

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA
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 SAN DIEGO, CA 92108-1725
 (619) 521-8036

March 20, 1996



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TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: CHUCK DAMM, SOUTH COAST DISTRICT DIRECTOR
 DEBORAH LEE, ASSISTANT DISTRICT DIRECTOR, SAN DIEGO AREA OFFICE
 BILL PONDER, COASTAL PROGRAM ANALYST, SAN DIEGO AREA OFFICE

SUBJECT: STAFF RECOMMENDATION ON MAJOR AMENDMENT 1-96E (Aviara PAs 5 and 12)
 TO THE CITY OF CARLSBAD LCP MELLO I PROPERTIES SEGMENT (For Public
 Hearing and Possible Commission Action at the Meeting of April 9-12,
 1996)

SYNOPSISSUMMARY OF AMENDMENT REQUEST/HISTORY

The subject amendment request amends the certified Mello I LCP segment. The LCP was submitted concurrent with a specific development proposal, including a Master Plan, for 1,402 acres of the Hunt properties known originally as the Pacific Rim Country Club and Resort, and now referred to as Aviara.

There are two components to the amendment request regarding Planning Areas (PA) 5 and 12 of the Aviara Master Plan. The proposed amendment to Aviara Planning Area #5 allows a land use/product change from multi-family residential to clustered single family homes; proposes development standards for the new single family product type; and revises master plan trail language in the adjacent SDG&E easement. Similarly, the proposed amendment to Aviara Planning Area #12 allows a land use/product change from multi-family to clustered single family homes; and proposes development standards for the new single family product type. No other changes to coastal zone goals, policies or objectives are proposed in either planning area.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends approval of the proposed land use plan amendment, as submitted. The appropriate resolutions and motions may be found on Pages 4 - 5. Since the Master Plan serves as the Land Use Plan and Implementation Program for those portions of Mello I that correspond to the Aviara project, both the Land Use Plan and Implementation Program must be changed to accommodate the proposed amendment. The land use plan amendment findings begin on Page 5 and findings for certification of the implementation plan amendment begin on Page 8.

BACKGROUND

The Carlsbad Local Coastal Program consists of six geographic segments. Pursuant to Sections 30170(f) and 30171 of the Public Resources Code, the Coastal Commission prepared and approved two portions of the LCP, the Mello I

and II segments in 1980 and 1981, respectively. However, the City of Carlsbad found several provisions of the Mello I and II segments unacceptable and declined to adopt the LCP implementing ordinances for the LCP. In October, 1985, the Commission approved major amendments related to steep slope protection and agricultural preservation to the Mello I and II segments, which resolved the major differences between the City and the Coastal Commission. The City then adopted the Mello I and II segments and began working toward certification of all segments of its local coastal program. Since the 1985 action, the Commission has approved many major amendments to the City of Carlsbad LCP.

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

ADDITIONAL INFORMATION

Further information on the City of Carlsbad LCP Amendment #1-96E may be obtained from Bill Ponder, Coastal Planner, at (619) 521-8036.

PART I. OVERVIEW

A. Local Coastal Program History-All Segments.

The City of Carlsbad Local Coastal Program (LCP) consists of six geographic segments: the Agua Hedionda Lagoon LCP segment comprised of approximately 1,100 acres; the Carlsbad Mello I LCP segment with 2,000 acres; the Carlsbad Mello II LCP segment which includes approximately 5,300 acres; the West Batiqitos Lagoon/Sammis Properties LCP segment with 200 acres; the East Batiqitos Lagoon/Hunt Properties LCP segment with 1,000 acres and the Village Area Redevelopment segment with approximately 100 acres. The history of the City's LCP is discussed in its entirety in the Carlsbad LCP Amendment No. 1-96C report also on this agenda; that information is herein incorporated by reference.

B. STANDARD OF REVIEW

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

Section 30512

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

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

C. PUBLIC PARTICIPATION

The City has held Planning Commission and City Council meetings with regard to the various components of the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

PART II. LOCAL COASTAL PROGRAM SUBMITTAL - RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

- A. RESOLUTION I (Resolution to approve certification of the City of Carlsbad Mello I Segment Land Use Plan Amendment 1-95E, as submitted)

MOTION I

I move that the Commission certify the City of Carlsbad Land Use Plan Amendment 1-96E, as submitted.

Staff Recommendation

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

Resolution I

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

- B. RESOLUTION II (Resolution to approve certification of the City of Carlsbad Mello I Segment Implementation Plan Amendment 1-96E, as submitted)

MOTION II

I move that the Commission reject the City of Carlsbad Implementation Plan Amendment 1-96E, as submitted.

Staff Recommendation

Staff recommends a NO vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

Resolution II

The Commission hereby approves certification of the amendment to the City of Carlsbad Local Coastal Program on the grounds that the amendment conforms with, and is adequate to carry out, the provisions of the

certified land use plan. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval would have on the environment.

PART III. FINDINGS FOR APPROVAL OF THE CITY OF CARLSBAD MELLO I LAND USE PLAN AMENDMENT 1-96E

A. AMENDMENT DESCRIPTION/AVIARA PLANNING AREA #5

The proposed amendment to Aviara Planning Area #5 within the Mello I LCP segment allows a land use/product change from multi-family to clustered single family homes; proposes development standards for the new single family product type; and revises master plan trail language in the adjacent SDG&E easement. The project site is located southwest of the intersection of Alga Road and Batiqitos Drive. Currently, the certified Aviara Master Plan allows up to 189 attached multi-family dwelling units in PA 5; 131 detached, but clustered single family units are proposed with this amendment. The amendment also proposes a clarification of the community trail construction requirement for the SDG&E powerline easement located within PA 5; and a correction of existing graphics within the Aviara Master Plan (SDG&E powerline easement is inaccurately shown within PA 4). No other changes to coastal zone goals, policies or objectives are proposed.

B. AMENDMENT DESCRIPTION/AVIARA PLANNING AREA 12

The second part to the amendment allows a land use/product change from multi-family to clustered single family homes; and proposes development standards for the new single family product in Aviara Planning Area #12. The revision to the development standards would permit smaller building separation (10 feet), reduced front setbacks for living areas (10 feet), reduced building height (two stories exclusively) and reduced private street width for courtyards serving four units or less (24 feet). The proposed revisions would not adjust residential density, planning area boundary setbacks, recreation area of parking requirements. The project site is located on the southeast corner of Alga Road and Black Rail Court, between the Four Seasons Resort and Planning Area #13. No other changes to coastal zone goals, policies or objectives are proposed.

C. CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT

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

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

a) Protect, maintain and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.

b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.

c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.

d) Assure priority for coastal-dependent and coastal-related development over other developments on the coast.

e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

D. CHAPTER 3 CONSISTENCY

1. Visual Resources. Section 30251 of the Coastal Act states, in part:

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

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

Regarding the Planning Area 5 amendment, the City proposes to lower the overall maximum building height from 35 to 30 or 24 feet dependent on the roof pitch design. In addition, the present plan would allow some portions of the area to have three-story development; the amendment would only provide for two story development. Therefore, the current amendment would provide for a lower scale of development in this planning area.

