SAN DIEGO AREA

(619) 767-2370

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CALIFORNIA COASTAL COMMISSION

November 23, 2010



#### TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: SHERILYN SARB, DEPUTY DIRECTOR, SAN DIEGO COAST DISTRICT DEBORAH LEE, DISTRICT MANAGER, SAN DIEGO COAST DISTRICT TONI ROSS, COASTAL PROGRAM ANALYST, SAN DIEGO COAST DISTRICT

### SUBJECT: STAFF RECOMMENDATION ON CITY OF CARLSBAD MAJOR LCP AMENDMENT CAR-MAJ-4-09E (Tabata 10) for Commission Meeting of December 15-17, 2010

#### **SYNOPSIS**

The subject LCP implementation plan amendment was submitted and filed as complete on December 29, 2009. A one-year time extension was granted on March 10, 2010. As such, the last date for Commission action on this item is March 29, 2011. This is the second component of five unrelated items submitted as LCP Amendment Number 4-09 (A-E) to be heard by the Commission. The first component 4-09B (Building Height) was certified by the Commission at its June, 2010 hearing. Additionally, a third component 4-09D (Tabata Ranch) is also scheduled for the December, 2010 hearing.

#### SUMMARY OF AMENDMENT REQUEST

The subject amendment proposes to modify the zoning designation from Limited Control (L-C) to Residential 1 (R-1) on a 10.16 acre site. The subject site is generally located at the north-east end of Camino Hills Drive along the west side of El Camino Real, and it was previously used for agricultural activities. There is no habitat value or any other coastal resources on the site. The proposed zoning amendment will facilitate the subdivision of the site into 27 lots. The current proposal pending before the City would allow 26 of these future lots to be developed with single family homes, although this development is not in front of the Commission at this time. The remaining land will be landscaped and will serve as a sound berm and physical barrier from El Camino Real.

The subject site slopes downward from south-west to north-east toward EL Camino Real. A portion of the site contains steep (in excess of 40%) *manufactured* slopes. The site was previously used for agricultural operations and contains 7.7 acres of disturbed habitat, 0.9 acres of Non-native grassland, 0.3 acres of Eucalyptus woodland, 1.2 acres of developed area, and 0.04 acres of landscaping. The site contains no sensitive plant species. Surrounding land uses include single family homes to the north and west, the Camino Hills mobile home neighborhood to the south, and a vacant, commercially designated

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property to the east of El Camino Real (ref. Exhibit #4). The subject site is not located adjacent to any hardline, standards, or habitat corridor areas as defined by the City's Habitat Management Plan (HMP).

## SUMMARY OF STAFF RECOMMENDATION

Staff is recommending approval of the proposed zoning redesignation as submitted. The modification does not result in any potential impacts to sensitive habitat, public access, water quality or public views. And, although the subject site has previously been used for agricultural uses, the proposed zoning revision does not raise concerns regarding the conversion of agricultural lands for development. The site currently has a residential land use designation. The zoning designation of Limited-Control is meant to be a "holding zone" designation until more specific planning is completed. Since the project is surrounded by development on three sides and an undeveloped commercially designated property on the other, no habitat buffers, or fire suppression zones are necessary. As such, the rezoning can be found consistent with the City's LCP as submitted.

The appropriate resolutions and motions begin on Page 4. The findings for approval of the Implementation Plan Amendment as submitted begin on Page 5.

## **BACKGROUND**

The City of Carlsbad'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/Hunt 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. This LCP amendment affects both the Mello II segment of the LCP and the HMP.

The Mello II Segment Land Use Plan and Implementation Plan were approved in 1981. The Mello II Segment is comprised of 5,500 acres, or approximately 75% of the City. Unresolved issues remained for the segment regarding preservation of agricultural lands, and protection of steep sensitive slopes. Multiple additional amendments were brought forward, and, with the incorporation of the Carlsbad Ranch Specific Plan, the City's LCP was certified by the Commission, and the City obtained permit authority in 1996.

