

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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Thu 12a

February 24, 2005

RECORD PACKET COPY

TO: COMMISSIONERS AND INTERESTED PERSONS

**FROM: DEBORAH LEE, SOUTH COAST DEPUTY DIRECTOR
SHERILYN SARB, DISTRICT MANAGER, SAN DIEGO
BILL PONDER, COASTAL PROGRAM ANALYST**

**SUBJECT: STAFF RECOMMENDATION ON CITY OF CARLSBAD MELLO II
LCP SEGMENT MAJOR AMENDMENT NO. 3-04A (Carlsbad
Ranch) (For Public Hearing and Possible Commission Action at the
Meeting of March 16-18, 2005)**

SYNOPSIS

The subject amendment request revises the certified Carlsbad Local Coastal Program land use plan (LUP) and implementation plan (IP). The LCP amendment submittal includes six additional and separate components involving changes to both the certified LCP land use plan and the implementation plan. Those amendments are not part of this staff report and will be scheduled for Commission hearing at a later date. A time extension for up to one year for Commission action on LCPA #3-04B-G is required by the Commission; and is scheduled as a separate item on the March agenda.

SUMMARY OF AMENDMENT REQUEST

The proposed LCP amendment would change the certified Carlsbad Ranch Specific Plan which governs 433 acres located between Palomar Airport Road and Cannon Road just east of I-5 within the Mello II LUP segment of the Carlsbad Local Coastal Program. The Specific Plan defines the allowable type and intensity of land uses for 18 Planning Areas (PA), provides development and design standards and criteria, and describes implementation methods. The permitted land uses in the Specific Plan area are a mix of non-residential uses which include the LEGOLAND theme park, the Gemological Institute of America campus, a hotel, a destination resort, flower fields, golf course and light manufacturing/offices. The amendment involves changes to PA 5 (resort hotel) and PA 8 (golf course) which would remove the requirement for the developer of PA 5 to build and manage a golf course on PA 8 in conjunction with the resort hotel and removes the requirement that parking for the golf course will be accommodated on PA 5.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending approval of the proposed LCP amendment as submitted.

The appropriate resolutions and motions begin on page 3. The findings for approval of the Land Use Plan/Implementation Plan Amendment as submitted begin on page 4.

ADDITIONAL INFORMATION

Further information on the submittal may be obtained from **Bill Ponder** at the San Diego Area Office of the Coastal Commission at 7575 Metropolitan Drive, Suite 103, San Diego, CA 92108-4402, (619) 767-2370.

PART I. OVERVIEW

A. LCP HISTORY

The City of Carlsbad certified LCP contains six geographic segments as follows: Agua Hedionda, Mello I, Mello II, West Batiquitos Lagoon/Sammis Properties, East Batiquitos Lagoon/Hunt Properties and Village Redevelopment. 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. The West Batiquitos Lagoon/ Sammis Properties segment was certified in 1985. The East Batiquitos Lagoon/Hunt Properties segment was certified in 1988. The Village Redevelopment Area LCP was certified in 1988; the City has been issuing coastal development permits there since that time. On October 21, 1997, the City assumed permit jurisdiction and has been issuing coastal development permits for all segments except Agua Hedionda. The Agua Hedionda Lagoon LCP segment is a deferred certification area until an implementation plan for that segment is certified. The subject amendment request affects the Mello II LCP segment.

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 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

- I. MOTION:** *I move that the Commission certify the City of Carlsbad Mello II Land Use Plan Amendment #3-04A as submitted.*

STAFF RECOMMENDATION TO CERTIFY:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the land use plan amendment as submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY LAND USE PLAN AMENDMENT AS SUBMITTED:

The Commission hereby certifies the Land Use Plan Amendment for the Mello II segment of the certified Carlsbad LCP as submitted and adopts the findings set forth below on grounds that the land use plan will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the land use plan.

- II. MOTION:** *I move that the Commission reject the City of Carlsbad Mello II Implementation Program Amendment as submitted.*

STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Program Amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY IMPLEMENTATION PROGRAM AS SUBMITTED:

The Commission hereby certifies the Implementation Program Amendment for the Mello II segment of the certified Carlsbad LCP as submitted and adopts the findings set forth below on grounds that the Implementation Program Amendment will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act, and certification of the Implementation Program will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Program Amendment.

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

PART III. FINDINGS FOR APPROVAL OF THE CITY OF CARLSBAD MELLO II LAND USE PLAN AND IMPLEMENTATION PLAN AMENDMENT #3-04A, AS SUBMITTED

A. AMENDMENT DESCRIPTION

The proposed LCP amendment would change the certified Carlsbad Ranch Specific Plan which is located within the Mello II LUP segment of the Carlsbad Local Coastal Program. The 433-acre Carlsbad Ranch is located between Palomar Airport Road and Cannon Road just east of I-5. The Commission approved the Carlsbad Ranch Specific Plan in 1993 and as amended in 1996. It provides a comprehensive set of guidelines, regulations and an implementation program to ensure the orderly development of the Carlsbad Ranch. The Specific Plan defines the allowable type and intensity of land uses, provides development and design standards and criteria, and describes implementation methods. The permitted land uses in the Specific Plan area are a mix of non-residential uses which include the LEGOLAND theme park, the Gemological Institute of America campus, a hotel, a destination resort, flower fields, golf course and light manufacturing/offices.