Although 189 residential units are allowed in this planning area under the master plan and 147 units were approved under the Commission's last action (CDP #6-90-301), 131 residential units are proposed. This reduction in the

intensity of development on this site will result in reduced visual impacts to the viewshed as building massing and separation would be significantly less intensive than development associated with more units.

Additionally, the Master Plan requires that individual planning areas provide specimen-sized street and accent trees as well as building design standards (varying roof planes, offset second stories) to mitigate the adverse visual impacts to scenic areas. Thus, with the proposed decreased intensity of development allowed on this site and the existing measures in place within the master plan to mitigate the adverse visual impacts of new development, the Commission finds the proposed amendment consistent with Section 30251 of the Coastal Act.

The Planning Area 12 amendment would also revise development standards to limit construction to two-story, 30 ft. high residences. Similar to the PA 5 amendment, the Master Plan presently allows a maximum of 35 feet/3 stories. The project would revise the currently approved 108 unit multifamily residential development to a 101 unit, clustered single family condominium development. The master plan development standards would be revised to reflect the revision; however, no reduction in public facilities, planning area setbacks, parking, landscaping or recreation areas would occur.

The most prominent issue at the local level with respect to this planning area was the views of the neighborhood from nearby homes in Aviara Point (PA 13). To resolve this issue, the City adopted a condition requiring a perimeter retaining wall with landscaping that would be maintained by the Aviara Homeowner's Association. No public views protected under the LCP would be impacted by the amendment. Thus, the Commission finds the proposed amendment for PA 12 can be found consistent with Section 30251 of the Coastal Act.

2. Visitor Uses/Public Recreation/Priority Uses

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

In its certification of the Aviara Master Plan, the Commission found the upland community trail system was a lower cost recreational facility which gives access to the Batiquitos Lagoon North Shore Trail and upland areas within the Aviara holdings. The Commission allowed encroachment into sensitive resources in exchange for the commitment that the upland trail system would go forward to provide public access. Regarding public access/trails in PA 5, two segments of the approved upland community trail system traverse this planning area.

Currently, a major community trail exists along the southeasterly side of Alga Road as a sidewalk. The other trail segment traverses that portion of the SDG&E easement within PA 5. The amendment proposes to add a provision regarding this trail that indicates no certificates of occupancy shall be issued for any residential units or phases located adjacent to the SDG&E easement until the required public trail is constructed and landscaped to the satisfaction of the City. As presently certified, the master plan does not provide for this trail in PA 5. Rather, it is identified as a requirement in PA 4, which is adjacent PA 5 to the southwest. Originally, the master plan identified the trail on PA 4 but the amendment shows it in its correct location within PA 5. There are no public trail or community trail linkages, other than a public sidewalk, in Planning Area 12. In any event, with the assurance that the PA 5 public trail will be built as stipulated, the Commission can find the proposed amendment consistent with the visitor-serving and public recreation sections of the Coastal Act.

3. Resource Preservation.

Section 30240 of the Coastal Act provides for the protection of environmentally sensitive habitat areas and the need to preserve naturally-vegetated steep slopes has been an issue in the Aviara planning areas. The existing certified Aviara Master Plan resulted in the delineation of developable areas within each planning area and required the permanent preservation of designated habitat areas. There are no changes proposed to the deed restricted open space areas already conveyed as part of the original master plan approval and subdivision in this amendment. Although both parts of the amendment request result in a different development pattern, the future projects will still conform to the approved development envelope with no encroachments into adjacent habitat areas. Other resource protection measures (such as erosion controls, grading season restrictions and brush management specifications) will remain in effect. Therefore, the Commission finds that the proposed land use plan can be found consistent with the resource protection policies of Chapter 3.

PART IV. FINDINGS FOR APPROVAL OF THE CITY OF CARLSBAD IMPLEMENTATION PLAN AMENDMENT 1-96E

A. AMENDMENT DESCRIPTION

The Mello I LCP segment includes the use of the Master Plan as the Implementation Program for those portions of the land use plan segments which correspond to the Master Plan. As such, the proposed amendment to the Implementation Program is identical to that of the LUP, as discussed above.

B. FINDINGS FOR CERTIFICATION

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP. In the case of the subject LCP amendment, the Master Plan serves as both the LUP and Implementation Program for those portions of the

Mello I segment that is the subject of the Master Plan. Given that the identical document serves as both the planning and implementation documents, the Commission finds that the proposed amendments are consistent with the corresponding certified land use plan.

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

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

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, or LCP, as amended, does conform with CEQA provisions. In the case of the subject LCP amendment request, the Commission finds that approval of the subject LCP amendment would not result in potentially significant environmental impacts under the meaning of the California Environmental Quality Act. As discussed above, the proposed amendments to the height standards in PAs 5 and 12 are not expected to have any adverse visual impacts as building heights are being lowered and more residential units were approved in the original master plan than what are proposed with the current amendments. Additionally, regarding the upland community trail system, the amendment requires the secondary trail to be built prior to occupancy of units adjacent to the trail. In this way, there is an assurance the trail will be provided in a timely manner. Therefore, the Commission finds that no significant, unmitigable environmental impacts under the meaning of CEQA will result from the approval of the proposed amendment.