Furthermore, the proposed LUP amendment is located in an area also protected through the City's Habitat Management Plan (HMP). The Carlsbad HMP was prepared to satisfy the requirements of a federal Habitat Conservation Plan (HCP), and as a subarea plan of the regional Multiple Habitat Conservation Plan (MHCP). The MHCP study area involves approximately 186 square miles in northwestern San Diego County. This area includes the coastal cities of Carlsbad, Encinitas, Solana Beach and Oceanside, as well as the inland cities of Vista and San Marcos and several independent special districts. The participating local governments and other entities will implement their portions of the MHCP through individual subarea plans such as the Carlsbad HMP. Once approved, the MHCP and its subarea plans replace interim restrictions placed by the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) on impacts to coastal sage scrub and gnatcatchers within that geographical area, and allow the incidental take of the gnatcatcher and other covered species as specified in the plan.

In its action on City of Carlsbad LCP Amendment No. 1-03B in July 2003, the Commission certified the HMP as part of the LCP and found it to meet the requirements of Sections 30240 and 30250 of the Coastal Act despite some impacts to environmentally sensitive habitat area (ESHA). The Commission found that, pursuant to Sections 30007.5 and 30200(b), certification of the HMP with suggested modifications was most protective of significant coastal resources, through conflict resolution.

The subject site, while located within the City's established HMP boundaries, is designated as a "development area" within the HMP, and the project is not located within any corridor or linkage area. Consequently, the majority of policies contained in the HMP will not apply in this evaluation.

## **ADDITIONAL INFORMATION**

Further information on the City of Carlsbad LCP Amendment No. 4-09E (Tabata 10) may be obtained from <u>Toni Ross</u>, Coastal Planner, at (619) 767-2370.

# B. <u>STANDARD OF REVIEW</u>

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. <u>PUBLIC PARTICIPATION</u>

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. <u>MOTION</u>: I move that the Commission reject the Implementation Program Amendment for the City of Carlsbad LCPA 4-09E 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.

## <u>RESOLUTION TO CERTIFY IMPLEMENTATION PROGRAM AMENDMENT</u> <u>AS SUBMITTED</u>:

The Commission hereby certifies the Implementation Program Amendment for the the City of Carlsbad 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 City of Carlsbad, 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.

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## PART III. <u>FINDINGS FOR APPROVAL OF THE CITY OF CARLSBAD</u> <u>IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED</u>

## A. <u>AMENDMENT DESCRIPTION</u>

The subject LCP amendment proposes to change the zoning designation from Limited Control (L-C) to One-Family Residential (R-1) on a 10.16 site. The site has previously been used for agricultural operation and does not contain any sensitive habitat.

# 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. The project site is being modified from Limited Control (L-C) to Residential (R-1). The subject site is also subject to the requirements of the Coastal Resource Protection Overlay Zone in the City's certified LCP.

a) <u>Purpose and Intent of the Ordinance</u>.

1. <u>Residential (R-1)</u>. The intent and purpose of the of the Residential (R-1) designation is to provide regulations and standards for the development of one-family dwellings and other permitted or conditionally permitted uses, as specified.

2. <u>Coastal Resource Protection Overlay Zone</u>. The intent and purpose of the Coastal Resource Overlay Zone is to supplement the underlying zoning with additional resource protective regulations to preserve, protect, and enhance habitat resource values.

b) Major Provisions of the Ordinance.

1. <u>Residential (R-1)</u>. The major provisions of the R-1 district are the allowable uses within the zone, including one-family dwellings, crops, greenhouses, mobile homes, sheds, and trailers. Additional uses are possible with a conditional use permit.

2. <u>Coastal Resource Protection Overlay Zone</u>. The major provisions of the ordinance include a series of development standards incorporated to provide adequate protection of sensitive resources, including provisions for preservation of steep slopes, preservation of Coastal sage scrub and southern maritime chaparral, and to require conservation easements, provide for the restoration of disturbed areas within designated open space and sufficient brush management.

c) Adequacy of the Ordinance to Implement the Certified LUP Segments.

Applicable certified City of Carlsbad LUP policies:

# **Policy 2-1 Conservation of Agricultural Lands**

(1) Coastal Agriculture: 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 301.38 acres 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.

## Policy 3-5(c) Preservation of Steep Slopes, Sensitive Vegetation and Erosion Control

Any development proposal that affects steep slopes (25% inclination of greater) shall be required to prepare a slope map and analysis for the affected slopes...

