

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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SAN DIEGO, CA 92108-4421
(619) 767-2370

**Tue 9a**

October 26, 2006

TO: COMMISSIONERS AND INTERESTED PERSONS**FROM: SHERILYN SARB, ACTING SOUTH COAST DEPUTY DIRECTOR
DEBORAH LEE, DISTRICT MANAGER, SAN DIEGO AREA OFFICE
LAURINDA OWENS, COASTAL PLANNER, SAN DIEGO AREA OFFICE****SUBJECT: STAFF RECOMMENDATION ON CITY OF CARLSBAD MAJOR
AMENDMENT 2-06A (Car Country Carlsbad Specific Plan) For Commission
Meeting of November 14-17, 2006**

SYNOPSIS

The subject amendment request revises the certified Carlsbad Mello II LCP Implementation Program. On July 14, 2006, the City of Carlsbad Local Coastal Program Amendment No. 2-06 was filed in the San Diego district office. The LCP amendment includes two separate components (A and B). The subject component (A) would combine two specific plans that addresses development regulations for the Car Country facility in Carlsbad. It only involves an amendment to the implementation plan. Component B involves changes to the land use designation and zoning for a site known as La Costa Village and it will be reviewed separately at a later date. The LCP amendment was the subject of a request for a one-year time extension that was approved on September 13, 2006; thus, Commission action must occur by September 7, 2007.

SUMMARY OF AMENDMENT REQUEST

The subject amendment request proposes to combine the text of Specific Plan 19 (original Car Country area) and 19 (C) (Car Country Expansion Area) into one physical document and then incorporate it into the LCP. Specific Plan 19 was approved in 1972 and established development criteria for the area known as Car Country Carlsbad, located east of Interstate 5, south of Cannon road and north and west of Car Country Drive. This plan is commonly referred to as the "Original Car Country" which predates the Coastal Act. As such, the original Car Country Specific Plan was not part of the certified LCP. Specific Plan 19 (C) was approved in 1987 and is known as the Car Country Expansion Area. The latter amendment incorporated the area west of Car Country Drive and south of Cannon Road into Specific Plan 19. The proposed amendment will also expand the list of approved structures to include parking structures for the storage of new cars and employee parking. In addition, the ground level of the parking structure could also be used for sales, service and/or parts. In order to accommodate a parking structure, the proposed amendment includes provisions for increased building coverage (up to 50%) and building height (not greater than 35 feet to top of roof deck) as well as modified

setback requirements. These provisions would only apply to future parking structure proposals.

In addition, the Comprehensive Sign Program is also proposed to be reformatted and placed in one section. The old sign criteria will be deleted from the Specific Plan. The amendment also modifies the parking criteria so that one set of standards applies to the entire Specific plan areas (both “old” and “new” Car Country areas). As part of the proposed amendment, the permit process for parking structures will be changed such that a Site Development Plan will be necessary (instead of a Planning Commission Determination). In addition, the proposed changes also allow for a Mediterranean architectural style in addition to the existing Spanish style. Other minor changes include a number of formatting and typographical corrections and incorrect street name references.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending approval of the proposed LCP amendment as submitted. The proposed changes are consistent with the certified Mello II LUP designation and would not result in adverse impacts to visual resources or public access.

The appropriate resolutions and motions begin on Page 4. The findings for approval of the Implementation Plan Amendment as submitted begin on Page 4.

BACKGROUND

The Specific Plan 19 for the original Car Country area was approved in 1972, predating the Coastal Act. Specific Plan 19(C) was approved in 1987 which was for the Car Country Expansion area. This was approved pursuant to LCPA #1-88. The Car Country Specific Plan implements the intent of the Regional Commercial (C) General Plan land Use Designation and General Commercial (GC) Local Coastal Program land use designation. The LCP Amendment is necessary to ensure consistency between the LCP and the Specific Plan. The original Car Country and the Car Country Expansion Area are currently covered by two separate documents. The proposed amendment will consolidate the two documents into one and will provide one set of standards for signage and parking for the entire Specific Plan area.

