

MAY 12 2015

CITY OF CARLSBAD
CITY CLERK'S OFFICE**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**

The people of the City of Carlsbad do hereby ordain as follows:

Section 1. Title.

The title of this Initiative is the "Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) Initiative," sometimes referred to herein as the "Agua Hedionda 85/15 Specific Plan Initiative" or the "AH-SP Initiative."

Section 2. Purpose and Findings.

The People of the City of Carlsbad find and declare the following:

The purpose of the AH-SP Initiative is to adopt the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail ("Agua Hedionda 85/15 Specific Plan," "AH-SP Specific Plan" or "Specific Plan"), and make conforming amendments to the General Plan (1994), Zoning Code, and to the Agua Hedionda Land Use Plan (1982).

The Agua Hedionda 85/15 Specific Plan is proposed to the voters for adoption for the following reasons:

1. The Agua Hedionda 85/15 Specific Plan area is comprised of approximately 203.4 acres between the south shore of the Agua Hedionda Lagoon and Cannon Road in the City of Carlsbad.
2. The Specific Plan will permanently protect approximately 176.7 acres, more than 85% of the Specific Plan area, for open space and the continuation of strawberry farming and coastal agriculture.
3. The Specific Plan's protection, conservation, and enhancement of the open space and agricultural land will be achieved through the Specific Plan itself and in cooperation with the City of Carlsbad, one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, or qualified farming and agricultural interests.
4. The intent is to permanently protect, conserve, restore, and/or enhance existing habitat, sensitive species, and riparian/wetland resources; and provide for the continuation of coastal agriculture and strawberry farming, consistent with the City's open space and agriculture heritage.
5. Portions of the designated open space and agricultural land will become an integral part of the Specific Plan area, and low-impact public access will allow for passive recreation amenities, including miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, roadway, restroom facilities, parking, farm-to-table dining, farm stand, and an integrated resource and educational signage program for use by the entire Carlsbad community.
6. The remaining approximately 26.7 acres, or less than 15% of the Specific Plan area, will include a new pedestrian-oriented outdoor visitor-serving commercial, shopping, dining, and entertainment promenade ("Outdoor Shopping, Dining, and Entertainment Promenade").
7. The Outdoor Shopping, Dining, and Entertainment Promenade facilitates a high-quality, functionally integrated district that is distinctive, creates a sense of community, and contributes to Carlsbad's traditional "village" identity and beach community character, while prioritizing protection and conservation of open space lands, the continuation of strawberry farming and coastal agriculture, and the protection of the natural environment through the Specific Plan.
8. The Specific Plan includes up to 585,000 square feet of new visitor-serving commercial, shopping, dining, entertainment, and recreational uses.
9. The Specific Plan's vision is to provide permanent open space protection and conservation, combined with the highest standards for environmental protection to support Carlsbad's open space and agricultural heritage, along with a modern, sustainable Outdoor Shopping, Dining, and Entertainment Promenade with an innovative building design that provides distinctive visitor-serving commercial, shopping, dining, entertainment, recreation, and environmental benefits for the entire Carlsbad community.
10. The Specific Plan establishes revenue sources from the Specific Plan's visitor-serving commercial uses, and/or from private funding, to dedicate, improve, restore, operate, and maintain in perpetuity the dedicated open space areas at no tax burden to Carlsbad residents.
11. The Specific Plan open space requirements, funding mechanisms, and other public infrastructure (as referenced in the Specific Plan) must be satisfied prior to the issuance of any certificate of occupancy for the visitor-serving commercial component of the Specific Plan.
12. Implementation of this Initiative will protect the public health, safety and welfare, and the quality of life for the People of the City of Carlsbad, as set forth above.

Section 3. City of Carlsbad General Plan Amendments.**A. Land Use Element Amendments.**

The voters hereby amend the Land Use Element and Land Use Map of the General Plan of the City of Carlsbad as follows (new language to be inserted into the General Plan is shown as underlined text).

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language to be deleted is shown in ~~strike through text~~; text in regular or bold type reflects the existing General Plan text and is provided for informational/reference purposes):

Map 2 – General Plan Land Use Map, a copy of which is attached for informational purposes only at page A-1 of Exhibit A hereto, is amended to redesignate approximately 203.4 acres between the south shore of the Agua Hedionda Lagoon and Cannon Road in the City of Carlsbad from Travel/Recreation Commercial (TR) and Open Space (OS) to Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP), as set forth on page A-2 of Exhibit A (page A-3 of Exhibit A is for informational purposes only).

Section II (“Description of the Land Use Plan”), subsection C (“Land Use Classifications”), is amended as follows:

The following new land use classification is added:

AGUA HEDIONDA SOUTH SHORE SPECIFIC PLAN FOR 85% OPEN SPACE AND 15% RETAIL (AH-SP).

Table 1: Quantitative Breakdown of Existing Land Use Map, is amended as set forth in Exhibit B hereto, to note that adoption of the Agua Hedionda 85/15 Specific Plan removed approximately 21.6 acres from the commercial uses permitted in the “Travel/Recreation Commercial” designation, and redesignated them for open space and agricultural support uses, and that the land uses in the AH-SP designation are reflected in Chapter 3 of the AH-SP Specific Plan.

Subsection 3 (“Commercial”), last paragraph is amended as follows:

In prior versions of this General Plan, the City recognized two types of local shopping centers: neighborhood and community. In 2001, however, these two categories were merged into a single category called “local shopping center.” The typical characteristics of local, general and regional commercial land uses are shown in the following Table 3: Guidelines for Commercial Land Uses. The three types are described in more detail in the following sections. The commercial land uses governing the AH-SP designations are described in Chapter 3 of the Agua Hedionda 85/15 Specific Plan, are applicable only in the Specific Plan area, and are not included in the Guidelines shown in Table 3.

Table 3: Guidelines for Commercial Land Uses, is amended as set forth in Exhibit C hereto, to note that the commercial land uses governing the AH-SP designation are described in Chapter 3 of the Agua Hedionda 85/15 Specific Plan, are applicable only in the Specific Plan area, and are not included in the Guidelines shown in Table 3.

New subsection 12 is added as follows:

12. AGUA HEDIONDA SOUTH SHORE SPECIFIC PLAN FOR 85% OPEN SPACE AND 15% RETAIL (AH-SP)

This classification of land use designates an area consisting of approximately 203.4 acres between the south shore of the Agua Hedionda Lagoon and Cannon Road (“Specific Plan Area”). The AH-SP designation permanently protects and conserves approximately 176.7 acres of the 203.4-acre Specific Plan Area, approximately 85% of the Specific Plan Area, for open space and the continuation of strawberry farming and coastal agriculture. The remaining approximately 26.7 acres, approximately 15% of the Specific Plan Area, will allow visitor-serving commercial uses. A complete discussion of this land use classification is contained in the AH-SP Specific Plan.

In Section III (“Goals, Objectives and Implementing Policies & Action Programs”), the following new section is added:

AGUA HEDIONDA SOUTH SHORE SPECIFIC PLAN FOR 85% OPEN SPACE AND 15% RETAIL (AH-SP)

The overall purpose of the AH-SP designation is to permit implementation of the AH-SP Specific Plan to facilitate the protection and conservation of open space and agriculture, and the development of visitor-serving commercial, shopping, dining, entertainment, and recreation uses consistent with the policies adopted in the: (a) Carlsbad General Plan; (b) Carlsbad Growth Management program, established in 1986 and as amended; (c) Carlsbad Local Facilities Management Plan Zone 13, adopted in 1992 and as amended in 1995; (d) California Coastal Act of 1976 and as amended; and (e) Agua Hedionda Land Use Plan, adopted in 1982 and as amended. The AH-SP Specific Plan property is uniquely situated to serve Carlsbad’s agriculture.

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open space, and recreation needs, along with the visitor-serving commercial, shopping, dining, recreation, and entertainment needs of the entire Carlsbad community. The Goals and Objectives of the AH-SP designation are set forth in the AH-SP Specific Plan and are realized through implementing the Specific Plan.

Section III (“Goals, Objectives and Implementing Policies & Action Programs”), “Overall Land Use Pattern,” is amended as follows:

Under subsection A (“Goals”), new goal A.4 is added as follows:

A.4 A City which protects, conserves and enhances the environment, character, and land use goals applicable in the AH-SP designation, and supports and enhances the economic viability of the community as set forth in the AH-SP Specific Plan.

Under subsection B (“Objectives,”), new objective B.4 is added as follows:

B.4 To protect, conserve and enhance the environment, character, and land use objectives applicable in the AH-SP designation, and support and enhance the economic viability of the community as set forth in the AH-SP Specific Plan.

Under subsection C (“Implementing Policies and Action Programs”), new Implementing Policy and Action Program C.21 is added as follows:

C.21 Implement the policies and action programs set forth in the AH-SP Specific Plan to conserve and enhance the environment, character, and land use objectives applicable in the AH-SP designation, and support and enhance the economic viability of the community.

Section III (“Goals, Objectives and Implementing Policies & Action Programs”), “Growth Management And Public Facilities,” subsection C (“Implementing Policies and Action Programs”), C.1 is amended as follows:

C.1 Permit the approval of discretionary actions and the development of land only after adequate provision has been made for public facilities and services. In the AH-SP designation, this Policy and Action Program is governed by the AH-SP Specific Plan, which satisfies the intent of the General Plan and this policy through provisions for compliance with the Zone 13 Local Facilities Management Plan.

Section III (“Goals, Objectives and Implementing Policies & Action Programs”), “Environmental,” subsection C (“Implementing Policies and Action Programs”), C.6 is amended as follows:

C.6. Ensure the preservation and maintenance of the unique environmental resources of the Agua Hedionda Lagoon while providing for a balance of public and private land uses through implementation of the Agua Hedionda Land Use Plan and the AH-SP Specific Plan.

B. Open Space and Conservation Element Amendments.

The voters hereby amend the Open Space and Conservation Element of the General Plan of the City of Carlsbad as follows (new language to be inserted into the General Plan is shown as underlined text, language to be deleted is shown in ~~strikethrough text~~; text in regular or bold type reflects the existing General Plan text and is provided for informational/reference purposes):

Section II (“Framework for Open Space & Conservation Planning”), is amended as follows:

Under subsection A (“Open Space Definition and Classification System”), the following new category is added:

CATEGORY 6: The Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) designation.

Chapter 3 of the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) (“AH-SP Specific Plan”) contains a description of the open space land uses with in this designation.

Under Subsection B (“Protection of Open Space Lands”), Table 1: Regulatory Open Space Protection, is amended as set forth in Exhibit D hereto, to note the Agua Hedionda South Shore

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Specific Plan for 85% Open Space and 15% Retail (AH-SP) is subject to environmental regulation as reflected in the Specific Plan.

Under Subsection F (“Citywide Open Space Plan”), Tables 2 and 3 are amended as follows:

Table 2: Existing and Constrained Open Space Acreages, is amended as set forth in Exhibit E hereto, to note the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) designation is within Zone 13. The open space in the AH-SP designation is described in the AH-SP Specific Plan.

Table 3: Future Open Space Action Priorities, is amended as set forth in Exhibit F hereto, to note that, with regard to land use designation AH-SP, the Zone 13 priorities are implemented through the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail that specifies open space preservation, management, recreation, education, and health and safety as well as funding for implementation.

The following new category is added:

CATEGORY 6: The Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP)

Chapter 3 of the AH-SP Specific Plan contains a description of the open space land uses within this designation.

In Section III (“Goals, Objectives & Implementing Policies & Action Programs”), the following new subsection is added:

AGUA HEDIONDA SOUTH SHORE SPECIFIC PLAN FOR 85% OPEN SPACE AND 15% RETAIL (AH-SP)

The AH-SP Specific Plan contains the Goals, Objectives, and Implementing Policies and Action Programs applicable to the open space land use designations in the Specific Plan area.

Section III (“Goals, Objectives & Implementing Policies & Action Programs”), “Promoting Agriculture,” subsection 3 (“Implementing Policies and Action Programs”), C.16 is amended as follows:

C.16 Prior to the approval of discretionary permits within an existing or former agricultural area in Carlsbad, a detailed soils testing and analysis report shall be prepared by a registered soils engineer and submitted to City and County Health Departments for review and approval. This report shall evaluate the potential for soil contamination due to historic use, handling, or storage of agricultural chemicals restricted by the San Diego County Department of Health Services. The report shall also identify a range of possible mitigation measures to remediate any significant public health impacts if hazardous chemicals are detected at concentrations in the soil which would have a significantly adverse effect on human health. This Policy and Action Program does not apply in the AH-SP designation, which is governed by the AH-SP Specific Plan.

Section IV (“Maps”) is amended as follows:

The Official Open Space & Conservation Map, a copy of which is attached for informational purposes only at page G-1 of Exhibit G hereto, is amended to reflect the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) designation, and to note the open space land uses established in the AH-SP designation are reflected in Specific Plan Figure 3.0-1 (see Exhibit Q hereto). The Official Open Space & Conservation Map, as amended by this Initiative, is attached hereto at page G-2 of Exhibit G.

The Conceptual Open Space & Conservation Map, a copy of which is attached for informational purposes only at page H-1 of Exhibit H hereto, is amended to reflect the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) designation, and to note the Conceptual Trails and Circulation Plan in the AH-SP designation is reflected in Specific Plan Figure 3.0-4 (see Exhibit Q hereto). The Conceptual Open Space & Conservation Map, as amended by this Initiative, is attached hereto at page H-2 of Exhibit H.

C. Parks and Recreation Element Amendments.

The voters hereby amend the Parks and Recreation Element of the General Plan of the City of Carlsbad as follows (new language to be inserted into the General Plan is shown as underlined text, language to be

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deleted is shown in ~~strikethrough text~~; text in regular or bold type reflects the existing General Plan text and is provided for informational/reference purposes):

Section I (“Introduction”), subsection G (“Park Inventory Introduction”), Part 3 (“Regional Open Space Parks”), is amended as follows:

3. REGIONAL OPEN SPACE PARKS

Three of the City's Special Resource Areas and one community park (Lake Calavera, Agua Hedionda Lagoon, Batiquitos Lagoon and Veterans Memorial) have been identified as Regional Open Space Parks in addition to their primary city park classification. These sites have been identified as Regional Open Space Parks consistent with the recommendations of the San Diego Association of Governments' (SANDAG) report, *Regionally Significant Open Space – Definition*. Although parks have been identified as part of the regional park system, they will continue to function pursuant to their primary park classification as identified above. The identification of a city park as a Regional Open Space Park simply denotes that the park is part of the region's park system. A portion of the lands south of the Agua Hedionda Lagoon are subject to the Agua Hedionda South Short Specific Plan for 85% Open Space and 15% Retail, which defines and regulates the open space uses in the Specific Plan area.

A regional park is a major park that may contain any one or combination of such attributes as natural beauty, unique topographic features, historical structures or unusual scenery. Such parks are usually developed for at least two outdoor activities, but the greatest part of the acreage may remain as undeveloped open space. Usually a regional park has at least 200 acres, 50 acres of which are developable. The size may be smaller for unique regional resources.

In Section I (“Introduction”), subsection G (“Park Inventory Introduction”), the following new Part 4 is added:

4. THE AGUA HEDIONDA SOUTH SHORE SPECIFIC PLAN FOR 85% OPEN SPACE AND 15% RETAIL (AH-SP)

The Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) area consists of approximately 203.4 acres between the south shore of the Agua Hedionda Lagoon and Cannon Road in the City. The AH-SP Specific Plan will permanently protect and conserve approximately 176.7 acres of open space and agricultural lands. The intent of the AH-SP designation and the open space areas and uses within the designation are described in the AH-SP Specific Plan.

Section I (“Introduction”), subsection I (“Facility Standards”) Table 2 is amended as follows:

Table 2: Facilities Standards, is amended, as set forth on Exhibit I hereto, to note that standards and uses in the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) designation are set forth in the Specific Plan.

In Section II (“Goals, Objectives and Implementing Policies and Action Programs”), the following new section is added:

THE AGUA HEDIONDA SOUTH SHORE SPECIFIC PLAN FOR 85% OPEN SPACE AND 15% RETAIL (AH-SP)

The Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) area consists of approximately 203.4 acres between the south shore of the Agua Hedionda Lagoon and Cannon Road in the City. The AH-SP designation will permanently protect and conserve approximately 176.7 acres for open space lands, strawberry farming, and coastal agriculture. The intent of the AH-SP designation and Goals, Objectives, and Implementing Policies and Action Programs for the open space areas within the AH-SP designation are described in the AH-SP Specific Plan.

Section II (“Goals, Objectives and Implementing Policies and Action Programs”), “Recreation Programs,” subsection B (“Objectives”), B.3 is amended as follows:

B.3 To provide for safe recreational use at the Agua Hedionda Lagoon on a partially self-sustaining basis, and through implementation of the AH-SP Specific Plan in the Specific Plan area south of the Lagoon in accordance with the financing provisions and the regulations set forth in the Specific Plan.

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Section II (“Goals, Objectives and Implementing Policies and Action Programs”), “Special Resource, Open Space and Cultural-Historical Areas,” is amended as follows:

Subsection B (“Objectives”), is amended as follows:

B. OBJECTIVES

B.1 To improve the recreational and educational potential of the City’s three (3) lagoons and beach areas.

B.2 To develop the Lake Calavera Area (252 acres) with interpretive nature trails and passive recreational use, if feasible.

~~B.3 To enter into and maintain agreements with SDG&E to establish access to and along the southeast side of Agua Hedionda Lagoon, seeking long-term lease periods.~~

~~B.4 To enter into and maintain agreements with SDG&E to establish connecting access between Veterans Memorial Park and the Southeast side of Agua Hedionda Lagoon.~~

~~B.5 To provide limited public access to the wetlands of the Agua Hedionda Lagoon for the purpose of visitor attractions such as interpretive centers, boardwalks, etc.~~

B.6 To ensure that Special Resource, Open Space and Cultural/Historic Areas meet the needs of Carlsbad residents, tourists and employees in the City of Carlsbad.

B.4 To provide public access to the Agua Hedionda Lagoon and adjacent lands to the south of the Lagoon under the regulations contained in the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP).

Under subsection C (“Implementing Policies and Action Programs”), C.1 is amended as follows:

C.1 Require that offers to dedicate or requests to enhance and/or develop open space areas for recreation purposes be reviewed by both the Parks and Recreation Commission and Planning Commission, and if deemed appropriate, recommended to the City Council for their discretionary approval. This Policy and Action Program does not apply in the AH-SP designation, which is governed by the AH-SP Specific Plan.

Section IV (“Maps”) Map 1 is amended as follows:

The Citywide Parks and Recreation Map (“Map 1”), a copy of which is attached for informational purposes only at page J-1 of Exhibit J hereto, is amended to redesignate a portion of the area between the Agua Hedionda Lagoon and Cannon Road as Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP), as set forth on page J-2 of Exhibit J hereto.

Section V (“Tables”) Table 5 is amended as follows:

Table 5, (“Uses in Recreation Areas”), “Page #4,” Chart titled, “Existing – SRA,” is amended, as set forth in Exhibit K hereto to note that the recreational uses in the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) designation area are set forth in the Specific Plan.

Section 4. Amendments to Agua Hedionda Land Use Plan.

The voters hereby amend the Agua Hedionda Land Use Plan as follows (new language to be inserted into the Agua Hedionda Land Use Plan is shown as underlined text, language to be deleted is shown in ~~strikethrough text~~; text in regular or bold type reflects the existing General Plan text and is provided for informational/reference purposes:

The title page of the Agua Hedionda Land Use Plan is modified to add the following text to reflect the amendment of the plan by the Agua Hedionda 85/15 Specific Plan Initiative as follows:

The Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP)
By Initiative, 2015

Section I (“Introduction”), subsection 1 (“Plan History”), is amended as follows:

The Agua Hedionda Land Use Plan was originally developed as a pilot local coastal plan under a \$16,000 grant from the California State Coastal Commission. The Plan was formulated as a joint effort between property owners, the City of Carlsbad and the Coastal Commission. Following

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numerous public hearings and workshops, the plan was submitted by the City to the Coastal Commission in October, 1977. Several public hearings regarding the Plan were conducted by the Regional and State Coastal Commissions, and the Plan was returned to the City with 32 conditions of approval (32 issue areas requiring modification to meet the requirements of the Coastal Act).

In response to the State Coastal Commission's actions regarding the Plan, the Carlsbad City Council suggested setting up a Negotiating Committee to resolve unsettled issues. The Negotiating Committee, including City and Coastal Commission staff members and elected representatives, began meeting on July 6, 1979. The final meeting of the Negotiating Committee occurred in November, 1980, and resulted in a revised version of 24 conditions of approval resolving the majority of unsettled issues.

This Plan represents a synthesis of the original Plan, incorporating the negotiated conditions of approval, and utilizing the format of the City - modified Carlsbad Local Coastal Plan, prepared by the firm of PRC Toups. Attachment 1 provides a complete chronology of the development and past procedural aspects of the Plan.

In 2015, an initiative was adopted enacting the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail to govern approximately 203.4 acres within the area of the existing Agua Hedionda Land Use Plan (LUP). The AH-SP area consists of 203.4 acres between the south shore of the Agua Hedionda Lagoon and Cannon Road. These lands are exclusively regulated by the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail.

Section I ("Introduction"), subsection 2 ("Scope"), is amended as follows:

Each of the 15 counties and 53 municipal jurisdictions along the California coast are required to prepare a Local Coastal Program (LCP). The LCP consists of a local government's Land Use Plans, Zoning Ordinance and Zoning which meet the requirements, and implement the provisions and policies of the California Coastal Act. The LCP consists of two principal components: (1) the Land Use Plan and (2) Implementing Ordinances. This portion of the Agua Hedionda LCP is meant to fulfill the requirements for a Land Use Plan. Implementation will be considered at a later date, subsequent to City and Coastal Commission review and approval of the Land Use Plan.

The Carlsbad Coastal Zone, as a result of legislative action, has been segmented into four distinct planning areas (see Exhibit "A"). These are as follows:

- Agua Hedionda LCP Segment 1,100 acres;
- Mello Bill Local Coastal Plan Area 1,000 acres;
- San Dieguito LCP (County of San Diego) 1,191 acres; and
- City of Carlsbad Local Coastal Plan 5,387 acres.

This plan addresses only those issues pertaining to the 1,100 acre Agua Hedionda Local Coastal Plan area, except the AH-SP Specific Plan addresses issues in the AH-SP area, approximately 203.4 acres.

Section II ("Background"), is amended as follows:

Subsection 3 ("Carlsbad General Plan: Goals and Policies"), is amended as follows:

The Carlsbad General Plan provides the broad guidelines and goals which shape and direct the future growth of the City.

The General Plan recognizes the unique environmental status of the lagoon and its environs, designating the entire shoreline, and a majority of the flood-plain area and the south shore properties as "open space." The General Plan ~~further requires~~ previously required the development of a specific plan for the lagoon area, and ~~designates~~ designated the entire Agua Hedionda Plan area as a "special treatment area." Such a specific plan, the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP), was adopted by initiative.

In order to provide consistency with other areas of the City, and to allow for the eventual integration of the contents of this Plan with the overall General Plan, the specific plan must address relevant aspects of the General Plan.

A new subsection 5 is added as follows:

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5. Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP): Goals and Policies

The AH-SP designation facilitates protection and conservation of open space and agriculture, and the development of improvements consistent with the adopted policies of the Carlsbad Specific Plan, the Coastal Act, and this LUP. The AH-SP recognizes the unique location of the AH-SP area, and its ability to serve Carlsbad's agriculture, open space, and recreation needs, along with the visitor-serving commercial, retail, shopping, dining, and entertainment needs of the entire Carlsbad community.

The AH-SP area consists of approximately 203.4 acres between the south shore of the Agua Hedionda Lagoon and Cannon Road. The AH-SP will permanently protect and conserve approximately 176.7 acres of open space and agricultural lands, in cooperation with the City of Carlsbad, one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, and qualified farming and agricultural interests. The remaining approximately 26.7 acres includes a pedestrian-oriented visitor-serving outdoor shopping, dining, and entertainment promenade that creates a high-quality, functionally integrated district that is distinctive, creates a sense of community, and contributes to Carlsbad's traditional "village" identity and beach community character. The Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) serves as the zoning for the entire AH-SP area.

Section III ("Land Use Plan"), subsection 1 ("Land Use"), is amended as follows:

Exhibit B, "Land Use Plan Area Map," a copy of which is attached for informational purposes only at page L-1 of Exhibit L hereto, is amended only to reflect the redesignation of the area south of the Agua Hedionda Lagoon and north of Cannon Road as Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP), as set forth on page L-2 of Exhibit L hereto.

Exhibit C, "Land Use Plan Map," a copy of which is included as Exhibit M-1 of Exhibit M hereto, is amended only to reflect the removal of the land use designations of TS and OS south of the Agua Hedionda Lagoon, and north of Cannon Road, and redesignation of the area as Habitat Management Plan Open Space (HMP-OS), Passive Open Space (P-OS), Exclusive Agricultural Open Space (EAG-OS), Agricultural Support Open Space (AGS-OS), and Visitor-Serving Commercial (VSC), as set forth on Exhibit M-2 hereto.

Policy 1.7 is amended as follows:

1.7 ~~The area designated "Community Park" shall be zoned open space (OS). The areas designated Habitat Management Plan Open Space (HMP-OS), Passive Open Space (P-OS), Exclusive Agricultural Open Space (EAG-OS), and Agricultural Support Open Space (AGS-OS), are regulated by the AH-SP Specific Plan. Uses in this area shall be regulated by the open space zone and shall be sited so that there are no significant adverse impacts on agricultural lands, wildlife habitats and environmentally sensitive areas.~~

Policy 1.9 is amended as follows:

1.9 Building height shall be limited to a maximum of 35 feet. ~~Notwithstanding the foregoing sentence, building height in the AH-SP area shall be governed by the AH-SP Specific Plan.~~ Building setbacks and lot coverage shall be regulated by the applicable zoning designation, except as specifically modified in this plan, or as set forth in the AH-SP Specific Plan.

Policy 1.10 is amended as follows:

1.10 Development of the "AH-SP" designated property shall be regulated as follows:

Approximately 26.7 acres of the ~~The~~45 acre parcel ~~owned by SDG&E~~ located on the south shore immediately east of the freeway ~~is shall be~~ designated TS, Travel Services VSC, Visitor-Serving Commercial, as outlined in the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP Specific Plan), adopted by initiative. Conversion of the property to commercial development ~~is shall be~~ subject to a ~~future specific plan~~ the AH-SP Specific Plan and the applicable policies contained in the Specific Plan relating to agricultural conversion. ~~A future specific plan will be required by the City for development of the property.~~

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The remaining approximately 176.7 acres shall be protected and conserved as open space, agricultural lands, and agricultural support uses so as to minimize and avoid any significant adverse effects to agricultural lands, wildlife habitats, and environmentally-sensitive areas.

Section III (“Land Use Plan”), subsection 2 (“Agriculture”), “Policies,” is amended as follows:

2.1 Conversion of agricultural property shall be consistent with Coastal Act policies, ~~and the policies of this plan, and the goals/objectives/policies set forth in the AH-SP Specific Plan, which exclusively control in the Specific Plan area.~~

2.2 The south shore agricultural lands shall be re-designated ~~“Open Space,” as reflected on the Land Use Plan map.~~ This area shall be zoned ~~“Exclusive Agriculture” in the implementation phase of the plan~~ as reflected in the AH-SP Specific Plan.

2.3 Conversion of the approximately ~~26.745-acre~~ ~~SDG&E~~ south shore property ~~designated VSC on the Land Use Plan map~~ shall be subject to the ~~following~~ conditions set forth in the AH-SP Specific Plan.:

~~a) Prior to development SDG&E shall record a permanent open space easement over the remaining agricultural lands in favor of the City of Carlsbad. Said easement shall limit uses to agriculture, utility right-of-way and maintenance, roadways, and recreation trails that do not interfere with agricultural operations.~~

~~b) SDG&E shall provide a written report demonstrating to the satisfaction of the City, that preservation of the site is not necessary to assure reasonable expansion opportunities for the Encina Power Plant in accordance with Coastal Act Section 30413(b), and that future expansion could reasonably be accommodated at the present power plant site. Said report shall be a requirement of a future specific development plan for the property.~~

~~e) Prior to issuance of a permit for development of the parcel, the owner shall make a portion of the site available for development as a public recreational use if the City finds that current or future recreational needs require the development of such uses in the south shore portion of the Land Use Plan area.~~

~~d) In the event that the Carlsbad Local Coastal Plan is amended to allow for a City-sponsored agricultural program, SDG&E may apply for inclusion in the amended program.~~

Section III (“Land Use Plan”), subsection 3 (“Environmentally Sensitive Habitats, Water, And Marine Resources”), is amended as follows:

Policy 3-13-1.12 is amended as follows:

3-13-1.12 Buffers and Fuel Modification Zones

Buffers shall be provided between all preserved habitat areas and development. Minimum buffer widths, except within the AH-SP area, shall be provided as follows:

a. 100 feet for wetlands

b. 50 feet for riparian areas

c. 20 feet for all other native habitats (coastal sage scrub, southern maritime chaparral, maritime succulent scrub, southern mixed chaparral, native grassland, oak woodland).

Buffer widths shall be measured from the edge of preserved habitat nearest the development to the closest point of development. For wetlands and riparian areas possessing an unvegetated bank or steep slope (greater than 25%), the buffer shall be measured from the top of the bank or steep slope rather than the edge of habitat, unless there is at least 50 feet between the riparian or wetland area and the toe of the slope. If the toe of the slope is less than 50 feet from the wetland or riparian area, the buffer shall be measured from the top of the slope.

Any proposed reductions in buffer widths for a specific site shall require sufficient information to determine that a buffer of lesser width will protect the identified resources. Such information shall include, but is not limited to, the size and type of the development and/or proposed mitigation (such as planting of vegetation or the construction of fencing) that will also achieve the purposes of the buffer. The California Department of Fish and Game, the U.S. Fish and Wildlife Service, and the Coastal Commission staff shall be consulted in such buffer determinations.

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No development, grading or alterations, including clearing of vegetation, shall occur in the buffer area, except for:

a. Fuel modification Zone 3 to a maximum of 20 feet for upland and non-riparian habitat. No fuel modification shall take place within 50 feet of riparian area, wetlands or oak woodland.

b. Recreation trails and public pathways within the first 15 feet of the buffer closest to the development, provided that construction of the trail or pathway and its proposed use is consistent with the preservation goals for the adjacent habitat, and that appropriate measures are taken for physical separation from sensitive areas.

Buffer areas that do not contain native habitat shall be landscaped using native plants. Signage and physical barriers such as walls or fences shall be required to minimize edge effects of development.

Notwithstanding the foregoing Policy 3-13-1.12, the AH-SP area is regulated by the AH-SP Specific Plan, which controls buffers, signage, and fencing within the Specific Plan area.

New Policy 3-15 is added as follows:

3-15 Design Guidelines for the Property within the AH-SP area.

3-15-1.1 The AH-SP Specific Plan contains the exclusive permitted design guidelines for development within the AH-SP area.

Section III (“Land Use Plan”), subsection 4 (“Geologic Hazards”), “Discussion,” is amended as follows:

This portion of the Land Use Plan addresses the need to regulate development activities in areas of geologic instability, or other potential geologic hazards. Geologic issues relative to the Agua Hedionda area include flood hazards, soil erosion, sedimentation, alteration of natural landforms, the regulation of grading, and development of steep slope areas. Development projects within the AH-SP area shall be governed by the site design principles contained in the AH – SP Specific Plan. Grading permits in the AH-SP area shall also be governed by the regulations contained in the AH-SP Specific Plan.

The eastern end of the lagoon contains extensive flood plain areas. These are currently regulated through the City’s Flood plain overlay zone, and are largely undeveloped except for agricultural uses.

Erodibility of soils, and the resulting sedimentation, are of concern to maintaining the lagoon ecosystem. The lagoon owes its present depth and configuration to the dredging and removal of 310,000 cubic yards of sedimentation in 1952 to 1954. The principal source of sedimentation in the lagoon is from beach sand entering the lagoon mouth. This impact is somewhat minimized by continued maintenance dredging of the outer lagoon. Soils having moderate to high erodibility characteristics are largely limited to floodplain areas to the east, and agricultural lands to the southeast.

Development activities, especially during the construction phase, are particularly vulnerable to erosion problems. Regulation of grading activities can mitigate many of the adverse impacts associated with construction. Developments which make provisions for minimal disturbance of natural landforms, drainage swales and steep slopes, will generally not require extensive engineered structures to control drainage and erosion. While engineered structures such as catchment basins, desilting basins, subsurface drains, etc., are often times effective in controlling excess runoff, careful provision must be made for the maintenance and management of such structures in order to assure long-term effective operation.

Section III (“Land Use Plan”), subsection 5 (“Public Works”), is amended as follows:

The part titled “Parking Lots” is amended as follows:

Parking Lots

Development plans for, or which include parking lots greater than 5,000 sq. ft. in size and/or with 25 or more parking spaces, susceptible to stormwater, shall:

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- a. Incorporate BMPs effective at removing or mitigating potential pollutants of concern such as oil, grease, hydrocarbons, heavy metals, and particulates from stormwater leaving the developed site, prior to such runoff entering the stormwater conveyance system, or any receiving water body. Options to meet this requirement include the use of vegetative filter strips or other media filter devices, clarifiers, grassy swales or berms, vacuum devices or a combination thereof. Selected BMPs shall be designed to collectively infiltrate, filter or treat the volume of runoff produced from each and every storm event up to and including the 85th percentile 24-hour runoff event. BMPs shall be engineered and constructed in accordance with the guidance and specifications provided in the California Stormwater Best Management Practices Handbooks (Commercial and Industrial).
- b. The AH-SP Specific Plan contains detailed regulations for parking lots and stormwater management within the Specific Plan area. Those regulations exclusively control in the Specific Plan area.

New policy 5.11 is added as follows:

5.11 The AH-SP Specific Plan contains detailed regulations for public works in the Specific Plan area. Those policies exclusively control in the Specific Plan area.

Section III (“Land Use Plan”), subsection 6 (“Recreation and Visitor-Servicing Facilities”), Policy 6.3 is amended as follows:

6.3 ~~The SDG&E agricultural conversion property~~ within the AH-SP area adjacent to the I-5 freeway, ~~is shall be designated Travel Services Visitor-Serving Commercial.~~ This will allow for ~~45-26.7~~ acres of additional visitor-serving commercial uses.

Section III (“Land Use Plan”), subsection 7 (“Shoreline Access”) is amended as follows:

Policy 7.1 is amended as follows:

7.1 Bicycle routes, and accessory facilities such as bike racks, benches, trash containers and drinking fountains shall be installed at the locations indicated on Exhibit I. In the AH-SP Specific Plan Area, the Specific Plan exclusively controls location and of bicycle routes and accessory facilities.

Policy 7.2 is amended as follows:

7.2 Pedestrian access ways shall be located as shown on Exhibit J. In the AH-SP Specific Plan Area, the Specific Plan exclusively controls pedestrian access ways.

Policy 7.9 is amended as follows:

7.9 Access Signing

All public use areas shall be clearly identified through a uniform signing program, to be carried out by the City of Carlsbad or as a condition of individual private developments. Signs or other devices on public or private property which might deter use of public access areas shall be prohibited within the Agua Hedionda Plan area, unless otherwise allowed by the AH-SP Specific Plan.

New policy 7.14 is added as follows:

7.14 The AH-SP Specific Plan contains detailed regulations for shoreline access in the Specific Plan area. Those policies exclusively control in the Specific Plan area.

Exhibit I, “Bike Route Plan,” is attached for informational purposes only at page N-1 of Exhibit N hereto. The Bike Route Plan is amended to reflect the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) area, and to note the Bike Route Overlay in the AH-SP area is reflected in Specific Plan Figure 3.0-1 (see Exhibit Q hereto). The amended Bike Route Plan is attached at page N-2 of Exhibit N hereto.

Exhibit J, “Pedestrian Access Plan,” is attached for informational purposes only at page O-1 of Exhibit O hereto. The Pedestrian Access Plan is amended to reflect the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) area, and to note the Conceptual Trails Plan in the AH-SP area is reflected in Specific Plan Figure 3.0-4 (see Exhibit Q hereto). The amended Pedestrian Access Plan is attached at page O-2 of Exhibit O hereto.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Section III (“Land Use Plan”), subsection 8 (“Visual Resources and Historic Preservation”), “Discussion,” is amended as follows:

Discussion

The Agua Hedionda Plan area affords a multitude of excellent views and vistas. The lagoon itself can be viewed from most locations within the plan area, and several north shore properties provide vistas of the lagoon and ocean. Carlsbad Boulevard provides for unobstructed views of the ocean and outer lagoon, and Adams Avenue on the north shore provides sweeping vistas of the inner lagoon and south shore agricultural areas.

There are no historic structures in the area, but there are several significant archaeological sites. Indian history around Agua Hedionda Lagoon dates back more than 9,000 years and represents the best known example of the transition from a game hunting culture to a shell fish and plant gathering economy. Indian middens and campsites around the lagoon have attracted considerable archaeological interest, although a number of the sites have not been thoroughly examined and documented. The Agua Hedionda Environmental Impact Report contains an analysis of archaeological sites, and site-specific mitigation measures. These have been incorporated into this plan, and are contained in Attachment 2. Approximately 203.4 acres of land between the south shore of the Agua Hedionda Lagoon and Cannon Road are regulated by the AH-SP Specific Plan, which contains detailed regulations concerning visual resources and archaeological sites. Notwithstanding the policies in this subsection, the provisions of the AH-SP Specific Plan exclusively control the Specific Plan area.

Park Drive, Adams Avenue, Carlsbad Boulevard and El Camino Real have been designated as potential scenic roadways in the Carlsbad General Plan. These roads will be subject to special landscape provisions and design criteria.

Section 5. Amendment to the Zoning Code of the City of Carlsbad.

The Zoning Map of the Zoning Code, Title 21 of the Code of Ordinances of the City of Carlsbad, a copy of which is attached for informational purposes only at page P-1 of Exhibit P hereto, is amended to change the zoning of approximately 203.4 acres between the south shore of the Agua Hedionda Lagoon and Cannon Road in the City of Carlsbad to Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP), as set forth on page P-2 of Exhibit P hereto (page P-3 of Exhibit P hereto is for informational purposes only). By adopting the AH-SP zoning for the property, the voters intend to rescind, and do hereby rescind, the existing zoning for the property, and to replace that zoning with the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) zoning, as follows:

	General Plan Designation	Specific Plan Zoning Designation
Habitat Management Plan Open Space	AH-SP	HMP-OS
Passive Open Space	AH-SP	P-OS
Exclusive Agriculture Open Space	AH-SP	EAG-OS
Agricultural Support Open Space	AH-SP	AGS-OS
Visitor-Serving Commercial	AH-SP	VSC

Section 21.05.010 - Names of Zones, of Title 21 of the Code of Ordinances of the City of Carlsbad is amended to add the abbreviation and name of the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) zone as follows:

AH-SP Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) area, including Habitat Management Plan Open Space (HMP-OS) zone, Passive Open Space (P-OS) zone, Exclusive Agriculture Open Space (EAG-OS) zone, Agricultural Support Open Space (AGS-OS) and Visitor-Serving Commercial (VSC) zone.

A new Chapter is added to Title 21 of the Code of Ordinances of the City of Carlsbad as follows:

Notwithstanding any provision of the Carlsbad Municipal Code and to ensure that development of the AH-SP area is subject to express, objective standards that cannot be changed through subsequent discretionary actions or interpretations, the AH-SP zone is a new zoning district that exists independent of other zoning requirements, including the balance of Title 21 of the Carlsbad Municipal Code. The property subject to the AH-SP zoning district is regulated by the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (“AH-SP Specific Plan”) and shall not be subject to any provision of the Carlsbad Municipal Code that purports to

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regulate or guide land use development, except those contained in this new chapter or as otherwise provided in the Specific Plan .The intent and purpose of the AH-SP zone is to:

- Enhance Carlsbad’s character as a desirable beach and open space oriented community,
- Encourage agricultural uses within the Specific Plan area,
- Create a unique community-oriented open space, agriculture, recreation, and visitor-serving commercial, dining, and entertainment area along Cannon Road,
- Cooperate with one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, and/or farming and agricultural interests to ensure responsible conservation, management, operation, and maintenance of the designated open space/ agriculture areas,
- Maintain or enhance the water quality associated with the Agua Hedionda Lagoon and its tributary drainages,
- Enable development of a new pedestrian-oriented outdoor visitor-serving commercial, shopping, dining, and entertainment promenade (Outdoor Shopping, Dining, and Entertainment Promenade),
- Ensure that the scale and character of new development in the Outdoor Shopping, Dining, and Entertainment Promenade area is appropriate to the setting, intended use, and the natural terrain, open space, agriculture, and vistas of the Agua Hedionda Lagoon,
- Enable new development within the Outdoor Shopping, Dining, and Entertainment Promenade area to foster a sense of community by providing safe, pedestrian-oriented walkways and trails to destinations, gathering places, picnic areas, vistas, and visitor-serving commercial, dining, entertainment, and recreation amenities for a variety of Carlsbad residents and visitors,
- Ensure that the Carlsbad community will continue to enjoy high quality, unique shopping and dining experiences in walkable environments that provide community gathering spaces and opportunities for connectivity,
- Invite innovative, sustainable building designs that are energy efficient and water conserving,
- Encourage a multi-modal integrated system of pedestrian and bicycle trails in the Specific Plan area,
- Contribute to an integrated transportation system and updated street and highway network,
- Enhance the quality of life by offering expanded visitor-serving commercial, dining, entertainment, and recreation opportunities, creating new jobs, and increasing the tax base while incorporating measures to avoid or minimize impacts to the natural environment,
- Contribute to Carlsbad’s economic vitality while protecting and conserving its open space, agriculture, and aesthetic resources,
- Continue efforts in Carlsbad to decrease use of energy and fossil fuel consumption in transportation, waste reduction and recycling, with efficient building design and use,
- Ensure energy efficiency and water conservation, including landscaping,
- Promote the maintenance of Specific Plan infrastructure, facilities, and services,
- Require compliance and consistency with the Carlsbad General Plan (1994) and Carlsbad Growth Management program public facility performance standards to ensure that adequate public infrastructure, facilities, and services are provided prior to or concurrent with development, and
- Coordinate future development with the Carlsbad Capital Improvement Program to ensure adequate funding for needed infrastructure, facilities, and services.

Section 6. Adoption of the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail.

The Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail, attached as Exhibit Q to this Initiative is hereby adopted. The Specific Plan exclusively shall control land use and utilization of the lands covered by the Specific Plan. Therefore, the Specific Plan is exempt from Titles 15, 17, 18, 19, 20 and 21 of the Carlsbad Municipal Code, except as provided in this Initiative or the Specific Plan itself, which contains the exclusive provisions governing and regulating the Specific Plan's plan review

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procedures and process, including the plan-checks, sign-offs, actions, decisions, approvals, and other determinations required by the Specific Plan with respect to the standards, guidelines, infrastructure, open space, trails, and other Specific-Plan-identified facilities, services, and amenities.

Section 7. Additional Informational Exhibits.

Hub Park Lease.

A copy of the Hub Park Lease, referenced in Chapters 2.4.2 and 6.17.2 of the Agua Hedionda 85/15 Specific Plan is attached hereto as Exhibit R for informational purposes.

As described in the Specific Plan, a portion of the Specific Plan area is subject to the “Hub Park” lease. As a result of the original approvals for the Encina Power plant, including approval of Encina Specific Plan 144, SDG&E and the City entered into a lease in 1975, which allows the City to use approximately 91 acres of a portion of the Specific Plan area (see Specific Plan, figure 2.0-3), called “Hub Park,” for community park and recreation purposes.

The Hub Park area is designated “Open Space” in the Agua Hedionda Land Use Plan (1982). See Specific Plan, figure 3.0-2, “Agua Hedionda LUP Exhibit C, Land Use Plan.” In addition, the existing Hub Park lease includes a list of potential park and recreation opportunities, some of which are included as allowed uses in designated open space within the Specific Plan area (e.g., picnic areas, hiking trails).

Since entering into the lease, the City has not implemented the park and recreation uses contemplated in the lease and existing agricultural uses continue within the Hub Park area, and will continue in the Specific Plan area as designated. In 2014, the City adopted Ordinance No. CS-255 repealing the Encina Specific Plan 144, and the General Plan Update (2014) makes no reference to the Hub Park lease.

Enacting this Specific Plan, will allow open space uses in the Hub Park area to protect in perpetuity sensitive habitat, special status species, riparian and wetland resources, and facilitate the ongoing viability of strawberry farming and coastal agriculture.

Beach Access Lease.

A copy of the Beach Access Lease, referenced in Chapters 2.4.3 and 6.17.3 of the Agua Hedionda 85/15 Specific Plan is attached hereto as Exhibit S for informational purposes.

As described in the Specific Plan, a portion of the Specific Plan area is subject to the “Beach Access” lease. In connection with approvals for the Encina Power plant, including approval of Encina Specific Plan 144, SDG&E and the City entered into another lease in 1975, titled the “Beach Access Lease,” allowing SDG&E the right to the sole and exclusive use to the southerly shore of the Upper Agua Hedionda lagoon. The land subject to this lease is commonly known as the Upper Agua Hedionda Lagoon shore and waters thereon.

The uses allowed by the Beach Access lease were never acted upon. In addition, the Carlsbad Draft General Plan Update (2014) makes no reference to this lease, the California Public Utilities Commission has issued a decision authorizing the sale and option rights relative to the Specific Plan area, including the area subject to the Beach Access lease, and the City adopted Ordinance No. CS-255 repealing the Encina Specific Plan 144.

Adoption of this Specific Plan will not result in any impact to the land or waters encompassed within the Beach Access Lease, but rather allow the area to be limited to open space habitat preservation.

Section 8. Implementation of Agua Hedionda Initiative, Including Coastal Commission Approval.

A. Upon the effective date of this Initiative, the City of Carlsbad is directed to promptly take all appropriate actions needed to implement this Initiative. This Initiative is considered adopted and effective upon the earliest date legally possible after City Council adopts this Initiative, or the Elections Official certifies the vote on the Initiative by the voters of the City of Carlsbad, whichever occurs earlier. Notwithstanding the foregoing sentence, the provisions of this Initiative enacting amendments to the Agua Hedionda Land Use Plan and adopting the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) shall be operative as adopted or as modified pursuant to subsections 8(D) and 11, below, upon final certification of the California Coastal Commission.

B. Upon the effective date of this Initiative, the provisions of Section 3 of this Initiative are hereby inserted into the General Plan; except that if the four amendments of the General Plan permitted by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan amendments set forth in this Initiative shall be the first amendments inserted into the General Plan on January 1 of the next year.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

C. The General Plan in effect on the date of filing of the Notice of Intent to Circulate this Initiative (“Filing Date”), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent and compatible statement of policies for the City. To ensure that the City’s General Plan remains an integrated, internally consistent and compatible statement of policies for the City, any provision of the General Plan that is adopted between the Filing Date and the effective date of the General Plan amendments adopted by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with the General Plan amendments adopted by this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by the Initiative and other elements of the General Plan.

D. No later than thirty (30) days after the City Council adopts this Initiative or the City’s Elections Official certifies the vote on the Initiative, the City shall submit the Agua Hedionda Land Use Plan amendments contained in Section 4 of this initiative, and the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) adopted in Section 6 of this Initiative to the California Coastal Commission, as required by law, to obtain Coastal Commission certification thereof, consistent with the intent of this Initiative. The amendments to the Agua Hedionda LUP and the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) shall take effect automatically upon Coastal Commission certification, including any modifications required for final certification by the Commission and made pursuant to Section 11 of this Initiative, or any other authority. Any such terms or modifications of approval by the Coastal Commission are hereby acknowledged, accepted, and agreed upon pursuant to the California Code of Regulations, title 14, sections 13551 and 13544.5 of the Coastal Act.

E. If the Coastal Commission fails to certify the amendments to the Agua Hedionda LUP and the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail, either as enacted by initiative or as modified, this Initiative shall become null and void and of no further force or effect.

F. Upon the effective date of this Initiative, the provisions of Section 5 are hereby inserted into the Zoning Code of the City of Carlsbad. The City may determine the appropriate location and numbering for the new chapter of Title 21 added in Section 5 of this Initiative, provided that the full text is inserted into the Zoning Code without alteration.

Section 9. Effect of Other Measures on the Same Ballot.

In approving this Initiative, it is the voters’ intent to create a comprehensive regulatory plan to govern the future use and development of the Specific Plan area. To ensure that this intent is not frustrated, this Initiative is presented to the voters as an alternative to, and with the express intent that it will compete with, any and all voter initiatives or City-sponsored measures placed on the same ballot as this Initiative and which, if approved, would regulate the use or development of the Property in any manner or in any part whatsoever (each, a “Conflicting Initiative”). In the event that this Initiative and one or more Conflicting Initiatives are adopted by the voters at the same election, then it is the voters’ intent that only that measure which receives the greatest number of affirmative votes shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. In no event shall this Initiative be interpreted in a manner that would permit its operation in conjunction with the non-conflicting provisions of any Conflicting Initiative. If this Initiative is approved by the voters but superseded by law in whole or in part by any other Conflicting Initiative approved by the voters at the same election, and such Conflicting Initiative is later held invalid, this Initiative shall be self-executing and given full force of law.

Section 10. Interpretation and Severability.

A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.

B. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we the People of the City of Carlsbad indicate our strong desire that: (i) the City Council use its best efforts to sustain and re-enact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including adopting or reenacting any such portion in a manner consistent with the intent of this Initiative.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

C. This Initiative must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Initiative

Section 11. Amendment.

Except as provided in Chapter 6 of the AH-SP Specific Plan, the City Council of the City of Carlsbad may adopt Agua Hedionda LUP amendments or amendments to the Specific Plan that are required as a result of the Coastal Commission's review pursuant to Public Resources Code section 30512. Nothing in the previous sentence shall be construed to limit the initiative right of the voters of Carlsbad to propose amendments to the Agua Hedionda LUP or to this Specific Plan. This Specific Plan may be repealed only by a majority of the voters of the City voting in an election held in accordance with state law.