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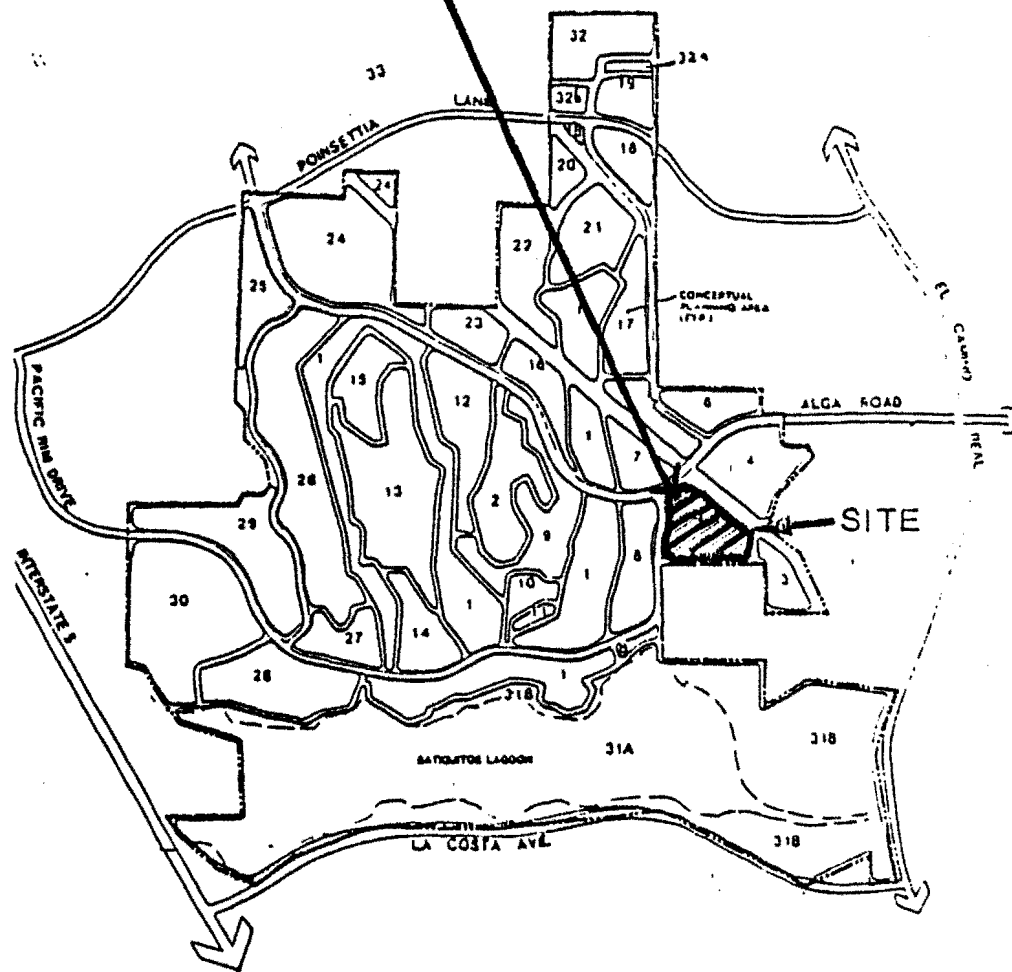
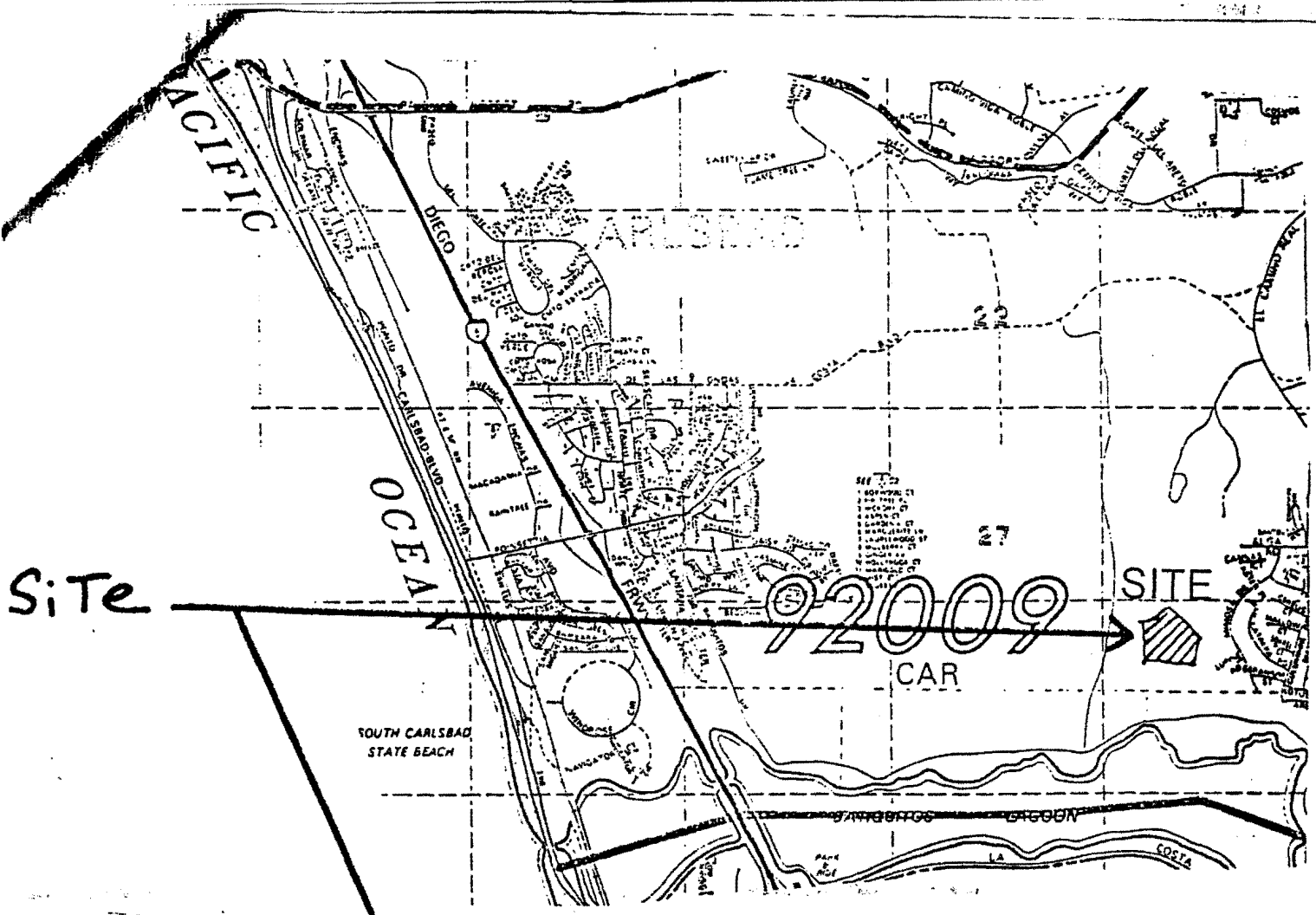


EXHIBIT NO. 1
APPLICATION NO. Carlsbad CPA
1-96E-Avicar Planning Area #5
California Coastal Commission

1 PLANNING COMMISSION RESOLUTION NO. 3833

2 A RESOLUTION OF THE PLANNING COMMISSION OF
3 THE CITY OF CARLSBAD, CALIFORNIA,
4 RECOMMENDING APPROVAL OF A OF A MAJOR
5 MASTER PLAN AMENDMENT TO CHANGE ALLOWED
6 PRODUCT TYPE AND SET NEW DEVELOPMENT
7 STANDARDS TO DEVELOP 131 DETACHED,
8 CLUSTERED AIR SPACE OWNERSHIP SINGLE FAMILY
9 HOMES ON 20 RESIDENTIAL LOTS ON PROPERTY
10 GENERALLY LOCATED AT THE SOUTHEAST CORNER
11 OF THE INTERSECTION OF ALGA ROAD AND
12 BATIQUITOS DRIVE WITHIN PLANNING AREA 5 OF
13 THE AVIARA MASTER PLAN IN THE SOUTHWEST
14 QUADRANT OF THE CITY.

15 CASE NAME: AVIARA - PLANNING AREA 5
16 CASE NO: MP 177(P)

17 WHEREAS, Western Pacific Housing has filed a verified application with the
18 City of Carlsbad which has been referred to the Planning Commission; and

19 WHEREAS, said verified application constitutes a request for a major Master
20 Plan Amendment as provided by Chapter 21.38 of the Carlsbad Municipal Code; and

21 WHEREAS, pursuant to the provisions of the Municipal Code, the Planning
22 Commission did, on the 15th day of November, 1995, consider said request for a Master
23 Plan Amendment on property described as:

24 Lots 95, 96, 97 and 98 of Carlsbad Tract 85-35, Aviara Phase 1 Unit C, in the
25 City of Carlsbad, County of San Diego, State of California, according to Map
26 No. 12411, filed in the Office of the County Recorder of San Diego County on
27 June 29, 1989.

28 WHEREAS, at said public hearing, upon hearing and considering all testimony
and arguments, if any, of all persons desiring to be heard, said Commission considered all
factors relating to MP 177(P).