ADDITIONAL INFORMATION

Further information on the Car Country Expansion LCP amendment No. 2-06A may be obtained from Laurinda R. Owens, Coastal Planner, at (619) 767-2370.

PART I. OVERVIEW

A. LCP HISTORY

Carlsbad Local Coastal Program (LCP)

The City's 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 remaining segments except Agua Hedionda. The Agua Hedionda Lagoon LCP segment remains as a deferred certification area until an implementation plan is certified. The subject amendment request affects the Mello II segment of the certified LCP.

B. STANDARD OF REVIEW

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

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.

- I. MOTION:** *I move that the Commission reject the Implementation Program Amendment for the City of Carlsbad Implementation Plan Amendment #2-06A (Car Country Specific Plan), 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 AMENDMENT AS SUBMITTED:

The Commission hereby certifies the Implementation Program Amendment for the Car Country Expansion segment of the City of Carlsbad Local Coastal Program (LCPA No. 2-06A) as submitted and adopts the findings set forth below on grounds that the Implementation Program Amendment conforms with, and is adequate to carry out, the provisions of the certified *Land Use Plan*, and certification of the Implementation Program Amendment 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.

**PART III. FINDINGS FOR APPROVAL OF THE CITY OF CARLSBAD
IMPLEMENTATION PLAN AMENDMENT #2-06A AS SUBMITTED**

A. AMENDMENT DESCRIPTION

The primary purpose of the proposed amendment is to provide standards in a single implementation plan (Specific Plan) to encourage the development of parking structures and to provide consistent parking standards throughout the Car Country Auto and Shopping Center. In addition, the proposed amendment will establish parking structure development standards related to building height, setbacks and lot coverage. The Car Country Carlsbad Specific Plan area is located in the City of Carlsbad's General Commercial (C-2) and General Commercial-Qualified Development Overlay (C-2-Q) zones. However, development proposals within the Specific Plan area are subject to the unique development standards of the Specific Plan, rather than the City's Zoning Ordinance. The center contains approximately 78 acres and is located north of Palomar Airport Road, south of Cannon Road and immediately adjacent to the east side of the I-5 corridor.

B. FINDINGS FOR APPROVAL

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.

a) Purpose and Intent of the Ordinance. The Car Country Carlsbad Specific Plan sets forth the zoning and development plan for the Car Country Auto and Shopping Center. The specific plan provides a comprehensive description of land use, design guidelines, development standards and implementation programs to direct future development. The Car Country Auto and Shopping Center is a planned commercial development featuring a combination of new car dealerships with other commercial enterprise. The center contains approximately 78 acres.

b) Major Provisions of the Ordinance. The major provisions of the ordinance include definitions, and regulations pertaining to permitted uses, building coverage, building heights, architectural design and materials, building setbacks, parking, fencing, screening, landscaping, and related requirements. The proposed amendment will result in the combination of Specific Plan 19 and 19 (C) into one document so that there is just one set of development regulations which will apply to all of Car Country regardless of whether it was the old Car Country or the expanded Car Country area.

The proposed amendment will also expand the list of permitted structures to include parking structures for the storage of new cars, service bays and/or to provide ground level areas for sales, service, and/or parts. Along with this change, the regulations pertaining to building coverage and height will also be changed to accommodate the permitted parking structures. Specifically, the allowable building coverage may be increased to 50% when a parking structure is included as a part of a Site Development Plan. In addition, with regard to building height, the regulations are changed such that for development west of Paseo Del Norte (the street that divides Car Country) service buildings and main buildings are limited to one story but additional language is added to restrict the height to a maximum of 24' feet. In addition, parking structures are permitted at a height of three stories and 35 ft. maximum to top of a roof deck. Some height protrusions up to 45 ft. are allowed pursuant to the Carlsbad Municipal Code. In addition, for development east of Paseo del Norte, building heights are restricted such that service buildings are permitted to be one-story and 24 ft. maximum and main buildings are permitted to be two stories and 35 ft. maximum. Parking structures are permitted at the same height as the west side of Paseo Del Norte, described above. In addition, the regulations are being modified to address building setbacks for parking structures. In addition, language addresses screening of vehicles and landscaping for new parking structures as well as the overall facility is also being added.

