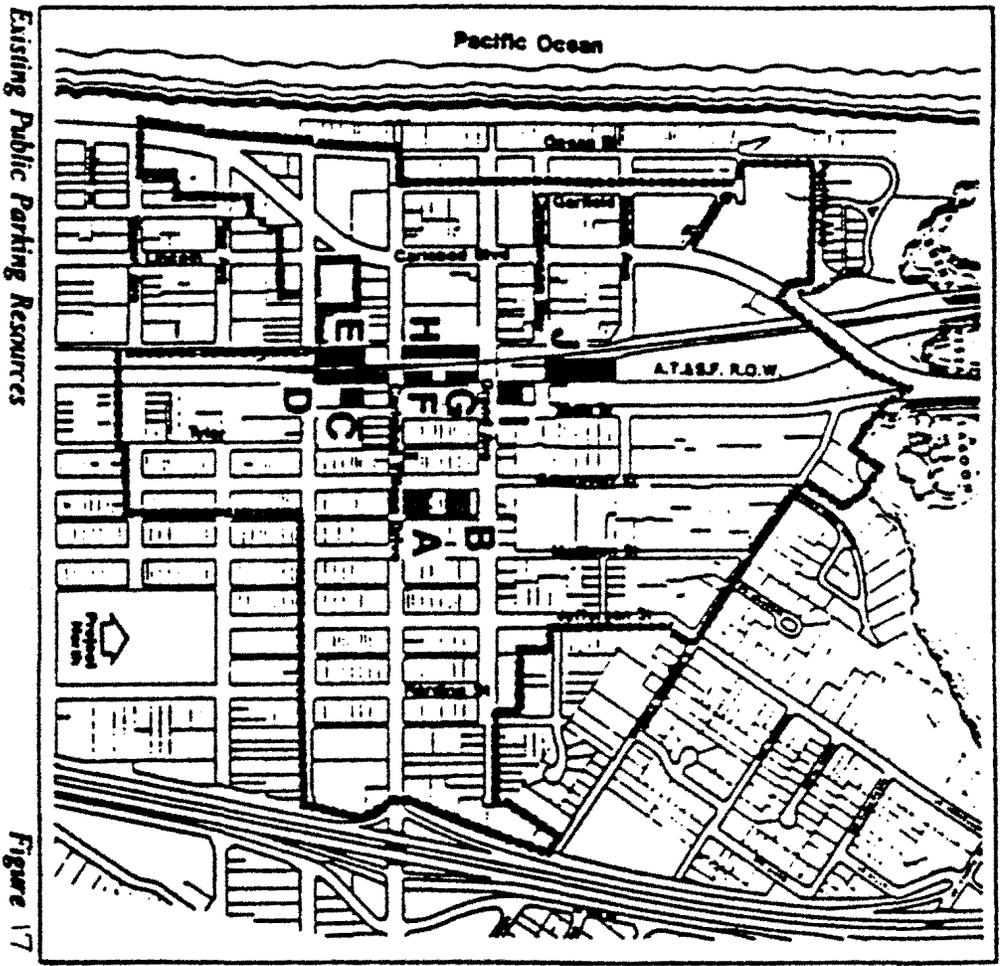


FIGURE 16

Public Parking Resources



Existing Public Parking Resources

Figure 17

- A 51 spaces
- B 56 Spaces
- C 50 Spaces
- D 77 Spaces
- E 39 Spaces
- F 33 Spaces
- G 29 Spaces
- H 30 Spaces
- I 15 Spaces
- J 150 Spaces  
(M&TD PROPERTY)

**PARKING PROGRAM**

## PARKING MANAGEMENT PLAN

A common problem within downtown areas is that of merchant and employee utilization of prime customer parking. In the Village Redevelopment Area, the Redevelopment Agency will implement two (2) programs for parking management purposes.

First, in the core downtown area (see Figure 18 for the boundaries), all on-street parking will be limited to two (2) hours maximum (no less), unless a street or a portion of the street has already been posted as a "no parking area" such as Carlsbad Village Drive or has a more restrictive time constraint. If not already posted, the Redevelopment Agency will work with the City Council to obtain ordinance changes authorizing, with the recommendation of the Traffic Commission and City Traffic Engineer, to approve the two (2) hour parking restrictions and posting of the appropriate signs in accordance with the policy of so restricting traffic in the areas indicated on Figure 18. The Agency will work with the City's Police Department for enforcement of the two (2) hour parking restriction.

All public parking lots within the core downtown area shall remain with unlimited parking - no time restrictions. The lots will be available for merchants/employees in the Village who need all day parking and/or customers who will be in the area for longer than two (2) hours.

Second, in all areas of the Village, the Redevelopment Agency will work with the Village Business Association to establish a program designed to encourage merchants and their employees to use non-prime parking in an effort to make the prime parking available to customers of all businesses in a given area. If efforts to gain voluntary compliance are unsuccessful, the Agency will work with the Village Business Association to establish a Parking Management Plan which may be much more aggressive and tailored to specific downtown problems. The compliance measures for the Plan could range from employee parking stickers, to license plate checks and fines.

## PARKING IMPROVEMENTS

Parking improvements within the Village Redevelopment Area shall reflect the following policies:

1. Improvements should enhance both real and perceived supply of parking.
2. Shared lot arrangements should be established or facilitated wherever possible. Most areas within the Village do not have a supply problem as much as a utility and distribution problem.
3. To minimize visual impacts and disruption of commercial frontages, new lots should be constructed off the main thoroughfares. They should be distributed throughout the Village, rather than concentrated in a single location. They should incorporate attractive design features and landscaping that complements the image of the Village.
4. Parking structures should be used when parking opportunities are constrained by land availability or negative impacts on adjacent commercial or residential fabric. If located on a thoroughfare, they should always include first floor commercial uses.

The map provided in Figure 18 indicates the boundaries of the area for two (2) hour parking restrictions with the Village Redevelopment Area. As shown on the map, the two (2) hour parking restrictions shall be limited to the core downtown area.

All on-street parking within the area identified in Figure 18 will be restricted to two (2) hour parking, with approval of the appropriate ordinance by the City Council as recommended by the Traffic Commission. The two (2) hour parking restriction will not apply to public parking lots within the boundaries of the time-restricted parking area.

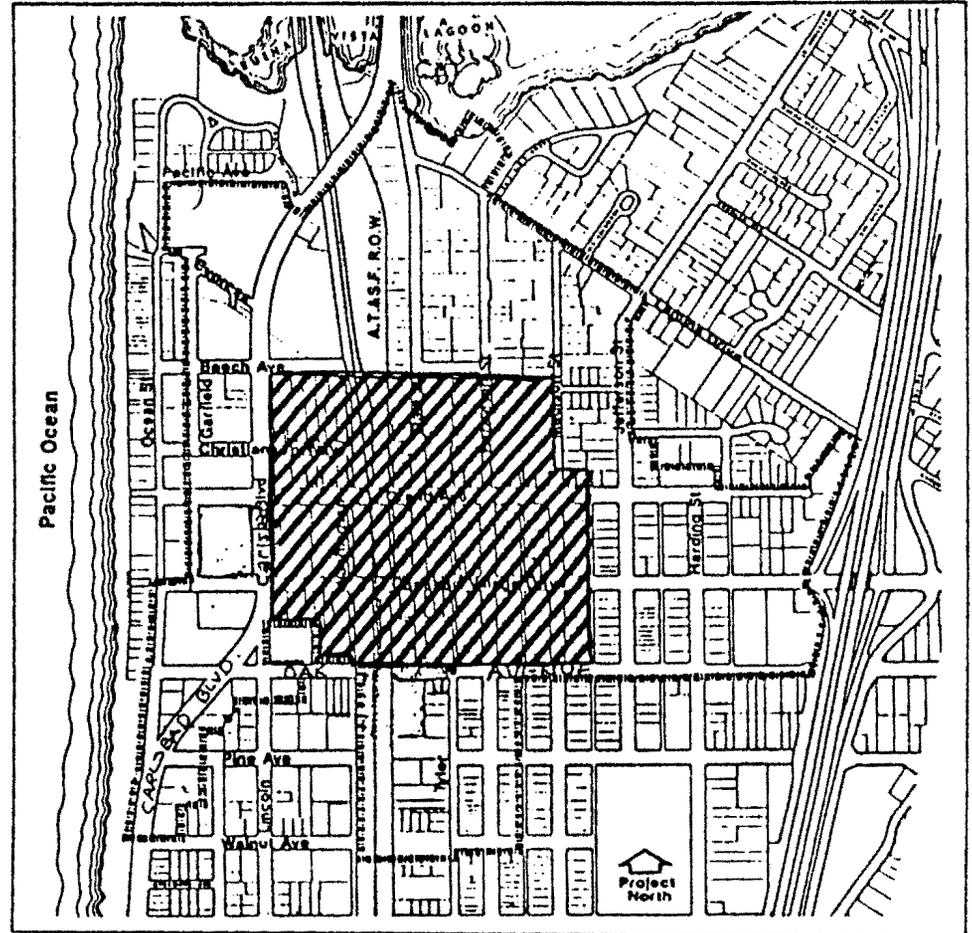
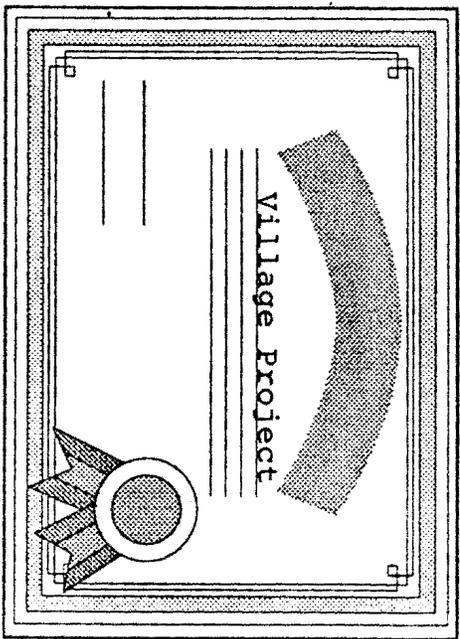


FIGURE 18



**DESIGN REVIEW AND  
DEVELOPMENT APPROVAL PROCESS**

## REDEVELOPMENT PERMITS

### **Administrative Responsibilities**

The Housing and Redevelopment Director shall have the responsibility for the administration of the Redevelopment Permit Process. The Director's duties include, but are not limited to, the following: 1) reviewing applications and making a determination of completeness for processing purposes; 2) making project exempt determinations as related to permit requirements or identifying the type of redevelopment/coastal development permit required, if project is not exempt; 3) maintaining records of project exempt determinations as related to requirements for redevelopment or coastal development permits; 4) approval or denial of administrative permits; 5) referral of non-administrative permits to the Design Review Board and Housing and Redevelopment Commission, as appropriate; and 6) physical preparation and delivery of the approving documents and permits related to the subject project.

Staff of the Housing and Redevelopment Department, acting under the supervision of the Housing and Redevelopment Director, shall be responsible for coordinating all activities leading to approval, or denial of a Redevelopment Permit. Such activities may include, but are not limited to, document processing, report writing, scheduling of Design Review Board and Housing and Redevelopment Commission public meetings and hearings, and preparation of recommendations, meeting minutes and resolutions.

### **General Policy**

Due to the complexity of overlapping areas of authority, the permit process for the Village Redevelopment Area has been designed to address 1) the goals and objectives for the Village Redevelopment Area as a whole and 2) the goals and objectives of the Coastal Commission for the portion of the Village Redevelopment Area which lies within the Coastal Zone Boundaries.

The permit structure which is summarized on the following page (7-2) combines the permit requirements for the redevelopment area and the coastal zone.

Unless a project is exempt from the permit requirements noted herein and set forth in Chapter 21.35 of the Carlsbad Municipal Code, a redevelopment permit is required. If the property for the subject project is also located in the Coastal Zone, a coastal development permit is required in addition to the redevelopment permit, unless the project is exempt as noted herein and set forth in Chapter 21.81 of the Carlsbad Municipal Code.

Exempt projects: Projects in the Village Redevelopment Area which are exempt from Coastal Development Permits, per the Coastal Commission Act, are also exempt from Redevelopment Permit requirements.

Administrative projects. Projects which are eligible for an administrative redevelopment permit are also eligible for an administrative coastal development permit.

### Minor or Major Redevelopment projects.

For projects within the coastal zone, a coastal development permit will be processed concurrently with the minor or major redevelopment permit. As a note, variances can only be approved by the Design Review Board or Housing and Redevelopment Commission. A minor or major redevelopment permit, therefore, will be required for any project application which includes a request for a variance, even if that project would have otherwise been exempt from the permit requirements or eligible for an administrative permit.

The various types of permits required within the Village Redevelopment Area are further defined within Chapters 21.35 and 21.81 of the Carlsbad Municipal Code. The policies and procedures for processing redevelopment and coastal development permits are further defined within the Housing and Redevelopment Commission Policies and Procedures Manual.

### Variances

Variances for projects will be processed concurrently with any other administrative or discretionary permits which may be required. However, they will be processed as a separate action item. Chapter 21.35 of the Carlsbad Municipal Code defines the types of variances which can be granted administratively by the Housing and Redevelopment Director and those which must receive approval from the Design Review Board or Housing and Redevelopment Commission.

EXEMPT	ADMINISTRATIVE REDEVELOPMENT	MINOR REDEVELOPMENT	MAJOR REDEVELOPMENT
<ol style="list-style-type: none"> <li>1. Interior or Exterior Improvements to existing structures which do not result in the intensity of use of a structure<sup>1</sup>; and/or</li> <li>2. Additions to existing structures which result in a cumulative increase of less than 10% of the internal floor area; and/or</li> <li>3. Changes in permitted land uses which do not require site changes, result in increased ADT, result in increased parking requirements, or result in compatibility issues or problems; and/or</li> <li>4. Landscaping on the lot unless it will result in erosion or damage to sensitive habitat; and/or</li> <li>5. Repair or Maintenance Activities<sup>2</sup>; and/or</li> <li>6. Activities of public utilities; and</li> </ol>	<ol style="list-style-type: none"> <li>1. New construction of building(s) or addition(s) to the building footprint which have a building permit valuation which is equal to or less than \$60,000; and/or</li> <li>2. Interior or Exterior Improvements to existing structures which result in an intensity of use; and/or</li> <li>3. Provisional Land Uses, where a minor or major redevelopment permit is not required.</li> <li>4. Changes in permitted land uses which result in site changes, increased ADT, increased parking requirements, or result in compatibility issues/problems; and/or</li> <li>5. Signs for existing businesses or facilities; and/or</li> <li>6. Repair or Maintenance Activities which are not exempt; and</li> </ol>	<ol style="list-style-type: none"> <li>1. New construction of building(s) or addition(s) to the building footprint which have a building permit valuation which is greater than \$60,000 but less than \$150,000.</li> </ol>	<ol style="list-style-type: none"> <li>1. New construction of building(s) or addition(s) to the building footprint which have a building permit valuation which is greater than \$150,000.</li> </ol>

<sup>1</sup>See Section 21.81.030 of the Carlsbad Municipal Code for exceptions to when a project is exempt from permit requirements for redevelopment and/or coastal development purposes.

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

## REDEVELOPMENT PERMITS

### **Authority for Approval**

Exempt projects: The Housing and Redevelopment Director shall be responsible for determining whether or not a project is exempt from the permit requirements and maintaining the record of exemption.

Administrative permits: The Housing and Redevelopment Director shall have the authority to approve, approve with conditions, or deny an administrative permit for an eligible administrative project. No action is needed by the Design Review Board or the Housing and Redevelopment Commission.

