

CALIFORNIA COASTAL COMMISSION

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

RECORD PACKET COPY

**Wed 7e**

5/20/2005

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. 3-04F (Lohf), 3-04H
(Thompson/Tabata) (For Public Hearing and Possible Commission
Action at the Meeting of June 7-10, 2005)**

SYNOPSIS

The subject LCP amendment was filed as complete on January 7, 2005. It includes eight separate components involving changes to both the certified LCP land use plan and the implementation plan. A one-year time extension was granted on March 17, 2005. As such, the last date for Commission action is April 7, 2006. LCPA #3-04B (Residential amendments) and LCPA #3-04D (Stormwater Regs) are not part of this staff report and will be scheduled for Commission hearing at a later date. The other amendments were approved at previous Commission hearings. The amendment package is part of a Citywide effort to bring the General/LCP Plan and Zoning into conformity.

SUMMARY OF AMENDMENT REQUEST

The LCP amendments that are the subject of this report propose to adjust residential land use plan designations on the Lohf and Thompson Tabata properties. Specifically, on the Lohf site, the Residential Medium (RM, 0-8 dua) land use designation on a portion of the site would be replaced with the Residential Low Medium (RLM, 0-4 dwelling dua). On the Thompson Tabata site, the line between the RLM and RM land use designations would be adjusted to reflect the existing development densities. No implementation plan changes are proposed with these amendments.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending denial of the proposed LCP amendment as submitted and approval as modified herein. The amendment proposes residential land use designations on areas that contain sensitive coastal resources, inconsistent with the certified Mello II LCP which includes the Carlsbad Habitat Management Plan (HMP). The LCP/HMP establishes reasonable development area and an open space habitat preserve for the City. In this case, the Lohf site contains a riparian woodland that is designated as a "Hardline" open space preserve area in the LCP/HMP. A hardline preserve area is a dedicated conservation area where an open space habitat preserve line was established based on a site-specific development plan; however, the proposed LCP amendment designates this

area as residential rather than open space. The City indicates this is a mapping oversight (i.e., the woodland is identified as Open Space on the HMP/LCP map and the City's subdivision approval), and a suggested modification is proposed which would modify the Mello II LUP map to show the riparian area designated as Open Space.

The Thompson Tabata site contains riparian and dual criteria slopes that are shown as hardline Open Space in the LCP/HMP (LCPA#1-03B) and were previously required by the Commission to be protected via delineation of Open Space conservation easements on the Zoning Map (LCPA #1-02D). The amendment indicates these areas are residentially designated. Again, while only a mapping oversight (i.e., the areas are identified as Open Space on the City's subdivision approval of the property and the Zoning Map), a suggested modification is proposed which would modify the Mello II LUP map to show the resource areas are designated as Open Space.

The appropriate resolutions and motions begin on page 3. The suggested modifications begin on page 4. The findings for denial of the Land Use Plan Amendment as submitted begin on page 5. The findings for approval of the Land Use Plan Amendment if modified begin on page 8.

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 requests affect the Mello II 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.

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

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.

I. MOTION:

I move that the Commission certify the Land Use Plan Amendment No. 3-04F and H for the City of Carlsbad LCP Mello II Segment as submitted.

STAFF RECOMMENDATION OF DENIAL OF CERTIFICATION:

Staff recommends a **NO** vote on the motion. Failure of this motion will result in denial of the land use plan amendment as resubmitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO DENY CERTIFICATION OF LAND USE PLAN AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the Land Use Plan Amendment No. 3-04F and H for the City of Carlsbad as submitted and finds for the reasons discussed below that the submitted Land Use Plan Amendment fails to meet the requirements of and does not conform to the policies of Chapter 3 of the California Coastal Act. Certification of the plan would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures that would substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

II. MOTION: *I move that the Commission certify the Land Use Plan Amendment No. 3-04F and H for the City of Carlsbad LCP Mello II Segment if modified in accordance with the suggested changes set forth in the staff report.*

STAFF RECOMMENDATION: CERTIFICATION IF MODIFIED AS SUGGESTED:

Staff recommends a YES vote on the motion. Passage of the motion will result in certification with suggested modifications of the submitted land use plan amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY SUBMITTED LAND USE PLAN AMENDMENT IF MODIFIED AS SUGGESTED:

Subject to the following modifications, the Commission hereby certifies the Land Use Plan Amendment No. 3-04F and H for the City of Carlsbad as submitted and finds for the reasons discussed herein that, if modified as suggested below, the submitted Land Use Plan Amendment will meet the requirements of and conform to the policies of Chapter 3 of the California Coastal Act. Certification of the plan if modified as suggested below 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 or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

PART III. SUGGESTED MODIFICATIONS

Staff recommends the following suggested revisions to the proposed Land Use Plan be adopted.