The proposed amendment will also include changes to the parking criteria so that one set of standards applies to all of the auto dealerships within the entire specific plan area. For example, the parking requirements for storage and display areas differ significantly between the old Car Country and the Car Country expansion area. The old Car Country Specific Plan contains a computation that is outdated and based on monthly sales volumes. New standards will be included based on type of use (i.e., sales, repair, parts, employees, storage and display).

In addition, the language is being revised to allow for either a Spanish or Mediterranean architectural style. Previously, only a Spanish style of architecture was permitted.

Related to this, language is also being added that requires that the roof elements include a mission clay tile or similar style/color. The proposed amendment will also reformat the sign criteria for the Comprehensive sign Program into one section and delete the old sign criteria within the Specific Plan.

Also, the approval process for development in the Original Car Country area is proposed to be changed from a Planning Commission Determination to a Site Development Plan. Development proposals in the old Car Country currently require approval of a Planning Commission Determination (PCD), whereas a Site Development Plan is required for projects in the Car Country Expansion Area. In order to provide consistency between the two Specific Plan areas, modifications are proposed to the approval process so that all developments throughout Car Country would require approval of a Site Development Plan. Lastly, the proposed amendment will correct a number of formatting and typographical errors.

c) Adequacy of the Ordinance to Implement the Certified LUP Segments. The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified Land Use Plan (LUP). In the case of the subject LCP amendment, the City's Specific Plan serves as the Implementation Program for this segment of the Mello II LCP.

The proposed amendment revises several parts of the Specific Plan to allow for the construction of parking garages for the Car Country facility. There is the potential that some of these changes could adversely affect public views to the ocean and/or be visible from the adjacent Interstate-5, a major coastal access corridor. The proposed changes include a 35-foot height limit for the parking structures, however, this would not result in improvements that would obstruct public views to the shoreline. This height limit is consistent with the C-2 and C-2-Q zone regulations which allow a maximum height of 35 feet (with provisions for protrusions above 35 feet for roof parapets and other similar structures). As such, the height does not exceed that permitted for other areas subject to zoning. Furthermore, because the site is on the east side of I-5, new parking structures will not adversely impact public views to the ocean as viewed by traveling motorists along I-5, a major coastal access route which often provides panoramic ocean views.

The proposed amendment will also allow increased lot coverages for the construction of parking garages. However, this should not result in any adverse impacts to public views as the height is being restricted as described earlier and the overall intent is to provide additional area for storage of vehicles as well as more parking for customers and employees which should improve visual quality in this area.

The proposed amendment has incorporated language to assure that new parking structures will observe required building setbacks, that cars that are stored inside of the garages be screened from outside views by the structure's walls and/or landscaping and that landscaping be installed to screen the structures from surrounding properties and the I-5 corridor. In addition, the amendment includes language that states that any undeveloped areas shall be planted and maintained in a clean, neat and orderly manner.

It further provides that undeveloped lots shall not be used for the storage of automobiles unless a Conditional Use Permit (CUP) is processed pursuant to the requirements of the City's municipal code. Also, in terms of visual compatibility of any new structures to the surrounding Car Country facility, the amendment allows for a new architectural style (Mediterranean) in addition to the existing Spanish style but requires that roofs, etc. be consistent with the overall design of the existing facility.

With regard to consistency with policies in the LUP that address parking and coastal access, the proposed amendment will allow for the construction of parking garages at the Car Country facility which will improve parking overall for customers and employees, as well as provide a place for the storage of vehicles that is separate from the customer or employee parking areas (or public streets in the area). The proposed amendment also includes changes to the parking criteria. Whereas parking was based on, for example, number of employees, number of service stalls at a dealership, or average monthly sales of new cars, etc., the parking is now broken down by type of use (i.e., sales, repair, parts, employees, storage and display) and is more standardized and uniform to the entire Car Country facility.