Minor Redevelopment permits: The Design Review Board shall have the authority to approve, approve with conditions, or deny Minor Redevelopment Permits. The Design Review Board shall also act upon appeals from decisions made by the Housing and Redevelopment Director.

Major Redevelopment permits: The Housing and Redevelopment Commission shall have the authority to approve, approve with conditions, or deny Major Redevelopment Permits following receipt of a recommendation from the Design Review Board. The Commission shall also act upon appeals from decisions made by the Design Review Board.

### **Consolidation of Permits**

Whenever several different types of permits or approvals are required for a project, the decision-making body on all of the permits shall be the body with the highest level authority on any of the individual permits. This means that the Director, or the Design

Review Board for the business and industry shall be the decision-making body on all actions, including the highest and lowest level permits.

### **Appeal Process**

Exempt projects: For projects within the Coastal Zone, the Executive Director of the Coastal Commission, or the Coastal Commission, shall have the authority to resolve disputes regarding determinations of exemptions. For projects located within the Redevelopment Area but not in the Coastal Zone, the determination of exemption made by the Housing and Redevelopment Director shall be final.

Administrative permits: An appeal of a decision made by the Housing and Redevelopment Director on administrative permits may be made to the Design Review Board. All appeals must be made in writing within ten (10) calendar days of the decision made by the Housing and Redevelopment Director. The decision of the Design Review Board on appeals is final.

Minor Redevelopment permits: An appeal of a decision made by the Design Review Board on minor redevelopment permits may be made to the Housing and Redevelopment Commission. All appeals must be made in writing within ten (10) calendar days of the decision made by the Design Review Board. The decision of the Housing and Redevelopment Commission on appeals is final.

Major Redevelopment permits. There is no appeal from a decision made by the Housing and Redevelopment Commission on major redevelopment permits.

Coastal Development Permits: projects located within the Coastal Zone of the Village Redevelopment Area and the local action is appealable to the Coastal Commission, an appeal must be submitted directly to the Coastal Commission. Any person who wishes to appeal a local action which is appealable to the Coastal Commission should contact the Housing and Redevelopment Department or the local Coastal Commission office for more information.

### **Coastal Development Permits**

Unless found to be exempt, all development within the Coastal Zone segment of the Village Redevelopment Area shall be subject to prior issuance of a Coastal Development Permit. This permit may be administratively approved by the Housing and Redevelopment Director or subject to discretionary approval by the Design Review Board or Housing and Redevelopment Commission. The permit summary chart on page 7-2 outlines the types of permits to be issued for redevelopment projects. These permit types apply to coastal development projects as well. For example, if a redevelopment project is located in the coastal zone and is eligible for an administrative redevelopment permit, then an administrative coastal development permit will also be processed for the project.

The administrative responsibilities identified for the Housing and Redevelopment Director as well as staff of the Housing and Redevelopment Department shall also apply to the processing of coastal development permits.

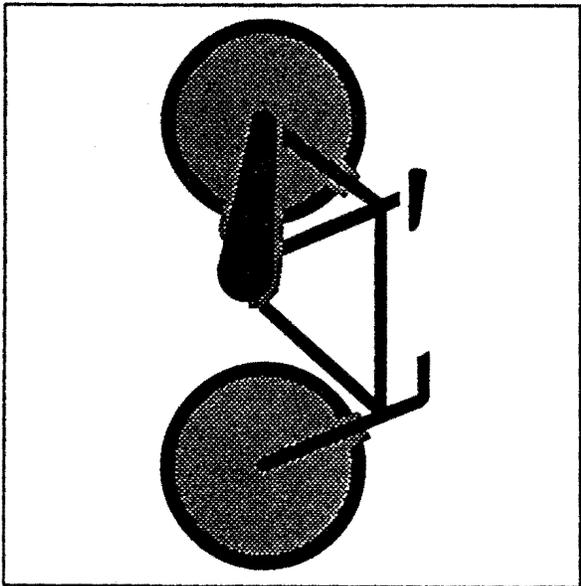
The appeal process is also the same for coastal development permits, with the exception that some permits issued within the Coastal Zone are appealable to the Coastal Commission.

The chart which follows this page is provided to assist the applicant in understanding the steps which will generally be taken by staff and the appropriate approving bodies to process an application for a redevelopment project.

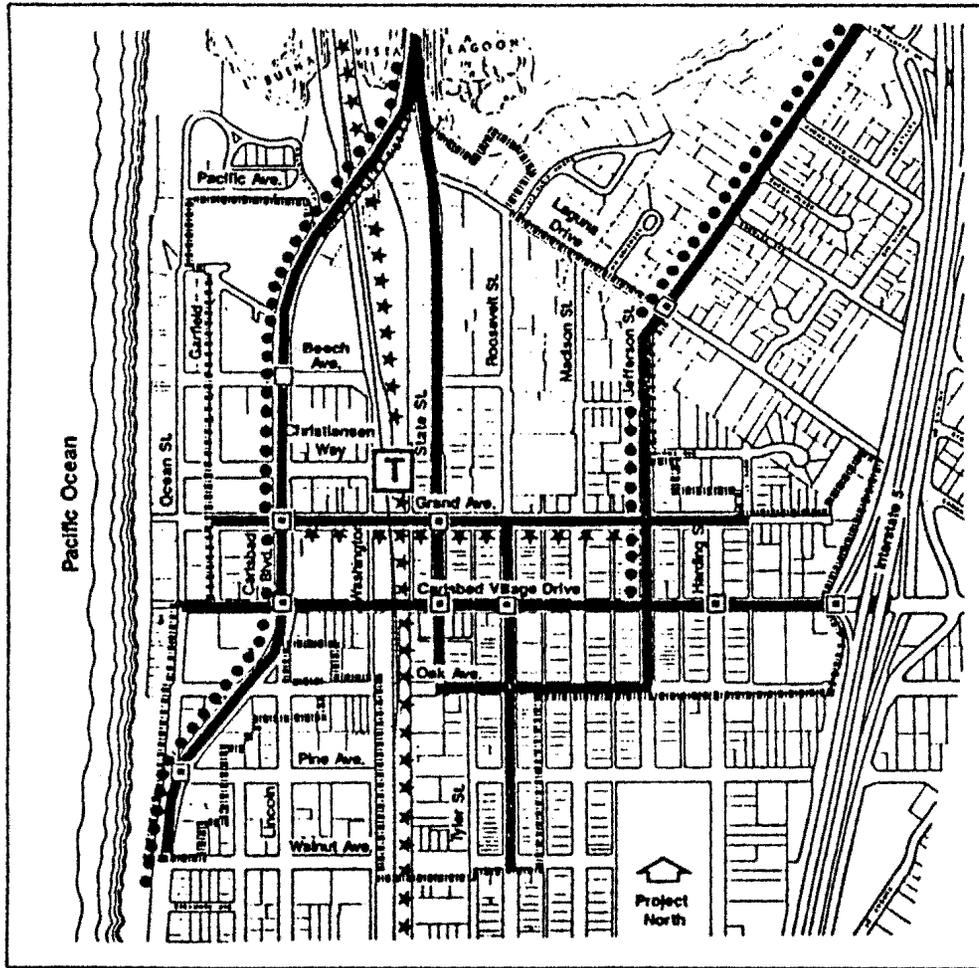
It should be noted that approval of a redevelopment or coastal development permit is the first step for completing a project within the Village Redevelopment Area. Other permits, such as building permits or business licenses, may also be required prior to initiation of a project or a business. If a redevelopment or coastal development permit is required, the applicant will **not** be able to obtain approval of any other required permits until the redevelopment and/or coastal development permit has been approved by the appropriate body.

The Housing and Redevelopment Commission Policies and Procedures Manual should also be referenced for information on the processing of redevelopment and coastal development permits within the Village Redevelopment Area.

Exempt Projects	Administrative Coastal and Redevelopment Permits	Minor Coastal and Redevelopment Permits	Major Coastal and Redevelopment Permits
<p>Staff completes exempt documentation.</p> <p>Copy of exempt documentation is provided to applicant and placed in the appropriate file.</p> <p>Applicant applies for other permits or licenses, including appropriate building permits and business license.</p> <p><b>Process Ends.</b></p>	<p>Applicant meets with Redevelopment, Staff for conceptual review.</p> <p>Applicant submits permit application and appropriate exhibits to Com. Dev. Dept.</p> <p>Application is reviewed for completeness and identification of issues.</p> <p>If application is complete, processing begins. Application is then reviewed by all appropriate departments &amp; comments are provided to the H &amp; R Director. If not complete, application is returned to applicant for resubmission at later date.</p> <p>CEQA review is performed by Planning Department. (once application is complete). 30 day review period is provided for comments on environmental documentation, if applicable.</p> <p>Based upon comments from reviewing departments, a preliminary decision is made by the H &amp; R Director to approve, approve with conditions or deny the requested project permit.</p> <p>Appropriate persons are notified of pending decision and invited to provide comments on the decision, either verbally or in writing, to the H&amp;R Director during a 10 day public review period. (Note: if the project is located within the appealable area of the Coastal Zone, an administrative public hearing will be held and properly noticed prior to the rendering of a final decision).</p> <p>If project is denied, applicant may appeal to DRB; no further notice to interested parties is provided unless project is appealed by applicant.</p> <p>If project is approved by the Director, appropriate persons will be notified of the final decision and given 10 calendar days to appeal the decision to the DRB. Following expiration of the 10 day appeal period and if no appeal is filed, applicant applies for other appropriate permits and licenses. (Note: if the project is located within the appealable area of the Coastal Zone, an additional 10 day appeal period is provided to interested parties.)</p> <p>Once all applicable appeal periods have expired and no appeals have been filed, or the appeals have been resolved, the applicant may apply for other permits or licenses.</p> <p><b>Process Ends.</b></p>	<p>Applicant meets with Redevelopment Staff for conceptual review.</p> <p>Applicant submits permit application and exhibits to Com. Dev. Dept.</p> <p>Application is reviewed for completeness and identification of issues.</p> <p>If application is complete, processing begins. Application is then reviewed by all appropriate departments &amp; comments are provided to the H &amp; R Director. If not complete, application is returned to applicant for resubmission.</p> <p>CEQA review is performed by Planning Department. (once application is complete). 30 day review period, or longer, is provided for comments on environmental documentation, if applicable.</p> <p>Based upon comments, staff prepares a report with recommendations for DRB action.</p> <p>Staff sets agenda for DRB public hearing. Appropriate notification is provided for the public hearing on the permit. DRB holds a public hearing, considers comments and then approves, approves with conditions or denies the permit.</p> <p>If project is denied, applicant may appeal to the Housing and Redevelopment Commission. No further notice is provided to interested parties unless project is appealed by applicant.</p> <p>If project is approved by the DRB, the decision is appealable to the Housing and Redevelopment Commission for 10 calendar days. Following expiration of the 10 day appeal period and if no appeal is filed, applicant applies for other appropriate permits and licenses. (Note: if the project is located within the appealable area of the Coastal Zone, an additional 10 day appeal period is provided to interested parties.)</p> <p>Once all applicable appeal periods have expired and no appeals have been filed, or the appeals have been resolved, the applicant may apply for other permits or licenses.</p> <p><b>Process Ends.</b></p>	<p>Applicant meets with Redevelopment Staff for conceptual review.</p> <p>Applicant submits permit application and exhibits to Com. Dev. Dept.</p> <p>Application is reviewed for completeness and identification of issues.</p> <p>If application is complete, processing begins. Application is then reviewed by all appropriate departments &amp; comments are provided to the H &amp; R Director. If not complete, application is returned to applicant for resubmission.</p> <p>CEQA review is performed by Planning Department. (once application is complete). 30 day review period or longer is provided for comments on environ. documentation, if applicable.</p> <p>Based upon comments, staff prepares a report with recommendations for DRB's recommended action to the Housing and Redevelopment Commission.</p> <p>Staff sets agenda for DRB public hearing. Appropriate notification is provided for the public hearing on the permit. DRB holds a public hearing, considers comments and then takes action to approve a recommendation for the Housing and Redevelopment Commission to approve or deny the permit.</p> <p>If DRB takes action to recommend approval of the permit, staff forwards the appropriate report to the Housing and Redevelopment Commission for consideration following a public hearing. The Commission's action on the permit is final. (Note: if the project is located within the appealable area of the Coastal Zone, a 10 day appeal period is provided to interested parties.)</p> <p>Once all applicable appeal periods have expired and no appeals have been filed, or the appeals have been resolved, the applicant may apply for other permits or licenses.</p> <p><b>Process Ends.</b></p>



8  
CIRCULATION



Village Circulation Plan

Figure 19



Figure 19 summarizes the circulation plan for the Village Redevelopment Area. The map provided in Figure 19 identifies the location of primary streets in the Village, bicycle routes and the transit center.

### Vehicular Circulation

The existing village street network is adequate to accommodate foreseeable future development without major changes. Carlsbad Village Drive and Carlsbad Boulevard are significant roadways in the Village and carry the majority of traffic to and through the area. Grand Avenue, Jefferson Street, Roosevelt Street, State Street and short segment of Oak Avenue are significant feeder streets to the Village. Other streets are largely local serving.

### Bicycle Circulation

Routes are as designated on the map in Figure 19 and as provided for in the Carlsbad General Plan. The potential may exist in the future for a bicycle path along the railroad right-of-way which would add to the bicycle circulation element of this plan.

### Transit Center

A commuter rail station and major bus transfer node is located north of Grand Avenue between State Street and Washington Street.

**Future Pedestrian Walks will have:**

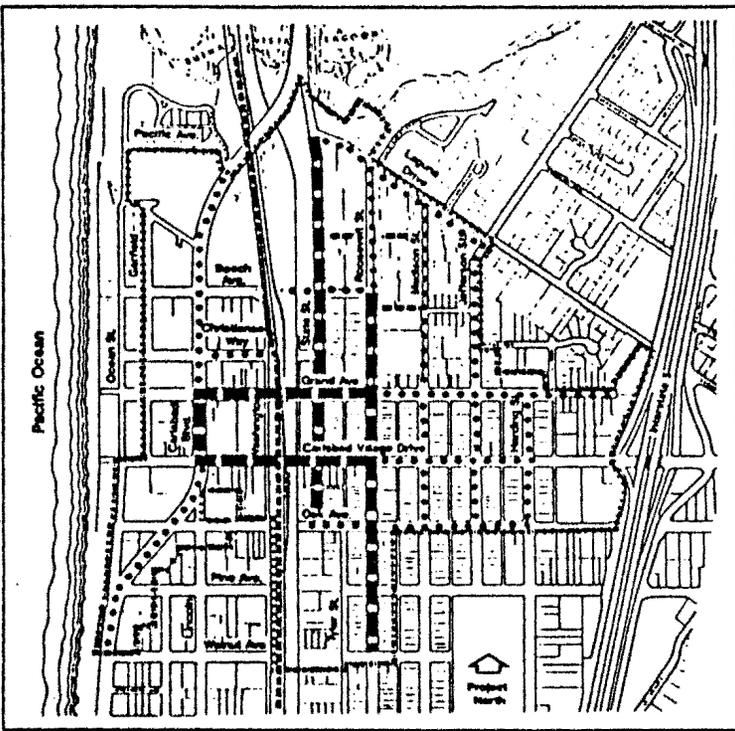
- Informal landscaping
- Special lighting for visual interest and safety.
- Other uses (e.g., residences) which enhance the interest and safety of the walkways.
- Seating, mini-parks and children's play areas.

**Major Pedestrian Streets will have:**

- A high degree of retail continuity to add interest to the walking experience and provide a strong focus of retail activity.
- Few curb cuts to minimize pedestrian conflicts with vehicles.
- Enhanced sidewalk paving and landscaping.
- A concentration of public and private pedestrian amenities including benches, flowers and special lighting.
- Special storefront designs and signs.

