

CALIFORNIA COASTAL COMMISSION

SAN DIEGO DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
VOICE (619) 767-2370
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Th15a

LCP-6-CII-22-0017-1 (Chick-Fil-A Map Amendment)

February 9, 2022

EXHIBITS

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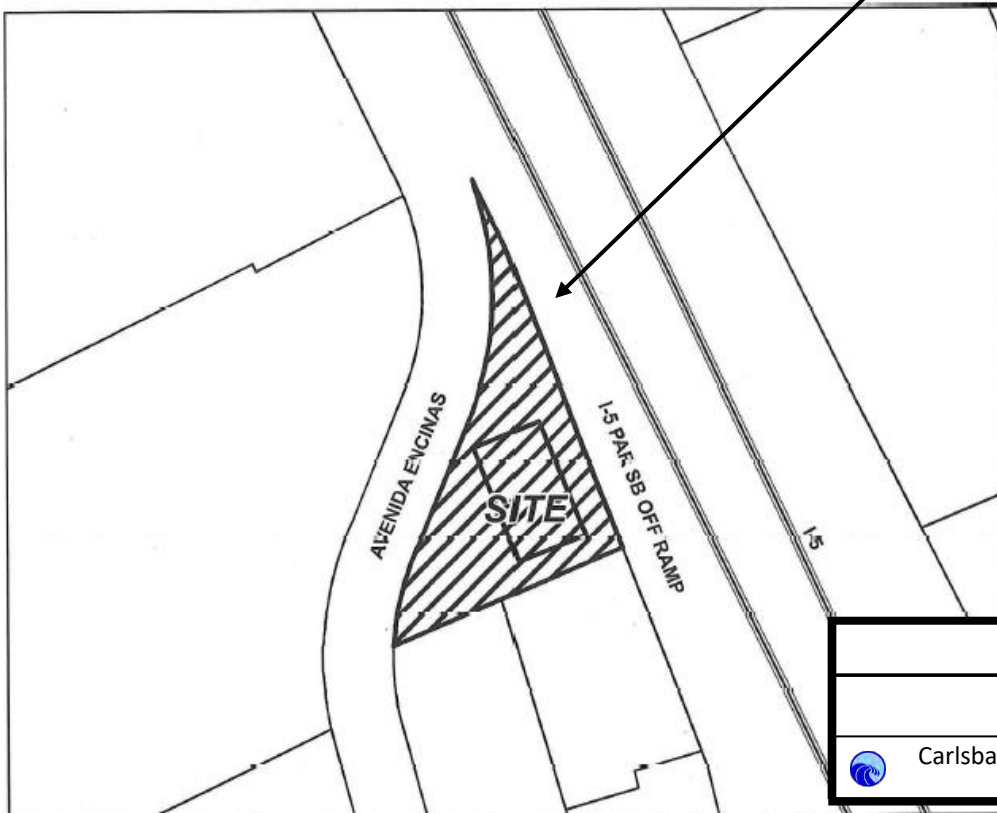
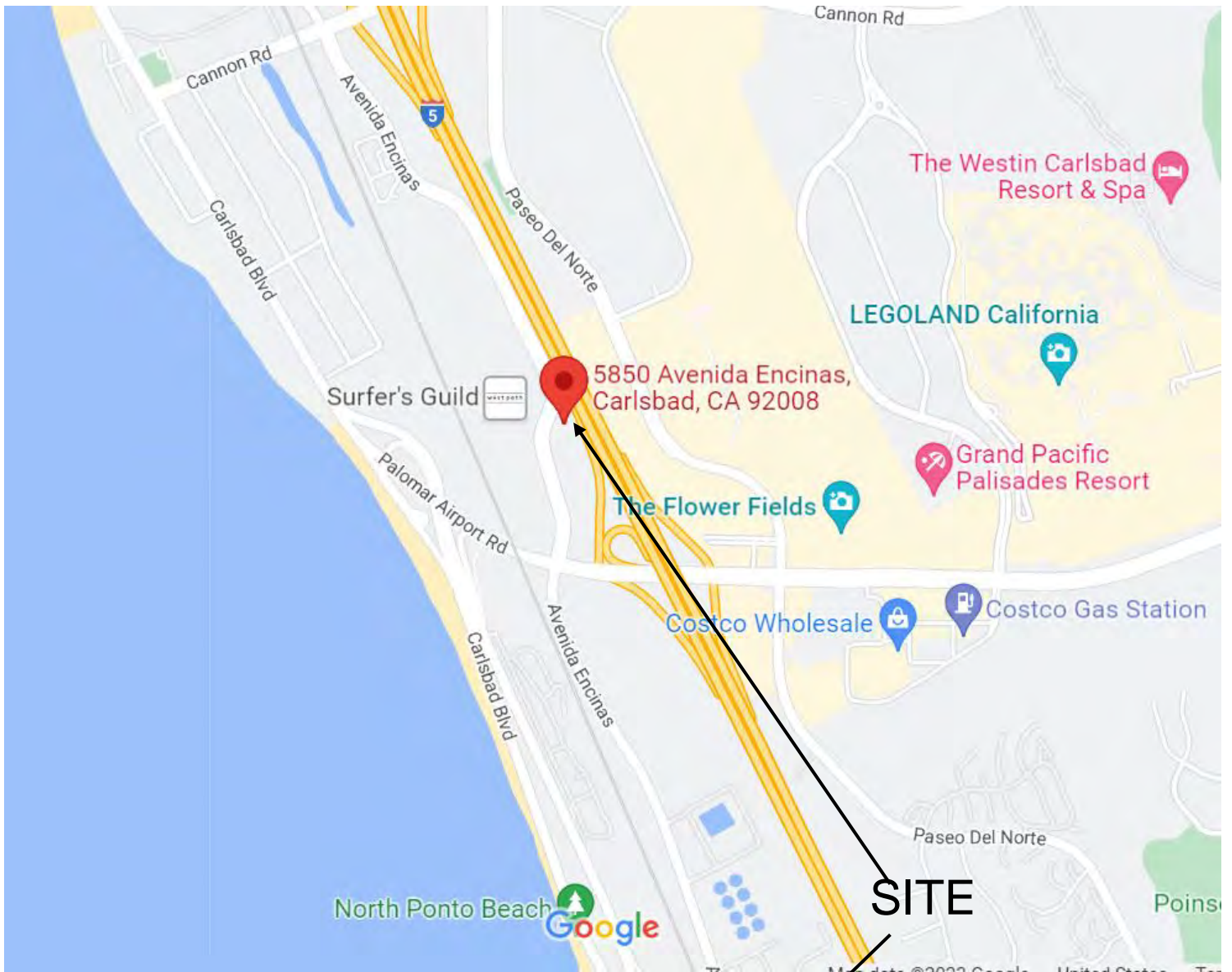
EXHIBIT 2: Proposed LCP Land Use Map Changes