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning
Commission of the City of Carlsbad as follows:

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

EXHIBIT NO. 2
APPLICATION NO. CPR/CPA
1-96(E) Resolution
California Coastal Commission

1 B) That based on the evidence presented at the public hearing, the Commission
2 **RECOMMENDS APPROVAL** of Master Plan Amendment, MP 177(P), based
3 on the following findings and subject to the following conditions:

4 **Findings:**

5 1. The Planning Commission finds that:

- 6 a. the project is a subsequent development as identified in Section 21083.3 of the
7 California Environmental Quality Act;
- 8 b. the project is consistent with the Avilara Master Plan (MP 177) and the
9 previously approved tentative tract map (CT 90-09) with regard to
10 environmental impacts;
- 11 c. there was an EIR certified (EIR 83-02(A)) and a Conditional Negative
12 Declaration approved in connection with the Avilara Master Plan (MP 177)
13 and the previously approved tentative tract map (CT 90-09);
- 14 d. the project has no new significant environmental effect not analyzed as
15 significant in the prior EIR (EIR 83-02(A)) or the prior Conditional Negative
16 Declaration for CT 90-09;
- 17 e. none of the circumstances requiring a Subsequent or Supplemental EIR under
18 CEQA Guidelines Sections 15162 or 15163 exist;

19 2. The Planning Commission finds that all feasible mitigation measures or project
20 alternatives identified in the EIR (EIR 83-02(A)) and the Conditional Negative
21 Declaration for CT 90-09 which are appropriate to this Subsequent Project have been
22 incorporated into this Subsequent Project.

23 3. The City's MEIR found that air quality and circulation impacts are significant and
24 adverse; therefore, the City Council adopted a statement of overriding
25 considerations. The project is consistent with the General Plan and as to those
26 effects, no additional environmental document is required.

27 4. That the proposed development as described by Master Plan Amendment (MP
28 177(P)) is consistent with the provisions of the General Plan and any applicable
specific plans, in that MP 177(P) only affects one planning area in the Avilara Master
Plan and does not change the designated residential land use; but changes the
product type from attached multi-family to detached clustered single family. The
proposed change is centered on a clustered, detached single family product type with
overall less units than the existing approval for the site. The scope of the proposed
major master plan amendment is consistent with the intent and purpose of the
existing Avilara Master Plan in that: (A) the proposed product type change still
provides a residential development at a comparable density considering current
regulations and approvals for planning area 5; (B) the new development standards

1 which implement the new product type proposal will allow for a functional and well
2 planned community and which, with the exception of a 24 foot wide driveway to serve
3 four detached, clustered single family units, all development standards of the
4 Planned Development Ordinance are complied with; (C) the construction of a master
5 plan trail segment within the SDG&E powerline easement in planning area 5 will be
6 secured by the development of this project; and (D) the changes to the master plan
7 graphics which depict planning areas 4 and 5 will now correctly show the SDG&E
8 easement within planning area 5.

- 6 5. That all necessary public facilities can be provided concurrent with need and
7 adequate provisions have been provided to implement those portions of the Capital
8 Improvement Program applicable to the subject property, in that the subject project
9 site has already been mass graded and is ready for development. In addition, major
10 street systems and infrastructure has already been constructed as part of the master
11 plan buildout. Any other necessary public facilities will be required of the project
12 as appropriate through the conditions of approval and compliance with City
13 standards.
- 12 6. That the residential and open space portions of the community will constitute an
13 environment of sustained desirability and stability, and that it will be in harmony with
14 or provide compatible variety to the character of the surrounding area, and that the
15 sites proposed for public facilities, such as schools, playgrounds and parks, are
16 adequate to serve the anticipated population and appear acceptable to the public
17 authorities having jurisdiction thereof, in that the development of the subject
18 planning area will implement the buildout of the Avilara Master Plan which
19 addresses the residential, open space and public facilities objectives outlined above.
- 17 7. That the proposed commercial and industrial uses will be appropriate in area,
18 location, and overall design to the purpose intended, that the design and
19 development are such as to create an environment of sustained desirability and
20 stability, and that such development will meet performance standards established by
21 Title 21, in that no such commercial or industrial uses are proposed or related to the
22 development of PA 5 with the proposed residential development.
- 21 8. That in the case of institutional, recreational, and other similar nonresidential uses,
22 such development will be proposed, and surrounding areas are protected from any
23 adverse effects from such development, in that no such institutional, recreational, or
24 similar non-residential uses are proposed or related to the development of PA 5 with
25 the proposed residential development.
- 24 9. That the streets and thoroughfares proposed are suitable and adequate to carry the
25 anticipated traffic thereon, in that all applicable City and Engineering standards are
26 complied with by the proposed development for PA 5.
- 27 10. That any proposed commercial development can be justified economically at the
28 location proposed and will provide adequate commercial facilities of the types needed
at such location proposed, in that no such commercial development is proposed or
related to the development of PA 5 with the proposed residential development.

- 1 11. That the area surrounding the development is or can be planned and zoned in
2 coordination and substantial compatibility with the development, in that the
3 development of PA 5 is part of the implementation of a master planned community
4 which is designed to promote compatibility between planning areas and adjacent
5 areas.
- 6 12. That appropriate measures are proposed to mitigate any adverse environmental
7 impact as noted in the adopted Environmental Impact Report for the Aviara Master
8 Plan and the previous environmental review (Mitigated Negative Declaration)
9 performed for the existing approval of CT 90-09, in that any appropriate mitigation
10 measures identified earlier (noise attenuation) have been incorporated into the
11 design of the proposed project so that no significant environmental impacts will
12 occur and no additional mitigation measures are required.

9 Conditions:

- 10 1. The Planning Commission does hereby recommend approval of the Master Plan
11 Amendment, MP 177(P) (Exhibit "X", dated November 15, 1995) for the Aviara
12 Master Plan project entitled "Aviara PA 5 - Western Pacific". (Exhibits "A" - "Q" on
13 file in the Planning Department, dated November 15, 1995), subject to the
14 conditions herein set forth. Staff is authorized and directed to make or require the
15 Developer to make all corrections and modifications to the project's exhibits and/or
16 documents, as necessary to make them internally consistent and conform to City
17 Council's final action on the project. The reference on Exhibit "D" to the 24' wide
18 private street shall be changed to private driveway. Master plan text and graphics
19 replacement pages shall be submitted to the Planning Director in substantial
20 conformance with Exhibit "X" within 30 days after final approval of this project
21 (Coastal Commission action). All references in the applicable portions of the master
22 plan text which references Pacific Rim Drive shall be changed to Batiquitos Drive.
23 Development shall occur substantially as shown on the approved exhibits. Any
24 proposed development substantially different from this approval, shall require an
25 amendment to this approval.
- 26 2. Approval of MP 177(P) is granted subject to the approval of LCPA 95-11, CT 90-
27 09(A), and CP 95-01. MP 177 (P) is subject to all conditions contained in Planning
28 Commission Resolution Nos. 3834, 3835, 3836 for LCPA 95-11, CT 90-09(A), and
CP 95-01 respectively.


