CALIFORNIA COASTAL COMMISSION
SAN DIEGO DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
VOICE (619) 767-2370
FAX (619) 767-2384

Th18a

Date: February 26, 2025

To: COMMISSIONERS AND INTERESTED PERSONS

From: KARL SCHWING, DEPUTY DIRECTOR, SAN DIEGO COAST DISTRICT
KAITLIN CARNEY, DISTRICT SUPERVISOR, SAN DIEGO COAST DISTRICT
CHELSEA JANDER, COASTAL PLANNER, SAN DIEGO COAST DISTRICT

Subject: STAFF RECOMMENDATION ON CITY OF CARLSBAD MAJOR AMENDMENT NO. LCP-6-CVR-23-0051-1 (Village and Barrio Objective Design Standards) for Commission Meeting of March 12-14, 2025

SYNOPSIS

The subject LCP land use plan and implementation plan amendment was submitted and filed as complete on January 3, 2024. A one-year time extension was granted on March 14, 2024. As such, the last date for Commission action on this item is May 13, 2025. This amendment affects the City's certified Land Use Plan and Implementation Plan.

The subject request was submitted with LCP Amendment No. LCP-6-CAR-23-0048-1, which relates to zoning code updates regarding accessory dwelling units and was certified as submitted on February 6, 2025; LCP Amendment No. LCP-6- CAR-23-0049-1, which relates to updating the zoning code regarding alternative and temporary housing and was certified as submitted on September 12, 2024; and LCP Amendment No. LCP-6-CAR-23-0050-1, which relates to modifying the zoning code to include citywide objective design standards and was approved with modifications on February 6, 2025.

SUMMARY OF AMENDMENT REQUEST

The City of Carlsbad is requesting an amendment to the City's Village and Barrio Master Plan, which functions as the certified LCP Land Use Plan (LUP) and as part of the certified LCP Implementation Plan for the Village and Barrio area. The intention of the amendment is to establish objective design standards for eligible multifamily housing and mixed-use development projects. Specifically, the proposed amendment creates a new appendix within the certified City's IP (Appendix E: Objective Design Standards for Multifamily and Mixed-Use Development – Streamlined Permit Processing) to establish objective design standards for eligible projects, and the LUP is modified to support the establishment of these standards through references.

Various state housing laws, including the Housing Accountability Act (Government Code Section 65589.5) and Streamlined Ministerial Approval Process (SB 423 (Wiener, 2023), Government Code Section 65913.4), require that qualifying housing projects be subject only to objective design standards. To comply with state law, the proposed amendment establishes objective design standards for multiple-unit and mixed-use housing projects, where state housing law restricts City review of eligible projects to objective standards.

The proposed changes related to objective design standards are intended to encourage multifamily and mixed-use housing production by creating clear standards applicable to all such projects by quantifying and standardizing some of the existing subjective requirements within the certified LCP. The proposed LUP amendment includes references to the new appendix, which orients the public on where to find the objective design standards. The proposed IP amendment, which consists of the addition of the new Appendix E, specifies objective, including numeric, standards for various site planning topics, including required landscaping, parking screening, building materials, roof form, public and active frontages, and similar design requirements for multifamily and mixed-use residential structures.

The intent is to have the existing subjective standards the City typically uses to evaluate projects become objective ones, for which the goal is to make as many design standards as possible more readily discernible to developers and the general public, which would in turn help facilitate more streamlined review and processing. The City undertook a similar effort for the areas of the city outside of the Village and Barrio, and that LCPA was conditionally certified with suggested modifications in February 2025 (LCP-6-CAR-23-0050-1 Citywide Objective Design Standards).

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending denial of the Land Use Plan (LUP) amendment as submitted, and staff is recommending certification of the LUP as modified through suggested modifications. In addition, staff is recommending denial of the Implementation Plan (IP) amendment as submitted, and staff is recommending certification of the IP as modified through suggested modifications.