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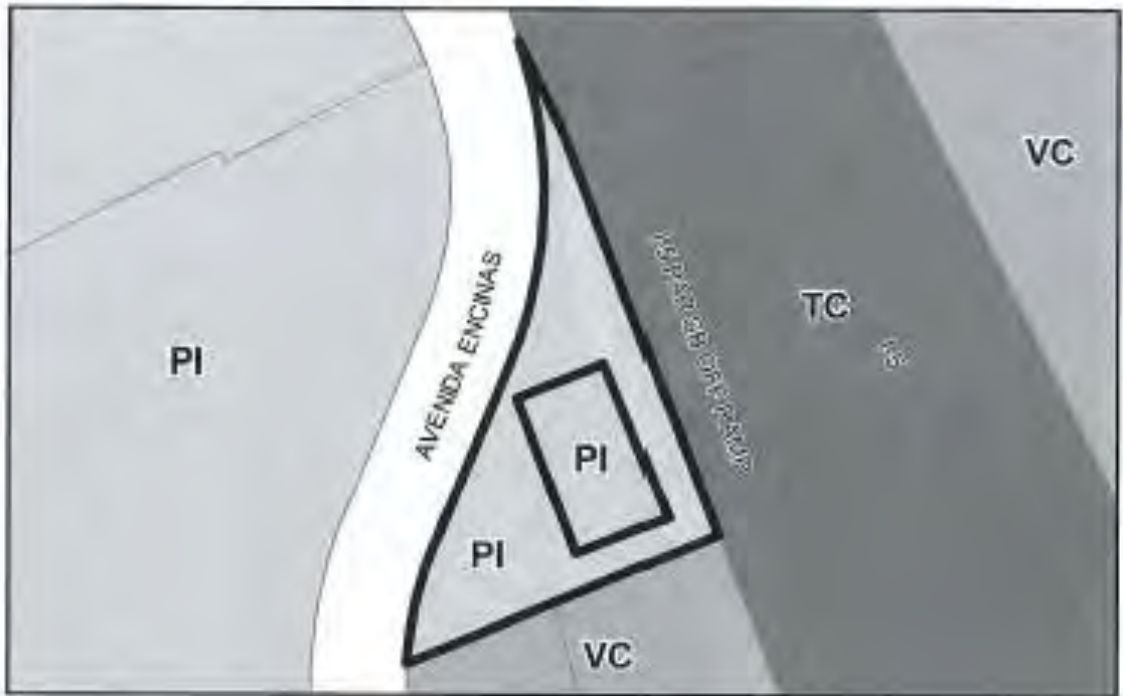
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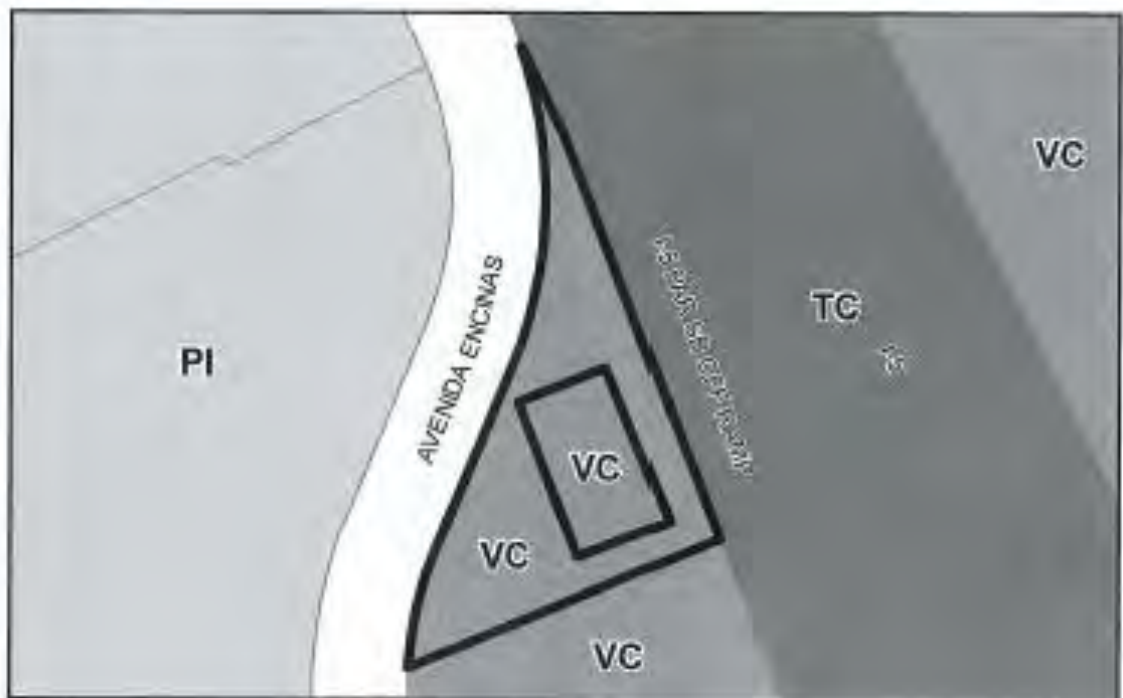
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| EXHIBIT NO. 1 |
| Vicinity Map |
|  Carlsbad LCPC LCP-6-CII-22-0017-1 California Coastal Commission |