The amendment affects Planning Area 5 and Planning Area 8. The 56-acre Planning Area – 5 (PA 5) is designated in the Specific Plan as a full service destination resort. While currently in agricultural use, PA 5 is planned for 350 hotel rooms, 350 timeshare units, two restaurants, meeting rooms and conference facilities for 2,000 occupants, and various recreational amenities including pools, tennis courts and a sports center. These uses are consistent with the site's Travel Recreation (TR) land use designation which requires visitor serving uses such as hotels, timeshares and other accessory uses.

PA 8 is approximately 72 acres in two non-contiguous areas located west of PA 5. It is currently in agricultural use and is designated as a golf course in the Specific Plan. The Specific Plan requires that the golf course be open to the public and allows the agricultural lands that comprise PA 8 to be converted to a golf course without paying an agricultural mitigation fee provided the lands remain in public open space. The amendment proposes no changes to these provisions.

Currently, the Specific Plan identifies that PA 5 will develop concurrently with a golf course on PA 8. The proposed amendment would remove the obligation for the developer of PA 5 to build a golf course on PA 8 in conjunction with the resort hotel. The golf course was intended to be 18 holes in size and golf holes were to be located within PA 8 and a portion of the SDG&E property located north of Cannon Road. However, today, PA 5 and PA 8 are under separate ownership (with no mutual plans for development) and the SDG&E land is not available for golf course use.

The proposed changes to several sections of the Specific Plan are as follows:

- A 9-hole golf course will be developed in Planning Area 8 ~~concurrent with the development of the resort in Planning Area 5~~. Although privately owned, this golf course will be open to the public.
- Parking spaces for all permitted and ancillary uses shall be provided consistent with Section 21.44 of the Carlsbad Municipal Code. ~~Parking for the golf course will be accommodated in the resort parcel, Planning Area 5, adjacent to the fitness center/clubhouse.~~
- Sophisticated computerized weather and water monitoring and delivery systems and reclaimed water will be used for irrigation. The course will be ~~managed by the resort and be~~ open to the public on a fee basis.

The Carlsbad Ranch Specific Plan is a combination land use plan/implementation plan document. While the Carlsbad Ranch is within and subject to the provisions of the Mello II LUP segment, the Specific Plan provides more specificity with regards to permitted uses and design/development standards.

B. CONFORMITY WITH CHAPTER 3 OF THE COASTAL ACT

1. Public Access/Visitor Serving/Recreation Use

Coastal Act Section 30213 and 30222 are applicable to the proposed LCP amendment and state:

Section 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

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.

In addition to identifying land uses and development standards, the Specific Plan identifies public access/recreation opportunities within the Carlsbad Ranch. In 1996, a dedicated trail plan was approved for the entirety of the 433-acre Specific Plan area. In PA 5 the resort/Legoland trail was required to connect several planning areas in the Carlsbad Ranch with on and off site areas, including a potential City golf course immediately to the east of Carlsbad Ranch. While the Specific Plan requires the construction of the trail upon development of the resort hotel, the trail has been constructed within PA 5 by the developer of the Legoland Park. The trail incorporates a pedestrian walk, bike path, landscaping and signage, consistent with Specific Plan requirements and extends from Lego Drive to Hidden Valley Road. The City and Legoland currently share maintenance responsibilities; however, the Specific Plan provides that upon buildout of PA 5 the resort hotel will assume the City's maintenance responsibilities.

A short segment of the trail was proposed to extend to the proposed golf club house located on PA 5 but has not been built or will not go forward unless a golf course is built on PA 8. Since this segment is not an integral linking portion of the Carlsbad Ranch trail plan, no adverse impacts to public access would occur if it were not built. The Specific Plan also identifies that sidewalk trails be installed within PA 8 adjacent to several roadways that serve the Specific Plan area. As noted, PA 8 is being used for agriculture. Again, while the Specific Plan requires these trail segments be constructed when development occurs in PA 8, the sidewalk trails were installed when the roadways were constructed. Therefore, the Specific Plan trail requirements have been fulfilled with respect to the subject planning areas and are not modified by the proposed amendment.

As noted above, the Specific Plan currently requires that parking for the golf course be accommodated within Planning Area 5. However, since a golf course is not proposed at this time, the amendment proposes to delete this requirement. The Specific Plan requires that any future development planned for PA 8 must provide adequate parking. The proposed amendment would not modify this requirement. Also, due to the site's location, beach access should not be adversely affected.

The Specific Plan currently requires that the resort will manage the golf course. Again, since a golf course is not proposed at this time, the amendment proposes to delete

this requirement. No adverse effects to public access/recreation are expected should the requirement be removed.

While the Specific Plan designates PA 8 as a golf course, it also allows other alternative uses as follows:

a. Permitted Uses

i. Agricultural Uses-

- Field and seed crops;
- Truck crops;
- Horticulture crops;
- Orchards and vineyards;
- Pasture and rangeland;
- Tree farms;
- Fallow lands;
- Produce sheds.

ii. Non-Agricultural Uses-

- Golf course, driving range, putting green;
- Public parks;
- City picnic areas;
- City playgrounds;
- Public trails;
- Public access easements and right-of-way;
- Public rest rooms;
- Fencing;
- Transportation right-of-way;
- Vista points;

- Other similar accessory uses and structures, determined by the Planning Director to be required for the conduct of principal uses.

iii. Accessory uses and structures permitted;

- Public Rest Rooms, Changing Rooms;
- Playground Equipment;
- Fencing, Patios, Stairways, Barbecue and Fire Pits;
- Parking, Staging, Processing and Storage Areas for agricultural crops;
- Shade Houses;

- Other similar accessory uses and structures, determined by the Planning director to be required for the conduct of the principal uses.