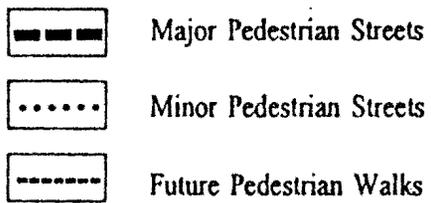
**Minor Pedestrian Streets will have:**

- Continuous sidewalks
- Street trees
- Pedestrian-scale lighting
- Informal private landscaping
- Landscaped setbacks



*Pedestrian Framework*

*Figure 20*



**Pedestrian Framework**

Major, Minor and Future Pedestrian routes are identified on the map of the Village provided with Figure 20. Walking within the Village will be encouraged and enhanced by sidewalks with substantial pedestrian amenities and by building amenities which enhance the pleasure of walking.

**SECTION III**



## VILLAGE IMPLEMENTATION STRATEGY

In 1992, the Carlsbad Redevelopment Agency initiated a comprehensive review/evaluation of the Redevelopment Area. The purpose of the evaluation was to review what had been accomplished to date in the Village Redevelopment Area and what was still needed or desired. The goal was to create a "Master Plan" for the Village Area which addressed the following:

- Identification of specific areas within the Village which are, or will be, strong candidates for redevelopment within the next 10 to 15 years;
- Provision of an overall development strategy that evaluates the economic potential of various development markets as they relate to specific sites within the Carlsbad Village Redevelopment Area;
- Establishment of specific development standards for projects within the Area;
- The shift of emphasis from publicly-funded to privately-funded revitalization efforts; and,
- Development of a strategy for creating a strong identification or image for the Village Redevelopment Area.

The first and second sections of this document, the "Introduction" and "Village Design Manual", address all of the above issues through the establishment of 1) a vision, goals and objectives; 2) special development opportunities; 3) design guidelines; and, 4) universal and specific development standards. The

"vision" for the Village Redevelopment Area helps to create the identification or image for the Area. The purpose of this third, and final, section, entitled "Implementation Strategy", is to outline additional actions which can be taken, or programs which can be implemented, to further assist in the ongoing effort to revitalize the Redevelopment Area and create the desired stronger image for the Village.

This "Implementation Strategy" sets forth an action framework for various activities to be pursued within the Village Redevelopment Area over the next 10 to 15 years (until the Carlsbad Village Redevelopment Plan expires). This section provides guidance to the Carlsbad Redevelopment Agency as to the types of programs and activities which will be pursued as part of the revitalization/redevelopment program.

To make the Village vision a reality, a broad range of different activities/actions are required that will extend over many years. The total effort will include some direct public investment, joint public/private effort and some purely private actions, all consistent with the goals and overall program.

The public actions will include some "carrots", such as direct public investment, design assistance, and assistance in finding or retaining businesses that help meet program goals. There will also be "sticks" or rules to assure that standards are adhered to and that activities or projects which are inconsistent with the program goals do not occur. These rules are important because private investment may not occur unless businesses and property owners know that others will be

required to meet the same standards and quality levels. The "Village Design Manual" section of this Master Plan document sets forth these required rules for development.

This third section of the document sets forth guidance for the "carrots" and the other activities which are planned, or will be pursued, to assist in revitalizing the Area. The timetable for implementing the activities within this Master Plan document for the Village is not date-specific. Precise dates for various implementation activities of the program are primarily a function of the budgeting process as resources are made available to support them.

There are two (2) basic documents which will be used to set the priorities for implementation of the various programs outlined within this Implementation Strategy. The first is the Redevelopment Agency Annual Budget which is adopted by the first of each fiscal year (July 1). Also, as required by California Redevelopment Law, the Redevelopment Agency must prepare a *Five Year Implementation Plan* which includes an outline of how the Agency will expend its funds on redevelopment activities, including affordable housing. This Implementation Plan can be reviewed on an annual basis and modified as necessary according to applicable procedures set forth within California Redevelopment Law. The allocation of redevelopment fund resources will be provided within these two (2) described documents. Financing for redevelopment activities is further described below.

**FINANCING REDEVELOPMENT PROGRAMS**

The Village Redevelopment Program is anchored by a concept of public/private joint participation. This public/private concept also includes the mechanisms whereby the Revitalization Program is financed.

**Use of Public Funds:**

The primary source of funding for projects in the Village Redevelopment Area is "tax increment". These funds are used to finance projects which eliminate blight and have a public benefit. Unfortunately, these funds are fairly limited. Therefore, in the years ahead, the Redevelopment Agency will explore alternate funding sources such as grants, assessment districts, development of a "Business Improvement District", state and federal funding programs, and any other eligible funding mechanism which may be made available to the Agency for redevelopment activities.

As required by AB 1290 which was effective January 1, 1994 and made major changes to Redevelopment Law, the Carlsbad Redevelopment Agency is required to prepare a five year implementation plan as indicated above. The Agency approved its first 5 year plan in January, 1995. The Plan highlights the expenditure plan for the Village Redevelopment Agency. As stated previously, this Plan can be reviewed on an annual basis, or more often if necessary, and modified as appropriate to reflect changes in funding/project priorities within the Village Redevelopment Area and related to expenditure of "tax increment" or housing set-aside funds. All expenditures of redevelopment funds must be consistent with this required implementation plan in order to comply with applicable California Redevelopment Law.

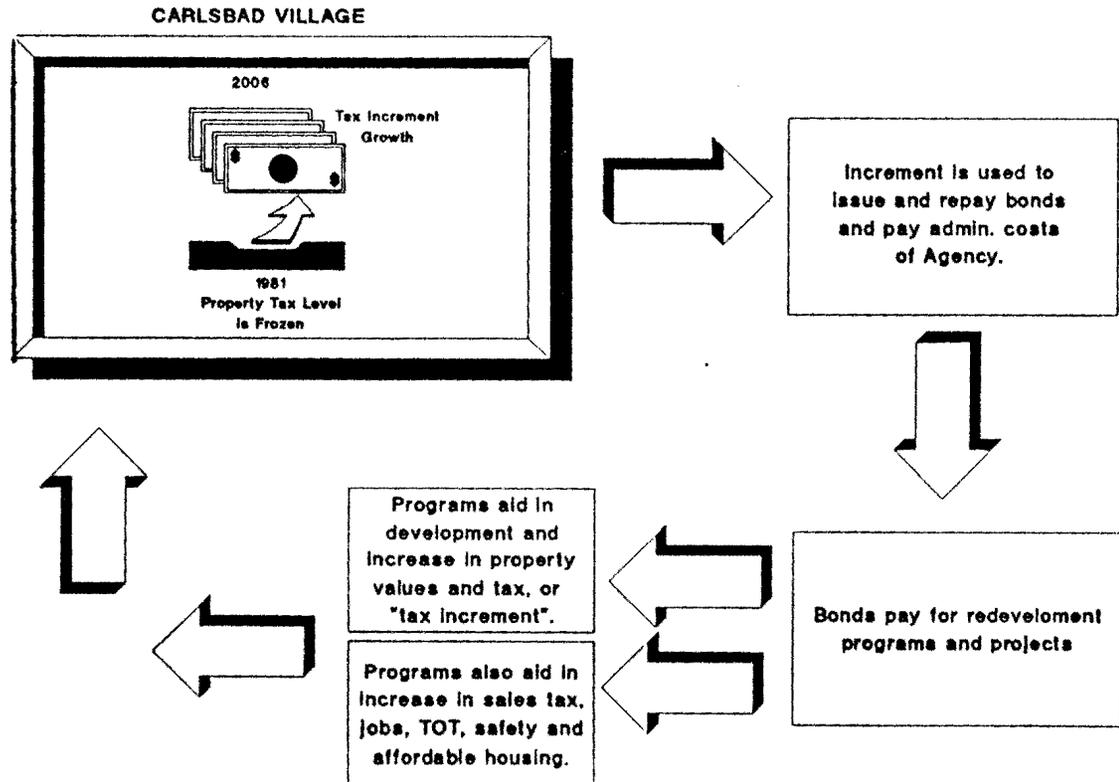
As available and feasible, the Agency will pursue other sources of public funding which may be available for funding redevelopment or revitalization activities within the Village Redevelopment Area.

**Use of Private Funds:**

On the private side, the Village Redevelopment Program is financed through new development in the Village and by individuals investing in the improvement and upgrading of the existing buildings in the area. It is expected that the public sector contribution will encourage and stimulate an even greater private sector investment in the program. The proposed "Business Retention Program" is also intended to encourage private investment in the Village by attracting viable businesses to the area and identifying needed services and amenities conducive to retaining existing

viable businesses and strengthening the neighborhood serving retail clusters in the Village.

Other funding which may be available through private non-profit (or for profit) interest groups, such as the Historical or Arts Society, will also be used as appropriate to fund various activities within the Village Redevelopment Area.



## CIRCULATION IMPROVEMENTS

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

## PUBLIC IMPROVEMENTS

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

## TRANSPORTATION

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

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

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

The Redevelopment Agency will also research and pursue alternate forms of public transportation systems to be used within the boundaries of the Village and/or to selected locations outside the Village such as the City Library, Parks, Recreation Centers, etc. These alternate forms of transportation to be pursued may include, but are not limited to: 1) a horse and carriage service; 2) mini-trolley (motorized) system; and/or, 3) a dial-a-ride van or cab service.

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

## CULTURAL FACILITIES

The development of cultural facilities in the Village will add greatly to the attractiveness of the Village as a destination for tourists and Carlsbad residents. The Redevelopment Agency will work closely with the Carlsbad Arts Commission and City's Arts Manager to identify possible sites for additional cultural facilities within the Village and/or for increasing cultural activity opportunities. Since the Redevelopment Agency has very limited resources, efforts will need to be made to explore and pursue other funding sources, such as bonds or state/federal grants, to assist in the effort to develop these facilities and/or activity opportunities.

Strong support has been expressed for reopening the Carlsbad Theater as a first run cinema and perhaps other community uses, such as dramatic presentations, dance/music recitals and more. Since the Theater is currently privately owned, the Agency has limited authority to implement this program. However, the Agency will continue to encourage the renovation of the Theater by other private or public entities and attempt to facilitate city approvals to reopen the building according to applicable development standards/building codes. If it is not possible to renovate and reopen the Carlsbad Theater, the Agency will pursue other opportunities which may be presented by other private or public parties for providing new cultural arts facilities, including a theater, within the Village.

The Redevelopment Agency will work with and support the City's Arts Office efforts to sponsor a series of on-going, small-scale arts activities within the Village to

attract local residents to the area in greater numbers.

Live/work accommodations for local artists will be encouraged by the Carlsbad Redevelopment Agency. The Village Land Use Plan has been revised to allow these type of uses in several of the land use districts within the area. The Agency will explore and consider the feasibility of developing artist housing under its affordable housing program. Although the Agency does not develop housing on its own, a private developer (for project or non profit) may be willing to work with the Agency to develop affordable housing and work space opportunities in the Village. If the Agency is able to identify a private developer who is willing to own and operate artist housing which provides work space, the Agency will work with the developer to facilitate completion of the project. In providing these live/work opportunities for artists, the Agency will encourage the adaptive reuse of existing commercial buildings in the Village which may also have local historical significance.

The Redevelopment Agency will research and consider the feasibility of creating a cultural district within the Village Redevelopment Area. The Agency will also encourage and attempt to facilitate formation or development of an "Artist Park" or "Artist Plaza" to provide local artists with a place to create and display their art. These areas could be provided in the open or in storefront galleries/studios.

The Agency will also continue to work with the City's Arts Department to create opportunities for short-term work, exhibit and public spaces for artists in the Village.

To assist in financing public art, the Redevelopment Agency shall require that 1% of the total construction cost of any publicly-funded project built within the Village be made available for a public art element within the given project or at a later date at an alternate location within the Village. The public art element will be approved by the process set forth by the Carlsbad City Council.

## HISTORIC PRESERVATION

The Redevelopment Agency shall work with the Historic Preservation Commission and/or Historical Society to facilitate the development of a walking tour of historic sites in the downtown area. The Agency will work with the Commission/Society to identify sources of funding which may be available for financing the costs of "identifier" or "historical landmark" signs as part of this program. The Agency will also consider incorporating a signage program related to cultural resources as part of the walking tour/signage program.

Every effort will be made by the Redevelopment Agency to work with private property owners to preserve buildings and/or other historical landmarks within the Village Redevelopment Area as part of the downtown revitalization program. The Agency will encourage and facilitate the development of a proposed museum in the Village which will provide for the preservation of local historical artifacts.

The Carlsbad Redevelopment Agency will research and consider the feasibility of creating a historic district within the Village Redevelopment Area to assist in the effort to preserve the history of Carlsbad and, more specifically, the Village. At a minimum, the Agency will prepare a "key" or "overlay map" which clearly identifies the historic buildings and other structures within the Village to increase the awareness of the historical significance of the area and various buildings and to coordinate efforts to redevelop sites or construct new projects in a "history sensitive" manner.

The Agency will also encourage the preservation of the hispanic culture

and history within the Barrio Carlsbad community of the Village Redevelopment Area. A Hispanic Culture Development Theme has been established for the area on Roosevelt Street between Carlsbad Village Drive and Walnut Avenue. Efforts will be made by the Redevelopment Agency to encourage land uses within the area which respect and enhance the hispanic culture and history within the area.

## ECONOMIC RESTRUCTURING

One purpose of the Village Master Plan and Design Manual is to restructure the mix of uses in the Village over the long term to be more mutually supportive and to increase the area's economic vitality. The materials in this section of the Implementatin Strategy deal not with controls and programs but rather general strategies for change of a period of years.

A "Business Retention and Recruitment Program" will be developed for the downtown area. The program will include 1) an indentification of special problems faced by small downtown businesses for discussion and possible resolution by the Redevelopment Agency and/or the Village Business Association; 2) identification of new businesses desired within the Village; 3) preparation of Village promotional materials; and, 4) establishment of outreach efforts to attract specific businesses to occupy available spaces in the downtown. As appropriate and consistent with applicable policies, the Agency may provide financial assistance and/or incentive funding to desirable businesses and/or redevelopment projects to be constructed within the area.

The Agency will research and pursue, if appropriate, establishment of a Business Improvement District (BID) to fund special projects within the Village Area. The funds provided through the BID could be used for 1) promotion and marketing of the Village; 2) increased security and parking enforcement; 3) maintenance and enhancement of landscaping; 4) additional lighting and parking; 5) small business counseling services as well as other projects/activities which may address the problems of

small downtown businesses.

In addition to the above programs, with assistance from the Village Business Association, the Agency will pursue development of a "Business Directory and Community Building Identification Program". This program may include, but is not limited to:

- ◇ A kiosk or business directory sign program which would be accessed by the customer to identify the location of businesses and/or community buildings within the Village Redevelopment Area. These kiosks could be placed at various locations, such as public parking lots, throughout the Village for directional purposes. This program could be similar to the business directory provided within a shopping mall or it could simply provide an opportunity for businesses to display information related to their business.
- ◇ A "Business Directory" which could be published for distribution to visitors and/or local residents for business identification and directional purposes.
- ◇ A Street Signage Program which would enhance existing signage to identify key landmarks within the Village and/or various community facilities.

## BUILDING IMPROVEMENTS

An improvement of the overall Village environmental and visual image is an important part of the comprehensive Master Plan for revitalization of the downtown redevelopment area.