The Commission may reject LUP amendments only if the amendment would be inconsistent with the Coastal Act. As proposed by the City, the amendment would create a new appendix within the City's certified IP (Appendix E: Objective Design Standards for Multifamily and Mixed-Use Development – Streamlined Permit Processing) to establish objective design standards for eligible projects, and the LUP would be modified to support the establishment of these standards. As proposed, there are no changes to the substantive LUP policies. The proposed revisions to the Village and Barrio Master Plan (LUP) do not change the allowable use of any coastal zone property, any land uses, or the resource protection regulations of the City. However, the certified LUP does not include adequate objective lighting requirements, which could lead to impacts on natural resources or habitat disruption through spillover lighting. The proposed LUP amendment creates the

potential to adversely impact coastal resources and therefore is inconsistent with the certified LUP and the Coastal Act due to its existing lighting policies that strive to protect habitat within the Coastal Zone.

The Commission may reject IP amendments only if the amendment would be inconsistent with the certified Land Use Plan (LUP) or render the IP inadequate to carry out the LUP. As proposed by the City, the amendment would specify objective standards, including numeric, standards for various site planning topics, including required landscaping, parking screening, building materials, roof form, public and active frontages, and similar design requirements for multifamily and mixed-use residential structures. As proposed, the IP amendment includes objective implementing standards for many of the LUP requirements, but it does not include objective standards for lighting, including it does not have a definition for “fully shielded.” Therefore, the proposed IP amendment creates the potential to adversely impact coastal resources and is inconsistent with the certified LUP due to lighting policies that strive to protect habitat within the Coastal Zone.

As such, staff are recommending the following suggested modifications. **Suggested Modification #1** modifies the Area-Wide Standards of the LUP to require fully-shielded lighting for development projects within the Coastal Zone. This modification will be consistent with the certified subjective lighting policy within the LUP, and will make it an objective standard that is also consistent with the Coastal Act. In addition, **Suggested Modification #3** modifies Appendix A: Definitions to include an objective definition of fully-shielded lighting. This modification will be consistent with the existing lighting policy within the LUP, as well as the modifications proposed to be added, and is necessary to provide an objective standard for projects that are potentially eligible for the streamlined ministerial approval process to prevent adverse impacts on sensitive coastal resources.

In sum, the amendment should provide guidance in a manner that respects and protects coastal resources while ensuring consistency with other state laws intended to encourage and promote the creation of affordable housing. As modified, the proposed amendment is consistent with and adequate to carry out the Coastal Act and the certified Land Use Plan (LUP), the standards of review for this IP amendment. Therefore, staff recommends that the Commission approves the amendment with the suggested modifications below. The City has indicated it is in agreement with staff recommendations including the suggested modifications

The appropriate motions and resolutions begin on page 7. The suggested modifications begin on page 9. The findings for denial of the Land Use Plan Amendment as submitted begin on page 13. The findings for approval of the plan, if modified, begin on page 13. The findings for denial of the Implementation Plan Amendment as submitted begin on page 15. The findings for approval of the plan, if modified, begin on page 15.

BACKGROUND

There are six geographic segments in the City’s LCP. The City’s LCP has a unique history in that special legislation directed the Commission to draft the initial LCP. One segment, the Village Redevelopment Area LCP, was certified in 1988 and the City has been issuing

coastal development permits there since that time. For the same area, the Village and Barrio Master Plan is a combination Land Use Plan and Implementation Plan document for the Village-Barrio LCP segment that was certified in April 2019. On October 21, 1997, the City assumed permit jurisdiction and has been issuing coastal development permits for all of the remaining segments, except Agua Hedionda. The Agua Hedionda Lagoon LCP segment is a deferred certification area until an implementation plan for that segment is certified.

ADDITIONAL INFORMATION

Further information on the City of Carlsbad LCP amendment LCP-6-CVR-23-0051-1 may be obtained from Chelsea Jander, Coastal Planner, at (619) 767-2370 or SanDiegoCoast@coastal.ca.gov.

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EXHIBITS

Exhibit 1 – Location Map
Exhibit 2 – Proposed Amendment
Exhibit 3 – City Council Resolution and Ordinance

I. OVERVIEW

A. LCP HISTORY

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-Barrio. 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. The Village LCP segment was expanded and renamed the Village-Barrio in 2019. 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 amendment modifies the Village Bario segment LUP and implementation plan.

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.

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.

II. MOTIONS AND 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.

1. MOTION:

I move that the Commission certify the Land Use Plan Amendment No. LCP-6-CVR-23-0051-1 for the City of Carlsbad Village and Barrio Master Plan 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 submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only upon 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 for the City of Carlsbad Village and Barrio area 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.