While PA 8 will not be developed as a public golf course at this time, it may or may not be developed as a golf course in the future. In its actions on the subject amendment and companion permits, the City found that because of the significance of the remaining undeveloped land in the general area, a special study will be done to review the planned land uses for those properties located along the Cannon Road corridor. PA 8 is included in this study. The City found that should a developer come forward at a later date to develop the site with something other than a golf course, a Specific Plan amendment would be required. The Commission concurs and notes a LCP amendment would be necessary to change the designation in the Specific Plan from Golf Course. At that time the Commission would consider whether the alternative uses are consistent with the Coastal Act. In any event, this action separating the resort development from the golf course does not raise any conflicts with the Coastal Act Sections 30213 and 30222.

2. Protection of Coastal Resources

Section 30231.

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

PA 5 is characterized by gently sloping land, increasing in steepness towards the eastern side of the site. The highest elevation of the site is on the easterly side, towards the middle of the property. The subject site is located in the Coastal Resource Protection Overlay Zone; however, no native vegetation is onsite. The currently certified Specific Plan allows for resort development in PA 5. Approximately 2 acres of non-native grasses would be impacted by resort related development. Mitigation is required consistent with the certified LCP (HMP).

Section 30231 of the Coastal Act requires that water quality be maintained in coastal waters. Agua Hedionda Lagoon is located near the northern boundary of the Specific Plan and portions of the subject sites drain towards the lagoon. The Specific Plan requires that development of the site must adhere to the City's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, Standard Urban Storm Water Mitigation Plan (SUSMP) and Jurisdictional Urban Runoff Management Program (JURMP) to avoid increased urban run off, pollutants and soil erosion. As such, the amendment is consistent with Section 30231 of the Coastal Act.

3. Visual Resources

Section 30251.

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 of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....

Section 30251 of the Coastal Act provides that new development not adversely affect visual resources. PA 5 will be developed with resort related uses that will be no higher than 35 feet. Because the site is not located between the first public road and the ocean, no public view blockage to the ocean would occur. Additionally, the Specific Plan requires design measures to address the height, bulk and community character of new development that would further reduce the visual impact of development. These standards include increased building setbacks, architectural fenestrations to break up building facades, color treatment of buildings etc. Therefore, no adverse visual impacts should occur to the scenic values of the coastal zone.

4. Agriculture.

Section 30242.

All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

Policy 2-1 CONSERVATION OF AGRICULTURAL LANDS of the Mello II LUP provides:

(a)(1)

Consistent with the provisions of Sections 30241 and 30242 of the Coastal Act, it is the policy of the City to contribute to the preservation of the maximum amount of prime agricultural land throughout the coastal zone by providing for the balanced, orderly conversion of designated non-prime coastal agricultural lands. Non-prime agricultural lands identified on Map X, including the Carltas Property, are designated Coastal Agriculture and shall be permitted to convert to urban uses subject to the agricultural mitigation or feasibility provisions set forth in the LCP. Any acreage under the control of a public entity for a public recreation or open space use shall be exempt from Policy 2-1 and be permitted to convert from an agricultural use without satisfying one of the three conversion options.

Both PA 5 and PA 8 are presently in agriculture. The conversion of agricultural resources which currently exist on the site was addressed in the Commission's previous review of the Carlsbad Ranch Specific Plan. The Mello II LUP and Specific Plan require that agriculturally designated lands pay a mitigation fee when conversion to urban uses is proposed. While the Specific Plan requires (and the City recently approved in companion

permits) that agricultural lands in PA 5 pay an agricultural mitigation fee, the Mello II LUP provides that PA 8 may be converted to a golf course without paying the fee provided the golf course is available to the general public.