1. **Revised Land Use Plan Map** - The City shall prepare a revised LCP Land Use Plan map for the Mello II LCP segment. On the Lohf site, the revised map shall designate as Open Space the riparian woodland in the southwest corner of the site, referenced as hardline open space in the Habitat Management Plan and shown on Exhibit 4. On the Thompson Tabata site, the revised map shall designate as Open Space the riparian and coastal sage areas, referenced on the certified Zoning Map as an open space conservation easement and as hardline open space in the HMP consistent with the conditions of the Coastal Commission's actions for Carlsbad LCP Amendment 1-02D (Thompson-Tabata) and #1-03B (HMP), and shown in concept on Exhibit 8.

PART III. FINDINGS FOR DENIAL OF CERTIFICATION OF THE CITY OF CARLSBAD MELLO II LAND USE PLAN AMENDMENT, AS SUBMITTED

A. AMENDMENT DESCRIPTIONS:

1. Lohf (LCPA #3-04 F). The proposed LCP amendment replaces the Residential Medium (RM, 0-8 dua) land use designation on a portion of the site with the Residential Low Medium (RLM, 0-4 dwelling dua) land use designation so the entire site will be designated RLM.

The site is located west of El Camino Real, north and south of Poinsettia Lane and is developed with 73 single-family homes as approved in 1999. The boundary adjustment is part of a Citywide effort to bring the General Plan/LUP and Zoning into conformity. Currently, the LUP boundary results in several parcels having two separate LUP designations with R-1 zoning inappropriately implementing both designations i.e., RM designated sites should be implemented by a R-2 zone at minimum. As proposed the RLM designation would be appropriately implemented by the site's existing R-1-Q zoning.

The subject property is located in the Mello II segment of the City's Local Coastal Program (LCP).

2. Thompson/Tabata (LCPA #3-04H). The proposed LCP amendment adjusts the boundary between the RLM and RM land use designations affecting approximately 7.9 acres to correct an existing LUP/Zoning inconsistency. Similar to the Lohf amendment, the existing land use and zoning designation boundaries are not coincident and do not follow the newly created property lines within the subdivision, resulting in some lots containing two land use designations.

The subject property is located south of Poinsettia Lane, between Aviara Parkway and Snapdragon Drive. The 82-acre property was subdivided through the Thompson/Tabata residential subdivision (CT 98-14) and approved development includes 238 single-family homes, a 24-unit condominium project and associated amenities. The development was approved in early 2002 and is currently under construction.

The subject property is located in the Mello II segment of the City's Local Coastal Program (LCP)

B. NONCONFORMITY OF THE LAND USE PLAN AMENDMENT WITH CHAPTER 3

1. Environmentally Sensitive Habitat Areas.

The following Chapter 3 policy is applicable to the LUP amendment and states:

Section 30240.

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

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

The certified City of Carlsbad LCP land use plan (LUP) has been amended to incorporate the City's Habitat Management Plan (HMP). The HMP was developed to meet the requirements of the Coastal Act, the Endangered Species Act and the Natural Communities Conservation Planning (NCCP) process. The certified LUP includes Coastal Act Sections 30233 and 30240 as applicable standards of review for development within and adjacent to wetlands and other environmentally sensitive habitat areas. In addition, the HMP and certified LUP contain habitat protection requirements and conservation standards applicable to certain properties within the Carlsbad coastal zone (most of which are undeveloped), to concentrate future development adjacent to already-developed areas and protect slopes greater than 25% grade and scenic natural landforms.

The HMP includes "standards" areas for properties that contain sensitive resources but, at the time of approval of the HMP, did not have a specific site development plan. The HMP includes "hardline" properties where the open space habitat preserve line was established based on a site-specific development plan.

1. Lohf (LCPA #3-04 F). In LCPA #1-99, the Commission approved the rezoning of the 37-acre Lohf parcel from Limited Control (L-C) to One-Family Residential (R-1-7,500-Q). The certified LUP designation was Residential Low Medium (RLM) and Residential Medium (RM on 0.5 acres) allowing 0-4 dua and 0-8 dua respectively for the proposed 73 lot single-family subdivision. The Commission found the proposed R-1-7500 zoning could allow up to 5.8 dua which would be inconsistent with the RLM designation. Therefore, the Commission required a suggested modification that applied the "Q" designator to the site to ensure that the property would be developed with no more than 4 dua consistent with the certified RLM land use designation on the majority of the property. The Q designator "tags" a site with a special zoning requirement. As modified, the Commission found the proposed zone change was consistent with the certified LUP as application of the "Q" designator was one mechanism to address density limit concerns. The suggested modification limited the property so that it would not be developed with more than 4 dwelling units per acre. The approved density is 2.2 dua. The proposed LCP amendment to apply the RLM designation allowing 0-4 dua to the entire site is a clean up measure to reflect approved densities.

The certified HMP/LCP identifies the Lohf property as containing both “standards” and “hardline” areas. A portion of the SDG&E utility easement that crosses the site’s northeast corner is identified as a standards area. SDG&E transmission corridors are identified in the HMP/LCP as connectors providing habitat linkage between core areas. The amendment identifies this area as residentially designated. However, since no residential development can occur in the transmission corridor, an open space designation is unnecessary, and the “standards” designation is sufficient to protect the habitat linkage within the utility corridor.