- (1) Areas and Slopes Possessing Endangered Species and/or Coastal Sage Scrub and Chaparral Plant Communities: For those slopes possessing endangered plant/animal species and/or coastal sage scrub and chaparral plant communities, the following policy language applies:
  - a) Coastal Sage Scrub and Chaparral plant communities shall be preserved in their natural state within designated open space areas shown on the LCP Kelly Ranch Open Space Map...

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). Additionally, the Carlsbad LCP has also been amended to incorporate the City's Habitat Management Plan (HMP).

In this case, the subject amendment will modify the site from a L-C, or Limited Control, zoning designation, that is used to provide an "interim zone for areas where planning for future development has not been determined", to a residential zone to facilitate a specific development. Currently, the site is developed with one single family home, agricultural lands, a small stand of Eucalyptus trees, and landscaping. The subject site does not contain any sensitive resources, nor does it provide any public access opportunities or any coastal views. Additionally, the project site is not located adjacent to any designated lands contained within the HMP.

The proposed IP amendment would allow the conversion of historical agricultural lands to more urban uses. The conversion of these agricultural lands to more urban uses was previously considered in the City's LCP, as the property has already been designated for residential uses in the City's LUP. Additionally, the Commission has certified policies in the City's Land Use Plan and Habitat Management Plan that allow the conversion of agricultural lands. Policy 2-1 *Conservation of Agricultural Lands* allows non-prime agricultural lands to be converted to urban uses, as long as such conversions are consistent with the mitigation and feasibility provisions of the LCP. In this case, the subject site was identified as a *non-prime* agricultural site, and, as such, the conversion of the land is permitted. Mitigation for the conversion will be required through implementation of the agricultural conversion policies of the City's HMP, as discussed below.

The City's HMP also contains policies that address the protection of agricultural lands, and indicates that there is, while limited, some habitat value in agricultural lands. Specifically, while agricultural lands are not as valuable as naturally vegetated lands, they do provide wildlife corridors, food/foraging opportunities, predator protection, etc., simply through their *undeveloped* state, and the conversion of these undeveloped lands requires some mitigation. In this case, any proposed development will be required to include the appropriate mitigation for the conversion of undeveloped, historic agricultural lands to other uses.

Additionally, and as previously noted, the subject site does contain some steep slopes (in excess of 40%) as defined by the City. The City's LCP requires the protection of steep slopes that contain endangered plant/animal species and/or coastal sage scrub and chaparral plant communities. The Coastal Resource Protection Overlay implements this policy. However, in this case, the steep slopes are actually manufactured slopes and they do not contain sensitive habitat. Allowing a Residential-1 zoning designation, and subsequently grading and development on the site, can thus be found consistent with the City's LUP.

In conclusion, the proposed zoning modification can be found consistent with the City's Land Use Plan because the subject site is designated for Residential use, has not been identified as prime agricultural lands and there are no sensitive resources on the site's steep slopes. Furthermore, consistent with the City's certified HMP, any future development on the site will be required to provide mitigation for converting undeveloped land to developed lands. The rezoning can therefore be approved as submitted.

# PART V. <u>CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL</u> <u>QUALITY ACT (CEQA)</u>

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. 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 alternatives 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 zoning 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 we 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 environment.