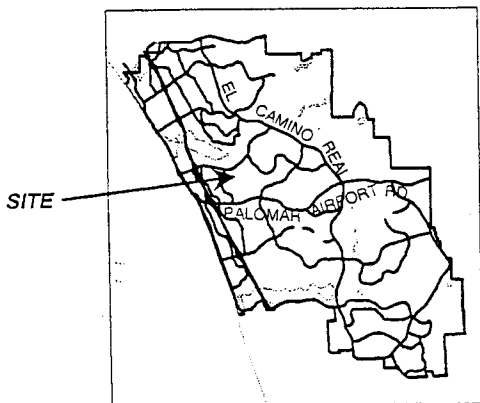
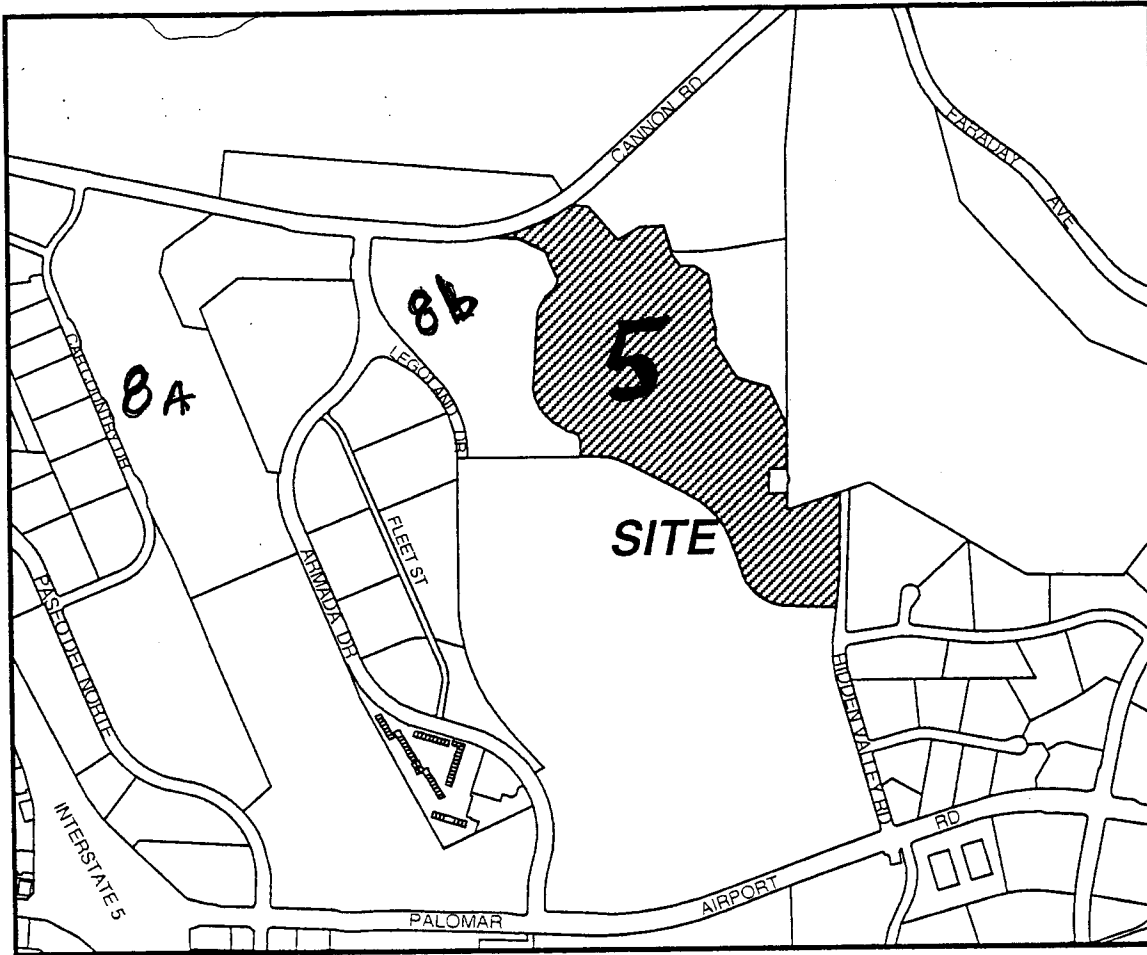
As noted, while PA 8 will not be developed as a golf course at this time, it may or may not be developed as a golf course in the future. If not developed as a golf course, a LCP amendment will be required and payment of the agricultural mitigation fee will be required if the approved use is not for public recreation or open space. Therefore, the Commission finds the amendment is consistent with Section 30241 of the Coastal Act.

In summary, the proposed amendment would only remove obligations from the developer of PA 5 to build a golf course on PA 8. The amendment does not preclude a golf course from going forward in the future and any other use would require a LCP amendment. As noted above, the amended Specific Plan is consistent with Chapter 3 policies of the Coastal Act as it would not diminish existing visitor serving, public access/recreation and agricultural provisions pertaining to PA 5 and PA 8. By extension, the Commission also finds the implementation plan as amended is consistent with the land use plan. Therefore, the amendment can be approved as submitted.

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

Section 21080.9 of the California Public Resources Code – within the California Environmental Quality Act (CEQA) – exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of a 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 a LCP submittal or, as in this case, a LCP amendment submittal, to find that the approval of the proposed LCP, or LCP, as amended, conforms to CEQA provisions, including the requirement in CEQA section 21080.5(d)(2)(A) that the amended LCP will not be approved or adopted as proposed if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. 14 C.C.R. §§ 13542(a), 13540(f), and 13555(b). The proposed amendment will not result in adverse impacts on coastal resources or public access. The Commission finds that there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the LCP amendment may have on the environment. Therefore, in terms of CEQA review, the Commission finds that approval of the LCP amendment will not result in any significant adverse environmental impacts.



CARLSBAD RANCH PLANNING AREA 5, 8 RESORT

SP 207(E)/LCPA 90-08(D)/CT 03-02/SD
CDP 03-04/PUD 03-01/CUP 03-01/HDF

EXHIBIT NO. 1
APPLICATION NO.
**Carlsbad LCPA
No. 3-04A**
Planning Areas 5 & 8

NOV 22 2004

CALIFORNIA
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F. PLANNING AREA 5 - RESORT

A full-service destination resort is proposed on an approximately 52.8 acre parcel in the northeast corner of the Carlsbad Ranch. This resort will include up to 700 suites and will target the large group professional and business meeting market. These meetings typically combine business with recreation and are increasingly including family members of the business representative. The surrounding uses of Carlsbad Ranch including LEGOLAND Carlsbad, golf course, retail facilities and nearby beaches make this a particularly desirable meeting destination.

Accommodations at the resort will generally be two-room suites integrated into the topography using terraced buildings and featuring ocean views, overlooking extensively landscaped open areas and courtyards. Elevated walkways may be used to connect resort buildings linking meeting facilities, suites, and a selection of dining experiences. A sports club may combine a fitness center and dining with an emphasis on healthy, light cuisine. This facility could provide sports medicine, tennis pro shop, weight training, racquetball, steam rooms, saunas and aerobics. ~~A golf club house could be incorporated into the sports club to serve the adjacent golf course.~~

The meeting and conference center will offer function space with the ability to mix and match agendas to accommodate groups from 10 to 2,700 guests. Adjacent gardens and landscaped terraces will provide additional meeting and function areas. Most resort facilities including the ~~golf course~~, tennis center, sports club and dining will be designed to encourage use by the general public as well as the resort guest. Figure 46 on page 150 shows some of the planning features for the resort.