On and after the 15th Anniversary of the adoption of this Initiative, a vote of the people shall not be required to amend or repeal any portion of this Initiative, and this Initiative and the Amendments and Specific Plan that it adopts, including all exhibits thereto, may be amended or repealed by any procedure otherwise authorized by law.

The text of existing provisions of the City of Carlsbad General Plan, Zoning Code, and the Agua Hedionda Land Use Plan that are quoted in this Initiative but not modified herein are not subject to this Section.

Section 12. List of Initiative Exhibits.

The following exhibits to this Initiative are incorporated herein by reference:

- Exhibit A – Amendment to General Plan Land Use Map
- Exhibit B – Amendment to Table 1: Quantitative Breakdown of Existing Land Use Map
- Exhibit C – Amendment to Table 3: Guidelines for Commercial Land Uses
- Exhibit D – Amendment to Table 1: Regulatory Open Space Protection
- Exhibit E – Amendment to Table 2: Existing and Constrained Open Space Acreages
- Exhibit F – Amendment to Table 3: Future Open Space Action Priorities
- Exhibit G – Amendment to Official Open Space and Conservation Map
- Exhibit H – Amendment to Conceptual Open Space and Conservation Map
- Exhibit I – Amendment to Table 2: Facilities Standards
- Exhibit J – Amendment to Map 1: Citywide Parks and Recreation Map
- Exhibit K – Amendment to Table 5: Uses In Recreation Areas
- Exhibit L – Amendment to Land Use Plan Area Map
- Exhibit M – Amendment to Land Use Plan Map
- Exhibit N – Amendment to Bike Route Plan
- Exhibit O – Amendment to Pedestrian Access Plan
- Exhibit P – Amendment to Zoning Map
- Exhibit Q – Agua Hedionda South Shore Specific Plan For 85% Open Space And 15% Retail
- Exhibit R – Hub Park Lease (for informational purposes only)
- Exhibit S – Beach Access Lease (for informational purposes only)

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

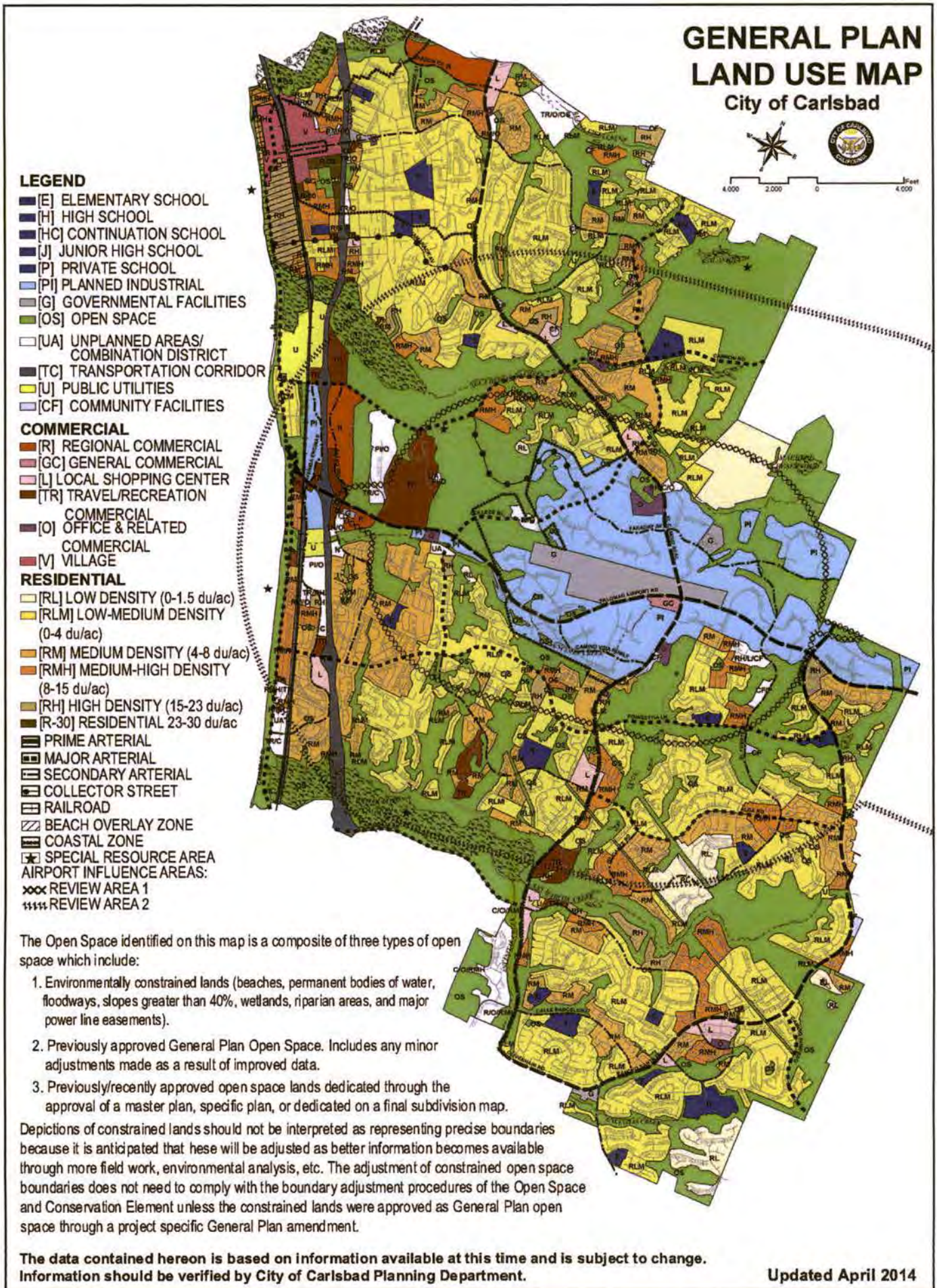
**EXHIBIT A
TO THE INITIATIVE**

AMENDMENT TO THE GENERAL PLAN LAND USE MAP

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

GENERAL PLAN LAND USE MAP

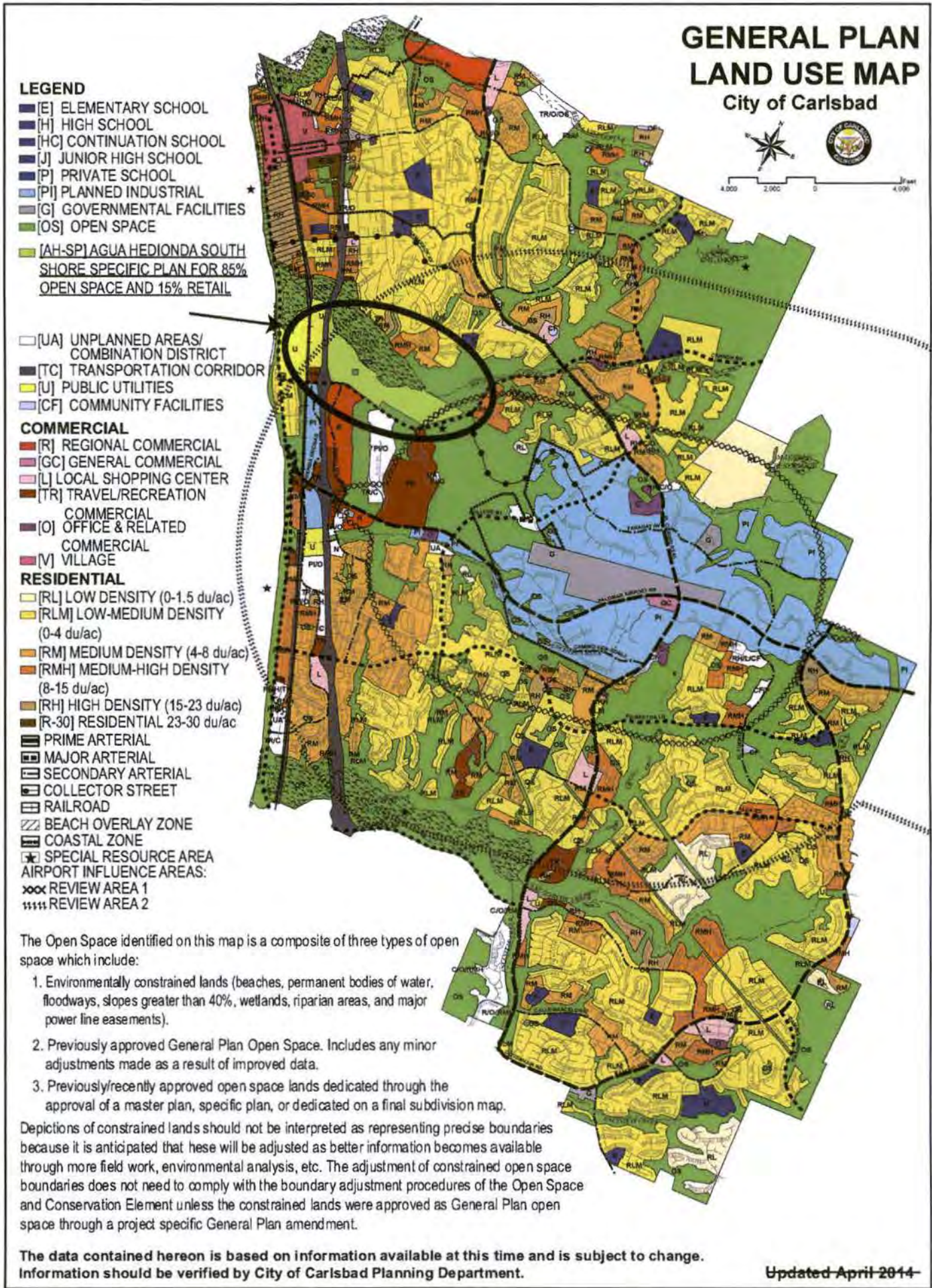
The General Plan Land Use Map, as it exists in the General Plan of the City of Carlsbad as of the filing date of this Initiative, is shown below for informational purposes only:



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO THE GENERAL PLAN LAND USE MAP

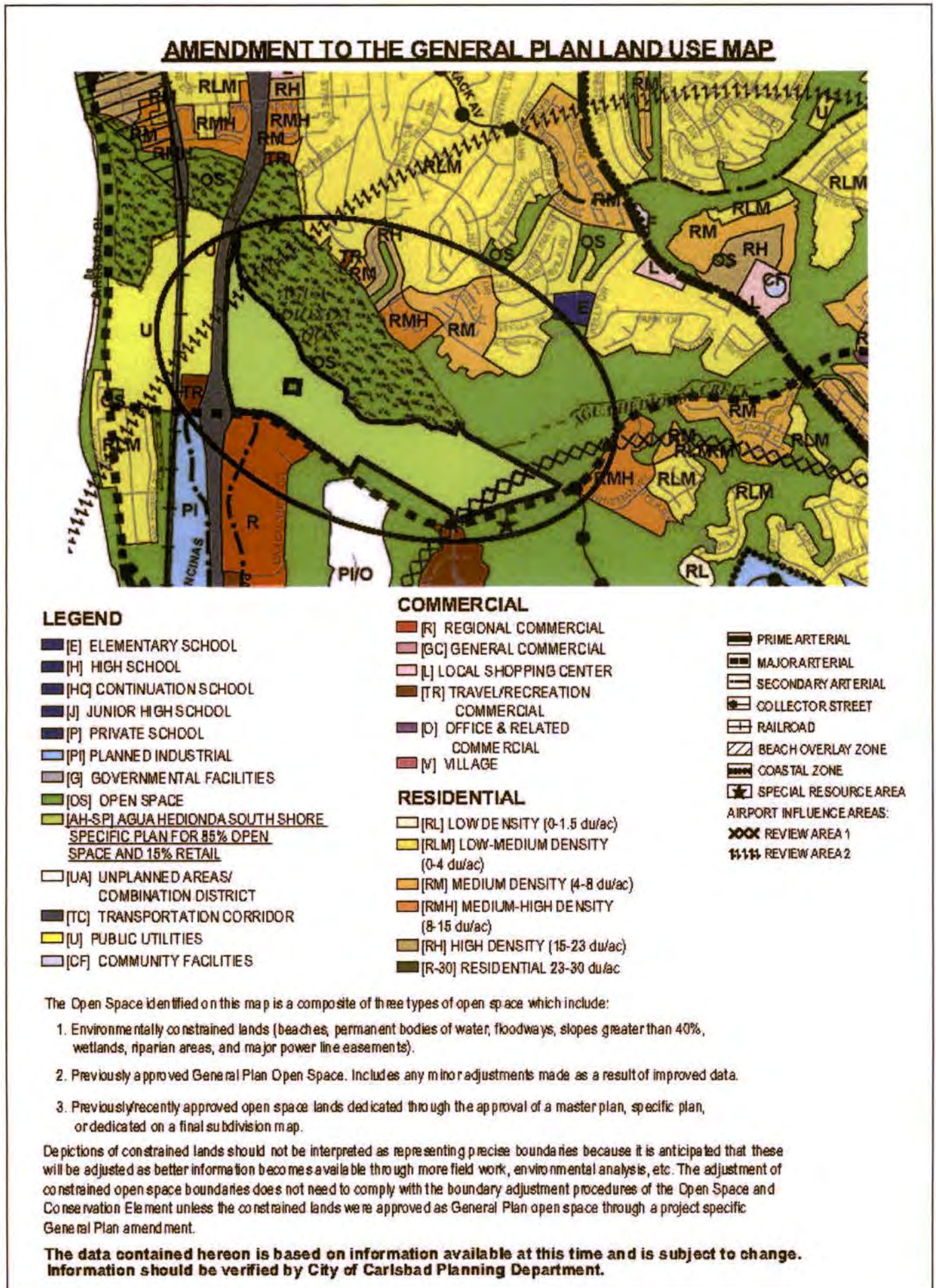
The General Plan Land Use Map of the City of Carlsbad is amended by this Initiative as shown below (text to be added is underlined, deleted text is in ~~strikethrough~~, and the property that is the subject of this initiative is located within the bold black oval on the map for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO THE GENERAL PLAN LAND USE MAP

Below is an enlargement of the portion of the General Plan Land Use Map of the City of Carlsbad, as amended by this Initiative, that relates to the property that is the subject of this Initiative (text to be added is underlined, deleted text is in ~~strike through~~, and the property is located within the bold black oval on the map for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT B
TO THE INITIATIVE**

**AMENDMENT TO TABLE 1:
QUANTITATIVE BREAKDOWN OF EXISTING LAND USE MAP**

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO TABLE 1:

QUANTITATIVE BREAKDOWN OF EXISTING LAND USE MAP

Table 1: Quantitative Breakdown of Existing Land Use Map is amended by this Initiative as set forth below (the new text, on page B-2, is underlined for ease of reference):

TABLE 1 QUANTITATIVE BREAKDOWN OF EXISTING LAND USE MAP			
LAND USE	TOTAL ACRES (GROSS)	% OF TOTAL (GROSS)	% OF LAND USE (GROSS)
RESIDENTIAL	14,194	57	
Low Density	1,798	7	12
Low-Medium Density	8,382	34	59
Medium Density	2,681	11	19
Medium-High Density	1,096	4	8
High Density	237	1	2
NON-RESIDENTIAL	4,134	17	
Intensive Regional Retail	119	0	3
Extensive Regional Retail	78	0	2
Regional Service	28	0	1
Community Commercial	222	1	5
Neighborhood Commercial	66	0	0
Travel Services	170	1	1
Central Business District	70	0	0
Recreational Commercial	142	1	1
Professional Office	221	1	1
Planned Industrial	2,169	9	14
Non-Residential Reserve	515	2	3
PI/RS/C/TS/U	87	0	1
PI/O	180	1	1
TS/C	67	0	0
MIXED USE	144	1	
RM/O	62	0	43
RMH/TS	33	0	23
RH/O	2	0	1
RH/C/O	47	0	33
OTHER	6,316	25	
Schools	513	2	8
Governmental	273	1	4
Designated Open Space	4,257	17	67
Public Utilities	158	1	3
Roads and Railroad	1,079	4	17
Public Rights-of-Way	36	0	1
TOTAL CITY AREA	24,788	100*	

Source: These numbers are based on information from 21 adopted Local Facilities Management Zone Plans and information from San Diego Association of Governments (SANDAG) for the four remaining zone plans. These figures are subject to revision upon amendment to these approved zone plans and/or approval of the remaining four zone plans. Numbers will be updated as the General Plan is updated.

* Totals have been rounded off to the nearest whole number; zeros indicate areas of less than an acre.

TABLE 1

The above figures are from 1994.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**AMENDMENT TO TABLE 1:
QUANTITATIVE BREAKDOWN OF EXISTING LAND USE MAP**

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TABLE 1 QUANTITATIVE BREAKDOWN OF EXISTING LAND USE MAP			
LAND USE	TOTAL ACRES (GROSS)	% OF TOTAL (GROSS)	% OF LAND USE (GROSS)
RESIDENTIAL	14,194	57	
Low Density	1,798	7	12
Low-Medium Density	8,382	34	59
Medium Density	2,681	11	19
Medium-High Density	1,096	4	8
High Density	237	1	2
NON-RESIDENTIAL	4,134	17	
Regional Commercial	224	1	5
Community Commercial	304	1	7
Neighborhood Commercial	66	0	2
Village	70	0	2
Tourist-Recreation/Commercial ±	313	1	8
Professional Office	221	1	5
Planned Industrial	2,174	9	53
Unplanned Areas	515	2	12
PI/O	180	1	4
T-R/C	67	0	2
MIXED USE	144	1	
RM/O	62	0	43
RMH/T-R	33	0	23
RH/O2	2	0	1
RH/C/O	47	0	33
OTHER	6,316	25	
Schools	513	2	8
Governmental	273	1	4
Designated Open Space	4,257	17	67
Public Utilities	158	1	3
Roads and Railroad	1,079	4	17
Public Rights-of-Way	36	0	1
TOTAL CITY AREA	24,788	100*	

Source: These numbers are based on information from 21 adopted Local Facilities Management Zone Plans and information from San Diego Association of Governments (SANDAG) for the four remaining zone plans. These figures are subject to revision upon amendment to these approved zone plans and/or approval of the remaining four zone plans. Numbers will be updated as the General Plan is updated.

* Totals have been rounded off to the nearest whole number; zeros indicate areas of less than an acre.

TABLE 1

The above figures are from 1994.

+ Note: Adoption of the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) removed approximately 21.6 acres from the commercial uses permitted in the "Tourist-Recreation/Commercial" designation, and re-designated them for open space and agricultural support uses. The land uses in the AH-SP designation are reflected in Chapter 3 of the AH-SP Specific Plan.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT C
TO THE INITIATIVE**

**AMENDMENT TO TABLE 3:
GUIDELINES FOR COMMERCIAL LAND USES**

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**AMENDMENT TO TABLE 3:
GUIDELINES FOR COMMERCIAL LAND USES**

Table 3: Guidelines for Commercial Land Uses is amended by this Initiative as set forth below (the new text is underlined for ease of reference):

Table 3: GUIDELINES FOR COMMERCIAL LAND USES *				
Typical Commercial Land Use Characteristics	Local Shopping Center		General Commercial	Regional Shopping Center
	Required of All Local Shopping Centers	Possible Option, Depending on Site and Special Approvals		
Trade Area Focus	Local daily goods and services	Local, plus goods and services provided by community-serving tenants	General, local or community-serving goods and services	Regional
Anchor Tenants (examples)	Supermarket, drug store	Community-serving tenants, such as value department store, chain apparel store, volume specialty store, home improvement center, multiplex cinema	General, community-serving commercial uses, such as wholesale products, department stores, home improvement stores, professional offices, motels/hotels, entertainment uses, and the provision of a broad range of retail goods and services. May be a stand-alone commercial use or a shopping center.	Full-line department stores (2 or more), factory outlet center, "power center" of several high-volume specialty stores.
Secondary Tenants (examples)	Restaurant, bank, real estate, personal grooming, small retail, fast food, gas station, cleaners, video rental	Apparel, specialty retail, restaurant, specialty automotive, sporting goods		Full range of specialty retail, restaurants, or entertainment.
Site Size (acres)	8 – 20	To 30	Varies	30 – 100
Gross Lease Area	60,000 – 150,000 (sq. ft.)	Up to 400,000 (sq. ft.)	Varies	300,000 to 1.5 million (sq. ft.)
Primary Trade Area Drive Time, at Buildout	5 – 10 minutes	10 – 20 minutes	5 – 20 minutes	20 – 30 minutes
Primary Trade Area Radius	1.5 miles	3 – 5 miles	3 to 5 miles	8 – 12 miles
Primary Trade Area Population	10,000 – 40,000 people	40,000 – 150,000 people	Up to 150,000	150,000+ people

* Note: The commercial land use guidelines in the AH-SP designation are described in Chapter 3 of the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail ("AH-SP Specific Plan), are applicable only in the AH-SP Specific Plan area, and are not included in the Guidelines shown in Table 3.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT D
TO THE INITIATIVE**


**AMENDMENT TO TABLE 1:
REGULATORY OPEN SPACE PROTECTION**

**AMENDMENT TO TABLE 1:
REGULATORY OPEN SPACE PROTECTION**

Table 1: Regulatory Open Space Protection is amended by this Initiative as set forth below (the new text, on page D-1, is underlined for ease of reference):

TABLE 1: REGULATORY OPEN SPACE PROTECTION *

OPEN SPACE TYPE	NEPA	Endangered Spec Acts	Army Corps Permits	CEQA	CA Fish/Game 1601/1603	State Lands Commission	State Recreation	L.C.P.	Municipal Code	Growth Mangmt	Land Trusts
1. Open Space for Preservation of Natural Resources											
1a. Plant/Animal Life/Habitat											
1b. Nature Preserves											
1c. Water Features											
1d. Beaches/Bluffs/Banks											
1e. Canyons/Hillsides											
1f. Wetlands											
1g. Riparian Areas											
2. Open Space for Managed Production of Resources											
2a. Forestry/Agriculture/Aquaculture											
2b. Water Management											
2c. Commercial Fisheries											
2d. Mineral Resources											
3. Open Space for Outdoor Recreation (Programmed and Unprogrammed)											
3a. School Grounds											
3b. Public Parks/Recreation Areas											
3c. Greenways											
3d. Trails											
3e. Campgrounds											
3f. Golf Courses											
3g. Private Recreation Areas											
3h. Equestrian Facilities											

 Protection Provided

* Note: The Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) is subject to environmental regulation as reflected in the Specific Plan.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

TABLE 1: REGULATORY OPEN SPACE PROTECTION

OPEN SPACE TYPE	NEPA	Endangered Spec Acts	Army Corps Permits	CEQA	CA Fish/Game 1601/1603	State Lands Commission	State Recreation	L.C.P.	Municipal Code	Growth Mangmt	Land Trusts
4. Open Space for Aesthetic, Cultural and Educational Purposes											
4a. Scenic/Cultural/Educational											
4b. Land Use Buffers/Entries											
4c. Greenbelt											
4d. Gateways											
4e. Museums/Arboreta/Zoologic/Botanical											
5. Open Space for Public Health and Safety											
5a. Hazardous Areas											
5b. Fire Risk											
5c. Water Protection											
5d. Air Quality											
5e. Wave Erosion											

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT E
TO THE INITIATIVE**

**AMENDMENT TO TABLE 2:
EXISTING AND CONSTRAINED OPEN SPACE ACERAGES**

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**AMENDMENT TO TABLE 2:
EXISTING AND CONSTRAINED OPEN SPACE ACERAGES**

Table 2: Existing and Constrained Open Space Acreages is amended by this Initiative as set forth below (the new text is underlined for ease of reference):

TABLE 2: EXISTING AND CONSTRAINED OPEN SPACE ACREAGES³

ZONE	EXISTING/ APPROVED OPEN SPACES	CONSTRAINED OPEN SPACE¹	TOTAL CONSTRAINED & EXISTING/ APPROVED OPEN SPACE²
1	820.67	18.16	838.83
2	111.10	14.00	125.10
3	71.20	0.72	71.92
4	52.30	1.24	53.54
5	223.50	47.19	270.69
6	405.00	44.46	449.46
7	329.10	5.34	334.44
8	560.00	8.54	568.54
9	202.80	0.00	202.80
10	244.10	78.00	322.10
11	423.60	67.64	491.24
12	207.80	3.56	211.36
13 ⁴	238.40	7.29	245.69
14	356.40	56.19	412.59
15	256.10	110.62	366.72
16	121.70	15.65	137.35
17	2.10	34.26	36.36
18	250.00	0.00	250.00
19	816.85	12.45	829.30
20	159.30	15.00	174.30
21	20.40	11.56	31.96
22	94.30	0.47	94.77
23	0.00	102.08	102.08
24	48.60	4.45	53.05
25	33.70	97.31	131.01
TOTAL	6,049.02	756.18	6,805.20

¹ The acreages of the Constrained Open Space column reflect only the environmentally constrained land acreages not previously included as part of an approved project, and do not include other constrained elements such as railroad track beds and major powerline easements. Constrained land acreages that were approved as part of a project are included in the Existing/Approved Open Space column.

² The Open Space acreages of this table may differ from acreages delineated in the General Plan Land Use Element. The acreages of this table are derived from the best sources available.

³ The acreages estimated in this table are for use in developing plan implementation programs only. Actual acreages shall be determined by detailed environmental and project review. The acreages in this table are not be used to establish "minimum" constrained land acreages for any zone.

⁴ The Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) designation is within Zone 13. The AH-SP designation includes 176.7 acres of open space and agricultural and agricultural support uses, including 21.6 acres formerly designated for commercial uses. The Specific Plan contains open space designations applicable only in the Specific Plan area, as follows:
Habitat Management Plan Open Space (HMP-OS) 75.8 acres
Passive Open Space (P-OS) 39.4 acres
Exclusive Agricultural Open Space (EAG-OS) 45.6 acres
Agricultural Support/Open Space (AGS-OS) 15.9 acres

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT F
TO THE INITIATIVE**

**AMENDMENT TO TABLE 3:
FUTURE OPEN SPACE ACTION PRIORITIES**

**AMENDMENT TO TABLE 3:
FUTURE OPEN SPACE ACTION PRIORITIES**

Table 3: Future Open Space Action Priorities is amended by this Initiative as set forth below (the new text, on pages F-1 and F-2, is underlined> for ease of reference):

TABLE 3: FUTURE OPEN SPACE ACTION PRIORITIES

	Citywide	Local Facility Management Zones																									
		Category	1	2	3	4	5	6	7	8	9	10	11	12	13*	14	15	16	17	18	19	20	21	22	23	24	25
1. Open Space for Preservation of Natural Resources																											
1a. Plant/Animal Life/Habitat	1	C	A	B/C	B	A/C	A	A	C	B/C	B/C	A/B	B/C	C	A/C	A/C	A/C	A	A/C	A/C	A	B	C	A/B	A/C	A/C	
1b. Nature Preserves	4	C	D	D	D	C	C	C	C	D	A	D	C	D	B/C	D	D	B	C	D	D	D	C	D	C		
1c. Water Features	1	A	C	A	A/C	A/C	C	D	C	C	D	C	D	B	A/C	A/C	C	D	A/C	C	C	C	D	C	C	A/C	
1d. Beaches/Bluffs/Banks	2	D	D	B/C	D	D	C	C	B/C	B/C	D	D	D	A/C	C	D	D	D	C	C	C	C	C	C	D	D	
1e. Canyons/Hillsides	2	C	C	C	C	B/C	A/C	C	C	C	C	B/C	A	C	C	C	C	A	C	C	A	C	D	B	C	C	
1f. Wetlands	5	C	C	C	C	C	C	C	C	C	C	C	C	C	B	C	C	C	C	C	C	C	C	C	A	A	A/C
1g. Riparian Areas	4	C	C	C	B/C	C	C	C	C	C	C	C	C	C	B	C	C	C	B	C	C	B	C	A	C	A/C	
2. Open Space for Managed Production of Resources																											
2a. Forestry/Agricultural/Aquacultural	5	B	D	D	D	D	D	C	D	D	D	D	D	A/C	D	D	D	D	D	D	D	D	D	D	D	D	
2b. Water Management	5	D	D	C	D	D	D	D	D	D	D	D	D	D	C	B	B	D	D	C	D	D	C	B	D	D	
2c. Commercial Fisheries	5	B	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	
2d. Mineral Resources	5	B	D	D	D	D	D	C	D	D	D	D	D	D	D	D	D	D	D	C	D	D	D	D	D	B/C	
3. Open Space for Outdoor Recreation (Programmed and Unprogrammed)																											
3a. School Grounds	2	E	E	E	E	E	C/E	C/E	E	E	E	B/E	E	E	C/E	E	E	E	A/B	C/E	C/E	E	E	E	E	E	
3b. Public Parks/Recreation Areas	1	A/E	E	B/E	E	E	E	E	C/E	C/E	E	B/B	E	B/E	E	E	E	E	C/E	C/E	C/E	E	C/E	E	E	E	
3c. Greenways	1	A	D	A	A	A	A	A	A	A	A	A	D	D	A	A	A	A	A	A	A	A/B	A	A	A	D	
3d. Trails	1	A	A	A/C	A/B	A/C	A	A/B	A	A/C	A	A	A	A/B	A	A	A	A	A	A/C	A/C	A/B	A/B	A/B	A	D	

1	Top Citywide Priority	A	Zone Primary Action Priority
2	Second Citywide Priority	B	Zone Secondary Action Priority
3	Third Citywide Priority	C	Already Protected
4	Fourth Citywide Priority	D	Low Priority or Not Applicable
5	Lowest Citywide Priority	E	Priority Administered Through Other Programs

*With regard to land use designation AH-SP, the Zone 13 priorities are implemented through the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail that specifies open space preservation, management, recreation, education, and health and safety as well as funding for implementation.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

TABLE 3: FUTURE OPEN SPACE ACTION PRIORITIES

	Citywide	Local Facility Management Zones																								
	Category	1	2	3	4	5	6	7	8	9	10	11	12	13*	14	15	16	17	18	19	20	21	22	23	24	25
3. Open Space for Outdoor Recreation (Programmed and Unprogrammed) (Con't)																										
3e. Campgrounds	5	D	D	B	D	D	D	D	E	C	D	D	D	D	D	D	D	D	D	D	D	D	C	D	D	D
3f. Golf Courses	5	D	D	D	D	D	C	D	D	D	C	D	D	D	D	C	D	D	D	C	D	D	D	D	D	D
3g. Private Recreation Areas	3	D	D	D	C/D	C/D	C/D	C/D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
3h. Equestrian Facilities	4	D	D	D	D	D	D	D	D	D	D	D	B	D	D	D	D	D	D	C	D	D	D	D	D	D
4. Open Space for Aesthetic, Cultural and Educational Purposes																										
4a. Scenic/Cultural/Educational	1	B	C	B/C	B	B/C	C	B/C	C/E	B/C	B/C	B/C	B	A/B	A/C	B	B	A	A/B	A/C	A	A	B/C	A/B	C	C
4b. Land Use Buffers/Entries	2	D	D	C	D	C	D	C	D	A	B/C	D	D	D	D	B	B	B	B	D	B	B	B/C	D	D	C
4c. Greenbelt	4	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	C	D	D	D	D	D	B
4d. Gateways	2	B	B	A	D	C	A	D	D	A/C	B	A	B	B	D	B	B	D	A	B/C	D	D	D	A	D	B
4e. Museums/Arboreta/Zoologic/Botanical	3	D	D	D	D	D	D	D	E	D	D	D	D	D	D	D	D	D	B	D	D	D	D	D	C	D
5. Open Space for Public Health and Safety																										
5a. Hazardous Areas	5	D	C	D	C	C	C	D	D	D	D	C	D	D	D	C	D	D	C	C	C	D	C	D	D	C
5b. Fire Risk	5	D	D	D	D	D	D	D	D	D	D	D	D	C	D	D	D	D	D	D	D	D	D	D	D	D
5c. Water Protection	5	D	D	D	D	D	B	D	D	C	D	C	D	C	D	D	D	D	D	D	D	D	D	D	D	D
5d. Air Quality	5	D	D	D	D	D	D	D	D	B	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
5e. Bluffs Subject to Wave Erosion	5	C	D	C	D	D	D	D	D	C	D	D	D	D	D	D	D	D	D	D	D	D	C	D	D	D

1	Top Citywide Priority	A	Zone Primary Action Priority
2	Second Citywide Priority	B	Zone Secondary Action Priority
3	Third Citywide Priority	C	Already Protected
4	Fourth Citywide Priority	D	Low Priority or Not Applicable
5	Lowest Citywide Priority	E	Priority Administered Through Other Programs

*With regard to land use designation AH-SP, the Zone 13 priorities are implemented through the Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail that specifies open space preservation, management, recreation, education, and health and safety as well as funding for implementation.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

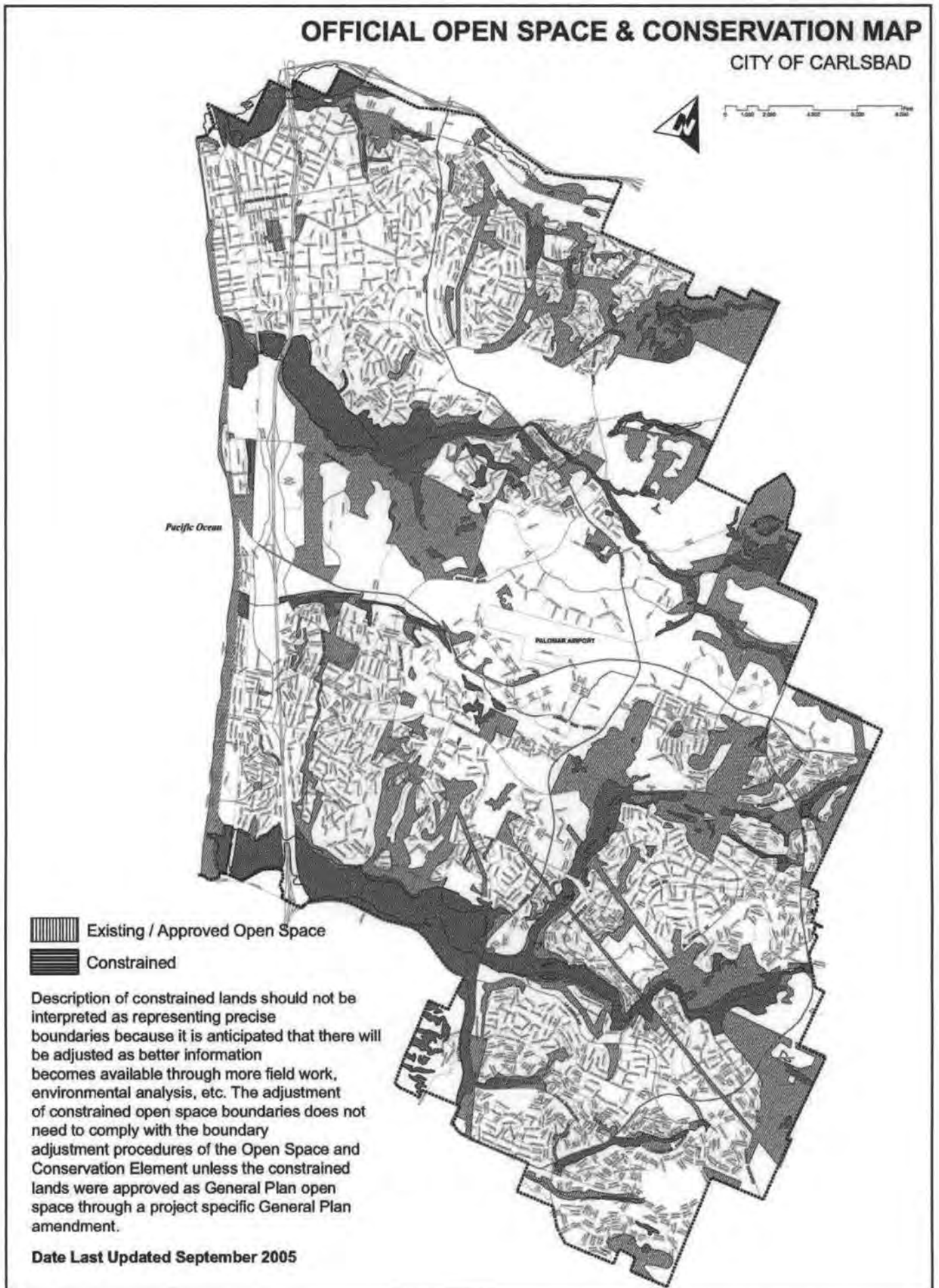
**EXHIBIT G
TO THE INITIATIVE**

AMENDMENT TO THE OFFICIAL OPEN SPACE & CONSERVATION MAP

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

OFFICIAL OPEN SPACE & CONSERVATION MAP

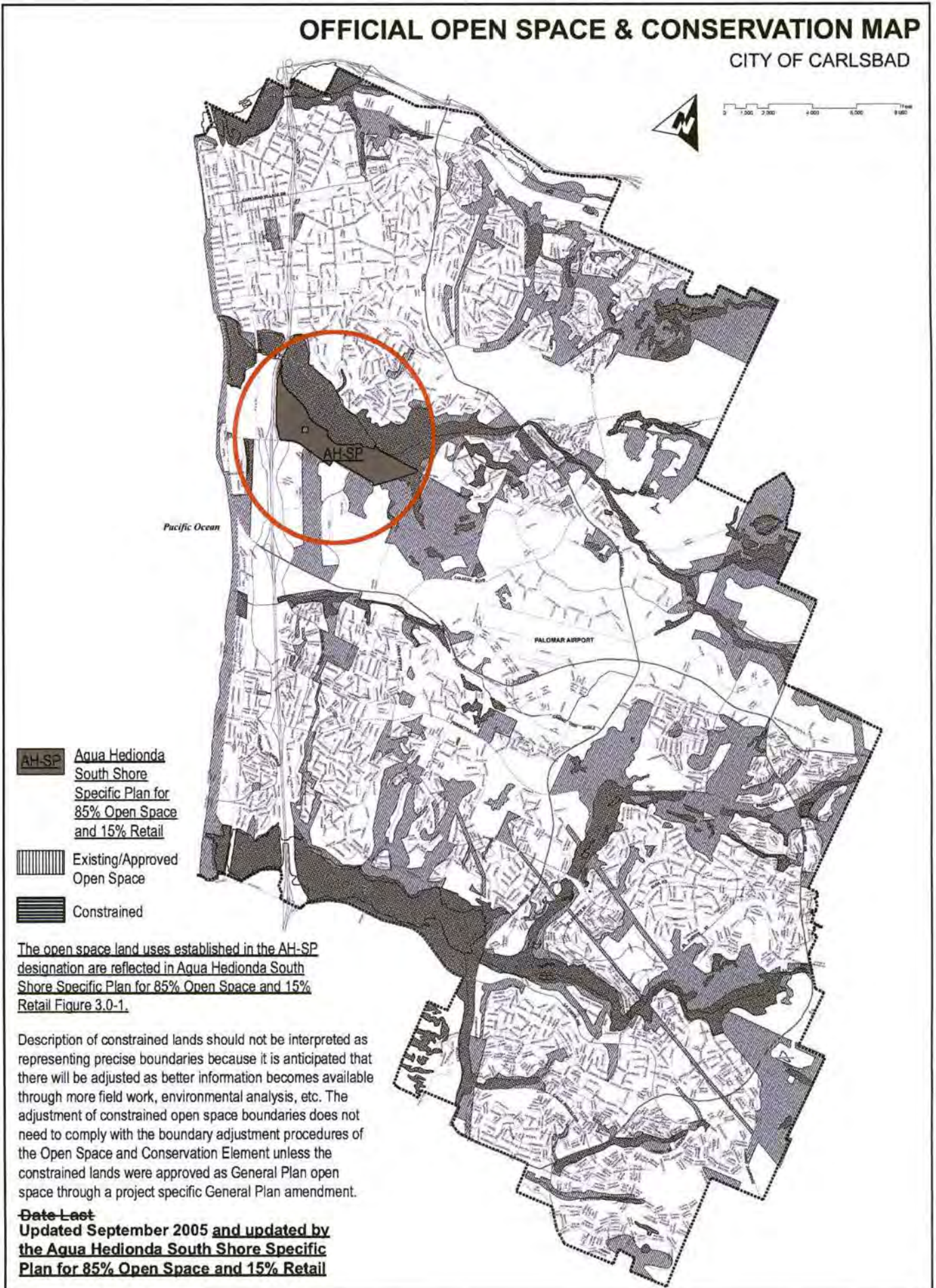
The Official Open Space & Conservation Map, as it exists in the General Plan of the City of Carlsbad as of the filing date of this Initiative, is shown below for informational purposes only:



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO THE OFFICIAL OPEN SPACE & CONSERVATION MAP

The Official Open Space & Conservation Map of the City of Carlsbad is amended by this Initiative as shown below (text to be added is underlined, deleted text is in ~~strike through~~, and the property that is the subject of this Initiative is located within the bold red circle on the map for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

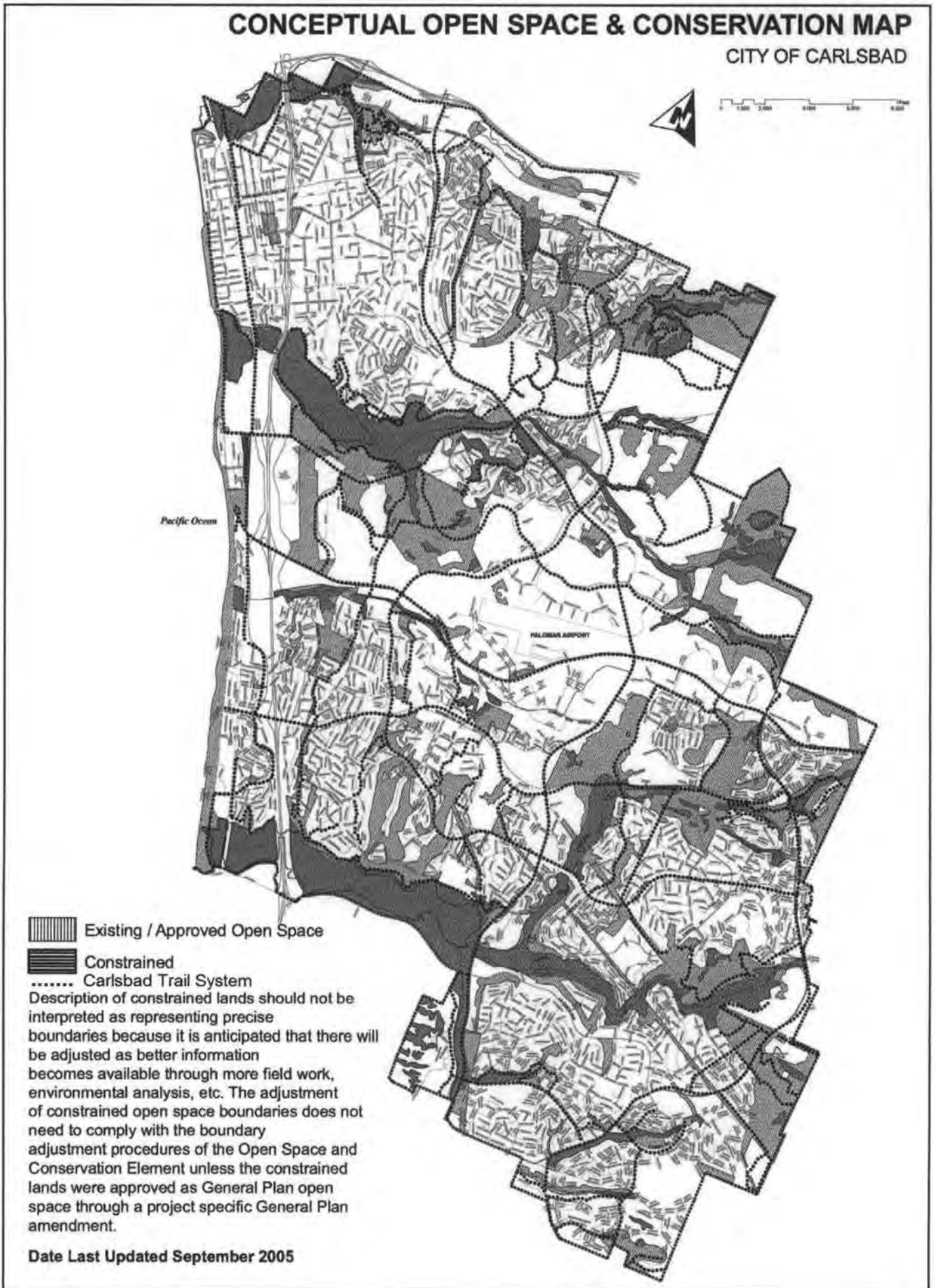
**EXHIBIT H
TO THE INITIATIVE**

AMENDMENT TO THE CONCEPTUAL OPEN SPACE & CONSERVATION MAP

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

CONCEPTUAL OPEN SPACE & CONSERVATION MAP

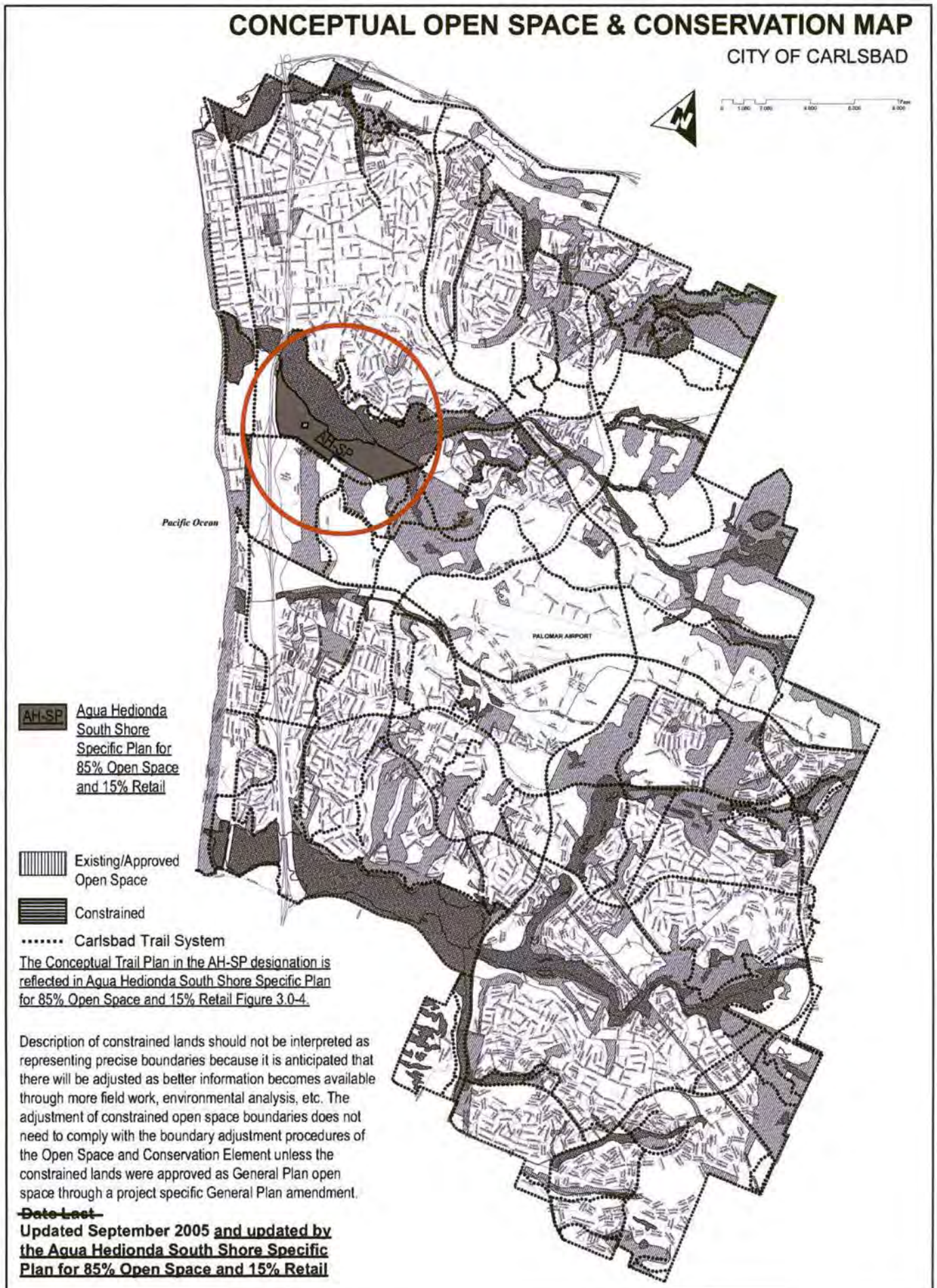
The Conceptual Open Space & Conservation Map, as it exists in the General Plan of the City of Carlsbad as of the filing date of this Initiative, is shown below for informational purposes only:



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO THE CONCEPTUAL OPEN SPACE & CONSERVATION MAP

The Conceptual Open Space & Conservation Map of the City of Carlsbad is amended by this Initiative as shown below (text to be added is underlined, deleted text is in ~~strikethrough~~, and the property that is the subject of this Initiative is located within the bold red circle on the map for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT I
TO THE INITIATIVE**

**AMENDMENT TO TABLE 2:
FACILITIES STANDARDS**

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**AMENDMENT TO TABLE 2:
FACILITIES STANDARDS**

Table 2: Facilities Standards is amended by this Initiative as set forth below (the new text is underlined for ease of reference):