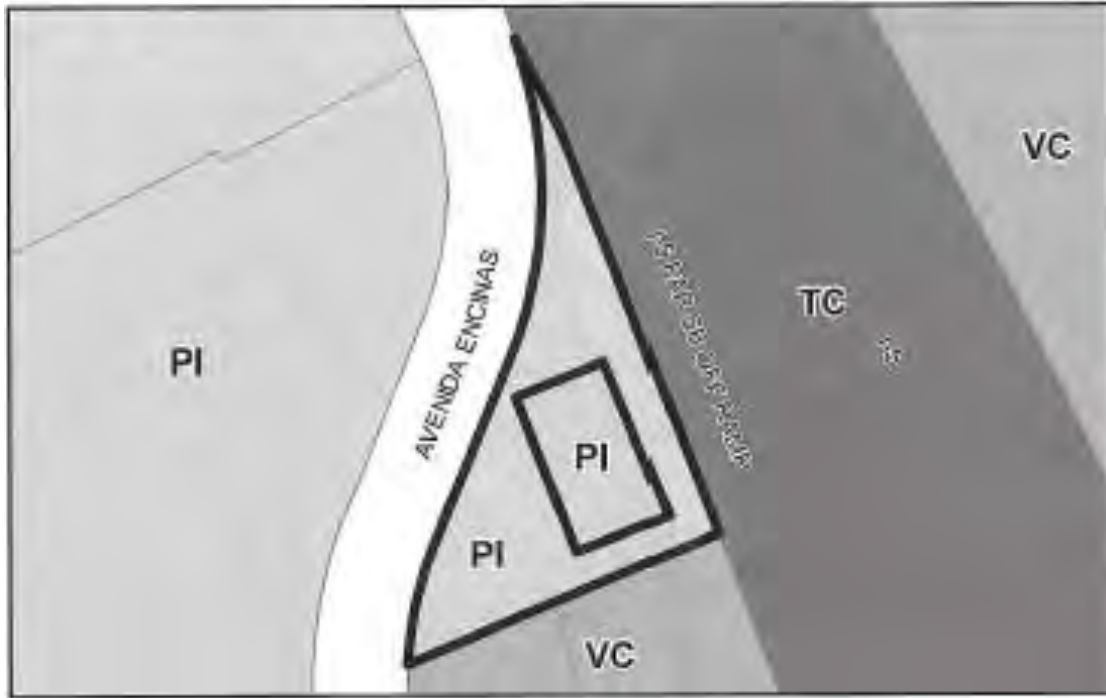
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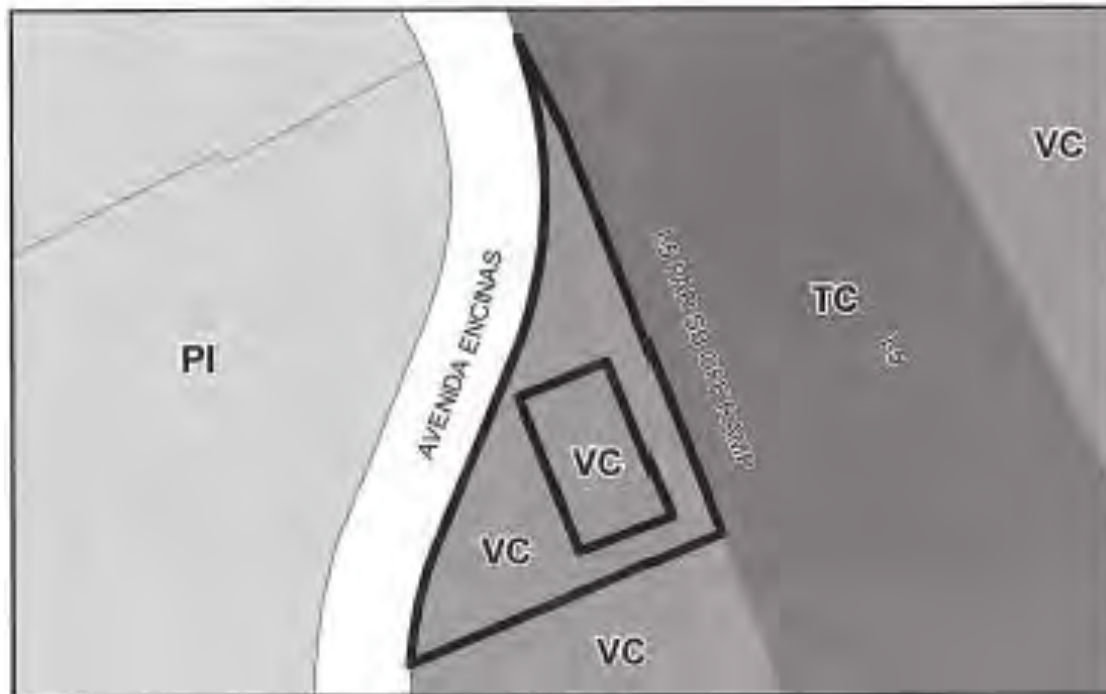
PROPOSED

| | | | |
|--|---------------|-------|-----|
| Related Case File No(s): GPA 2019-0001 / ZC 2019-0001 / AMEND 2019-0004 / AMEND 2021-0011 / CDP 2019-0007 | | | |
| LCPA Land Use Designation Changes | | | |
| | Property | From: | To: |
| A. | 210-170-08-00 | PI | VC |
| B. | 210-170-09-00 | PI | VC |

| |
|--|
| EXHIBIT NO. 2 |
| Proposed Land Use Designation |
| Carlsbad LCPA LCP-6-CII-22-0017-1 California Coastal Commission |