1 PASSED, APPROVED, AND ADOPTED at a regular meeting of the
2 Planning Commission of the City of Carlsbad, California, held on the 15th day of November,
3 1995, by the following vote, to wit:

4 AYES: Chairperson Welshons, Commissioners Compas, Monroy, Noble
5 and Savary

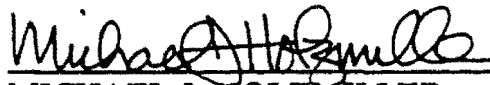
6 NOES: Commissioner Erwin

7 ABSENT: Commissioner Nielsen

8 ABSTAIN: None
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11 _____
12 KIM WELSHONS, Chairperson
13 CARLSBAD PLANNING COMMISSION

14 ATTEST:

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16 _____
17 MICHAEL J. HOLZMILLER
18 Planning Director
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AVIARA MASTER PLAN AMENDMENT - MP 177(P)

(The following amendments are proposed to the Aviara Master Plan in order to add cluster single family units as a permitted use to Planning Area 5, and to add development standards for such units. The proposed development standards are based upon similar standards contained in the Poinsettia Shores Master Plan. A new exhibit, designated as Exhibit V-6a., is also included to graphically depict the concept of clustered single family housing. Proposed additions to the existing Master Plan text are shown in redline type, deletions are shown in strikeout type. The proposed amendments begin on Page 89 of the Master Plan document).

Planning Area 5: Multi-Family ~~Cluster Single Family~~ Residential:

Description:

This 23.8 acre planning area located along the south side of Alga Road permits ~~multi-family~~ cluster single family homes. A 150 foot wide public utility easement serves as an open space buffer with Planning Area 4 to the northeast.

Development Standards: PD

All development in Planning Area 5 shall conform to the development standards of the PD ordinance (Carlsbad Municipal Code, Chapter 21.45.090) unless otherwise noted in this chapter.

Use Allocation:

Maximum of 189 residential units. (7.9 DU/AC)
Private recreation facilities are required in conjunction with the residential units.


Permitted Uses:

~~Multi-family residential~~ Cluster single family housing along with passive and active recreational uses.

Site Development Standards:

Height:

~~The maximum height shall not exceed 35 feet. All heights shall be determined per Section 21.040.065 of the Carlsbad Municipal Code. At least 50% of the structures in this Planning Area shall be no more than two stories in height. Where three story structures are proposed, no more than one half of the structure shall be three stories.~~

EXHIBIT NO. 3
APPLICATION NO. Carlsbad LCPA
1-9 (E) Repland pages
 California Coastal Commission

A maximum of 30 feet and two stories shall be allowed if a minimum roof pitch of 3/12 is provided. If less than a 3/12 roof pitch is provided, the maximum height limit shall be 24 feet and two stories. Building Height shall be measured per the definition contained in Section 21.04.005 of the Carlsbad Municipal Code.

Setbacks:

~~The minimum setback from Alga Road and Pacific Rim Drive for all structures shall be 50 feet. All parking shall be setback a minimum of 35 feet from Alga Road provided that it is fully screened. All other front yard setbacks shall be per Section 21.45.090(b) of the Carlsbad Municipal Code. All structures shall be setback a minimum of 20 feet from the public utility easement. Minimum building separation is 10 feet between one story structures, 15 feet between one and two story structures and 20 feet for two or more story structures. All structures and parking shall be setback a minimum of 20 feet from all internal streets.~~

The minimum setback from Alga Road for all structures shall be 50 feet. The minimum setback from Batiquitos Drive shall be 30 feet for all structures. Minimum distance between homes on common lots shall be 10 feet excluding architectural feature intrusions as allowed by Section 21.45.090(b)5 of the Carlsbad Municipal Code Planned Development Ordinance. Driveways for clustered single family serving four units or less may be 24 feet in width. Garages shall be setback a minimum of 18 feet from 24 foot wide private driveways. Garages facing out onto a private or public street shall be setback a minimum of 20 feet. All structures shall be set back a minimum of 10 feet from private streets excluding architectural feature intrusions as described by Section 21.45.090(b)5 of the Carlsbad Municipal Code Planned Development Ordinance. A graphic depicting a typical cluster plan layout is depicted on Exhibit V-6a.

Parking:

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

Special Design Criteria:

Design:

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

- o As shown on the conceptual site plan for this planning area, the existing natural slopes and tree groves shall be preserved.
- o Strong architectural relief features shall be incorporated into all structures visible from Alga Road and Pacific rim Drive.

- Views to and from the lagoon and back-country shall be preserved.
- Curvilinear streets shall be combined with informal building sitings to strengthen the mediterranean hilltown appearance of the planning area.
- A variety of building massings is encouraged.
- Outdoor courtyards, patios and plazas should be included.
- Special attention shall be given to incorporate the adjacent open space area as an amenity to the neighborhood.
- For cluster single family homes the minimum lineal dimension of outdoor private use areas shall be 15 feet provided that the private use area shall not be less than 225 square feet and this area may be counted toward satisfying private passive recreational area requirements.

Entry Treatment

All entries shall be located along "G" Hummingbird Street. A neighborhood entry way shall be located at the intersection of Pacific Rim Drive and "G" Hummingbird Street.

Fencing:

Traffic noises along Alga Road shall be attenuated through the incorporation of a solid masonry wall, earthen berm or combination of the two. The precise location and construction of this system shall be determined as a result of a noise study for the area. An open fence shall be constructed along the southwestern boundary of the public utility corridor. A solid wall shall be constructed along the southwestern boundary of the public utility corridor. A solid wall shall be constructed along the southerly planning area boundary between Pacific Rim Drive and "G" Hummingbird Street.

Landscape:

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

- Views to and from the golf course and lagoon must be preserved.
- Common streetscape areas shall conform to community requirements. Street trees, landscape planting intensity zones, paving, entry monuments, irrigation systems, walls, fences, lighting, etc., have been predetermined to provide consistency in design and quality.

- Landscape screening of all dwelling units shall be incorporated to soften views of these structures from Alga Road and Pacific Rim Drive.
- Landscaping adjacent to the public utility corridors shall utilize trees, shrubs and walls to visually screen utility structures and provide security and privacy for the homeowner.
- A fire suppression zone subject to the approval of the Planning Director and Fire Marshal shall be established between native/naturalized areas and structures. The fire suppression plan should incorporate structural setbacks from native areas in combination with a program of selective thinning of native vegetation subject to the approval of the Planning Director.
- Where parking lots are provided, a minimum 320 square foot landscaped island shall be provided for every ten parking spaces.
- Existing trees identified during Site Development Plan review shall be preserved.

Street Trees:

Pacific Rim Drive shall be planted with Jacaranda (*Jacaranda acurifolia*). Evergreen Pear (*Pyrus kawakamii*) shall be utilized as a street tree on all other public streets within the planning area.

Fencing/Lighting:

A solid noise attenuation wall shall be located along the school site frontage to Alga Road. Other fencing within the school grounds shall be determined by the Carlsbad Unified School District. Lighting shall be shielded from surrounding streets and neighborhoods.

Landscape:

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

- Views to the golf course and lagoon from adjacent planning areas shall be reasonably preserved.
- Landscape screening of the dwelling units shall be incorporated to soften views of these structures from Alga road and Pacific Rim Drive.
- Common streetscape areas shall conform to community requirements. Street trees, landscape planting intensity zones, paving, entry monuments, irrigation

systems, walls, fences, lighting etc., have been pre-determined to provide consistency in design and quality.