TABLE 2: FACILITIES STANDARDS^{*3}					
<p>*1 Increased from 2.0 to 2.5 ac/1,000 pop. on Sept. 3, 1985 *2 Although no specific standard (e.g. ac/1,000 employees) has been adopted, a fee based upon square footage of industrial floor area is required. As of Nov. 24, 1987, the required fee was 40 cents/sq. ft. of industrial floor area</p>					
CLASSIFICATION	SIZE/SIGNIFICANCE	LEVEL OF SERVICE	ACCESS	OWNERSHIP	STANDARD
Special Resource Area	100 Acres + unique character and/or use not found in Community Parks	Citywide	Vehicular Bicycle Pedestrian	Public	2.5 ac/1,000 population
Community	20 to 50 acres as guidelines* *Where acquisition of sufficient acreage is possible	Community	Vehicular Bicycle (located adjacent to secondary arterial or greater) Pedestrian	Public	2.5 ac/1,000 population *1
Special Use	1 to 5 acres	Neighborhood and Community	Vehicular Bicycle Pedestrian	Public, private and quasi-public	.5 ac/1,000 population
Recreation facilities for industrial areas	Negotiated with developer	In proximity to business and industry employees	Pedestrian Vehicular Bicycle	Public/private	No standard *2

^{*3} Facility standards and uses in the Aqua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (AH-SP) designation are set forth in the Specific Plan, and are not included the Facilities Standards shown in Table 2.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

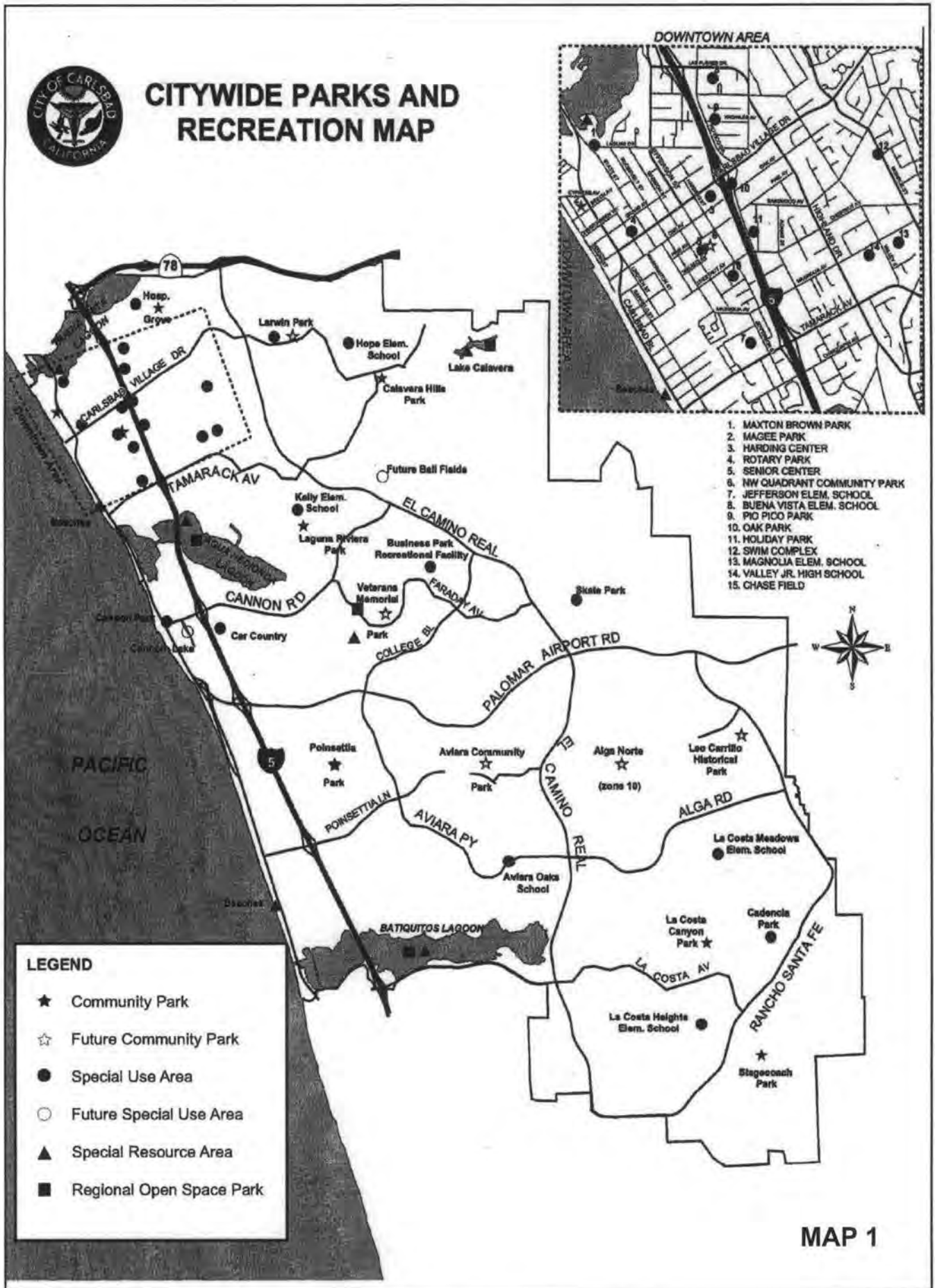
**EXHIBIT J
TO THE INITIATIVE**

AMENDMENT TO MAP 1: CITYWIDE PARKS AND RECREATION MAP

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

MAP 1: CITYWIDE PARKS AND RECREATION MAP

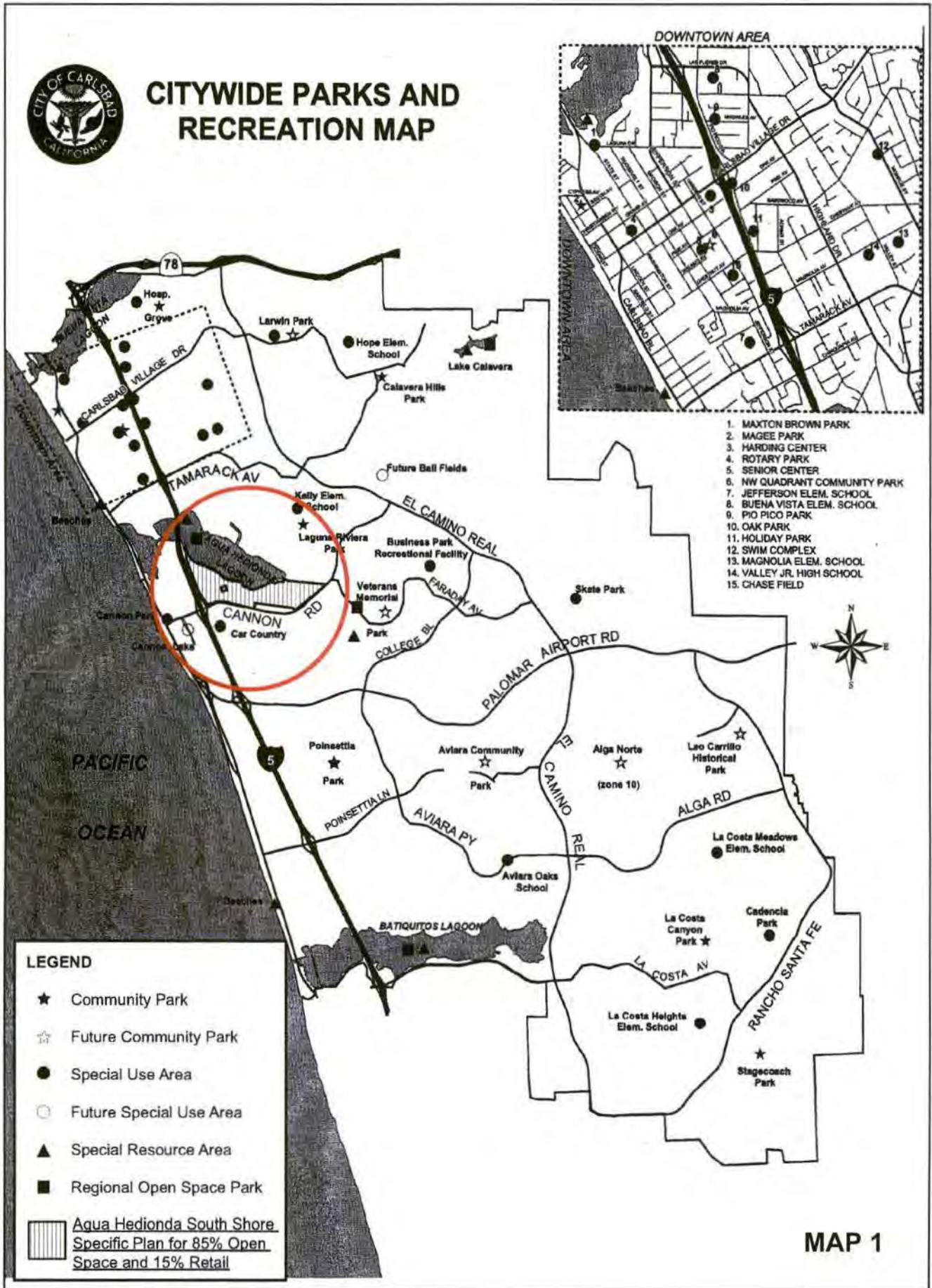
Map 1: Citywide Parks and Recreation Map, as it exists in the General Plan of the City of Carlsbad as of the filing date of this Initiative, is shown below for informational purposes only:



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO MAP 1: CITYWIDE PARKS AND RECREATION MAP

Map 1: Citywide Parks and Recreation Map of the City of Carlsbad is amended by this Initiative as shown below (the property that is the subject of this Initiative is located within the bold red circle on the map and new text is underlined for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT K
TO THE INITIATIVE**

**AMENDMENT TO TABLE 5:
USES IN RECREATION AREAS**

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

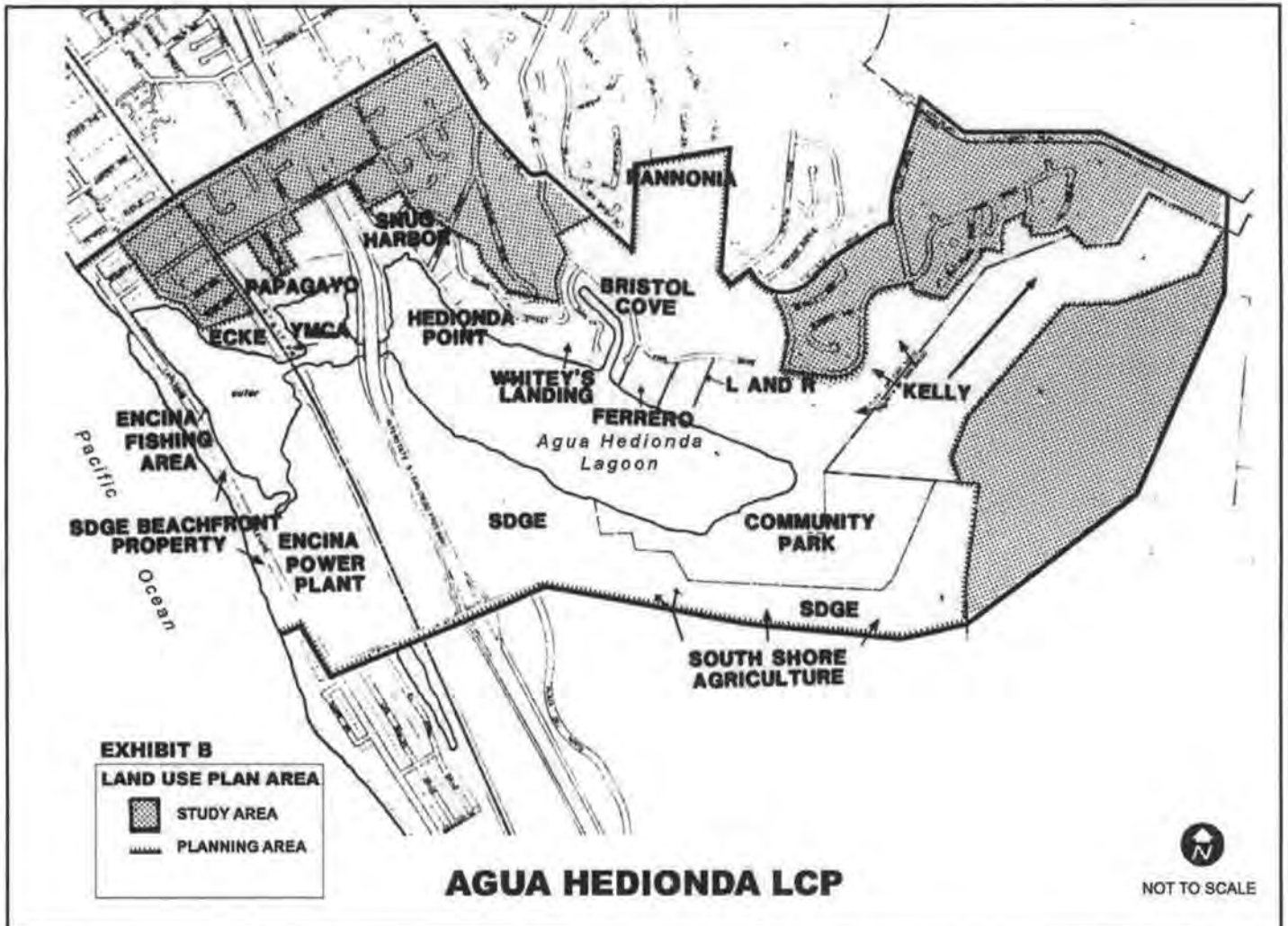
**EXHIBIT L
TO THE INITIATIVE**

AMENDMENT TO THE LAND USE PLAN AREA MAP

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

LAND USE PLAN AREA MAP

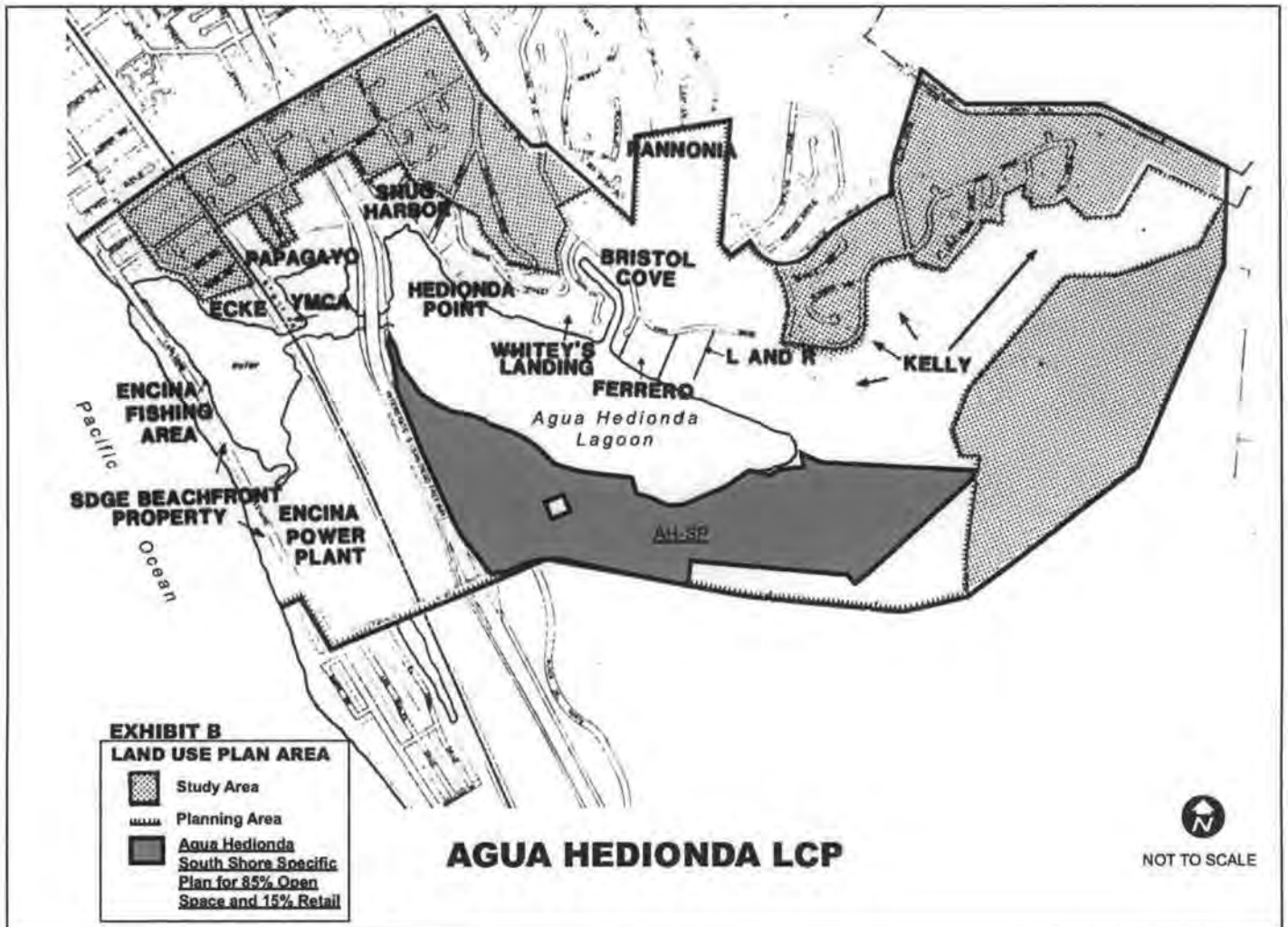
The Land Use Plan Area Map, as per the Agua Hedionda Land Use Plan as of the filing date of this Initiative, is shown below for informational purposes only:



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO THE LAND USE PLAN AREA MAP

The Land Use Plan Area Map of the Agua Hedionda Land Use Plan is amended by this Initiative as shown below (new text is underlined> for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

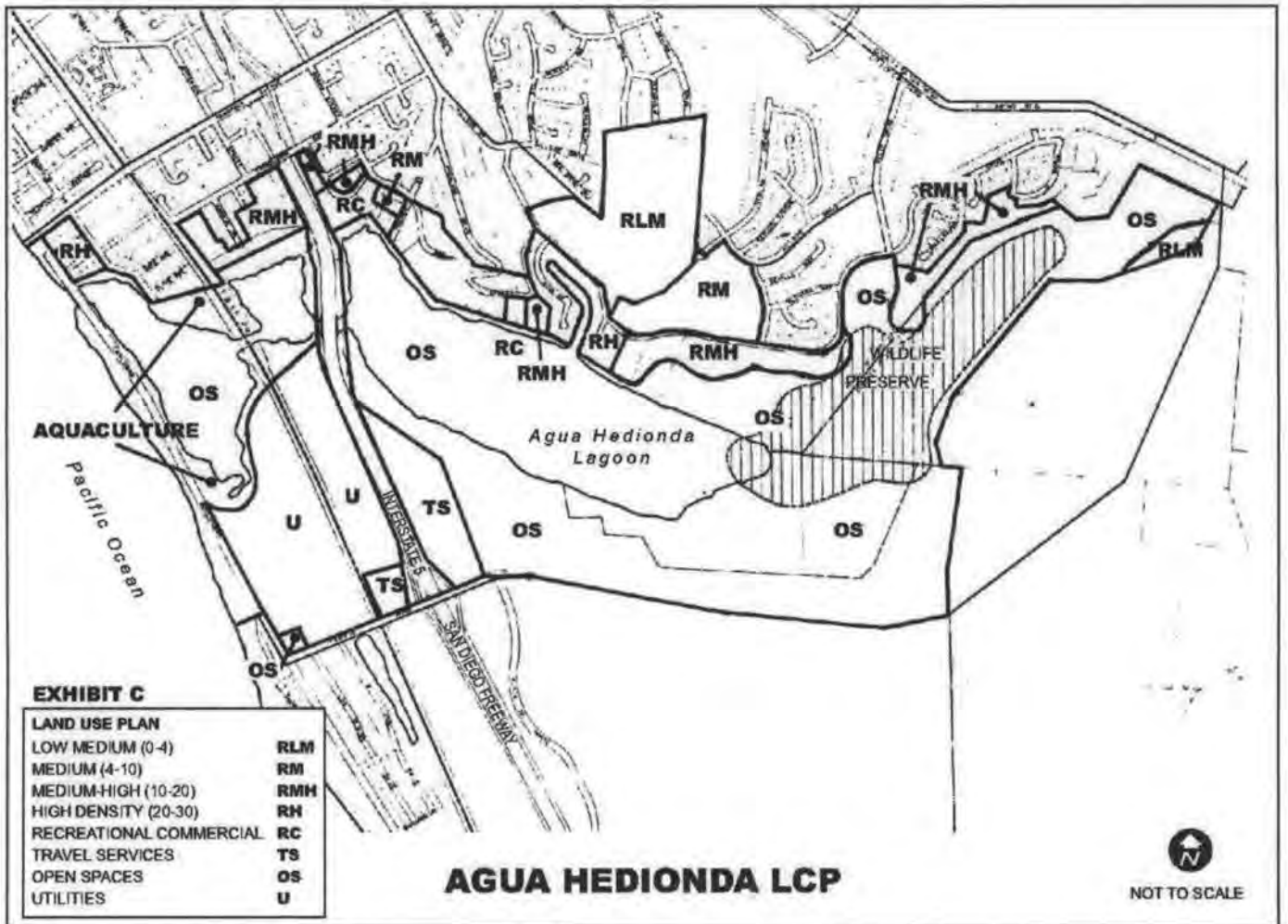
**EXHIBIT M
TO THE INITIATIVE**

AMENDMENT TO THE LAND USE PLAN MAP

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

LAND USE PLAN MAP

The Land Use Plan Map, as per the Agua Hedionda Land Use Plan as of the filing date of this Initiative, is shown below for informational purposes only:



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO THE LAND USE PLAN MAP

The Land Use Plan Map of the Agua Hedionda Land Use Plan is amended by this Initiative as shown below (the new text underlined for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT N
TO THE INITIATIVE**

AMENDMENT TO THE BIKE ROUTE PLAN

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

BIKE ROUTE PLAN

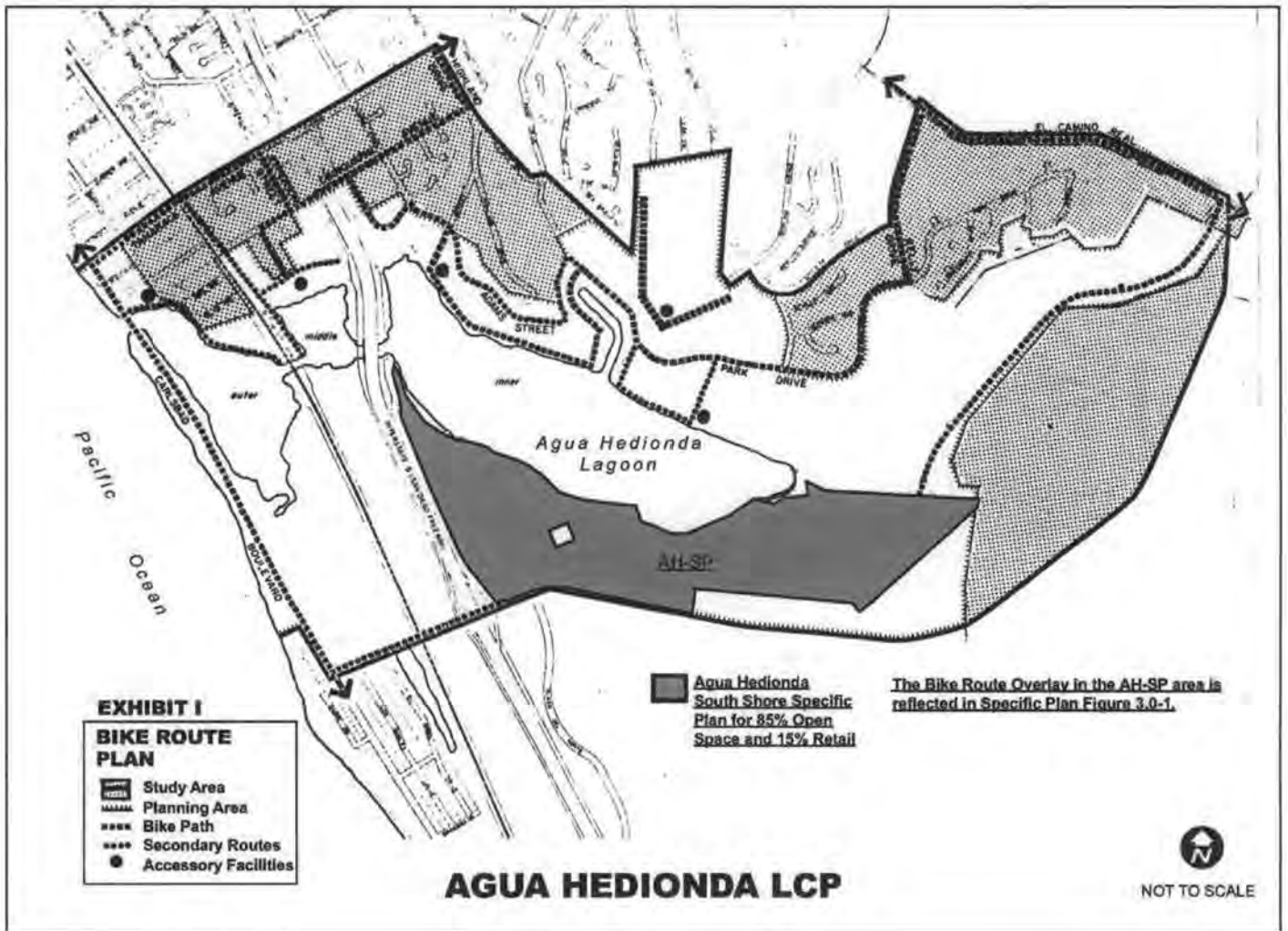
The Bike Route Plan, as per the Agua Hedionda Land Use Plan as of the filing date of this Initiative, is shown below for informational purposes only:



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO THE BIKE ROUTE PLAN

The Bike Route Plan of the Agua Hedionda Land Use Plan is amended by this Initiative as shown below (the new text underlined for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

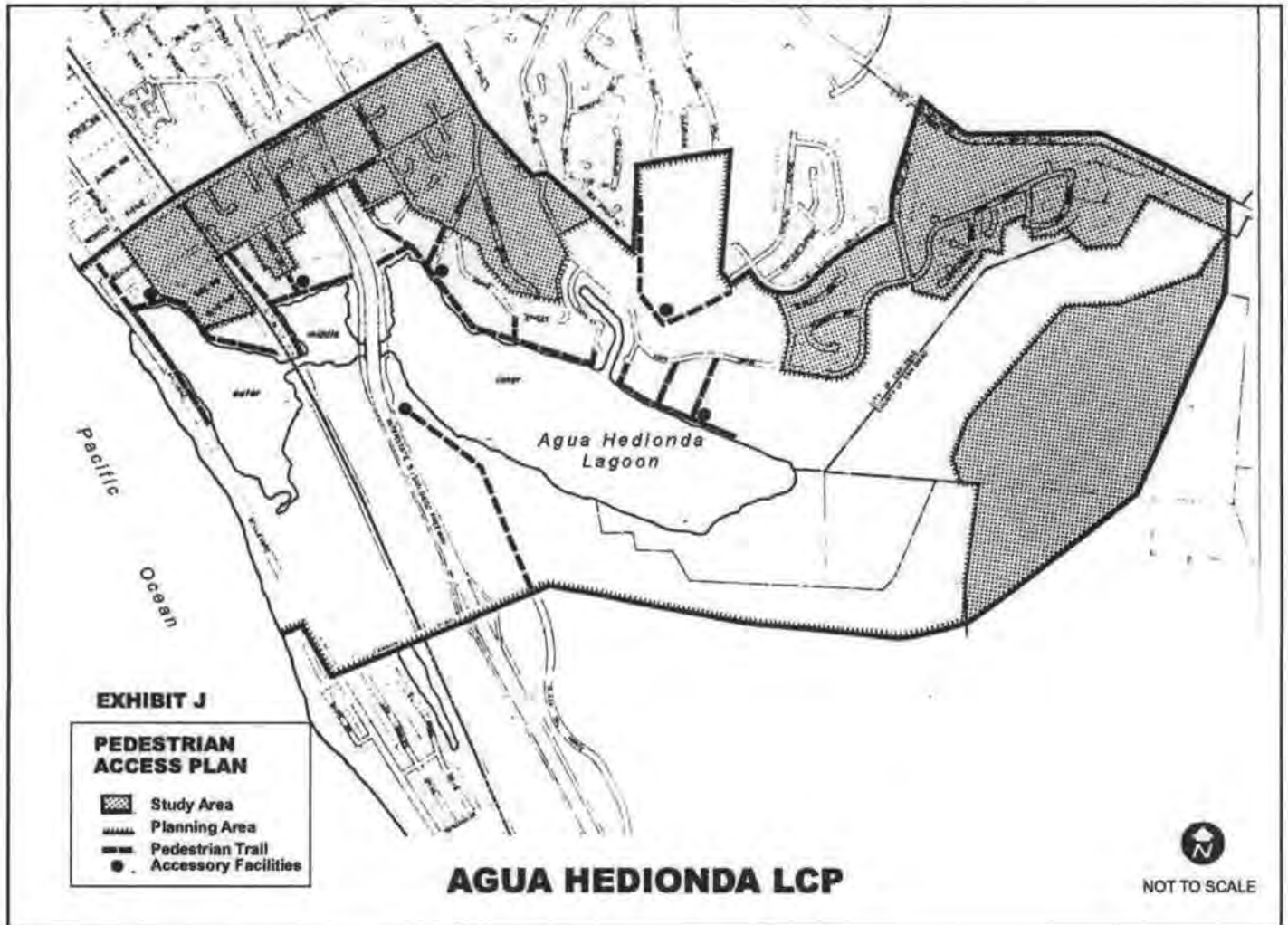
**EXHIBIT O
TO THE INITIATIVE**

AMENDMENT TO THE PEDESTRIAN ACCESS PLAN

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

PEDESTRIAN ACCESS PLAN

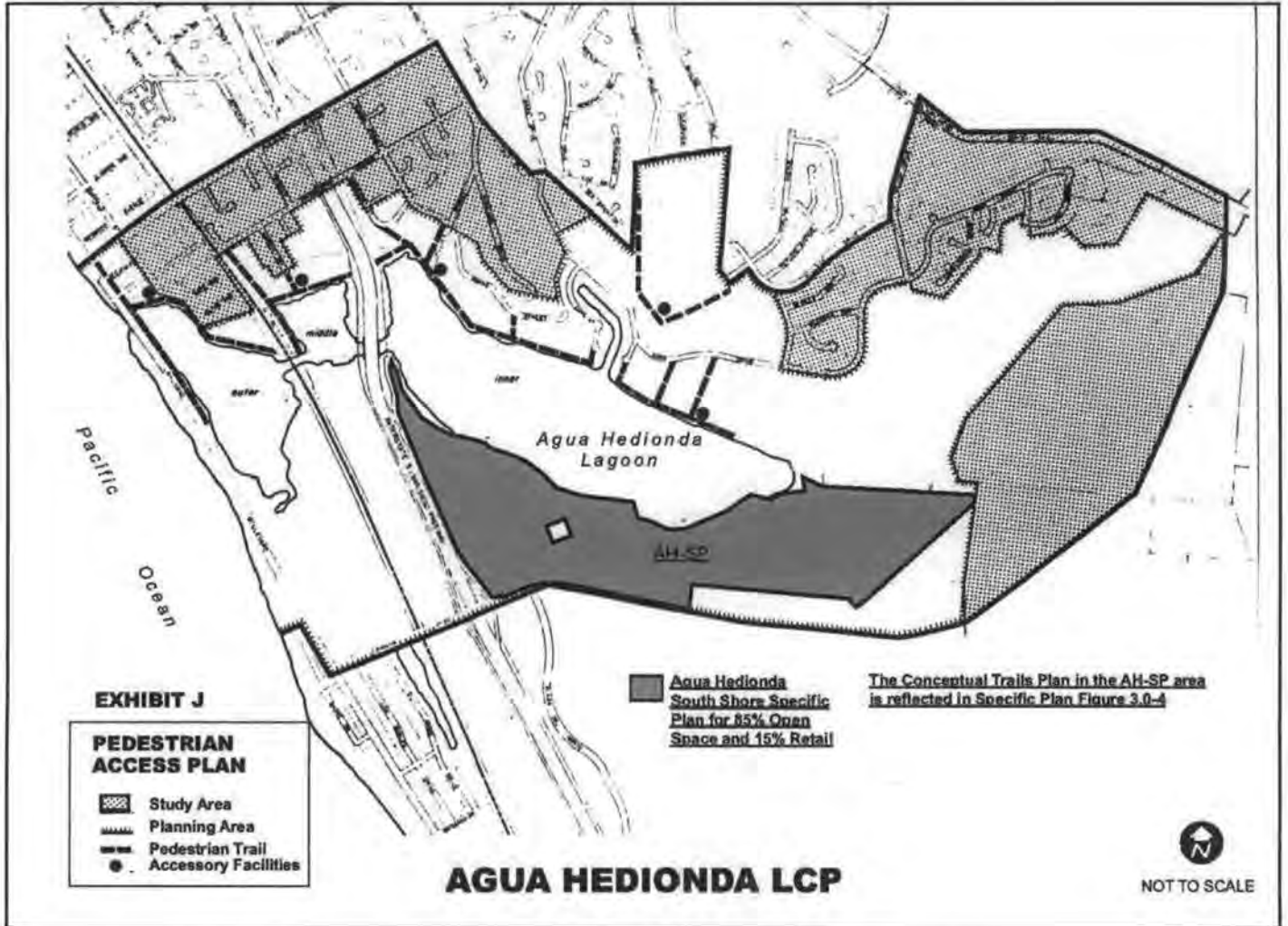
The Pedestrian Access Plan, as per the Agua Hedionda Land Use Plan as of the filing date of this Initiative, is shown below for informational purposes only:



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO THE PEDESTRIAN ACCESS PLAN

The Pedestrian Access Plan of the Agua Hedionda Land Use Plan is amended by this Initiative as shown below (the new text underlined for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

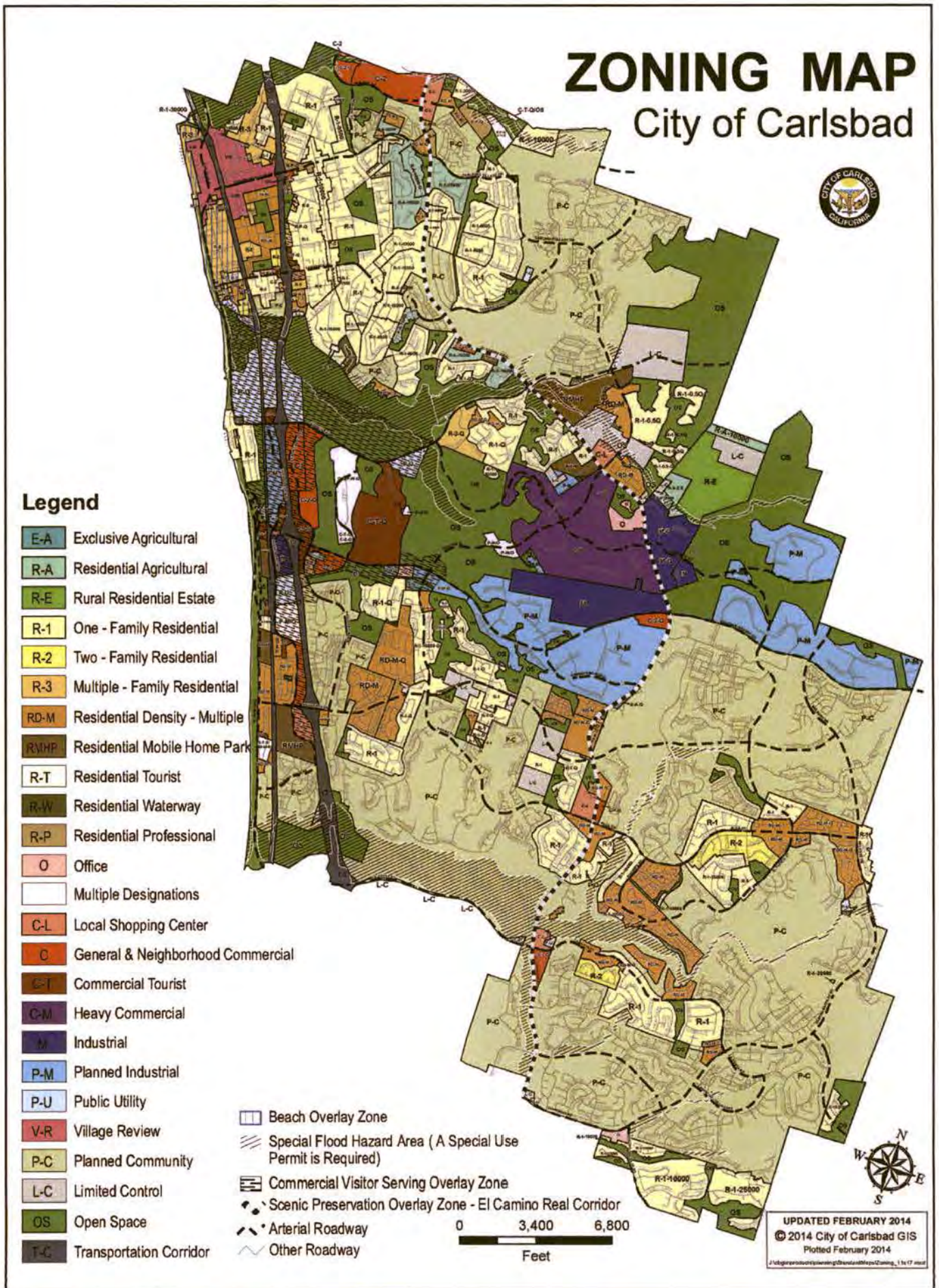
**EXHIBIT P
TO THE INITIATIVE**

AMENDMENT TO THE ZONING MAP

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

ZONING MAP

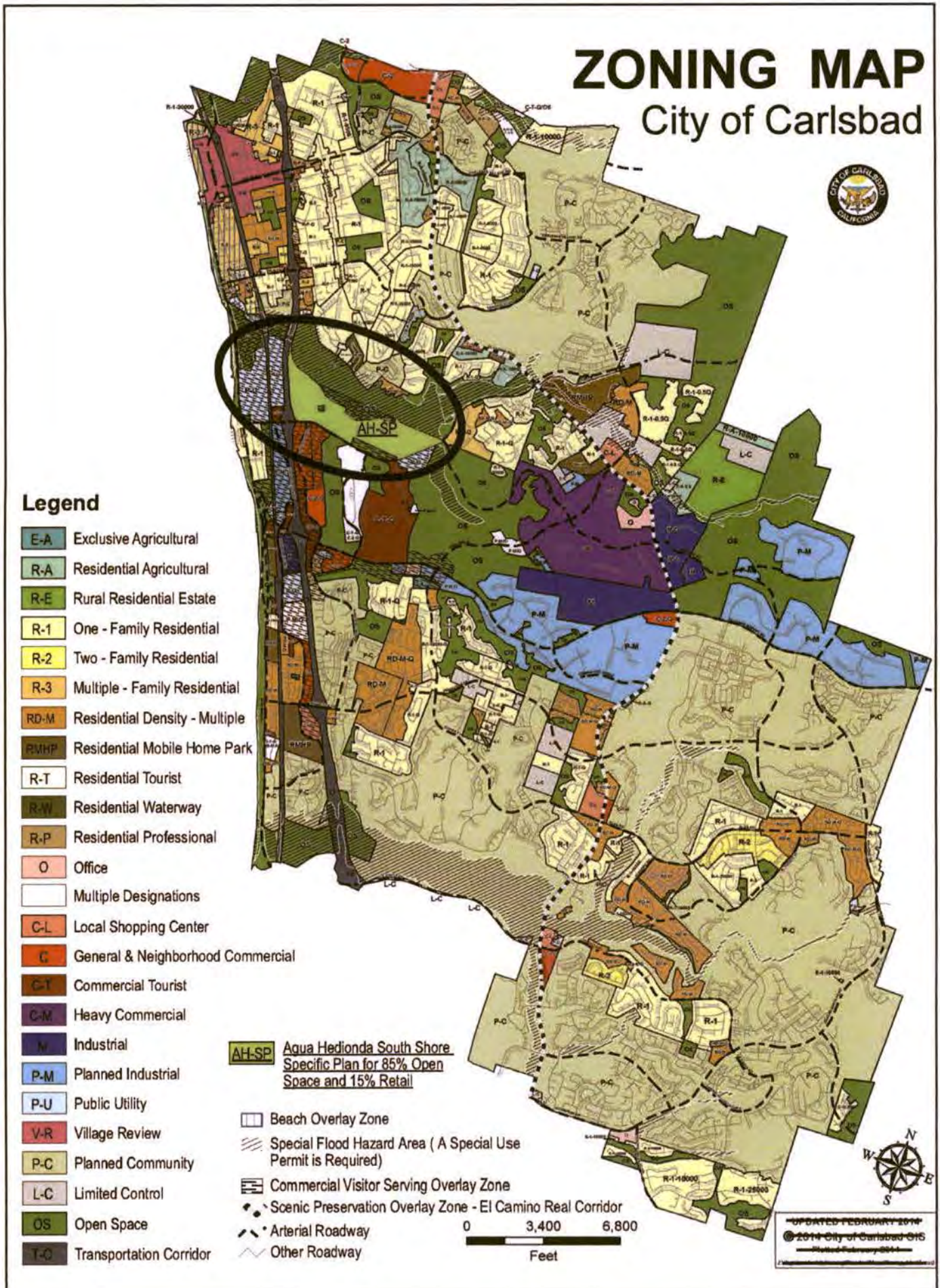
The Zoning Map, as it exists in the Zoning Code of the City of Carlsbad as of the filing date of this Initiative, is shown below for informational purposes only:



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO THE ZONING MAP

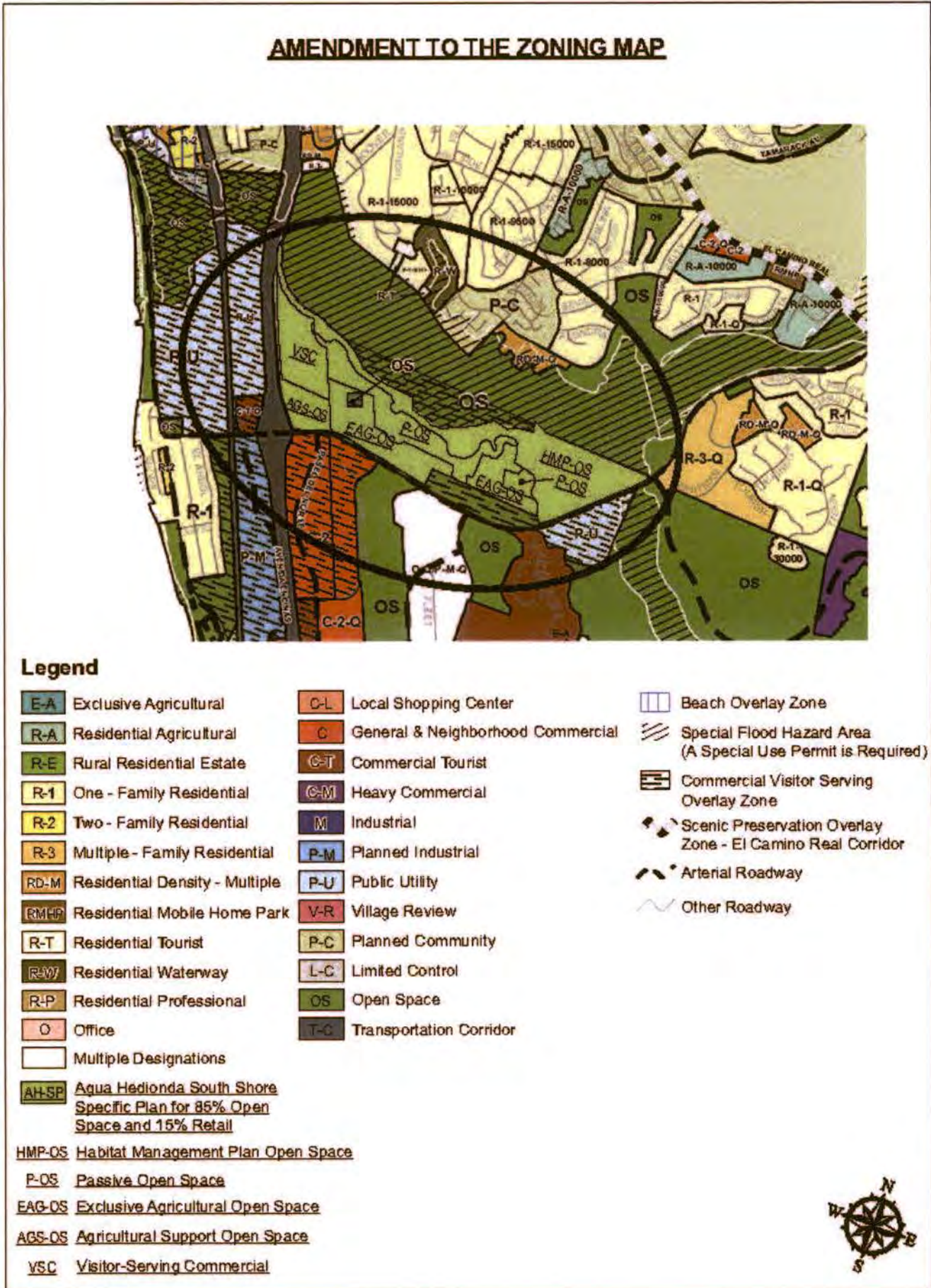
The Zoning Map of the City of Carlsbad is amended by this Initiative as shown below (text to be added is underlined, deleted text is in ~~strike through~~, and the property that is the subject of this Initiative is located within the bold black oval on the map for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

AMENDMENT TO THE ZONING MAP

Below is an enlargement of the portion of the Zoning Map of the City of Carlsbad, as amended by this Initiative, that relates to the property that is the subject of this Initiative (text to be added is underlined and the property is located within the bold black oval on the map for ease of reference):



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT Q
TO THE INITIATIVE**

**AGUA HEDIONDA SOUTH SHORE SPECIFIC PLAN
FOR 85% OPEN SPACE AND 15% RETAIL**

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**AGUA HEDIONDA SOUTH SHORE
SPECIFIC PLAN FOR 85% OPEN
SPACE AND 15% RETAIL**

Prepared for:

City of Carlsbad

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1.0 INTRODUCTION

1.1 OVERVIEW

The Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (Agua Hedionda 85/15 Specific Plan or Specific Plan) is composed of approximately 203.4 acres between the south shore of the Agua Hedionda Lagoon and Cannon Road in the City of Carlsbad. The Specific Plan will permanently protect approximately 176.7 acres, more than 85% of the Specific Plan area, for open space and the continuation of strawberry farming and coastal agriculture. The Specific Plan’s protection, conservation and enhancement of the open space and agricultural land will be achieved through the Specific Plan itself and in cooperation with the City of Carlsbad, one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, and qualified farming and agricultural interests. The intent is to permanently protect, conserve, restore, or enhance existing habitat, sensitive species, and riparian/wetland resources; and provide for the continuation of coastal agriculture and strawberry farming, consistent with the City’s open space and agriculture heritage. Portions of the designated open space and agricultural land will become an integral part of the Specific Plan area, and low-impact public access will allow for passive recreation amenities, including miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, roadway, restroom facilities, parking, farm-to-table dining, farm stand, and an integrated resource and educational signage program for use by the entire Carlsbad community.

The remaining approximately 26.7 acres, or less than 15% of the Specific Plan area, will include a new pedestrian-oriented outdoor visitor-serving commercial, shopping, dining, and entertainment promenade (Outdoor Shopping, Dining, and Entertainment Promenade). The Outdoor Shopping, Dining, and Entertainment Promenade facilitates a high-quality, functionally integrated district that is distinctive, creates a sense of community, and contributes to Carlsbad’s traditional “village” identity and beach community character, while prioritizing protection and conservation of open space lands, the continuation of strawberry farming and coastal agriculture, and the protection of the natural environment through the Specific Plan. The Specific Plan includes up to 585,000 square feet of new visitor-serving commercial, shopping, dining, entertainment, and recreational uses.

The Specific Plan’s vision is to provide permanent open space protection and conservation, combined with the highest environmental standards to support Carlsbad’s open space and agricultural heritage, along with a modern, sustainable Outdoor Shopping, Dining, and Entertainment Promenade with an innovative building design that provides distinctive visitor-serving commercial, shopping, dining, entertainment, recreation, and environmental benefits for the entire Carlsbad community.

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The Specific Plan’s open space and agricultural areas are of paramount importance in the plan.

The Specific Plan provisions permanently protect approximately 176.7 acres for open space and the continuation of strawberry farming and coastal agriculture. This protection is provided by requiring an easement granted to the City of Carlsbad, a qualified environmentally-focused non-profit organization, or public agency for open space and agricultural conservation purposes over approximately 155.1 acres of the Specific Plan area. The remaining approximately 21.6 acres will be subject to an easement or a deed restriction for open space and agricultural purposes — in addition to allowing supporting improvements and uses, including farm stand, farm-to-table dining, and parking.

The Specific Plan provides Carlsbad residents and visitors low-impact public access to the open space lands by providing passive recreation amenities including miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, parking, and an integrated resource and educational signage program. Specifically, the Specific Plan requires that the open space portions of the approximately 155.1 acres be dedicated to one or more qualified environmentally-focused non-profit entities, land conservancy organizations, or public agencies; and that the agricultural portion be dedicated to one or more qualified environmentally-focused non-profit entities, land conservancy organizations, public agencies and/or qualified farming and agricultural interests.

Further, the Specific Plan requires the protected habitat, public access, and agricultural areas within the dedicated open space conservation land to be managed, operated, and maintained in cooperation with one or more qualified environmentally-focused non-profit entities, land conservancy organizations, land managers, agencies, and farming and agricultural interests. The Specific Plan provides for the continuation and support of strawberry farming and coastal agriculture within the Specific Plan area and furnishes Carlsbad residents and visitors with a pedestrian-oriented visitor-serving Outdoor Shopping, Dining, and Entertainment Promenade on approximately 26.7 acres within the Specific Plan area for a high-quality, functionally integrated district designed to maintain a sense of community and contribute to Carlsbad’s traditional “village” identity and beach community character.