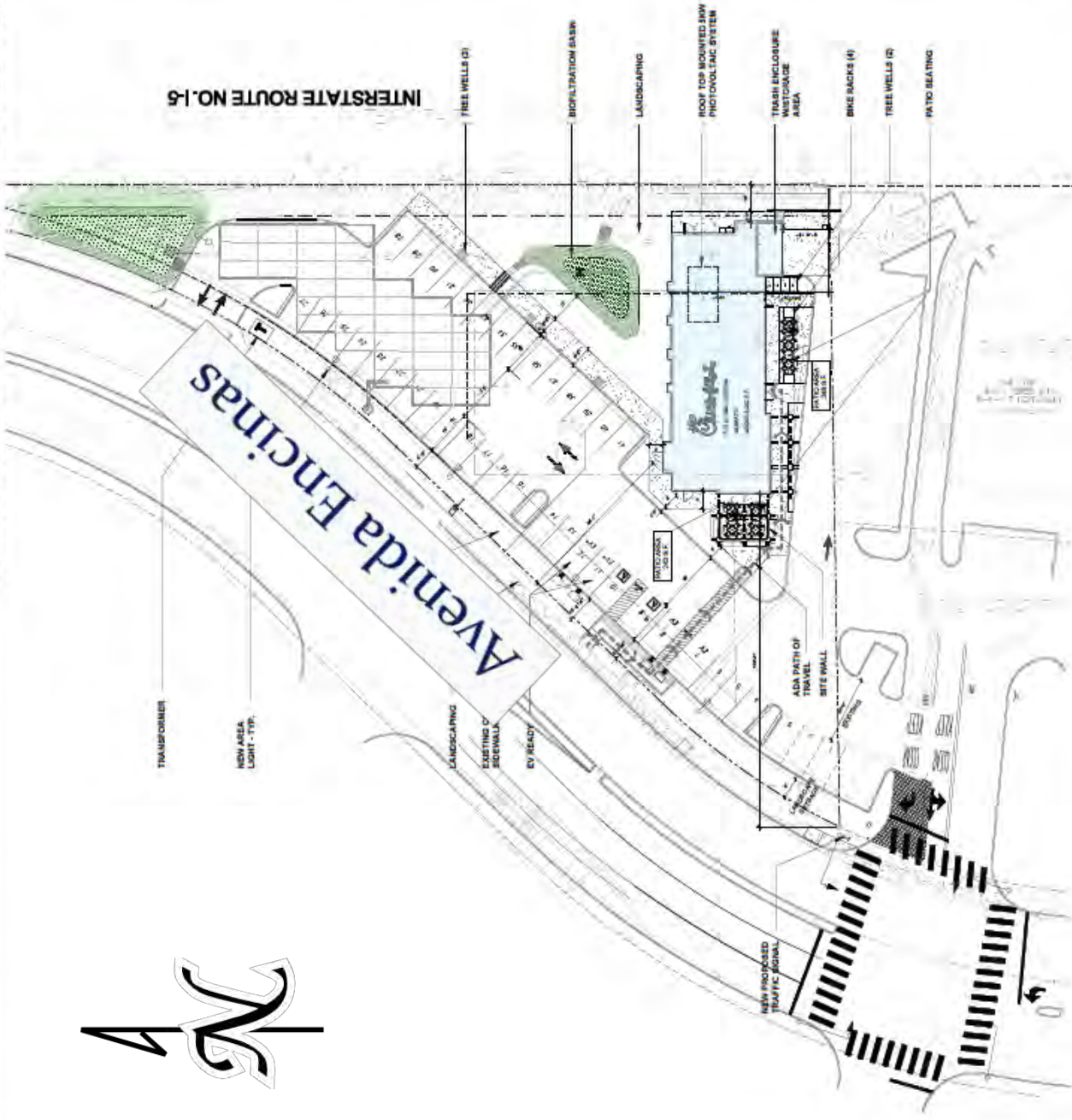
EXISTING



PROPOSED

| | | | |
|---|-----------------|--------------|------------|
| Related Case File No(s): ZC 2019-0001/LCPA 2019-0002/AMEND 2019-0004/AMEND 2021-0011/CDP 2019-0007 | | | |
| General Plan Land Use Designation Changes | | | |
| | Property | From: | To: |
| A. | 210-170-08-00 | PI | VC |
| B. | 210-170-09-00 | PI | VC |

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|--|
| EXHIBIT NO. 3 |
| Proposed Zoning |
|  Carlsbad LCPA LCP-6-CII-22-0017-1 California Coastal Commission |



1 SITE PLAN
1" = 20'



BUILDING DATA

OCCUPANCY: A2 (RESTAURANT)
 FIRE SPRINKLERED: YES
 CONSTRUCTION TYPE: V4I
 SITE AREA: 38,761 SF, (0.88 ACRES)
 BUILDING AREA - GROSS: 3,322 SF.
 BUILDING AREA UTILIZED FOR PARKING CALCULATIONS (EXCLUDING PATIO & 410 SF. FOR TRASH ENCLOSURE AND BIKE STORAGE): 3,522 SF.
 PATIO AREAS - GROSS: 891 SF. (243 SF. + 348 SF.)
 PATIO AREA - FOR PARKING CALCULATIONS: 191 SF. (891 SF. - 400 SF. ALLOWED)
 BUILDING HEIGHT: 24'-0"
 FAR: .10
 ZONING: SEE TITLE SHEET T-1

PARKING

STANDARD SPACES REQUIRED: FOR RESTAURANT LESS THAN 4,000 SF IN SIZE & FOR PATIOS IN ANY PORTION ABOVE 400 : 1 STALL / 100 SF OF GFA
 3,713 SF (3,522 + 191) / 100 = 37 STALLS REQUIRED

TOTAL SPACES PROVIDED:

41 (4) STALLS SHARED WITH CENTER
 467 STALLS
 TOTAL SPACES REQUIRED: BY THE OVERALL CENTER
 TOTAL SPACES PROVIDED: BY THE OVERALL CENTER
 EVCS: 2
 EVCS READY: 2
 TOTAL: 4

EASEMENT NOTES

1. MUTUAL EASEMENT OF ACCESS HAS BEEN GRANTED TO OR FROM THE HIGHWAY MAP BEING RECORDED IN THE DOCUMENT RECORDED JUNE 18, 1998 AS INSTRUMENT NO. 18716 OF OFFICIAL RECORDS.
2. MUTUAL EASEMENT OF ACCESS AND EGRESS TO OR FROM SAN DIEGO HIGHWAY 15 HAS BEEN DESIGNATED ON THE MAP OF PARCEL MAP NO. 1387 OF PARCEL MAPS RECORDED SEPTEMBER 16, 1988.
3. THE TERMS, PROVISIONS AND EASEMENTS CONTAINED IN THE DOCUMENT ENTITLED "AGREEMENT IN RE GRANT OF RECIPROCAL EASEMENTS AND DESIGNATION OF COVENANTS AND RESERVATIONS RECORDED AS INSTRUMENT NO. 18716 AS INSTRUMENT NO. 18716 OF OFFICIAL RECORDS.