The proposed amendment will also not adversely affect public access as the property is located south of Cannon Road, about 1,200 feet from Agua Hedionda Lagoon and about 1/2 mile from the Pacific Ocean on the east side of Interstate-5, a major coastal access route. Because of its distance from the ocean, no public access issues are raised as a result of the proposed amendment. In addition, the proposed parking revisions are consistent with the zoning ordinance and with the existing Specific Plan.

As noted previously, the signage is proposed to be reformatted as a Comprehensive Sign Program with deletion of the old sign criteria within the Specific Plan. However, no changes are proposed to the signage requirements. The proposed amendment would not affect policies of the LUP addressing signage because no modifications are proposed to the existing sign program except to relocate the text into a new section of the Specific Plan. In general, the requirements provide limits on the height and number of signs including that only one freestanding sign advertising the entire Car Country development may be oriented towards Interstate-5 and shall be limited to a height of 35 feet. Monument signs are permitted at a maximum height of 8 ft. and no roof signs are allowed, all consistent with the policies of the certified LUP designed to minimize impacts on coastal resources. The comprehensive sign program also includes a statement that all signs shall comply with the requirements of the coastal zone. As such, no adverse visual resources should result from the proposed amendment and the proposed changes are consistent with, and adequate to carry out, the provisions of the certified LUP.

In addition, the proposed amendment would not affect any of the Mello II Land Use Plan policies related to grading, landscaping, erosion, steep slopes, erosion control or removal of native vegetation. The property is designated for General Commercial development in the Mello II Land Use Plan. The site is not designated as Prime or Non-prime Agricultural Land. The Car Country Specific Plan area is completely graded and all but one of the existing lots are developed. Any new construction will conform to City of

Carlsbad standards thereby ensuring that no adverse impacts due to erosion would be created. Individual development proposals would be required to obtain approval of a coastal development permit and comply with the land use policies of the Mello II segment of the LCP. Therefore, in summary, the proposed LCP amendment will have no significant adverse impacts on coastal resources and the proposed amendment request is found to be consistent with the certified LUP and is adequate to carry it out.

PART IV. 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. The proposed changes will not result in an intensity of land use incompatible with the surrounding development or have adverse impacts on coastal resources. Therefore, the Commission finds that approval of the LCP amendment will not result in any significant adverse environmental impacts.

CITY OF CARLSBAD - AGENDA BILL

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AB# <u>18,545</u>	CAR COUNTRY SPECIFIC PLAN AMENDMENT SP 19(I)	DEPT. HD. <u>SS</u>
MTG. <u>04/25/06</u>		CITY ATTY. <u>EC</u>
DEPT. <u>CLK</u>		CITY MGR <u>[Signature]</u>

RECOMMENDED ACTION:

Adopt Ordinance No. NS-799 approving an Amendment to the Car Country Specific Plan to allow modifications to the Car Country Specific Plan and to Consolidate SP 19 and SP 19(C) into one document.

ITEM EXPLANATION:

Ordinance No. NS-799 was introduced and first read at the City Council meeting held on April 18, 2006. The second reading allows the City Council to adopt the ordinance, which would then become effective in thirty days. The City Clerk will have the ordinance published within fifteen days, if adopted.

FISCAL IMPACT:

See Agenda Bill No. 18,533 on file in the Office of the City Clerk.

EXHIBIT:

1. Ordinance No. NS-799.

APPROVED

COUNCIL ACTION:

DEPARTMENT CONTACT: Sheila Cobian (760) 434-296


EXHIBIT #1
Resolution of Approval
LCPA #2-06A (Car Country Carlsbad Specific Plan)
 California Coastal Commission

Exhibit J

ORDINANCE NO. NS-799

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING AN AMENDMENT TO THE CAR COUNTRY SPECIFIC PLAN, SP 19(I) TO ALLOW MODIFICATIONS TO THE CAR COUNTRY SPECIFIC PLAN AND TO CONSOLIDATE SP 19 AND SP 19(C) INTO ONE DOCUMENT.