- Landscaping adjacent to the public utility corridors shall utilize trees, shrubs and walls to visually screen utility structures and provide security and privacy for the homeowner.
- A fire suppression zone subject to the approval of the Planning Director and Fire Marshal shall be established between native/naturalized areas and structures. The fire suppression plan should incorporate structural setbacks from native areas in combination with a program of selective thinning of native vegetation subject to the approval of the Planning Director.
- Existing trees identified during Site Development Plan review shall be preserved.
- All open parking located along Alga Road shall be fully landscaped.

Open Space:

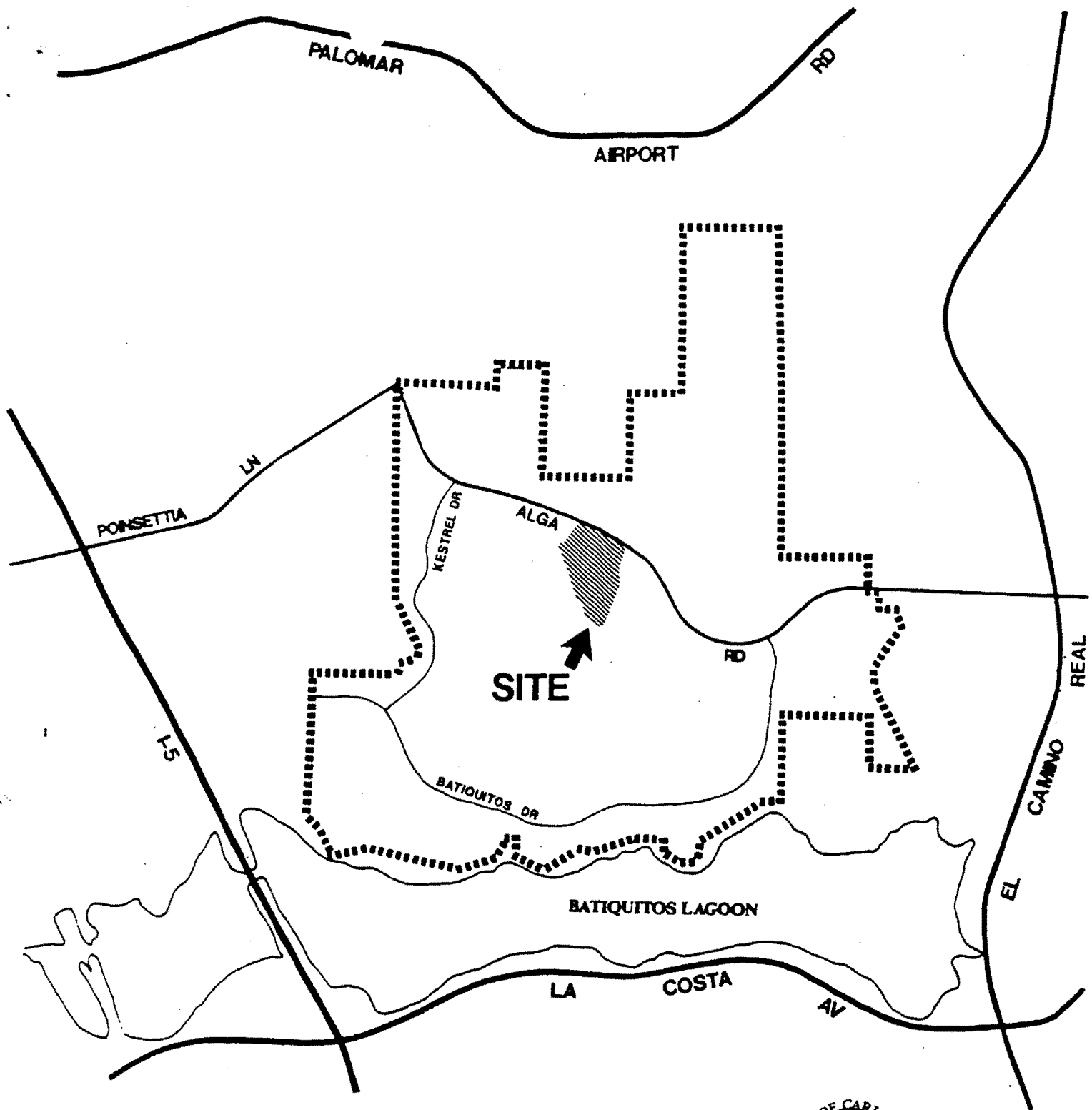
The open space corridor which bisects the planning area in a north-south direction and connects with the public utility corridor in Planning Area 4 shall also be maintained as open space. This area shall include natural slopes and vegetation whenever possible. This open space area shall be maintained by the community open space maintenance district.

Trails:

The major community trail along the southeasterly side of Alga Road (existing sidewalk system) is located in this planning area and shall be constructed as a condition of development. No certificates of occupancy shall be issued for any units or phases located adjacent to the SDG&E easement until the required master plan secondary trail segment within this easement area is constructed and landscaped to the satisfaction of the Planning Director.

Grading:

Any development within this planning area shall comply with the City's Hillside Development Regulations and the slope and resource preservation policies of the underlying local coastal program and subsequent coastal permit. Any application for development within this planning area shall require a slope analysis/biological resource map during Site Development Plan review. Coastal deed restricted areas shall not be subject to any grading.



MAREA - AVIARA P. A. 12

MP 177(L)/LCPA 95-13/CT 89-39(
PUD 89-19(A)

EXHIBIT NO.	1
APPLICATION NO.	Carlsbad LCPA
	1-96(E) location
California Coastal Commission	

1 **PLANNING COMMISSION RESOLUTION NO. 3841**

2 A RESOLUTION OF THE PLANNING COMMISSION OF
3 THE CITY OF CARLSBAD, CALIFORNIA,
4 RECOMMENDING APPROVAL OF A MAJOR LOCAL
5 COASTAL PROGRAM AMENDMENT TO THE
6 IMPLEMENTING ORDINANCE OF THE MELLO LOCAL
7 COASTAL PROGRAM (AVIARA MASTER PLAN) TO
8 ALLOW REVISIONS TO PERMITTED USES AND
9 DEVELOPMENT STANDARDS ON PROPERTY
10 GENERALLY LOCATED SOUTH OF ALGA ROAD,
11 BETWEEN BLACK RAIL COURT AND BLUE HERON
12 DRIVE, WITHIN AVIARA PLANNING AREA 12, IN
13 LOCAL FACILITIES MANAGEMENT ZONE 19.