2 VICINITY MAP
N.T.S.

RESOLUTION NO. 2022-046

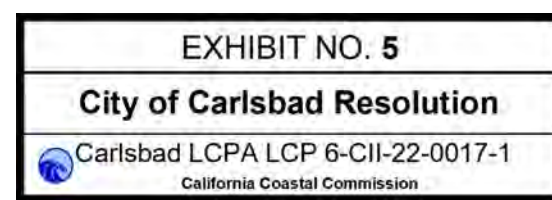
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING A MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING AND REPORTING PROGRAM; AND APPROVING A GENERAL PLAN AMENDMENT AND LOCAL COASTAL PROGRAM AMENDMENT TO CHANGE THE LAND USE DESIGNATIONS FROM PLANNED INDUSTRIAL (PI) TO VISITOR COMMERCIAL (VC); AND APPROVING A SITE DEVELOPMENT PLAN AMENDMENT, NON-RESIDENTIAL PLANNED DEVELOPMENT PERMIT AMENDMENT, MINOR CONDITIONAL USE PERMIT, AND A COASTAL DEVELOPMENT PERMIT TO DEMOLISH A 10,600-SQUARE-FOOT OFFICE BUILDING AND CONSTRUCT A 3,932-SQUARE-FOOT CHICK-FIL-A RESTAURANT ON TWO PROPERTIES (APNS 210-170-08, -09) TOTALING 0.89 ACRES AT 5850 AVENIDA ENCINAS WITHIN THE MELLO II SEGMENT OF THE LOCAL COASTAL PROGRAM AND LOCAL FACILITIES MANAGEMENT ZONE 3

CASE NAME: CHICK-FIL-A

CASE NO.: GPA 2019-0001/ LCPA 2019-0002/ AMEND 2019-0004/
AMEND 2021-0011/CUP 2021-0017/ CDP 2019-0007
(DEV2018-0177)

WHEREAS, the City Council of the City of Carlsbad, California has determined that pursuant to the provisions of the Carlsbad Municipal Code, the Planning Commission did, on Dec. 1, 2021, hold a duly noticed public hearing as prescribed by law to consider a Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program; General Plan Amendment GPA 2019-0001, Zone Change ZC 2019-0001, and Local Coastal Program Amendment LCPA 2019-0002; and a Site Development Plan Amendment AMEND 2019-0004, Non-Residential Planned Development Permit Amendment AMEND 2021-0011, Minor Conditional Use Permit CUP 2021-0017, and Coastal Development Permit CDP 2019-0007, as referenced in Planning Commission Resolution Nos. 7433, 7434, and 7435; and the Planning Commission adopted Resolution Nos. 7433, 7434, and 7435 recommending to the City Council that they be approved; and

WHEREAS, the City Council of the City of Carlsbad held a duly noticed public hearing to consider said Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program; General Plan Amendment and Local Coastal Program Amendment; and, Site Development Plan Amendment, Non-Residential Planned Development Permit Amendment, Minor Conditional Use Permit, and Coastal Development Permit.



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 relating to the Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program; General Plan Amendment and Local Coastal Program Amendment; and Site Development Plan Amendment, Non-Residential Planned Development Permit Amendment, Minor Conditional Use Permit, and Coastal Development Permit; and

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

1. That the above recitations are true and correct.
2. That the recommendation of the Planning Commission for the adoption of a Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program; General Plan Amendment GPA 2019-0001 and Local Coastal Program Amendment LCPA 2019-0002; and approval of Site Development Plan Amendment AMEND 2019-0004, Non-Residential Planned Development Permit Amendment AMEND 2021-0011, Minor Conditional Use Permit CUP 2021-0017, and Coastal Development Permit CDP 2019-0007, are adopted and approved, and that the findings and conditions of the Planning Commission contained in Planning Commission Resolution Nos. 7433, 7434, and 7435 on file with the City Clerk and incorporated herein by reference, are the findings and conditions of the City Council.
3. That the approval of GPA 2019-0001 as shown on Attachment A "GPA 2019-0001" – dated Oct. 13, 2021, attached hereto and made a part hereof, shall not be effective until LCPA 2019-0002 is approved by the California Coastal Commission and the California Coastal Commission's approval becomes effective.
4. That the approval of LCPA 2019-0002 as shown on Attachment B "LCPA 2019-0002" – dated Oct. 13, 2021, attached hereto and made a part hereof, shall not be effective until it is approved by the California Coastal Commission and the California Coastal Commission's approval becomes effective.
5. This action is final the date this resolution is adopted by the City Council. The Provisions of Chapter 1.16 of the Carlsbad Municipal Code, "Time Limits for Judicial Review" shall apply:

“NOTICE”

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 Chapter 1.16. Any petition or other paper seeking review must be filed in the appropriate court not later than the ninetieth day following the date on which this decision becomes final; however, if within ten days after the decision becomes final a request for the record is filed with a deposit in an amount sufficient to cover the estimated cost or preparation of such 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 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 record of the proceedings shall be filed with the Office of the City Clerk, City of Carlsbad, 1200 Carlsbad Village Drive, Carlsbad, CA 92008.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the 22nd day of February 2022, by the following vote, to wit:

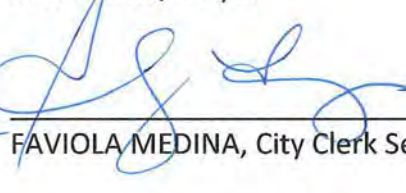
AYES: Hall, Bhat-Patel, Acosta, Norby.

NAYS: None.

ABSENT: Blackburn.



MATT HALL, Mayor



FAVIOLA MEDINA, City Clerk Services Manager

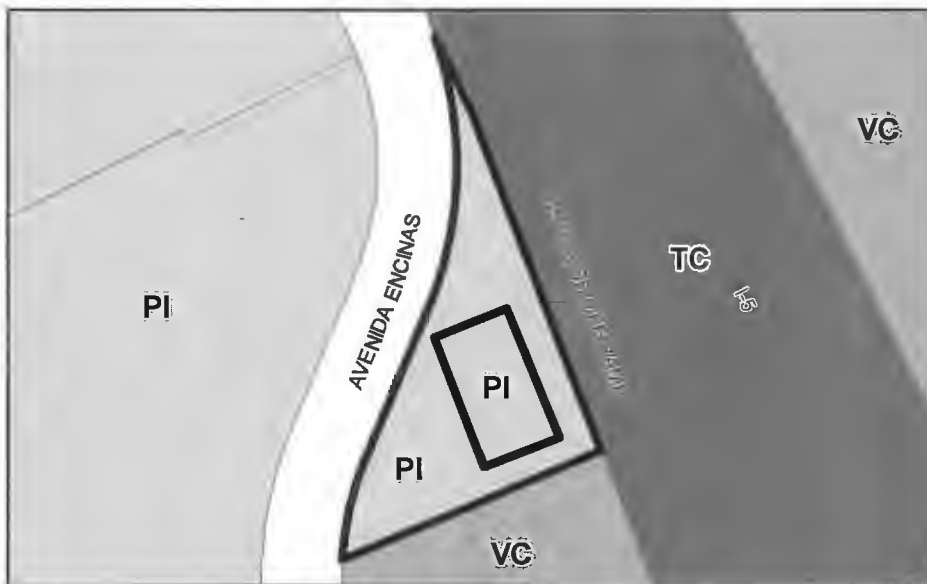
(SEAL)