The Specific Plan also establishes revenue sources from the Specific Plan’s visitor-serving commercial uses, and/or from private funding, to dedicate, improve, restore, operate, and maintain in perpetuity the dedicated open space areas at no tax burden to Carlsbad residents. The Specific Plan open space requirements, funding mechanisms, and other public infrastructure (as referenced in this Specific Plan) are triggered by the issuance of a building permit for the visitor-serving commercial component of the Specific Plan; and the visitor-serving commercial uses will

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not be issued certificates of occupancy, unless and until the Specific Plan open space requirements, funding mechanisms, and public infrastructure are satisfied.

The Specific Plan is consistent with the Carlsbad General Plan (1994), the proposed Draft General Plan Update (2014), the Carlsbad Growth Management program, and the applicable Zone 13 Local Facilities Management Plan (Zone 13 LFMP (1995)). The Specific Plan must be implemented consistent with said plan and program requirements (see Specific Plan, **Chapter 6.0, Implementation**).

The Specific Plan is subject to numerous design features, conditions, and environmental protection features (EPFs) identified and described in the Specific Plan, **Chapter 6.0, Implementation**, and **Appendix B**. These features include, among others, requirements related to the installation and/or funding of identified traffic improvements; the installation of public facilities, infrastructure, and services in compliance with Carlsbad’s Growth Management program; restrictions upon development; conditions to ensure compliance with the Zone 13 LFMP (1995); and other environmental protections.

1.2 LOCATION

The approximately 203.4 acre Specific Plan area is located in Carlsbad, in northwest San Diego County, California. The City occupies about 39 square miles of beaches, bluffs, lagoons, rolling hills, and other land along the northern coast of San Diego County, and is situated about 30 miles north of the San Diego metropolitan area (see **Figure 1.0-1, Regional Map**). In addition to the Pacific Ocean coastline along its western boundary, existing communities surrounding Carlsbad include the City of Oceanside to the north, the City of Encinitas to the south, and the Cities of Vista and San Marcos and unincorporated areas of San Diego County to the east.

Three coastal lagoons help to define the City’s environs. The Agua Hedionda Lagoon is centrally located in Carlsbad’s coastal zone, and comprises water surface and additional upland marsh and wetland areas. Buena Vista Lagoon is along the City’s northern edge, acting as a boundary between Carlsbad and Oceanside. The Batiquitos Lagoon is situated along the City’s southern edge, defining the boundary between Carlsbad and Encinitas. The Agua Hedionda Lagoon is a significant water feature situated to the north of the Specific Plan area.

The Specific Plan area, as of the date of this Specific Plan, is currently part of San Diego Gas & Electric’s (SDG&E) Encina Power station land holdings, whose 400-foot exhaust stack and power plant and transmission facilities have been a City landmark near the edge of the ocean and Agua Hedionda Lagoon since the mid-1950s. The Specific Plan area is comprised of two

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separate parcels, identified as San Diego County’s Assessor’s Parcel Number (APN) 211-010-24-00, and the portion of APN 211-010-31-00 that is north of Cannon Road.

The Specific Plan area is regionally accessed by Interstate 5 (I-5) and locally accessed by Cannon Road. The Specific Plan, **Figure 1.0-2**, Aerial Map, illustrates the plan vicinity and physical characteristics of the Specific Plan area. The Specific Plan, **Appendix C**, contains the legal description of the Specific Plan area.

1.3 AUTHORITY

The Specific Plan is authorized by California Government Code sections 65450 through 65457. This law authorizes adoption of a specific plan for the systematic implementation of an area covered by a local general plan.

1.4 INTENT AND PURPOSE OF SPECIFIC PLAN

The overall purpose of the Specific Plan is to facilitate the protection and conservation of open space and agriculture, and the development of visitor-serving commercial, shopping, dining, entertainment, and recreation uses consistent with the policies adopted in the: (a) Carlsbad General Plan (1994) and as amended (Carlsbad General Plan (1994)); (b) proposed Draft General Plan Update (2014); (c) Carlsbad Growth Management program, established in 1986 and as amended (Carlsbad Growth Management program); (d) Carlsbad Local Facilities Management Plan Zone 13, adopted in 1992 and as amended (Zone 13 LFMP (1995)); (e) California Coastal Act of 1976 and as amended (Coastal Act); and (f) Agua Hedionda Land Use Plan, adopted in 1982 and as amended (Agua Hedionda LUP (1982)).¹ The Specific Plan property is uniquely situated to serve Carlsbad’s agriculture, open space, and recreation needs, along with the visitor-serving commercial, shopping, dining, and entertainment needs of the entire Carlsbad community. The Specific Plan’s Visitor-Serving Commercial (VSC) designation herein implements the Carlsbad General Plan (1994) Travel/Recreation (TR) commercial designation, and the Agua Hedionda LUP (1982) Travel Service (TS) commercial designation.

¹ As used herein, the Carlsbad General Plan (1994), Draft General Plan Update (2014), the Agua Hedionda LUP (1982), and the Carlsbad Growth Management program refer to those documents as they existed on the date of filing the Notice of Intent to circulate the Agua Hedionda 85/15 Specific Plan Initiative Specific Plan Initiative. The Specific Plan area is situated within the Agua Hedionda LUP (1982). The Agua Hedionda LUP (1982) has been adopted; however, the Agua Hedionda Local Coastal Plan (LCP) segment is a California Coastal Commission (Coastal Commission or Commission)-deferred certification area until an implementation plan for that segment is certified by the Commission. For that reason, the Commission maintains coastal development permit jurisdiction for the Agua Hedionda LCP segment.

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The Specific Plan focuses on the unique needs of a specified area (see Specific Plan, **Appendix C** [legal description]). To that end, the Specific Plan is intended to achieve the following purposes:

- Ensure consistency with the Carlsbad General Plan (1994) by carrying out its applicable goals, policies, and requirements, in conjunction with the Agua Hedionda 85/15 Specific Plan Initiative (Specific Plan Initiative) (explained further below) and the General Plan Amendments that also ensure consistency.
- Ensure compliance with the Carlsbad Growth Management program by implementing its applicable goals, policies, and requirements.
- Enable compliance and consistency with all Coastal Resources Planning and Management Policies set forth in Chapter 3, Articles 1–6, of the Coastal Act.
- Ensure compliance and consistency with the applicable policies and requirements of the Agua Hedionda LUP (1982), in conjunction with the Specific Plan Initiative, and the Agua Hedionda LUP (1982) amendments that also ensure consistency.

The Specific Plan, a local regulatory document, will achieve the purposes set forth above, and serve as the zoning for the property and land uses within the boundary of the Specific Plan.

1.5 STATEMENT OF THE RELATIONSHIP OF THE SPECIFIC PLAN TO THE COASTAL ACT AND THE AGUA HEDIONDA LUP, GENERAL PLAN, AND MUNICIPAL CODE

1.5.1 Specific Plan’s Relationship to the Agua Hedionda 85/15 Specific Plan Initiative

The Specific Plan area is well-suited for the permanent protection and conservation of open space and agricultural lands, in concert with a new pedestrian-oriented outdoor visitor-serving commercial, shopping, dining, and entertainment promenade. The Specific Plan area also is located near major transportation corridors and recreational and tourist-serving resort areas, beaches, and other Carlsbad entertainment/recreation venues.

Consistent with these uses, the Specific Plan area is currently designated “Travel Recreation” (commercial) and “Open Space” in the Carlsbad General Plan (1994), and the Draft General Plan Update (2014) also is consistent with the adopted land use designations for the Specific Plan property area.

To ensure overall consistency, the Specific Plan is accompanied by conforming amendments to the Carlsbad General Plan (1994), the Carlsbad Municipal Code, and the Agua Hedionda LUP

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(1982), all of which are enacted by the “Agua Hedionda 85/15 Specific Plan Initiative” (Specific Plan Initiative). Specifically, the purpose of the “Agua Hedionda 85/15 Specific Plan Initiative” is to: (a) amend the Carlsbad General Plan (1994), the Carlsbad Municipal Code, and the Agua Hedionda LUP (1982); (b) adopt this Specific Plan; and (c) enact other measures necessary to establish and implement this Specific Plan for the benefit of the entire Carlsbad community.

Since the initiative power was added to the California Constitution in 1911, the Legislature has given local governments the option to enact a qualified voter initiative immediately, without the need for an election and its attendant delay and cost; or to allow the initiative to be submitted to a vote at an election. The Carlsbad City Council, as the legislative body, will receive certification that the Specific Plan Initiative is qualified for City Council action. The Council will then have options to either adopt the Specific Plan Initiative, submit it to a vote at an election, or order a report that may examine the Specific Plan Initiative’s effects on land use, infrastructure, and any other matters that the Council may request be included. Such a City Council ordered report is the exclusive means for assessing potential environmental effects of an initiative such as the Specific Plan Initiative. Once the report is received, the Council must either adopt the Specific Plan Initiative or order an election.

1.5.2 Specific Plan’s Relationship to the Coastal Act and the Agua Hedionda LUP (1982)

The property subject to the Specific Plan (sometimes referred to herein as the “Specific Plan area”) is situated within the coastal zone.² The Specific Plan is consistent with and implements the applicable Coastal Act and Agua Hedionda LUP (1982) policies and requirements for the conservation and development of the Specific Plan area (and as amended by the Specific Plan Initiative).

As a result, the Specific Plan also will serve as an approved Land Use Plan (LUP) amendment to facilitate protection and conservation of designated open space, support ongoing use of agricultural resources, and enable and regulate development of the associated Outdoor Shopping, Dining, and Entertainment Promenade within the Specific Plan area. This Specific Plan, however, only amends the portions of the Agua Hedionda LUP (1982) that are specifically applicable to the Specific Plan area referenced therein. The portions of the Agua Hedionda LUP (1982) that are not amended herein or by the Specific Plan Initiative remain in full force and effect as to the Specific Plan area. In addition, all other policies, provisions, and requirements

² The coastal zone is defined as the area between the seaward limits of the state’s jurisdiction and generally 1,000 yards landward from the mean high-tide line of the sea. In Carlsbad, the coastal zone boundary generally encompasses the area east of the Pacific Ocean to El Camino Real.

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contained in the Agua Hedionda LUP (1982) shall remain in full force and effect as they apply to other property not situated within the boundary of the Specific Plan area.

The Coastal Act (Public Resources Code section 30000 et seq.) authorizes the State of California to regulate development within the coastal zone. The basic goals of the Coastal Act, pursuant to Public Resources Code section 30001.5, are:

- “(a) Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial 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 resources 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.”

This Specific Plan implements these goals because it: (a) protects, restores, improves, and maintains approximately 176.7 acres of open space and agricultural lands within the Specific Plan area and includes facilities to support those uses such as parking, restrooms, farm stand, and farm-to-table dining; (b) accounts for the social and economic needs of the Carlsbad community by providing visitor-serving commercial and open space uses, and allowing for the continuation of coastal agriculture and strawberry farming; (c) improves public access to the Agua Hedionda Lagoon by providing miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, parking, and an integrated resource and educational signage program; (d) does not interfere with coastal-dependent uses; and (e) provides a plan of coordinated development for mutually beneficial open space, agricultural, and visitor-serving commercial uses on the remaining approximately 26.7 acres of the Specific Plan area.

Chapter 3 of the Coastal Act sets forth the standards by which the adequacy of local coastal programs and the permissibility of proposed development are determined. These policies generally protect public coastal access, the marine environment, commercial fishing, recreational boating, environmentally sensitive habitat areas, prime agricultural land, and scenic and visual qualities of coastal areas by regulating the siting and design of coastal development.

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The Specific Plan implements the policies of the Agua Hedionda LUP (1982). The land use designation for the approximately 48 acres of property on the west side of the Specific Plan area (i.e., identified as 45 acres in the Agua Hedionda LUP (1982)) is “TS” (Travel Services). The Specific Plan’s Visitor-Serving Commercial (VSC) designation herein implements the TS designation. The Agua Hedionda LUP (1982) land use designation for the remaining Specific Plan area is “OS” (Open Space). The Specific Plan’s regulated agricultural and open space uses herein implement this LUP OS designation.

To ensure consistency, the Specific Plan Initiative amends portions of the Agua Hedionda LUP (1982), including the TS designation. As a result, the Specific Plan shows that the former LUP TS designation has been changed to VSC, Exclusive Agricultural Open Space (EAG-OS), and Agricultural Support Open Space (AGS-OS).

As stated in the Agua Hedionda LUP (1982), page 7, “[t]he Coastal Act articulates land use priorities for the coastal zone. Highest priority is placed on the preservation and protection of natural resources, including environmentally sensitive habitat areas, wetlands and agricultural lands. The following lists Land Use/Development priorities defined by the Coastal Act:

- “Preservation of natural resources and environmentally sensitive areas;
- Coastal dependent development (i.e., development requiring a site adjacent to the ocean to function);
- Public recreational uses;
- Visitor-serving commercial recreation; and
- Private residential, industrial and commercial development.”³

The Specific Plan implements the above priorities by: (a) permanently protecting and conserving approximately 176.7 acres of open space, including Carlsbad’s hardline preserve area within its Habitat Management Plan (HMP) and the Environmentally Sensitive Habitat Areas within the coastal zone, and the agricultural land; (b) providing approximately 26.7 acres of visitor-serving commercial and recreation uses within the Specific Plan’s VSC designation; and (c) permitting public recreation uses by providing miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, parking, and an integrated resource and educational signage program.

³ This Specific Plan does not allow for residential or industrial development; and, thus, this particular Coastal Act priority is not applicable to the Specific Plan.

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Policy 1.10 of the Agua Hedionda LUP (1982) provides that the area designated “TS” shall be “subject to a future Specific Plan” for development of the subject property. This policy also provides that the conversion of the TS area to commercial development shall be subject to, and consistent with, the Coastal Act’s agricultural conversion policies. The Specific Plan shall comply with the Coastal Act agricultural conversion policies. In addition, the Specific Plan Initiative amends portions of the Carlsbad Municipal Code relative to development of coastal agricultural land. The Specific Plan applicant will comply with the provisions of title 21, section 21.202.060, subdivision (D) [agricultural conversion mitigation fee and expenditure plan], but only if applicable and excepting those supplementary and additional provisions in title 21, Zoning.

If the Specific Plan Initiative is approved, the Coastal Commission must still certify the Agua Hedionda LUP (1982) amendments (including the Specific Plan) before the local enactments (e.g., General Plan Amendments, Zone Change, Specific Plan) take effect under section 30514(a) of the Public Resources Code within the Coastal Act.

1.5.3 Specific Plan’s Relationship to the General Plan

The Carlsbad General Plan (1994) was last comprehensively updated in 1994, although individual elements have been amended at various times since then. The Carlsbad General Plan (1994) contains the seven required elements, as well as a Park and Recreation Element and an Arts Element. Goals, objectives, and implementing policies are provided in each element.

The Carlsbad General Plan (1994) land use designations for the Specific Plan area, as shown on the General Plan Land Use Map, Exhibit A to the Specific Plan Initiative, are “Travel Recreation (TR)” and “Open Space (OS).” The TR commercial land use designation designates areas for visitor attractions and commercial uses that serve the travel and recreational needs of tourists, residents, as well as employees of business and industrial centers; and are generally located near major transportation corridors or recreation and resort areas. The OS designation is an open space designation. Upon approval of the Specific Plan Initiative, the Specific Plan area will have a General Plan designation of “SP,” Specific Plan. The Specific Plan, **Appendix A**, General Plan Consistency Analysis, demonstrates, more specifically, how this Specific Plan designation is consistent with the adopted Carlsbad General Plan (1994).

The Specific Plan’s visitor-serving commercial area — i.e., the Outdoor Shopping, Dining, and Entertainment Promenade — is consistent with the Carlsbad General Plan (1994) TR land use designation. The rest of the Specific Plan area is designated open space and allows for the continuation of agriculture with the open space designations. This Specific Plan requires that permanent open space and agricultural easements — on approximately 155.1 acres (the portion of APN 211-010-31-00 that is north of Cannon Road) — be recorded in favor of the entities and

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agencies listed in **Chapter 1.1**, above. The open space and agricultural easements will limit allowable uses to agricultural, recreation trails, utility right-of-way,⁴ roadways, and other passive or low-impact open space, recreation uses, habitat conservation, and restoration.

Since 2008, the City has been in the process of updating its adopted Carlsbad General Plan (1994) and Climate Action Plan, and a draft Environmental Impact Report (EIR) has been prepared. In response to comments, the City has revised portions of the draft EIR, and has issued a recirculated draft EIR, which was available for public comment through May 4, 2015, after which, the City will prepare written responses to comments for inclusion in a final EIR. The Draft General Plan Update (2014) public hearing process will be initiated, but only after the EIR is finalized. At this time (May 2015), the City has not publicly stated how long it will take to complete responses to comments, and has not scheduled any hearings. It is estimated that the City may complete its Draft General Plan Update (2014) process by the fall of 2015. The Draft General Plan Update (2014) substantially reinforces the adopted Carlsbad General Plan (1994) land use policies with regard to the Specific Plan area.

While the Draft General Plan Update (2014) is not yet adopted by City Council, to provide information that may be useful to the City, its decision makers, and the public, this Specific Plan demonstrates that it is consistent with the adopted Carlsbad General Plan (1994) and the Draft General Plan Update (2014) goals and policies (see Specific Plan, **Appendix A**, General Plan Consistency Analysis).

In addition, implementation of the Specific Plan is consistent with and implements the goals and policies contained in the adopted Carlsbad General Plan (1994) and the Draft General Plan Update (2014) by:

- Enhancing Carlsbad's character as a desirable beach and open space oriented community;
- Encouraging agricultural uses within the Specific Plan area;
- Creating a unique community-oriented open space, agriculture, recreation, and visitor-serving commercial, dining, and entertainment area along Cannon Road;
- Cooperating with one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, and

⁴ As described in **Chapter 2.0**, section 2.4.5, the Specific Plan area is subject to an existing SDG&E utility corridor preserving access required for the operation and maintenance of SDG&E's underground gas line and overhead electric transmission and distribution lines that traverse the Specific Plan area.

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farming and agricultural interests to ensure responsible conservation, management, operation, and maintenance of the designated open space/agriculture areas;

- Maintaining or enhancing the water quality associated with the Agua Hedionda Lagoon and its tributary drainages;
- Ensuring that the scale and character of new development in the Outdoor Shopping, Dining, and Entertainment Promenade area is appropriate to the setting, intended use, and the natural terrain, open space, agriculture, and vistas of the Agua Hedionda Lagoon;
- Enabling new development within the Outdoor Shopping, Dining, and Entertainment Promenade area to foster a sense of community by providing safe, pedestrian-oriented walkways and trails to destinations, gathering places, picnic areas, vistas, and visitor-serving commercial, dining, entertainment, and recreation amenities for a variety of Carlsbad residents and visitors;
- Ensuring that the Carlsbad community will continue to enjoy high quality, unique shopping and dining experiences in walkable environments that provide community gathering spaces and opportunities for connectivity;
- Inviting innovative, sustainable building designs that are energy efficient and water conserving;
- Encouraging a multi-modal integrated system of pedestrian and bicycle trails in the Specific Plan area;
- Contributing to an integrated transportation system and updated street and highway network;
- Enhancing the quality of life by offering expanded visitor-serving commercial, dining, entertainment, and recreation opportunities, creating new jobs, and increasing the tax base while incorporating measures to avoid or minimize impacts to the natural environment;
- Contributing to Carlsbad's economic vitality while protecting and conserving its open space, agriculture, and aesthetic resources;
- Continuing efforts in Carlsbad to decrease use of energy and fossil fuel consumption in transportation, waste reduction and recycling, with efficient building design and use;
- Ensuring energy efficiency and water conservation, including landscaping;

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- Promoting the maintenance of Specific Plan infrastructure, facilities, and services;
- Requiring compliance and consistency with the Carlsbad General Plan (1994) and Carlsbad Growth Management program public facility performance standards to ensure that adequate public infrastructure, facilities, and services are provided prior to or concurrent with development; and
- Coordinating future development with the Carlsbad Capital Improvement Program to ensure adequate funding for needed infrastructure, facilities, and services.

Implementation of all development within the Specific Plan area shall be subject to the design features, conditions, and EPFs listed in **Chapter 6.0**, Implementation, and **Appendix B** of the Specific Plan. Because this Specific Plan is a local legislative regulatory document, the City retains the authority to enforce this Specific Plan, and the design features and the EPFs identified herein, in the same manner as any other local law in the City.

1.5.4 Specific Plan's Relationship to the City Municipal Code

The Specific Plan is regulatory in nature, and the land use plan and designations, zoning, development regulations, design guidelines, implementation program, conditions, and EPFs contained herein shall govern all uses within the Specific Plan area.

Except as otherwise provided herein, this Specific Plan shall fully replace and supersede all those provisions of the Carlsbad Municipal Code and other applicable, adopted rules, regulations, or official policies of the City, as they may otherwise apply to all property and development within the Specific Plan area.

Matters not specifically regulated or required by this Specific Plan shall be subject to the Carlsbad Municipal Code and other applicable, adopted rule, regulation, or official policy of the City, in addition to all applicable, adopted federal, state, and regional laws and regulations. References in this paragraph to the Carlsbad Municipal Code and other applicable and adopted rule, regulation or official policy of the City shall refer to the Carlsbad Municipal Code, as it existed on the date of filing the Notice of Intent to Circulate the Specific Plan Initiative.

If any provision of this Specific Plan is inconsistent or conflicts with the requirements of the Carlsbad Municipal Code or other applicable, adopted rule, regulation, or official policy of the City, as they existed on the date of filing the Notice of Intent to Circulate the Specific Plan Initiative, or may thereafter be amended, the provisions of this Specific Plan shall take precedence, control, and govern in the Specific Plan area.

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The Specific Plan shall be exclusively implemented pursuant to the Specific Plan, **Chapter 6.0**, Implementation.

1.5.5 Specific Plan’s Relationship to the City’s Fire and Building Codes

1.5.5.1 Fire Protection

The Carlsbad Municipal Code, title 17, Fire Protection, covers fire hazards, fire suppression, fire protection planning, and other fire-related conditions. The Fire Departments within the City also deliver fire and emergency medical services. The Specific Plan shall comply with the Carlsbad Municipal Code, title 17, Fire Protection, including the requirement for a Fire Protection Plan as described in the Specific Plan, **Chapter 6.0**, Implementation. If an application for development within the Specific Plan area is presented pursuant to the procedures established by Specific Plan, **Chapter 6.0**, and the development is consistent with the development standards, design guidelines, and plan review process set forth in this Specific Plan, and the applicable provisions of title 17, Fire Protection, then such application shall be granted in accordance with the exclusive provisions set forth in **Chapter 6.4**, Specific Plan Procedures and Process, of the Specific Plan.

1.5.5.2 Building Codes and Regulations

The Carlsbad Municipal Code, title 18, Building Codes and Regulations, governs the City’s issuance of building permits by its designated building official and associated mechanical, electrical, plumbing, and other regulations. This Specific Plan shall comply with the Carlsbad Municipal Code, title 18, Building Codes and Regulations, including the requirement for issuance of building permits as described in this Specific Plan, **Chapter 6.0**, Implementation. If a building permit is requested within the Specific Plan area and is consistent with the development standards, design guidelines, and plan review process set forth in the Specific Plan, and the applicable provisions of title 18, Building Codes and Regulations, then it shall be granted in accordance with the exclusive provisions set forth in **Chapter 6.4**, Specific Plan Procedures and Process, of the Specific Plan.

1.5.6 Specific Plan’s Relationship to the City’s Grading Ordinance

The Carlsbad Municipal Code, title 15, Grading and Drainage (Grading Ordinance), establishes requirements for grading, including clearing and grubbing of vegetation, and provides for the issuance of ministerial permits and its enforcement.

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Except as provided herein, the Specific Plan shall comply with the Carlsbad Grading Ordinance. For purposes of this Specific Plan:

- Notwithstanding anything to the contrary in the Carlsbad Municipal Code, title 15, the provisions in title 20, Subdivisions, shall not apply absent the need for a land division; and the provisions in title 21, Zoning, also shall not apply.
- “Grading Permit” shall mean the document issued by the City engineer pursuant to title 15, section 15.16.110, after having conducted the plan review and sign-off on permit application(s) and plan submittal(s) demonstrating compliance with this Specific Plan, the ministerial landscape construction documents requirements of Chapter 4 of the City’s landscape manual, and all applicable portions of title 15 of the Carlsbad Municipal Code.
- All grading plans, specifications, and engineering reports required for grading permit submittal shall be prepared in accordance with the requirements set forth in title 15, section 15.16.067, except that such grading plans shall show in detail that it will conform to the provisions of the Specific Plan, the ministerial landscape construction documents requirements of Chapter 4 of the City’s landscape manual, and all applicable portions of title 15 of the Carlsbad Municipal Code.
- Grading permit issuance shall comply with title 15, section 15.16.110, except for completion of environmental documentation in accordance with chapter 19.04 of the Carlsbad Municipal Code. This exception applies because the Specific Plan, and the construction of improvements authorized herein, may be adopted directly or submitted for a vote at an election; and, as a result, such actions are exempt from the requirements of the California Environmental Quality Act (CEQA).

1.5.7 Specific Plan’s Relationship to the City’s Stormwater Management and Discharge Controls

The Carlsbad Municipal Code, title 15, sections 15.12.010-15.12.190, governs stormwater management and discharge control. Except as provided herein, the Specific Plan shall comply with the Carlsbad Municipal Code, chapter 15.12.

- The Specific Plan shall be exempt from chapter 15.12, section 15.12.080(I), except that as to Storm Water Management Plan (SWMP) requirements, the Specific Plan shall comply with all applicable best management practices and low impact development (LID) requirements of the Carlsbad Municipal Code Standard Urban Stormwater Management Plan (SUSMP) and City standards, including but not limited to the following:

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- All applications for construction within the Specific Plan area shall be accompanied by a SWMP prepared pursuant to the SUSMP. No building permit shall be issued unless the following requirements have been met: (a) the City engineer has signed off on the SWMP in accordance with the SUSMP; and (b) the Specific Plan complies with all best management practices specified in the SWMP as signed off.
- No building permit shall be issued within the Specific Plan area without installation and maintenance of all applicable structural treatment control best management practices, as specified in the SWMP. To ensure maintenance, a permanent storm water quality best management practices maintenance agreement or an alternate maintenance mechanism shall be required and signed off by the City enforcement official.

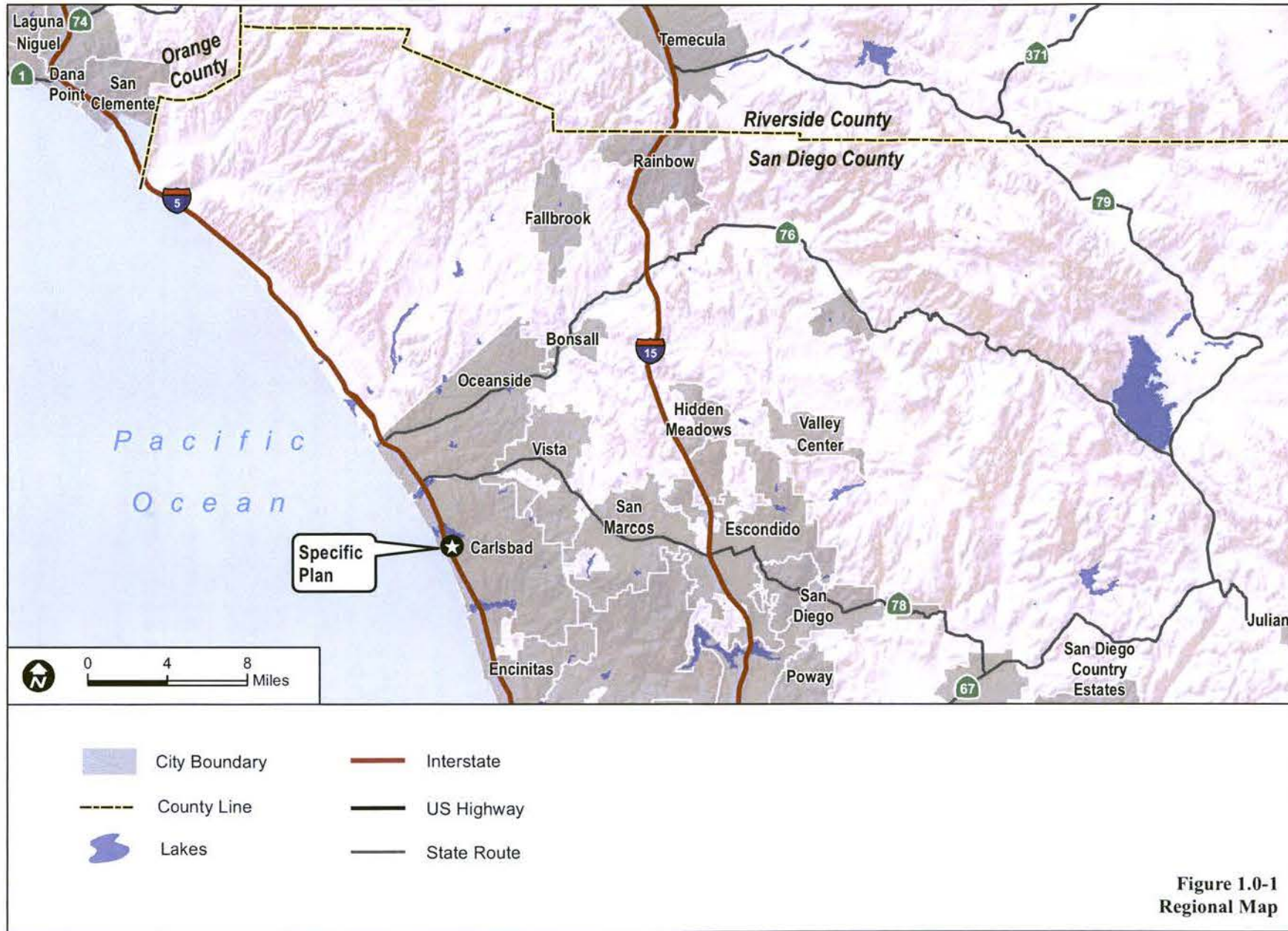
1.5.8 Specific Plan’s Relationship to the City’s Right-of-Way Permit Ordinance

The Carlsbad Municipal Code, title 11, Public Property, covers improvement plans and ministerial permits for work or encroachment in defined public places (e.g., public streets, highways, easements, rights-of-way). The Specific Plan shall comply with the applicable provisions of the Carlsbad Municipal Code, title 11, as described in Specific Plan **Chapter 6.0**, Implementation. If a right-of-way permit is requested within the Specific Plan area and consistent with the development standards, design guidelines, and plan review process set forth in the Specific Plan, and the applicable provisions of title 11, then it shall be granted in accordance with the exclusive provisions set forth in **Chapter 6.4**, Specific Plan Procedures and Process, of the Specific Plan.

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Figure 1.0-2
Aerial Map

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2.0 EXISTING SETTING

This chapter provides a brief overview of the existing setting of the Agua Hedionda 85/15 Specific Plan area, including the existing land use, circulation, physical conditions, and site constraints.

2.1 SITE CONDITIONS AND EXISTING LAND USE

Existing Specific Plan site conditions comprise agriculture uses (active and fallow), wetlands/riparian, grassland, coastal sage scrub, chaparral, ornamental vegetation, and disturbed land. There are also existing drainages, which outlet to the Agua Hedionda Lagoon, farming paths and roads, and agricultural operations within the Specific Plan area. Existing and future San Diego Gas & Electric (SDG&E) easements allow an underground gas line and overhead electric transmission and distribution lines to traverse the southern portion of the Specific Plan area. In addition, the Specific Plan area is subject to various utility, access, and other easements, including a future easement for utilities and communications (above and below ground) and associated facilities and infrastructure.

Portions of the Specific Plan area are currently used for agricultural operations by a third-party, and portions immediately adjacent to the Agua Hedionda Lagoon are leased to the City for public access purposes. Another portion of the Specific Plan area is leased to the City for public park purposes, but there currently is no improved public access, park uses, or improvements within the leased City park area.

The Specific Plan area is subject to an existing Open Space Deed Restriction, dated June 7, 2005, imposed by the Coastal Commission on the most northern portions of the Specific Plan area to the lagoon shoreline, which states that no development, as defined in section 30106 of the Coastal Act, shall occur on delineated wetland, riparian, upland native habitat areas, and steep slopes. The Open Space Deed Restriction permits maintenance of overhead and underground utility areas may occur within this restricted area. The Specific Plan's Conceptual Land Use Plan, **Figure 3.0-1**, depicts this deed-restricted open space.

The Specific Plan area's General Plan (1994) land use designations, prior to amendment by the Specific Plan Initiative, were "Travel Recreation (TR)" and "Open Space (OS)" (see Specific Plan, **Figure 2.0-1**). As part of the Specific Plan Initiative, the Carlsbad General Plan (1994) has been amended to provide a Specific Plan, or AH-SP, land use designation for the subject Specific Plan area. Prior to adoption of the Specific Plan Initiative, the Specific Plan area zoning was Public Utility (P-U) and Open Space (OS) (see Specific Plan, **Figure 2.0-2**). As part of the

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Specific Plan Initiative, the Carlsbad Municipal Code, title 21, Zoning, has been amended to rezone the Specific Plan property using the following zoning land use designations:

	General Plan Designation	Zoning Designation
Habitat Management Plan Open Space	AH-SP	HMP-OS
Passive Open Space	AH-SP	P-OS
Exclusive Agriculture Open Space	AH-SP	EAG-OS
Agricultural Support Open Space	AH-SP	AGS-OS
Visitor-Serving Commercial	AH-SP	VSC

Land uses surrounding the Specific Plan area are the Interstate 5 (I-5) transportation corridor to the west, Cannon Road to the south, the Agua Hedionda Lagoon to the north and northeast, and other largely undeveloped land to the east. Refer to the Specific Plan, **Figure 2.0-4**, Public Right-of-Way Lagoon View Corridors, for lagoon view corridors from the public right-of-way.

The Pacific Ocean is further west of the Specific Plan area. LEGOLAND California resort (amusement park) and hotel, Sheraton Carlsbad Resort and Spa, and the Hilton Grand Vacations Club are further east and southeast of the Specific Plan area, and Car Country Carlsbad, Carlsbad Premium Outlets, and related retail and restaurants are further south.

2.2 EXISTING ACCESS AND CIRCULATION

2.2.1 Regional and Local Circulation

Regional access to the City, generally, and to the Specific Plan area, specifically, is provided primarily by the I-5 freeway via interchanges with Cannon Road and Palomar Airport Road. The local streets providing access through the City in the vicinity of the Specific Plan area include Cannon Road, Paseo del Norte, Car Country Drive, Armada Drive, Faraday Avenue, El Camino Real, and Palomar Airport Road. Most of the City's street system contains vehicle lanes, bicycle lanes and pedestrian walkways.

Interstate 5 is a regional facility that provides access to the Specific Plan area via the Cannon Road interchange. I-5 is a north-south freeway that provides access through San Diego County and neighboring Orange County and Los Angeles County to the north. In Carlsbad, I-5 is generally an eight-lane freeway with interchanges at Las Flores Drive, Carlsbad Village Drive, Tamarack Avenue, Cannon Road, Palomar Airport Road, Poinsettia Lane, and La Costa Avenue.

The major roadway in and around the Specific Plan area is Cannon Road. Cannon Road is an east-west arterial roadway that bisects I-5 in the immediate southern vicinity of the Specific Plan

area. Cannon Road is a four-lane arterial with bicycle lanes that begin at Carlsbad Boulevard to the west and terminates just east of College Boulevard.

2.2.2 Transit and Pedestrian Circulation

Transit in the City includes bus service, Americans with Disabilities Act (ADA) paratransit service, the COASTER commuter rail, and Amtrak service rail. Specifically, the North County Transit District (NCTD) provides bus service to the Specific Plan area. The NCTD bus service is referred to as the BREEZE, which currently operates two bus routes that serve the Specific Plan area:

- **Route 444** provides service in the City via Cannon Road, Faraday Drive, College Boulevard, and Palomar Airport Road. It connects the Specific Plan area to the Carlsbad Poinsettia COASTER station. The closest stop to the Specific Plan area is at Cannon Road and Grand Pacific Drive.
- **Route 446** provides service from the Carlsbad Poinsettia COASTER station to the City's outlet stores, LEGOLAND, and the Gemological Institute of America via Avenida Encinas, Paseo Del Norte, and Armada Drive. The closest stop to the Specific Plan area is at Cannon Road and the I-5 ramps.

Sidewalks and bike lanes are currently provided along Cannon Road on the south side of the Specific Plan area.

2.3 EXISTING PHYSICAL CONDITIONS

2.3.1 Topography

The City is located within the coastal portion of the Peninsular Ranges Geomorphic Province. Topographically, the Peninsular Ranges Province is comprised of generally parallel ranges of steep-sloping hills and mountains separated by alluvial valleys. The Specific Plan area consists of varied topography; but, most of the subject property is relatively flat and slopes gradually and then more steeply to the Agua Hedionda Lagoon.

2.3.2 Hydrology

The San Diego region is divided into 11 hydrologic units (HUs) that flow from elevated regions in the east toward coastal lagoons, estuaries, or bays in the west. Each of the HUs feature similar hydrologic characteristics. The City is located within the Carlsbad HU.

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The Specific Plan area is located within the Carlsbad HU, particularly in the Agua Hedionda Hydrologic Area (HA). The entire HU is a triangular area of approximately 210 square miles, extending from the headwaters above Lake Wohlford in the east to the Pacific Ocean in the west, and from Vista and Oceanside in the north to Solana Beach, Encinitas, and the community of Rancho Santa Fe to the south. The cities of Carlsbad, San Marcos, and Encinitas are entirely within this HU. Approximately 48 percent of the Carlsbad HU is urbanized.

Numerous surface hydrologic features exist within the Carlsbad HU, including four unique coastal lagoons, three creeks, and two large water storage reservoirs. The HU contains four roughly parallel HAs: Buena Vista, Agua Hedionda, Batiquitos, and San Elijo. Two smaller HAs, the Loma Alta and the Canyon de las Encinas, are also within the Carlsbad HU. Additionally, the Buena Vista, Agua Hedionda, San Marcos, and Escondido creeks provide drainage to the Specific Plan area.

The Specific Plan area is located adjacent to the Agua Hedionda Lagoon to the north and northeast. Agua Hedionda Lagoon is situated between Tamarack Avenue and Cannon Road in the City, and is comprised of three interconnected lagoon sections that are divided by the I-5 freeway and a railroad bridge.

2.3.3 Soils

San Diego County is divided into three distinct geologic areas — the Coastal Plain region, Peninsular Ranges region, and Salton Trough region. The City is located within the coastal portion of the Peninsular Ranges Geomorphic Province, which is characterized by northwest-trending structural blocks and intervening fault zones. However, the Specific Plan area is not underlain by known active or potentially active faults.

2.3.4 Sensitive Biological, Riparian, and Wetland Resources

The Specific Plan area is composed of agricultural land, along with disturbed land, vegetation communities, and land cover types including Diegan coastal sage scrub: coastal form; Diegan coastal sage scrub: baccharis-dominated; valley needlegrass grassland; coastal brackish marsh; mulefat scrub; southern coastal salt marsh; southern arroyo willow riparian forest; southern willow scrub; extensive agriculture: row crops; disturbed habitat; eucalyptus woodland; and ornamental plantings. There is moderate plant and wildlife diversity within the Specific Plan area, due to the diversity of habitat types, property size, and amount of undeveloped land.

Three special-status plant species, none of which is covered under the Carlsbad Habitat Management Plan (HMP), were observed within the Specific Plan area: San Diego County viguiera (*Viguiera laciniata*), Leopold's rush (*Juncus acutus* ssp. *leopoldii*), and ashy spike-moss

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(*Selaginella cinerascens*). A total of five special-status wildlife species were observed during focused surveys or other general wildlife surveys, including coastal California gnatcatcher (*Polioptila californica californica*), federally threatened and HMP covered; least Bell's vireo (*Vireo bellii pusillus*), federal and state endangered and HMP covered; northern harrier (*Circus cyaneus*), a California Species of Special Concern; white-tailed kite (*Elanus leucurus*), a California Fully Protected species; and loggerhead shrike (*Lanius ludovicianus*), a California Species of Special Concern.

2.4 EXISTING CONSTRAINTS

The Specific Plan area includes existing site constraints that will be addressed in the Specific Plan. This chapter summarizes the existing site constraints (see Specific Plan, **Figure 2.0-3**, Site Constraints).

2.4.1 SDG&E Easement and Covenant Agreement

The Specific Plan area is subject to an "Easement and Covenant Agreement," dated May 20, 1999, executed by SDG&E. The use of SDG&E's easement property (see Specific Plan, **Figure 2.0-3**) is guided by the California Public Utilities Commission through its general orders, rules, and rulings. Potential uses within the easement include road crossings, both private and public, passive open space areas, agriculture uses, and parking lots.

The Specific Plan does not conflict with the Easement and Covenant Agreement, nor will the Specific Plan grading plans violate SDG&E's existing or future easement.

2.4.2 Hub Park Lease

A portion of the Specific Plan area is subject to the "Hub Park" lease. As a result of the original approvals for the Encina Power plant, including approval of Encina Specific Plan 144, SDG&E and the City entered into a lease in 1975, which allows the City to use approximately 91 acres of a portion of the Specific Plan area (see **Figure 2.0-3**), called "Hub Park," for community park and recreation purposes. A copy of the lease is attached for information purposes to the Specific Plan Initiative as Exhibit R.

The Hub Park area is designated "Open Space" in the Agua Hedionda Land Use Plan (1982). See **Figure 3.0-2**, Agua Hedionda LUP Exhibit C, Land Use Plan. In addition, the existing Hub Park lease includes a list of potential park and recreation opportunities, some of which are included as allowed uses in designated open space within the Specific Plan area (e.g., picnic areas, hiking trails).

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Since entering into the lease, the City has not implemented the park and recreation uses contemplated in the lease and existing agricultural uses continue within the Hub Park area. In 2014, the City adopted Ordinance No. CS-255 repealing the Encina Specific Plan 144, and the General Plan Update (2014) makes no reference to the Hub Park lease.

By this Specific Plan, the Hub Park area will allow open space uses to protect in perpetuity sensitive habitat, special status species, riparian and wetland resources; and to facilitate the ongoing viability of strawberry farming and coastal agriculture. For further discussion, please refer to **Chapter 6.0**, Implementation, of the Specific Plan.

2.4.3 Beach Access Lease

A portion of the Specific Plan area is subject to the “Beach Access” lease. In connection with approvals for the Encina Power plant, including approval of Encina Specific Plan 144, SDG&E and the City entered into another lease in 1975, titled the “Beach Access Lease,” allowing SDG&E the right to the sole and exclusive use to the southerly shore of the Upper Agua Hedionda lagoon. A copy of the lease is attached for information purposes to the Specific Plan Initiative as Exhibit Q. The land subject to this lease is commonly known as the Upper Agua Hedionda lagoon shore and waters thereon.

The Beach Access lease remains in effect, but the uses allowed were never acted upon. In addition, the Carlsbad Draft General Plan Update (2014) makes no reference to this lease. In addition, since entering into the lease, the California Public Utilities Commission has issued a decision authorizing the sale and option rights relative to the Specific Plan area; and, as a result, SDG&E does not use the Specific Plan area other than for operating and maintaining the underground gas line and overhead electric transmission and distribution lines located thereon. SDG&E will retain suitable easements to enable it to continue to operate and maintain its transmission and distribution lines.

Adoption of this Specific Plan will not result in any impact to the land or waters encompassed within the Beach Access Lease, but rather allow the area to be limited to open space habitat conservation. For further discussion, please refer to **Chapter 6.0**, Implementation, of the Specific Plan.

2.4.4 Coastal Commission Open Space Deed Restriction

The Specific Plan area is subject to an “Open Space Deed Restriction,” dated June 2, 2005, and recorded June 7, 2005. The deed-restricted area was imposed by the Coastal Commission on the most northern portions of the Specific Plan area (see Specific Plan, **Figure 2.0-3**) to the lagoon shoreline, and states that no development, as defined in section 30106 of the Coastal Act, shall

occur on delineated wetland, riparian, upland native habitat areas, and steep slopes. The Open Space Deed Restriction permits maintenance of overhead and underground utilities within the restricted area. The Specific Plan does not conflict with the use restrictions in the Open Space Deed Restriction.

2.4.5 Existing and Future SDG&E Utility Easements

The Specific Plan area is subject to existing and future SDG&E utility corridor easement (see **Figure 2.0-3**). This easement preserves access required for the operation and maintenance of SDG&E's underground gas line and overhead electric transmission and distribution lines that traverse the Specific Plan area.

In addition, the Specific Plan accounts for a future reserved SDG&E utility easement along a portion of the Specific Plan area (Assessor's Parcel Number (APN) 211-010-24-00) (see Specific Plan, **Figure 2.0-3**).

No part of the Specific Plan shall violate the terms of any existing or future SDG&E easements, including easement utilities and communications (above and below ground) and associated facilities and infrastructure.

2.4.6 Other Property

As shown on **Figure 3.0-1**, Conceptual Land Use Plan, a portion of the Specific Plan area (i.e., the portion of APN 211-010-31-00 that is north of Cannon Road) adjoins two separate "not-a-part" parcels (NAP Parcels — APN 211-010-05-00 and APN 211-010-28-00).

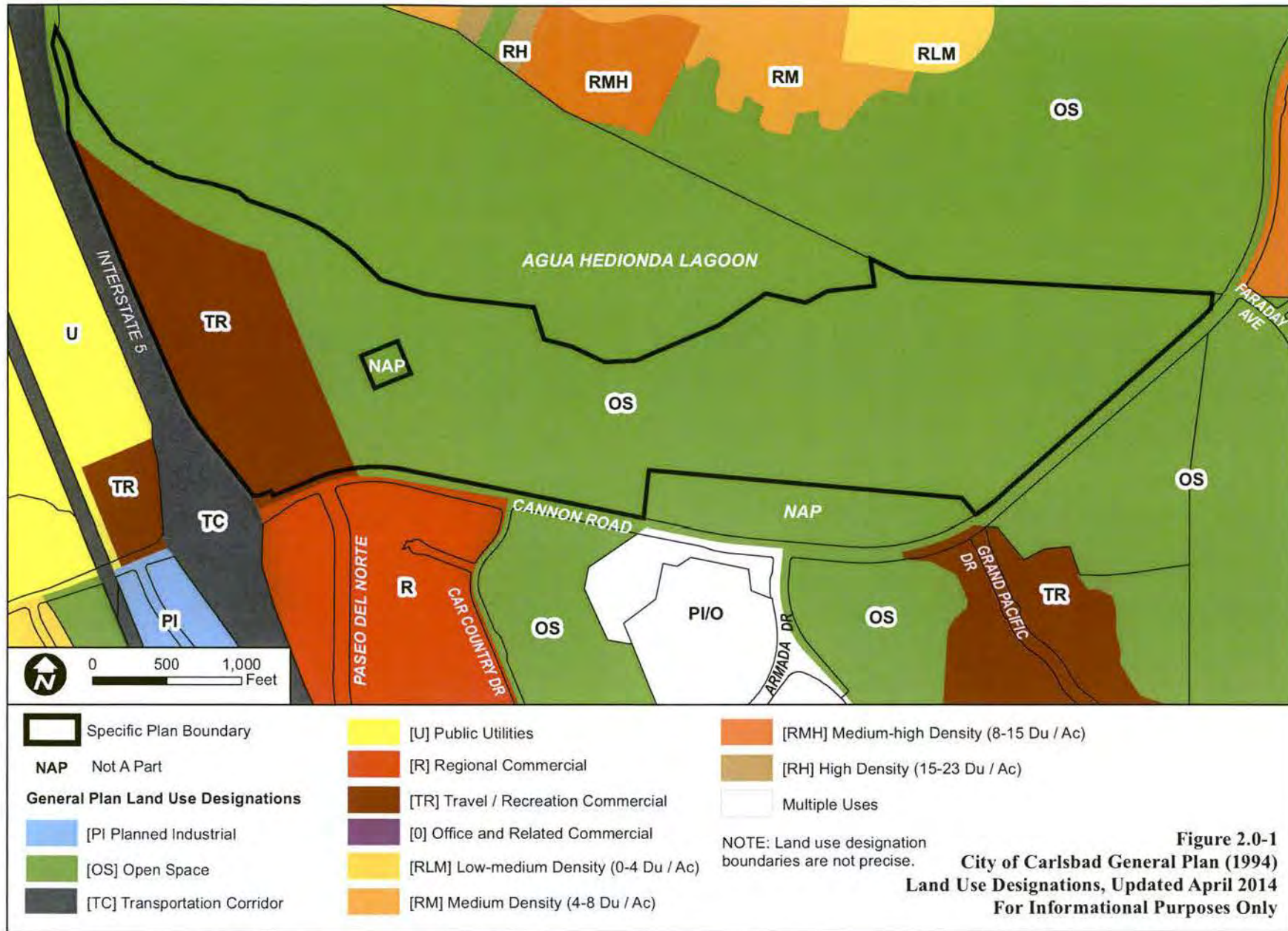
First, the Specific Plan area adjoins an NAP Parcel (APN 211-010-05-00) on four sides, situated toward the western part of the Specific Plan area (see Specific Plan, **Figure 3.0-1**). The NAP Parcel is benefitted by a recorded easement for ingress and egress for water pumping, storage, and distribution purposes. Implementation of the Specific Plan will not adversely impact this or any other recorded easement benefitting this NAP Parcel.