The Agency will develop, implement and fund a "Building Facade Improvement and Signage Design Assistance Program" to provide an incentive for businesses/property owners to complete some facade improvements for area beautification purposes. Also, funding for design assistance for new signage will hopefully encourage businesses to revise and update outdated signage and to comply with the new sign standards for the Village Area.

**ROLES AND RESPONSIBILITIES**

The *Carlsbad Redevelopment Agency*, with direction, support and guidance from the Housing and Redevelopment Commission (City Council) and/or Design Review Board (Planning Commission for the Village Redevelopment Area), will have the overall responsibility for initiating and coordinating implementation activities. Funds invested in the downtown area will be for the purpose of carrying out the Agency's responsibilities for planning and land use regulations, and for stimulating greater private investment which will provide benefits to the city as a whole. The Agency will also be responsible for the design, award of construction contracts and supervision of construction of any public improvements planned for the Village. This shall also mean that the Agency will serve in a liaison role between the City and other public agencies which may seek to complete improvements and/or projects within the boundaries of the Village Redevelopment Area.

The primary role of the Agency shall be to serve as a catalyst to get activities started. This action must be matched by private commitments to warrant the continued allocation of public staff resources and funding.

The *Village Business Association* will be responsible for organizing its membership in support of downtown revitalization and promotional efforts for the downtown area. Such activities

will include... special events as well as the dissemination of important information and the representation of downtown business interests before the Agency, City Boards and Commissions.

The *Village Property Owners and Business Owners* shall be responsible for funding their fair share of physical improvements and/or projects which affect the value of their downtown properties. In addition, they will be asked to carry out improvements to their property to enhance the downtown shopping environment and improve the area's competitiveness relative to other regional shopping areas.

The *Village Residents* will be responsible for supporting the implementation of downtown improvements and/or projects which have benefit to the area as a whole. The residents should also communicate with the community leaders to ensure that problems within the area are being adequately addressed and to aid in the effort to create a Village that is "a comfortable place to be" and offers a variety of opportunities.

**CONCLUSION**

To be successful, this entire Village Master Plan and Design Manual builds upon the governmental leaders' commitment to the downtown, the momentum for improvement established by the businesses, residents and property owners and the spirit of cooperation among all the various parties acting within the Village Redevelopment Area. Implementation of the

Village Master Plan and Design Manual will be a shared private/public partnership with many contributing to its success and all benefitting from the redevelopment and revitalization efforts.

*Cerified LCRA 1-9-68*

**HOUSING AND REDEVELOPMENT  
COMMISSION**

**POLICIES AND PROCEDURES  
MANUAL**

**VILLAGE REDEVELOPMENT PROJECT AREA**

INDEX

HOUSING AND REDEVELOPMENT COMMISSION  
POLICIES AND PROCEDURES MANUAL

Policy #	Title of Policy	Date Adopted
1	Adoption of Commission Policy and Procedure Statements	
2	Establishment of In-Lieu Fee Formula for Parking Program	
3	Outdoor Displays in the Village Redevelopment Area	
4	Review of Redevelopment Project Applications	
5	Economic Assistance and Incentives in the Village Redevelopment Project Area	
6		
7		
8		
9		
10		
11		
12		
13		
14		

Village Redevelopment Area  
Housing and Redevelopment Commission  
Policy Statement

Policy No. 1  
Date Issued:  
Effective Date:  
Cancellation Date:  
Supersedes No.:  
Page No.: 1 of 1

General Subject: ADMINISTRATION  
Specific Subject: Adoption of Commission Policy and  
Procedure Statements

Copies to: Housing and Redevelopment Commission, City Manager, City Attorney, Housing and  
Redevelopment Director, Department and Division Heads, Employee Bulletin Boards, Press, File.

Purpose:

To clearly identify policies and procedures of the Housing and Redevelopment Commission not covered by ordinances, the *Village Redevelopment Plan*, and/or the *Village Redevelopment Master Plan and Design Manual*, and to make such policies and procedures of the Housing and Redevelopment Commission readily available to all concerned.

Statement of Policy:

The purpose of this policy is to establish the *Housing and Redevelopment Commission Policy and Procedures Manual*. The Policy and Procedures Manual shall be in a loose-leaf form.

Policies and procedures of the Commission shall not conflict with any ordinances of the City, the Village Redevelopment Plan and/or the Village Redevelopment Master Plan and Design Manual. All policies and procedures must receive at least four (4) affirmative Housing and Redevelopment Commission votes to be included within the Policy and Procedures Manual.

All policies and procedures shall be in writing and include, as required:

- (1) Background of the Procedure or Policy
- (2) Purpose of the Procedure or Policy
- (3) Statement of the Policy and/or Procedure

Procedure:

- A. Any member of the Housing and Redevelopment Commission, the City Manager, the Housing and Redevelopment Director, the City Attorney or a member of the general public may place a proposed policy or procedure on the Housing and Redevelopment Commission Agenda, provided that a written statement of the proposal is distributed prior to Commission consideration.
- B. The Commission may direct that a policy or procedure be developed and assign its creation to a member of the Commission or the City Manager.
- C. Prior to final adoption, the City Manager, in cooperation with the City Attorney, shall assign a brief title and place the policy or procedure within a prescribed format. The prescribed format is demonstrated by this policy statement.
- D. Following adoption of the policy or procedure, the Manual shall be indexed and printed for general distribution to the Housing and Redevelopment Commission officials and other interested parties.
- E. For any policy or procedure which has a potential impact on coastal resources, the policy or procedure shall be approved by the Coastal Commission in addition to the Housing and Redevelopment Commission prior to it becoming effective.

Village Redevelopment Area

Housing and Redevelopment Commission  
Policy Statement

General Subject: PARKING PROGRAM  
Specific Subject: Establishment of formula for the In-Lieu Fee Parking Program

Policy No. 2  
Date Issued:  
Effective Date:  
Cancellation Date:  
Supersedes No.:  
Page No.: 1 of 2

Copies to: Housing and Redevelopment Commission, City Manager, City Attorney, Housing and Redevelopment Director, Department and Division Heads, Employee Bulletin Boards, Press, File.

**BACKGROUND:**

The Village is the oldest developed portion of the City of Carlsbad and as a consequence is characterized by many small lots under multiple ownership. This condition substantially inhibits creative and desirable building use changes, expansion of successful businesses and the redevelopment of properties to more appropriate uses. Given relatively high land costs, small properties are not able to generate enough revenue producing space as well as provide the required on-site parking. In general, the basic parking requirements are reasonable based on parking demand for various land uses. However, the Redevelopment Agency determined that an option needed to be provided to developers/property owners for meeting the on-site parking requirements to encourage redevelopment activities.

Upon adoption of the new *Village Redevelopment Master Plan and Design Manual* for the Village Redevelopment Area in 1995, a new parking program was established which allows developers/property owners to pay an in-lieu fee to cover a portion of the on-site parking requirement (up to 100% of the on-site parking in certain cases) for a proposed redevelopment project. This allows a portion of the parking for a private project to be provided within public parking lots throughout the Village Redevelopment Area. The developer/property owner, through payment of the in-lieu fee, assists the Redevelopment Agency in providing the public parking to accommodate the demand created by redevelopment projects.

**PURPOSE:**

The In-Lieu Fee policy has been established to allow developers/property owners the opportunity to make payments to a parking in-lieu fee fund which will be used to finance the provision/development of public parking at existing facilities or facilities to be constructed at some future date to accommodate public need. The purpose of this Commission policy is to establish the formula for setting the in-lieu fee.

**POLICY/PROCEDURE:**

The formula for setting the Parking In-Lieu Fee for projects within the Village Redevelopment Area shall be as follows:

The In-Lieu payment for each parking space required to meet an on-site requirement for a private development project shall be set at one-third (1/3) of the estimated cost of producing a new public parking space within a two (2) level (maximum) above ground parking structure.

The justification for setting the In-Lieu Fee Payment at one-third (1/3) of the cost of producing a new public parking space within a two (2) level above ground parking structure is 1) public parking is partly a responsibility of the Carlsbad Redevelopment Agency; 2) public parking should be partially subsidized to promote redevelopment activities; 3) based on the fact that public parking lots operate on a "shared use" basis; some businesses have greater demand for public parking in the morning, others in the afternoon and some in the evening. However, no single business has exclusive use of the public parking spaces.

**POLICY/PROCEDURE (CONT):**

In addition, the parking spaces within a public parking lot shall remain "public" at all times. Businesses/property owners paying the In-Lieu Fee shall not have exclusive or semi-exclusive use of any spaces within a public parking lot. Therefore, they should not be required to bear the entire cost of producing a public parking space.

Due to the fact that it has been determined that the Redevelopment Agency should partially subsidize the construction of public parking lots in the Village and at least two (2) business/property owners will be sharing the cost of producing a single public parking space, a Parking In-Lieu Fee set at one-third ( $\frac{1}{3}$ ) of the cost of producing a new public parking structure, including land costs, within a two (2) level above ground parking structure is reasonable and appropriate. The estimated cost of construction for a two (2) level "above ground" parking structure has been selected as the base figure for determining the Village Parking In-Lieu Fee for the following reasons:

- High Land Costs within the Village. Due to high land costs within the Village of Carlsbad, it is more cost effective for public parking lots to be constructed within structures rather than surface lots. Although structures are actually more expensive to construct than surface lots, parking structures offer the opportunity to provide a greater number of total parking spaces and ultimately reduce the per space land cost for producing public parking spaces.
- Two Level Structure. A two (2) level structure was selected because in all likelihood, the Agency will not construct parking structures which exceed two (2) levels above ground. A greater number of levels within a parking structure would not be consistent with the "design vision" for the Village Redevelopment Area as established within the Village Design Manual (1995).
- Underground/Subterranean Parking Structure. Construction of underground/subterranean or semi-subterranean parking was not considered to be an appropriate basis for setting the Parking In-Lieu Fee because this type of parking is much more expensive to produce and most likely will not be pursued by the Redevelopment Agency unless part of a private development project. If subterranean or semi-subterranean public parking is produced as part of a joint development partnership between a private developer and the Redevelopment Agency, the developer and/or the Agency will share in a greater percentage of the cost of producing this parking. Therefore, a business/property owner wishing to participate in the Parking In-Lieu Fee program should not be required to bear the additional cost associated with constructing a subterranean or semi-subterranean public parking lot.

The Housing and Redevelopment Commission believes that the construction of a two (2) level above ground public parking lot represents a "middle approach" for setting the In-Lieu Fee for the Village Parking Program. Although the Parking In-Lieu Fee funds may also be used for maintaining existing public parking lots, including leasing or purchasing of property related to those existing lots and/or general upkeep, the general premise for establishing the formula for setting the fee is that new public parking lots will need to be constructed to meet the demand for parking created by land use changes, intensification of land use, and/or new development within the Village. Therefore, it is appropriate to set the Parking In-Lieu Fee at a rate which reflects the costs of new construction of public parking lots.

All Parking In-Lieu Fees collected within the Village Redevelopment Area shall be deposited into a Parking Trust Fund. The fund shall be administered by the Carlsbad Redevelopment Agency and shall be used solely for the purposes of providing/developing public parking facilities within the Village Redevelopment Area.

The dollar amount and method of the In-Lieu Fee payment shall be fixed by a schedule adopted, from time to time, by resolution of the Housing and Redevelopment Commission. The formula for calculating the dollar amount of the fee shall be consistent with this policy.

Village Redevelopment Area

Housing and Redevelopment Commission  
Policy Statement

General Subject: OUTDOOR DISPLAYS  
Specific Subject: Establishment of criteria for types and location of outdoor business displays

Policy No. 3

Date Issued:

Effective Date:

Cancellation Date:

Supersedes No.:

Page No.: 1 of 2

Copies to: Housing and Redevelopment Commission, City Manager, City Attorney, Housing and Redevelopment Director, Department and Division Heads, Employee Bulletin Boards, Press, File.

**BACKGROUND:**

Over the years, the number of businesses within the Village Redevelopment Area placing displays (including clothes racks, food items, publications, etc.) outside their buildings and within the public right-of-way (on the sidewalks) have substantially increased. Although outdoor displays often assist in the effort to maintain the desirable friendly "village" atmosphere, concern has been expressed about the uncontrolled proliferation of these outdoor displays within the public right-of-way. The concern has been related primarily to visual appeal of these outdoor business displays and access to the public sidewalks. Due to the fact that great effort is being made to create a Village which is "pedestrian friendly" and is aesthetically appealing, it has been determined by the Housing and Redevelopment Commission that a policy is required which indicates *how many* displays a business may place outdoors and within the public right-of-way, specifically on the public sidewalks, as well as the *type* of display and its *location*.

**PURPOSE:**

This Outdoor Business Display policy has been established to set standards for 1) the number of outdoor business displays permitted for an individual business; 2) the types of outdoor displays permitted for an individual business; and, 3) the location of outdoor displays within the public right-of-way. This policy may be revised from time to time to reflect changes in the desired standards for the outdoor displays

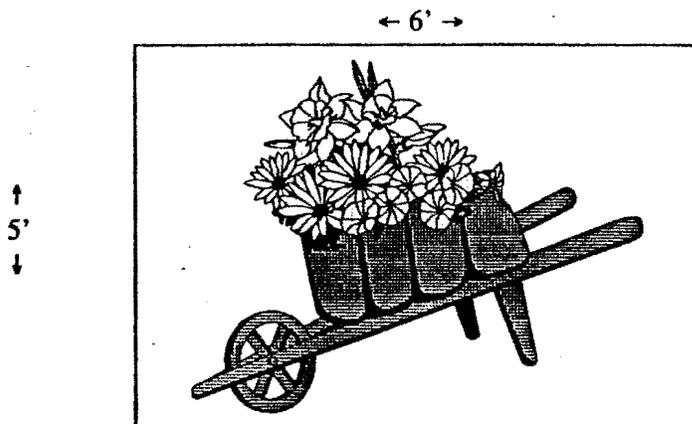
**POLICY/PROCEDURE:**

The following Outdoor Display Policy is established for the Village Redevelopment Area only:

1. Each individual business within the Village Redevelopment Area shall be allowed a **single (1)** business display to be located outside the walls of the subject business building and within the public right-of-way. This display may include, but is not limited to:
  - A single rack of clothing or accessory items, including shoes;
  - A rack of magazines, newspapers and/or books;
  - A Flower or craft display cart; or,
  - A table with various business-related items sold within the building. such as that used for a "sidewalk sale".
2. These business displays shall not contain any information which would routinely be placed on a business sign located on the building such as the name or type of business, hours of business operation, business logo, brand name information, etc. The business display may include a sign which indicates the price of the display item(s) or simply indicates a "sale" on the item(s).

**POLICY/PROCEDURE (CONT):**

3. An outdoor business display shall not exceed five (5) feet in height, 6 feet in width, and 3 feet in depth.



Base: 3' Maximum

4. An outdoor business display shall be placed adjacent to and parallel to the subject business building. These displays shall not be placed adjacent to the street curb or perpendicular to the subject business building. A clear area of at least five feet (5') in width must be maintained for pedestrian use between the street curb and the outer edge of the business display. A clear area of five feet (5') in width must also be maintained to building entries. A outdoor business display shall not encroach upon the building frontage of an adjacent business.
5. A single business display may consist of several individual business items, without a rack, cart, table or shelf of some type. However, the various display items must be placed together in a single location in front of, and adjacent to, the subject business building. The display items shall not be spread out along the entire front of the subject building. Any single business display shall fit into an "imaginary box" with the dimensions noted above (3' wide X 6' long). The height of any item within the display may not exceed five feet (5'). Also, the display of items must be placed adjacent to building and allow five feet (5') of pedestrian walkway between the curb and outer edge of the widest display item.
6. If a business has outdoor tables located within the public right-of-way, no additional business displays shall be permitted.
7. All outdoor business displays shall be located in a manner which does not cause an obstruction for pedestrians and/or site distance problems for vehicles.
8. No outdoor business displays shall obscure or interfere with any official notice or public safety sign or device.
9. All business displays within the public right-of-way shall be temporary. The displays shall be placed outside during hours of business operation only. No permanent outdoor displays shall be permitted within the public right-of-way.
10. All business displays shall be continuously maintained in a state of order, security, safety and repair.
11. All business displays shall be tasteful and assist in creating a top quality shopping environment. No display shall contain obscene, indecent or immoral matter.