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	EXHIBIT 1	
1	RESOLUTION NO. 2009-230	
2	A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, ADOPTING A MITIGATED	
3	NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING A GENERAL	
4	PLAN AMENDMENT AND LOCAL COASTAL PROGRAM AMENDMENT TO CHANGE THE GENERAL PLAN LAND USE	
5	DESIGNATION FROM RESIDENTIAL LOW-MEDIUM DENSITY (RLM, 0-4 DU/AC) AND OPEN SPACE (OS) TO RESIDENTIAL	
6	LOW-MEDIUM DENSITY (RLM, 0-4 DU/AC) AND THE LOCAL COASTAL PROGRAM ZONING DESIGNATION FROM LIMITED	
7	CONTROL (L-C) TO ONE FAMILY RESIDENTIAL (R-1) ON A 10.16 ACRE SITE GENERALLY LOCATED AT THE NORTH-	
8	EAST END OF CAMINO HILLS DRIVE ALONG THE WEST SIDE OF EL CAMINO REAL WITHIN THE MELLO II SEGMENT OF	
9	THE LOCAL COASTAL PROGRAM AND LOCAL FACILITIES MANAGEMENT ZONE 24.	
10	CASE NAME: TABATA 10 CASE NO.: GPA 06-04/LCPA 06-02	
11		
12	The City Council of the City of Carlsbad, California, does hereby resolve as follows:	
13	WHEREAS, pursuant to the provisions of the Municipal Code, the Planning	
14	Commission did, on July 15, 2009, hold a duly noticed public hearing as prescribed by law to	
15	consider the Mitigated Negative Declaration and Mitigation Monitoring and Reporting program,	
16	as referenced in Planning Commission Resolution No. 6601, General Plan Amendment GPA	
17	06-04, according to Exhibit "GPA 06-04" attached to Planning Commission Resolution No. 6602	
18	and incorporated herein by reference, and Local Coastal Program Amendment LCPA 06-02,	
19	according to Exhibit "LCPA 06-02" attached to Planning Commission Resolution No. 6602 and	
20	incorporated herein by reference to change the General Plan designation from Residential Low-	
21	Medium Density (RLM, 0-4 du/ac) and Open Space (OS) to Residential Low-Medium Density	
22	(RLM, 0-4 du/ac), and to change the Local Coastal Program Zoning designation from Limited	
23	Control (L-C) to One Family Residential (R-1), and the Planning Commission adopted Planning	
24	Commission Resolutions No. 6601, 6602, and 6603 recommending to the City Council that they	
25	be approved; and	
26	WHEREAS, the City Council of the City of Carlsbad, on the <u>15th</u> day of	
27	September , 2009, held a duly noticed public EXHIBIT #1	-
28	Resolution of Approval	
1	LCPA #4-09E Tabata 10	

Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan 1 2 Amendment, and Local Coastal Program Amendment; and 3 WHEREAS, at said public hearing, upon hearing and considering all testimony 4 and arguments, if any, of all persons desiring to be heard, the City Council considered all factors 5 relating to the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, 6 General Plan Amendment, and Local Coastal Program Amendment. 7 NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City 8 of Carlsbad as follows: 9 1. That the above recitations are true and correct. 10 2. That the recommendation of the Planning Commission for the adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and 11 approval of a General Plan Amendment and Local Coastal Program Amendment are adopted and approved, and that the findings and conditions of the Planning Commission contained in 12 Planning Commission Resolutions No. 6601, 6602, and 6603 on file with the City Clerk and incorporated herein by reference, are the findings and conditions of the City Council. 13 14 3. That the application for a General Plan Amendment to change the Land Use designation from Residential Low-Medium Density (RLM, 0-4 du/ac) and Open Space (OS) 15 to Residential Low-Medium Density (RLM, 0-4 du/ac) on a 10.16 acre site generally located at the north-east end of Camino Hills Drive along the west side of El Camino Real within the Mello 16 II Segment of the Local Coastal Program and Local Facilities Management Zone 24, as shown in Planning Commission Resolution No. 6602, is hereby accepted and approved, and shall be 17 effective no sooner than thirty days after its adoption but not until LCPA 06-02 is approved by the California Coastal Commission. 18 That the approval of LCPA 06-02 shall not become effective until it is 4 19 approved by the California Coastal Commission and the California Coastal Commission's approval becomes effective. 20 5. This action is final the date this resolution is adopted by the City Council 21 and is subject to the approval of the LCPA 06-02 by the California Coastal Commission. The Provisions of Chapter 1.16 of the Carlsbad Municipal Code, "Time Limits for Judicial Review" 22 shall apply: 23  $\parallel \parallel$ 24 111 25 III26 /// 27  $\parallel \mid$ 28 -2-

"NOTICE TO APPLICANT" 1 2 The time within which judicial review of this decision must be sought is governed by Code of Civil Procedure, Section 1094.6, which has been made applicable in the City of Carlsbad by Carlsbad Municipal Code 3 Chapter 1.16. Any petition or other paper seeking review must be filed in the appropriate court not later than the nineteenth day following the date 4 on which this decision becomes final; however, if within ten days after the 5 decision becomes final a request for the record of the deposit in an amount sufficient to cover the estimated cost or preparation of such 6 record, the time within which such petition may be filed in court is extended to not later than the thirtieth day following the date on which the 7 record is either personally delivered or mailed to the party, or his attorney of record, if he has one. A written request for the preparation of the 8 record of the proceedings shall be filed with the City Clerk, City of Carlsbad, 1200 Carlsbad Village Drive, Carlsbad, CA, 92008." 9 10 11 PASSED AND ADOPTED at a regular meeting of the City Council of the City of 12 Carlsbad on the 15th day of September 2009, by the following vote, to wit: 13 AYES: Council Members Lewis, Kulchin, Hall, Packard & Blackburn. 14 NOES: None. 15 ABSENT: None. 16 17 18 19 20 ATTES 21 22 CORRAINE Μ. WOO h Cìerk 23 SEAL) 24 25 26 27 28 -3-