Second, the Specific Plan area adjoins an NAP Parcel (APN 211-010-28-00) on its southeastern boundary (see Specific Plan, **Figure 3.0-1**). The northern boundary of this NAP Parcel abuts the southeasterly portion of the Specific Plan area. The southern boundary of this NAP Parcel is located along Cannon Road. Access, ingress, and egress to this NAP Parcel is provided by Cannon Road. Implementation of the Specific Plan area will not adversely impact this NAP Parcel.

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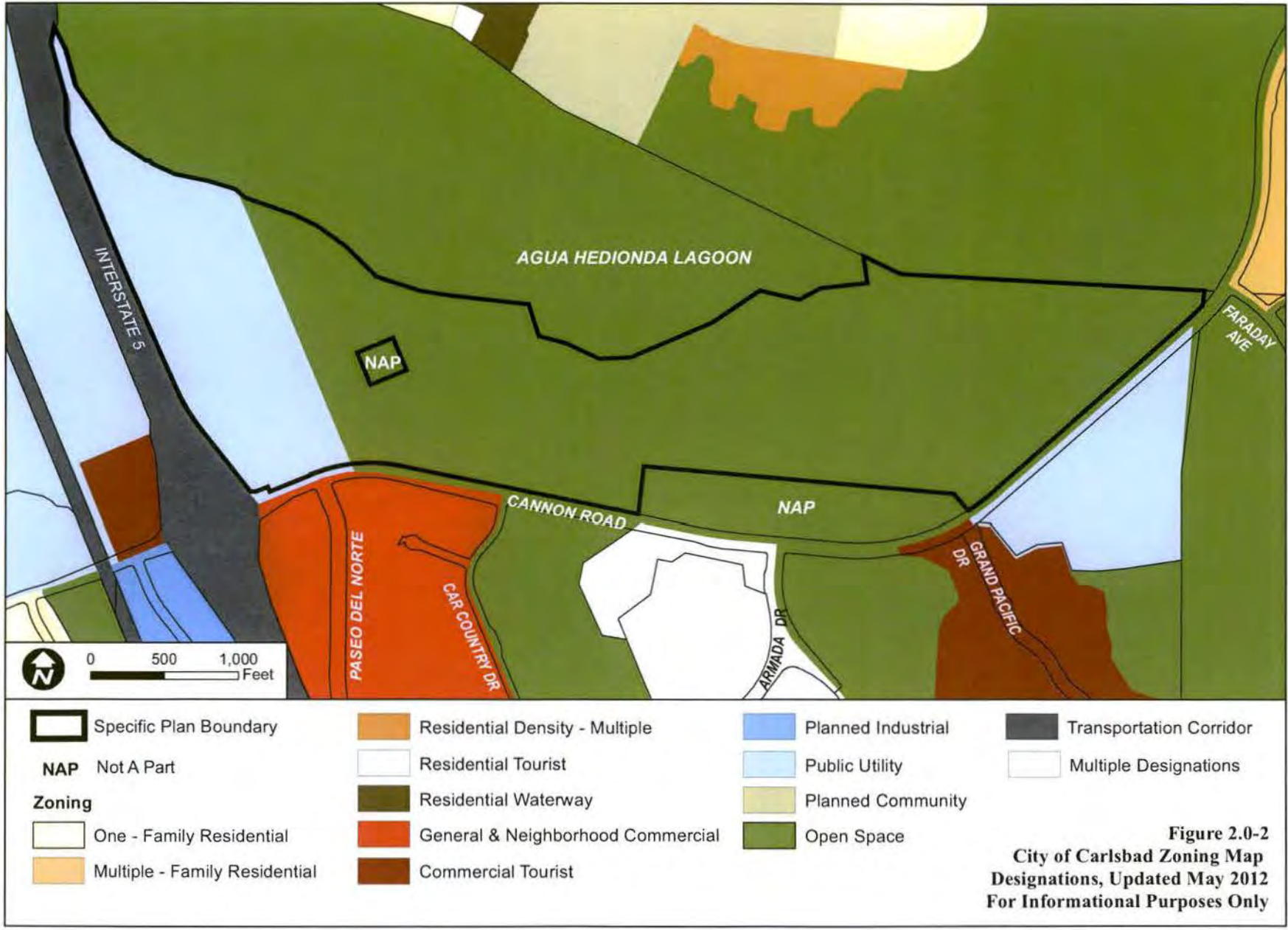
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2.0 – EXISTING SETTING

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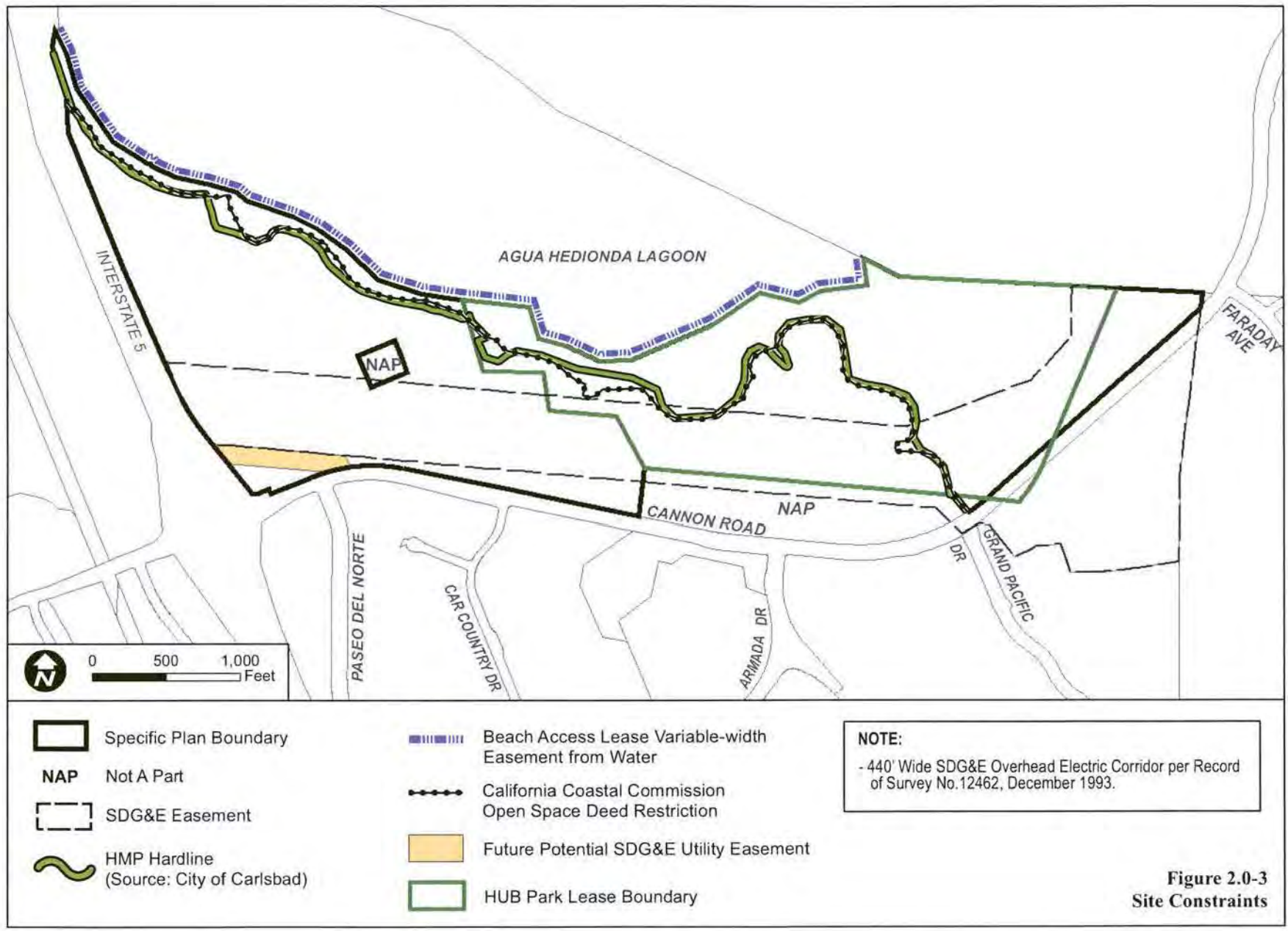


Figure 2.0-3 Site Constraints

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2.0 – EXISTING SETTING

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3.0 LAND USE

3.1 DEVELOPMENT STANDARDS AND REGULATIONS

This chapter provides the standards and regulations for development in the Agua Hedionda 85/15 Specific Plan designation (AH-SP), which is applicable only to the property located within the Specific Plan area.

No development shall occur within the AH-SP unless it is consistent with: (a) the AH-SP land use designation in the Carlsbad General Plan (1994), as shown and amended in the Specific Plan Initiative; (b) the zoning land use designations set forth in this **Chapter 3.0**, as shown and amended in the Specific Plan Initiative; and (c) the Agua Hedionda Land Use Plan (LUP) (1982), as shown and amended in the Specific Plan Initiative.

3.2 LAND USE PLAN

The Specific Plan Conceptual Land Use Plan (**Figure 3.0-1**) and the Specific Plan Land Use Distribution Table (**Table 3.0-1**) provide the framework for protection, conservation and development within the Specific Plan area. The Land Use Plan describes the Specific Plan’s land use designation (AH-SP) and the zoning that exclusively govern the Specific Plan area. A land use overlay is included on the Conceptual Land Use Plan to identify an area in which special provisions apply in addition to those in the underlying designation.

**Table 3.0-1
Specific Plan Land Use Distribution Table**

Land Use Designation	Acreage
Habitat Management Plan Open Space (HMP-OS)	75.8
Passive Open Space (P-OS)	39.4
Exclusive Agricultural Open Space (EAG-OS) ¹	45.6
Agricultural Support Open Space (AGS-OS) ¹	15.9
Visitor-Serving Commercial (VSC)	26.7
Total Specific Plan Acreage²	203.4

Notes:

¹ Total agricultural land use designated area is 61.5 acres (EAG-OS and AGS-OS).

² Acreages are approximate and may not sum precisely due to rounding.

The central organizing feature of the Conceptual Land Use Plan is its division into five areas: (1) Habitat Management Plan Open Space (HMP-OS); (2) Passive Open Space (P-OS); (3) Exclusive Agriculture Open Space (EAG-OS) (4) Agricultural Support Open Space (AGS-OS); and (5) Visitor-Serving Commercial (VSC). These designations will allow for and facilitate the

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provision of habitat protection; low-cost public access to passive open space and recreation areas; the continuation of agricultural and coastal strawberry farming; and connections to unique, high-quality visitor-serving retail, shopping, dining, entertainment, and recreation opportunities.

Although there is one distinct Specific Plan land use designation (AH-SP) and five different zoning classifications, they share common planning principles and characteristics:

- Land uses are situated to accommodate and conserve significant environmental features and resources in a permanent open space easement.
- Land use approach will protect and conserve natural resources, and serve to enhance the public access, open space, trails, views, and recreation opportunities throughout the Specific Plan area.
- Agriculture uses are protected and given high priority, and facilitate agriculture-dependent commercial/open space opportunities.
- The VSC uses connected to open space, community-oriented agriculture, and new passive (low-impact) recreation opportunities will enhance public opportunities for access and recreation in the coastal zone, and situate VSC uses near major transportation corridors and proximate to key visitor destinations, such as the beaches and Pacific Ocean, resorts and hotels, lagoons, LEGOLAND, and the Carlsbad Village.
- The VSC designated land will be the source for the funding of the improvements, restoration, management, dedication, operation, and maintenance of designated open space (i.e., the portion of APN 211-010-31-00 that is north of Cannon Road).

The Conceptual Land Use Plan is consistent with the land use designations in the Agua Hedionda LUP (1982). Specifically, the Specific Plan designates the visitor-serving Outdoor Shopping, Dining, and Entertainment Promenade as VSC, which is consistent with the “Travel Services” designation for a portion of the Specific Plan area under the Agua Hedionda LUP (1982). The Specific Plan’s open space designations are consistent with the Agua Hedionda LUP (1982) Policy 1.1, which designates a portion of the Specific Plan area as “Open Space.”

The Specific Plan also is consistent with Agua Hedionda LUP (1982) Policies 2.1 through 2.3, because the conversion of agriculture to VSC uses on approximately 26.7 acres within the Specific Plan area is less than the acreage allowed for such conversion under Policies 2.1 and 2.3 of the Agua Hedionda LUP (1982). These policies allow for the conversion of approximately 45 acres within the Specific Plan area. The Specific Plan is consistent because of the Specific Plan’s designated open space areas (i.e., the portion of APN 211-010-31-00 that is north of Cannon Road). The Specific Plan conserves approximately 176.7 acres of the 203.4-acre Specific Plan

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area in designated open space and agriculture areas to the south of the Agua Hedionda Lagoon while providing for approximately 26.7 acres of VSC uses — less than the 45 acres contemplated for conversion under Policy 2.3 of the Agua Hedionda LUP (1982).

Policy 2.3 of the Agua Hedionda LUP (1982) provides that conversion of the “45-acre SDG&E south shore property” is subject to the following four conditions:

- “Prior to development SDG&E shall record a permanent open space easement over the remaining agricultural lands in favor of the City of Carlsbad. Said easement shall limit uses to agriculture, utility right-of-way and maintenance, roadways, and recreation trails that do not interfere with agricultural operations.”
 - Recorded in the chain of title are both an “Easement and Covenant Agreement” and “Open Space Deed Restriction.”
- “SDG&E shall provide a written report demonstrating to the satisfaction of the City, that preservation of the site is not necessary to assure reasonable expansion opportunities for the Encina Power Plant in accordance with Coastal Act Section 30413(b), and that future expansion could reasonably be accommodated at the present power plant site. Said report shall be a requirement of a future specific development plan for the property.”
 - The California Public Utilities Commission has issued a decision finding that SDG&E’s sale of the subject property will not adversely impact the public interest because: (a) SDG&E does not use the property other than for operating and maintaining underground utilities and overhead transmission and distribution lines, and has retained suitable easements to enable it to continue such operations and maintenance, and (b) SDG&E’s service to its customers will not be affected.
- “Prior to issuance of a permit for development of the parcel, the owner shall make a portion of the site available for development as a public recreational use if the City finds that current or future recreational needs require the development of such uses in the south shore portion of the Land Use Plan area.”
 - The Specific Plan will permanently protect and conserve approximately 176.7 acres, more than 85% of the Specific Plan area, for open space and the continuation of strawberry farming and coastal agriculture; and the Specific Plan’s passive recreation activities will include trails, vista points, and picnic areas.
- “In the event that the Carlsbad Local Coastal Plan is amended to allow for a City-sponsored agricultural program, SDG&E may apply for inclusion in the amended program.”
 - The sale of the property within the Specific Plan area renders it unlikely SDG&E will apply for inclusion in any such future amended program.

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In further compliance with Agua Hedionda LUP (1982) Policies 2.1 through 2.3, resource conservation and management of habitats and environmental resources will occur within the areas designated HMP-OS (approximately 75.8 acres) and P-OS (approximately 39.4 acres). In addition, the Specific Plan will conserve a total of 61.5 acres of available agriculture in areas designated EAG-OS (approximately 45.6 acres) and AGS-OS (approximately 15.9 acres). These areas will facilitate the protection and conservation of existing agricultural uses and allow for the restoration of fallow agricultural fields, contributing to the viability of local agriculture within the Specific Plan area.

3.3 LAND USE DESIGNATIONS

This chapter provides a description of the designations delineated on the Conceptual Land Use Plan (**Figure 3.0-1**). Specific uses permitted in each land use designation are described below. In addition, the Specific Plan’s development standards and associated regulations and requirements governing development within the Specific Plan area are set forth herein in **Chapter 3.5**, Development Standards.

3.3.1 Habitat Management Plan Open Space (HMP-OS)

The HMP-OS designation applies to areas designated as existing hardline conservation areas in the City’s Habitat Management Plan (November 2004). Except as provided herein, the HMP-OS designation is subject to Chapter 21.210 of the Carlsbad Municipal Code, Habitat Preservation and Management Requirements. These areas are also subject to an Open Space Deed Restriction imposed by the Coastal Commission on the most northern portions of the Specific Plan area to the lagoon shoreline, which states that no development, as defined in section 30106 of the Coastal Act, shall occur on delineated wetland, riparian, upland native habitat areas, and steep slopes. However, maintenance of overhead and underground utility areas may occur within this restricted area.

Permitted Land Uses

Only the uses listed in **Table 3.0-2** shall be permitted in the HMP-OS designation subject to the requirements and development standards specified in this chapter.

Table 3.0-2
Permitted Land Uses – HMP-OS

Conservation and enhancement (protection of sensitive species, environmentally sensitive habitat areas, waters, wetlands, riparian, and water quality)
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3.3.2 Passive Open Space (P-OS)

The P-OS designation applies to areas with existing or potential for biological resources. This designation is intended to accommodate permanent natural open space, natural drainage and stream courses, habitat restoration or enhancement, trails, buffers, vista points, picnic areas, limited surface parking for public access and passive recreation uses only, ingress/egress roads with limited lighting, and low-impact recreation uses. Existing and future SDG&E easements allow an underground gas line and overhead electric transmission and distribution lines to traverse the southern portion of the Specific Plan area. In addition, the Specific Plan area is subject to various utility, access, and other easements, including a future easement for utilities and communications (above and below ground) and associated facilities and infrastructure. Maintenance of overhead and underground utility areas may occur within the P-OS designation.

Permitted Land Uses

Only the uses listed below in **Table 3.0-3** shall be permitted in the P-OS designation subject to the requirements and development standards specified in this chapter.

**Table 3.0-3
Permitted Land Uses – P-OS**

Access roads, utilities and infrastructure (landscaping, lighting, and signage)
Conservation and enhancement (protection of sensitive species, environmentally sensitive habitat areas, waters, wetlands, riparian, and water quality)
Drinking fountains
Infrastructure facilities including but not limited to those necessary for drainage and flood control, water recharge and percolation areas, retention or detention of flood waters, and other facilities necessary to provide water quality improvements and reduce water runoff pollutants; public communications; ingress/egress roads; lighting; and other facilities necessary to provide for public safety or health.
Open air classroom/education
Parking to support the uses within the P-OS area (i.e., limited surface parking for public access and passive recreation uses only)
Public Access and passive recreation, including but not limited to vista points, picnic areas, shade structures, trailhead kiosks, wayfinding and educational signage, and benches/seated rest areas
Picnic areas
Restrooms
Trails, excluding trails for motorized vehicles
Trash receptacles
Other accessory or related uses that support the permitted passive open space uses
Other uses that are similar or support the permitted passive open space uses shown above

Note: All of the above permitted uses are for the benefit of the public.

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3.3.3 Exclusive Agricultural Open Space (EAG-OS)

The EAG-OS designation applies to areas that have existing or potential for agriculture resources. The EAG-OS designation is intended to accommodate agricultural production, sales, limited surface parking for agriculture uses and equipment, ingress/egress roads with limited lighting for the benefit of the Specific Plan area. Additionally, the Specific Plan allows classroom/education and interpretive programming related to the area’s cultural and natural resources, trails, vista points, and picnic areas provided they do not interfere with the agricultural uses. Existing and future SDG&E easements allow an underground gas line and overhead electric transmission and distribution lines to traverse the southern portion of the Specific Plan area. In addition, the Specific Plan area is subject to various utility, access, and other easements, including a future easement for utilities and communications (above and below ground) and associated facilities and infrastructure. Maintenance of overhead and underground utility areas may occur within the EAG-OS designation.

Permitted Land Uses

Only the uses listed below in **Table 3.0-4** shall be permitted in the EAG-OS designation subject to the requirements and development standards specified in this chapter.

**Table 3.0-4
Permitted Land Uses – EAG-OS**

Access roads, utilities, and infrastructure (landscaping, lighting, and signage)
Agriculture: commercial row, field, tree, and nursery crops cultivation
Agriculture: farm stands and strawberry fields
Agriculture storage
Bike Route ¹
Drinking fountains
Greenhouses and Hoophouses
Infrastructure facilities including but not limited to those necessary for drainage and flood control, water recharge and percolation areas, retention or detention of flood waters, and other facilities necessary to provide water quality improvements and reduce water runoff pollutants; public communications; ingress/egress roads; lighting; and other facilities necessary to provide for public safety or health.
Open air classroom/education
Parking to support the uses within the EAG-OS areas (i.e., limited surface parking for agriculture uses and equipment)
Restrooms
Trails, excluding trails for motorized vehicles (except those necessary to support the agricultural uses)
Trash receptacles
You-pick sales of agriculture/crops
Other accessory or related uses that support or promote the continuation of agriculture use
Other uses that are similar or support the permitted exclusive agricultural uses shown above

Note:

¹ These uses are only allowed within the Bike Route Overlay depicted in Figure 3.0-1.

3.3.4 Bike Route Overlay

The Bike Route Overlay is depicted on Figure 3.0-1 and indicated in Table 3.0-4. A land use overlay is a regulatory tool that allows a use, placed over another land use designation, ensuring flexibility in siting uses within the Specific Plan area. This overlay designation also allows for the land use overlay to move within the underlying land use designation without requiring any revision or amendment to this Specific Plan. The Bike Route Overlay accommodates bicycle routes, which are otherwise not permitted in the EAG-OS designation.

3.3.5 Agricultural Support Open Space (AGS-OS)

Only the uses listed below in Table 3.0-5 shall be permitted in the AGS-OS designation subject to the requirements and development standards specified in this chapter. This designation is intended to accommodate the continuation of coastal agriculture and strawberry farming in an open space setting, and accommodate an agricultural farm stand (approximately 2,200 square feet) and associated produce sales, farmers market, farm-to-table dining (approximately 6,500 square feet), “you-pick” opportunities and other accessory uses supporting the continuation of coastal agriculture and strawberry farming and its connection to the VSC and EAG-OS designations within the Specific Plan area. Existing and future SDG&E easements allow an underground gas line and overhead electric transmission and distribution lines to traverse the southern portion of the Specific Plan area. In addition, the Specific Plan area is subject to various utility, access, and other easements, including a future easement for utilities and communications (above and below ground) and associated facilities and infrastructure. Maintenance of overhead and underground utility areas may occur within the AGS-OS designation.

**Table 3.0-5
Permitted Land Uses — AGS-OS**

Access roads, utilities, and infrastructure (landscaping, lighting, and signage)
Agriculture: commercial row crops, field crops, trees, orchard trees, and nursery crops cultivation
Agriculture: farm stands and strawberry fields
ATMs
Bike Route
Drinking fountains
Farmers market
Farm-to-table restaurant (with integrated liquor, beer, and wine components) and outdoor patios
Landscaping
Market/grocery, including fish markets, farmers markets, delicatessen, coffee shops
Parking to support the uses within the AGS-OS areas (and no more than 2.5 acres for shared paving for uses within the VSC)

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area)
Picnic areas
Public access and passive recreation, including but not limited to vista points, picnic areas, shade structures, trailhead kiosks, wayfinding and educational signage, benches/seated rest areas
Retail agricultural produce sales
Trails, excluding trails for motorized vehicles (except those necessary to support the agricultural uses in the AGS-OS and EAG-OS areas)
Transit/tour bus passenger loading
You-pick sales of agriculture/crops
Other accessory or related uses that support the continuation of agriculture use
Other uses that are similar to those shown above and that support the continuation of agricultural uses

3.3.6 Visitor-Serving Commercial (VSC)

The VSC designation allows for shopping, dining, entertainment, and recreation uses to accommodate the Outdoor Shopping, Dining, and Entertainment Promenade, and provides a cohesive integration with the adjacent open space and agriculture designations previously described. Existing and future SDG&E easements allow an underground gas line and overhead electric transmission and distribution lines to traverse the southern portion of the Specific Plan area. In addition, the Specific Plan area is subject to various utility, access, and other easements, including a future easement for utilities and communications (above and below ground) and associated facilities and infrastructure. Maintenance of overhead and underground utility areas may occur within the VSC-OS designation.

Permitted and Prohibited Land Uses

Only the uses listed in **Table 3.0-6** shall be permitted in the VSC designation subject to the requirements and standards specified in this chapter. Utilizing less than 15% of the Specific Plan area (or approximately 26.7 acres), the VSC designation is intended to accommodate the new pedestrian-oriented visitor-serving Outdoor Shopping, Dining, and Entertainment Promenade situated within the VSC area. The VSC area will allow up to 585,000 square feet of new visitor-serving retail, shopping, dining, entertainment, and recreational uses (see Specific Plan, **Table 3.0-8**, below).

Support facilities within the VSC area will include ingress and egress roads, utilities, infrastructure, services, lighting, signage, parking (structure and surface), and associated uses to create a high-quality, functionally integrated district designed to maintain a sense of community and contribute to Carlsbad’s traditional “village” identity and beach community character.

The list of Permitted Land Uses is intended to be “exclusive”; thus, uses not listed are not allowed. Prohibited uses within the VSC designation also are listed in **Table 3.0-6**. The

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prohibited uses list is intended to articulate uses that are specifically prohibited by this Specific Plan in order to ensure that only high-quality visitor-serving retail, shopping, dining, entertainment, and recreational uses are permitted within the VSC area.

**Table 3.0-6
Permitted and Prohibited Land Uses – VSC**

Permitted Land Uses
Access roads, utilities, and infrastructure (landscaping, lighting, and signage)
Agriculture: farm stands
Apothecaries and drugstores
Apparel and accessory stores (including children's apparel)
Art gallery
Bakery
Banks
Books and music stores
Car display
Commercial retail shops
Computer and electronics stores
Communications equipment
Concierge services and related services
Cosmetics
Decorative lighting, light poles
Drinking fountains, ATMs
Electric car charging stations
Farmers market
Fashion department stores
Farm-to-table restaurant
Financial services (including banks, insurance, real estate, etc.)
Floral, flower shops
Footwear, eyewear, handbags, and luggage stores
Hardware, music, hobby, and other specialty stores
Health and vitamin stores
Health clubs, gyms, and other exercise facilities
Holiday décor (including holiday photos)
Home furnishings and furniture stores
Gardens (public and private)
Gift shops
Infrastructure facilities including but not limited to those necessary for: drainage and flood control, water recharge and percolation areas, retention or detention of flood waters, and other facilities necessary to provide water quality improvements and reduce water runoff pollutants; public communications; ingress/egress road; lighting; and other facilities necessary to provide for public safety or health
Jewelry stores

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**Table 3.0-6
Permitted and Prohibited Land Uses – VSC**

Landscaping
Live entertainment (indoor and outdoor)
Management and leasing offices, limited office space for lease
Market/grocery, including fish markets, farmers markets, delicatessen, coffee shops
Movie theaters
Outdoor movies
Parking (surface) to support the uses within the VSC, P-OS, and AGS-OS areas
Parking (structure) to support the uses within the VSC, P-OS, and AGS-OS areas
Passive recreation, including but not limited to vista points, picnic areas, shade structures, trailhead kiosks, wayfinding and educational signage, benches/seated rest areas
Personal services and spas
Picnic areas
Portrait studios
Public access and passive recreation, including but not limited to vista points, picnic areas, shade structures, trailhead kiosks, wayfinding and educational signage, benches/seated rest areas
Restaurants and other dining or food-service establishments, including those with integrated liquor, beer, and wine components and/or outdoor patios
Restrooms
Retail agricultural produce sales
Salon (hair, nails, barber shop, beauty supplies, day spas)
Shoe stores
Specialty foods
Specialty retail shops, retail merchandising units, kiosks, carts
Sporting goods stores
Stationary stores
Tailor, shoe, and custom alteration shops
Temporary staging for promotions, commercial enterprise, entertainment, and recreation
Toy stores
Trails, excluding trails for motorized vehicles (except those necessary to support the agricultural uses in the AGS-OS and EAG-OS areas)
Trash receptacles
Transit/tour bus passenger loading
Trolley, merry-go-round, fountains, other similar uses and amusements
Wayfinding and advertising kiosks
Wheelchair, stroller, and bicycle racks/rentals
Travel agencies/services/sales
Valet parking
Wine/beer production and sales
Yoga, pilates, Cardio Barre, cycling, and other similar indoor and/or outdoor activities and uses
Other accessory or related uses that support high-quality visitor-serving commercial uses
Other uses that are similar to or that support the high-quality visitor-serving commercial uses shown in Table 3.0-7

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**Table 3.0-6
Permitted and Prohibited Land Uses – VSC**

Prohibited Land Uses
Adult business
Auto dealership (new or used cars)
Auto parts or accessory retailer
Auto repair shop
Card rooms
Churches, synagogues, temples, and houses of worship
Costume goods stores
Discount stores
Discount department stores
Gas or fuel station
Massage parlor
Outlet stores selling used, damaged, or discontinued merchandise
Party goods retailers
Pawn shops
Resale shops
Self-storage facilities
Supercenters
Variety stores
Warehouse stores

3.4 PERMITTED LAND USES SUMMARY BY DESIGNATION

Table 3.0-6, Permitted Land Uses, provides a summary of all Specific Plan land use designations and the permitted land uses.

**Table 3.0-7
Permitted Land Uses**

Land Use	HMP-OS	P-OS	EAG-OS	AGS-OS	VSC
Access roads, utilities and infrastructure (landscaping, lighting, and signage)		X	X	X	X
Agriculture: commercial row crops, field crops, trees, orchard trees, and nursery crops cultivation			X	X	
Agriculture farm stands					X
Agriculture: farms stands and strawberry fields			X	X	X
Agricultural storage			X		
Apothecaries and drugstores					X
Apparel and accessory stores (including children's apparel)					X

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**Table 3.0-7
Permitted Land Uses**

Land Use	HMP-OS	P-OS	EAG-OS	AGS-OS	VSC
Art gallery					X
ATMs				X	X
Bakery					X
Banks					X
Bike Route			X ¹	X	X
Books and music stores					X
Car display					X
Commercial retail shops					X
Communications equipment					X
Computer and electronic stores					X
Concierge services and related services					X
Conservation and enhancement (protection of sensitive species, environmentally sensitive habitat areas, waters, wetlands, riparian, and water quality)	X	X			
Cosmetics, body care, fragrance stores					X
Decorative lighting, light poles					X
Drinking fountains		X	X	X	X
Electric car charging stations					X
Farmers market				X	X
Farm-to-table restaurants (with integrated liquor, beer, and wine components) and outdoor patios				X	X
Fashion department stores					X
Financial services					X
Floral, flower shops					X
Footwear, eyewear, handbags, and luggage stores					X
Gardens (public and private)					X
Gift shops					X
Greenhouses and Hoophouses			X		
Hardware, music, hobby, and other specialty stores					X
Health and vitamin stores					X
Health clubs, gyms, and other exercise facilities					X
Holiday décor (including holiday photos)					X
Home furnishings and furniture stores					X
Infrastructure facilities including but not limited to those necessary for: drainage and flood control, water recharge and percolation areas, retention or detention of flood waters, and other facilities necessary to provide water quality improvements and reduce water runoff pollutants; public communications; ingress/egress roads; lighting; and other facilities necessary to provide for public safety or health.		X	X		X
Jewelry stores					X

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

**Table 3.0-7
Permitted Land Uses**

Land Use	HMP-OS	P-OS	EAG-OS	AGS-OS	VSC
Landscaping				X	X
Live entertainment (indoor and outdoor)					X
Management and leasing offices, limited office space for lease					X
Market/grocery, including fish markets, farmers markets, delicatessen, coffee shops				X	X
Movie theaters					X
Open air classroom/education		X	X		
Outdoor movies					X
Parking to support uses within P-OS area (i.e., limited surface parking for public access and passive recreation uses only)		X			X
Parking to support uses within the EAG-OS area (i.e., limited surface parking for agriculture uses and equipment)			X		X
Parking to support the uses within the AGS-OS area (and no more than 2.5 acres for shared paving for uses within the VSC area)				X	
Parking (surface) to support the uses within the VSC, P-OS, and AGS-OS areas					X
Public access and passive recreation, including but not limited to vista points, picnic areas, shade structures, trailhead kiosks, wayfinding and educational signage, benches/seated rest areas		X	X	X	X
Personal services and spas					X
Picnic areas		X		X	X
Portrait studios					X
Restaurants and other dining or food-service establishments, including those with integrated liquor, beer, and wine components and/or outdoor patios					X
Restrooms		X	X		X
Retail agricultural produce sales				X	X
Salon (hair, nails, barber shop, beauty supplies, day spas)					X
Shoe stores					X
Specialty foods					X
Specialty retail shops, retail merchandising units, kiosks, carts					X
Sporting goods stores					X
Stationary stores					X
Tailor, shoe, and custom alteration shops					X
Temporary staging for promotions, commercial enterprise, entertainment, and recreation					X
Toy stores					X
Trails, excluding trails for motorized vehicles (except those necessary to support the agricultural use)		X	X	X	X

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

**Table 3.0-7
Permitted Land Uses**

Land Use	HMP-OS	P-OS	EAG-OS	AGS-OS	VSC
Transit/tour bus passenger loading				X	X
Trash receptacles		X	X		X
Travel agencies/services/sales					X
Trolley, merry-go-round, fountains, other similar uses and amusements					X
Valet parking					X
Wayfinding and advertising kiosks					X
Wheelchair, stroller, and bicycle racks/rentals					X
Wine/beer production and sales					X
Yoga, pilates, Cardio Barre, cycling, and other similar indoor and/or outdoor activities and uses					X
You-Pick sales of agriculture/crops			X	X	
Other accessory or related uses that support or promote the continuation of agriculture use.			X	X	
Other accessory or related uses that support high-quality visitor-serving commercial uses					X
Other uses that are similar to those shown in Table 3.0-5 and that support the continuation of agricultural uses				X	
Other accessory or related uses that support the permitted passive open space uses		X			
Other uses that are similar or support the permitted passive open space uses shown in Table 3.0-3		X			
Other uses that are similar to or that support the high-quality visitor-serving commercial uses shown in Table 3.0-6					X

¹ This use is only allowed within the Bike Route Overlay depicted in **Figure 3.0-1**.

3.5 DEVELOPMENT STANDARDS

The Specific Plan development standards define uses permitted within the Specific Plan area and provide specific standards for development in the plan. The development standards contained herein shall fully replace and supersede any otherwise applicable Carlsbad Municipal Code development standards and regulations in the Specific Plan area, unless stated herein to the contrary. Whenever the provisions and development standards contained in this Specific Plan conflict with those in the Carlsbad Municipal Code, the provisions and development standards of this Specific Plan shall take precedence, control, and govern in the Specific Plan area.¹

¹ Upon Specific Plan Initiative approval, the Coastal Commission must still certify the Agua Hedionda LUP (1982) amendments (including the Specific Plan) before the local enactments (e.g., General Plan Amendments,

3.5.1 Habitat Management Plan Open Space (HMP-OS) Development Standards

As indicated in the Specific Plan, **Chapter 3.3.1**, the HMP-OS designation is consistent with the City of Carlsbad Habitat Management Plan (November 2004) hardline preserve boundary and subject to an Open Space Deed Restriction imposed by the Coastal Commission on the most northerly portions of the Specific Plan area to the lagoon shoreline. The Open Space Deed Restriction provides that no development, as defined in section 30106 of the Coastal Act, shall occur on delineated wetland, riparian, upland native habitat areas, and steep slopes. Maintenance of overhead and underground utility areas may occur within this restricted area.

Subject to the Specific Plan, **Chapter 3.5**, Development Standards, above:

Structure Restrictions

- No buildings or structures are permitted (except for restrooms).

Trails

- No trails are permitted

Walls and Fences

- Fencing is permitted provided it does not impede wildlife movement.
- Fiberglass sheeting, bamboo sheeting, barbed wire, razor ribbon, or other similar materials are prohibited fencing material.

Lighting

- Lighting in the HMP-OS designated areas is not allowed except where essential for adjacent or proximate facility use, safety, and security purposes.
- All lighting along the perimeter of HMP-OS designated areas shall be downcast with light patterns directed away from natural areas.

Zone Change, Specific Plan) take effect under section 30514(a) of the Public Resources Code within the Coastal Act.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

Signage

The following signs are allowed, but only at the perimeter of the HMP-OS designated areas:

- **Interpretive signs.** Interpretive signs are provided in proximity to public access use areas, as well as along perimeter and interior trails, and wherever there is a natural element, which should be highlighted for educational value.
- **Wayfinding signs.** Wayfinding signs are used at key decision points to direct foot traffic, such as at key trail intersections and interpretive overlook locations.
- **ADA signs.** Americans with Disabilities Act (ADA) signs should be used as required and should utilize materials to blend with the surrounding landscape as much as possible.
- **Restrictive use signs.** Restrictive use signs are signs posted where necessary to preclude access to certain areas.

Buffers

Buffers shall be provided between all preserved habitat areas and development. Minimum buffer widths shall be provided as follows:

- 100 feet minimum for wetlands
- 100 feet minimum for riparian areas
- 50 feet minimum for streambeds
- 100 feet minimum for environmentally-sensitive habitat (ESHA) as defined in California Public Resources Code section 30107.5. Specific Plan, **Figure 3.0-5**, ESHA Mapping (as of May 2015), shows preliminary mapping of vegetation communities in the Specific Plan area and a preliminary delineation of ESHA known at the time of preparation of this Specific Plan. An updated and detailed delineation of ESHA based on vegetation and wildlife surveys shall be submitted as part of any coastal development permit in the Specific Plan area processed by the Coastal Commission.
- 20 feet minimum for all other native habitats (southern maritime chaparral, maritime succulent scrub, southern mixed chaparral, native grassland, oak woodland).

Buffer widths shall be measured from the edge of preserved habitat nearest the development to the closest point of development. For wetlands and riparian areas with an unvegetated bank or steep slope (greater than 25%), the buffer shall be measured from the top of the bank or steep slope rather than the edge of habitat, unless there is at least 50 feet between the riparian or

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

wetland area and the toe of the slope. If the toe of the slope is less than 50 feet from the wetland or riparian area, the buffer shall be measured from the top of the slope.

No new development, grading or alterations, including clearing of vegetation, shall occur in the buffer area, except for:

- Thinning of vegetation for fuel modification to a maximum of 20 feet for upland and non-riparian habitat. No fuel modification shall take place within 50 feet of riparian areas, wetlands, or oak woodland.
- Trails and pathways within the first 15 feet of the buffer closest to the development, if construction of the trail or pathway and its proposed use is consistent with the preservation goals for the adjacent habitat, and that appropriate measures are taken for physical separation from sensitive areas.
- Water quality improvement best management practices (e.g., vegetated swales).

Buffer areas that do not contain native habitat shall be landscaped using native and non-invasive plants. Signage and physical barriers such as walls or fences shall be required to minimize edge effects of development.

The executive director of the Coastal Commission may allow agriculture in buffer areas of the EAG-OS and AGS-OS areas.

A detailed geotechnical report analyzing the setbacks needed to achieve the safety standards outlined below shall be completed for any specific development proposed on the site. Structures requiring foundations, pools, and fountains shall be set back a minimum of 50 feet from the bluff edge. All development shall be removed or relocated landward when threatened by erosion. The bluff edge shall be determined by a qualified geologist or surveyor for the property according to the definition included in California Code of Regulations, title 14, section 13577(h)(2).

Slope stability analyses and erosion rate estimates shall be performed by a licensed certified engineering geologist and/or geotechnical engineer, or a registered civil engineer with experience in soil engineering. All impermeable, permanent structures shall be setback to ensure a minimum factor of safety of 1.5 (static) and 1.1 (pseudo static). The long-term erosion setback (for structures requiring structural foundations, pools, and fountains) shall be the distance that the bluff might be expected to erode over the design life of the structure (expected to be 75 years) and include an allowance for possible acceleration of historical bluff retreat rates due to sea level rise. Bluff erosion rate estimates shall be established by examining historical records, surveys, aerial photographs, studies, or other evidence that shows the location of the bluff edge through time and be based on a minimum of 50 years of historical information.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Landscaping Restrictions

There shall be only native vegetation allowed within the HMP-OS designated areas. No invasive plants are permitted.

The landscaping shall adhere to the ministerial landscape construction documents requirements of Chapter 4 of the City's landscape manual.

3.5.2 Passive Open Space (P-OS) Development Standards

Subject to the Specific Plan, Chapter 3.5, Development Standards, above:

- **Surface parking space dimensions:** The minimum size of a parking space shall be 9 feet wide and 18 feet long.
- **Surface parking access:** The minimum width for parking lot drive aisles shall be 24 feet.
- **Accessibility/usability:** All access, parking, and loading facilities shall be usable and shall be permanently maintained for access, parking, and loading for the permitted and intended use(s).
- **Lighting:** Parking and loading areas shall provide adequate lighting to ensure safety and security.
- Paving materials should be semi-porous (e.g., crushed granite or gravel), where appropriate and feasible, to maximize on-site infiltration.
- Access points shall be designed to provide access drives with adequate views of approaching pedestrians and vehicles.
- Development shall not interfere with public access, as required by Coastal Act, Chapter 3, Article 4.
- Shoreline access shall be maintained as required by the Shoreline Access section 7 of the Agua Hedionda LUP (1982), as amended by the Specific Plan Initiative.
- Access drives shall provide convenient access to parking lots at various locations.
- Access drives and circulation shall provide convenient access to the Specific Plan AGS-OS, P-OS, and VSC areas.
- Provisions shall be made for handicapped parking in areas reserved and maintained for the parking of motor vehicles.
- The minimum size of a handicapped parking space and required number of handicapped parking spaces shall comply with title 24 of the California Building Code and the ADA.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

Structure Restrictions

- No buildings or structures are permitted (except utilities and facilities).

Trails

Trails are permitted in P-OS designated areas pursuant to the standards herein. Refer to the Specific Plan, **Figure 3.0-4**, Conceptual Trails and Circulation Plan, for an approximation of the trails and circulation within the Specific Plan area.

- The loop trail system shall generally follow the edge of the existing HMP boundary/native habitat edge, linking key viewpoints, interpretive areas, and day use areas.
- Trails shall be compliant with the Americans with Disabilities Act (ADA), where readily achievable, and should provide connections to parking for access to handicapped users.
- Trails shall be a minimum of 8 feet in width.
- Split rail and/or lodgepole fencing with rope along sensitive habitat, agricultural, and other areas shall be provided where appropriate to help delineate trail limits and help preclude access into sensitive habitat areas and/or restoration areas.
- Way-finding and access signage, including overview maps showing the trail system with location markers, shall be provided where appropriate throughout the trail system, pursuant to the specific standards for each land use designation.
- Trails shall include interpretive signage where appropriate to identify key site elements, such as native plant communities and plant species, pursuant to the specific standards for each land use designation.
- Signage shall be constructed of durable materials.
- Signage with interpretive information and locational information shall be provided as appropriate at overlooks and points of interest, pursuant to the specific standards for each land use designation.
- Wind and sun/shade structures may be provided at appropriate locations throughout the trail system, pursuant to the specific standards for each land use designation.
- Trash receptacles shall be provided at appropriate locations throughout the trail system, pursuant to the specific standards for each land use designation.

Walls and Fences

- Fencing is permitted provided it does not impede wildlife movement.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

- Fiberglass sheeting, bamboo sheeting, barbed wire, razor ribbon, or other similar materials are prohibited as fencing material.

Lighting

- All lighting within and along the perimeter of P-OS designated areas shall be downcast with light patterns directed away from natural areas.

Preservation/Restoration Standards

- Restoration plan shall be provided to the Coastal Commission staff at the time of the coastal development permit process.
- Environmentally sensitive habitat areas, as defined in section 30107.5 of the Coastal Act, shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas, as provided in section 30240 of the Coastal Act.
- Preservation in place shall be the preferred manner of avoiding or reducing effects to archaeological sites and historic resources, including: (a) planning any permitted construction to avoid such sites/resources; (b) incorporating sites/resources within open space; and/or (c) covering the sites/resources with a layer of stable soil prior to any permitted construction.
- Invasive, exotic (non-native) plant species (e.g., fennel, castor bean, mustard, tree tobacco, palms, Acacia, Myoporum, Eucalyptus, pampas grass, etc.) shall be removed and native habitat shall be restored.
- Conduct habitat restoration/establish native restoration and enhancement areas through native plant revegetation: incorporate native plantings for plant establishment and natural regeneration; plants shall be appropriate and unique to the region's site conditions.
- Protect slopes/provide erosion control to help prevent runoff into the adjacent lagoon and wetlands/waters areas.
- Trash receptacles shall be provided where appropriate and accessible to the public to prevent artificially increasing the population of scavenging wildlife.

Signage

The following signs are allowed, but only at the perimeter of the P-OS designated areas:

- **Parking signs.** Parking signs are used to direct vehicular traffic to designated parking locations and pedestrian traffic from the parking lots to their final destinations.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

- **Interpretive signs.** For the definition, refer to the Specific Plan, **Chapter 3.5.1**, above.
- **Wayfinding signs.** For the definition, refer to the Specific Plan, **Chapter 3.5.1**, above.
- **ADA signs.** For the definition, refer to the Specific Plan, **Chapter 3.5.1**, above.

Environmental Education

- Provide educational and natural resource signage.
- Provide outdoor classrooms for school use with seating.

Buffers

Buffers shall be provided between all preserved habitat areas and development. Minimum buffer widths shall be provided as follows:

- 100 feet minimum for wetlands
- 100 feet minimum for riparian areas
- 50 feet minimum for streambeds
- 100 feet minimum for ESHA as defined in California Public Resources Code section 30107.5. Specific Plan, **Figure 3.0-5**, ESHA Mapping (as of May 2015), shows preliminary mapping of vegetation communities in the Specific Plan area and a preliminary delineation of ESHA known at the time of preparation of this Specific Plan. A detailed delineation of ESHA based on vegetation and wildlife surveys shall be submitted as part of any coastal development permit in the Specific Plan area processed by the Coastal Commission. If, however, ESHA is identified at the top of the bluff within P-OS designated areas, a 100-foot buffer shall be required.
- 20 feet minimum for all other native habitats (southern maritime chaparral, maritime succulent scrub, southern mixed chaparral, native grassland, oak woodland)

Buffer widths shall be measured from the edge of preserved habitat nearest the development to the closest point of development. For wetlands and riparian areas with an unvegetated bank or steep slope (greater than 25%), the buffer shall be measured from the top of the bank or steep slope rather than the edge of habitat, unless there is at least 50 feet between the riparian or wetland area and the toe of the slope. If the toe of the slope is less than 50 feet from the wetland or riparian area, the buffer shall be measured from the top of the slope.

No new development, grading or alterations, including clearing of vegetation, shall occur in the buffer area, except for:

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

- Thinning of vegetation for fuel modification to a maximum of 20 feet for upland and non-riparian habitat. No fuel modification shall take place within 50 feet of riparian areas, wetlands, or oak woodland.
- Trails and pathways within the first 15 feet of the buffer closest to the development, if construction of the trail or pathway and its proposed use is consistent with the preservation goals for the adjacent habitat, and that appropriate measures are taken for physical separation from sensitive areas.
- Water quality improvement best management practices (e.g., vegetated swales, etc.).

Buffer areas that do not contain native habitat shall be landscaped using native plants. Signage and physical barriers such as walls or fences shall be required to minimize edge effects of development.

The executive director of the Coastal Commission may allow agriculture in buffer areas of the EAG-OS and AGS-OS areas.

A detailed geotechnical report analyzing the setbacks needed to achieve the safety standards outlined below shall be completed for any specific development proposed on the site. Structures requiring foundations, pools, and fountains shall be set back a minimum of 50 feet from the bluff edge. All development shall be removed or relocated landward when threatened by erosion. The bluff edge shall be determined by a qualified geologist or surveyor for the property according to the definition included in California Code of Regulations, title 14, section 13577(h)(2).

Slope stability analyses and erosion rate estimates shall be performed by a licensed certified engineering geologist and/or geotechnical engineer, or a registered civil engineer with experience in soil engineering. All impermeable, permanent structures shall be setback to ensure a minimum factor of safety of 1.5 (static) and 1.1 (pseudo static). The long-term erosion setback (for structures requiring structural foundations, pools, and fountains) shall be the distance that the bluff might be expected to erode over the design life of the structure (expected to be 75 years) and include an allowance for possible acceleration of historical bluff retreat rates due to sea level rise. Bluff erosion rate estimates shall be established by examining historical records, surveys, aerial photographs, studies, or other evidence that shows the location of the bluff edge through time and be based on a minimum of 50 years of historical information.

Landscaping Restrictions

There shall be only native vegetation allowed within the P-OS designated areas. No invasive plants are permitted.

The landscaping shall adhere to the ministerial landscape construction documents requirements of Chapter 4 of the City's landscape manual.

3.5.3 Exclusive Agricultural Open Space (EAG-OS) Development Standards

Subject to the Specific Plan, **Chapter 3.5**, Development Standards, above:

Building Heights

- Buildings and structures shall not exceed a maximum height of 20 feet. No buildings or structures are permitted within the SDG&E easement area. Refer to the Specific Plan, **Figure 3.0-3**, Maximum Building Heights and Bluff Setbacks, depicting the height standards within the Specific Plan area.

Trails

Trails are permitted in EAG-OS designated areas pursuant to the standards herein. Refer to the Specific Plan, **Figure 3.0-4**, Conceptual Trails and Circulation Plan, for an approximation of the trails and circulation within the Specific Plan area.

- A loop trail system shall follow the edge of the existing HMP boundary/native habitat edge, linking key viewpoints, interpretive areas, and day use areas.
- Trails shall be compliant with the Americans with Disabilities Act (ADA), where readily achievable, and should provide connections to parking for access to handicapped users.
- Trails shall be a minimum of 8 feet in width.
- Split rail and/or lodgepole fencing with rope along sensitive habitat, agricultural, and other areas shall be provided where appropriate to help delineate trail limits and help preclude access into sensitive habitat areas and/or restoration areas.
- Way-finding and access signage, including overview maps showing the trail system with location markers, shall be provided where appropriate throughout the trail system, pursuant to the specific standards for each land use designation.
- Trails shall include interpretive signage where appropriate to identify key site elements, such as native plant communities and plant species, pursuant to the specific standards for each land use designation.
- Signage shall be constructed of durable materials.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

- Signage with interpretive information and locational information shall be provided as appropriate at overlooks and points of interest, pursuant to the specific standards for each land use designation.
- Wind and sun/shade structures may be provided at appropriate locations throughout the trail system, pursuant to the specific standards for each land use designation.
- Trash receptacles shall be provided at appropriate locations throughout the trail system, pursuant to the specific standards for each land use designation.