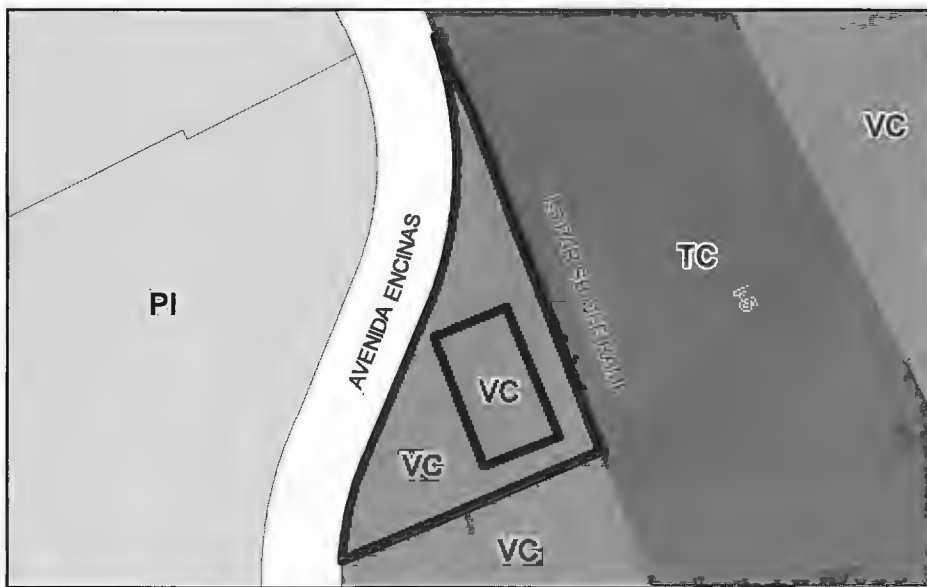
Exhibit "GPA 2019-0001"
October 13, 2021

GPA 2019-0001

Chick-fil-A



EXISTING



PROPOSED

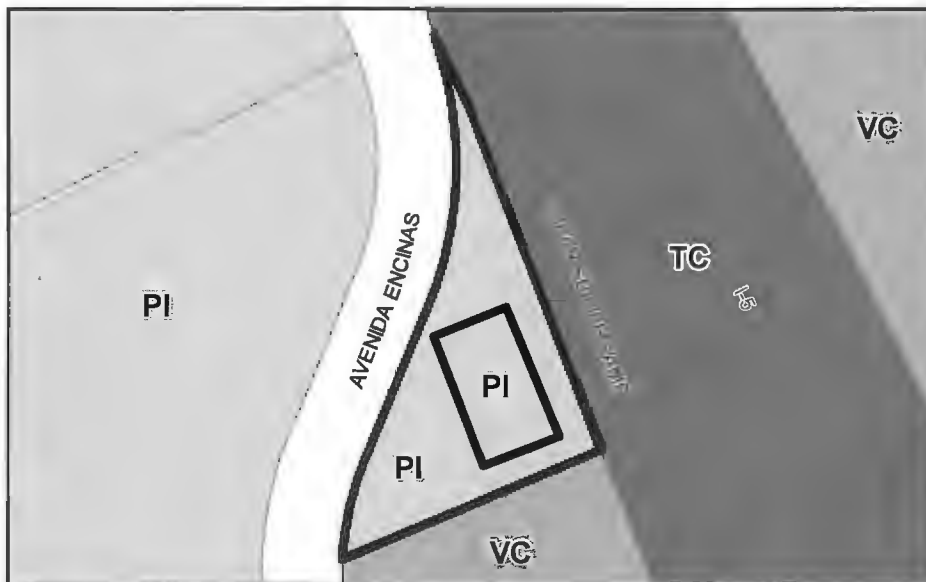
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|---|---------------|-------|-----|
| Related Case File No(s): ZC 2019-0001/LCPA 2019-0002/AMEND 2019-0004/AMEND 2021-0011/CDP 2019-0007 | | | |
| General Plan Land Use Designation Changes | | | |
| | Property | From: | To: |
| A. | 210-170-08-00 | PI | VC |
| B. | 210-170-09-00 | PI | VC |

Exhibit "LCPA 2019-0002 "

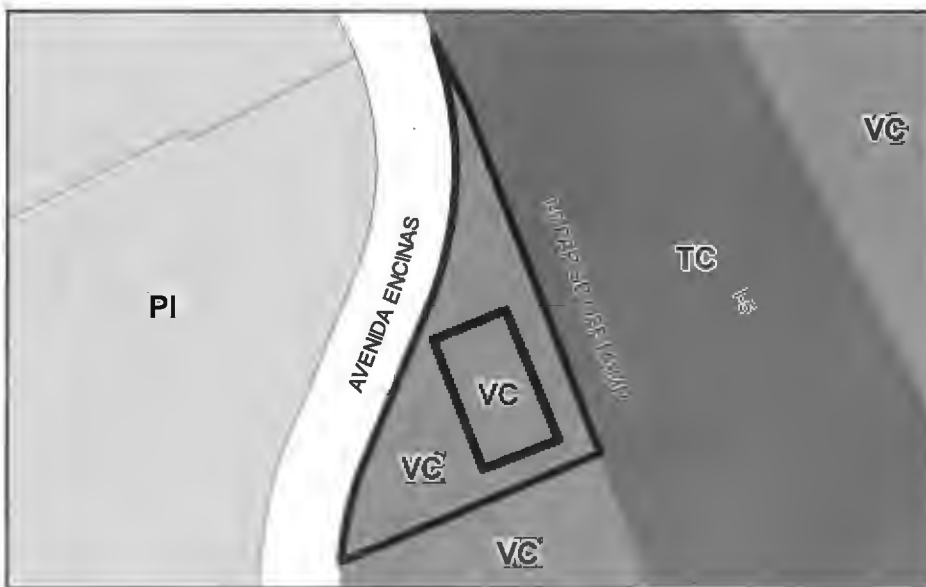
October 13, 2021

LCPA 2019-0002 (Land Use)