Village Redevelopment Area

Housing and Redevelopment Commission  
Policy Statement

Policy No. 4

Date Issued:

Effective Date:

Cancellation Date:

Supersedes No.:

Page No.: 1 of 2

General Subject: REDEVELOPMENT PROJECTS

Specific Subject: Staff Review of Applications for  
Redevelopment Projects

Copies to: Housing and Redevelopment Commission, City Manager, City Attorney, Housing and Redevelopment Director, Department and Division Heads, Employee Bulletin Boards, Press, File.

**BACKGROUND:**

With adoption of the *new Village Redevelopment Master Plan and Design Manual* in 1995, the Carlsbad Redevelopment Agency accepted the challenge to actively facilitate the approval and construction of desirable redevelopment projects. In accepting this challenge, the types of redevelopment permits were expanded from two (2) to three (3) types: Administrative, Minor Redevelopment Permits and Major Redevelopment Permits. In addition the types of Coastal Development Permits were expanded from one (1) to two (2) types which are consistent with the required Redevelopment Permits. The Administrative Permits were added which allow approval by the Housing and Redevelopment Director; these permits do not require review by the Design Review Board or Housing and Redevelopment Commission unless there is an appeal of the Director's decision. The administrative redevelopment and coastal development permits relate to new construction under \$60,000 in building permit valuation, provisional uses, interior and exterior improvements and/or land use changes which result in the intensification of use of a property/building. New construction of buildings which exceed \$60,000 in building permit valuation shall require approval of a Minor or Major Redevelopment Permit and a Coastal Development Permit, if applicable, by the Design Review Board and/or Housing and Redevelopment Commission. The types of permits were revised to assist with more expeditious processing of redevelopment permits. The new system of permits results in fewer projects which require action by the Design Review Board and/or Housing and Redevelopment Commission.

All development on properties located in the Coastal Zone segment of the Village Redevelopment Area must receive prior approval of a coastal development permit.

**PURPOSE:**

This policy establishes the procedures to be followed by staff to insure an orderly and expedited review of all applications for minor and major redevelopment and coastal development projects which require consideration by the Design Review Board and Housing and Redevelopment Commission.

**POLICY/PROCEDURES:**

It is the policy of the Housing and Redevelopment Commission to require that all applications for redevelopment and coastal development projects have appropriate review before they are scheduled for consideration by the Design Review Board and/or Housing and Redevelopment Commission. It is also the policy of the Commission to ensure that, whenever possible, the process is expedited or completed as quickly as possible. In this regard, the following procedures shall apply:

1. Before an application is submitted for a Minor or Major Redevelopment or Coastal Development Permit, the applicant shall be encouraged to meet directly with the Housing and Redevelopment Director, or appropriate staff member, to discuss the proposed project. During this meeting, the applicant will receive instructions on how to properly apply for a redevelopment/coastal development permit. The applicant will also receive preliminary comments on any issues which may be related to the proposed project and a copy of the Village Master Plan and Design Manual which includes information on development standards, site and building design guidelines and parking.

2. If so desired by the applicant, Housing and Redevelopment Staff will complete a complimentary preliminary review of the site plan and building design, with assistance from other City departments, before a formal application is submitted for consideration.
3. Once the formal application is filed with the City, Housing and Redevelopment Staff will coordinate review of the application by appropriate City departments to determine its completeness for further processing. Within thirty (30) days maximum, a letter will be forwarded to the applicant outlining whether or not the application is complete and identifying any project issues which may need to be addressed by the applicant. If the application is not complete, the letter will outline the items which must be submitted to complete the application.
4. When the application is deemed complete, a more comprehensive review of the application will be conducted by appropriate City departments. Staff will work closely with the applicant to resolve any issues related to the project. Every effort will be made by Staff to quickly identify reasonable solutions to any issues which may be created by the development standards established specifically for the Village Redevelopment Area and/or the City as a whole. Staff will also work closely with the applicant to resolve any design issues which may be related to the proposed project. Once identified issues are resolved, Housing and Redevelopment Staff will prepare the appropriate project reports , including staff recommendations , and forward them to the Design Review Board and/or Housing and Commission for action. The Planning Department shall be responsible for completing the appropriate environmental review and applicable documentation to be included within the staff report. The Housing and Redevelopment Director shall set the agenda and schedule the project for review by the Design Review Board. The City Manager shall set the agenda and schedule projects for review by the Housing and Redevelopment Commission, as appropriate.
5. If staff and the applicant are unable to satisfactorily resolve specific issues related to the project within a reasonable period of time, the applicant may request that the project application be immediately submitted to the Design Review Board for preliminary consideration. The Design Review Board will provide instructions to the applicant and/or staff as to how the outstanding issues should be resolved or addressed. In the report to the Design Review Board, staff shall outline the unresolved issues and indicate the manner in which both staff and the applicant have proposed to resolve the issues. Within this report, there will be no recommendation regarding approval or denial of the permit or conditions to be placed on the project. This will simply be a working session which allows feedback from the Design Review Board regarding the unresolved issues. Following this review and acting upon instructions of the Design Review Board, staff and the applicant will finalize the project plans and application. The project will then be resubmitted to the Design Review Board for final action, following consideration of any public input and review of appropriate reports, recommendations, and conditions proposed by staff.
6. As required, the redevelopment/coastal development project application will then be forwarded with appropriate reports and recommendations to the Housing and Redevelopment Commission for final action.
7. Once action has been taken by the Design Review Board and/or Housing and Redevelopment Commission, the processing of a minor or major redevelopment or coastal development permit shall be complete. If the application is approved, the Housing and Redevelopment Director shall issue the appropriate redevelopment or coastal development land use permit. The applicant will then be able to complete the process for obtaining applicable building and other permits related to construction of any buildings and on-site or off-site improvements related to the project.

It should be noted that some coastal development permits are subject to appeal to the California Coastal Commission. Specifically, those projects which are located within the "appealable" area of the Village segment of the Coastal Zone. However, in most cases, the Design Review Board or the Housing and Redevelopment Commission will be the final authority on land use permits for development projects within the Village.

Village Redevelopment Area

Housing and Redevelopment Commission  
Policy Statement

General Subject: REDEVELOPMENT PROJECT AREA  
Specific Subject: Economic Assistance and Incentives in  
the Redevelopment Project Area

Policy No. 5  
Date Issued:  
Effective Date:  
Cancellation Date:  
Supersedes No.:  
Page No.: 1 of 4

Copies to: Housing and Redevelopment Commission, City Manager, City Attorney, Housing and  
Redevelopment Director, Department and Division Heads, Employee Bulletin Boards, Press, File.

**BACKGROUND:**

Although the Carlsbad Village Redevelopment Area is relatively small (approximately 200 acres), there is a significant potential for economic growth. The construction, renovation and improvement of property within the area has provided jobs and enhanced real estate values for the residents of the area, and created tax revenues for the City and Redevelopment agency. The primary purpose of the Redevelopment Agency is to encourage this type of economic development and improvement in the quality of life in the project area.

From time to time the Redevelopment Area has the opportunity to attract business or promote development that will provide a significant benefit in the form of increased employment, elimination of blight or blighting influences, and/or the creation of significant tax revenues to the Redevelopment Agency and City of Carlsbad. Many times there is no action required on the part of the Agency other than assisting to identify a potential site and facilitation of the permit process. These efforts can succeed on their own without governmental assistance.

However, there are also times when the potential development justifies economic assistance or incentives to aid in project feasibility and/or attraction of a project and its associated benefits. In these cases, the role of the Agency may shift from being a facilitator to one of being a more active participant in the development as a lender or investor using public funds.

The Agency has not generally been involved in providing financial assistance, or incentive type funding, to private developers for projects in the Village. Although Redevelopment law permits the Agency to provide financial assistance for projects which provide a public benefit and advance redevelopment objectives, the Agency has focused its financial efforts to date primarily on public infrastructure improvements. With the direction to prepare a Master Plan in 1992 for the Village, it was recognized that the Agency needs to take a more aggressive, proactive approach to redevelopment. This change in approach to redevelopment in the Village was further demonstrated by approval of the 1995-2000 Village Redevelopment Implementation Plan in January 1995, which includes funding to facilitate private commercial development activities.

**PURPOSE:**

- 1) To establish a process and methodology for evaluating cases where economic assistance has been requested for a development proposed for the Village Redevelopment.
- 2) To provide guidance to Agency/City staff for processing financial assistance requests and in making appropriate recommendations to the Housing and Redevelopment Commission, and to provide information to the development and business community on the types of assistance the Agency may consider and the circumstances under which that assistance may be provided to a project.

**POLICY:**

The Housing and Redevelopment Commission may consider extending financial assistance to a private development project in the Village Redevelopment Area on a project by project, case by case basis. Before providing financial assistance to a given development project, the Commission shall find that either 1) an economic need for the assistance has been shown by a project that will further the goals of the Commission, or 2) an important public benefit has been clearly demonstrated which is commensurate with the assistance to be provided to the project.

This policy establishes the assistance and incentive tools available to the Carlsbad Redevelopment Agency, the evaluation process, measures and conditions under which those tools may be considered and utilized by the Housing and Redevelopment Commission, and the process to be used in accepting and evaluating any request for assistance.

The Commission's policy on the use of financial assistance to private projects in the Village Redevelopment Area shall be as follows:

1. The Housing and Redevelopment Commission may consider assisting development in the redevelopment area under the provisions of this policy when, in the Commission's opinion, a development or business in the Redevelopment Area will provide a significant public benefit to the Area.
2. The Housing and Redevelopment Commission shall have the sole discretion to approve or deny a proposal for assistance under this program. The determination of the Commission shall be final.
3. The Applicant shall provide Agency/City staff with all information necessary to properly evaluate the financial assistance proposal. The Housing and Redevelopment Director shall have the authority to request information on behalf of the Commission as may be necessary to complete the evaluation.
4. The Applicant shall provide a full and complete disclosure of all individuals involved in the project, whether owners, partners (general or other), investors, or stock holders.
5. All financial assistance requests/proposals for private development projects will be considered by the Agency/Commission according to the following criteria:
  - A. **Economic need for financial assistance** demonstrated by the development proforma and operating statements for the project. The financial information shall provide, at a minimum, the following:
    - Development Costs
    - Sources of Funds (debt and equity)
    - Operating Costs and Revenues
    - Debt Financing Terms
    - Net Operating Income
    - Return on Investment (return on cost and equity)

- B. The measure of direct economic public benefits generated by the project. These include:
- The number of jobs created by the project and the benefit of such jobs to the Area and the City.
  - The amount of increased sales, property or transient occupancy tax to be received by the Area and/or City as a result of the project.
- C. Redevelopment Benefits which include ways by which the project serves redevelopment objectives through:
- A specific instance of blight elimination or removal of a blighting influence demonstrated by the project and the projected effects (aesthetic and fiscal) of removing such conditons.
  - Creation of a use or uses which serve residents as well as visitors to the Area.
  - The provision of other benefits to the Area which advance other specific objectives outlined within the Village Design Manual and Master Plan Implementation Program for the Redevelopment Area such as creating uses that are complimentary to others in the Area and serve as catalysts with respect to other desired development activity.
6. The financial assistance or incentive tools that may be considered by the Housing and Redevelopment Commission include non-economic or economic assistance in the following forms:

Non-Economic Assistance

- Permit Processing Assistance/Facilitation and/or expedited permit processing; and/or,
- Land use or Development Standards modifications

Economic assistance

- Deferred payment of City fees.
- Low Interest Loans.
- No-interest Deferred or Forgivable Loans with terms to be determined by the Commission based on the evaluation of the subject development project.
- Grants
- Land write-downs

It is acknowledged as part of this policy that there is always some level of risk inherent in providing any type of financial assistance or incentives to a private development project. However, every effort shall be made by Agency/City staff to recommend assistance which is structured to minimize risk to the Agency/Commission and place the Agency/Commission in a secured position with the opportunity for a return on and/or a return of public funds as appropriate. All assistance will be appropriately documented with the advice of the City Attorney and/or Special Redevelopment Counsel.

**PROCEDURES:**

1. It is the intent of the Commission that applicants under this program have an early opportunity for a review of their proposal for compliance with this policy. In that regard, the Commission does hereby direct the creation of the "Redevelopment Assistance Review Committee". The Committee shall consist of the City Manager, Community Development Director, Financial Management Director, and Housing and Redevelopment Director (Chairperson). The Committee shall meet upon the request of the chairperson on an as-needed basis. Committee review shall take place prior to the presentation of a proposal for assistance to the Housing and Redevelopment Commission. Whenever such project is presented to the Commission, it shall be accompanied by a report containing the findings and recommendations of the Committee made in regard to the project. The Committee may require the applicant to provide any additional information necessary to properly evaluate the request.
2. A project proponent desiring assistance from the Redevelopment Agency shall submit a proposal/application requesting the consideration of such assistance to the Housing and Redevelopment Director. The application shall be in the form required by the Housing and Redevelopment Director.
3. The Housing and Redevelopment Director, with the assistance of the Finance Director and other staff as needed, shall prepare an analysis of the proposal/application and a recommendation for consideration by the Redevelopment Assistance Review Committee. If the Committee recommends that the Commission provide assistance to the project, the Housing and Redevelopment Director shall forward the recommendation to the Commission for further consideration and action. This action may be taken prior to approval of the discretionary permits for land use purposes or concurrent with these approvals, whichever is deemed to be appropriate and recommended by the Committee.
4. Upon review of the proposed proposal/application for financial assistance, and after considering the report of the Committee, the Housing and Redevelopment Commission shall determine whether or not to approve the proposal/application.

ORDINANCE NO. NS-330

EXHIBIT "C"  
OCTOBER 4, 1995  
(Revised)

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, AMENDING TITLE 2 AND TITLE 21, CHAPTERS 2.24, 2.26, 21.35, 21.41 AND 21.81 OF THE CARLSBAD MUNICIPAL CODE TO ENSURE CONSISTENCY WITH THE NEW VILLAGE MASTER PLAN AND DESIGN MANUAL TO BE ADOPTED BY THE CITY OF CARLSBAD.

CASE NAME: Village Master Plan and Design Manual

CASE NO: ZCA 95-10/MCA95-01

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

Section 1: That Title 2, Chapter 2.24, Section 2.24.080 is amended to read as follows:

"Whenever in Title 21 it is provided that an action or a decision on a project or permit shall be taken or made by the planning Commission and such permit or project is processed according to Chapter 21.35 and consolidated in the redevelopment permit under Section 21.35.120, then the Design Review Board shall be the Planning Commission with respect to such project or permit."

Section 2: That Title 2, Chapter 2.26, Section 2.26.020 is amended to read as follows:

"The Design Review Board shall consist of five members appointed by the City Council, two (2) members of the Planning Commission; two (2) representatives of the village redevelopment area - one Village property owner and one Village business owner; and one (1) general member with experience in one or more of the following areas: development, construction, real estate, planning or architecture. All members of the Design Review Board must also be residents of the City. The member shall be appointed by the Mayor and confirmed by the City Council. The Community Development Director, the Planning Director, the Housing and Redevelopment Director and the City Attorney shall be ex officio members of the Board. No ex officio members shall be entitled to vote."