The southwest portion of the site includes the northern end of a riparian woodland which is identified as “hardline” open space in the HMP/LCP. The HMP/LCP identifies the site as a habitat linkage (Linkage F) from Core Areas 4, 6, and 8. Although identified as open space on the HMP/LCP map and the approved tentative map, the proposed LUP amendment would apply a residential land use designation to the sensitive resource area. As such, the amendment is inconsistent with the resource protection provisions of the Mello II LUP and Section 30240 of the Coastal Act, and the amendment must be denied.

2. Thompson Tabata (LCPA #3-04H). The site is largely flat or gently sloped, and the majority of the site has been previously cleared for agriculture. The Thompson Tabata property was changed from a standards to a hardline area during Commission review of the HMP/LCP amendment. Approximately 1.8 acres of coastal sage scrub (CSS) is located on steep slopes along the eastern boundary of the site. Additionally, a riparian area of southern willow scrub (SWS) totaling approximately 0.1 acre is located near the western boundary of the site.

In LCPA #1-02D, the Commission approved the rezoning of the 82-acre parcel from Limited Control (L-C) to One Family Residential (R-1) and Residential Density Multiple (RD/M) to allow single and multi family residential development. The Commission approved the rezone with suggested modifications that incorporated development standards specific to the subject site and applicable to future development of the site onto the certified LCP zoning map. The modifications prohibited disturbance of the on-site coastal sage scrub and riparian areas and required buffers adjacent to the habitat areas. The standards restricted the allowable uses in both the habitat and buffer areas and required habitat protection be assured through a conservation easement. The Commission found the preserved habitat would become part of the Zone 20 habitat preserve proposed in the HMP/LCP and that change was made in Commission action on Carlsbad LCP Amendment #1-03B (HMP).

The proposed LUP amendment would apply a residential land use designation to these areas; however, this is the opportunity to designate in the LUP this portion of the property as open space, consistent with the Commission’s previous action on both LCP amendment #1-02D (Thompson Tabata) and #1-03B (HMP). As such, the amendment is inconsistent with the resource protection provisions of the Mello II LUP and Section 30240 of the Coastal Act, and the amendment must be denied.

PART V. FINDINGS FOR APPROVAL OF THE LAND USE PLAN AMENDMENT, IF MODIFIED

B. SPECIFIC FINDINGS FOR APPROVAL, IF MODIFIED

1. Lohf (LCPA #3-04 F). The certified HMP/LCP identifies the southwest portion of the site as a "hardline" open space preserve area. However, the submittal identifies this area as residentially designated. The Commission recognizes this is only a mapping oversight as the resources have been identified as Open Space on the HMP/LCP map and the City's subdivision approval. Therefore, a suggested modification is proposed which would modify the Mello II LUP map to show the hardline area is designated as Open Space. As modified, the Commission finds the proposed amendment is consistent with Section 30240 of the Coastal Act.

2. Thompson/Tabata (LCPA #3-04H). The site contains 1.8 acres of coastal sage scrub (CSS) vegetation and approximately 0.1 acre of southern willow scrub (SWS) riparian vegetation. Onsite areas of CSS may provide foraging habitat for the California gnatcatcher, a protected avian. Pursuant to Section 30240 of the Coastal Act, environmentally sensitive habitat area (ESHA) shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed in those areas. The certified LUP also requires protection of sensitive vegetation on steep slopes and prohibits disturbance to wetland and riparian resources. The Commission must address protection of ESHA and other coastal resources where these resources are found consistent with current laws which protect threatened or endangered species.