A pedestrian/bike/golf cart trail shall be provided from the eastern portion of the golf course along the southerly edge of Planning Area 5 to provide a link from the specific plan golf course to the future City golf course to the east of the specific plan. The trail shall be designed as shown on Figure 52 on page 169.

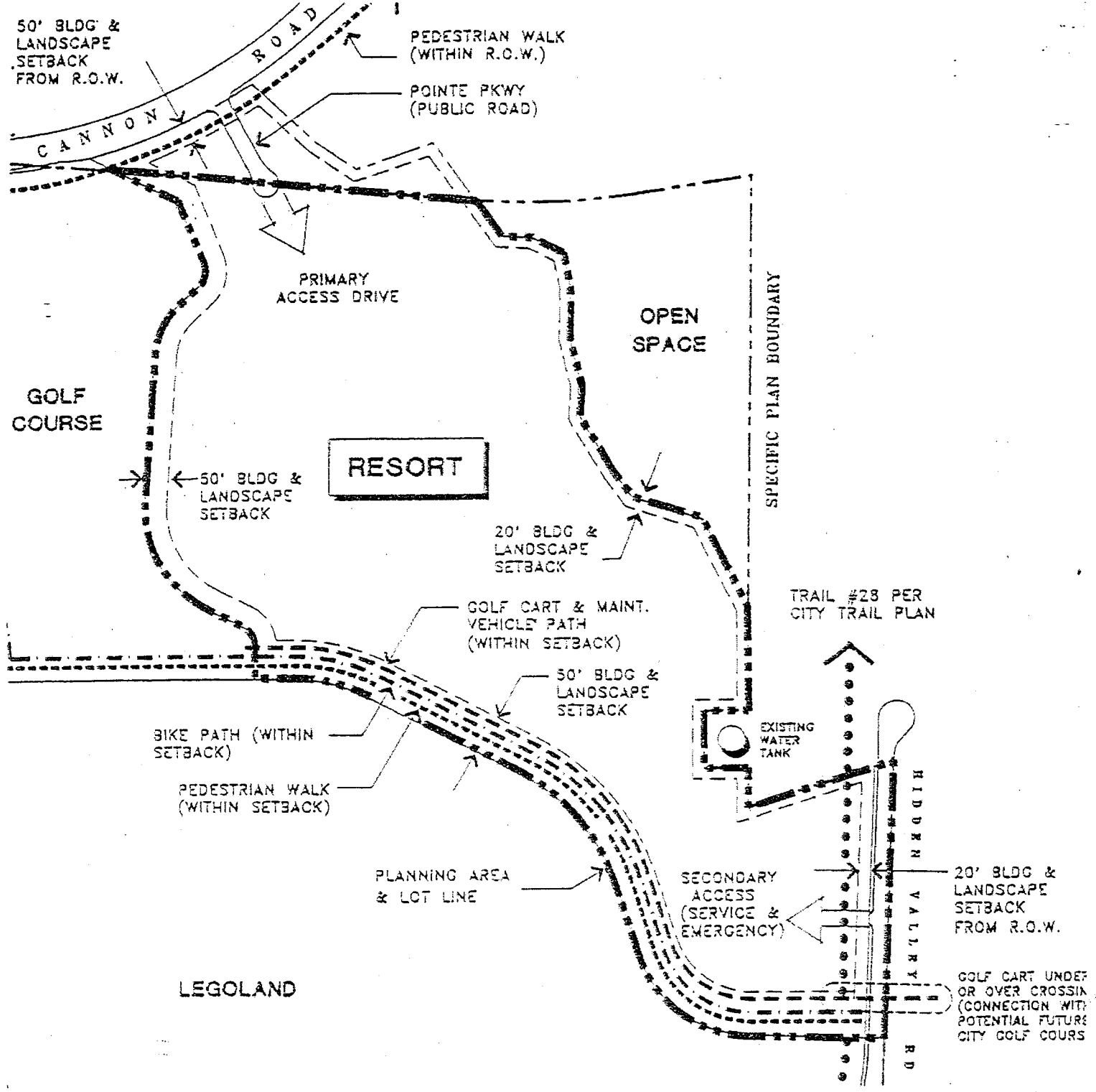
1. DEVELOPMENT STANDARDS

The following are specific development and design guidelines applicable to this Planning Area. However, Section III.A. GENERAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES beginning on page 63 contains additional development standards and design guidelines that are applicable to all Planning Area within this Specific Plan Amendment.

a. Permitted Uses

- Hotels;
- Commercial Living Units (Timeshare) may be permitted by the City Council in conjunction with a hotel project;

EXHIBIT NO. 2
APPLICATION NO.
Carlsbad LCPA
No. 3-04A
Proposed Changes
Pages 1 - 6
 California Coastal Commission



LAND USE: RESORT
 NET PARCEL AREA: 52.80 ACRES
 DEVELOPMENT PROGRAM: DESTINATION RESORT HOTEL, 700 ROOMS,
 MEETING SPACE, RESTAURANTS, RECREATION AND ASSOCIATED
 FACILITIES; TOTAL 647,000 SF.