"After the initial term, the members shall serve four-year terms; and each member shall serve until their successor is duly appointed and qualified. The initial members of the Board shall serve staggered terms as follows:

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....

- 1 1. One Planning Commission member shall serve for a period of two years;  
2 2. One Representative of the Village Redevelopment Area shall serve for a  
3 period of three years;  
4 3. One Planning Commission member shall serve for a period of four  
5 years;  
6 4. Two Representatives of the Village Redevelopment Area shall serve for a  
7 period of four years.

8 Members shall serve without compensation. Members of the Board may  
9 be removed by the Mayor with the consent of the City Council.

10 Section 3: That Title 2, Chapter 2.26, Section 2.25.050 is amended to  
11 read as follows:

12 "The Design Review Board shall be responsible for the administration of  
13 and shall carry out the duties specified in chapter 21.35 of the Carlsbad  
14 Municipal Code. The Design Review Board shall also act as the planning  
15 Commission as provided in Section 2.24.080 of this code."

16 Section 4: That the existing Chapter 21.35 is hereby repealed and the  
17 new Chapter 21.35 is hereby adopted to read as follows:

18 "Chapter 21.35  
19 V-R VILLAGE REDEVELOPMENT ZONE

20 Sections:

- 21 21.35.010 Intent and Purpose  
22 21.35.020 Incorporation of Redevelopment Plan and Village Master Plan and  
23 Design Manual by reference.  
24 21.35.030 Land affected by this chapter.  
25 21.35.040 Permitted uses.  
26 21.35.050 Provisional Uses.  
27 21.35.060 General Regulations.  
28 21.35.070 Redevelopment permit.  
21.35.080 Redevelopment projects.  
21.35.085 Permit application.  
21.35.090 Director action  
21.35.100 Design Review Board action.  
21.35.110 Appeal to Housing and Redevelopment Commission.  
21.35.115 Housing and Redevelopment Commission action.  
21.35.117 Notice of Public Hearings  
21.35.120 Consolidation of other permit requirements.  
21.35.130 Variances.  
21.35.140 Compliance with other provisions of this code.  
21.35.150 Amendments.

1       **21.35.010     Intent and purpose.**

2       The Village redevelopment zone is intended to establish land use classifications and  
3       develop standards and procedures for that area of the city described in the Carlsbad  
4       Village Area Redevelopment Plan, as adopted by City Council Ordinance No. 9591.  
5       This zone adopts the land use classifications and development standards of the  
6       Carlsbad Village Area Redevelopment Plan and of the Village Master Plan and Design  
7       Manual adopted pursuant to the Redevelopment Plan as the zoning for the area  
8       designated.

9       **21.35.020     Incorporation of Redevelopment Plan and Village Master Plan and  
10       Design Manual by reference.**

11       The Carlsbad Village Area Redevelopment Plan as adopted by Carlsbad City Council  
12       Ordinance No. 9591 and the Village Master Plan and Design Manual as adopted by  
13       Carlsbad Housing and Redevelopment Commission Resolution No. 271 are hereby  
14       adopted by reference and incorporated into this chapter.

15       **21.35.030     Land affected by this chapter.**

16       This chapter shall apply only to lands located within the boundaries of the Carlsbad  
17       village area, the boundaries of which are described in the Carlsbad Village Area  
18       Redevelopment Plan.

19       **21.35.040     Permitted uses.**

20       Only those uses specified in the Carlsbad Village Area Redevelopment Plan and the  
21       Village Master Plan and Design Manual as permitted uses for particular property in the  
22       Village Redevelopment Area shall be permitted.

23       **21.35.050     Provisional uses.**

24       Uses permitted as provisional uses by the Carlsbad Village Area Redevelopment Plan  
25       and the Village Master Plan and Design Manual shall be permitted upon issuance of a  
26       redevelopment permit approved according to this chapter.

27       **21.35.060     General regulations.**

28       Subject to the provisions of Section 21.35.130 and except as otherwise provided by  
29       the Carlsbad village Redevelopment Plan or the Village Master Plan and Design  
30       Manual, the regulations of this title which apply to uses generally or generally to all  
31       zoning classifications shall apply to property and uses in this zone.

32       **21.35.070     Redevelopment permit.**

33       Unless otherwise determined to be an exempt project pursuant to Section 21.35.080,  
34       no development shall occur in the area subject to this chapter without a  
35       redevelopment permit.

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1       **21.35.080     Redevelopment projects.**

2       (a)   Exempt project. No redevelopment permit shall be required for an exempt  
3       project. An exempt project is one which is exempt from the requirement to obtain a  
4       coastal development permit in accordance with section 21.81.030; and requires no  
5       other discretionary approvals, except an administrative variance within the authority of  
6       either the Director of Planning or the Housing and Redevelopment Director.

7       There are three types of redevelopment permits required for non-exempt projects. One  
8       permit for each type of redevelopment project described as follows:

9       (b)   Administrative Redevelopment Project. An administrative redevelopment project  
10       is one which involves development with an estimated permit value of less than  
11       \$60,000, and requires no other discretionary approvals, except an administrative  
12       variance within the authority of either the Director of planning or the Director,  
13       including, but not limited to:

14       (1)   New construction of building(s) or addition(s) to the building footprint; and/or

15       (2)   Interior or Exterior Improvements to existing structures which result in an  
16       intensity of use; and/or

17       (3)   Provisional Land Uses, where a minor or major redevelopment permit is not  
18       required; and/or

19       (4)   Changes in permitted land uses which result in site changes, increased ADT,  
20       increased parking requirements, or result in compatibility issues/problems; and/or

21       (5)   Signs for existing businesses or facilities; and/or

22       (6)   Repair or Maintenance Activities which are not exempt projects..

23       (c)   Minor Redevelopment Project. A minor redevelopment project is one which  
24       does not qualify as an Administrative Redevelopment Project and involves  
25       development with an estimated permit value of \$60,000 or more but less than  
26       \$150,000.

27       (d)   Major Redevelopment Project. A major redevelopment project is one which  
28       involves development with an estimated permit value of \$150,000 or more.

1       **21.35.085     Permit Application**

2       (a)   An application for a redevelopment permit for a non-exempt project as defined  
3       in Section 21.35.080 may be made by the record owner or owners of the property, or  
4       the authorized agent or agents for the property, on which the development is  
5       proposed. The application shall be filed with the Director upon forms provided by the  
6       Director, and shall be processed in accordance with the provisions of Section  
7       21.54.010 of this code.

8       (b)   If signatures of persons other than the owners of property making the  
9       application are required or offered in support of, or in opposition to, an application,  
10       they may be received as evidence of notice having been served upon them of the  
11       pending application, or as evidence of their opinion on the pending issue, but they  
12       shall in no case infringe upon the free exercise of the powers vested in the city as  
13       represented by the Design Review Board and the Housing and Redevelopment  
14       Commission.

15       (c)   The application shall be accompanied by a fee in the amount established by  
16       City Council resolution. No application shall be accepted or deemed accepted until the  
17       appropriate fee or fees have been paid.

1       **21.35.090     Housing and Redevelopment Director action.**

2       (a)     After the application has been accepted as complete the Director shall  
3       determine if the project is exempt from the requirements of this chapter pursuant to  
4       Section 21.35.080. No permit shall be required for a project which is exempt from the  
5       requirements of this chapter.

6       The Director shall determine the exemption based on the certified Local  
7       Coastal Program, including maps, categorical exclusions and other exemptions, land  
8       use designations, zoning ordinances and the Village Master Plan and Design Manual.  
9       In granting an exemption, the Director may impose such conditions as are necessary  
10      to protect the public health, safety and welfare.

11      The Director shall inform the applicant whether the project is exempt within 10  
12      calendar days of the determination that the application is complete. The decision of  
13      the Director on all exempt determinations is final, (subject to the potential dispute  
14      resolution process as provided in section 21.81.050).

15      The Director shall maintain a record of all determinations made on projects  
16      exempt from the requirements of this chapter. The records shall include the applicant's  
17      name, an indication that the project is located in the village area, the location of the  
18      project, and a brief description of the project. The record shall also include the reason  
19      for exemption.

20      (b)     The Director may approve, conditionally approve or deny administrative  
21      redevelopment permits as defined in Section 21.35.080, subject to appeal to the  
22      Design Review Board.

23      (c)     After all necessary reports and recommendations have been received the  
24      Director shall transmit the application for a minor or major redevelopment permit  
25      together with the reports and the recommendations of the appropriate departments to  
26      the Design Review Board for a public hearing.

27      (d)     The Director shall transmit to the Design Review Board all timely appeals on  
28      administrative permits and administrative variances.

29      (e)     The Director may grant, conditionally grant or deny applications for the types of  
30      administrative variances set forth in Section 21.51.020 of this code and in accordance  
31      with the procedures provided in Chapter 21.51 of this code, except that the Director  
32      and the Design Review Board shall serve as the appropriate approving bodies for  
33      projects within the Village Redevelopment Area. If the project includes other  
34      discretionary approvals outside the Director's authority, the Director shall set the  
35      consolidated project for public hearing by the Design Review Board.

36      (f)     The Director's decision or determination shall be made in writing. The date of  
37      the decision shall be the date the writing containing the decision or determination is  
38      mailed or otherwise delivered to the person or persons affected by the decision or  
39      determination.

40      **21.35.100     Design Review Board action.**

- 41      (a)     The Design Review Board shall hold a public hearing on:
- 42           (1) appeals of decisions made by the Director on administrative redevelopment
  - 43           permits as defined in Section 21.35.080 or administrative variances.
  - 44           (2) minor or major redevelopment permits and
  - 45           (3) non-administrative variances for which the Board has final decision making
  - 46           authority pursuant to Section 21.35.130(b)..

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1 (b) The decision of the Board shall be made in writing. The date of the decision  
2 shall be the date the writing containing the decision or determination is mailed or  
3 otherwise delivered to the person or persons affected by the decision or  
4 determination.

5 (c) Except for reports and recommendations on Major Redevelopment Permits and  
6 decisions on appeals of Director decisions, all Board decisions may be appealed to  
7 the Housing and Redevelopment Commission.

8 (d) For major redevelopment projects, the Board shall consider the evidence and  
9 by resolution report and recommend to the Housing and Redevelopment Commission  
10 approval, conditional approval, or denial of the project. Such resolution shall state,  
11 among other things, the facts and reasons why the Board determined the approval,  
12 conditional approval or denial to be consistent with this chapter. The action to  
13 approve, conditionally approve or deny is advisory to the Commission and the City  
14 Clerk shall set the matters to public hearing before the Commission within thirty days  
15 after adoption of the resolution.

#### 9 **21.35.110 Appeal to Housing and Redevelopment Commission**

10 Except as provided in Section 21.35.100(c), the action of the Design Review Board is  
11 final and effective ten calendar days after the adoption of the resolution of decision  
12 unless an interested person appeals a Design Review Board decision on a minor  
13 project or non-administrative variance or by filing a written appeal with the City Clerk  
14 within such ten-day period.

15 An individual member of the Housing and Redevelopment Commission can be an  
16 interested person for the purposes of appeal. The written appeal shall specifically state  
17 the reason or reasons for the appeal and the manner in which the decision of the  
18 Design Review Board is in error. The decision of the Design Review Board shall be  
19 affirmed by the Housing and Redevelopment Commission unless the appellant shows  
20 by a preponderance of the evidence that the decision of the Design Review Board is in  
21 error, inconsistent with state law, the Carlsbad Village Redevelopment Plan, the  
22 General Plan or any applicable specific plan, master plan, zoning ordinance or policy  
23 of the City or Housing and Redevelopment Commission. The filing of an appeal shall  
24 stay the effective date of the Design Review Board decision until such time as the  
25 Housing and Redevelopment Commission has acted on the appeal.

26 Fees for filing an appeal under this section shall be established by resolution of the  
27 City Council.

#### 28 **21.35.115 Housing and Redevelopment Commission action.**

The Housing and Redevelopment Commission shall hold a public hearing on:

(a) any major redevelopment permit for which the Design Review Board has filed a  
report and recommendation with the City Clerk; or

(b) any other matter made appealable to the Commission by this Chapter and  
which has been timely appealed.

#### **21.35.117 Notice of Public Hearings**

Notice of any public hearing required by this Chapter shall be given as provided in  
Section 21.54.060(1) of this code.

1           **21.35.120    Consolidation of other permits and discretionary approvals;**  
2                           **Findings requirements.**

3           (a) Whenever a project would require a permit or approval under the provisions of  
4 this title, notwithstanding this chapter, the redevelopment permit shall be deemed to  
5 satisfy the requirements for such permit or approval; provided, however, that in  
6 considering the redevelopment permit for said project the Director, Design Review  
7 Board and the Housing and Redevelopment Commission shall apply the provisions of  
8 this chapter and the provisions of this title otherwise applicable to such other permit or  
9 approval for the project.

10           (b) Whenever a project consists only of exemption determinations and/or  
11 administrative permits or administrative variances within the authority of either the  
12 Director of planning or the Director, they shall be consolidated and considered by the  
13 Director, subject to appeal to the Design Review Board with regard to determinations  
14 other than exemptions.

15           (c) If the project includes permits or other discretionary approvals outside the  
16 Director's administrative permit or administrative variance authority, the administrative  
17 permit and/or administrative variance aspects shall be consolidated with the other  
18 matters and submitted to the Design Review Board.

19           (d) No variance, determination of exemption or administrative, minor or major  
20 redevelopment permit shall be granted unless the decisionmaker finds, in addition to  
21 any other findings otherwise required for the project, that the project as approved, or  
22 conditionally approved is consistent with this code, the general plan, the Carlsbad  
23 Village Area Redevelopment Plan and the Village Master Plan and Design Manual.

24           **21.35.130    Variances.**

25           (a) The Housing and Redevelopment Commission may grant variances from the  
26 limits, restrictions and controls established by this chapter for major redevelopment  
27 permits if the Commission finds that:

28           (1) The application of certain provisions of this chapter will result in practical  
difficulties or unnecessary hardships which would make development inconsistent with  
the general purpose and intent of the Carlsbad Village Area Redevelopment Plan;

(2) There are exceptional circumstances or conditions unique to the property or  
the proposed development which do not generally apply to other properties or  
developments which have the same standards, restrictions and controls;

(3) The granting of a variance will not be injurious or materially detrimental to the  
public welfare, other properties or improvements in the project area; and

(4) The granting of an variance will not contradict the standards established in the  
Village Master Plan and Design Manual. An application for exemption shall be  
processed in the same manner established by this chapter for a redevelopment  
permit. In granting a variance, the Housing and Redevelopment Commission may  
impose such conditions as are necessary to protect the public health, safety and  
welfare.

(b) The Design Review Board may grant variances from the limits, restrictions and  
controls established by this chapter for minor redevelopment projects (or otherwise  
administrative projects consolidated or on appeal from a Director decision), if the  
Board makes the variance findings set forth above.

(c) The Director may grant administrative variances in accordance with Section  
21.35.090(e), if the Director makes the findings set forth above.

1       **21.35.140     Compliance with other provisions of the code.**

2       Projects developed pursuant to this chapter shall be subject to the provisions of the  
3       Carlsbad Village Area Redevelopment Plan and the Village Master Plan and Design  
4       Manual and all other applicable provisions of the Carlsbad Municipal Code, including  
5       but not limited to those provisions of Titles 18, 19 and 20.

