

**CALIFORNIA COASTAL COMMISSION**

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# F13a

**LCP-6-CVR-21-0041-1 (VILLAGE AND BARRIO MASTER PLAN  
DECISION MAKING)**

**AUGUST 13, 2021**

**EXHIBITS**

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**ORDINANCE NO. CS-392**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, AMENDING THE VILLAGE AND BARRIO MASTER PLAN TO CHANGE THE APPROVAL AUTHORITY FROM THE PLANNING COMMISSION TO THE CITY COUNCIL FOR SITE DEVELOPMENT PLANS, CONDITIONAL USE PERMITS, COASTAL DEVELOPMENT PERMITS, AND VARIANCES PROCESSED WITHIN THE BARRIO PERIMETER, BARRIO CENTER AND VILLAGE-BARRIO OTHER DISTRICTS

CASE NAME: VILLAGE AND BARRIO MASTER PLAN AMENDMENT

CASE NO.: AMEND2020-0001/AMEND2020-0002 (DEV08014)


WHEREAS, on Aug. 20, 2019, following the adoption of a comprehensive update to the Village and Barrio Master Plan (MP14-01), the City Council passed a minute motion directing staff to return with a workplan that included a timeline that addressed a series of plan amendments to the master plan that the City Council wanted to consider;

WHEREAS, on Dec. 10, 2019, following a presentation on the workplan for City Council consideration, the City Council adopted a minute motion directing staff to process an amendment to the Village and Barrio Master Plan to give decision-making authority to the City Council on discretionary permits processed in the Barrio Districts;

WHEREAS, on April 15, 2020, the Planning Commission held a duly noticed public hearing to consider the City Council directed amendment and adopted Resolution No. 7365, recommending approval of a Master Plan Amendment and a Local Coastal Program Amendment to change the approval authority from the City Council to the Planning Commission for site development plans, conditional use permits, coastal development permits, and variances in the Village Districts (Village Center, Village General, Hospitality, Freeway Commercial and Pine-Tyler Mixed Use), with the City Council acting upon appeals from decisions made by the Planning Commission; and

WHEREAS, on Feb. 16, 2021, the City Council held a duly noticed public hearing as prescribed by law to consider said recommendation; and

Feb. 23, 2021

EXHIBIT NO. 1
<b>Ordinance</b>
 Carlsbad LCP-6-CVR-21-0041-1 California Coastal Commission

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the City Council considered all factors, including written public comments, if any, related to the proposed amendments.

NOW, THEREFORE, the City Council of the City of Carlsbad, California, ordains as follows that:

1. The above recitations are true and correct.
2. The City Council finds the following:
  - a. The proposed amendments to the Village and Barrio Master Plan (AMEND 2020-001) and Local Coastal Program (AMEND 2020-002) reflect sound planning principles in that the amendments ensure that development permits throughout all districts of the master plan are subject to the same level of review and approval authority.
  - b. The proposed Village and Barrio Master Plan Amendment (AMEND 2020-001) is consistent with the General Plan in that the proposed change to approval authority does not conflict with any policy of the General Plan.
  - c. The proposed Local Coastal Program Amendment meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act and all applicable policies of the Village-Barrio segment of the Carlsbad Local Coastal Program not being amended by this amendment, in that the change to authority for approval of development permits in the Village districts of the Village and Barrio Master Plan does not conflict with provision of the Local Coastal Program.
3. The Village and Barrio Master Plan Section 6.3.4, Authority of Approval, is amended as

follows:

#### **6.3.4 Authority of Approval**

A. In all districts, the City Planner shall:

1. Be responsible for determining whether or not a project is exempt from the permit requirements, and, for a project exempt from a coastal development permit, maintaining a record of exemption.
2. Have the authority to approve, approve with conditions, or deny minor site development plans, minor conditional use permits, minor coastal development permits, and minor variances. The City Planner may approve minor conditional use permits up to the square

footage and dwelling unit limitations for minor site development plans specified in Section 6.3.3.A. The City Planner's decisions are final unless appealed to the Planning Commission.