	EXHIBIT 2						
1	ORDINANCE NO. CS-056						
2	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF						
3	CARLSBAD, CALIFORNIA, AMENDING SECTION 21.05.030 OF THE CARLSBAD MUNICIPAL CODE BY AN AMENDMENT TO						
4	THE ZONING MAP TO GRANT A ZONE CHANGE FROM LIMITED CONTROL (L-C) TO ONE FAMILY RESIDENTIAL (R-1)						
5	ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST END OF CAMINO HILLS DRIVE ALONG THE WEST SIDE OF EL						
6	CAMINO REAL IN LOCAL FACILITIES MANAGEMENT ZONE						
7	CASE NAME: TABATA 10 CASE NO.: ZC 06-03						
8	The City Council of the City of Carlsbad, California, does ordain as follows:						
9	WHEREAS, the City Council did on the <u>15th</u> day of <u>September</u> , hold a duly						
10	noticed public hearing as prescribed by law to consider said request; and						
11	WHEREAS, said application constitutes a request for a Zone Change as shown						
12	on Exhibit "ZC 06-03 – TABATA 10," dated July 15, 2009, attached hereto and made a part						
13	hereof; and						
14	WHEREAS at said public hearing, upon hearing and considering all testimony						
15	and arguments, if any, of all persons desiring to be heard, said City Council considered all						
16	factors relating to the ZC 06-03 – TABATA 10.						
17	NOW, THEREFORE, the City Council of the City of Carlsbad does ordain as						
18	follows:						
19	SECTION I: That section 21.50.030 of the Carlsbad Municipal Code, being the						
20	zoning map, is amended as shown on the map marked "ZC 06-03 - TABATA 10," dated July						
21	15, 2009, attached hereto and made a part hereof.						
22	SECTION II: That the findings and conditions of the Planning Commission in						
23	Planning Commission Resolution No. 6604 shall also constitute the findings and conditions of						
24	the City Council.						
25	EFFECTIVE DATE: This ordinance shall be effective no sooner than thirty						
26	days after its adoption, but not until Local Coastal Pro EXHIBIT #2						
27 28	approved by the California Coastal Commission, and the Ci Ordinance						
28	-1- LCPA #4-09E Tabata 10 California Coastal Commission						

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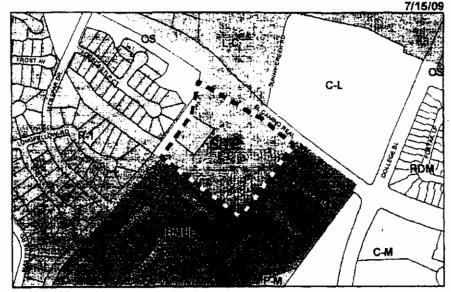
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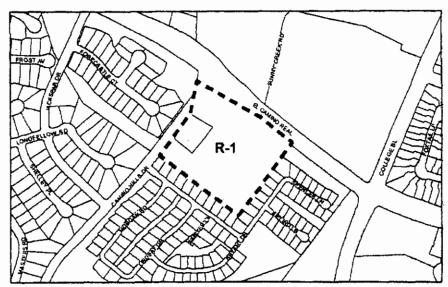
1	of this ordinance and cause it to be published at least once in a publication of general circulation				
2	in the City of Carlsbad within fifteen days after its adoption. (Notwithstanding the preceding, this				
3	ordinance shall not be effective within the City's Coastal Zone until approved by the California				
4	Coastal Commission.)				
5	INTRODUCED AND FIRST READ at a regular meeting of the Carlsbad City				
6	Council on the <u>15th</u> day of <u>September</u> 2009, and thereafter.				
7	PASSED AND ADOPTED at a regular meeting of the City Council of the City of				
8	Carlsbad on the <u>22nd</u> day of <u>September</u> 2009, by the following vote, to wit:				
9	AYES: COUNCIL MEMBERS LEWIS, KULCHIN, HALL, PACKARD AND BLACKBURN.				
10	NOES: NONE.				
11	ABSENT: NONE.				
12	ABSTAIN: NONE.				
13					
14	APPROVED AS TO FORM AND LEGALITY				
15	Signature on file				
16	RONALO R. BALL, City Attorney				
17	Signature on file				
18	to the second se				
19	GLAUDE A. LEWIS, Mayor				
20	ATTEST:				
21	Signature on file				
22	LOBRAINE/M. WOOD (Jity Clerk				
23	(SEAL)				
24					
25					
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ZC 06-03