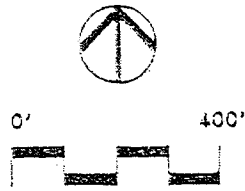


Figure 46
PLANNING AREA 5 - RESORT

I. PLANNING AREA 8 – GOLF COURSE

The golf course will be a 9-hole course and will cover over 70 acres in the northern portion of the specific plan. As proposed, the golf course will provide desirable open space buffers in the Carlsbad Ranch Specific Plan between Car Country, the Gemological Institute and the resort. ~~A clubhouse, golf pro shop and parking lot will be located adjacent to the resort in Planning Area 5.~~

Access between the eastern and western parts of the golf course shall be provided on the SDG&E property on the north side of Cannon Road as shown on Figure 51 on page 168. One or two holes of the golf course may be located in this area. Golf cart overcrossings or under crossings of Cannon Road shall provide access to this area. If an overcrossing is determined to be the most viable alternative, then the design of the overcrossing shall be similar to the design shown on Figure 53 on page 170. An amendment to the SDG&E Specific Plan shall be required for this area to be used for a golf course. The portion of SDG&E property used for this section of the golf course will not be a part of the Carlsbad Ranch Specific Plan. The design and layout of the holes in this area as well as the rest of the golf course shall be determined as a part of the Site Development Plan for Planning Area 8.

A pedestrian/bike/golf cart trail shall be provided along the southerly edge of Planning Area 5 to provide a link from the specific plan golf course to the future City golf course to the east of the specific plan. The trail shall be designed as shown on Figure 52 on page 169. A golf cart undercrossing on Hidden Valley Road shall be provided to facilitate the joint use of the two golf courses.

Sophisticated computerized weather and water monitoring and delivery systems and reclaimed water will be used for irrigation. The course will be ~~managed by the resort and~~ be open to the public on a fee basis.

1. DEVELOPMENT STANDARDS

The following are specific development and design guidelines applicable to this Planning Area. However, Section III.A. GENERAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES beginning on page 63 contains additional development standards and design guidelines that are applicable to all Planning Area within this Specific Plan Amendment.

a. Permitted Uses

i. Agricultural Uses-

- Field and seed crops;
- Truck crops;
- Horticulture crops;

- Orchards and vineyards;
- Pasture and rangeland;
- Tree farms;
- Fallow lands;
- Produce sheds.

ii. Non-Agricultural Uses-

- Golf course, driving range, putting green;
- Public parks;
- City picnic areas;
- City playgrounds;
- Public Trails;
- Public access easements and right-of-way;
- Public rest rooms;
- Fencing;
- Transportation right-of-way;
- Vista points;

- Other similar accessory uses and structures, determined by the Planning Director to be required for the conduct of principal use.

iii. Accessory uses and structures permitted;

- Public Rest Rooms, Changing Rooms;
- Playground Equipment;
- Fencing, Patios, Stairways, Barbeque and Fire Pits;
- Parking, Staging, Processing and Storage Area for agricultural crops;
- Shade Houses;

- Other similar accessory uses and structures, determined by the Planning Director to be required for the conduct of the principle uses.

b. Parking Standards

Parking spaces for all permitted and ancillary uses shall be provided consistent with Section 21.44 of the Carlsbad Municipal Code. ~~Parking for the golf course will be accommodated in the resort parcel, Planning Area 5, adjacent to the fitness center/clubhouse.~~ Joint use of parking facilities is allowed based on the potential for shared/off-peak uses. Specific reductions in parking requirements shall be determined based on provisions set forth in Section 21.44.050(a)(4) of the Carlsbad Municipal Code.

C. LIBRARY FACILITIES

Zone 13, including the Carlsbad Ranch Specific Plan Area, will be developed with entirely non-residential uses. Therefore, no impacts will be generated by development in Zone 13 to the City's adopted performance standard, which requires that 800 square feet of Library Facilities per 1,000 population must be scheduled for construction within a five year period.

As mentioned under the City Administrative Facilities section, the City's Growth Management Ordinance does not count dormitory rooms as dwelling units nor are they considered to be permanent residences. For this reason the vocational campus will not be subject to the Library Facility Performance Standard. The landowner is compensating for any impacts generated by the dormitory uses through the payment of public facility fees and participation in the Citywide Mello Roos Community Facilities District which contribute toward the construction of Library Facilities.

As concluded in the Zone 13 LFMP, no mitigation is required for Zone 13 to meet the adopted performance standard.

D. PARK FACILITIES

Since the Carlsbad Ranch Specific Plan and the entire Zone 13 LFMP will be developed for non-residential uses, the established performance standard of 3 acres of Community Park or Special Use Area per 1,000 population within the Park District does not apply to Zone 13 or the Carlsbad Ranch Specific Plan. However, the City has concluded that non-residents who work in the City also have an impact on the City's recreational facilities.

This specific plan proposes the development of a golf course open to the public and accessory uses as well as various trails and pedestrian walkways. These facilities will contribute to the recreational needs of the employees working within the specific plan area.

Recreation facilities will be implemented by the specific plan. A brief description of the recreation uses and facilities are as follows:

1. GOLF COURSE

A 9-hole golf course will be developed in Planning Area 8 ~~concurrent with the development of the resort in Planning Area 5.~~ Although privately owned, this golf course will be open to the public.