CASE NAME: CAR COUNTRY SPECIFIC PLAN AMENDMENT
CASE NO.: SP 19(I)

The City Council of the City of Carlsbad, California, does ordain as follows:

WHEREAS, the City Council approved the Car Country Specific Plan SP 19 on January 18, 1972, by adopting Ordinance No. 9288; and

WHEREAS, the City Council approved an amendment to the Car Country Specific Plan SP 19(A) on June 19, 1984, by adopting Ordinance No. 9720; and

WHEREAS, the City Council approved an amendment to the Car Country Specific Plan SP 19(B) on January 22, 1985, by adopting Ordinance No. 9734; and

WHEREAS, the City Council approved an expansion to the Car Country Specific Plan SP 19(C) on December 22, 1987, by adopting Ordinance No. 9842; and

WHEREAS, the City Council approved an amendment to the Car Country Specific Plan SP 19(D) on October 6, 1992, by adopting Ordinance No. NS-214; and

WHEREAS, the City Council approved an amendment to the Car Country Specific Plan SP 19(E) on August 20, 1991, by adopting Ordinance No. NS-116; and

WHEREAS, an application for an amendment to the Car Country Specific Plan SP 19(F) was applied for and withdrawn; and

WHEREAS, the City Council approved an amendment to the Car Country Specific Plan SP 19(G) on June 27, 1995 and July 18, 1995, by adopting Ordinance No. NS-315 and NS-317, respectively; and

WHEREAS, the City Council denied an amendment to the Car Country Specific Plan SP 19(H) on April 23, 1996, by adopting City Council Resolution 96-141; and

1 WHEREAS, after procedures in accordance with the requirements of law, the
2 City Council has determined that the public interest indicates that said specific plan amendment
3 Sp 19(I) be approved; and

4 WHEREAS, the City Council did on the 18th day of April
5 2006 hold a duly noticed public hearing as prescribed by law to consider said request; and

6 WHEREAS, said application constitutes a request for a Specific Plan
7 Amendment as shown on Exhibit "SP 19(I)" dated March 15, 2006, incorporated by reference.

8 NOW, THEREFORE, the City Council of the City of Carlsbad does ordain as
9 follows:

10 SECTION I: That Specific Plan Amendment SP 19(I) dated March 15, 2006,
11 attached hereto, and incorporated herein by reference, is approved. The Specific Plan shall
12 constitute the development plan for the property and all development within the plan area shall
13 conform to the plan.

14 SECTION II: That the findings and conditions of the Planning Commission in
15 Planning Commission Resolution No. 6042 shall also constitute the findings and conditions of
16 the City Council.

17 EFFECTIVE DATE: This ordinance shall be effective no sooner than thirty
18 days after its adoption but not until approved by the California Coastal Commission, and the City
19 Clerk shall certify to the adoption of this ordinance and cause it to be published at least once in
20 a publication of general circulation in the City of Carlsbad within fifteen days after its adoption.

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1 INTRODUCED AND FIRST READ at a regular meeting of the Carlsbad City
2 Council on the 18th day of April 2006, and thereafter.

3 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
4 Carlsbad on the 25th day of April 2006, by the following vote, to wit:

5 AYES: Council Members Lewis, Hall, Kulchin, Packard, Sigafoose

6 NOES: None

7 ABSENT: None

8 ABSTAIN: None

9 APPROVED AS TO FORM AND LEGALITY

10 Ronald R. Ball
11 RONALD R. BALL, City Attorney 4.26.06

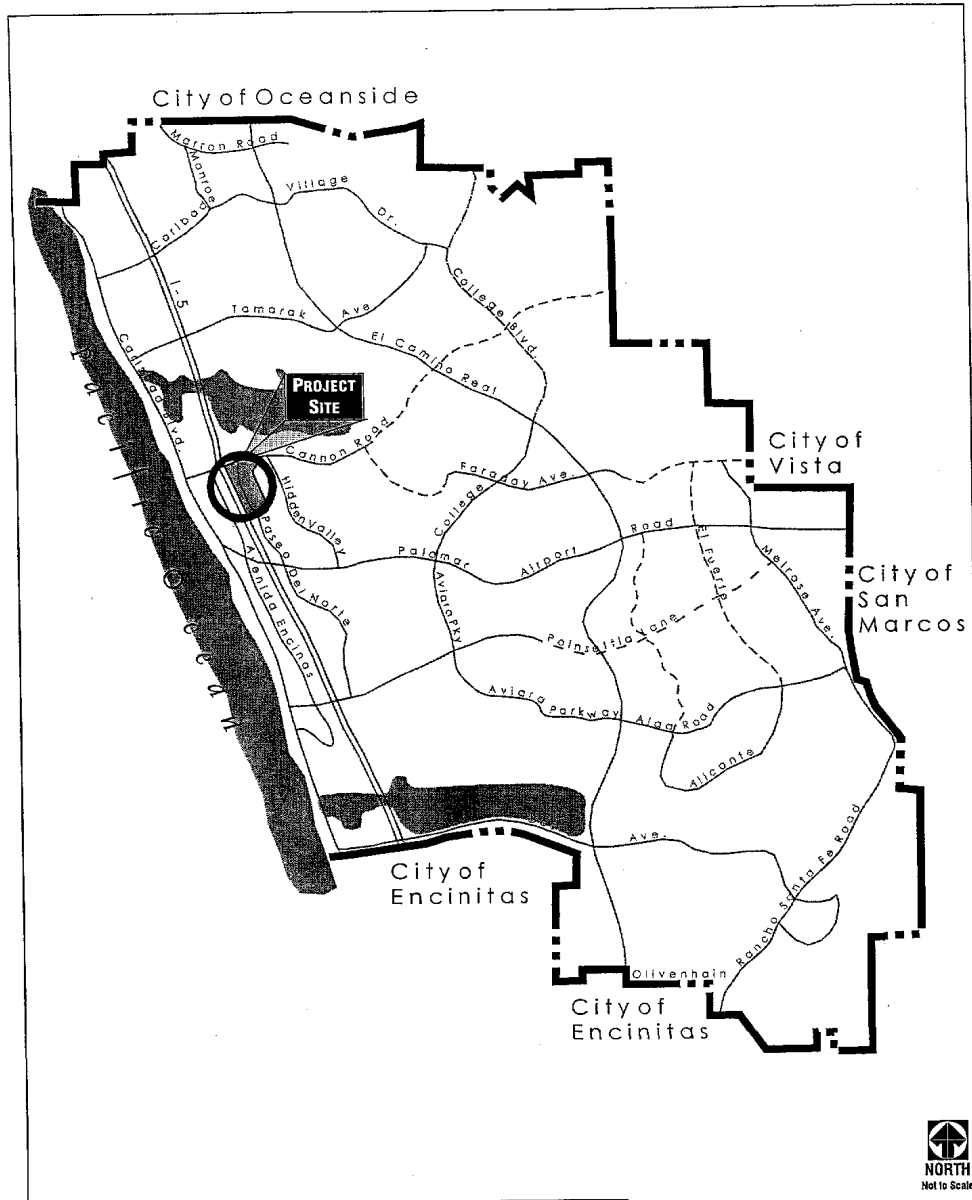
12 Claude A. Lewis
13 CLAUDE A. LEWIS, Mayor

14 ATTEST:

15 Lorraine M. Wood, Deputy
16 LORRAINE M. WOOD, City Clerk



17 (SEAL)



SPECIFIC PLAN 19C
CAR COUNTRY CARLSBAD
CARLSBAD, CA

EXHIBIT #2
Location Map
LCPA #2-06A (Car Country Carlsbad)
California Coastal Commission