2. MOTION:

I move that the Commission certify the Land Use Plan Amendment for Land Use Plan Amendment No. LCP-6-CVR-23-0051-1 for the City of Carlsbad Village and Barrio Master Plan as submitted if modified pursuant to the staff recommendation.

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.

3. MOTION:

I move that the Commission reject the Implementation Program Amendment No. LCP-6-CVR-23-0051-1 for the City of Carlsbad Village and Barrio Master Plan as submitted.

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of the Implementation Program 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 DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the Implementation Program Amendment submitted for the City of Carlsbad Village and Barrio area and adopts the findings set forth below on grounds that the Implementation Program as submitted does not conform with, and is inadequate to carry out, the provisions of the certified **Land Use Plan as amended**. Certification of the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted.

4. MOTION:

I move that the Commission certify the Implementation Program Amendment No. LCP-6-CVR-23-0051-1 for the City of Carlsbad Village and Barrio Master Plan if it is modified pursuant to the staff recommendation.

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications 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 THE IMPLEMENTATION PROGRAM AMENDMENT WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies the Implementation Program Amendment for the City of Carlsbad Village and Barrio area if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program Amendment, with the suggested modifications, conforms with and is adequate to carry out the certified **Land Use Plan as amended**. Certification of the Implementation Program Amendment if modified as suggested 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 Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

III. SUGGESTED MODIFICATIONS

Staff recommends the following suggested revisions to the proposed Land Use Plan and Implementation Plan be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

1. Modify LUP Section 2.8.3 (Area-Wide Standards) Subsection E as follows:

1. Provide exterior building lighting, particularly in commercial and high-pedestrian areas.

2. Design or select light fixtures that are architecturally compatible with the building.

3. Integrate light fixtures that are downcast or low cut-off fixtures to prevent glare and light pollution.

4. Design lighting in such a way as to prevent the direct view of the light source from adjacent properties or uses, particularly residential properties or uses.

5. Utilize lighting on architectural details, focal points, and parking areas to increase safety, help with orientation, and highlight site attributes and the identity of an area.

6. Use energy-efficient lamps such as LED lights for all exterior lighting along with adaptive lighting controls to contribute to energy conservation and potentially reduce long-term costs.

7. Within the Coastal Zone, outdoor light fixtures, including pole lights, wall-mounted lights and bollards shall be fully-shielded and downward-facing in order to minimize glare and light trespass within and beyond the project site.

2. Modify IP Section 6.2.1 (Local Coastal Program) as follows:

For properties within the Coastal Zone (shown in Figure 2-1), the goals and policies in Chapter 1, the use and development standards in Chapters 2 and 3, provisions on managing parking and increasing mobility in Section 4.5.2, the administrative processes of Chapter 6, and the definitions in Appendix A of this Master Plan, and the objective design standards for multifamily and mixed-use development in Appendix E of this Master Plan, together with CMC Chapters 15.12 – Stormwater Management and Discharge Control, and 15.16 – Grading and Erosion Control, as well as those provisions of the Zoning Ordinance not superseded herein, shall constitute the Local Coastal Program for the Village and Barrio. If conflicts or discrepancies arise between the Local Coastal Program and other policies, standards, or guidelines of the Master Plan, the Local Coastal Program provisions shall be controlling.

3. Modify IP Section Appendix A (Definitions) as follows:

> Fully-Shielded. A term describing a light that is constructed so that light rays directly emitted by the fixture are projected below a horizontal plane running through the lowest point on the fixture where light is emitted. Shielded shall mean that the light rays are directed onto the site, and the light source (e.g., bulb, tube, etc.) is not visible beyond the property boundary of the site of the light source.

IV. FINDINGS FOR DENIAL OF CERTIFICATION OF THE CITY OF CARLSBAD LAND USE PLAN AMENDMENT, AS SUBMITTED, AND APPROVAL IF MODIFIED

A. AMENDMENT DESCRIPTION

The City of Carlsbad is requesting an amendment to the City's Village and Barrio Master Plan, which functions as the certified LCP Land Use Plan (LUP) and part of the certified LCP Implementation Plan for the Village and Barrio area. The intention of the amendment is to establish objective design standards for eligible multifamily housing and mixed-use development projects. Specifically, the proposed amendment creates a new appendix within the City's certified IP (Appendix E: Objective Design Standards for Multifamily and Mixed-Use Development – Streamlined Permit Processing) to establish objective design standards for eligible projects, and the LUP is modified to support the establishment of these standards.