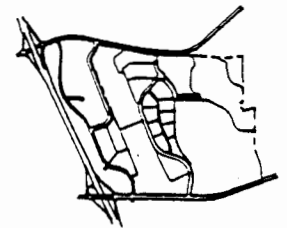
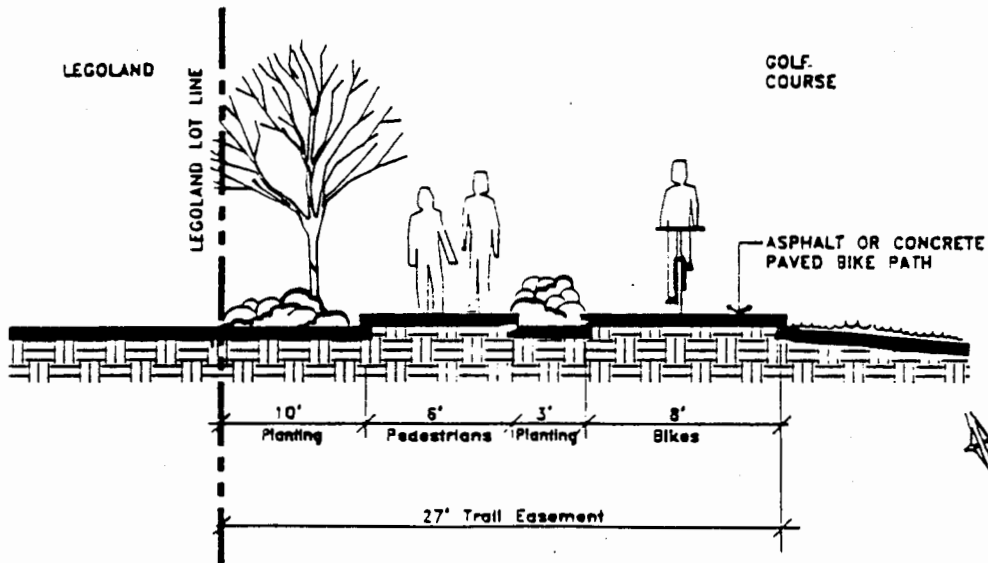
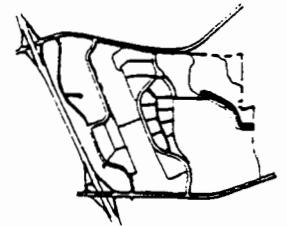
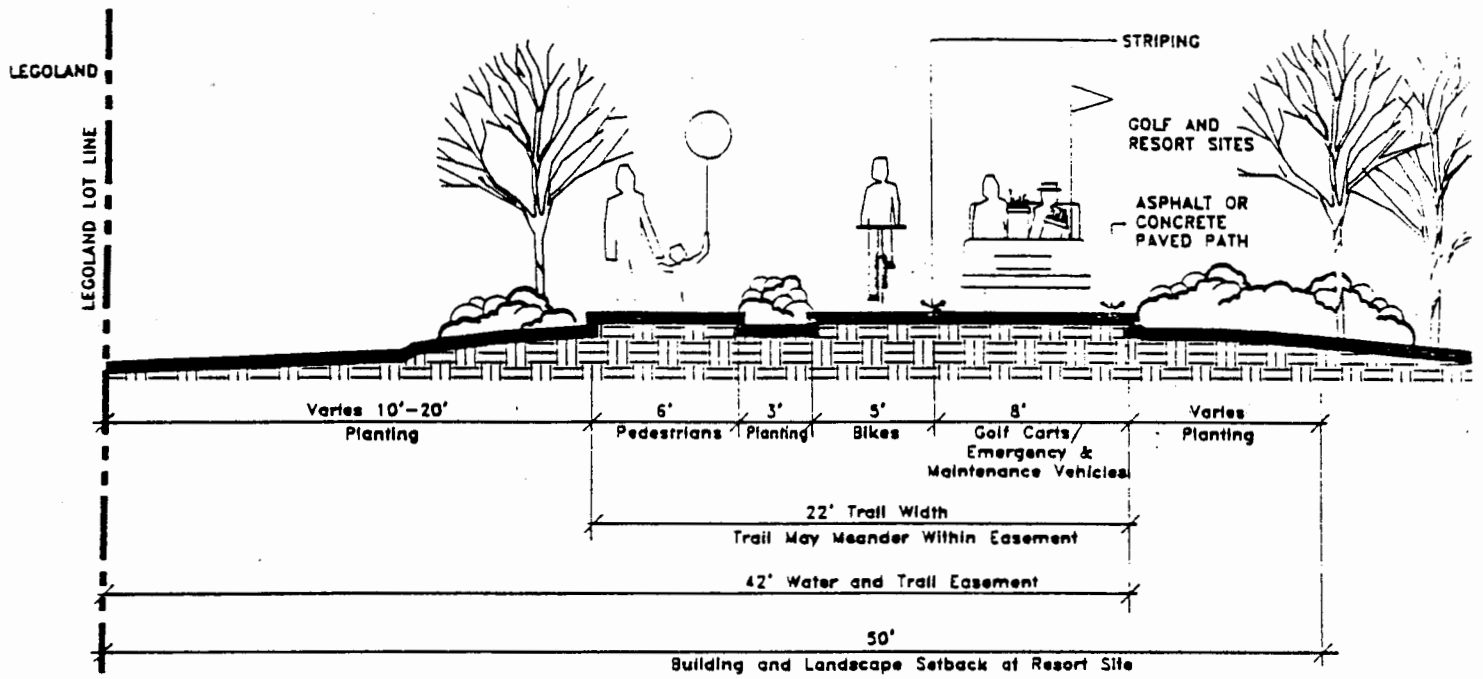


Figure 52
TRAIL AT LEGO/GOLF BOUNDARY

1 RECEIVED
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3 NOV 19 2004
4 CALIFORNIA
5 COASTAL COMMISSION
6 SAN DIEGO COAST DISTRICT