Walls and Fences

- Fiberglass sheeting, bamboo sheeting, barbed wire, razor ribbon, or other similar materials are prohibited as fencing material.

Agricultural Conservation Standards

Implementation of these Agricultural Conservation Standards shall be consistent with the agricultural preservation policies and standards set forth in Coastal Act Chapter 3, Article 5, for maintenance of prime agricultural land.

- Existing agriculture areas shall be conserved for agricultural use.
- An integrated pest management plan shall be implemented to control the use of pesticide products that avoid and minimize impacts related to fertilizers, pesticides and water quality that could affect sensitive vegetation communities, habitats, and adjacent land use designations.
- Buffer areas shall be used where appropriate to reduce the potential of intrusion from the adjacent land use designations into the operating agricultural areas, in addition to address the potential for environmental exposure to the adjacent land use designations from the operating agricultural areas during periods of high risk of exposure during pesticide and fertilization treatments. Best practices within the agricultural areas shall be utilized to reduce the risk for exposure on adjacent land use designations.

Environmental Education

- Provide educational, agricultural, and natural resource signage.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

Parking and Access Standards

- **Surface parking space dimensions:** The minimum size of a parking space shall be 9 feet wide and 18 feet long.
- **Surface parking access:** The minimum width for parking lot drive aisles shall be 24 feet.
- **Accessibility/usability:** All access, parking, and loading facilities shall be usable and shall be permanently maintained for access, parking, and loading for the permitted and intended use(s).
- **Lighting:** Parking and loading areas shall provide adequate lighting to ensure safety and security.
- Paving materials should be semi-porous (e.g., crushed granite or gravel), where appropriate and feasible, to maximize on-site infiltration.
- Vehicular access points shall be designed to provide access drives with adequate views of approaching pedestrians and vehicles.
- Development shall not interfere with public access, as required by Coastal Act, Chapter 3, Article 4.
- Shoreline access shall be maintained as required by the Shoreline Access section 7 of the Agua Hedionda LUP (1982), as amended by the Specific Plan Initiative.
- Access drives shall provide convenient access to parking lots at various locations.
- Access drives and circulation shall provide convenient access to the Specific Plan AGS-OS and VSC areas.
- Provisions shall be made for handicapped parking in areas reserved and maintained for the parking of motor vehicles.
- The minimum size of a handicapped parking space and required number of handicapped parking spaces shall comply with title 24 of the California Building Code and the ADA.

Lighting

- All lighting along the perimeter of the EAG-OS designated areas shall be downcast with light patterns directed away from natural areas. Lighting shall be limited to levels safe for vehicular and pedestrian access.

Signage

The following signs shall be limited but allowed in the EAG-OS designated areas:

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3.0 – LAND USE

- **Entry identification or monument signs.** Freestanding identity or monument signs are those located at the entrances to the Specific Plan site from public rights of way. Such signs may contain content related to uses on the VSC designated areas including names or logos associated with the Outdoor Shopping, Dining, and Entertainment Promenade or one or more commercial tenants thereof). Such entry identification or monument signs may not exceed 60 square feet per side and 8 feet in height. These signs may be free standing or part of an architectural feature.
- **Parking signs.** For the definition, refer to the Specific Plan, **Chapter 3.5.2**, above.
- **Interpretive signs.** For the definition, refer to the Specific Plan, **Chapter 3.5.1**, above.
- **Wayfinding signs.** For the definition, refer to the Specific Plan, **Chapter 3.5.1**, above.
- **ADA signs.** For the definition, refer to the Specific Plan, **Chapter 3.5.1**, above.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

Buffers

Buffers shall be provided between all preserved habitat areas and development. Minimum buffer widths shall be provided as follows:

- 100 feet minimum for wetlands
- 100 feet minimum for riparian areas
- 50 feet minimum for streambeds
- 100 feet minimum for environmentally-sensitive habitat (ESHA) as defined in California Public Resources Code section 30107.5. Specific Plan, **Figure 3.0-5**, ESHA Mapping (as of May 2015), shows preliminary mapping of vegetation communities in the Specific Plan area and a preliminary delineation of ESHA known at the time of preparation of this Specific Plan. A detailed delineation of ESHA based on vegetation and wildlife surveys shall be submitted as part of any coastal development permit in the Specific Plan area processed by the Coastal Commission.
- 20 feet minimum for all other native habitats (southern maritime chaparral, maritime succulent scrub, southern mixed chaparral, native grassland, oak woodland)

Buffer widths shall be measured from the edge of preserved habitat nearest the development to the closest point of development. For wetlands and riparian areas with an unvegetated bank or steep slope (greater than 25%), the buffer shall be measured from the top of the bank or steep slope rather than the edge of habitat, unless there is at least 50 feet between the riparian or wetland area and the toe of the slope. If the toe of the slope is less than 50 feet from the wetland or riparian area, the buffer shall be measured from the top of the slope.

No new development, grading or alterations, including clearing of vegetation, shall occur in the buffer area, except for:

- Thinning of vegetation for fuel modification to a maximum of 20 feet for upland and non-riparian habitat. No fuel modification shall take place within 50 feet of riparian areas, wetlands, or oak woodland.
- Trails and pathways within the first 15 feet of the buffer closest to the development, if construction of the trail or pathway and its proposed use is consistent with the preservation goals for the adjacent habitat, and that appropriate measures are taken for physical separation from sensitive areas.
- Water quality improvement best management practices (e.g., vegetated swales, etc.).

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

Buffer areas that do not contain native habitat shall be landscaped using native and non-invasive plants. Signage and physical barriers such as walls or fences shall be required to minimize edge effects of development.

The executive director of the Coastal Commission may allow agriculture in buffer areas in EAG-OS and AGS-OS designated areas.

A detailed geotechnical report analyzing the setbacks needed to achieve the safety standards outlined below shall be completed for any specific development proposed on the site. Structures requiring foundations, pools, and fountains shall be set back a minimum of 50 feet from the bluff edge. All development shall be removed or relocated landward when threatened by erosion. The bluff edge shall be determined by a qualified geologist or surveyor for the property according to the definition included in California Code of Regulations, title 14, section 13577(h)(2).

Slope stability analyses and erosion rate estimates shall be performed by a licensed certified engineering geologist and/or geotechnical engineer, or a registered civil engineer with experience in soil engineering. All impermeable, permanent structures shall be setback to ensure a minimum factor of safety of 1.5 (static) and 1.1 (pseudo static). The long-term erosion setback (for structures requiring structural foundations, pools, and fountains) shall be the distance that the bluff might be expected to erode over the design life of the structure (expected to be 75 years) and include an allowance for possible acceleration of historical bluff retreat rates due to sea level rise. Bluff erosion rate estimates shall be established by examining historical records, surveys, aerial photographs, studies, or other evidence that shows the location of the bluff edge through time and be based on a minimum of 50 years of historical information.

3.5.4 Agricultural Support Open Space (AGS-OS)

Subject to the Specific Plan, Chapter 3.5, Development Standards, above:

Building Heights

- Buildings and structures shall not exceed a maximum height of 25 feet. No buildings or structures are permitted within the SDG&E easement. Refer to the Specific Plan, **Figure 3.0-3, Maximum Building Heights and Bluff Setbacks**, depicting the height standards within the Specific Plan area.

Walls and Fences

- Fiberglass sheeting, bamboo sheeting, barbed wire, razor ribbon, or other similar materials are prohibited as fencing material.

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3.0 – LAND USE

Agricultural Conservation Standards

Implementation of these Agricultural Conservation Standards shall be consistent with the agricultural preservation policies and standards set forth in Coastal Act Chapter 3, Article 5, for maintenance of prime agricultural land.

- Existing agriculture areas shall continue and be integrated with the other AGS-OS permitted uses.
- An integrated pest management plan shall be implemented for crops over 20 acres to control the use of pesticide products that avoid and minimize impacts related to fertilizers, pesticides and water quality that could affect sensitive vegetation communities, habitats, and adjacent land use designations.
- Buffer areas shall be used where appropriate to reduce the potential of intrusion from the adjacent land use designations into the operating agricultural areas, in addition to address the potential for environmental exposure to the adjacent land use designations from the operating agricultural areas during periods of high risk of exposure during pesticide and fertilization treatments. Best practices within the agricultural areas shall be utilized to reduce the risk for exposure on adjacent land use designations.

Environmental Education

- Provide educational, agricultural, and natural resource signage.

Parking and Access Standards

- Access drives and circulation shall provide convenient access to the Specific Plan P-OS, EAG-OS, and VSC areas.
- Access drives shall provide convenient access to parking areas at various locations.
- **Surface parking space dimensions:** The minimum size of a parking space shall be 9 feet wide and 18 feet long.
- **Surface parking access:** The minimum width for parking lot drive aisles shall be 24 feet.
- **Accessibility/usability:** All access, parking, and loading facilities shall be usable and shall be permanently maintained for access, parking, and loading for the permitted and intended use(s).
- **Lighting:** Parking and loading areas shall provide adequate lighting to ensure safety and security.

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- Vehicular access points shall be designed to provide access drives with adequate views of approaching pedestrians and vehicles.
- Development shall not interfere with public access, as required by Coastal Act, Chapter 3, Article 4.
- Shoreline access shall be maintained as required by the Shoreline Access section 7 of the Agua Hedionda LUP (1982), as amended by the Specific Plan Initiative.
- Provisions shall be made for handicapped parking in areas reserved and maintained for the parking of motor vehicles.
- The minimum size of a handicapped parking space and required number of handicapped parking spaces shall comply with title 24 of the California Building Code and the ADA.

Lighting

- All lighting along the perimeter of the AGS-OS designated areas shall be downcast with light patterns directed away from natural areas. Lighting shall be limited to levels safe for vehicular and pedestrian access.

Signage

The following signs shall be limited but allowed in the AGS-OS designated areas:

- **Entry identification or monument signs.** Freestanding identity or monument signs are those located at the entrances to the Specific Plan site from public rights of way. Such signs may contain content related to uses on the VSC designated areas including names or logos associated with the Outdoor Shopping, Dining, and Entertainment Promenade or one or more commercial tenants thereof). Such entry identification or monument signs may not exceed 60 square feet per side and 8 feet in height. These signs may be free standing or part of an architectural feature.
- **Parking signs.** For the definition, refer to the Specific Plan, **Chapter 3.5.2**, above.
- **Interpretive signs.** For the definition, refer to the Specific Plan, **Chapter 3.5.1**, above.
- **Wayfinding signs.** For the definition, refer to the Specific Plan, **Chapter 3.5.1**, above.
- **ADA signs.** For the definition, refer to the Specific Plan, **Chapter 3.5.1**, above.

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Buffers

Buffers shall be provided between all preserved habitat areas and development. Minimum buffer widths shall be provided as follows:

- 100 feet minimum for wetlands
- 100 feet minimum for riparian areas
- 50 feet minimum for streambeds
- 100 feet minimum for environmentally-sensitive habitat (ESHA) as defined in California Public Resources Code section 30107.5. Specific Plan, **Figure 3.0-5**, ESHA Mapping (as of May 2015), shows preliminary mapping of vegetation communities in the Specific Plan area and a preliminary delineation of ESHA known at the time of preparation of this Specific Plan. A detailed delineation of ESHA based on vegetation and wildlife surveys shall be submitted as part of any coastal development permit in the Specific Plan area processed by the Coastal Commission.
- 20 feet minimum for all other native habitats (southern maritime chaparral, maritime succulent scrub, southern mixed chaparral, native grassland, oak woodland)

Buffer widths shall be measured from the edge of preserved habitat nearest the development to the closest point of development. For wetlands and riparian areas with an unvegetated bank or steep slope (greater than 25%), the buffer shall be measured from the top of the bank or steep slope rather than the edge of habitat, unless there is at least 50 feet between the riparian or wetland area and the toe of the slope. If the toe of the slope is less than 50 feet from the wetland or riparian area, the buffer shall be measured from the top of the slope.

No new development, grading or alterations, including clearing of vegetation, shall occur in the buffer area, except for:

- Thinning of vegetation for fuel modification to a maximum of 20 feet for upland and non-riparian habitat. No fuel modification shall take place within 50 feet of riparian areas, wetlands, or oak woodland.
- Trails and pathways within the first 15 feet of the buffer closest to the development, if construction of the trail or pathway and its proposed use is consistent with the preservation goals for the adjacent habitat, and that appropriate measures are taken for physical separation from sensitive areas.
- Water quality improvement best management practices (e.g., vegetated swales, etc.).

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Buffer areas that do not contain native habitat shall be landscaped using native and non-invasive plants. Signage and physical barriers such as walls or fences shall be required to minimize edge effects of development.

The executive director of the Coastal Commission may allow agriculture in buffer areas in EAG-OS and AGS-OS designated areas.

A detailed geotechnical report analyzing the setbacks needed to achieve the safety standards outlined below shall be completed for any specific development proposed on the site. Structures requiring foundations, pools, and fountains shall be set back a minimum of 50 feet from the bluff edge. All development shall be removed or relocated landward when threatened by erosion. The bluff edge shall be determined by a qualified geologist or surveyor for the property according to the definition included in California Code of Regulations, title 14, section 13577(h)(2).

Slope stability analyses and erosion rate estimates shall be performed by a licensed certified engineering geologist and/or geotechnical engineer, or a registered civil engineer with experience in soil engineering. All impermeable, permanent structures shall be setback to ensure a minimum factor of safety of 1.5 (static) and 1.1 (pseudo static). The long-term erosion setback (for structures requiring structural foundations, pools, and fountains) shall be the distance that the bluff might be expected to erode over the design life of the structure (expected to be 75 years) and include an allowance for possible acceleration of historical bluff retreat rates due to sea level rise. Bluff erosion rate estimates shall be established by examining historical records, surveys, aerial photographs, studies, or other evidence that shows the location of the bluff edge through time and be based on a minimum of 50 years of historical information.

3.5.5 Visitor-Serving Commercial (VSC) Development Standards

Subject to the Specific Plan, **Chapter 3.5**, Development Standards, above, the VSC designation accommodates the Outdoor Shopping, Dining, and Entertainment Promenade. The permitted and prohibited uses are shown in **Table 3.0-6**, above. **Table 3.0-8**, Summary of VSC Development Standards, provides the standards for development within the VSC designated areas.

Table 3.0-8
Summary of VSC Development Standards

Minimum Setbacks ¹	Front: 10 feet Rear: 10 feet Sides: 0 feet
Maximum Building Height	No buildings allowed above 35 feet or three levels. ² Refer to Figure 3.0-3 , Maximum Building Heights and Bluff Setbacks.

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**Table 3.0-8
Summary of VSC Development Standards**

Maximum Building Coverage ³	Described below
Maximum Building Square Footage ⁴	585,000 square feet of Floor Area ⁵
Parking	4 spaces per 1,000 square feet of gross leasable area of Floor Area ⁶

Notes:

- ¹ Building setback shall be measured from the street right-of-way to building. No property within the VSC area abuts any off-site Residential areas.
- ² Refer to "Building Height" definition and standards set forth below.
- ³ Refer to "Building Coverage" definition and standards below.
- ⁴ Refer to "Floor Area" definition below.
- ⁵ Maximum Floor Area of 585,000 includes the approximate 2,200 square foot farm stand and the approximate 6,500 square foot farm-to-table dining in the AGS-OS area.
- ⁶ Shared parking reductions are allowed for the uses within the VSC, AGS-OS, and the P-OS area.

The Specific Plan is exempt from Carlsbad Municipal Code, title 21, including the building height and building coverage provisions; and, instead, requires the following:

Building Height

- No building in the VSC area shall exceed a height of 35 feet.
- Building Height shall be limited to the vertical distance measured from Finished Grade (as defined below) at all points along the building coverage up to a warped plane located at a height, above all points along the building coverage that is equal to the height limit of the underlying land use designation (here, 35 feet or three levels).
- Building Height shall be measured from finished grade elevation, vertically from all points along the Building Coverage.
- Finished Grade, for the purposes of measuring Building Height, means the final ground elevation after the completion of any grading or other site preparation related to, or to be incorporated into, the proposed development or alteration of an existing development.
- All portions of the building shall be located at or below the Building Height limit, except as provided below:
 - Building Height includes:
 - All portions of a building and parking structure exposed above the Finished Grade. This includes, but is not limited to, all portions of exterior walls of a basement, underground parking or other subterranean areas that are exposed above finished grade, and the exposed exterior portion of a basement located on the downhill or uphill side of a building on a sloping lot, but does not include the exposed portion of an underground parking structure entrance that

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is minimally necessary to provide vehicle access to the underground parking structure and which is below the Finished Grade of the area that is immediately adjacent to the underground parking structure.

- Protrusions above the Building Height limit are allowed (e.g., elevator housing, stairways, shielded maintenance equipment, parapet walls and similar architectural features, flagpoles, architectural towers, chimneys, wireless masts, and similar structures). The protrusions shall not exceed 45 feet, except for limited architectural features such as flagpoles, steeples, or architectural towers, which may be permitted up to 55 feet, provided that the protrusions do not function to provide usable floor area; do not accommodate and/or screen building equipment; do not adversely impact adjacent properties; and reflect building design excellence.
- No roof structure or any other space above the Building Height limit shall be allowed for the purpose of providing additional floor area.

Building Coverage

- Building Coverage shall mean the total ground area of a site occupied by any building or structure as measured from the outside of its surrounding external walls or supporting members. Building Coverage includes exterior structures such as stairs, arcades, bridges, permanent structural elements protruding from buildings such as overhanging balconies, oriel windows, stories which overhang a ground level story, garages and covered carports. Building Coverage also includes the perimeter area of a basement. Excluded from Building Coverage are roof eaves extending less than thirty inches from the face of any building, awnings, open parking areas, structures under thirty inches in height and masonry walls not greater than six feet in height such as wing-walls, planter walls or grade-separation retaining walls.
- Floor Area shall mean the area in square feet confined within the exterior walls of a building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing building-operating equipment or machinery, parking (including above and below grade parking structures) areas with associated driveways and ramps, above and below grade storage areas.

Pedestrian Walkways

- All pedestrian walkways shall comply with ADA requirements.

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Landscaping

- All development within the VSC area shall identify and implement a landscaping plan that installs plant species and ornamental landscaping that are native and non-invasive..
- All landscaping with the buffers shall be native, non-invasive, and drought tolerant.
- The landscaping shall adhere to the ministerial landscape construction documents requirements of Chapter 4 of the City’s landscape manual.

Walls and Fences

- Fiberglass sheeting, bamboo sheeting, barbed wire, razor ribbon, or other similar materials are prohibited as fencing material.

Trash Enclosures

- Trash enclosures shall be required for refuse and recycling bins.
- Enclosures shall be a minimum 6 feet in height and should be architecturally compatible with the main building(s).
- The number, capacity, and distribution of trash enclosures in the VSC designation shall be determined by the number of tenants using the same (shared) trash enclosure for disposal of waste and the potential frequency for dumping or removal.

Parking and Loading

Parking and Access Standards

- **Surface parking space dimensions:** The minimum size of a parking space shall be 9 feet wide and 18 feet long.
- **Surface parking access:** The minimum width for parking lot drive aisles shall be 24 feet.
- **Structured parking space dimensions:** The minimum size of a parking space shall be 8 feet, 4 inches wide and 16 feet long.
- **Structured parking access:** The minimum width for structured parking drive aisles shall be 24 feet for two-way drive aisles and 16 feet for one-way drive aisles with angled parking stalls.
- **Accessibility/usability:** All access, parking, and loading facilities shall be usable and shall be permanently maintained for access, parking, and loading for the permitted and intended use(s).

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- **Lighting:** Parking and loading areas shall provide adequate lighting to ensure safety and security.
- **Parking area surfacing:** All parking spaces and associated driveways shall be entirely paved with non-porous materials such as pavers, concrete, or asphalt-type surfacing.
- **Parking space delineation:** All parking spaces shall be clearly marked with paint or another easily distinguishable material.
- Access points shall be designed to provide access drives with adequate views of approaching pedestrians and vehicles.
- Access drives shall provide convenient access to parking lots at various locations.
- Public shoreline access shall be maintained as required by Coastal Act, Chapter 3, Article 4; and section 7 of the Agua Hedionda LUP (1982) as amended by the Specific Plan Initiative.

Parking Structures

- Parking structures are permitted within the VSC-designated area and may be used to serve other land use designations within the Specific Plan area and shared parking reductions are allowable.
- Design of parking structures shall be consistent with the development standards and design guidelines for VSC uses.
- Landscaping shall be provided to screen parking structures from the lagoon, adjacent open space uses, and the I-5 corridor, to the extent practicable.

Handicap Parking

- Provisions shall be made for handicapped parking in areas reserved and maintained for the parking of motor vehicles.
- The minimum size of a handicapped parking space and required number of handicapped parking spaces shall comply with Title 24 of the California Building Code and the ADA.

Loading Space Requirements

- The minimum loading space size shall be 25 feet long and 12 feet wide, with a minimum vertical clearance of 14 feet. Additional length may be required depending upon vehicle size.
- Any loading space shall provide adequate ingress and egress for trucks from a street.

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Bicycle Parking Standards

- One bicycle parking space shall be provided per 5,000 square feet of retail space, but no fewer than one bicycle space per business.
- Bicycle parking facilities shall be located on a hard surface such as asphalt, concrete, brick, or gravel surface.
- Bicycle parking facilities shall be separated from automobile parking spaces.
- Aisles or walkways providing access to bicycle parking facilities shall be wide enough to accommodate bicycles.
- Signs shall be located to indicate the location of bicycle parking.

Lighting

Lighting shall be directed onto the driveways, walkways, sidewalks and parking, and away from adjacent properties and public rights-of-way. Lighting shall be directed away from the HMP-OS and P-OS designated areas.

Grading

Any development within the Specific Plan area shall to the maximum extent feasible adhere to the following grading goals and standards:

- Facilitate the planning, design, and construction of development to maximize safety and human enjoyment while protecting, insofar as possible, the surrounding natural environment;
- Ensure compatibility of graded land development with surrounding landforms and land uses;
- Prevent unnecessary and unauthorized grading, including clearing and grubbing of vegetation;
- Preserve natural plant communities and existing mature trees;
- Preserve significant cultural and archaeological sites;
- Promote the rapid restoration of graded slopes with fire resistant, drought tolerant landscaping; and
- Protect public and private property, stormwater conveyance systems, downstream riparian habitats, waterways, wetlands, and lagoons by controlling soil erosion and sedimentation caused by grading operations or which as a consequence of the increased rate of surface water runoff from graded sites.

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Finished Grade, for uses that are within the Building Coverage definition of the VSC area, shall not exceed 10 feet above and 10 feet below Existing Grade (defined below). For purposes of this Specific Plan, Existing Grade means the ground elevation prior to any grading or other site preparation related to, or to be incorporated into, the proposed development or alteration of an existing development.

Finished Grade, for purposes of a parking structure, shall be the adjacent, Finished Grade, which shall be no more than 10 feet above and 10 feet below existing grade.

Engineering

All development shall adhere to the City's engineering standards.

Stormwater Management and Discharge Control

Any development within the Specific Plan area shall:

- Ensure that there are no non-stormwater discharges to the stormwater conveyance system
- Eliminate discharges to the stormwater conveyance system from spills, dumping or disposal of materials other than stormwater or permitted or exempted discharges
- Reduce pollutants in stormwater discharges to the maximum extent practicable, including those pollutants taken up by stormwater as it flows over urban areas (urban runoff)
- Reduce pollutants in stormwater discharges in order to achieve applicable water quality objectives for receiving waters within the City

Signage

The following signs are allowed in the VSC land use designation provided they satisfy the signage standards specified below.

The allowable signs within the VSC land use designation area as follows:

- Signage screen signs.
- **Site entry signs.** Freestanding identity signs are to be located at the entry to the Specific Plan site directly facing the main thoroughfare. Signs may indicate tenant names. Site entry pylons may not exceed 60 square feet per side and 14 feet in height. No more than two (2) signs shall be located throughout the site. One (1) sign shall be permitted on Cannon Road at the major vehicular site entry.

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- **Entry identification or monument signs.** Freestanding identity or monument signs are those located at the entrances to the Specific Plan site from public rights of way. Such signs may contain content related to uses on the VSC designated areas including names or logos associated with the Outdoor Shopping, Dining, and Entertainment Promenade or one or more commercial tenants thereof). Such entry identification or monument signs may not exceed 60 square feet per side and 8 feet in height. These signs may be free standing or part of an architectural feature.
- **Vehicular directional signs.** Vehicular directional signs are used to easily and safely direct visitors to destination points within the VSC designated area. These shall be used at major intersections/decision points to direct people to designated destinations within VSC designated area. Vehicular directional signs shall not exceed 6 square feet per side and 6 feet in height.
- **Pedestrian directional signs and/or directories.** Pedestrian directional and directory signs are used to assist visitors in their journey from designated parking areas to their final destination. These shall be used at decision points to direct people on foot around the site. Pedestrian directional signs shall not exceed 6 square feet per side and 6 feet in height.
- **Marquee signs.** Marquee signs are signs specifically used at entrances to entertainment facilities (i.e., cinema theatres). Wall-mounted marquee signs shall not exceed 0.5 square feet per each linear foot of building frontage. Marquee signs shall not exceed 160 square feet and 35 feet in height. The aggregate area of all marquee signs on a building shall not exceed 600 square feet. Marquee signs may be located on top of the canopy and may extend no more than 2 feet above the top of the canopy.
- **Tenant signs:** Tenant signs refer to projecting or wall-mounted signs that designate the storefront entrance or tenant frontage(s). Tenant signs may display the name and/or brand logo of the tenant.
- **Wall-mounted signs.** Each ground floor and upper floor occupancy of a building shall be permitted one wall sign for each primary wall frontage with entry and one wall sign for each secondary wall frontage. No more than three wall signs shall be permitted per occupancy. Area allowances are as follows:
 - Occupancies under 10,000 square feet in floor area shall be permitted up to 1 square foot of sign area per linear foot of ground floor frontage.
 - Total allowable sign area for each permitted sign is calculated based on the occupancy's total wall frontage as measured between the centerlines of occupancies' walls measured at the storefront, or from the centerline of an occupancy's wall to the

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outside or inside corner of each elevation of the storefront, measured in simple straight lines.

- Occupancies 10,000 square feet of floor area or greater shall be permitted up to 250 square feet of sign area for each primary wall frontage, regardless of the length of the wall frontage.
- Wall signs may partially cover wall openings.
- **Tenant blade signs.** Tenant blade signs shall be used in conjunction with the tenant sign to specifically address pedestrians approaching the tenant store entry.
- **Projecting signs.** Each occupancy may substitute one or more of its permitted wall signs for projecting signs. The maximum allowable projecting sign area shall be the same as allowable wall sign area.
- **Address signs.** Each building/storefront shall display standardized address numbering as required by the Carlsbad Fire Department.
- **Building identity signs.** Building identification signage is to be located at the entrance to buildings and may be either wall-mounted or freestanding.
- **Orientation map or directories.** Orientation map and directories may be freestanding signs or kiosks depicting all major destinations within the Specific Plan area.
- **Public amenity signs.** Signs are to be used identifying public amenities such as restrooms, ATM, etc.
- **Parking signs.** Parking signs will be used to identify parking locations, display parking information, or provide directional information.
- **Code-required signs.** Code-required signs are allowed if required by local agencies or other jurisdictions.
- Other signage including:
 - Banners and flags in the public right-of-way.
 - Restaurant menu displays.
 - **Animated signs.** Provided they are located within the interior of the commercial/retail center facing inward and do not face a dedicated street.

The following general sign standards shall apply to all signage within the Specific Plan area:

- Sign area is computed as follows:

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- *Wall, Retaining Wall, Fascia, Awning, Window and Landscape/Hardscape Feature Signs.* Sign area shall be computed by measuring the smallest square, rectangle, triangle, circle or combination thereof, that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the message or display or otherwise used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework or bracing.
- *Monument and Suspended Signs.* Sign area shall be computed by measuring the entire area contained within the frame, cabinet, monument, monument base or fixture.
- *Pole Signs.* Sign area shall be computed as the area of the surface(s) upon which the sign message is placed including the supporting column(s) if decorated or displayed with advertising.
- *Multi-Faced Signs.* The sign area for a two-sided or multi-faced sign shall be computed by adding together the area of all sign faces, as described above, visible from any one point. When two sign faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same structure, the sign area shall be computed by the measurement of one of the faces. In the case of a sign of spherical or cylindrical shape, the area of the sign shall be one-half of the surface area.
- *Flags, Banners, Pennants, etc.* Sign area is the entire surface area, one side only.
- Sign height is measured as follows:
 - *Wall, Retaining Wall, Fascia, Awning, Suspended, Monument, Pole and Window Signs.* Sign height is specified as the greatest vertical measurement from the top of the sign cabinet, including all ornamentation and supports, to the average grade beneath the sign.
- Commercial signs will be placed on, or in proximity to, the property of the use for which the sign is intended to identify or relate.
- Each permanent approved sign shall meet the following design standards.
 - **Colors.** For signs displaying commercial messages, fluorescent, "day-glo," and similar colors shall not be used.
 - **Materials.** All signs shall be constructed of durable materials, which are compatible in kind and/or appearance to the building supporting or identified by the sign. Such materials may include, but are not limited to: ceramic tile, sandblasted, hand-carved

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- or routed wood, channel lettering, concrete, stucco or stone monument signs with recessed or raised lettering.
- Relationship to Buildings. Each permanent commercial message sign located upon a premises with more than one main building shall be designed to incorporate the materials common or similar to all buildings.
 - Relationship to Other Signs. Where there is more than one sign on a lot, building or site, all permanent signs displaying a commercial message shall have designs which similarly treat or incorporate the following design elements:
 - Type of construction materials;
 - Sign/letter color and style of copy;
 - Method used for supporting sign (i.e., wall or ground base);
 - Sign cabinet or other configuration of sign area;
 - Illumination; and
 - Location.
 - *Relationship to Streets.* Signs shall be designed and located so as not to interfere with the unobstructed clear view of the public right-of-way and nearby traffic regulatory signs of any pedestrian, bicyclist or motor vehicle driver.
 - *Sight Distance.* No sign or sign structure shall be placed or constructed so that it impairs the sight distance requirements at any public or private street intersection or driveway.
 - *Sign Illumination.*
 - *General Limitation.* Illumination from or upon any sign shall be shaded, shielded, directed or reduced so as to minimize light spillage onto the public right-of-way or adjacent properties. Externally illuminated signs shall be lighted by screened or hidden light sources.
 - *Free-Standing and Building-Mounted Signs.* Free-standing and building-mounted signs shall either be non-illuminated or externally illuminated, except for signs with opaque backgrounds which give the appearance of individual channel letters and changeable copy signs.
 - *Landscaping.* Each monument and pole sign shall include landscaping around the base of the sign, at a minimum ratio of two square feet for every one square foot of sign area, so as to protect the sign from vehicles, improve the appearance of the installation and screen light fixtures and other appurtenances.

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Buffers

Buffers shall be provided between all preserved habitat areas and development. Minimum buffer widths shall be provided as follows:

- 100 feet minimum for wetlands
- 100 feet minimum for riparian areas
- 50 feet minimum for streambeds
- 100 feet minimum for environmentally-sensitive habitat (ESHA) as defined in California Public Resources Code section 30107.5. Specific Plan, **Figure 3.0-5**, ESHA Mapping (as of May 2015), shows preliminary mapping of vegetation communities in the Specific Plan area and a preliminary delineation of ESHA known at the time of preparation of this Specific Plan. A detailed delineation of ESHA based on vegetation and wildlife surveys shall be submitted as part of any coastal development permit in the Specific Plan area processed by the Coastal Commission.
- 20 feet minimum for all other native habitats (southern maritime chaparral, maritime succulent scrub, southern mixed chaparral, native grassland, oak woodland)

Buffer widths shall be measured from the edge of preserved habitat nearest the development to the closest point of development. For wetlands and riparian areas with an unvegetated bank or steep slope (greater than 25%), the buffer shall be measured from the top of the bank or steep slope rather than the edge of habitat, unless there is at least 50 feet between the riparian or wetland area and the toe of the slope. If the toe of the slope is less than 50 feet from the wetland or riparian area, the buffer shall be measured from the top of the slope.

No new development, grading or alterations, including clearing of vegetation, shall occur in the buffer area, except for:

- Thinning of vegetation for fuel modification to a maximum of 20 feet for upland and non-riparian habitat. No fuel modification shall take place within 50 feet of riparian areas, wetlands, or oak woodland.
- Trails and pathways within the first 15 feet of the buffer closest to the development, if construction of the trail or pathway and its proposed use is consistent with the preservation goals for the adjacent habitat, and that appropriate measures are taken for physical separation from sensitive areas.
- Water quality improvement best management practices (e.g., vegetated swales, etc.).

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Buffer areas that do not contain native habitat shall be landscaped using native and non-invasive plants. Signage and physical barriers such as walls or fences shall be required to minimize edge effects of development.

The executive director of the Coastal Commission may allow agriculture in buffer areas in EAG-OS and AGS-OS designated areas.

A detailed geotechnical report analyzing the setbacks needed to achieve the safety standards outlined below shall be completed for any specific development proposed on the site. Structures requiring foundations, pools, and fountains shall be set back a minimum of 50 feet from the bluff edge. All development shall be removed or relocated landward when threatened by erosion. The bluff edge shall be determined by a qualified geologist or surveyor for the property according to the definition included in California Code of Regulations, title 14, section 13577(h)(2).

Slope stability analyses and erosion rate estimates shall be performed by a licensed certified engineering geologist and/or geotechnical engineer, or a registered civil engineer with experience in soil engineering. All impermeable, permanent structures shall be setback to ensure a minimum factor of safety of 1.5 (static) and 1.1 (pseudo static). The long-term erosion setback (for structures requiring structural foundations, pools, and fountains) shall be the distance that the bluff might be expected to erode over the design life of the structure (expected to be 75 years) and include an allowance for possible acceleration of historical bluff retreat rates due to sea level rise. Bluff erosion rate estimates shall be established by examining historical records, surveys, aerial photographs, studies, or other evidence that shows the location of the bluff edge through time and be based on a minimum of 50 years of historical information.

3.5.6 Signage Procedures Applicable to all Signs within the Specific Plan Area

This section sets forth the exclusive application, procedures, and sign-off process for the installation of signs within the Specific Plan area.

3.5.6.1 Sign Exemption

The Specific Plan area is exempt from the City of Carlsbad Sign Ordinance (CMC, title 21, Zoning, chapter 21.41), including any substitution provisions therein; and, instead, requires that the signage application, procedures, and sign-off process set forth herein be applied exclusively to, and only within, the Specific Plan area.

3.5.6.2 Purpose

The purposes of the sign ordinance codified in this chapter include to:

- Implement the City's community design and safety standards as set forth in the Carlsbad General Plan (1994);
- Maintain and enhance the City's appearance by regulating the design, character, location, number, type, quality of materials, size, illumination and maintenance of signs;
- Protect and improve pedestrian and vehicular traffic safety by balancing the need for signs which facilitate the safe and smooth flow of traffic (i.e., traffic directional signs) without an excess of signage which may distract motorists, overload their capacity to quickly receive information, visually obstruct traffic signs or otherwise create congestion and safety hazards;
- Eliminate the traffic safety hazards to pedestrians and motorists posed by off-site signs bearing commercial messages;
- Generally limit commercial signage to on-site locations in order to protect the aesthetic environment from the visual clutter associated with the unrestricted proliferation of signs, while providing channels of communication to the public;
- Allow the communication of information for commercial and noncommercial purposes without regulating the content of noncommercial messages;
- Respect and protect the right of free speech and expression by sign display, while reasonably regulating the structural, locational and other non-communicative aspects of signs, generally for the public health, safety, welfare and specifically to serve the public interests in traffic and pedestrian safety and community aesthetics;
- Minimize the possible adverse effects of signs on nearby public and private property;
- Serve the City's interests in maintaining and enhancing its visual appeal for tourists and other visitors, by preventing the degradation of visual quality, which can result from excess signage;
- Protect the investments in property and lifestyle quality made by persons who choose to live, work or do business in the City; and
- Enable enforcement of the sign regulations herein by the City.

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3.5.6.3 Definitions

The definitions set forth in the Carlsbad Municipal Code, title 21, Zoning, chapter 21.41.020, Definitions, shall apply to the signs — as applicable and authorized herein.

3.5.6.4 Prohibited Signs

Table 3.0-9, Prohibited Signs Applicable to All Designations within Specific Plan, identifies all signs prohibited within the Specific Plan area.

**Table 3.0-9
Prohibited Signs Applicable to All Designations within Specific Plan**

Abandoned signs, including their structures and supports
A-frame signs
Animated signs including, but not limited to signs that move, blink, flash, change color, reflect, revolve or make noise
Balloons or other inflatable signs or devices, as defined in Carlsbad Municipal Code, title 21, section 21.41.005 ("a small inflatable device used for purposes of commercial signage, advertising or attention getting")
Beacons, as defined in Carlsbad Municipal Code, title 21, section 21.41.005 ("a stationary or revolving light (including laser lights, klieg lights, spot lights, search lights, projected image signs and similar devices) with one or more beams projected into the atmosphere or directed at one or more points away from the light source and used for purposes other than police, fire, public safety or news gathering operations")
Billboards with a display face greater than sixty square feet, as defined in Carlsbad Municipal Code, title 21, section 21.41.005 ("an off-site permanent structure sign which displays a commercial message")
Bus stop bench/shelter signs, as defined in Carlsbad Municipal Code, title 21, section 21.41.005 ("a sign mounted on a shelter which serves as a bus stop or passenger waiting area for public transportation; this definition does not include devices giving the schedule and/or prices for the transportation service")
Electronic message board signs
Exposed neon lighted signs on any building elevation that faces and is within five hundred feet of any property line that adjoins residentially zoned property
General advertising messages displayed on vehicles parked on any public property within the City
Hand held or sandwich board signs carried by a person on public property or in the public right-of-way and displaying a commercial message
Marker boards, as defined in Carlsbad Municipal Code, title 21, section 21.41.005 ("a board designed for displaying images made by chalk, markers or similar devices; includes devices commonly known as blackboards, whiteboards and chalkboards")
Mobile billboards or any other type of vehicle whose primary purpose is displaying general advertising that is moving or parked on City streets
Off-site commercial signs
Portable signs with commercial messages
Signs attached to trees, plants, rocks, fences, utility poles/cabinets or other objects, the primary function of which is not to support a sign
Signs blocking doors, fire escapes or public rights-of-way
Signs erected on or over public property including public easements and public rights-of-way, except those needed for traffic and public safety
Signs simulating in color or design a traffic sign or signal or using words, symbols, or characters in such a manner as to be

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**Table 3.0-9
Prohibited Signs Applicable to All Designations within Specific Plan**

reasonably likely to interfere with, mislead or confuse pedestrian or vehicular traffic
Signs that do not conform with applicable Uniform Building Code and National Electric Code regulations
Unsafe signs, as defined in Carlsbad Municipal Code, title 21, section 21.41.005 ("a sign posing an immediate peril or reasonably foreseeable threat of injury or damage to persons or property on account of the condition of the physical structure of the sign or its mounting mechanism. A sign may not be considered "unsafe" within this definition by virtue of the message displayed thereon")

3.5.6.5 Application and Fees

A sign application may be made by the Specific Plan applicant or any person owning or occupying space in the Specific Plan area who desires to install a sign or such person’s designee. The application shall:

- Be made in writing on a form provided by the City Planner;²
- State fully the circumstances and conditions relied upon as grounds for the application; and
- Be accompanied by plans and all other materials as specified by the City Planner, including the following:
 - A drawing to scale showing the design of the sign, including dimensions, sign size, colors (applies to commercial message signs only), materials, method of attachment, source of illumination and showing the relationship to any building or structure to which it is proposed to be installed or affixed or to which it relates.
 - A plan, including all dimensions, drawn to scale indicating the location of the sign relative to the property line, rights-of-way, streets, sidewalks, vehicular access points and existing buildings or structures and off-street parking areas located on the premises.
 - The number, size, type and location of all existing signs on the same building, lot or premises.
 - Any structural information and plans necessary to ensure compliance with the latest adopted building code and electrical code.
- At the time of filing the application, the Specific Plan applicant or its designee shall pay any sign-off and plan checking fee contained in the City’s most recent fee schedule.

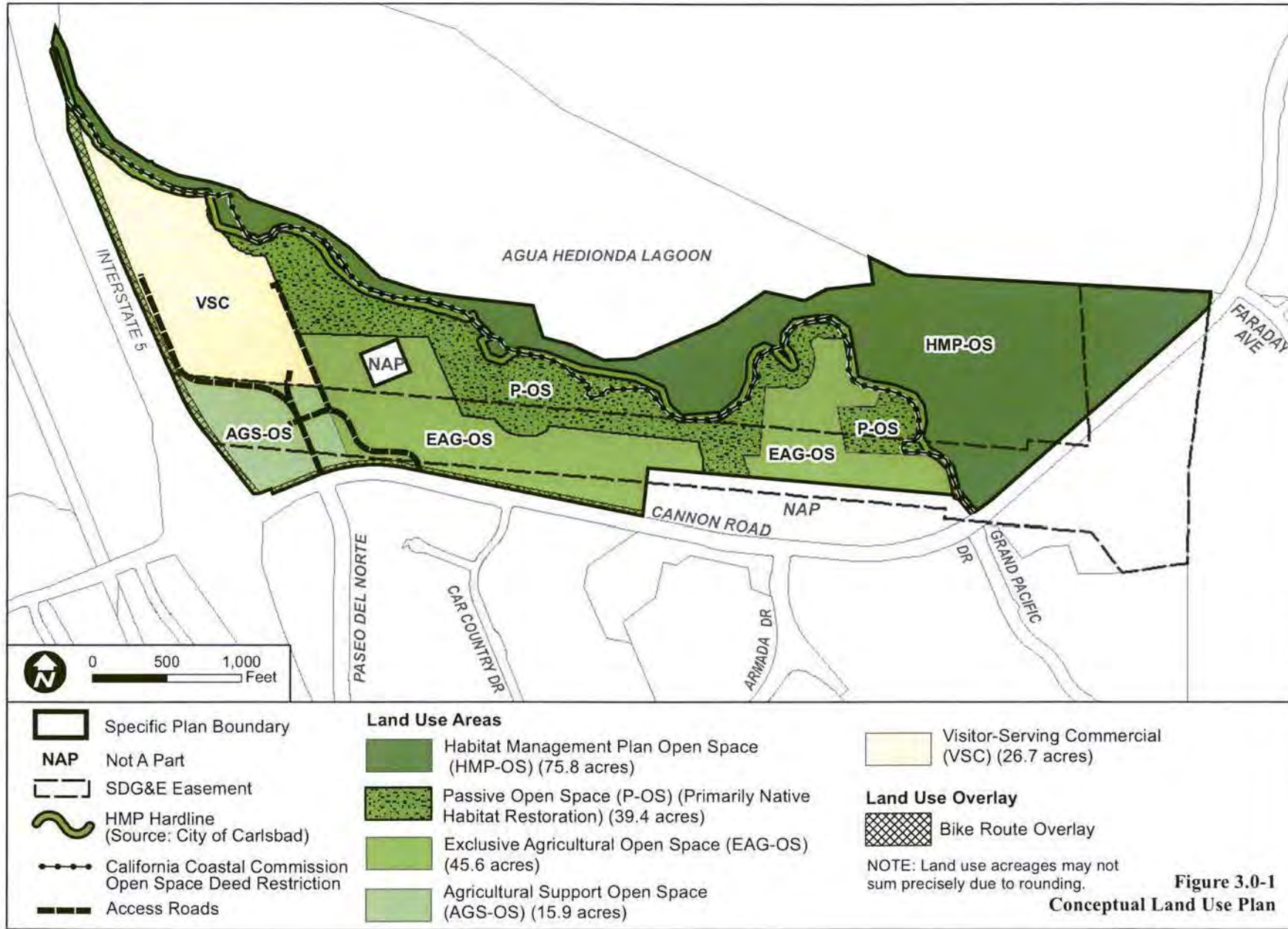
² The Specific Plan’s use of the term “City Planner” (as assigned by the City Manager or designee) shall mean the Senior City Planner of the City of Carlsbad. For further information, refer to **Chapter 6.0, Implementation, of the Specific Plan.**

3.5.6.6 Exclusive Sign Procedures

It shall be unlawful for any person to affix, place, erect, suspend, attach, construct, structurally or electrically alter (not including a change in sign copy or sign face), move or display any temporary or permanent sign within the Specific Plan area without first obtaining sign-off from the City Planner in accordance with the exclusive provisions herein.

In addition:

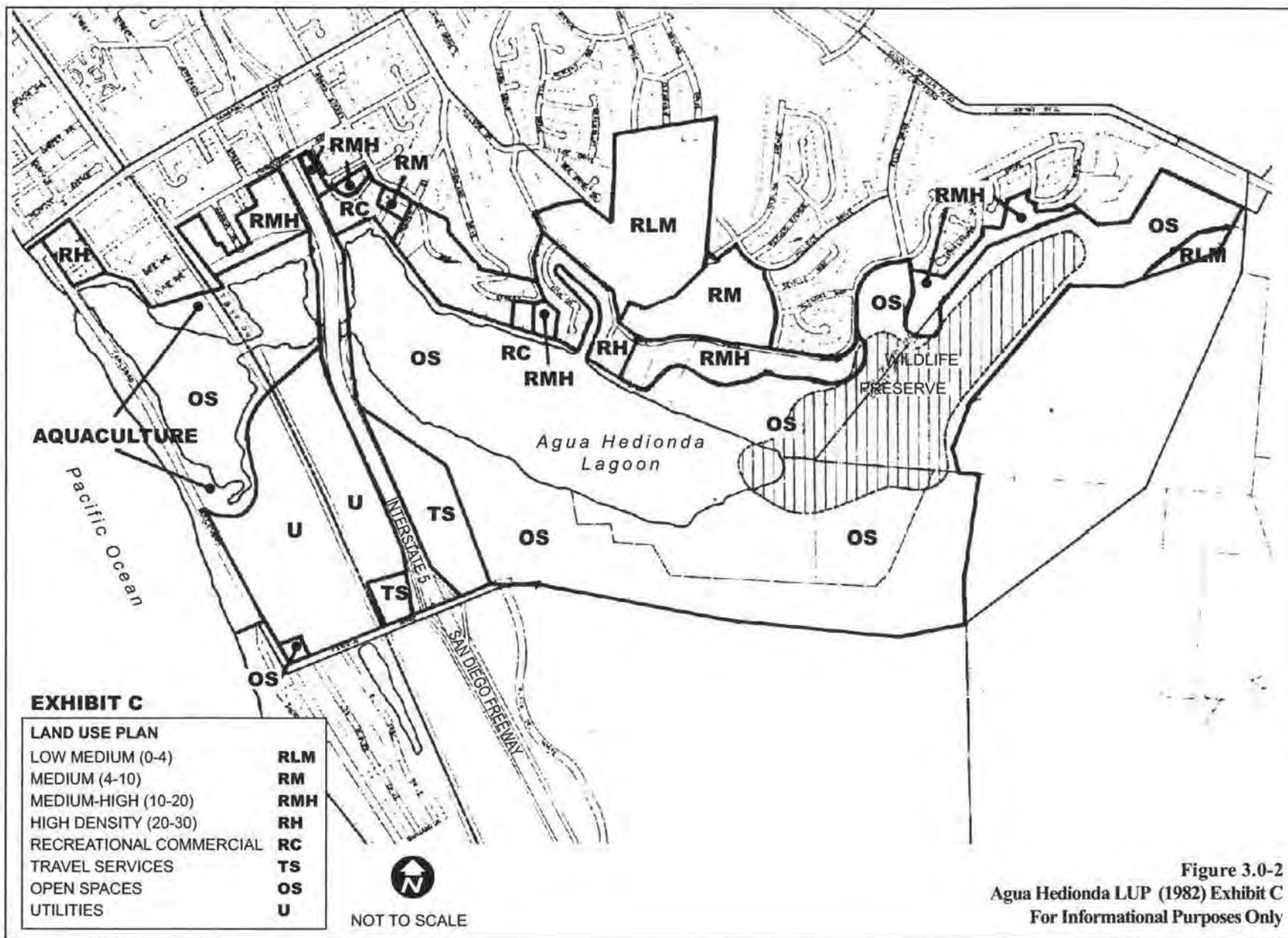
- Sign-off on any sign within the Specific Plan area shall not be required for cleaning or other normal maintenance of an existing sign, unless a structural or electrical change is made.
- An application for a sign may be signed-off by the City Planner based on review of the facts set forth in the application and any applicable sign checklists on forms provided by the City.
 - The City Planner shall act on the application within 15 days after receiving a completed application.
 - The City Planner shall sign-off on the completed application if all of the following criteria are satisfied:
 - The proposed sign conforms to all size, height, and other objective standards for signs as set forth in the Specific Plan development standards (see **Chapter 3.0**) and its design guidelines (see **Chapter 4.0**).
 - The proposed sign conforms to the objective construction standards of the latest adopted building and electrical codes.
- Each sign within the Specific Plan area shall become effective immediately upon sign-off by the City Planner. There shall be no appeal of the City Planner sign-off, nor any hearing or any deliberation.
- If the City Planner sign-off has become effective, but the sign has not been installed within six months after the date of sign-off (with a 30-day grace period), such sign-off shall become null and void.
- There shall be no sign “program” required within the Specific Plan area.