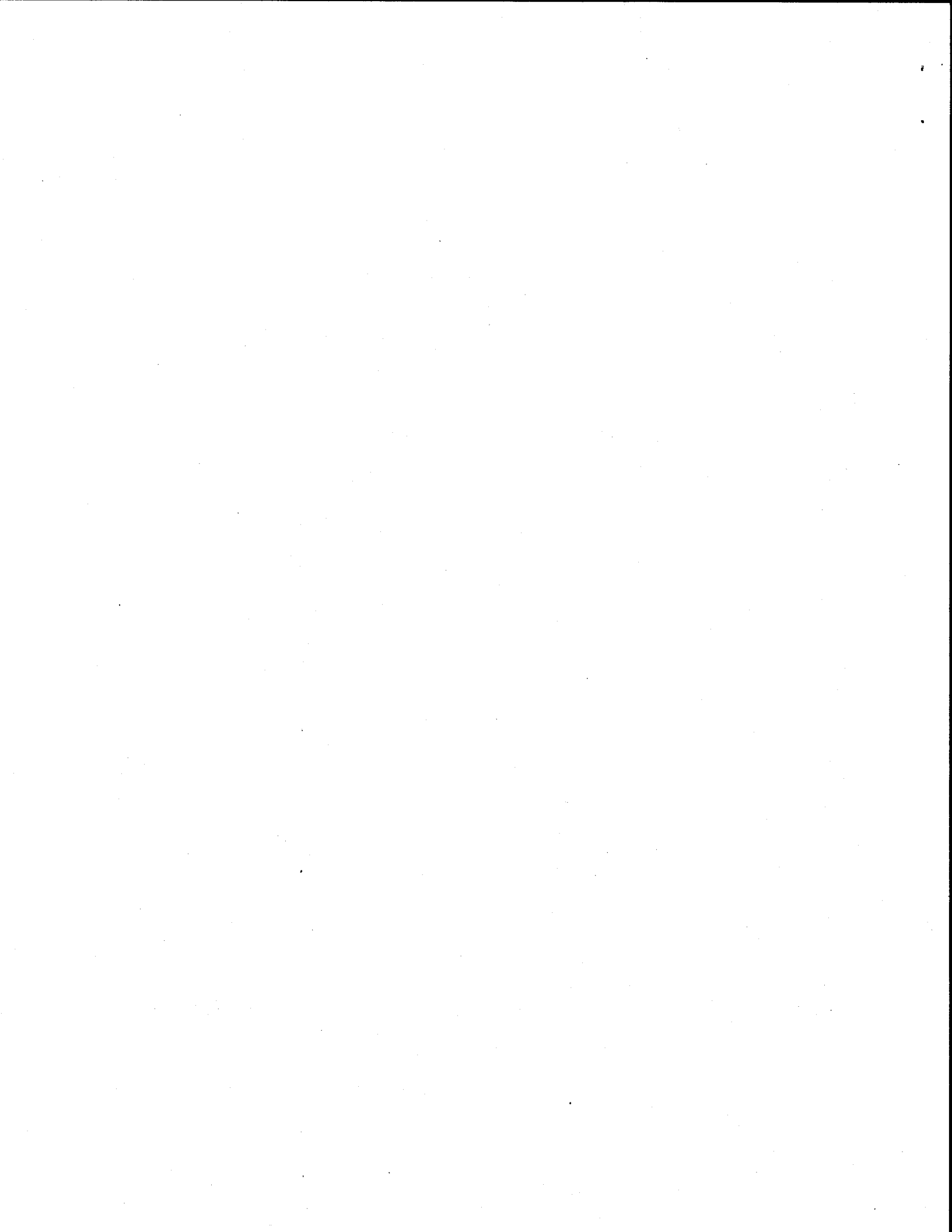
As noted above, the proposed LUP amendment identifies these sensitive areas as appropriate for residential use. The Commission recognizes this is only a mapping oversight as the resources have been protected in the HMP as hardline preserve, with an open space conservation easement in the City's subdivision approval, and designated as open space on the Zoning Map through a previous Commission action. Therefore, a suggested modification is proposed which would modify the Mello II LUP map to show these areas are designated as Open Space. As modified, the Commission finds the proposed amendment is consistent with Section 30240 of the Coastal Act.

PART VI. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL 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 redesignations of coastal resources as open space will not result in adverse impacts to 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.

(G:\San Diego\Reports\LCP's\Carlsbad\CAR LCPA 3-04FH Lohf Thompson.Tabata 6.05.doc)

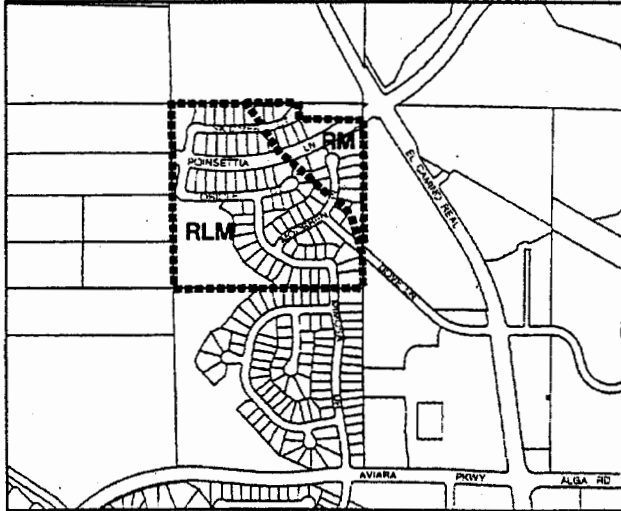


LOCAL COASTAL PROGRAM

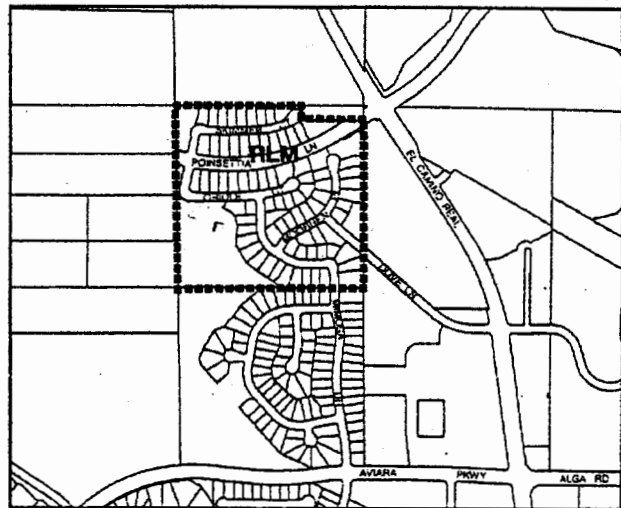
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NOV 22 2004 LCPA: 04-04