CHICK-FIL-A



EXISTING



PROPOSED

Related Case File No(s): GPA 2019-0001 / ZC 2019-0001 / AMEND 2019-0004 / AMEND 2021-0011 / CDP 2019-0007

LCPA Land Use Designation Changes

| | Property | From: | To: |
|----|---------------|-------|-----|
| A. | 210-170-08-00 | PI | VC |
| B. | 210-170-09-00 | PI | VC |

ORDINANCE NO. CS-415

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING A ZONE CHANGE, (LOCAL COASTAL PROGRAM AND CITYWIDE ZONING MAPS) ON TWO PROPERTIES (APNS 210-170-08, -09) TOTALING 0.89 ACRES FROM PLANNED INDUSTRIAL (P-M) WITH A COMMERCIAL/VISITOR-SERVING OVERLAY TO COMMERCIAL TOURIST WITH COMMERCIAL/VISITOR-SERVING AND QUALIFIED DEVELOPMENT OVERLAYS (C-T-Q) WITHIN THE MELLO II SEGMENT OF THE LOCAL COASTAL PROGRAM AND LOCAL FACILITIES MANAGEMENT ZONE 3

CASE NAME: CHICK-FIL-A

CASE NO: ZC 2019-0001/LCPA 2019-0002 (DEV2018-0177)

WHEREAS, CHICK-FIL-A, "Developer," has filed a verified application with the City of Carlsbad regarding property owned by PALOMAR AND CO., A GENERAL PARTNERSHIP, "Owner," described as

PARCEL 1 AND PARCEL 2 OF PARCEL MAP NO. 13955, IN THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, SEPTEMBER 16, 1985 AS INSTRUMENT NO. 85-340585 OF OFFICIAL RECORDS.

("the Property"); and

WHEREAS, said verified application constitutes a request for a Zone Change, and Local Coastal Program Amendment as shown on Attachments A and B dated Oct. 13, 2021 attached hereto and made a part hereof; and

WHEREAS, the Planning Commission did, on December 1, 2021, hold a duly noticed public hearing as prescribed by law to consider said request, and recommended approval through Planning Commission Resolution 7434; and

WHEREAS, the City Council held a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said City Council considered all factors relating to the "ZC 2019-0001/LCPA 2019-0002 – CHICK-FIL-A."

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, ordains as follows that:

EXHIBIT NO. 6

City of Carlsbad Ordinance



Carlsbad LCPA LCP 6-CII-22-0017-1

California Coastal Commission

1. The above recitations are true and correct.
2. That Section 21.05.030 of the Carlsbad Municipal Code, being the Zoning Map, and the Local Coastal Program Zoning Map, are amended as shown on the maps in Attachments A and B dated Oct. 13, 2021, attached hereto and made a part hereof.
3. That the findings and conditions of the Planning Commission in Planning Commission Resolution No. 7434 shall also constitute the findings and conditions of the City Council.

EFFECTIVE DATE: 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 (Notwithstanding the preceding, this ordinance shall not be effective until LCPA 2019-0002 is approved by the California Coastal Commission).

INTRODUCED AND FIRST READ at a Regular Meeting of the Carlsbad City Council on the 22nd day of February 2022, and thereafter

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the 8th day of March, 2022, by the following vote, to wit:

AYES: Hall, Bhat-Patel, Acosta, Norby

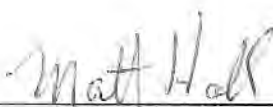
NAYS: None

ABSENT: Blackburn

APPROVED AS TO FORM AND LEGALITY:


CELIA A. BREWER, City Attorney




MATT HALL, Mayor


for FAVIOLA MEDINA, City Clerk Services Manager

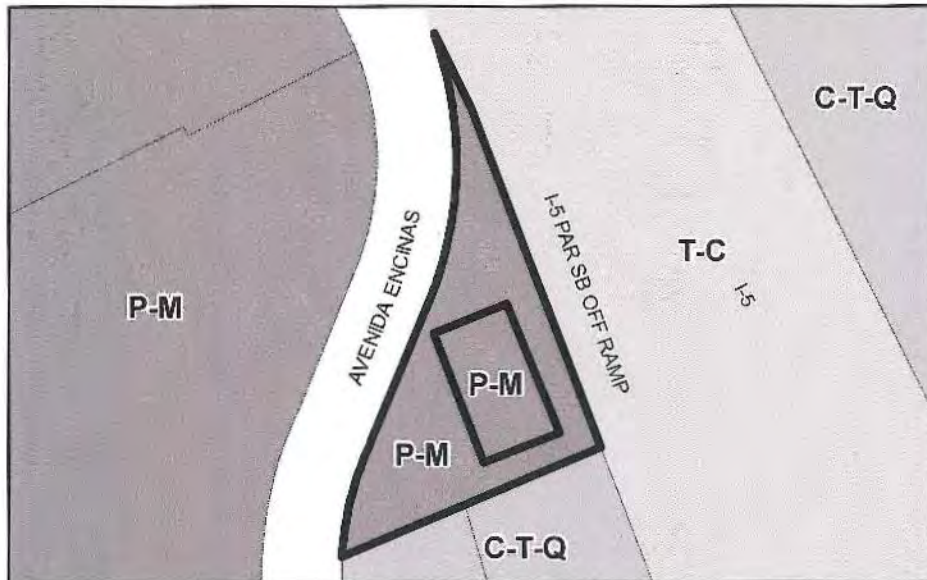
(SEAL)

Exhibit "ZC 2019-0001"