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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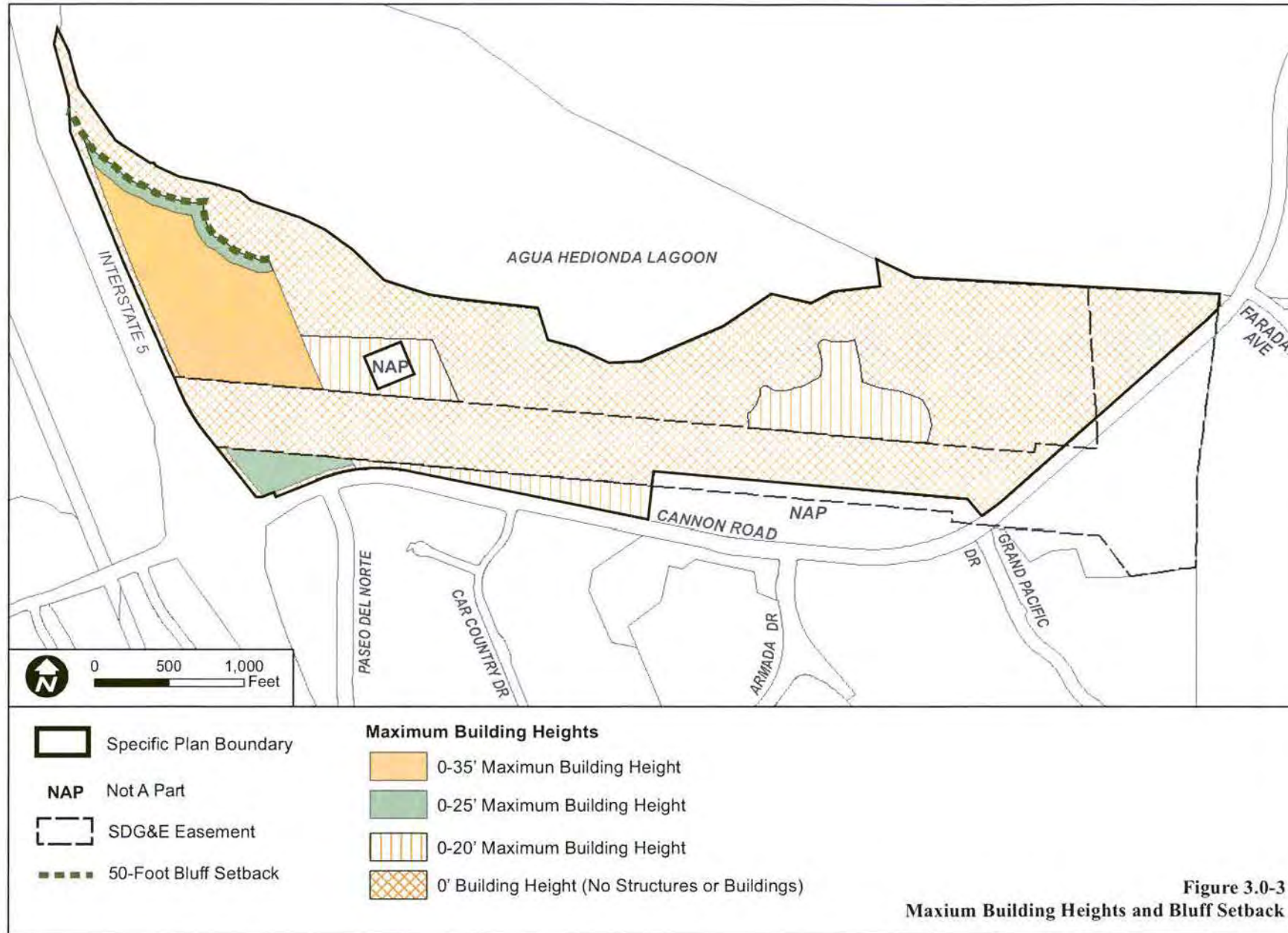


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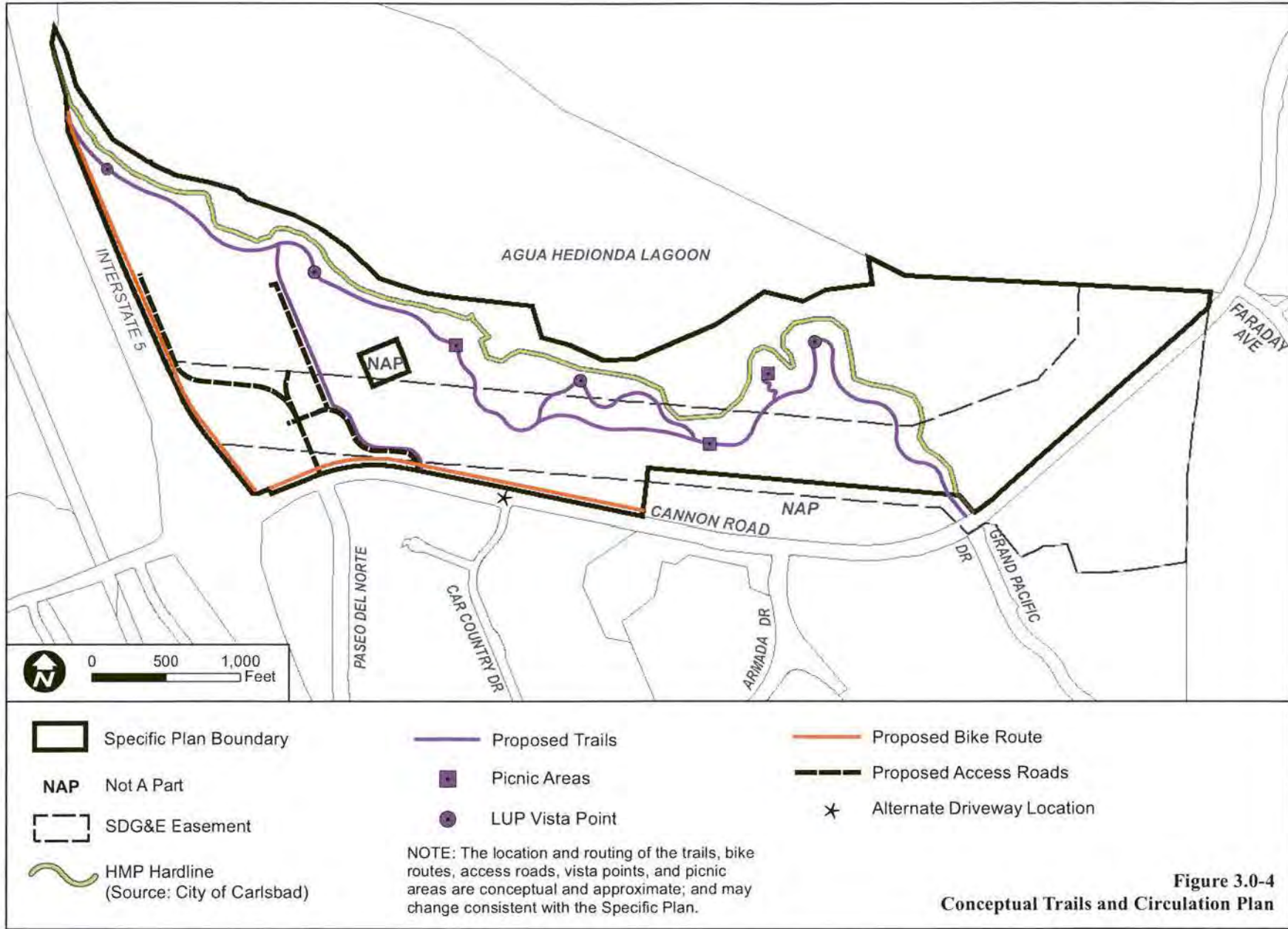


Figure 3.0-4
Conceptual Trails and Circulation Plan

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.0 – LAND USE

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4.0 DESIGN GUIDELINES

4.1 PURPOSE AND SCOPE

The purpose of this chapter is to provide guidelines to describe the visual character desired for development of the Specific Plan area. The Design Guidelines address issues that are primarily aesthetic in nature and subject to a variety of solutions. Due to varying interpretations of aesthetic design, flexibility should be permitted to encourage design innovations and changes in design standards that occur over time. For these reasons, rigid adherence to the Specific Plan's Design Guidelines is not intended. Instead, development within the Specific Plan area should be evaluated for its substantial conformance to the general intent associated with the guidelines set forth below. Refer to **Chapter 6.0**, Implementation, of the Specific Plan for further information concerning implementation of this Specific Plan.

The Design Guidelines herein shall be interpreted and implemented in a manner that conforms with the Coastal Resources Planning and Management Policies set forth in the Coastal Act, Chapter 3, Articles 1–6, with regard to (as applicable) public access, water-oriented recreation activities, marine environment, commercial fishing, recreation boating, environmentally sensitive habitat areas, prime agricultural land, and scenic and visual qualities of coastal areas.

These Design Guidelines also shall be interpreted and implemented in a manner that conforms with the policies of the Agua Hedionda Land Use Plan (1982), as amended by the Specific Plan Initiative.

4.2 HABITAT MANAGEMENT PLAN OPEN SPACE (HMP-OS) DESIGN GUIDELINES

4.2.1 General Guidelines

No buildings or structures are allowed within areas designated HMP-OS (other than utilities and infrastructure) and therefore no architectural design guidelines are required. However, maintenance of overhead and underground utility areas may occur within this restricted area.

4.2.2 Fencing

- All fencing will be consistent with the Specific Plan's character and natural context.
- The two main categories of fences that will be used for open space areas are security fences and low barriers. Low barriers also will include hedgerows as a substitute to constructed fences. Both types of fences may be coupled with vegetative buffers that

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support integrative pest management and that create aesthetically pleasing and high-functioning barriers.

- The use of chain-link fencing will be limited to the security facilities and areas that are not highly visible.
- Low barrier fencing will be used to separate different land uses and as a border along trails to protect native habitat areas and restoration areas from adjacent uses. Fencing types appropriate for low barriers includes grape-stake fencing, split-rail fencing with rope, lodgepole fencing with rope, and corral fencing with barbles/smooth wire. All fence posts will be wooden or composed of recycled materials that are wooden in appearance.
- Fencing in proximity to vista point, picnic areas, and seating areas will be sited to avoid obstructing views, or of a design that allows for views through the fencing.

4.2.3 Signage

- **Interpretive signs:** Interpretive signs will be provided in proximity to public use areas, as well as along perimeter and interior trails, and wherever there is a natural element, which will be highlighted for educational value. Interpretive signs will be minimal in size and blend with the landscape. Text and graphics displayed on interpretive signs will be specific to the site resources and the Specific Plan area.
- **Wayfinding signs:** Wayfinding signs will be used at key decision points to direct foot traffic, such as at key trail intersections and vista points. Signs will be appropriate in height/size for human interaction and not be oversized. Signs will utilize materials to blend with the surrounding landscape. Signs with open space maps and general open space information, such as hours of operation and regulations, will be posted at all parking areas and at non-vehicular entrances.
- **ADA signs:** Americans with Disabilities Act (ADA) signs will be used as required and utilize materials to blend with the surrounding landscape as much as possible.
- **Restrictive use signs:** Restrictive use signs will be posted where necessary to preclude access to areas that need to be protected from interference and or to designate areas that are undergoing revegetation and/or restoration processes.
- All signs should be durable and made of natural materials where possible.

4.3 PASSIVE OPEN SPACE (P-OS) DESIGN GUIDELINES

4.3.1 General Guidelines

All built structures will use forms, materials, and aesthetics that are compatible, and complementary, to the buildings in the Carlsbad area and wider coastal region. In general, they will be low-key and integrate into the overall open space character through the selection of materials and overall massing. Passive open space will allow passive recreational and educational access in designated pedestrian areas. The support structures and facilities within the passive open space will allow for guest comfort and be sited within the natural landscape in a complimentary fashion. Existing and future SDG&E easements allow an underground gas line and overhead electric transmission and distribution lines to traverse the southern portion of the Specific Plan area. In addition, the Specific Plan area is subject to various utility, access, and other easements, including a future easement for utilities and communications (above and below ground) and associated facilities and infrastructure. Maintenance of overhead and underground utility areas may occur within the P-OS designation.

4.3.1.1 Building Structures

- Structures used by the public will have minimal effects on the locale and adjacent environments; and highlight the site's views to the agricultural land and natural lagoon, wetlands, and natural open space areas.
- Structure design will employ sustainable, green design and technologies, such as natural lighting and passive design solutions.
- Visual resources and natural landforms will be maintained by conserving prominent topographic features and contouring trails to follow existing topography.
- Preservation of existing vegetation as well as the planting of new vegetation appropriate to the site will be encouraged to avoid or minimize visual effects.
- Structures and improvements will incorporate designs in which scale, mass, and height respect the undisturbed character of the area. Designs will follow existing topography, blend in with the natural landscape, and minimize visual prominence.

4.3.1.2 Colors and Materials

- Colors and materials used for structures will be appropriate for the type of structure and architecture and blend in with the landscape backdrop to minimize visual effects.

4.3.1.3 Site Furnishings

- Site furnishings will be made of materials such as metal, stone, concrete, or wood, and have natural or neutral colored finishes.
- All site furnishings will be consistent with the site’s character and utilize timeless design styles that enhance the visitor experience while respecting the natural environment and agricultural heritage of the area.

4.3.1.4 Picnic Areas

- Picnic areas will be sited and grouped to allow flexibility of programming use for different group sizes and be in relative proximity to parking areas.
- Drinking fountains, restrooms, and receptacles for trash and recycling will be located in close proximity to parking and the VSC land use designation.

4.3.2 Building/Parking/Adjacent Use Orientation

- Parking areas will be unobtrusive.
- Parking area layout and design will include a flow for traffic movement pattern, provide adequate turning radii, provide for a useful pedestrian circulation system, and facilitate convenient parking locations.
- Designs will minimize effects by contouring to the natural topography and incorporating landscaping to enhance the visual appearance and transition to the agricultural and open space areas.

4.3.3 Pedestrian Areas and Linkages

- Public trails and pathways will:
 - Provide an environment that invites visitors, residents, and others to experience the open space areas for recreation and education purposes.
 - Provide convenient connections between parking, outdoor spaces, vista points, picnic areas, intermediate trail connections, and other uses within the Specific Plan area.
 - Be composed of natural materials such as decomposed granite, with appropriate edging materials.
 - Include transitional trees, shrubs, and pedestrian-scaled light fixtures where necessary for security.

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- Enhanced paving, such as textured and/or colored concrete, will only be used at key connection points to adjacent areas, at trail entry points, and in proximity to parking areas and restroom facilities.
- Site furniture and similar pedestrian amenities will be incorporated into the trails and pathways.
- Pedestrian amenities will not interfere with pedestrian movement along trails and pathways.
- The use of landscaping will reinforce pedestrian connections; for example, paving and planting design will identify and highlight pedestrian connections by establishing a visual separation between vehicular and pedestrian routes.
- Native species plant materials appropriate to the context will be utilized to provide a transition from the ornamental planting areas to the natural open space areas.
- Buffers and fencing will be used to protect preserved habitat areas from trail users.

4.3.4 Landscape Design

- Landscape design, along with its accompanying elements, will be in keeping with the surrounding indigenous and native vegetation found within the HMP-OS land use designation.
- The plant pallet will use the latest landscape techniques available for drought-tolerant or low-water applications. The use of native plant species wherever possible will ensure the continuity of the current habitats with the new design. There will be no invasive plant species used anywhere within the Specific Plan area.
- Design strategies will vary depending on location and requirement, various plant types, sizes, spacing, and maintenance techniques. However, designs will incorporate localized requirements for each area. These designs should enhance current views and contribute to the requirement to conserve water, protect natural habitats, and consider pedestrian safety and security.
- Use of vegetated or bio-swales will be utilized along the development edges to assist with the capture and filtration of stormwater. These swales will be landscaped so that they enhance the surrounding areas. They may be planted with mixes of native drought tolerant grasses, groundcovers or wildflowers so that they take on the seasonal appearance of their adjacent areas. These areas will require periodic maintenance to ensure they are able to continually undertake their design intent.
- Inert materials such as landscape stones or gravel will be utilized in parking or high traffic areas to reduce maintenance, reduce potential excess water usage, or eliminate the need for irrigation altogether. Low-level landscape walls will be utilized to help define spaces, assist way finding, encourage planters, provide non-structural retaining systems or security; they

also could be used as potential seating areas. Examples of these areas could be gabions with native stone or recycled materials, cast-in-place concrete, or masonry.

- Irrigation design will include an automatic system utilizing low-water use pop-up spray heads, rotors, and pressure compensating bubblers where appropriate. The system will be controlled by a number of weather-based irrigation controllers, which allow for more accurate customizable irrigation in response to changing weather conditions. This system will allow the application of water to meet the appropriate amount to ensure maximum infiltration into the soil and plant root zones thus avoiding runoff or ponding.

4.3.5 Fencing

- All fencing will be consistent with the Specific Plan's character and natural context.
- The two main categories of fences that will be used for open space areas are security fences and low barriers. Low barriers also will include hedgerows as a substitute to constructed fences. Both types of fences will be coupled with vegetative buffers that support integrative pest management and that create aesthetically pleasing and high-functioning barriers.
- The use of chain-link fencing will be limited to the security facilities and areas that are not highly visible.
- Low barrier fencing will be used to separate different land uses and as a border along trails to protect native habitat areas and restoration areas from adjacent uses. Fencing types appropriate for low barriers includes grape-stake fencing, split rail fencing, lodgepole fencing, and corral fencing with barbless/smooth wire. All fence posts will be wooden or composed of recycled materials that are wooden in appearance.
- Fencing in proximity to vista points, picnic areas, and seating areas will be sited to avoid obstructing views, or of a design that allows for views through the fencing.

4.3.6 Signage

- **Parking signs:** Parking signs will be used to direct vehicular traffic to designated parking locations and pedestrian traffic from the parking areas to their final destinations. Parking signs will be used minimally to maintain natural sight lines and utilize materials to blend with the surrounding landscape.
- **Interpretive signs:** Interpretive signs will be provided in proximity to public use areas, as well as along perimeter and interior trails, and wherever there is a natural element, which will be highlighted for educational value. Interpretive signs will be minimal in size

and blend with the landscape. Text and graphics displayed on interpretive signs will be specific to the site resources and the Specific Plan area.

- **Wayfinding signs:** Wayfinding signs will be used at key decision points to direct foot traffic, such as at key trail intersections and vista points. Signs will be appropriate in height/size for human interaction and not be oversized. Signs will utilize materials to blend with the surrounding landscape. Signs with open space maps and general open space information, such as hours of operation and regulations, will be posted at all parking areas and at non-vehicular entrances.
- **ADA signs:** ADA signs will be used as required and utilize materials to blend with the surrounding landscape as much as possible.
- **Restrictive use signs:** Restrictive use signs will be posted where necessary to preclude access to areas that need to be protected from interference and/or to designate areas that are undergoing revegetation and/or restoration processes.
- All signs will be durable and made of natural materials where possible.

4.4 EXCLUSIVE AGRICULTURE OPEN SPACE (EAG-OS) DESIGN GUIDELINES

4.4.1 General Guidelines

All built structures and improvements will use forms, materials, and aesthetics compatible and complementary, to the buildings in the Carlsbad area and coastal region. In general, they will be low-key and integrate into the overall open space character through the selection of colors, materials, and overall massing. Existing and future SDG&E easements allow an underground gas line and overhead electric transmission and distribution lines to traverse the southern portion of the Specific Plan area. In addition, the Specific Plan area is subject to various utility, access, and other easements, including a future easement for utilities and communications (above and below ground) and associated facilities and infrastructure. Maintenance of overhead and underground utility areas may occur within the EAG-OS designation.

The EAG-OS area is intended to allow for the continuation of a mix and variety of agriculture, including row crops, strawberry farming, and coastal agriculture; and other accessory or related uses that support or promote the continuation of agriculture.

4.4.1.1 Building Mass and Scale

- Structures used for agricultural operations, such as greenhouses and storage buildings, shall be low-key but permanent in appearance, and functional for agriculture growing and packing.

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- Buildings used by the public will have minimal effects on the locale and adjacent environments, highlight the site's views to the agricultural land and the Agua Hedionda Lagoon, wetlands, and natural open space areas.
- Building design will employ sustainable, green design and technologies, such as natural lighting and passive design solutions.

4.4.1.2 Colors and Materials

- Colors and materials will blend with the landscape backdrop to minimize visual impacts.

4.4.1.4 Site Furnishings

- Site furnishings will be made of materials such as metal, wood, masonry, and concrete where appropriate, and will have natural or neutral colored finishes. All site furnishings will be consistent with the Specific Plan area character and relate to architectural style of the Specific Plan area.

4.4.2 Building/Parking/Adjacent Use Orientation

- Vehicular and pedestrian entries will be clearly identified and meet ADA requirements.
- Surface parking areas will be unobtrusive.
- Parking area layout and design will include a flow for traffic movement pattern, provide adequate turning radii, provide for a useful pedestrian circulation system, and facilitate convenient parking locations.
- Designs will minimize effects by contouring to the natural topography and incorporating landscaping to enhance the visual appearance and transition to the agricultural and open space areas.

4.4.3 Pedestrian Areas and Linkages

- Public trails and pathways will:
 - Provide an environment that invites visitors to experience the agricultural open space areas for recreation and education purposes without interfering with or causing intrusion into agricultural operations.
 - Provide convenient connections between parking, outdoor spaces, vista points, picnic areas, intermediate trail connections, and other uses within the Specific Plan area.

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- Hard surface paving, such as textured and/or colored concrete, will only be used at key connection points to adjacent areas, at trail entry points, and in proximity to parking areas and restroom facilities.
- Public pathways will include transitional trees and shrubs and pedestrian-scaled light fixtures where necessary for security.
- The use of landscaping will reinforce pedestrian connections; for example, paving and planting design will identify and highlight pedestrian connections by establishing a visual separation between vehicular and pedestrian routes.
- Native and non-invasive species plant materials appropriate to the context will be utilized to provide a transition from the ornamental planting areas to the natural open space areas.

4.4.4 Landscape Design

- Landscape and design will be in keeping with indigenous and native vegetation and not interfere or intrude with agricultural operation or crops.
- Native plant materials will be used in conjunction with non-invasive and drought tolerant ornamental landscape to identify public areas and soften the appearance of structures in these areas. There will be no invasive plant species used anywhere within the Specific Plan area.

4.4.5 Fencing

- All fencing will be consistent with the Specific Plan's character and natural context.
- The two main categories of fences that will be used are security fences and low barriers. Low barriers also will include hedgerows as a substitute to constructed fences. Both types of fences will be coupled with vegetative buffers that support integrative pest management and that create aesthetically pleasing and high-functioning barriers.
- The use of chain-link fencing will be limited to the security facilities and areas that are not highly visible.
- Low barrier fencing will be used to separate different land uses and as a border along trails to protect native habitat areas and restoration areas from adjacent uses. Fencing types appropriate for low barriers includes grape-stake fencing, split-rail fencing with rope, lodgepole fencing with rope, and corral fencing with barbles/smooth wire. All fence posts will be wooden or composed of recycled materials that are wooden in appearance.
- Fencing in proximity to vista points, picnic areas, and seating areas will be sited to avoid obstructing views, or of a design that allows for views through the fencing.

4.4.6 Lighting

- Lighting that is necessary for agricultural operations, safety, and security will be compatible with adjacent uses.
- Low-level lighting will be used to provide at limited areas such as driveways, parking areas, support facilities, and restrooms. Exposed fixtures illuminated bollards and poles, if used, will be in a color that that blends with the natural landscape. All lamps will be shielded to minimize impact and glare on surrounding areas and land use designations.

4.4.7 Signage

- **Monument signs:** Monument signs will utilize materials to blend with the surrounding landscape.
- **Parking signs:** Parking signs will be used to direct vehicular traffic to designated parking locations and pedestrian traffic from the parking lots to their final destinations. Parking signs will be used minimally to maintain natural sight lines and utilize materials to blend with the surrounding landscape.
- **Interpretive signs:** Interpretive signs will be provided in proximity to public use areas, as well as along perimeter and interior trails, and wherever there is a natural element, which will be highlighted for educational value. Interpretive signs will be minimal in size and blend with the landscape. Text and graphics displayed on interpretive signs will be specific to the site resources and the Specific Plan area.
- **Wayfinding signs:** Wayfinding signs will be used at key decision points to direct foot traffic, such as at key trail intersections and vista points. Signs will be appropriate in height/size for human interaction and will not be oversized. Signs will utilize materials to blend with the surrounding landscape. Signs with maps and general information, such as hours of operation and regulations, will be posted at all parking lots and at non-vehicular entrances.
- **ADA signs:** ADA signs will be used as required and utilize materials to blend with the surrounding landscape as much as possible.
- **Restrictive use signs:** Restrictive use signs will be posted where necessary to preclude access to areas that need to be protected from interference and/or to designate areas that are undergoing revegetation and/or restoration processes.
- All signs will be durable and made of natural materials where possible.

4.5 AGRICULTURAL SUPPORT OPEN SPACE (AGS-OS)

4.5.1 General Guidelines

All built structures and improvements will use forms, materials, and aesthetics compatible and complementary, to the buildings in the Carlsbad area and coastal region. In general, they will be low-key and integrate into the overall open space character through the selection of colors, materials, and overall massing. Existing and future SDG&E easements allow an underground gas line and overhead electric transmission and distribution lines to traverse the southern portion of the Specific Plan area. In addition, the Specific Plan area is subject to various utility, access, and other easements, including a future easement for utilities and communications (above and below ground) and associated facilities and infrastructure. Maintenance of overhead and underground utility areas may occur within the AGS-OS designation.

The AGS-OS area is intended to allow for the continuation of strawberry farming, orchard trees, herb gardens, farmers' market crops, and row crops; and other accessory or related uses that support or promote the continuation of equivalent or similar agricultural uses.

4.5.1.1 Building Mass and Scale

- Structures will complement the character of the Specific Plan area, and the design will be low-key but permanent in appearance.
- Buildings used by the public will have minimal effects on the locale and adjacent environments, highlight the site's views to the agricultural land and the Agua Hedionda Lagoon, wetlands, and natural open space areas.
- Building design will employ sustainable, green design and technologies, such as natural lighting and passive design solutions.

4.5.1.2 Colors and Materials

- Colors and materials will blend with the landscape backdrop to minimize visual impacts.

4.5.1.3 Site Furnishings

- Site furnishings will be made of materials such as metal, wood, masonry, and concrete where appropriate, and will have natural or neutral colored finishes. All site furnishings will be consistent with the Specific Plan area character and relate to architectural style of the Specific Plan area.

4.5.2 Building/Parking/Adjacent Use Orientation

- Vehicular and pedestrian entries will be clearly identified and meet ADA requirements.
- Parking areas will be unobtrusive.
- Parking area layout and design will include a flow for traffic movement pattern, provide adequate turning radii, provide for a useful pedestrian circulation system, and facilitate convenient parking locations.
- Designs will minimize effects by contouring to the natural topography and incorporating landscaping to enhance the visual appearance and transition to the agricultural and open space areas.

4.5.3 Pedestrian Areas and Linkages

- Public trails and pathways will:
 - Provide an environment that invites visitors to experience the agricultural open space areas for recreation and education purposes.
 - Provide convenient connections between parking, outdoor spaces, vista points, picnic areas, intermediate trail connections, and other uses within the Specific Plan area.
- Hard surface paving, such as textured and/or colored concrete, will only be used at key connection points to adjacent areas, at trail entry points, and in proximity to parking areas and restroom facilities.
- Public pathways will include transitional trees and shrubs and pedestrian-scaled light fixtures where necessary for security.
- The use of landscaping will reinforce pedestrian connections; for example, paving and planting design will identify and highlight pedestrian connections by establishing a visual separation between vehicular and pedestrian routes.
- Native species plant materials appropriate to the context will be utilized to provide a transition from the ornamental planting areas to the natural open space areas.

4.5.4 Landscape Design

- Landscape and design will be in keeping with indigenous and native vegetation and not interfere or intrude with agricultural operation or crops.

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- Native plant materials will be used in conjunction with non-invasive and drought tolerant ornamental landscape to identify public areas and soften the appearance of structures in these areas. There will be no invasive plant species used anywhere within the Specific Plan area.
- Landscaping will be utilized as a visual buffer (e.g., orchard trees) and be compatible with the surrounding native vegetation and preserved open space.
- Planting design strategies will vary according to plant types, sizes, and spacing appropriate for locations within the open space. The planting design will enhance views, conserve water and contribute to safety and security. These specific strategies will inform planting design:
- Hedges, windbreaks, or orchard trees will be used to screen service areas and to frame views. Hedges will not be too dense as to obscure views that may compromise security or visitor-serving commercial areas.
- At gateways, entries, and crossings, decorative or flowering plant materials will be used to announce arrival, frame signs, and invoke the Specific Plan's overall design style.
- Entry areas, crossings, and buildings or structures will use pedestrian-scaled planting to provide variety, texture, color, and seasonal interest.
- Masses of spreading groundcovers and clumping grasses at edges, services areas, and pedestrian connectors will be used to provide continuity, efficiency, and ease of maintenance.
- Vegetated swales will be located along the development edges to capture and filter stormwater. The swales will be landscaped and irrigated to minimize water use and in some areas may not be irrigated. The swales will employ a combination of planting solutions. In some locations, swales will be lined with seasonal, drought-tolerant grasses and wildflowers and remain unirrigated permitting the vegetation to vary in appearance as climatic conditions change through the year. Where swales occur adjacent to pedestrian circulation or at entries, shrub masses will be used.
- Inert materials such as decorative stones and gravels will be used in parking and service areas to reduce irrigation water use or eliminate the need for irrigation and to simplify landscape maintenance.
- Low landscape walls will be used to help define spaces, provide orientation, and create seating. Potential wall types include masonry, cast-in-place concrete, and gabion walls. Low walls will be used for raised planters or to retain grades.
- Outdoor site furnishings will be of high-quality construction and in styles consistent with the landscape theme.

4.5.5 Fencing

- All fencing will be consistent with the Specific Plan’s character and natural context.
- The two main categories of fences that will be used are security fences and low barriers. Low barriers also will include hedgerows as a substitute to constructed fences. Both types of fences will be coupled with vegetative buffers that support integrative pest management and that create aesthetically pleasing and high-functioning barriers.
- The use of chain-link fencing will be limited to the security facilities and areas that are not highly visible.
- Low barrier fencing will be used to separate different land uses and as a border along trails to protect native habitat areas and restoration areas from adjacent uses. Fencing types appropriate for low barriers includes grape-stake fencing, split-rail fencing with rope, lodgepole fencing with rope, and corral fencing with barbless/smooth wire. All fence posts will be wooden or composed of recycled materials that are wooden in appearance.
- Fencing in proximity to vista points, picnic areas, and seating areas will be sited to avoid obstructing views, or of a design that allows for views through the fencing.

4.5.6 Lighting

- Lighting that is necessary for agricultural operations will be compatible with adjacent uses.
- Lighting will be used to provide at limited areas such as driveways, parking areas, support facilities, restrooms, and as necessary for safety and security purposes. Exposed fixtures illuminated bollards and poles, if used, will be in a color that blends with the natural landscape. All lamps will be shielded to minimize impact and glare on surrounding areas and land use designations.
- All light standards will be consistent with respect to design, materials, color and color of light, and overall architectural style.

4.5.7 Signage

- **Monument signs:** Monument signs will utilize materials to blend with the surrounding landscape.
- **Parking signs:** Parking signs will be used to direct vehicular traffic to designated parking locations and pedestrian traffic from the parking lots to their final destinations. Parking signs will be used minimally to maintain natural sight lines and utilize materials to blend with the surrounding landscape.

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- **Wayfinding signs:** Wayfinding signs will be used at key decision points to direct foot traffic, such as at key trail intersections and vista points. Signs will be appropriate in height/size for human interaction and will not be oversized. Signs will utilize materials to blend with the surrounding landscape. Signs with maps and general information, such as hours of operation and regulations, will be posted at all parking lots and at non-vehicular entrances.
- **ADA signs:** ADA signs will be used as required and utilize materials to blend with the surrounding landscape as much as possible.
- **Restrictive use signs:** Restrictive use signs will be posted where necessary to preclude access to areas that need to be protected from interference and/or to designate areas that are undergoing revegetation and/or restoration processes.

All signs will be durable and made of natural materials where possible.

4.6 VISITOR-SERVING COMMERCIAL (VSC) DESIGN GUIDELINES

4.6.1 General Guidelines

The VSC will provide for a variety of guest experiences and multiple reasons for visiting. The VSC designated areas will employ an architecture that is both complementary and compatible with the visitor-serving commercial design throughout the region. The architectural style, layout, and aesthetics will encourage a character and experience that is both reminiscent and respectful of the recent history of the Carlsbad area, while providing for the identity of the individual tenants and for future flexibility as visitor-serving commercial design concepts evolve. A variety of architectural styles found within coastal California, appropriate for the number of individual tenant suites, will contribute to the sense that the buildings have evolved over time. The VSC-designated areas will ensure a smooth transition to the surrounding community and adjacent natural open space. No singular architectural style or theme will be used; rather, a variety of architectural styles will be combined in a varied and sophisticated way to create a character that is respectful, functional, fun, and engaging for the visitors.

- Buildings will be designed to reflect the lifestyle of the local communities and the plentiful natural environment surrounding the Specific Plan area.
- Buildings will be sited so that architectural focal points provide a sense of place and orient visitors to the site.
- Buildings will shield the pedestrian open space areas from freeway visibility and noise.
- Buildings will maintain a human scale and create interactive spaces for pedestrians as they move throughout the site.

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- Architectural details will enhance the design and character of buildings.

Smaller scale buildings and visual permeability will be greatest nearest to the Agua Hedionda Lagoon and bluff edge.

The overarching design objectives for the VSC-designated areas are as follows:

- Create a pedestrian--oriented visitor-serving commercial environment with paths, courtyards, and plazas.
- Provide a centrally located parking in a “park once” facility that encourages visitors to enjoy an extended stay within the Specific Plan area, including utilization of the VSC uses and open space amenities .
- Create building layouts and public areas that encourage community gathering, such as courtyards and pathways.
- Provide outdoor dining with a variety of patio dining options and lagoon views.
- Create buildings with architectural focal points that provide a sense of place and allow for distinct, yet varied characters within different areas.
- Provide vistas for long views within the Specific Plan area, as well as surrounding areas.
- Create buildings with a human scale and create interactive spaces for pedestrians as they move throughout the site.
- Vary the height and scale of buildings and structures.
- Create architectural details that enhance the design and character of buildings and spaces around them.
- Create compatible and complementary landscape, features, and signs, all within the framework of the various architectural styles of the Specific Plan area.

Existing and future SDG&E easements allow an underground gas line and overhead electric transmission and distribution lines to traverse the southern portion of the Specific Plan area. In addition, the Specific Plan area is subject to various utility, access, and other easements, including a future easement for utilities and communications (above and below ground) and associated facilities and infrastructure. Maintenance of overhead and underground utility areas may occur within the VSC-OS designation.

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4.0 – DESIGN GUIDELINES

4.6.1.1 Building Mass and Scale

- Where practical, building elevations will encourage variety, articulation, and details that create visual interest.
- Building areas without storefronts will have a variety of façade materials, alignment, and details to visually reduce their impact and minimize any repetition.
- Periodically, building design will reflect a regular and uniform pattern of alternating façades.
- Buildings will use materials that portray a sense of permanence, variety, and high quality, both in their individual content as well as their adjacencies and combinations.
- Some variation in rooflines, cornices, and molding at the top of façades will be used to reflect the vertical massing of the buildings and illustrate architectural variety.
- Occasional changes in materials and colors will occur at the building plane.

The use of murals, trellises, or vines placed intermittently on large expanses of walls will be used to soften walls and create visual interest.

4.6.1.2 Colors and Materials

- Exterior building materials and color scheme will be complementary to the architectural style.
- Colors on façade elements will be coordinated.
- When feasible, accent materials will be incorporated including veneer finishes, manufactured stones, split-face concrete masonry units, metal wall panels, and lap siding. Where appropriate, building materials will be used to highlight main building entrances or distinguish the building base.

4.6.1.3 Entries

- Building entries will be pronounced and easily recognizable.
- The majority of building entrances will be oriented toward the streets and outdoor spaces.
- Where practical, entrances will be clearly expressed with overhangs and distinctive materials to enhance the architecture.
- Building entries will contribute to the building's design character and provide some climate protection.

4.6.1.4 Articulation

Building articulation refers to street frontage design elements, both horizontal and vertical, that help create visual interest. Buildings will provide architectural interest and avoid large expanses of blank walls. To achieve articulation, a variety of design elements will be utilized including fenestration, color, texture, and the use of varied materials.

- The three traditional parts of a building—base, mid-section, and top—will be defined through the periodic use of wall articulation and/or contrasting materials and colors.
- Where practical, the planes of exterior building walls will create a sense of depth.
- Vertical elements such as towers will occasionally be used to accent horizontal massing and provide visual interest.

4.6.1.5 Roofs and Parapets

- Some variation in rooflines will occasionally be used on buildings.
- Parapet walls, roof types, and cornices will be complementary to the overall architectural style.
- Cornices will be scaled appropriately to the height and size of the wall and visible roof area.

4.6.2 Building/Parking/Adjacent Use Orientation

- Parking areas will be unobtrusive. Parking area layout and design will include a flow for traffic movement pattern, provide adequate turning radii, provide for a useful pedestrian circulation system, and facilitate convenient parking locations. Designs will minimize effects by contouring to the natural topography and incorporating landscaping to enhance the visual appearance and transition to the agricultural and open space areas.

4.6.3 Pedestrian Areas and Linkages

The VSC designation allows for open space areas that can accommodate outdoor commercial activities, seasonal recreation and entertainment activities, and casual pedestrian meeting places. Open space plazas will be connected through pedestrian walkways. Pedestrian areas can provide an environment that invites visitors, workers, and residents to stores and create an informal social area. Pedestrian pathways can provide convenient connections between storefronts, outdoor spaces, and parking.

- Courtyards, plazas, enhanced paving, street furniture, and similar pedestrian amenities will be incorporated into the VSC-designated areas where practical.

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- Individual activity areas will be linked through a series of pedestrian pathways that culminate in an interconnected system of pedestrian plazas creating a variety of open spaces. The pedestrian pathway system also will connect to the adjacent open space lands.
- Clearly marked and direct pedestrian pathways will be provided that connect parking areas with sidewalks and storefronts.
- Pedestrian pathways will provide a visual, as well as protective linkage between uses.
- A variety of paving materials will be used to reinforce a hierarchy of pedestrian zones. Paving choices will be consistent with the architectural style of the buildings on the site. Materials will include decorative solutions such as unit pavers and colored concrete; casual or rustic solutions such as decomposed granite; and durable, cost-effective solutions such as scored concrete.
- Materials used for pedestrian pathways will complement the building(s) they are associated with.
- Archways and columns will occasionally be used to accent store and courtyard entries.
- When used, arcades and covered walkways will complement the architectural style.
- The use of landscaping can reinforce pedestrian connections; for example, paving and planting design will identify and highlight pedestrian connections by establishing a visual separation between vehicular and pedestrian routes.
- When practical, provide sidewalks with street trees, pedestrian-scaled light fixtures, and street furniture.
- A variety of modes of internal transportation and circulation will be encouraged.
- Street furniture and other pedestrian amenities will not interfere with pedestrian movement along walkways and paths.

4.6.4 Landscape Design

- Landscaping will be utilized as a visual buffer and be compatible with the surrounding native vegetation and preserved open space. There will be no invasive plant species used anywhere within the Specific Plan area.
- Planting design strategies will vary according to plant types, sizes, and spacing appropriate for locations within the open space. The planting design will enhance views, conserve water and contribute to safety and security. These specific strategies will inform planting design:

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- Hedges or windbreaks will be used to screen service areas and to frame views. Hedges will not be too dense as to obscure views that may compromise security or visitor-serving commercial opportunities.
- At gateways, entries, and crossings, decorative or flowering plant materials will be used to announce arrival, frame signs, and invoke the Specific Plan's overall design style.
- Entry areas, crossings, and storefronts will use pedestrian-scaled planting to provide variety, texture, color, and seasonal interest.
- Masses of spreading groundcovers and clumping grasses at edges, services areas, and pedestrian connectors will be used to provide continuity, efficiency, and ease of maintenance.
- Vegetated swales will be located along the development edges to capture and filter stormwater. The swales will be landscaped and irrigated to minimize water use and in some areas may not be irrigated. The swales will employ a combination of planting solutions. In some locations, swales will be lined with seasonal, drought-tolerant grasses and wildflowers and remain unirrigated permitting the vegetation to vary in appearance as climatic conditions change through the year. Where swales occur adjacent to pedestrian circulation or at entries, shrub masses will be used.
- Inert materials such as decorative stones and gravels will be used in parking and service areas to reduce irrigation water use or eliminate the need for irrigation and to simplify landscape maintenance.
- Low landscape walls will be used to help define spaces, provide orientation, and create seating. Potential wall types include masonry, cast-in-place concrete, and gabion walls. Low walls will be used for raised planters or to retain grades.
- Outdoor site furnishings will be of high-quality construction and in styles consistent with the landscape theme.
- The irrigation design will include an automatic irrigation system for the proposed landscape, utilizing low water-use pop-up spray heads, rotors, and pressure-compensating bubblers.
- Pop-up spray head and rotary sprinkler zones will be controlled to apply water at an appropriate infiltration rate into the soil and plant root zone and avoid irrigation runoff or ponding.
- The irrigation design will include separate remote control valves for varied site exposures and water use requirements — i.e., sun and shade areas will be valved separately, and east and west will be valved separately.

- The system will include a weather-based controller using satellite controllers located throughout the site that consistently monitor and update irrigation water schedules per local evapotranspiration rate data. The system also will incorporate automatic rain shut-off devices for each field satellite controller.

4.6.5 Fencing

- All fencing will be consistent with the Specific Plan’s agricultural character and natural context.
- The use of chain-link fencing will be limited to the security facilities and areas that are not highly visible.
- Low barrier fencing will be used to separate different land uses and as a border along trails to protect native habitat areas and restoration areas from adjacent uses. Fencing types appropriate for low barriers includes grape-stake fencing, split-rail fencing with rope, lodgepole fencing with rope, and corral fencing with barbles/smooth wire. All fence posts will be wooden or composed of recycled materials that are wooden in appearance.

4.6.6 Lighting

- Lighting will create a night identity for the VSC uses. Selected elements will be highlighted with illumination. These elements will be selected for their ability to enhance the dimension and character to the building architecture, and to provide a safe and secure environment for visitors and merchants.
- Light fixtures will highlight design features. A variety of lighting levels will be used at entries, plazas, parking lots, and other areas where evening activity is expected, to create an exciting night time environment.
- All light standards will be consistent with respect to design, materials, color and color of light, and overall architectural style.

4.6.7 Signage

- **Monument signs:** Monument signs will utilize materials to blend with the surrounding landscape.
- **Parking signs:** Parking signs will be used to direct vehicular traffic to designated parking locations and pedestrian traffic from the parking lots to their final destinations. Parking signs will be used minimally to maintain natural sight lines. Signs will utilize materials to blend with the surrounding landscape.

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- **Wayfinding signs:** Wayfinding signs will be used at key decision points to direct foot traffic. Signs will be appropriate in height/size for human interaction and not be oversized. Signs will utilize materials to blend with the surrounding landscape.
- **ADA signs:** ADA signs will be used as required and utilize materials to blend with the surrounding landscape as much as possible.
- All signs will be durable and made of natural materials where possible.
- Signs throughout the VSC-designated areas will create or be a part of:
 - Creating and maximizing views and connections to tenants and surroundings.
 - Ensuring strong identity visible from highway, approach streets, and access points.
 - Buffering development and open space from highway.
 - Assisting in creating a range of scale and character into public spaces.
 - Providing innovative, environmentally responsible, intriguing visitor-serving commercial signage solutions.
 - Introducing artistic elements within the signage.
 - Connecting with and encourage use of open space trails.
 - Instilling mindfulness and appropriateness of place.

4.6.8 Trash Enclosures

- Trash enclosures will be screened from view from public rights-of-way whenever possible.
- Screening will consist of solid framed or masonry walls, solid gates, and/or landscaping.

5.0 INFRASTRUCTURE, OPEN SPACE, AND AGRICULTURE

This chapter addresses mobility, public services and facilities, and open space/agriculture within the Specific Plan area.

This chapter also is consistent with the Agua Hedionda Land Use Plan (1982), Section 5, Public Works. Section 5 identifies vacant areas planned for development that have water, sewer, and utilities available, and the areas that lack major public works infrastructure. Urban services are available for development within the Specific Plan area.

5.1 MOBILITY

5.1.1 Vehicular Access and Circulation

Primary access to the Specific Plan area is provided by I-5 and Cannon Road. All eastbound inbound traffic will be served at the new T-intersection on Cannon Road located approximately halfway between Paseo del Norte and Car Country Drive, and westbound inbound traffic will be served at both the new T-intersection driveway and at the Paseo del Norte intersection. The new T-intersection will be located approximately 600 feet from the adjacent intersections and signalized. All outbound site traffic will be served by a new driveway located opposite Paseo del Norte. Refer to the Specific Plan, **Figure 3.0-4**, Conceptual Trails and Circulation Plan, which depicts the vehicular access and circulation within the Specific Plan area.

The Specific Plan applicant shall construct the following intersection improvements for the two driveway access points:

Cannon Road/Paseo del Norte Site Driveway Intersection

- Construct one additional eastbound through lane that will be an exclusive left-turn storage lane for the new downstream inbound intersection between Paseo del Norte and Car Country Drive. The existing landscaped median on Cannon Road will be modified to provide this additional lane.
- Construct a westbound right-turn lane to serve inbound traffic to the Specific Plan site. This lane will turn into the Specific Plan driveway slightly upstream of the Paseo del Norte intersection and be controlled by a separate signal where the lane crosses the planned shared use path. This signal will facilitate bicycle and pedestrian traffic on the shared use path by periodically stopping westbound right-turning traffic into the Specific Plan site.

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- Construct a new north leg (i.e., southbound approach) for the Specific Plan outbound driveway, which will include two left-turn lanes, one through lane, and two right-turn lanes for the outbound movements at the intersection.
- Modify the traffic signal to control the new movements and install appropriate signage prohibiting selected movements that will not be allowed (e.g., eastbound left and northbound through movements into the site).

Cannon Road/Specific Plan Inbound Site Driveway (New T-intersection)

- Construct a new signalized T-intersection on Cannon Road between Paseo del Norte and Car Country Drive.
- Construct two eastbound left-turn lanes. The existing landscaped median on Cannon Road will be modified to provide these new turn lanes.
- Construct one westbound right-turn lane to serve westbound inbound traffic to the Specific Plan site.
- Construct one outbound right-turn only lane — this lane is an environmental protection feature (EPF) required if the Cannon Road/Paseo del Norte intersection operation drops below City of Carlsbad (City) performance standards.

Internal circulation shall be provided by a limited network of private drives/streets serving as access to individual portions of the Specific Plan area.

In addition to constructing the intersection improvements for the new driveways, the Specific Plan also will dedicate Specific Plan right-of-way to implement an additional improvement along the site frontage. The Specific Plan will dedicate land and build a second westbound right turn lane on Cannon Road at the I-5 NB on-ramp, and convert the existing westbound shared-through/right-turn lane to a second exclusive through lane. The second right-turn lane will provide additional storage for vehicles traveling to the I-5 NB on-ramp and improve vehicle capacity for westbound traffic traveling through the interchange.

5.1.2 Public Transportation

Bus service in the vicinity of the Specific Plan area is currently provided by the North County Transit District (NCTD). NCTD currently operates two bus routes that serve the Specific Plan area:

- Route 444 – The nearest stop is located at Cannon Road and Grand Pacific Drive. Route 444 provides service to Carlsbad via Cannon Road, Faraday Drive, College Boulevard,

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and Palomar Airport Road. It generally connects this area of the City to the Carlsbad Poinsettia COASTER station.

- **Route 446** – The nearest stop is located at Cannon Road and the I-5 ramps. Route 446 provides service from the Carlsbad Poinsettia COASTER station to the City’s outlet stores, LEGOLAND, and the Gemological Institute of America via Avenida Encinas, Paseo Del Norte, and Armada Drive.

The Specific Plan applicant shall provide bus stops to service the Specific Plan area at locations and with reasonable facilities in conjunction with the City Planner, in accordance with the exclusive provisions set forth in **Chapter 6.4**, Specific Plan Procedures and Process, of the Specific Plan. Said facilities shall be free from advertising and at minimum include a bench and a pole for the bus stop sign. The facilities shall be designed to enhance or be consistent with basic architectural theme of the Specific Plan. A bus passenger loading area close to one of the main pedestrian entrances shall be provided within the Specific Plan site. Providing a bus stop within the Specific Plan site would encourage transit use and at a minimum shall include covered stops with benches. The Specific Plan applicant will advocate extending bus service to one or both of the City’s COASTER train stations to maximize multi-modal accessibility to the Specific Plan site.

Refer to Specific Plan, **Appendix B**, Environmental Protection Features, for additional EPFs related to traffic and circulation improvements.

5.1.3 Bicycle and Pedestrian Facilities

Prior to the issuance of a certificate of occupancy within the VSC area, the Specific Plan applicant must design and implement a shared-use path along the entire length of the north side of Cannon Road from Car Country Drive to the northeast corner of the I-5 northbound ramps intersection. The primary purpose of this facility is to provide a separate bikeway that will serve a broad range of skill levels and accommodate those individuals who do not wish to closely interface with motor vehicles along long stretches of the roadway. The facility would move those cyclists who choose to use it out of the roadway and away from the heavy turning movements at the site driveways and the I-5 northbound ramps intersection, where a second exclusive right-turn lane is proposed to improve vehicle flow to and through the interchange area. Providing the path to this point would give westbound cyclists an alternative to riding between the two through and two right-turn lanes at the ramp.

Landscaping and other elements (i.e., signage, structures, and fencing) that may be proposed along the shared-use path shall be installed and maintained.

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The Specific Plan applicant must design and implement a network of sidewalks from the Paseo del Norte intersection to within the Visitor-Serving Commercial use area to encourage walking. On-site sidewalks must be separated from vehicle traffic in the exit and entrance driveways and pedestrian crossings of the main driveways shall be limited to sections that include only one or two lanes and/or shall be signalized.