Various state housing laws, including the Housing Accountability Act (Government Code Section 65589.5) and Streamlined Ministerial Approval Process (SB 423 (Wiener, 2023), Government Code Section 65913.4), require that qualifying housing projects be subject only to objective design standards. Objective design standards are typically measurable and demonstrable. Subjective design guidelines are typically open to interpretation and not technically measurable. The intent of objective design standards is to provide specific standards that will make clear to developers, design professionals, applicants, City staff, decisionmakers, and the public what will be used in the review of project submittals.

Among other criteria, eligibility for the streamlined ministerial approval process is determined if housing development projects meet the following criteria: propose a multifamily housing development that contains two or more residential units; provide at least 10%, 20%, or 50% of units as affordable for lower-income households, depending on whether the jurisdiction has adopted a compliant housing element, the progress it has made on its portion of the regional housing needs allocation (RHNA), and whether the jurisdiction is located in the San Francisco Bay Area; be located on a site where at least 75% of the perimeter of the site adjoins parcels developed with "urban uses;" and meet certain labor and wage requirements. In addition, project sites must be located in an urban area, outside of the Commission's geographic appeal jurisdiction, in an area subject to a certified LCP or certified LUP, outside of areas vulnerable to five feet of sea level rise, in an area zoned for multifamily housing, not within 100 feet of a wetland, not on prime

agricultural land, and outside of other statewide exclusion areas. Government Code Section 65913.4 includes a variety of other statewide exclusion areas that apply both in and outside of the coastal zone. Eligible projects generally cannot be located on a site that is within any of the following: a very high fire hazard severity zone; a hazardous waste site; within a delineated earthquake fault zone; within a FEMA special flood hazard area or regulatory floodway; lands identified for conservation in an adopted natural resource protection plan; habitat for species protected under various provisions of federal or state law; and lands under a conservation easement.

To comply with state law, the proposed amendment establishes objective design standards for multiple-unit and mixed-use housing projects, where state housing law restricts City review of eligible projects to objective standards. Specifically, these objective design standards would apply to qualifying multiple-unit and mixed-use development, including such development that constitutes a "housing development project" under the Housing Accountability Act, supportive housing projects under AB 2162 (Chiu, 2018), low barrier navigation centers under AB 101 (Ting, 2019), and any other multiple-unit residential or mixed-use development project for which the City may require compliance with objective design standards under applicable state housing law. These objective design standards would not apply to single-family residences, accessory dwelling units (ADUs), or commercial and industrial projects without residential components.

The intent is to have the existing subjective standards the City typically uses to evaluate projects become objective ones, for which the goal is to make as many design standards as possible more readily discernible to developers and the general public, which would in turn help facilitate more streamlined review and processing. Projects that fully utilize these objective design standards and meet the requirements in Government Code Section 65913.4 would then be eligible for streamlined review and not subject to a public hearing; however, in the coastal zone, a coastal development permit would still be required when applicable and no changes to what requires a coastal development permit or this process are proposed.

The Village and Barrio Master Plan is a combination Land Use Plan and Implementation Plan document for the Village-Barrio LCP segment. While the document itself does not differentiate between LUP and IP components, Commission staff have preliminarily identified that the LCP should be allocated as follows: the goals and policies of Chapter 1, the land use and development standards of Section 2.1 through 2.5 and 2.8 of Chapter 2, and the provisions on managing parking and increasing mobility in Section 4.5.2 are to be considered the Land Use Plan. The development standards of Section 2.6 and 2.7 of Chapter 2, the sign use and development standards of Chapter 3, the administrative processes of Chapter 6, the definitions in Appendix A of this Master Plan are to be considered the Implementation Plan, together with CMC Chapters 15.12 – Stormwater Management and Discharge Control, and 15.16 – Grading and Erosion Control, as well as those provisions of the Zoning Ordinance not superseded herein. Commission staff continues to work with City to formalize the allocation through a future LCPA.

The proposed LUP amendment includes references to the new design manual (Appendix E) throughout the various LUP chapters, which orients the public on where to find clarification on objective design standards.

Please see Exhibit 2 for the proposed amendment text.

B. CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT

The Commission finds, pursuant to Section 30512.2b of the Coastal Act, that portions of the Land Use Plan as set forth in the preceding resolutions, are not in conformance with the policies and requirements of Chapter 3 of the Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act which states:

The legislature further finds and declares that the basic goals of the state for the Coastal Zone are to:

a) Protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.

b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.

c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.

(d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.

(e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

The Commission therefore finds, for the specific reasons detailed below, that the land use plan does not conform with Chapter 3 of the Coastal Act or the goals of the state for the coastal zone with regards to protecting, maintaining and, where feasible, enhancing and restoring the overall quality of the coastal zone environment and its natural and manmade resources.

C. CONFORMITY OF THE CARLSAD LAND USE PLAN WITH CHAPTER 3

The standard of review for LCP land use plan submittals or amendments is their consistency with and ability to carry out the provisions of Chapter 3 of the Coastal Act. As proposed, there are several sections within the VBMP that the Commission finds to be inconsistent with policies contained in Chapter 3 of the Coastal Act.

Section 30222 states:

> The use of private lands suitable for visitor-serving commercial recreation facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30240(a) states:

> (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.

1. FINDINGS FOR DENIAL

The proposed amendment to the LUP sections of the Village and Barrio Master Plan make references to the new appendix, orienting the public on where to find the new objective design standards. As proposed, there are no changes to the substantive LUP policies. The proposed revisions to the Village and Barrio Master Plan (LUP) do not change the allowable use of any coastal zone property, any land uses, or the resource protection regulations of the City. However, the certified LUP does not include adequate objective lighting requirements, which could lead to impacts on natural resources or habitat disruption through spillover lighting. The existing lighting policies located in the certified LUP could be considered subjective. The current LUP policies in Section 2.8.3(e) provide general guidance for lighting requirements such as integration of light fixtures that are downcast or low cut-off fixtures to prevent glare and light pollution, and to design lighting in such a way as to prevent the direct view of the light source. These existing standards are found to be subjective, and therefore these standards would not apply for an eligible multifamily housing or mixed-use development project that qualifies for streamlined approval. The proposed LUP amendment creates the potential to adversely impact coastal resources and therefore is inconsistent with the certified LUP and the Coastal Act due to its existing lighting policies that strive to protect habitat within the Coastal Zone.

2. FINDINGS FOR APPROVAL IF MODIFIED

As written, the proposed amendment would not sufficiently protect natural resources and habitat since the proposed amendment does not include objective design standards for lighting requirements. Therefore, **Suggested Modification #1** modifies the Area-Wide Standards of the LUP to require fully-shielded lighting for development projects within the Coastal Zone. This modification will be consistent with the certified subjective lighting policy within the LUP, and alsowill make it an objective standard. Therefore, as modified and in conjunction with the other objective standards already present in the LUP, the

proposed amendment will not result in an adverse coastal resource impacts. The Commission thus finds the proposed amendment as modified is consistent with and adequate to carry out the policies of Section 30222 and 30240(a) of the Coastal Act.

V. FINDINGS FOR REJECTION OF THE CITY OF CARLSBAD IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED, AND APPROVAL IF MODIFIED

A. AMENDMENT DESCRIPTION

Similar to other LCPs, the City's certified IP includes a set of objective site design standards that all development must meet depending on the type of project and its zoning designation and location, including design requirements for height, setback, floor area ratio, density, and parking. These objective standards are then augmented with a series of other more subjective ones, including overall aesthetics and performance standards for neighborhood compatibility and community design. The proposed amendment does not change any existing objective IP standards related to design requirements, parking, or setbacks, and it makes some of the subjective policies more objective with the goal of providing more certainty and clarity on how to effectively implement such requirements. The proposed amendment also includes objective standards for operational fixtures such as bicycle parking, which would promote multi-modal transportation.

The proposed amendment to the certified IP includes the addition of a new Appendix E: Objective Design Standards for Multifamily and Mixed-Use Development – Streamlined Permit Processing. The new appendix specifies objective, including numeric, standards for various site planning topics, including required landscaping, parking screening, building materials, roof form, public and active frontages, and similar design requirements for multifamily and mixed-use residential structures. For example, while the certified IP broadly regulates landscaping, the proposed amendment requires a landscape buffer of a minimum width of five feet between all ground-level restricted open spaces and pedestrian walkways. Similarly, with respect to building materials and other design techniques, the proposed amendment specifies that the use of two or more accent materials (e.g., glass, tile, brick, stone, concrete, or plaster) shall be incorporated to highlight building features.