B. In all districts, the Planning Commission shall:

1. Have the authority to recommend to the City Council approval, approval with conditions, or denial of site development plans, conditional use permits, coastal development permits, and variances, unless determined exempt as provided in Section 6.3.2 or subject to City Planner authority as provided in Section 6.3.4.A.
2. Act upon appeals from decisions made by the City Planner. Planning Commission decisions are final unless appealed to the City Council.

C. In all districts, the City Council shall:

1. Have the authority to approve, approve with conditions, or deny site development plans, conditional use permits, coastal development permits, and variances, unless determined exempt as provided in Section 6.3.2 or subject to City Planner authority as provided in Section 6.3.4.A.
2. Act upon appeals from decisions made by the Planning Commission.
3. Be the final decision-making authority on actions specified in paragraphs C.1 and C.2 above, as well as on legislative actions, such as amendments to this Master Plan.

EFFECTIVE DATE OF THIS ORDINANCE APPLICABLE TO PROPERTIES LOCATED OUTSIDE THE COASTAL ZONE: This ordinance shall be effective thirty days after its adoption; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

EFFECTIVE DATE OF THIS ORDINANCE APPLICABLE TO PROPERTIES LOCATED IN THE COASTAL ZONE: This ordinance shall be effective thirty days after its adoption or upon Coastal Commission approval, whichever occurs later; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be

published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

INTRODUCED AND FIRST READ at a Regular Meeting of the Carlsbad City Council on the 16th day of February, 2021, and thereafter

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the 23rd day of February, 2021, by the following vote, to wit:

- AYES: Blackburn, Acosta, Bhat-Patel, Schumacher.
- NAYS: None.
- ABSENT: Hall.

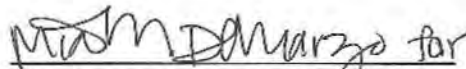
APPROVED AS TO FORM AND LEGALITY:



CELIA A. BREWER, City Attorney



KEITH BLACKBURN, Mayor Pro Tem



BARBARA ENGLESON, City Clerk  
(SEAL)



**OPTION 1: Village and Barrio Master Plan Amendments***Strikeout/Underline Version of Amendments***6.3.4 Authority of Approval**

A. In all districts, the City Planner shall:

1. Be responsible for determining whether or not a project is exempt from the permit requirements, and, for a project exempt from a coastal development permit, maintaining a record of exemption.
2. Have the authority to approve, approve with conditions, or deny minor site development plans, minor conditional use permits, minor coastal development permits, and minor variances. The City Planner may approve minor conditional use permits up to the square footage and dwelling unit limitations for minor site development plans specified in Section 6.3.3.A. The City Planner's decisions are final unless appealed to the Planning Commission.

B. In all districts, ~~T~~he Planning Commission shall:

- ~~1. Have the authority to approve, approve with conditions, or deny site development plans, conditional use permits, coastal development permits, and variances in the BP, BC and VBO districts.~~
- 2.1. Have the authority to recommend to the City Council approval, approval with conditions, or denial of site development plans, conditional use permits, coastal development permits, and variances ~~in the VC, VG, HOSP, FC and PT districts,~~ unless determined exempt as provided in Section 6.3.2 or subject to City Planner authority as provided in Section 6.3.4.A.
- ~~3.2.~~ 2.2. Act upon appeals from decisions made by the City Planner. Planning Commission decisions are final unless appealed to the City Council.

C. In all districts, ~~T~~he City Council shall:

1. Have the authority to approve, approve with conditions, or deny ~~projects in the VC, VG, HOSP, FC, and PT districts~~ site development plans, conditional use permits, coastal development permits, and variances, ~~except for projects~~ unless determined exempt as provided in Section 6.3.2 or ~~projects~~ subject to City Planner authority as provided in Section 6.3.4.A.
2. Act upon appeals from decisions made by the Planning Commission.
3. Be the final decision-making authority on actions specified in paragraphs C.1 and C.2 above, as well as on legislative actions, such as amendments to this Master Plan.