6       **21.35.150     Amendments.**

7       Amendments to the Carlsbad Village Area Redevelopment Plan or the Village Master  
8       Plan and Design Manual shall be deemed to be amendments to this chapter;  
9       provided, however, that such amendments are processed and noticed in a manner  
10       which meets the requirements of Chapter 21.52 of this code. Amendment of the  
11       Village Master Plan and Design Manual by Housing and Redevelopment Commission  
12       resolution shall be deemed to satisfy the requirements of Chapter 21.52 of this code;  
13       provided all other requirements are met."

14               Section 5:     That Title 21, Chapter 21.41, Section 21.41.010(a) is amended to  
15       read as follows:

16               "(a)     The provisions of this chapter shall apply generally to all zones  
17       established by this title, except as provided in Chapter 5 of the Village Master Plan and  
18       Design Manual for the Village Redevelopment Zone."

19               Section 6:     That the existing Chapter 21.81 is hereby repealed and the new  
20       Chapter 21.81 is hereby adopted to read as follows:

21       **\*Chapter 21.81**  
22       **COASTAL DEVELOPMENT PERMITS -**  
23       **Village Redevelopment Area**

24       **Sections:**

- 25       **21.81.010     Definitions**
- 26       **21.81.020     Permit required.**
- 27       **21.81.030     Development exempt from coastal development permit procedures.**
- 28       **21.81.035     Repair and maintenance activities requiring coastal development  
                    permit.**
- 29       **21.81.040     Application.**
- 30       **21.81.050     Duties of Housing and Redevelopment Director; exemptions;  
                    emergency permits..**
- 31       **21.81.055     Administrative Coastal Development Permits.**
- 32       **21.81.060     Transmittal to Design Review Board.**
- 33       **21.81.070     Design Review Board action.**
- 34       **21.81.080     Appeal of Carlsbad Design Review Board decision.**
- 35       **21.81.090     Housing and Redevelopment Commission action.**
- 36       **21.81.100     Public hearings.**
- 37       **21.81.110     Appeals to Coastal Commission.**
- 38       **21.81.115     Coastal development permits issued by Coastal Commission.**
- 39       **21.81.120     Notice of final local action.**

- 1 21.81.130 Effective date of permit.  
2 21.81.140 Review of recorded documents.  
3 21.81.150 Applications for emergency permits.  
4 21.81.160 Expiration of coastal permits.  
5 21.81.165 Amendment to coastal development permit.  
6 21.81.170 Severability.

7 **21.81.010 Definitions**

8 (a) Coastal Zone. "Coastal Zone" is defined as that portion of the Carlsbad coastal zone located within the area of the city described on the Carlsbad Village Area Redevelopment Plan as adopted by city of Carlsbad Ordinance No. 9591 and shown on the map entitled Village Redevelopment Area segment of the Carlsbad coastal zone dated December 19, 1983 and on file in the land use planning office.

9 (b) Coastal Commission. "Coastal Commission" means the California Coastal Commission.

10 (c) Development. "Development" means on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waster; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including but not limited to, subdivision pursuant to the Subdivision Map Act and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of private, public, or municipal utility, and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electric power transmission and distribution line.

17 (d) Major Energy Facility. "Major energy facility" means any energy facility as defined by Public Resources Code Section 30107 and exceeding one hundred thousand dollars in estimated cost of construction.

18 (e) Major Public Works project. "Major public works project" means any public works project as defined by Title 14 California Code of Regulations Section 13012 and exceeding one hundred thousand dollars in estimated cost of construction.

21 **21.81.020 Permit required.**

22 Unless a development is exempt from coastal development permit procedures pursuant to Section 21.81.030, no development shall occur in the coastal zone without a permit having first been issued according to the provisions of this chapter.

24 **21.81.030 Development exempt from coastal development permit procedures.**

25 (a) Categorical Exclusions.

26 (1) A permit issued for a development which is categorically excluded from the coastal development permit requirements pursuant to California Public Resources Code Section 30610, shall be exempt from the requirement of this chapter.

1 (D) Any significant alteration of land forms including removal or placement of  
2 vegetation on a beach, wetland, or sand dune, or within one hundred feet of the edge  
of a coastal bluff or stream except as provided in subsection (b)(3) of this section.

3 (3) The following improvements are exempt from the requirements of a coastal  
4 permit regardless of location:

5 (A) Landscaping on the lot unless the landscaping could result in erosion or  
6 damage to sensitive habitat areas;

7 (B) Additions resulting in a cumulative increase of less than ten percent of the  
8 internal floor area of an existing structure;

9 (C) Repair or maintenance activities not described in Section 21.81.035;

10 (D) Activities of public utilities as specified in the Repair, Maintenance and Utility  
11 Hook-Up Exclusion adopted by the Coastal Commission, September 5, 1978, and as  
12 modified from time to time.

13 **21.81.035 Repair and maintenance activities requiring a coastal development  
14 permit.**

15 (a) The following repair and maintenance activities require a coastal development  
16 permit because they involve a risk of substantial adverse environmental impact:

17 (1) Any method of repair or maintenance of a seawall, revetment, bluff retaining  
18 wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:

19 (A) Repair or maintenance involving substantial alteration of the foundation of the  
20 protective work including pilings and other surface or subsurface structures;

21 (B) The placement, whether temporary or permanent, of rip-rap, artificial berms of  
22 sand or other beach materials, on a beach or in coastal waters, streams, wetlands,  
23 estuaries and lakes or on a shoreline protective work except for agricultural dikes  
within enclosed bays or estuaries;

24 (C) The replacement of twenty percent or more of the materials of an existing  
25 structure with materials of a different kind; or

26 (D) The presence, whether temporary or permanent, of mechanized construction  
27 equipment or construction materials on any sandy area or bluff or within twenty feet of  
28 coastal waters or streams.

(2) Any method of routine maintenance dredging that involves:

(A) The dredging of one hundred thousand cubic yards or more within a twelve-  
month period;

(B) The placement of dredged spoils of any quantity within an environmentally  
sensitive habitat area, on any sand area, within fifty feet of the edge of a coastal bluff  
or environmentally sensitive area, or within twenty feet of coastal waters or streams; or

(C) The removal, sale or disposal of dredged spoils of any quantity that would be  
suitable for beach nourishment in an area the Commission has declared by resolution  
to have a critically short sand supply that must be maintained for protection of  
structures, coastal access or public recreational use.

(3) Any repair or maintenance to facilities or structures or work located in an  
environmentally sensitive habitat area, any sand area, within fifty feet of the edge of a  
coastal bluff or environmentally sensitive habitat area, or within twenty feet of coastal  
waters or streams that include:

(A) The placement or removal, whether temporary or permanent, of rip-rap, rocks,  
sand or other beach materials or any other forms of solid materials;

(B) The presence, whether temporary or permanent, of mechanized equipment or  
construction materials. All repair and maintenance activities governed by the above

1 provisions shall be subject to the permit regulations promulgated pursuant to the  
2 California Coastal Act of 1976, including, but not limited to, the regulations governing  
3 administrative and emergency permits. The provisions of this section shall not be  
4 applicable to those activities specifically described in the document entitled Repair,  
5 Maintenance, and Utility Hook-ups, adopted by the Coastal Commission on  
6 September 5, 1978.

7 (b) Unless destroyed by natural disaster, the replacement of fifty percent or more  
8 of a seawall, revetment, bluff retaining wall, breakwater, groin, or similar protective  
9 work under one ownership is not repair and maintenance under Section 30610(d) but  
10 instead constitutes a replacement structure requiring a coastal development permit.

#### 11 **21.81.040 Application.**

12 Application for a coastal development permit shall be made in accordance with the  
13 procedures set forth in this section.

14 (a) An application for a permit may be made by the record owner or owners of the  
15 property affected or the authorized agent of the owner or owners. The application shall  
16 be filed with the Director upon forms provided by the Director and shall be processed  
17 in accordance with Section 21.54.010 of this Code.

18 (b) At the time of filing the application the applicant shall pay a processing fee in  
19 an amount specified by City Council resolution.

20 (c) If signatures of persons other than the owners of property making the  
21 application are required or offered in support of, or in opposition to, an application,  
22 they may be received as evidence of notice having been served upon them of the  
23 pending application, or as evidence of their opinion on the pending issue, but they  
24 shall in no case infringe upon the free exercise of the powers vested in the city as  
25 represented by the Design Review Board and the Housing and Redevelopment  
26 Commission.

27 The application shall be accompanied by a fee in the amount established by  
28 City Council resolution. No application shall be accepted or deemed accepted until the  
appropriate fee or fees have been paid.

(d) Whenever the development would require a permit or approval under the  
provisions of this title, notwithstanding this chapter, the application shall include  
sufficient information to allow review of such permit or approval. Application for all  
permits or approvals under this title and the coastal permit may be consolidated into  
one application.

(e) The Director may require that the application contain a description of the  
feasible alternatives to the development or mitigation measures which will be  
incorporated into the development to substantially lessen any significant effect on the  
environment which may be caused by the development.

#### 21.81.050 Duties of Housing and Redevelopment Director; exemptions; emergency permits.

(a) After the application has been accepted as complete the Director shall  
determine if the project is exempt from the requirements of this chapter pursuant to  
Section 21.81.030. No permit shall be required for a project which is exempt from the  
requirements of this chapter.

....  
....

1 The Director shall maintain a record of all determinations made on projects  
2 exempt from the requirements of this chapter. The records shall include the applicant's  
3 name, an indication that the project is located in the coastal zone, the location of the  
4 project, and a brief description of the project. The record shall also include the reason  
5 for exemption.

6 The Director shall determine the exemption based on the certified Local  
7 Coastal Program, including maps, categorical exclusions and other exemptions, land  
8 use designations and zoning ordinances.

9 The Director shall inform the applicant whether the project is exempt (and  
10 whether in the "appealable area", if not exempt) within 10 calendar days of the  
11 determination that the application is complete. The written notice to the applicant shall  
12 include advice that, if dissatisfied with the determination, the applicant (or Director) can  
13 request the opinion of the Coastal Commission's Executive Director in accordance with  
14 14 Code of California Regulations section 13569.

15 (b) The Director may issue emergency permits in accordance with section  
16 21.81.150.

#### 17 21.81.055 Administrative Coastal Development Permits

18 (a) The Director may issue all coastal development permits related to  
19 administrative redevelopment permits and administrative variances as defined in  
20 Sections 21.35.070 and 21.35.090(e) of this Code. The coastal development permit  
21 shall be processed concurrently with the administrative redevelopment permit. If the  
22 project includes permits or other discretionary approvals outside the Director's  
23 administrative permit authority, the administrative permit aspects shall be consolidated  
24 with the other matters and submitted to the Design Review Board in accordance with  
25 section 21.81.060.

26 (b) If the project is in the non-appealable area of the coastal zone, the Director  
27 shall give notice of pending development approval in writing, within 10 calendar days  
28 after the application is complete, as follows:

(1) Contents. The notice shall include all the matters required by 14 Code of  
California Regulations Section 13568 (b), including statement of a public comment  
period of at least 10 calendar days sufficient to receive and consider comments  
submitted by mail prior to the date established for the decision.

(2) Recipients. The notice shall be sent by first class mail to:

(A) Any person requesting to be on the mailing list for the project or for  
coastal decisions; and

(B) All property owners and residents within 100 feet of the project  
perimeter; and

(C) the Coastal Commission.

(c) The Director may approve, approve with conditions, or deny the permit. The  
decision shall be based upon the requirements of, and shall include specific factual  
findings supporting whether the project is or is not in conformity with, the certified  
Local Coastal Program (and, if applicable, with the public access and recreation  
policies of Chapter 3 of the Coastal Act ).

(d) The Director's decision shall be the final local action and shall be made in  
writing. The date of the decision shall be the date the writing containing the decision  
or determination is mailed or otherwise delivered to the person or persons affected by  
the decision or determination. The Director shall give notice of the final local decision  
in accordance with Section 21.81.120 of this code.

1 (2) The City Council may designate by resolution, after a public hearing, categories  
2 of development which have no potential for any significant adverse effect, either  
3 individually or cumulatively, on coastal resources or on public access to, or along the  
4 coast. Development which has been so designated shall be categorically exempt from  
5 the provisions of this chapter. The designation of any categorical exemption shall not  
6 be effective until the exemption has been approved by the Coastal Commission. The  
7 planning Director shall keep a record of all permits issued for categorically exempt  
8 projects as specified in subsection (a)(1) of this section.

9 (b) Exempt Projects. In addition to those projects categorically excluded pursuant  
10 to subsection (a), the following projects are exempt from the requirements of a coastal  
11 development permit:

12 (1) Improvements to existing single-family residential building except:

13 (A) On a beach, wetland or seaward of the mean high tide line where the  
14 residence or proposed improvement would encroach within fifty feet of the edge of a  
15 coastal bluff.

16 (B) On property located between the sea and the first public road paralleling the  
17 sea or within 300 feet of the inland extent of any beach or of the mean high tide of the  
18 sea where there is no beach, whichever is the greater distance, or in significant scenic  
19 resources areas as designated by the Commission or regional Commission,  
20 improvement that would result in an increase of 10 percent or more of internal floor  
21 area of an existing structure or an additional improvement of 10 percent or less where  
22 an improvement to the structure had previously been undertaken pursuant to Public  
23 Resources Code Section 10610 (a), or an increase in height by more than 10 percent  
24 of an existing structure and/or any significant non-attached structure such as garages,  
25 fences, shoreline protective works or docks.

26 (C) Any significant alteration of land forms including removal or replacement of  
27 vegetation on a beach, wetland, or sand dune, or within fifty feet of the edge of a  
28 coastal bluff except as provided in subsection (b)(3).

For the purposes of this section an existing single-family residential building  
shall include all appurtenances and other accessory structures, including decks,  
directly attached to the residence; accessory structures or improvements on the  
property normally associated with residences, such as garages, swimming pools,  
fences, storage sheds but not including guest houses or self-contained residential  
units; landscaping on the lot.

(2) Improvements to existing structures other than a single-family residence or  
public works facility except:

(A) On a beach, wetland, stream or lake; seaward of the mean high tide line;  
where the structure or improvement would encroach within fifty feet of the edge of the  
coastal bluff.

(B) On property located between the sea and the first public road paralleling the  
sea or within three hundred feet of the inland extent of any beach or of the mean high  
tide of the sea where there is no beach, whichever is the greater distance, any  
improvement that would result in an increase of 10 percent or more of internal floor  
area of an existing structure or an additional improvement of 10 percent or less where  
an improvement to the structure had previously been undertaken pursuant to Public  
Resources Code Section 10610 (a), or an increase in height by more than 10 percent  
of an existing structure and/or any significant non-attached structure such as garages,  
fences, shoreline protective works or docks.

(C) Any improvement which changes the intensity of use of a structure; and

1 (e) The Director's decision is final unless the decision is appealed by an interested  
2 person to the Design Review Board. An individual member of the Housing and  
3 Redevelopment Commission can be an interested person. The written appeal shall  
4 specifically state the reason or reasons for the appeal and the manner in which the  
5 decision of the Director is in error. The decision of the Director shall be affirmed by  
6 the Design Review Board unless the appellant shows by a preponderance of the  
7 evidence that the decision of the Director is in error, inconsistent with state law, the  
8 General Plan or the Redevelopment Area plan, Village Master Plan and Design  
9 Manual, this zoning ordinance or any policy of the Housing and Redevelopment  
10 Commission or the City. The appeal shall be filed in writing with the secretary of the  
11 Design Review Board within ten calendar days after the date of the Director's decision.  
12 The decision by the Design Review Board on all appeals of the Director's decision  
13 shall be final. The Director shall give notice of final local decision on the appeal in  
14 accordance with section 21.81.120.