Please see Exhibit 2 for the proposed amendment text.

B. CONFORMANCE WITH THE CERTIFIED LAND USE PLAN

The standard of review for LCP implementation plan submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP. The certified LUP has a number of goals and policies relevant to the proposed amendment; the most applicable LUP standards are as follows:

LUP Section 2.8.3 (Area-Wide Standards) Subsection E states, as suggested to be modified:

> 1. Provide exterior building lighting, particularly in commercial and high-pedestrian areas.
>
> 2. Design or select light fixtures that are architecturally compatible with the building.
>
> 3. Integrate light fixtures that are downcast or low cut-off fixtures to prevent glare and light pollution.
>
> 4. Design lighting in such a way as to prevent the direct view of the light source from adjacent properties or uses, particularly residential properties or uses.
>
> 5. Utilize lighting on architectural details, focal points, and parking areas to increase safety, help with orientation, and highlight site attributes and the identity of an area.
>
> 6. Use energy-efficient lamps such as LED lights for all exterior lighting along with adaptive lighting controls to contribute to energy conservation and potentially reduce long-term costs.
>
> 7. Within the Coastal Zone, outdoor light fixtures, including pole lights, wall-mounted lights and bollards shall be fully-shielded and downward-facing in order to minimize glare and light trespass within and beyond the project site.

1. FINDINGS FOR DENIAL

As proposed, the IP amendment (i.e., new Appendix E) includes objective implementing standards for many of the LUP requirements, but it does not include objective standards for lighting, including it does not have a definition for “fully shielded.” Therefore, the proposed IP amendment creates the potential to adversely impact coastal resources and could be found inconsistent with the certified LUP due to its existing lighting policies that strive to protect habitat within the Coastal Zone.

In addition, Section 6.2.1 of the Master Plan lists the components that constitute the LCP for the Village and Barrio. While the City intended for the new Appendix E to be part of the LCP, this section was not updated to reflect the incorporation of the Appendix.

2. FINDINGS FOR APPROVAL IF MODIFIED

As proposed, the Appendix E would not be listed in Section 6.2.1 of the Master Plan, which lists the LCP components. This was an administrative error and the City inadvertently did not update the LCP language. Therefore, **Suggested Modification #2** modifies the administrative processes of Chapter 6 and incorporates the new Appendix E: Objective Design Standards for Multifamily and Mixed-Use Development – Streamlined Permit Processing into the LCP and corrects the administrative error. The suggested modification is critical for including these objective policies within the Coastal Zone.

In addition, **Suggested Modification #3** modifies Appendix A: Definitions and includes an objective definition of fully-shielded lighting. This modification will be consistent with the existing lighting policy within the LUP, as well as the modifications proposed to be added, and is necessary to provide objective clarity for projects that are potentially eligible for the streamlined ministerial approval process to prevent adverse impacts on sensitive coastal resources.

Therefore, as modified and in conjunction with the other objective standards already present in the LUP and IP, the proposed amendment will not result in an adverse coastal resource impacts. Through the inclusion of these suggested modifications, multifamily and mixed-use housing projects will be required to avoid significant coastal resource impacts. Thus, the modified language will enable these housing projects to be implemented in the Coastal Zone while avoiding impacts to coastal resources and public access. In sum, the IP amendment as modified will provide objective design standards, and in a manner that respects and protects coastal resources, and with an aim to encourage and facilitate affordable and diverse housing within the City. The Commission thus finds the proposed amendment as modified is consistent with and adequate to carry out the policies of Section 2.8.3(E) of the LUP.

VI. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 21080.9 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. 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 submission.

The City determined that the subject LCP amendment is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) [no potential for causing a significant effect on the environment]. (Cal. Code of Regs., tit.14.) 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. As modified, the proposed amendment would not result in an intensification of land uses incompatible with the surrounding development or have adverse impacts on coastal resources. Further, the Commission finds that the proposed amendment is unlikely to have any significant adverse effect on the environment as a whole. Therefore, the Commission finds that the subject LCP Land Use Plan, as submitted, and the subject LCP Implementation Plan, as amended, conforms to the provisions of CEQA.