CALIFORNIA COASTAL COMMISSION
 SAN DIEGO COAST DISTRICT
 draft final
 August 4, 2004



EXISTING




PROPOSED

Project Name:	Related Case File No(s):
Property/Legal Description(s): Lots 1 – 9 of Steiner Property, CT 99-13, according to Map No. 14039, filed on September 19, 2000; and Lots 1 – 13 and 49-51 of Lohf Subdivision, CT 97-15, according to Map No. 13839, filed on August 23, 1999, in the City of Carlsbad, County of San Diego, State of California.	GPA 04-04

LCPA Map Designation Change			Approvals
Property	From:	To:	Council Approval Date:
A. see attached	RM	RLM	Resolution No:
B.			Effective Date:
C.			Signature:
D.			
Attach additional pages if necessary			

EXHIBIT NO. 2
APPLICATION NO.
Carlsbad LCPA
No. 3-04F
Amendment



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CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

RESOLUTION NO. 2004-303

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING A NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT, AND LOCAL COASTAL PROGRAM AMENDMENT FOR THE LOHF SUBDIVISION GPA LAND USE DESIGNATION BOUNDARY ADJUSTMENT FOR PROPERTY GENERALLY LOCATED WEST OF EL CAMINO REAL, NORTH AND SOUTH OF POINSETTIA LANE, IN LOCAL FACILITIES MANAGEMENT ZONE 21.

CASE NAME: LOHF SUBDIVISION GPA


CASE NO.: GPA 04-04/LCPA 04-04

WHEREAS, pursuant to the provisions of the Municipal Code, the Planning Commission did, on August 18, 2004, hold a duly noticed public hearing as prescribed by law to consider a Negative Declaration, General Plan Amendment, and Local Coastal Program Amendment; and

WHEREAS, the City Council of the City of Carlsbad, on the 21st day of September, 2004, held a duly noticed public hearing to consider said Negative Declaration, General Plan Amendment, and Local Coastal Program Amendment and at that time received recommendations, objections, protests, comments of all persons interested in or opposed to the Negative Declaration and/or GPA 04-04/LCPA 04-04; and

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

1. That all recitations are true and correct.
2. That the City Council approves City Council Resolution No. 2004-303 and that the findings and conditions of the Planning Commission as set forth in Planning Commission Resolutions No. 5679, 5680, and 5681, on file with the City Clerk and made a part hereof by reference, are the findings and conditions of the City Council.
3. That the application for a Negative Declaration and Local Coastal Program Amendment on property generally located west of El Camino Real, north and south of Poinsettia Lane, is approved as shown in Planning Commission Resolutions No. 5679 and 5681.

EXHIBIT NO. 3
APPLICATION NO.
Carlsbad LCPA
No. 3-04F
Council Resolutions
 California Coastal Commission