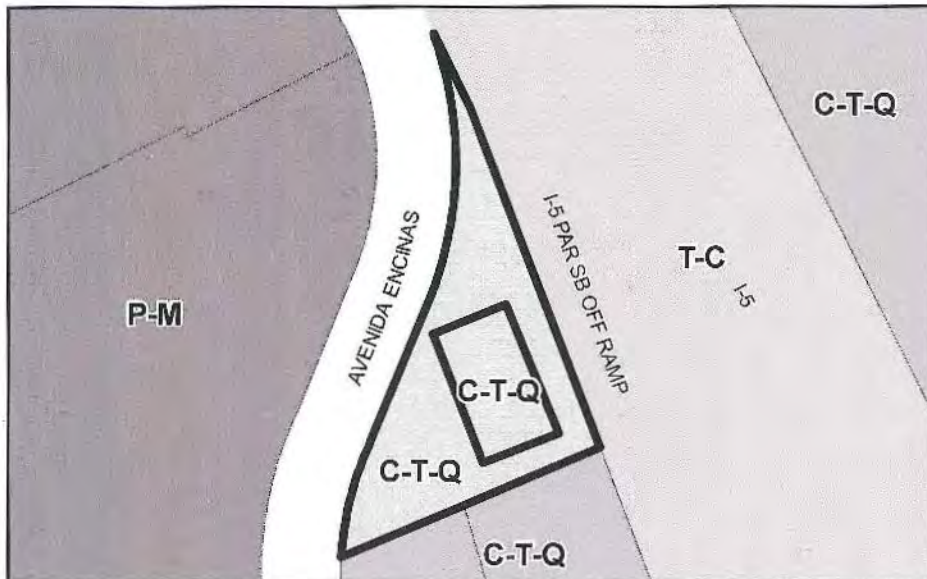
October 13, 2021

ZC 2019-0001

Chick-fil-A



EXISTING



PROPOSED

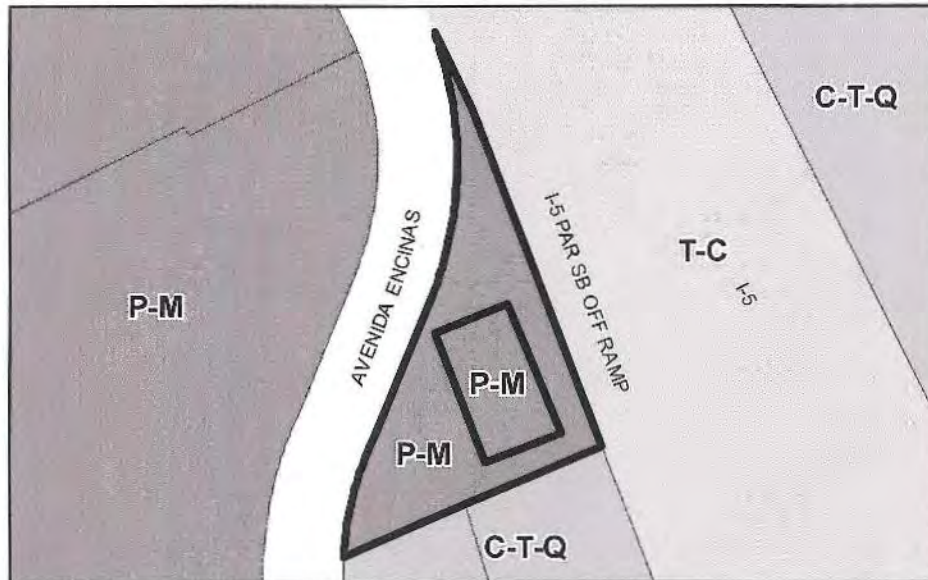
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|---|---------------|-------|-------|
| Related Case File No(s): GPA 2019-0001/LCPA 2019-0002/AMEND 2019-0004/AMEND 2021-0011/CDP 2019-0007 | | | |
| Zoning Designation Changes | | | |
| | Property | From: | To: |
| A. | 210-170-08-00 | P-M | C-T-Q |
| B. | 210-170-09-00 | P-M | C-T-Q |

Exhibit "LCPA 2019-0002"

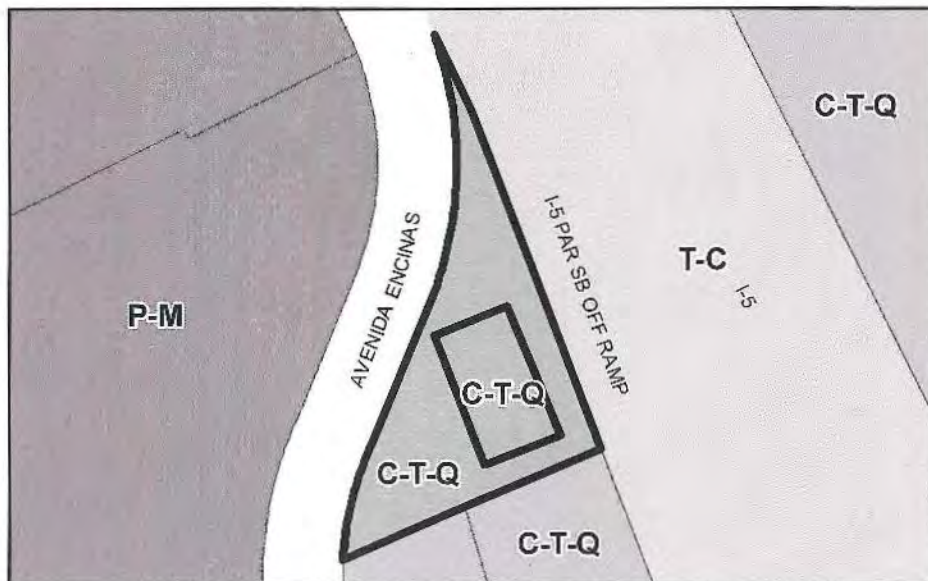
October 13, 2021

LCPA 2019-0002 (Zoning)

CHICK-FIL-A



EXISTING



PROPOSED

| | | |
|---|---------------|-----------|
| Related Case File No(s): GPA 2019-0001 / ZC 2019-0001 / AMEND 2019-0004 | | |
| AMEND 2021-0011 / CDP 2019-0007 | | |
| LCPA Zoning Designation Changes | | |
| | Property | From: To: |
| A. | 210-170-08-00 | P-M C-T-Q |
| B. | 210-170-09-00 | P-M C-T-Q |