14 CASE NAME: MAREA
15 CASE NO: LCPA 95-13

16 WHEREAS, California State Law requires that the Local Coastal Program,
17 General Plan, and Zoning for properties in the Coastal Zone be in conformance; and

18 WHEREAS, MP 177 constitutes the zoning for the Aviara Master Plan as well
19 as the implementing ordinance for the subject Coastal Zone property; and

20 WHEREAS, Chanco Development Corp. has filed a verified amendment
21 application to the Local Coastal Program with the Planning Department; and

22 WHEREAS, said verified application constitutes a request for a Local Coastal
23 Program Amendment as provided in Public Resources Code Section 30574 and Article 15
24 of Chapter 8, Subchapter 2, Division 5.5 of Title 14 of the California Code of Regulations
25 (Coastal Commission Administrative Regulations); and

26 WHEREAS, the City in compliance with State Administrative regulations
27 opened a six week public review for the proposed LCP amendment; and

28 WHEREAS, the Planning Commission of the City of Carlsbad, on November
15, 1995 held a public hearing to consider the recommendations
interested in or opposed to Local Coastal Program Amendment L

EXHIBIT NO. 2
APPLICATION NO. Carlsbad LCDA
1-96(E) Reso
California Coastal Commission

1 NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning
2 Commission of the City of Carlsbad as follows:

- 3 A) That the foregoing recitations are true and correct.
- 4 B) That based on the evidence presented at the public hearing, the Commission
5 recommends APPROVAL of Local Coastal Program Amendment, LCPA 95-13,
6 according to Exhibit "X", dated November 15, 1995, which contains master plan text
7 changes as attached to Planning Commission Resolution No. 3840 for MP 177(L)
and based on the following findings and subject to the following conditions:

8 Findings:

- 9 1. The Planning Commission finds that:
- 10 a. the project is a subsequent development as identified in Section 21083.3 of the
11 California Environmental Quality Act;
- 12 b. the project is consistent with the Aviara Master Plan (MP 177) and the
13 previously approved tentative tract map (CT 89-39) with regard to
14 environmental impacts;
- 15 c. there was an EIR certified (EIR 83-02(A)) and a Conditional Negative
16 Declaration approved in connection with the Aviara Master Plan (MP 177)
and the previously approved tentative tract map (CT 89-39);
- 17 d. the project has no new significant environmental effect not analyzed as
18 significant in the prior EIR (EIR 83-02(A)) or the prior Conditional Negative
Declaration for CT 89-39;
- 19 e. none of the circumstances requiring Subsequent or Supplemental EIR under
20 CEQA Guidelines Sections 15162 or 15163 exist;
- 21 2. The Planning Commission finds that all feasible mitigation measures or project
22 alternatives identified in the EIR (EIR 83-02(A)) and the Conditional Negative
23 Declaration for CT 89-39 which are appropriate to this Subsequent Project have been
incorporated into this Subsequent Project.
- 24 3. The City's MEIR found that air quality and circulation impacts are significant and
25 adverse; therefore, the City Council adopted a statement of overriding
26 considerations. The project is consistent with the General Plan and as to those
effects, no additional environmental document is required.
- 27 4. The Planning Commission finds that the project, as conditioned herein for approval,
28 is in conformance with the Elements of the City's General Plan, based on the
following:

- 1 a. Land Use - That the project is consistent with the City's General Plan since
2 the proposed density of 5.5 du/acre is within the density range of 4.0 to 8.0
3 du/acre specified for the site as indicated on the Land Use Element of the
4 General Plan, and is at or below the growth control point of 6.0 du/acre.
- 5 b. Circulation - That the project is consistent with the Circulation Element as
6 the Developer will complete all street improvements prior to occupancy of any
7 unit.
- 8 c. Noise - That the project is consistent with the Noise Element as the
9 Developer will post aircraft notification signs in all sales offices associated
10 with the new development.
- 11 d. Housing - That the project is consistent with the Housing Element of the
12 General Plan and the Inclusionary Housing Ordinance as the Developer has
13 entered into an Affordable Housing Agreement and is satisfying it's fair share
14 of affordable housing through the construction of the Villa Loma project in
15 the southwest quadrant.
- 16 e. Open Space and Conservation - That the project is consistent with the Open
17 Space and Conservation Element as the proposal maintains approved
18 amounts of native habitat, and erosion control during remedial grading
reduces sedimentation of lagoon and the proposal will comply with all
NPDES requirements.
- 19 f. Public Safety - The project is consistent with the Public Safety Element as all
20 buildings will meet UBC and State seismic requirements and all necessary
21 water mains, fire hydrants and appurtenances must be installed prior to
22 occupancy of any unit and all-weather access roads will be maintained
23 throughout construction.
- 24 5. The project is consistent with the City-Wide Facilities and Improvements Plan, the
25 applicable local facilities management plan, and all City public facility policies and
26 ordinances since:
- 27 a. The project has been conditioned to ensure that building permits will not be
28 issued for the project unless the District Engineer determines that sewer
service is available, and building cannot occur within the project unless sewer
service remains available, and the District Engineer is satisfied that the
requirements of the Public Facilities Element of the General Plan have been
met insofar as they apply to sewer service for this project.
- b. Statutory School fees will be paid to ensure the availability of school facilities
in the Carlsbad Unified School District, unless all or a portion of said fees
are waived by the Carlsbad Unified School District.

- 1 c. Park-in-lieu fees are required as a condition of approval, unless previously
2 excluded by the Parks Agreement between the City and Aviara Land
3 Associates, dated June 1, 1989.
- 4 d. All necessary public improvements have been provided or are required as
5 conditions of approval.
- 6 e. The developer has agreed and is required by the inclusion of an appropriate
7 condition to pay a public facilities fee. Performance of that contract and
8 payment of the fee will enable this body to find that public facilities will be
9 available concurrent with need as required by the General Plan.
- 10 6. The project has been conditioned to pay any increase in public facility fee, or new
11 construction tax, or development fees, and has agreed to abide by any additional
12 requirements established by a Local Facilities Management Plan prepared pursuant
13 to Chapter 21.90 of the Carlsbad Municipal Code. This will ensure continued
14 availability of public facilities and will mitigate any cumulative impacts created by the
15 project.
- 16 7. This project has been conditioned to comply with any requirement approved as part
17 of the Local Facilities Management Plan for Zone 19.
- 18 8. That the proposed Local Coastal Program Amendment is consistent with all
19 applicable policies of the Mello I segment of the Carlsbad Local Coastal Program,
20 in that all areas of steep slopes and native vegetation are being preserved.
- 21 9. That the proposed amendments to the implementing ordinance of the Mello I
22 segment of the Carlsbad Local Coastal Program are required to maintain consistency
23 between the Aviara Master Plan and the City's Local Coastal Program.

24 **Planning Conditions:**

- 25 1. The Planning Commission does hereby recommend approval of the Major Local
26 Coastal Program Amendment (Exhibit "X", dated November 15, 1995) for the
27 Clustered Single Family Residential Project entitled "Marea" (Exhibits "A" - "P",
28 dated November-15, 1995) on file in the Planning Department and incorporated by
this reference, subject to the conditions herein set forth. Staff is authorized and
directed to make or require the Developer to make all corrections and modifications
to the Local Coastal Program Amendment documents, as necessary to make them
internally consistent and conform to City Council's final action on the Project.
Development shall occur substantially as shown on the approved exhibits. Any
proposed development substantially different from this approval, shall require an
amendment to this approval.
2. Approval of LCPA 95-13 is granted subject to the approval of MP 177(L), CT 89-
39(A) and PUD 89-19(A). LCPA 95-13 is subject to all conditions contained in

1 Planning Commission Resolution Nos. 3840, 3842 and 3843 for MP 177(L), CT 89-
2 39(A) and PUD 89-19(A) respectively.

- 3 3. Approval of LCPA 95-13 is not effective until it is approved by the California Coastal
4 Commission. If the Coastal Commission approval is substantially different, an
5 amendment to City-issued Major Local Coastal Program Amendment (LCPA 95-13)
6 shall be required.