Tabata 10

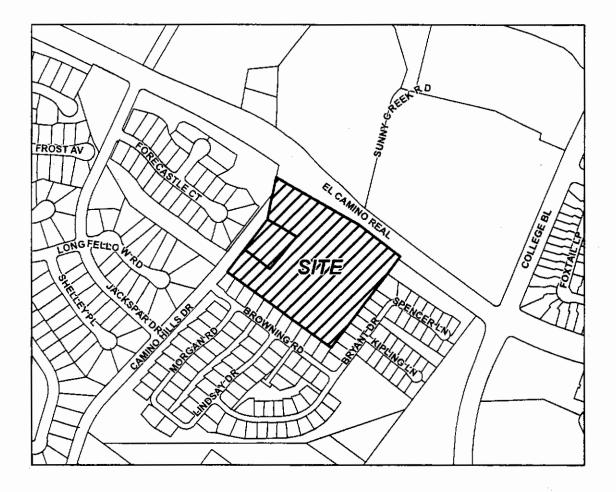


EXISTING



PROPOSED

<u> </u>	Related Case File No(s	): GPA 06-04/ LCPA 06-02/	CT 06-13/ SUP 06-08/ CDP 06-11	WHOP 07-03		
Zoning Designation Changes						
	Property	From:	To.			
A.	212-050-33	L-C	R-1			
В	212-050-32	L-C	8-1			
С						
D.						
E.						
F						
G						









Tabata 10 GPA 06-04/ LCPA 06-02 / ZC 06-SUP 06-08 / HDP 07-03 / Ci

EXHIBIT #3	٦
Project Location	
LCPA #4-09E Tabata 10 California Coastal Commission	

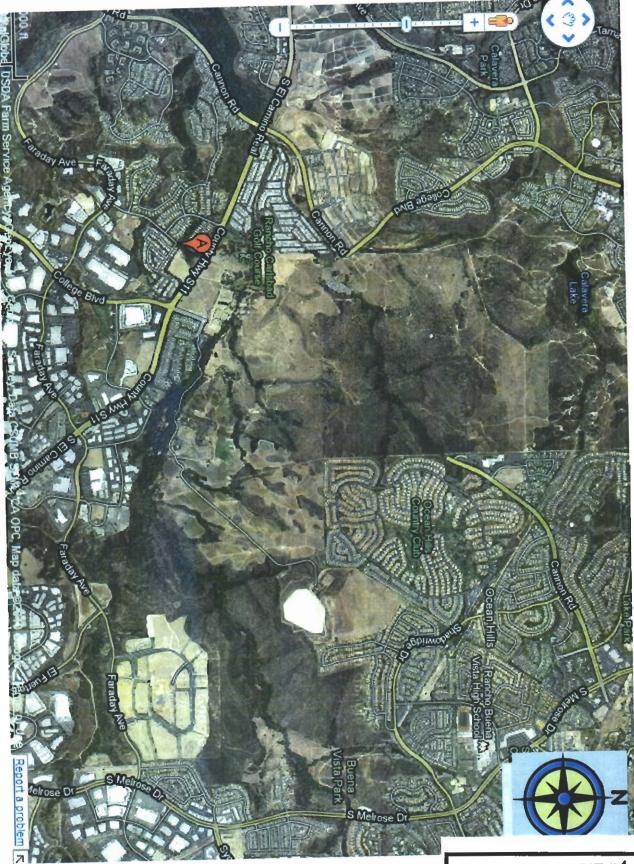


EXHIBIT #4

Aerial Photographs of Site

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