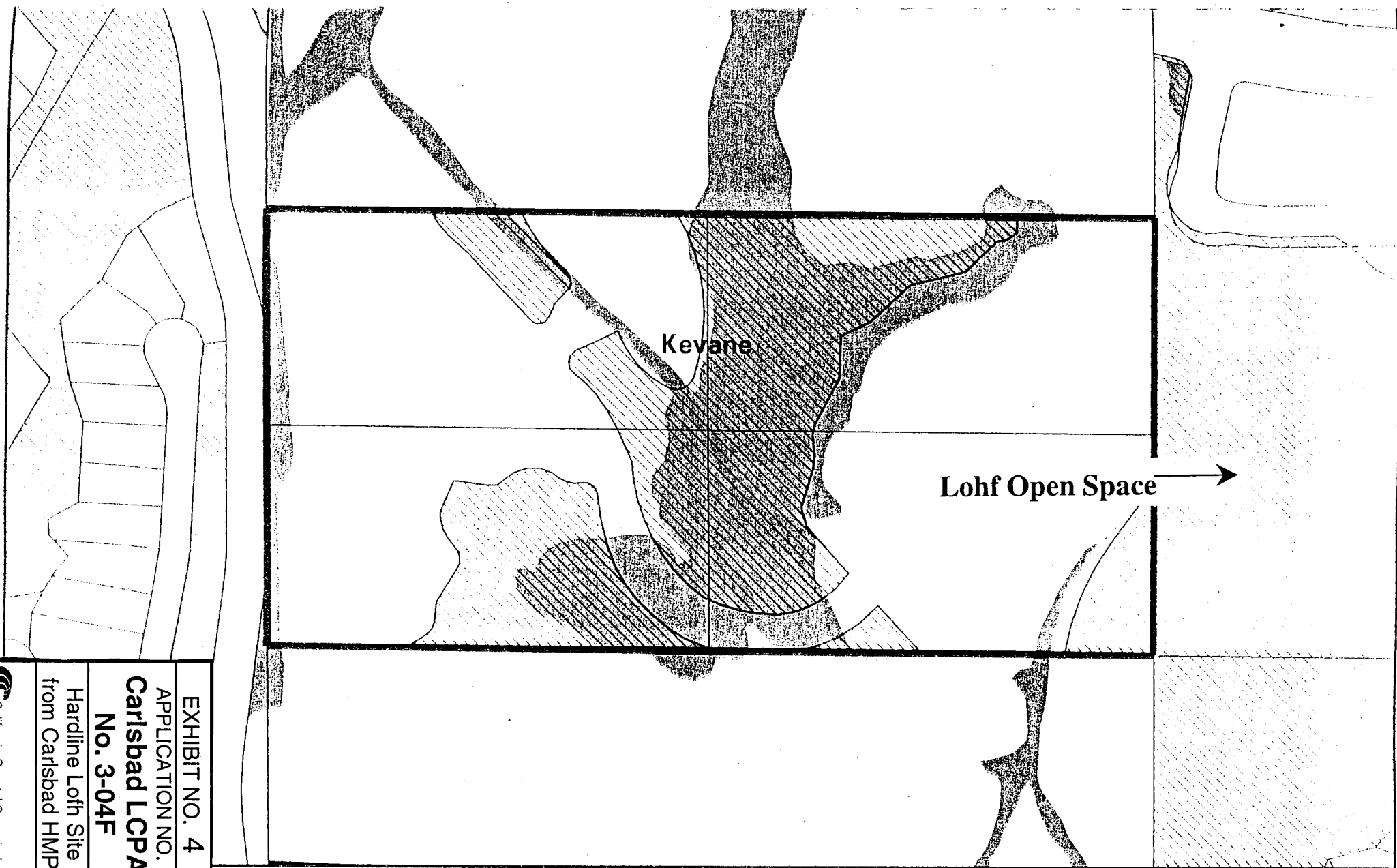
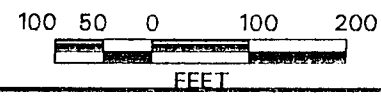
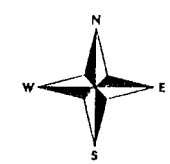
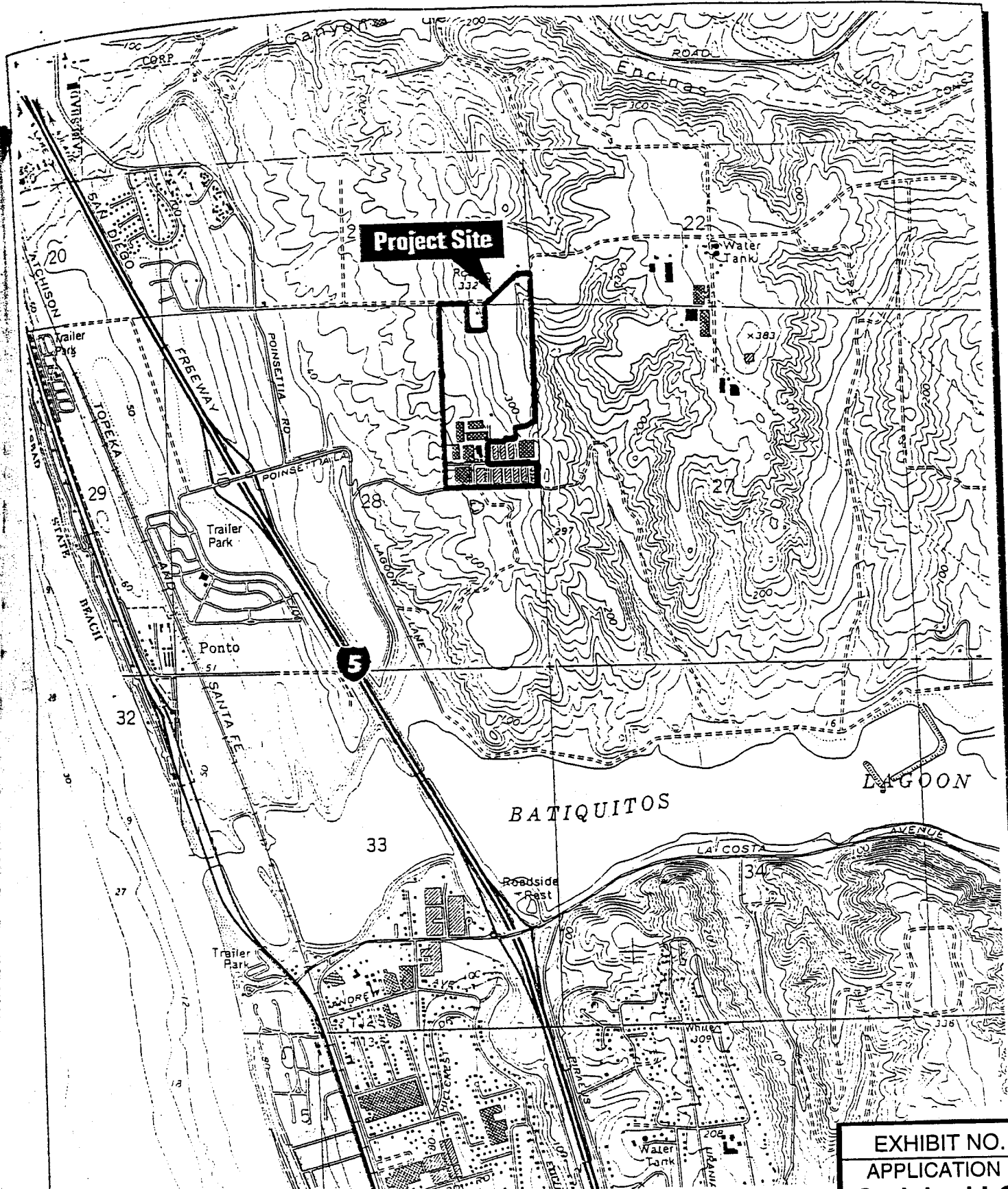