RESOLUTION NO. 2004-331

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND ADDENDUM AND MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING A SPECIFIC PLAN AMENDMENT, LOCAL COASTAL PROGRAM AMENDMENT, TENTATIVE TRACT MAP, SITE DEVELOPMENT PLAN, COASTAL DEVELOPMENT PERMIT, NON-RESIDENTIAL PLANNED UNIT DEVELOPMENT, CONDITIONAL USE PERMIT AND HILLSIDE DEVELOPMENT PERMIT TO AMEND THE CARLSBAD RANCH SPECIFIC PLAN TO ALLOW THE DEVELOPMENT OF THE SUBJECT SITE (PLANNING AREA 5) INDEPENDENT OF DEVELOPMENT OF PLANNING AREA 8 AND TO SUBDIVIDE THE SUBJECT SITE INTO 16 LOTS AND 354 AIRSPACE TIMESHARE UNITS TO ALLOW THE DEVELOPMENT OF A HOTEL/TIMESHARE RESORT WITH 350 HOTEL ROOMS AND 350 TIMESHARE UNITS ON PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF CANNON ROAD, EAST OF ARMADA DRIVE AND WEST OF FARADAY AVENUE WITHIN LOCAL FACILITIES MANAGEMENT ZONE 13. CASE NAME: CARLSBAD RANCH PLANNING AREA 5- RESORT SITE
CASE NO.: SP 207(E)/LCPA 90-08/CT 03-02/SDP 03-02/CDP 03-04/PUD 03-01/CUP 03-01/HDP 03-01

14 The City Council of the City of Carlsbad, California, does hereby resolve as follows:
15

16 WHEREAS, pursuant to the provisions of the Municipal Code, the Planning
17 Commission did, on September 1, 2004 hold a duly noticed public hearing as prescribed by law
18 to consider the Mitigated Negative Declaration and Mitigation Monitoring and Reporting
19 Program and Addendum, Specific Plan Amendment (SP 207(E)), Local Coastal Program
20 Amendment (LCPA 90-08(D)), Tentative Tract Map (CT 03-02), Site Development Plan (SDP
21 03-02), Coastal Development Plan (CDP 03-04), Non-Residential Planned Unit Development
22 Plan (PUD 03-01), Conditional Use Permit (CUP 03-01) and Hillside Development Permit (HDP
23 03-01); and

24 WHEREAS, the City Council of the City of Carlsbad on the 12th day of
25 October, 2004 held a duly noticed public hearing to consider the Mitigated
26 Negative Declaration and Addendum and Mitigation Monitoring and Reporting Program, Local
27 Coastal Program Amendment (LCPA 90-08(D)), Tentative Tract Map (CT 03-02), Site
28 Development Plan (SDP 03-02), Coastal Development Plan (CDP 03-04), Non-Residential

EXHIBIT NO. 3
APPLICATION NO.
Carlsbad LCPA
No. 3-04A
Council Resolution
Pages 1 - 3
 California Coastal Commission

1 Planned Unit Development Plan (PUD 03-01), Conditional Use Permit (CUP 03-01) and Hillside
2 Development Permit (HDP 03-01) and;

3 NOW, THEREFORE, the City Council of the City of Carlsbad, California, does
4 hereby resolve as follows:

5 1. That the above recitations are true and correct.

6 2. That the Mitigated Negative Declaration and Addendum and Mitigation
7 Monitoring and Reporting Program are adopted as shown on Exhibit "MND", attached hereto
8 and made a part hereof, based on information presented at the public hearing and contained in
9 Exhibit "PII", attached to Planning Commission Resolution No. 5685 on file with the City Clerk
10 and incorporated herein by reference.

11 3. That the recommendation of the Planning Commission for the approval of Local
12 Coastal Program Amendment (LCPA 90-08(D)), Tentative Tract Map (CT 03-02), Site
13 Development Plan (SDP 03-02), Coastal Development Plan (CDP 03-04), Non-Residential
14 Planned Unit Development Plan (PUD 03-01), Conditional Use Permit (CUP 03-01) and Hillside
15 Development Permit (HDP 03-01) is approved by the City Council and that the findings and
16 conditions of the Planning Commission contained in Planning Commission Resolutions No.
17 5685, 5693, 5692, 5686, 5687, 5688, 5689, 5690, 5691 on file with the City Clerk and made a
18 part hereof by reference, are the findings and conditions of the City Council.

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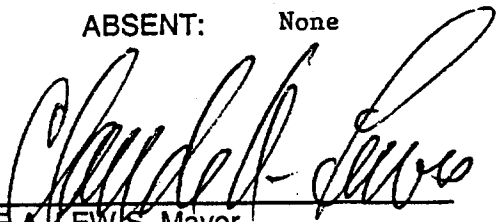
4. That the approval of LCPA 90-08(D) shall not become effective until it is approved by the California Coastal Commission and the California Coastal Commission's approval becomes effective.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Carlsbad, California, held on the 12th day of October 2004, by the following vote, to wit:

AYES: Council Members Lewis, Finnila, Kulchin, Hall, and Packard

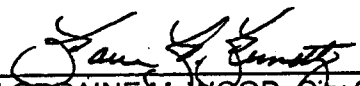
NOES: None

ABSENT: None



CLAUDELA LEWIS, Mayor

ATTEST:



LORRAINE M. WOOD, City Clerk
Karen R. Kundtz, Assistant City Clerk
(SEAL)