15 (e) If the project is within the appealable area of the coastal zone, the Director  
16 shall give notice of a public hearing to be held before the Director to consider said  
17 application in accordance with section 21.81.100. The notice shall contain the matters  
18 and be mailed at the time and in the manner required by 14 CCR section 13565. The  
19 Director shall conduct the public hearing generally in the same manner as a public  
20 hearing before the Design Review Board.

21 Following the public hearing before the Director, the Director shall issue a  
22 written notice of the decision in the same manner and to the same persons as for a  
23 non-appealable area decision set forth in subsections (c) and (d), above. The  
24 Director's decision may be appealed in writing to the Design Review Board in the  
25 same manner as for non-appealable area decision set forth in subsection (e) above.  
26 The Director shall give notice of the final local decision in accordance with 21.81.120.

27 (f) If the project does not qualify for an exemption, an administrative permit or an  
28 emergency permit then the Director shall set the matter for a public hearing before the  
Design Review Board. The coastal permit may be set for hearing concurrently with any  
other discretionary permit or approval for the project.

**21.81.060 Transmittal to Design Review Board.**

Unless the development is exempt, qualifies for an emergency permit, or qualifies for  
an administrative redevelopment/coastal development permit, the Director shall  
transmit the application, together with a recommendation thereon, to the Design  
Review Board and give notice for public hearing thereon in accordance with sections  
21.54.060(1), 21.54.061, and, if applicable, 21.54.070 when all necessary reports and  
processes have been completed. An application for a coastal permit may be  
considered in conjunction with any other discretionary permit or approval required for  
the project.

23 ....  
24 ....  
25 ....  
26 ....  
27 ....  
28 ....

1       **21.81.070     Design Review Board action.**

2       After a public hearing the Design Review Board may approve, conditionally approve or  
3       deny the application, unless the application includes a Major Redevelopment Permit. If  
4       the application includes a Major Redevelopment Permit, the Board's action shall be a  
5       recommendation to the Housing and Redevelopment Commission. No  
6       recommendation for approval, approval or conditional approval shall be given unless  
7       the Design Review Board finds that the development is consistent with the provisions  
8       of the local coastal program for the coastal zone and, if applicable, in conformity with  
9       the public access and public recreation policies of Chapter 3 of the California Coastal  
10       Act.

11       **21.81.080     Appeal of Carlsbad Design Review Board decision.**

12       (a) The action of the Design Review Board is final and effective ten calendar days  
13       after the adoption of the resolution of decision unless the applicant or any other  
14       interested person files a written appeal within that time with the Secretary to the  
15       Housing and Redevelopment Commission. An individual member of the Housing and  
16       Redevelopment Commission can be an interested person. The written appeal shall  
17       specifically state the reason or reasons for the appeal and the manner in which the  
18       decision of the Design Review Board is in error. The decision of the Design Review  
19       Board shall be affirmed by the Housing and Redevelopment Commission unless the  
20       appellant shows by a preponderance of the evidence that the decision of the Design  
21       Review Board is in error, inconsistent with state law, the Village Redevelopment Area  
22       Local Coastal Program, the General Plan or any applicable specific plan, master plan,  
23       zoning ordinance or policy of the City.

24               Upon the filing of an appeal, the City Clerk shall set the matter  
25       for public hearing. Such hearing shall be held within thirty days after the date of filing  
26       the appeal. Within ten calendar days following the conclusion of the hearing, the  
27       Housing and Redevelopment Commission shall render its decision on the appeal. The  
28       decision of the Housing and Redevelopment Commission is final.

29       (b) The decision of the Housing and Redevelopment Commission shall be  
30       consistent with the provisions of this chapter and shall be supported by appropriate  
31       findings.

32       (c) If the development for which a coastal development permit also requires other  
33       discretionary permits or approvals for which the Design Review Board is not given final  
34       approval authority then the Design Review Board action on the coastal development  
35       permit shall be deemed a recommendation to the Housing and Redevelopment  
36       Commission.

37       **21.81.090     Housing and Redevelopment Commission action.**

38       If the application for the coastal development permit is for a Major  
39       Redevelopment/Coastal Development, is consolidated with other discretionary permits  
40       or approvals, pursuant to this code for which the Design Review Board does not have  
41       final approval authority, or is a timely appeal, the Housing and Redevelopment  
42       Commission shall hold a public hearing on the coastal development permit  
43       application. At the public hearing, the Housing and Redevelopment Commission shall  
44       consider the Design Review Board's action or recommendation, shall consider the  
45       evidence presented at the public hearing, review the matter, and shall approve,

1 conditionally approve or disapprove the coastal development permit, approval or  
2 appeal. No approval or conditional approval shall be given unless the Housing and  
3 Redevelopment Commission finds that the development is consistent with the  
4 provisions of the Carlsbad Village Area Redevelopment Plan and the Village Master  
5 Plan and Design Manual as certified by the Coastal Commission and which constitute  
6 the local coastal program, and, if applicable, with the public access and recreation  
7 policies of Chapter 3 of the Coastal Act. The decision of the Housing and  
8 Redevelopment Commission is final.

9  
10 **21.81.100 Public hearings.**

11 Whenever a public hearing is required by this chapter, notice of the hearing shall be  
12 given as provided in Sections 21.54.060(1) and 21.54.061 of this code. When the  
13 hearing on a coastal development permit is consolidated with the hearing on a  
14 tentative map, notice shall satisfy the requirements of both this chapter and Title 20  
15 of this code.

16  
17 **21.81.110 Appeals to Coastal Commission**

18 (a) The following developments, due to their type or location, are within the appeal  
19 jurisdiction of the Coastal Commission. Only decisions approving a coastal  
20 development permit for these developments are appealable to the Coastal  
21 Commission, unless otherwise noted. Exhaustion of all local appeals must occur  
22 before an application may be appealed to the Commission. Areas subject to appeal  
23 jurisdiction are shown on the Post LCP Certification Map which is on file in the  
24 planning department.

25 (1) Developments on property located between the sea and the first public road  
26 paralleling the sea or within three hundred feet of the inland extent of any beach or of  
27 the mean high tide of the sea where there is no beach, whichever is the greater  
28 distance.

(2) Developments on property located within three hundred feet of the top of the  
seaward face of any coastal bluff, or within one hundred feet of any wetland, estuary  
or stream.

(3) Any decision approving or denying a development which constitutes a major  
public works project or a major energy facility.

(b) The appeal shall be filed at the local district office not later than twenty working  
days after the date of the receipt of the noticed final local action by that district office.  
No city permit shall be issued or deemed approved until an appeal, if any, to the  
Coastal Commission has been resolved.

(c) Nonappealable Development. Decisions on applications for developments  
which are not of the type described above are not appealable to the Coastal  
Commission. Decisions denying any Coastal Act permit for an appealable  
development described above are not appealable to the Coastal Commission with the  
exception of decisions on major public works projects and major energy facilities.

29  
30 **21.81.115 Coastal development permits issued by the Coastal Commission.**

31 The Coastal Commission shall have original jurisdiction for all coastal development  
32 permits for development on tidelands, submerged lands and public trust lands,  
33 whether filled or unfilled. Such lands are specified as the area of "original jurisdiction"  
34

1 of the Coastal Commission pursuant to Public Resources Code Section 30519(b), and  
2 are shown on the Post LCP Certification Map which is on file in the planning  
3 department. The applicant for any project which requires a coastal development  
4 permit issued by the Coastal Commission shall obtain discretionary approvals required  
5 by this code prior to filing an application with the Coastal Commission for said coastal  
6 development permit.

7 **21.81.120 Notice of final local action.**

8 Within seven working days of a final local action on an application for any coastal  
9 development, or any approval which occurs by operation of law, the Director shall  
10 provide notice of the action by first class mail to the Coastal Commission and to any  
11 persons who specifically requested notice of such final action by submitting an  
12 addressed, stamped envelope to the city. Such notice shall include any conditions of  
13 approval and written findings and, if the matter is appealable to the Coastal  
14 Commission, procedures for appeal of the local action to the Coastal Commission.

15 **21.81.130 Effective date of permit.**

16 Coastal development permits for projects which are not appealable to the Coastal  
17 Commission shall be valid upon the mailing of the notice of final local action unless  
18 the notice of final local action does not comply with the requirements of Section  
19 21.81.120. Coastal development permits for projects which are appealable to the  
20 Coastal Commission shall be valid upon the expiration of twenty working days from  
21 the date of receipt at the local district office of the notice of final local action provided  
22 that the notice complies with the requirements of Section 21.81.120 and, further  
23 provided, that an appeal of the decision has not been filed with the Coastal  
24 Commission.

25 **21.81.140 Review of recorded documents.**

26 (a) All coastal development permits subject to conditions that require the  
27 recordation of deed restrictions, offers to dedicate or agreements imposing restrictions  
28 on real property shall not be effective until completion of the following procedures:

(1) The City Council shall review, revise if necessary, and accept the easement or  
land.

(2) The City Clerk shall record the requisite legal documents.

(3) The City Clerk, upon recordation of the documents, shall forward a copy of the  
permit conditions, findings of approval, the legal documents pertaining to the public  
access and open space conditions, and a statement as to which private association,  
public agency or city department shall be responsible for the operation and  
maintenance of the accessway or open space/conservation area, to the Executive  
Director of the Coastal Commission.

(b) All coastal development permits subject to conditions of approval pertaining to  
public access and open space or conservation easements shall be subject to review  
and approval by the Executive Director of the Coastal Commission.

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- 1 (1) Upon completion of permit review by the city and prior to the issuance of the permit, the city shall forward a copy of the permit conditions and findings of approval
- 2 and copies of the legal documents to the Executive Director of the Coastal
- 3 Commission for review and approval of the legal adequacy and consistency with the
- 4 requirements of potential accepting agencies;
- 5 (2) The Executive Director of the Coastal Commission shall have fifteen working
- 6 days from receipt of the documents in which to complete the review and notify the
- 7 applicant of recommended revisions if any;
- 8 (3) The city may issue the permit upon expiration of the fifteen working day period
- 9 if notification of inadequacy has not been received by the city within that time period;
- 10 and
- 11 (4) If the Executive Director has recommended revision to the applicant, the permit
- 12 shall not be issued until the deficiencies have been resolved to the satisfaction of the
- 13 Executive Director.

9 **21.81.150 Applications for emergency permits.**

- 10 (a) Applications in case of emergency shall be made by letter to the Director or in
- 11 person or by telephone, if time does not allow. Emergency means a sudden,
- 12 unexpected occurrence demanding immediate action to prevent or mitigate loss or
- 13 damage to life, health, property, or essential public services.
- 14 (b) The following information shall be included in the request:
- 15 (1) Nature of the emergency;
- 16 (2) Cause of the emergency, insofar as this can be established;
- 17 (3) Location of the emergency;
- 18 (4) The remedial, protective, or preventive work required to deal with the
- 19 emergency; and
- 20 (5) The circumstances during the emergency that appeared to justify the cause(s)
- 21 of action taken, including the probable consequences of failing to take action.
- 22 (c) The Director shall verify the facts, including the existence and the nature of the
- 23 emergency, insofar as time allows.
- 24 (d) The Director shall provide public notice of the emergency work, with the extent
- 25 and type of notice determined on the basis of the nature of the emergency.
- 26 (e) The Director may grant an emergency permit upon reasonable terms and
- 27 conditions, including an expiration date and the necessity for a regular permit
- 28 application later, if the Director finds that:
  - (1) An emergency exists that requires action more quickly than permitted by the
  - procedures for administrative permits or for regular permits and the work can and will
  - be completed within thirty days unless otherwise specified by the terms of the permit.
  - (2) Public comment on the proposed emergency action has been reviewed, if time
  - allows; and
  - (3) The work proposed would be consistent with the requirements of the certified
  - land use plan.
- (f) The Director shall report, in writing, to the Design Review Board, at its first
- scheduled meeting after the emergency permit has been issued, the nature of the
- emergency and the work involved. Copies of this report shall be available at the
- meeting and shall be mailed to all persons who have requested such notification in
- writing. The report of the Director shall be informational only; the decision to issue an
- emergency permit is solely at the discretion of the Director subject to the provisions of
- this chapter.

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(g) Any request for an emergency permit within the Coastal Commission area of original jurisdiction as defined in Section 21.81.115 shall be referred to the Coastal Commission for review and issuance.

**21.81.160 Expiration of coastal permits.**

A coastal development permit shall expire on the latest expiration date applicable to any other permit or approval required for the project, including any extension granted for other permits or approvals, but in no event shall this period exceed five (5) years without extension of time, if a building permit has not been issued for the project. Should the project require no permits or approvals other than a coastal development permit, the coastal development permit shall expire one year from its date of approval if a building permit has not been issued for the project during that time.

Not more than ninety or less than forty-five days prior to the expiration of a coastal development permit the permittee may apply to the Design Review Board for an extension of the permit. The application for an extension shall be processed pursuant to the provisions of Sections 21.81.070, 21.81.100 and 21.81.110 of this chapter. An extension shall be approved only if it is found that there has been no change of circumstances in relation to coastal resources since the original granting of the permit. If the Design Review Board finds that there has been a change of circumstances in relation to coastal resources since the original granting of the permit the application for the extension shall be denied or conditionally approved. The decision of the Design Review Board may be appealed pursuant to the provisions of Section 21.81.080. If a complete application for an extension has been timely filed, the Design Review Board or the Housing and Redevelopment Commission on appeal may grant the extension after the expiration date provided that the final decision is made not later than forty-five days after the expiration date.

**21.81.165 Amendment to coastal development permit.**

An amendment to a coastal development permit issued by the city shall be processed in the same manner as an original application for a coastal development permit.

**21.81.170 Severability.**

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part thereof is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this chapter or any part thereof. The City Council declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional.\*

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Section 7: Re-enactment and Continuation.

Sections 4 and 6 of this Ordinance repeal and re-enact Chapters 21.35 and 21.81, respectively. Ordinance repeal shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal for an offense committed under the ordinance repealed. It is the City Council's intention by such re-enactment that there be no break in continuous operation of the old ordinance, and no break in the legal consequences under the old ordinance.

**EFFECTIVE DATE:** This ordinance shall be effective thirty days after its adoption, and the City Clerk shall certify to the adoption of this ordinance and cause it to be published at least once in a local newspaper of general circulation within fifteen days after its adoption. For area within the Coastal Zone segment of the Village Redevelopment Area, this ordinance shall not become effective until approved by the California Coastal Commission.

**OPERATIVE DATE:** Section 2 of this Ordinance shall not become operative until the current terms of the Design Review Board members expire. Upon expiration of the current terms, the initial terms set forth within Section 2.26.020 of the Carlsbad Municipal Code shall become operative. The Mayor with the confirmation of the City Council shall appoint the members and designate the initial terms according to the staggered term schedule set forth in Section 2.26.020 of the Code.

**INTRODUCED AND FIRST READ** at a regular meeting of the Carlsbad City Council on the 5th day of DEC., 1995, and thereafter

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Carlsbad on the 12<sup>th</sup> day of Dec., 1995, by the following vote, to wit:

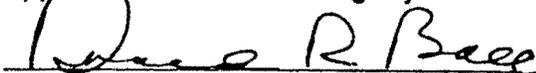
**AYES:** Council Members Lewis, Nygaard, Kulchin, Finilla.

**NOES:** None

**ABSENT:**

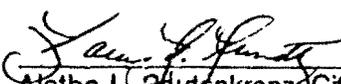
**ABSTAIN:** Council Member Hall.

Approved as to form and legality

  
Ronald R. Ball, City Attorney 12.13.95.

  
CLAUDE A. LEWIS, Mayor

**ATTEST:**

  
Atletha L. Bautekranz, City Clerk

Karen R. Kundtz, Assistant City Clerk