EXHIBIT NO. 4
 APPLICATION NO.
Carlsbad LCPA
No. 3-04F
 Hardline Lohf Site
 from Carlsbad HMP

Figure 25
Kevane





Project Site

EXHIBIT NO. 5
APPLICATION NO.
Carlsbad LCP/
No. 3-04H

Location

BASE MAP SOURCE: USGS 7.5 Minute Series, Encinitas Quadrangle

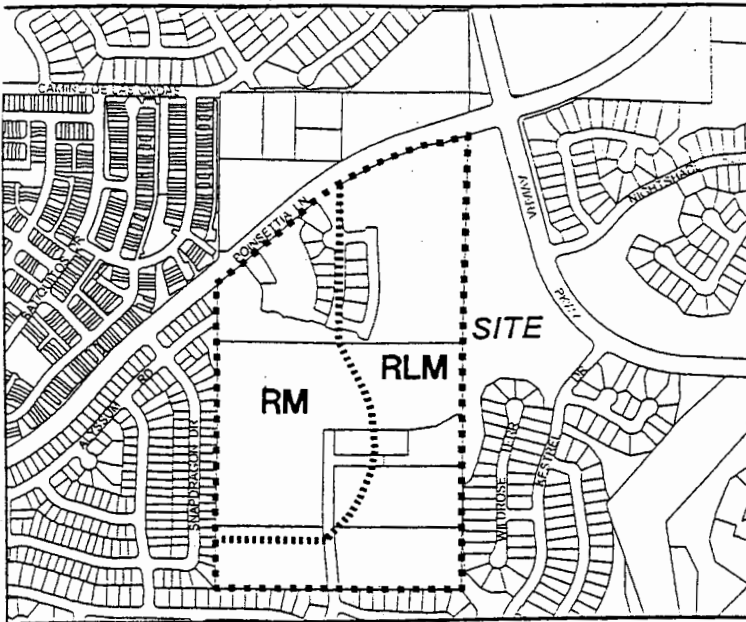
Thompson Property - Biological Resources Letter Report & Impact
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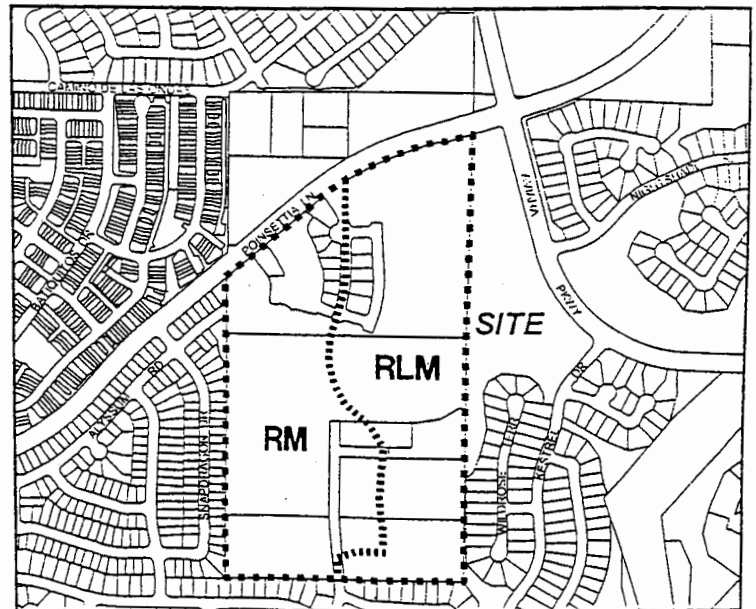
GENERAL PLAN MAP CHANGE