7 **General Conditions:**

- 8 4. If any of the foregoing conditions fail to occur; or if they are, by their terms, to be
9 implemented and maintained over time; if any of such conditions fail to be so
10 implemented and maintained according to their terms, the City shall have the right
11 to revoke or modify all approvals herein granted; deny or further condition issuance
12 of all future building permits; deny, revoke or further condition all certificates of
13 occupancy issued under the authority of approvals herein granted; institute and
14 prosecute litigation to compel their compliance with said conditions or seek damages
15 for their violation. No vested rights are gained by Developer or a successor in
16 interest by the City's approval of this Resolution.


17 PASSED, APPROVED, AND ADOPTED at a regular meeting of the
18 Planning Commission of the City of Carlsbad, California, held on the 15th day of November,
19 1995, by the following vote, to wit:

20 AYES: Chairperson Welshons, Commissioners Compas, Monroy, Noble
21 and Savary

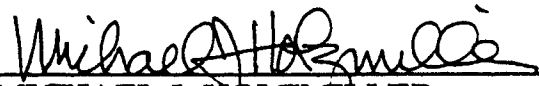
22 NOES: Commissioner Erwin

23 ABSENT: Commissioner Nielsen

24 ABSTAIN: None

25 
26 _____
27 KIM WELSHONS, Chairperson
28 CARLSBAD PLANNING COMMISSION

ATTEST:

29 
30 _____
31 MICHAEL J. HOLZMUELLER
32 Planning Director

AVIARA


MAREA - PLANNING AREA 12

MASTER PLAN AMENDMENT

REPLACEMENT PAGES

MP 177(L)/LCPA 95-13

NOVEMBER 15, 1995

EXHIBIT NO. 3
APPLICATION NO. CARLSBAD LCPA
1-9(E) Replacement Pages
 California Coastal Commission

PLANNING AREA 12: MULTI-FAMILY RESIDENTIAL CLUSTERED SINGLE-FAMILY DETACHED RESIDENTIAL.

DESCRIPTION:

This 26.1 acre planning area provides for ~~multi-family attached housing~~ clustered single family detached residential. The neighborhood fronts upon Alga Road to the northeast and is bounded by the hotel planning area to the east and the 7th and 8th holes of the golf course to the west. The southern portion of this neighborhood will preserve the natural slopes and vegetation.

DEVELOPMENT STANDARDS: PD

All development in Planning Area 12 shall conform to the development standards of the PD ordinance as described in Chapter 21.45.090 of the Carlsbad Municipal Code unless otherwise noted in this chapter.

USE ALLOCATION:

Maximum of 317 residential units (12.1 DU/AC). Private recreation facilities are required in conjunction with the residential units.

PERMITTED USES:

~~Multi-family attached housing~~. Clustered Single family detached housing (condominium ownership).

SITE DEVELOPMENT STANDARDS:

Height:

The maximum height shall not exceed ³⁰~~25~~ feet. All heights shall be determined per Section 21.04.065 of the Carlsbad Municipal Code. ~~At least 50% of the~~ No structures in this Planning Area shall be ~~no~~ more than two stories in height. ~~Where three-story structures are proposed, adequate structural relief and roofline variation shall be incorporated into the structure to reduce the mass.~~

Setbacks:

The minimum setback for all structures from the Alga Road right-of-way shall be 50 feet. The minimum setback for all structures and parking from "J" Street Black Rail Court shall be 30 feet. All parking shall be setback a minimum of 35 feet from Alga Road, provided that it is fully screened. Front yard setbacks within the planning area clusters shall be ~~in conformance with Section 21.45.090(b) of the Carlsbad Municipal Code~~ a minimum of 5 feet. All structures shall be setback a minimum of 20 feet from the planning area boundary. The minimum building separation shall be ~~20~~ 10 feet. All structures shall be setback a minimum of ~~20~~ 10 feet from internal spine streets. All structures shall be setback 20 feet from the fire suppression zone. Units which have garages that front on the main spine internal street shall have a minimum setback of 20 feet to the garage face. All front yard setbacks shall be measured from the back of curb or the back of sidewalk, whichever is closer. All side yards fronting on the cluster driveway shall be a minimum of seven and one-half (7.5) feet. All other side yards and rear yards shall be a minimum of five (5) feet.

Street Width:

The main internal spine street shall be 32 feet wide, with parking on one side. The entrance drive to each cluster of four or fewer units shall be a minimum of 24 feet wide. The entrance drive for clusters of over four units shall be a minimum of 30 feet wide. All private driveways within the clusters and along the main spine street shall a minimum of 20 feet wide.

Parking:

Parking shall conform to the standards of Chapter 21.44 of the Carlsbad Municipal Code. All open parking shall be screened from Alga Road by the use of berming and heavy landscaping.

SPECIAL DESIGN CRITERIA:

Design:

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

- Strong architectural relief features shall be incorporated into the structures visible from Alga Road.
- As shown on the conceptual site plan for this planning area, the identified natural slopes shall be preserved and maintained as open space.
- Curvilinear streets shall be combined with varied structural setbacks to strengthen the Mediterranean hilltown appearance of the planning area clusters.
- Outdoor courtyards, and patios and plazas shall be included.

Entry Treatment:

A neighborhood entry way shall be located on ~~"J" Street~~ Black Rail Court.

Fencing:

Traffic noise attenuation structure may be required adjacent to Alga Road in the form of an approved decorative noise wall, earthen berm or combination of the two. A noise study shall be required prior to the submittal of a building permit to determine the extend of this element. An open fence shall be required at the perimeter of the development area beginning at Alga Road and extending around to ~~"J" Street~~ Black Rail Court.

Landscape:

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

- Views to the golf course and lagoon shall be preserved.
- Landscape screening of structures shall be incorporated to soften the view of these structures from Alga Road.

- Landscape screening shall be required for parking lots located along Alga Road and other internal streets.
- Common streetscape areas shall conform to community requirements. Street trees, landscape planting intensity zones, paving, entry monuments, irrigation systems, walls, fences, lighting,, etc., have been pre-determined to provide consistency in design and quality.
- A fire suppression zone subject to the approval of the Planning Director and Fire Marshal shall be established between native/naturalized areas and structures. The fire suppression plan should incorporate structural setbacks from native areas in combination with a program of selective thinning of native vegetation subject to the of the Planning Director.
- The eastern slope near the hotel entry shall conform to the hotel landscaping criteria.
- Where parking lots are provided, a minimum 320 square foot landscaped island shall be provided for every ten parking spaces.

Street Trees:

Canary Island Pine (*Pinus canariensis*) shall be planted along Alga Road. Queen Palm (*Arecastrum Romanzoffianum*) shall be planted along ~~"J" Street~~ **Black Rail Court**.

Open Space:

The northwest graded slopes adjacent to the 7th hole of the golf course and the graded slopes above the intersection of Alga Road and the resort entry road shall be maintained as open space. The portion of the planning area to the south of the developed area shall be maintained as a natural open space. The above open space areas shall be maintained by the community open space maintenance district.

Trails:

The planning area cluster frontage on Alga Road shall include a segment of the major community trail located along the south side of the street. This segment shall be constructed as a condition of development.

Grading:

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