GPA: 04-11

draft final



EXISTING



PROPOSED

Project Name: Thompson/Tabata GPA	Related Case File No(s): LCPA 04-10
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Property/Legal Description(s):
 A portion of the eastern half of the northeastern half and a portion of the southwestern quarter of Section 28, Township 12 South, Range 4 West in the San Bernardino Quadrant, in the City of Carlsbad, County of San Diego, State of California

G.P. Map Designation Change			Approvals
Property	From:	To:	Council Approval Date:
A. 214-170-80	See map for line		Resolution No:
B. 214-170-81	adjustment		Effective Date:
C. 214-170-84			Signature:
D. 214-170-85			
E. 214-170-89			
Attach additional pages if necessary			

EXHIBIT NO. 6
APPLICATION NO.
Carlsbad LCPA
No. 3-04H

Amendment

RECEIVED

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CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

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RESOLUTION NO. 2004-294

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING A NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT, AND LOCAL COASTAL PROGRAM AMENDMENT FOR THE THOMPSON/TABATA GPA LAND USE DESIGNATION BOUNDARY ADJUSTMENT FOR PROPERTY GENERALLY LOCATED WEST OF AVIARA PARKWAY, SOUTH OF POINSETTIA LANE, IN LOCAL FACILITIES MANAGEMENT ZONE 20.

CASE NAME: THOMPSON/TABATA GPA

CASE NO.: GPA 04-11/LCPA 04-10

WHEREAS, pursuant to the provisions of the Municipal Code, the Planning Commission did, on July 21, 2004, hold a duly noticed public hearing as prescribed by law to consider a Negative Declaration, General Plan Amendment, and Local Coastal Program Amendment; and

WHEREAS, the City Council of the City of Carlsbad, on the 14th day of September, 2004, held a duly noticed public hearing to consider said Negative Declaration, General Plan Amendment, and Local Coastal Program Amendment and at that time received recommendations, objections, protests, comments of all persons interested in or opposed to the Negative Declaration and/or GPA 04-11/LCPA 04-10; and

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

1. That all recitations are true and correct.

2. That the City Council approves City Council Resolution No. 2004-294 and that the findings and conditions of the Planning Commission as set forth in Planning Commission Resolutions No. 5675, 5676, and 5677, on file with the City Clerk and made a part hereof by reference, are the findings and conditions of the City Council.

3. That the application for a Negative Declaration and Local Coastal Program Amendment on property generally located west of Aviara Parkway south of Poinsettia Lane, is approved as shown in Planning Commission Resolutions No. 5675

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EXHIBIT NO. 7
APPLICATION NO.
Carlsbad LCPA
No. 3-04H
Council Resolutions

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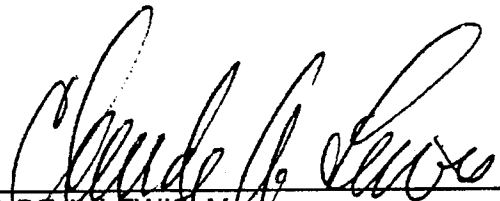
4. That the application for a General Plan Amendment from Residential Medium Density (RM) to Residential Low Medium Density (RLM) on property generally located west of Aviara Parkway, south of Poinsettia Lane, as shown in Planning Commission Resolution No. 5676, is hereby accepted, approved in concept, and shall be formally approved with GPA Batch No. 2 comprised of GPA 02-05, GPA 03-05, GPA 03-08, GPA 03-13, GPA 04-01, GPA 04-04, GPA 04-07, GPA 04-08, GPA 04-11, and GPA 04-13.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Carlsbad on the 14th day of September, 2004, by the following vote, to wit:

AYES: Council Members Lewis, Finilla, Kulchin, Hall and Packard.

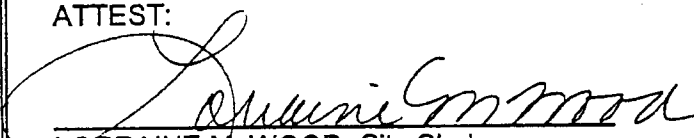
NOES: None

ABSENT: None



CLAUDE A. LEWIS, Mayor

ATTEST:



LORRAINE M. WOOD, City Clerk

(SEAL)

Hardline pursuant to Carlsbad NSPPA # 1-03C

CSS Edge
Shown in
100-scale
details



Conceptual
hardline
development

EXHIBIT NO. 8
APPLICATION NO.
Carlsbad LCPA
No. 3-04H

From CARL LCPA
1-03B Thompson-Tabata
Conceptual Hardline

Hub Park

Veterans Park

Hiatt

Carlsbad Golf Course

N.A.P.

Br

5

20

Zone 19
Park

Manzanita
Partners

Villages
of
La Costa
HCP 1

21

Lohf

Thompson and
Tabata

4

19

9

Batiquitos Lagoon

CITY OF ENCINITAS

EXHIBIT NO. 9
APPLICATION NO.
Carlsbad LCPA
No. 3-04H
From HMP Map Site
Locations