The Specific Plan applicant must design and implement a continuous pedestrian path or sidewalk along the entire length of the site frontage on Cannon Road from the I-5 northbound ramps intersection to the existing sidewalk that terminates approximately 850 feet east of the Car Country Drive intersection. This facility must be linked to a network of trails within the Open Space area of the site, providing multiple walking opportunities from the Cannon Road/Faraday Avenue intersection to and through the Specific Plan area. The sidewalk extension from east of Car Country Drive must be constructed as a shared-use path.

The Specific Plan applicant must coordinate with Caltrans and the City for the agencies' design and implementation of a special pedestrian/bicycle signal phase at Cannon Road and I-5 on- and off-ramps. Signal phasing must include a "no right-turn on red" phase to avoid sight distance issues associated with dual right-turn lanes. All signal phasing at the I-5 ramps would be coordinated between Caltrans and the City.

The Specific Plan applicant must incorporate bicycle racks and/or bicycle lockers into the design of the Visitor-Serving Commercial use area of the Specific Plan. These facilities must be located within the Visitor-Serving Commercial area and at select locations in the Open Space area and be accessible to visitors and employees. Within the Visitor-Serving Commercial area, employees will be encouraged to ride-share and/or bike ride to and from the Specific Plan site, thus reducing parking and traffic demand.

Refer to Specific Plan, **Appendix B**, Environmental Protection Features, for additional EPFs related to pedestrian and bicycle facility improvements.

5.1.4 Trails

A Specific Plan must construct and maintain a trail system. The Specific Plan trail system must follow the outer, southerly edge of the existing Carlsbad Habitat Management Plan boundary/native habitat edge, linking key vista points, picnic areas, and day use areas within the Specific Plan area. Refer to the Specific Plan, **Figure 3.0-4**, Conceptual Trails Plan, found in **Chapter 3.0**.

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5.2 PUBLIC SERVICES AND FACILITIES

This section discusses infrastructure, storm drain, sewer, and water facility improvements necessary to serve the Specific Plan area.

All public facilities infrastructure necessary to serve development within the Specific Plan area shall be completed concurrent with such development, in accordance with the exclusive provisions set forth in **Chapter 6.4**, Specific Plan Procedures and Process, of the Specific Plan.

5.2.1 Police

Police protection for the Specific Plan area is currently provided by the Carlsbad Police Department, headquartered at the Carlsbad Public Safety Center at 2560 Orion Way.

5.2.2 Fire

Fire protection for the Specific Plan area is currently provided by the City of Carlsbad Fire Department. The Department currently has six fire stations serving the City. The station nearest the Specific Plan area is Fire Station No. 4 located at 6885 Batiquitos Drive.

Refer to Specific Plan, **Appendix B**, Environmental Protection Features, for additional EPFs related to fire protection improvements.

5.2.3 Water

Potable water service to the Specific Plan area will be provided by the Carlsbad Municipal Water District (CMWD). There is an existing 12-inch line in Cannon Road to supply the Specific Plan area (see Specific Plan, **Figure 5.0-1**, Conceptual Water System Plan). As reflected in the Specific Plan, **Figure 5.0-1**, this line is within the 241 Zone, which is formed by pressure-reducing stations in the area. Service from this zone will result in a static pressure of approximately 74 pounds per square inch (psi) at the point of connection in Cannon Road.

Recycled water service to the Specific Plan area will be provided by CMWD. As reflected in the Specific Plan **Figure 5.0-2**, Conceptual Recycled Water Plan, there is an existing 20-inch 384 Zone line in Cannon Road adjacent to the Specific Plan area. The maximum static pressure in this line at the proposed entry street at Paseo del Norte is approximately 135 psi. For commercial properties, recycled water can be used for irrigation of common areas and planted slopes. Recycled water also could be considered for use as process water for cooling towers. CMWD estimates average recycled water use based on a factor of 600 gallons per day per acre.

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Refer to Specific Plan, **Appendix B**, Environmental Protection Features, for additional EPFs related to hydrology and hydromodification control performance standards.

5.2.4 Sewer

Sewer service to the Specific Plan area will be provided by the City of Carlsbad. The City operates and maintains a conveyance system that consists of gravity sewer lines, lift stations, and force mains. These facilities collect and convey flow to the Encina Water Pollution Control Facility for treatment and disposal. The South Agua Hedionda Interceptor is located in Cannon Road, adjacent to the Specific Plan area (see Specific Plan, **Figure 5.0-3**, Conceptual Sewer System Plan). As reflected in the Specific Plan, **Figure 5.0-3**, the section of this gravity interceptor that is adjacent to the VSC designated area is a 24-inch line; and to receive service, the Specific Plan area will convey flows to this line.

Refer to Specific Plan, **Appendix B**, Environmental Protection Features, for additional EPFs related to hydrology improvements.

5.2.5 Water Quality and Drainage

The watershed contributing runoff to the Specific Plan area is approximately 229 acres that ranges in elevation from approximately 0 to 200 feet above mean sea level. The runoff from the Specific Plan area generally flows in a northerly direction towards Agua Hedionda Lagoon. Runoff shall be limited through the provision of on-site catchment basins, desilting basins, subsurface drains, and similar improvements as necessary, as described below.

As reflected in the Conceptual Drainage Plan (Specific Plan, **Figure 5.0-4**), the Specific Plan area is subdivided into seven sub-watershed areas determined by designated outlet points into the Agua Hedionda Lagoon. Only two of the delineated sub-watershed areas, Watershed 5 and Watershed 7, would be impacted by implementation of the Specific Plan. That is, development within these sub-watersheds would either divert, increase, or alter stormwater runoff in some form compared to its existing condition. Since implementation of the Specific Plan will introduce impervious areas and consequently increase stormwater runoff within the two sub-watersheds, stormwater treatment for water quality and hydromodification is required for Watersheds 5 and 7 to meet Carlsbad's Standard Urban Stormwater Management Plan (SUSMP) requirements for new developments.

The Conceptual Drainage Plan (Specific Plan, **Figure 5.0-4**) identifies one drainage detention basin for each of these affected sub-watersheds, both for peak flow attenuation and to account for potential hydromodification. In Watershed 7, an underground vault may be used as an alternative to the detention basin. In this underground alternative, the vault would be implemented to meet

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hydromodification/detention requirements per the City’s SUSMP and at the same level as a detention basin. With the proposed drainage improvements, flows from these areas would be reduced to below the runoff under existing conditions.

The basin or hydromodification vault will outlet into Agua Hedionda Lagoon via a 36-inch reinforced concrete pipe and concrete headwall. An approximately 110-square foot energy dissipation structure (riprap), placed immediately downstream of the headwall will serve to reduce outlet velocities below erosive levels prior to emptying into the lagoon.

Refer to Specific Plan, **Appendix B**, Environmental Protection Features, for additional EPFs related to hydrology, water quality, and drainage improvements.

5.2.6 Solid Waste Disposal

Solid waste collection shall be provided by a private waste disposal corporation or another public or private waste disposal company serving the Carlsbad area. For example, Coast Waste Management provides a variety of services for customers throughout the City, including single-stream recycling.

5.2.7 Energy

Electricity and natural gas shall be provided by a qualified provider. Facility sizing and service extension through the Specific Plan area will be coordinated with SDG&E, the current provider in the area.

5.3 OPEN SPACE AND AGRICULTURE

The Specific Plan’s open space and agricultural areas are of paramount importance in the plan.

The Specific Plan provisions permanently protect approximately 176.7 acres for open space and the continuation of strawberry farming and coastal agriculture. This protection is provided by requiring an easement granted to the City of Carlsbad, a qualified environmentally-focused non-profit organization, or public agency for open space and agricultural conservation purposes over approximately 155.1 acres of the Specific Plan area. The remaining approximately 21.6 acres will be subject to an easement or a deed restriction for open space and agricultural purposes — in addition to allowing supporting improvements and uses, including farm stand, farm-to-table dining, and parking.

The Specific Plan provides Carlsbad residents and visitors low-impact public access to the open space lands by providing passive recreation amenities including miles of new nature trails and

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walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, parking, and an integrated resource and educational signage program. Further, the Specific Plan requires that the open space portions of the approximately 155.1 acres be dedicated to one or more qualified environmentally-focused non-profit entities, land conservancy organizations, or public agencies; and that the agricultural portions of the 155.1 acres be dedicated to one or more qualified environmentally-focused non-profit entities, land conservancy organizations, public agencies and/or qualified farming and agricultural interests.

Further, the Specific Plan requires the protected habitat, public access, and agricultural areas within the dedicated open space conservation land to be managed, operated, and maintained in cooperation with one or more qualified environmentally-focused non-profit entities, land conservancy organizations, land managers, agencies, and farming and agricultural interests. The Specific Plan provides for the continuation and support of strawberry farming and coastal agriculture within the Specific Plan area and furnishes Carlsbad residents and visitors with a pedestrian-oriented visitor-serving Outdoor Shopping, Dining, and Entertainment Promenade on approximately 26.7 acres within the Specific Plan area for a high-quality, functionally integrated district designed to maintain a sense of community and contribute to Carlsbad's traditional "village" identity and beach community character.

The Specific Plan establishes revenue sources from the Specific Plan's visitor-serving commercial uses, and/or from private funding, to dedicate, improve, restore, operate, and maintain in perpetuity the dedicated open space areas at no tax burden to Carlsbad residents. These Specific Plan open space requirements and funding mechanisms must be in place prior to opening the visitor-serving commercial component of the Specific Plan.

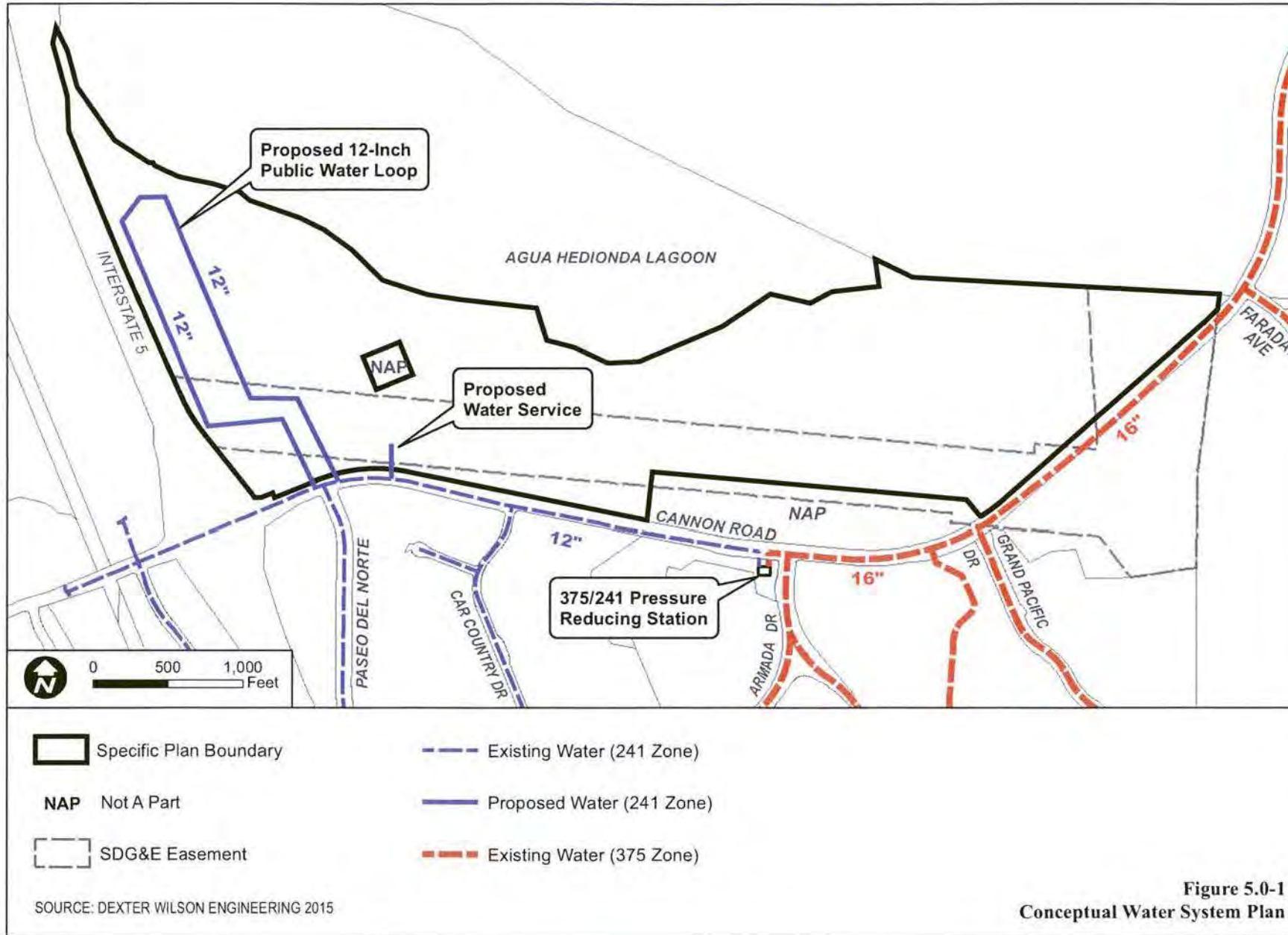
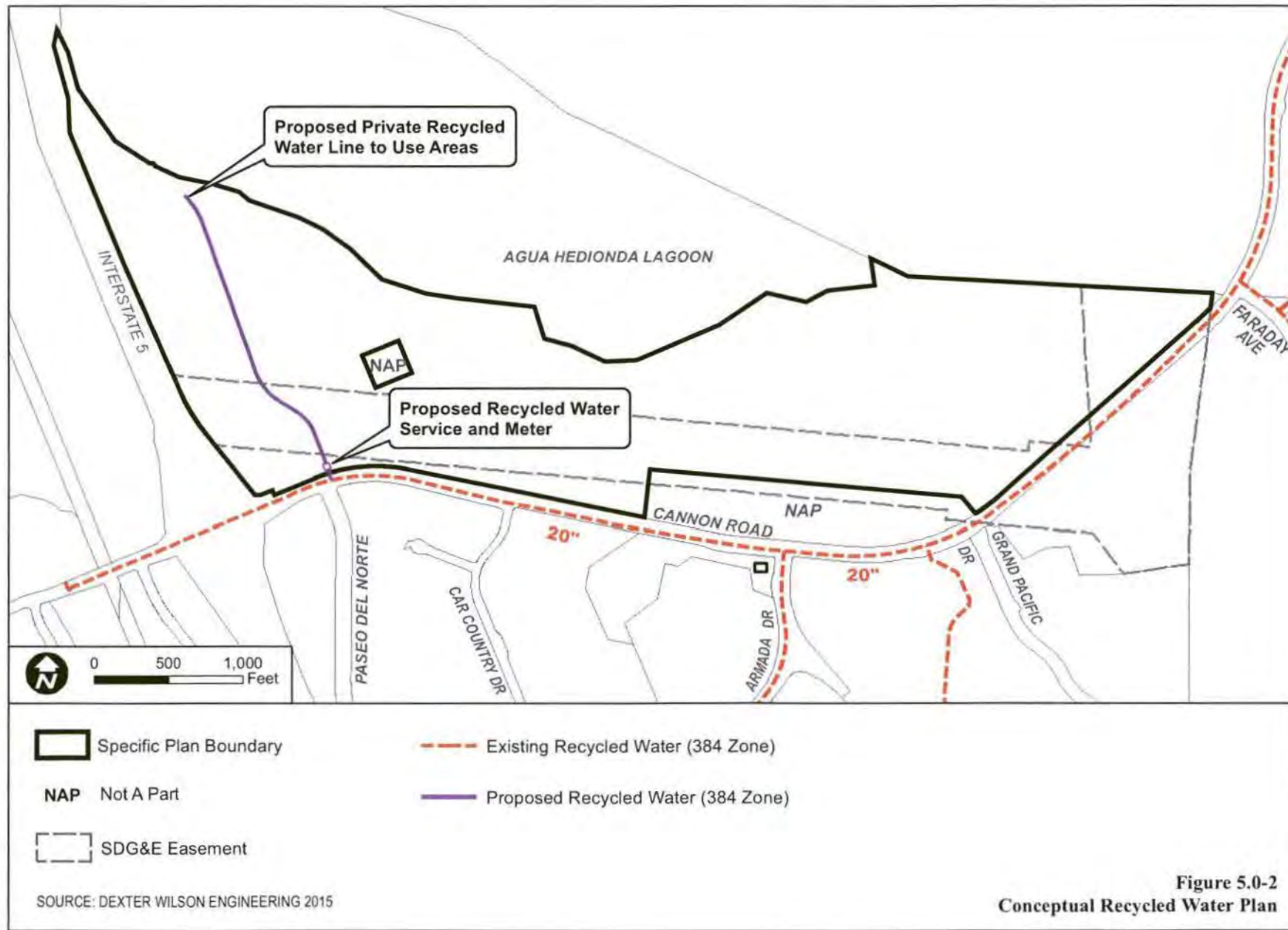


Figure 5.0-1
Conceptual Water System Plan

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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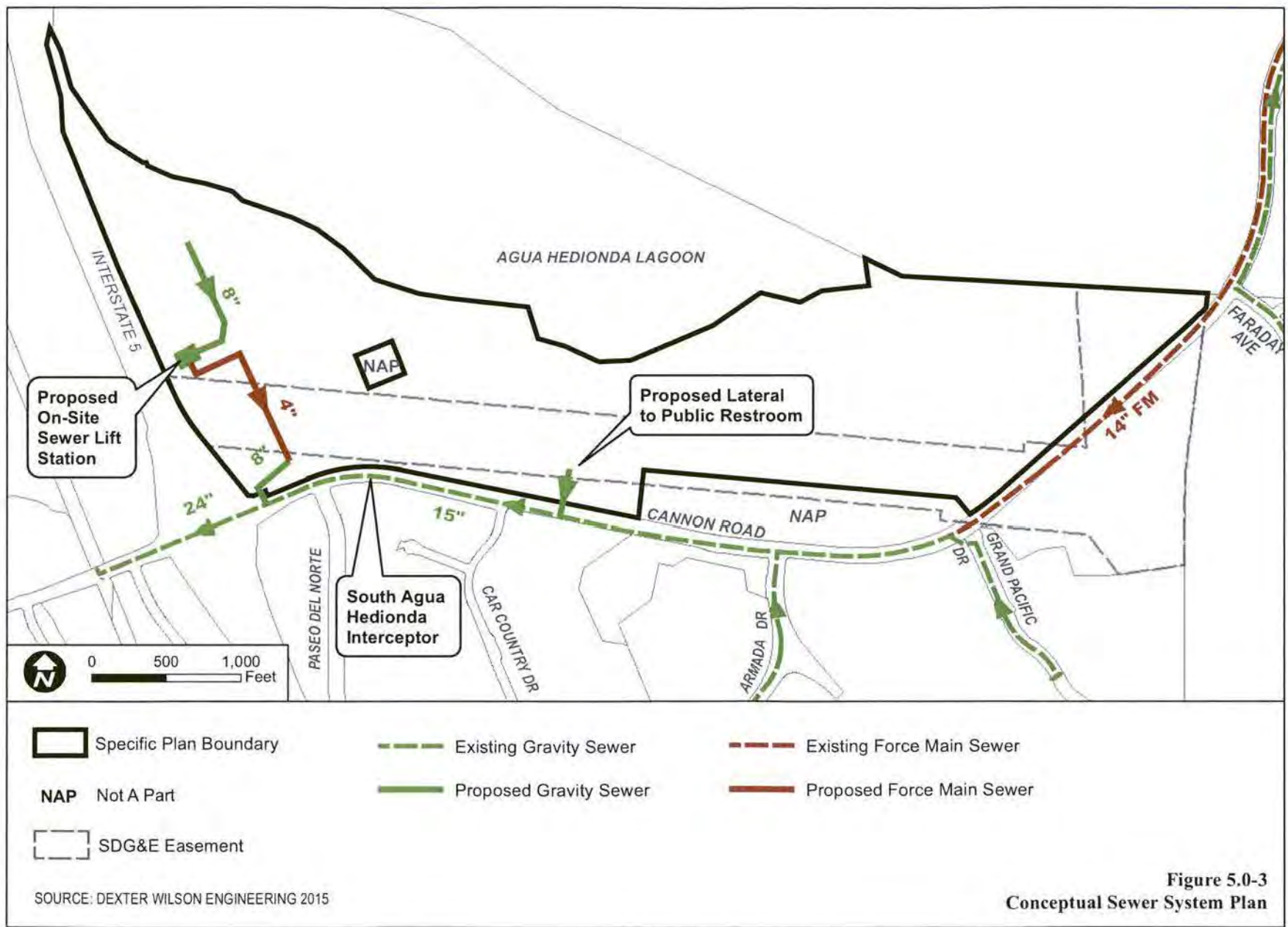
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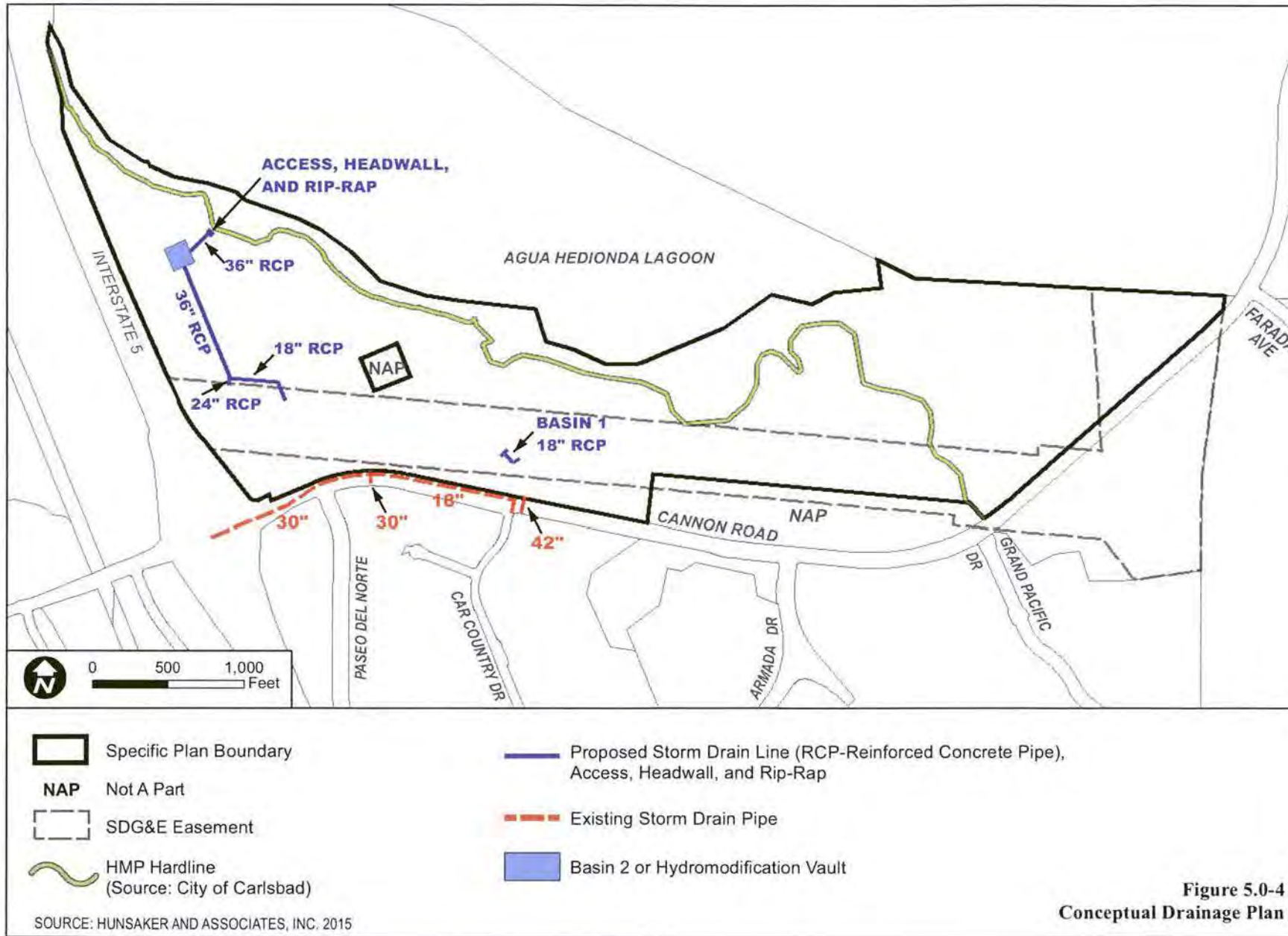


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6.0 IMPLEMENTATION

6.1 PHASING

Phasing projections estimate when, where, and how implementation and development will occur within the Specific Plan area, generally commencing at the Specific Plan approval date and ending at the projected buildout date of the Specific Plan area. Although difficult to predict exactly, phasing projections enable advance planning and programming of public infrastructure, facilities, and services to ensure that adequate public services are provided in a timely manner to preserve the quality of life of Carlsbad residents, consistent with the Carlsbad General Plan (1994) and Growth Management policies.

As with all phasing projections, the Specific Plan development is necessarily influenced by the economy, growth rates, market conditions, and other changing economic and financial conditions. As these factors change during the course of buildout of the Specific Plan, necessary adjustments in phasing will be instituted in close coordination with the City.

The phasing approach taken by this Specific Plan is based on ensuring that all necessary public facilities and services are in place prior to or concurrent with development within the Specific Plan area as required by the City's Growth Management Program. To implement this Specific Plan policy consistent with the City's Growth Management Program, the provision of such public improvements must be guaranteed. In guaranteeing that the Specific Plan's public improvements will be timely provided, funding must be available for the necessary improvements prior to issuance of building permits, and emphasis is given to ensuring a balanced circulation system and the provision of open space and recreation amenities.

The Specific Plan's open space and agricultural areas are of paramount importance in this plan.

The Specific Plan provisions permanently protect approximately 176.7 acres for open space and the continuation of strawberry farming and coastal agriculture. This protection is provided by requiring an easement granted to the City of Carlsbad, a qualified environmentally-focused non-profit organization, or public agency for open space and agricultural conservation purposes over approximately 155.1 acres of the Specific Plan area. The remaining approximately 21.6 acres will be subject to an easement or a deed restriction for open space and agricultural purposes — in addition to allowing supporting improvements and uses, including farm stand, farm-to-table dining, and parking.

The Specific Plan provides Carlsbad residents and visitors low-impact public access to the open space lands by providing passive recreation amenities including miles of new nature trails and

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walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, parking, and an integrated resource and educational signage program. Specifically, the Specific Plan requires that the open space portions of the approximately 155.1 acres be dedicated to one or more qualified environmentally focused non-profit entities, land conservancy organizations, or public agencies; and that the agricultural portion be dedicated to one or more qualified environmentally-focused non-profit entities, land conservancy organizations, public agencies and/or qualified farming and agricultural interests.

Further, the Specific Plan requires the protected habitat, public access, and agricultural areas within the dedicated open space conservation land to be managed, operated, and maintained in cooperation with one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, agencies, and farming and agricultural interests. The Specific Plan provides for the continuation and support of strawberry farming and coastal agriculture within the Specific Plan area and furnishes Carlsbad residents and visitors with a pedestrian-oriented visitor-serving Outdoor Shopping, Dining, and Entertainment Promenade on approximately 26.7 acres within the Specific Plan area for a high-quality, functionally integrated district designed to maintain a sense of community and contribute to Carlsbad's traditional "village" identity and beach community character.

The Specific Plan establishes revenue sources from the Specific Plan's visitor-serving commercial uses, and/or from private funding, to dedicate, improve, restore, operate, and maintain in perpetuity the dedicated open space areas at no tax burden to Carlsbad residents. The Specific Plan open space requirements, funding mechanisms, and other public infrastructure (as referenced in this Specific Plan) are triggered by the issuance of a building permit for the visitor-serving commercial component of the Specific Plan; and the visitor-serving commercial uses will not be issued certificates of occupancy, unless and until the Specific Plan open space requirements, funding mechanisms, and public infrastructure are satisfied.

6.2 FINANCING AND MAINTENANCE OF PUBLIC IMPROVEMENTS

Subject to the above triggering events, implementation of the Specific Plan requires the Specific Plan applicant, property owner or their respective designee to assure that all on- and off-site infrastructure, facilities, and services (Improvements) required by this Specific Plan are installed, constructed, and completed prior to or concurrent with need, consistent with the Carlsbad Growth Management Program. The Improvements include, among others, restoration, enhancement, and ongoing maintenance of open space designated on the Land Use Plan (LUP) of the Specific Plan.

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The Improvements contemplated for the Specific Plan area may consist of elements for use by the general public, as well as for exclusive use of the property owner, tenants, or occupants. Once constructed, long-term maintenance of Improvements will be required, and the party responsible for maintaining those improvements may vary depending on whether they are dedicated for general public use or privately owned within the Specific Plan area.

While various financing techniques are available, Specific Plan development components will be installed or constructed using private financing for the majority of the development costs. Certain elements of the Improvements, however, may use assessments or community facility district mechanisms. *If used to fund Improvements, the assessment or community facility district will only apply to the VSC area of the Specific Plan and only be assessed against the property owner, tenants, or occupants located on Assessor's Parcel Number (APN) 211-010-24-00. No resident or property owner outside of APN 211-010-24-00 will be included in any proposed VSC assessment or community facility district.* These provisions ensure that the Specific Plan pays its own way.

This Chapter identifies potential financing methods that may be used individually, collectively, or in combination to fund implementation and maintenance of various Improvements identified in the Specific Plan. The Specific Plan's implementation will be complemented by these new Improvements and directly serve and benefit not only the Specific Plan area but also the greater City community. In addition, many of the Improvements are proximate to Cannon Road, which is an utmost priority.

This Chapter of the Specific Plan identifies a mix of financing mechanisms applicable to future development in the Specific Plan area. These mechanisms are important to assure the timely financing of new Improvements concurrent with Specific Plan development. The Specific Plan allowable financing mechanisms are listed and then described in further detail in the following paragraphs:

- Community Facilities District;
- Landowner Funding Agreement;
- Development Impact Fees;
- Private Endowment; and
- Private Financing.

Allowable Specific Plan financing mechanisms also may include offers of dedication, fee dedications, and/or conservation easements; assessment districts; infrastructure financing districts (e.g., open space and habitat management/maintenance, lighting and landscaping, bridge and thoroughfares); exactions; and reimbursement agreements. In addition, the Specific

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Plan contemplates possible use of emerging financing mechanisms, such as payment in lieu of tax (PILOT) assessments.

The primary financing mechanisms to be used within the Specific Plan area are described further below.

6.2.1 Community Facilities District

The Mello-Roos Community Facilities Act of 1982 enables the City to establish community facilities districts and to levy approved taxes to fund a variety of Public Improvements required by the Specific Plan.

The Mello-Roos Act can provide funding for the purchase, construction, expansion, rehabilitation, or maintenance of, among other services, open space, parks, recreation programs, flood protection, stormwater and drainage systems, streets, roads, parkways, police and fire protection, and ambulance and paramedic services. If this financing mechanism is utilized, the special tax will be structured based on the zoning development intensity of the Specific Plan property subject to the tax, and the tax will not apply to residents or property owners outside of the Specific Plan area.

Improvements within the Specific Plan area may be partially funded through the establishment of one or more Community Facilities Districts.

6.2.2 Landowner Funding Agreement

Covenants, conditions and restrictions (CC&Rs) are a financing mechanism that establishes an assessment or obligation of one property owner for the benefit of another property. The recording of CC&Rs against the burdened property creates a permanent obligation that can be enforced against the burdened property owner by a party holding an interest in the benefited property.

For example, this financing mechanism would enable the property owner(s) of the Specific Plan area to enter into CC&Rs recorded against one or more parcels designated for VSC uses for the benefit of parcels within the Specific Plan area designated for open space uses. The CC&Rs would require that maintenance of the open space portion of the Specific Plan area be funded by development on the VSC remaining portion of the Specific Plan area. The CC&Rs would not be susceptible to unilateral amendment by the owner/operator of the burdened property, and in the event of a breach by the burdened property owner/operator the other party to the CC&Rs would have an array of enforceable remedies.

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Improvements within the Specific Plan area may be partially funded through landowner funding agreements, such as CC&Rs.

6.2.3 Development Impact Fees

The City, along with an increasing number of other local communities, requires payments of impact or development fees to finance public improvements. These fees compensate the community for the extra costs of public improvements caused by new development. The fee is often payable either upon recordation of a final subdivision map or issuance of a building permit, with the proceeds placed in a fund designated by the City for the construction of certain improvements. Generally, fees are collected to fund traffic mitigation, parks and recreation facilities, fire facilities and services, schools, drainage and flood control facilities, and water and sewer facilities. The fee schedule is generally updated annually through a consumer price index adjustment, and every 5 to 10 years following recordation of a final subdivision map or issuance of a building permit.

Improvements within the Specific Plan area may be partially funded through the payment of development impact fees.

6.2.4 Private Financing

This financing mechanism will allow a property owner to agree to privately finance certain Improvements within the Specific Plan area. For example, one such option involves the establishment of an annual operation and maintenance fee charged to commercial owners or occupants to fund the open space and recreation amenities within the Specific Plan area.

Improvements within the Specific Plan area may be partially funded through this financing mechanism.

6.2.5 Endowment

This financing mechanism is an annual pledge or an endowment used to pay the operation and maintenance costs associated with the open space and recreation amenities within the Specific Plan area. This financing mechanism also contemplates cooperating with a respected land conservation non-profit organization that meets standards for excellence, upholds the public trust, and ensures that land stewardship and conservation efforts are permanent.

Improvements within the Specific Plan area may be partially funded through this financing mechanism.

6.3 FINANCING PLAN

Table 6.0-1, Improvements and Financing, summarizes on- and off-site Improvements required to be in place prior to or concurrent with need, as well as a description of the allowable financing mechanisms. This summary of allowable financing mechanisms is provided as a guideline; actual implementation of specific financing mechanisms will be accomplished pursuant to established procedures, laws, and regulations applicable to such financing mechanism.

**Table 6.0-1
Improvements and Financing**

Required Improvements	Allowable Financing Mechanism(s)
Open space	<ul style="list-style-type: none"> • Community facility district • Private Financing • Private Endowment • Dedication • Special financing district
Recreation program amenities (including trails)	<ul style="list-style-type: none"> • Community facility district • Private financing • Endowment • CC&Rs • Dedication • Special financing district
Traffic circulation	<ul style="list-style-type: none"> • Traffic impact fees • Bridge and Thoroughfare Fees • Special financing district fees • Communities facilities district (formation or fee payment) • Developer-constructed improvement financing • Developer Funding Agreements • Reimbursement agreement(s) • Private Financing
Drainage and stormwater management	<ul style="list-style-type: none"> • Private financing • Impact fees
Water service systems	<ul style="list-style-type: none"> • Private financing • Capacity and connection fees
Sewer service system	<ul style="list-style-type: none"> • Private financing • Capacity and connection fees
Wastewater treatment	<ul style="list-style-type: none"> • Private financing • Capacity and connection fees
Fire protection and suppression	<p>To the extent required:</p> <ul style="list-style-type: none"> • Private financing • Capacity and connection fees

**Table 6.0-1
Improvements and Financing**

Required Improvements	Allowable Financing Mechanism(s)
Police protection, ambulance and paramedic services	To the extent required: <ul style="list-style-type: none"> • Private financing • Capacity and connection fees
Libraries	Not applicable

6.4 SPECIFIC PLAN PROCEDURES AND PROCESS

This Chapter sets forth the exclusive procedures, regulations, and process to fully implement the Specific Plan consistent with the Specific Plan Initiative that includes amendments to the Carlsbad Municipal Code, title 21, Zoning, to add the Agua Hedionda 85/15 Specific Plan Zone.

6.4.1 Intent and Purpose

The intent and purpose of the new Agua Hedionda 85/15 Specific Plan Zone is to:

- Exempt the Specific Plan area from the Carlsbad Municipal Code, title 21, Zoning; and, instead, require that the development standards, design guidelines, infrastructure, open space, trails, and other Specific Plan-identified facilities, services, and amenities be exclusively used to ensure consistency with the Carlsbad General Plan (1994) and compliance the City’s Growth Management Program and the Agua Hedionda LUP (1982); and that all plan-checks, sign-offs, actions, decisions, approvals, and other determinations required by the Specific Plan with respect to said standards, guidelines, infrastructure, open space, trails, and other Specific Plan-identified facilities, services, and amenities be ministerial and comply with all plan review activities described in **Chapter 6.4, Specific Plan Procedures and Process** and all Specific Plan environmental protection features (EPFs) in Specific Plan, **Appendix B**;
- Provide that such development be compatible with surrounding development and land uses;
- Exempt the Specific Plan area from the Carlsbad Municipal Code, title 19, Environment, chapter 19.04; and, instead, require that all plan-checks, sign-offs, actions, approvals, and other determinations required by the Specific Plan for the Specific Plan area be ministerial, consistent with Carlsbad Municipal Code section 19.04.070(A)(1)(a), and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plan review activities

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described in **Chapter 6.4**, Specific Plan Procedures and Process and all of the Specific Plan EPFs in Specific Plan, **Appendix B**;

- Provide for the Improvements necessitated by the development within the Specific Plan area;
- Comply with the Carlsbad Municipal Code, title 18, Building Codes and Regulations, including stormwater management and discharge control requirements, except that all plan-checks, sign-offs, actions, decisions, approvals, and other determinations with respect to such provisions shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plan review activities described in **Chapter 6.4**, Specific Plan Procedures and Process and all of the Specific Plan EPFs in Specific Plan, **Appendix B**;
- Comply with the Carlsbad Municipal Code, title 15, Grading and Drainage, except that all plan-checks, sign-offs, actions, decisions, approvals, and other determinations with respect to such provisions shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plan review activities described in **Chapter 6.4**, Specific Plan Procedures and Process and all of the Specific Plan EPFs in Specific Plan, **Appendix B**;
- Comply with the Carlsbad Municipal Code, title 11, Public Property, except that all plan-checks, sign-offs, actions, decisions, approvals, and other determinations with respect to such provisions shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plan review activities described in **Chapter 6.4**, Specific Plan Procedures and Process and all of the Specific Plan EPFs in Specific Plan, **Appendix B**; and
- Comply with the Carlsbad Municipal Code, title 17, Fire Protection, including the requirement to have the Fire Code Official sign-off on the Specific Plan Fire Protection Plan, except that all plan-checks, sign-offs, actions, decisions, approvals, and other determinations with respect to such provisions shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plan review activities described in **Chapter 6.4**, Specific Plan Procedures and Process and all of the Specific Plan EPFs in Specific Plan, **Appendix B**.

6.4.2 Application and Fees

Application(s) shall be submitted by the Specific Plan applicant or its designee prior to initiating any development within the Specific Plan area. The application(s) shall:

- Be made in writing on form(s) prescribed by the City Planner;

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- State fully the circumstances and conditions relied upon as grounds for the application(s); and
- Be accompanied by the plans set forth below, a legal description of the property involved, and all other materials specified by the City Planner, working in cooperation with the applicant and City engineer(s).

The application(s) shall be processed exclusively in accordance with the plan review and grading/building permit process set forth herein and in the Specific Plan Initiative.

At the time of filing the application(s), the Specific Plan applicant or its designee shall pay the application fee contained in the most recent fee schedule adopted by the City.

For purposes of this Specific Plan only, the City Manager or designee shall assign the City Planner who shall be primarily responsible for overseeing development within the Specific Plan area, and for adhering to the exclusive Specific Plan procedures and processes herein.

6.4.3 Plan Review Process

The plans accompanying an application shall: (a) satisfy the City's prescribed submittal checklist or plan-check requirements, which requirements are exempt from CEQA and the Guidelines; (b) provide the materials that demonstrate compliance with the Specific Plan land use plan, development standards, or design guidelines, or with requirements for infrastructure, open space, trails, services, facilities, and other amenities herein; and (c) undergo ministerial plan-check on forms prescribed by the City Planner in the time frames specified below. Plans may be submitted for the entire Specific Plan area, or for any portion of it.

The application and plan submittals shall include the following:

- Plans to scale showing the plan details, location, dimensions, sizing, construction methods, and other materials specified by the City Planner based on the City's prescribed submittal checklist and plan-check requirements; and
- Any other plans, drawings, or materials demonstrating compliance with the Specific Plan land use plan, development standards, or design guidelines, or with requirements for infrastructure, open space, trails, services, facilities, and other amenities herein.

The above requirements for the submittal of application(s) and plan(s) shall apply to all the following:

- Architectural plans, including, and not limited to, color, texture, materials, and adornments;
- Building elevations and floor plans, including, and not limited to, the following:

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- Location and size of any required refuse and storage areas;
- The height of all buildings; elevations; and
- Roof plans showing roof design, location of roof appurtenances, roof top equipment, screening, and stairways, or other roof access;
- City annexations;
- City sign-off on Specific Plan funding mechanisms (to the extent required by laws or regulations applicable to such funding mechanism);
- Drainage plans, headwalls, access, riprap, lagoon drainage outlets, specifications, engineering, biota reports and other studies, design features, and other measures that promote habitat preservation and conservation relative to Specific Plan drainage improvements, drainage basin(s), pipeline(s), and/or lagoon outlets, and associated grading;
- Fence and wall plans;
- Fire protection plans;
- Grading plans, specifications, and engineering/soils/other reports;
- Haul routes;
- Improvement plans and standard form City agreements, including and not limited to on- and off-site public improvements;
- Integrated pest management plans;
- Irrevocable offers of dedication, or any other dedications;
- Landscape and/or irrigation plans;
- Lighting plans;
- Natural habitat restoration and monitoring plan;
- Nutrient management plans;
- Plans and permits for work in or encroachments on public property;
- Proposed CC&Rs;
- Site-distance corridor plans;
- Site plans, including, and not limited to, the following:
 - The regulation of points of ingress and egress;
 - Streets;

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- Utilities;
- Water;
- Drainage and sewer facilities; and
- Street dedication and improvements (or posting of bonds);
- Standard urban stormwater mitigation plans;
- Stormwater conveyance system protections;
- Stormwater management plans;
- Stormwater pollution prevention plans;
- Traffic control plans;
- Traffic-related improvement plans;
- Transit and circulation plans;
- Water quality, sewer facilities, potable water, non-potable (recycled), and other public facilities plans; and
- Any other plans, drawings, specifications, studies, and reports required by the Specific Plan or its environmental protection features in **Appendix B** of the Specific Plan.

After such application and plan submittals, the City Planner, in cooperation with the City engineer(s), and the Specific Plan applicant (or designee), shall apply the City's prescribed checklist and plan-check requirements and the Specific Plan development standards, design guidelines, and other applicable requirements herein; and complete its plan-check process within forty-five (45) days after submittal of the completed application(s) and said plan(s). If corrections or additional information are required, the City Planner shall notify Specific Plan applicant or its designee, and said applicant or designee shall submit the corrected or additional information to the City Planner within twenty (20) days after receipt of notification. This plan-check process between the City Planner and applicant or designee shall be an objective, iterative process, which shall continue until the completion and sign-off of said plans, which shall not exceed a total of one hundred twenty (120) days from the date of the submittal of the completed application(s) and said plan(s). In the event the City Planner fails to sign-off on said completed application(s) and plan(s) within the time limits required by this chapter, such failure to sign-off shall be deemed approved.

The final signed plan(s), or deemed-approved plan(s), shall be the official plan(s) for the Specific Plan area.

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Except for the foregoing plan-review process and the review processes described in the balance of this Chapter, development within the Specific Plan area is exempt from any other plan-check or review process, policies, or requirements under the Carlsbad Municipal Code or City standards that would otherwise apply to the Specific Plan area.

6.4.4 Signage

Installation of signage within the Specific Plan area shall adhere to the signage standards, design guidelines, and procedures set forth in **Chapter 3.0** and **Chapter 4.0** of the Specific Plan.

6.4.5 Enforcement

It shall be unlawful for any person to initiate any development within the Specific Plan area without first obtaining City Planner sign-off on plans and signage required under the Specific Plan, unless such plans have been deemed approved. Whenever in this Specific Plan any act is prohibited or is made or declared to be unlawful, or the doing of any act is required, or the failure to do any act is determined to be unlawful, the City of Carlsbad retains its authority under the Carlsbad Municipal Code, chapter 1.08, Penalty, and chapter 1.10, Administrative Code Enforcement Remedies, to enforce any such violation or offense.

6.5 ZONING ORDINANCE

The development within the Specific Plan area shall be exempt from the Carlsbad Municipal Code, title 21, Zoning. Instead, the Specific Plan shall comply with the Specific Plan development standards, design guidelines, infrastructure, open space, trails, and other identified facilities, services, and amenities; and such compliance shall be in accordance with **Chapter 6.4**, Specific Plan Procedures and Process. Determinations or decisions regarding such compliance also shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to: (a) all plan review activities described in **Chapter 6.4**, Specific Plan Procedures and Process; and (b) all of the Specific Plan EPFs in Specific Plan, **Appendix B**.¹

The City's Habitat Management Plan (2004) preservation and management requirements are contained in the Carlsbad Municipal Code, title 21, Zoning, chapter 21.210. Subject to the preceding paragraph, if the drainage improvements are required to be implemented by or through the Specific Plan, the Specific Plan applicant or its designee will comply with chapter 21.210 of

¹ Upon Specific Plan Initiative approval, the Coastal Commission must still certify the Agua Hedionda LUP (1982) amendments (including the Specific Plan) before the local enactments (e.g., General Plan Amendments, Zone Change, Specific Plan) take effect under section 30514(a) of the Public Resources Code within the Coastal Act.

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the Carlsbad Municipal Code, except that that all such processing shall follow the exclusive procedures set forth in the Specific Plan, **Chapter 6.4**, Specific Plan Procedures and Process.

It shall be unlawful for any person to initiate any development within the Specific Plan area without first complying with the Specific Plan, **Chapter 6.4**, Specific Plan Procedures and Process.

6.6 ENVIRONMENT CODE

The development within the Specific Plan area shall be exempt from the Carlsbad Municipal Code, title 19, Environment, chapter 19.04. Instead, the Specific Plan shall comply with the Specific Plan development standards, design guidelines, infrastructure, open space, trails, and other identified facilities, services, and amenities; and such compliance shall be in accordance with **Chapter 6.4**, Specific Plan Procedures and Process. Determinations or decisions regarding such compliance also shall be ministerial, consistent with Carlsbad Municipal Code section 19.04.070(A)(1)(a), and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to: (a) all plan review activities described in **Chapter 6.4**, Specific Plan Procedures and Process; and (b) all of the Specific Plan EPFs in Specific Plan, **Appendix B**.

It shall be unlawful for any person to initiate any development within the Specific Plan area without first complying with the Specific Plan, **Chapter 6.4**, Specific Plan Procedures and Process.

6.7 BUILDING CODES

The Specific Plan shall comply with the Carlsbad Municipal Code, title 18, Building Codes and Regulations, including stormwater management and discharge control requirements and requirements for issuance of building permits by the Building Official (i.e., the representative of the City designated to enforce the provisions of the California Building Code as amended). Determinations or decisions regarding compliance with such requirements shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plan review activities described in **Chapter 6.4**, Specific Plan Procedures and Process and all of the Specific Plan EPFs in Specific Plan, **Appendix B**.

Notwithstanding that Carlsbad Municipal Code section 18.50.030, which incorporates by reference the entire landscape manual, the Specific Plan shall adhere only to the ministerial components of the landscape manual, including the landscape construction document requirements in chapter 4 of said manual.

It shall be unlawful for any person to initiate any development within the Specific Plan area without first obtaining Building Official sign-off on the Specific Plan building permits.

6.8 STORMWATER MANAGEMENT AND DISCHARGE CONTROLS

The Specific Plan shall comply with the Carlsbad Municipal Code, title 15, Grading and Drainage, except that all plan-checks, sign-offs, actions, decisions, approvals, and other determinations with respect to such provisions shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plan review activities described in **Chapter 6.4**, Specific Plan Procedures and Process and all of the Specific Plan EPFs in Specific Plan, **Appendix B**. In addition, for purposes of the Specific Plan area:

- The Specific Plan shall be exempt from chapter 15.12, section 15.12.080(I), except that as to Storm Water Management Plan (SWMP) requirements, the Specific Plan shall comply with all applicable best management practices and low impact development (LID) requirements of the Carlsbad Municipal Code Standard Urban Stormwater Management Plan (SUSMP) and City standards, including but not limited to the following:
 - All Specific Plan applications shall be accompanied by a SWMP prepared pursuant to the SUSMP. No building permit shall be issued unless the following requirements have been met: (a) the City engineer has signed-off on the SWMP in accordance with the SUSMP; and (b) the Specific Plan complies with all best management practices specified in the SWMP as signed off.
 - No building permit shall be issued within the Specific Plan area without requiring installation and maintenance of all applicable structural treatment control best management practices, as specified in the SWMP, will be maintained. To ensure maintenance, a permanent storm water quality best management practices maintenance agreement or an alternate maintenance mechanism shall be required and signed off by the City enforcement official.

It shall be unlawful for any person to initiate any development within the Specific Plan area without first obtaining City engineer sign-off on the Specific Plan stormwater management plans and discharge controls.

6.9 GRADING ORDINANCE

The Specific Plan shall comply with the Carlsbad Grading Ordinance, title 15, except that all plan-checks, sign-offs, actions, decisions, approvals, and other determinations with respect to such provisions shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plan review activities described in

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Chapter 6.4, Specific Plan Procedures and Process and all of the Specific Plan EPFs in Specific Plan, **Appendix B**. In addition, for purposes of the Specific Plan area:

- Notwithstanding anything to the contrary in the Carlsbad Municipal Code, title 15, the provisions in title 20, Subdivisions, shall not apply absent the need for a land division; and the provisions in title 21, Zoning, also shall not apply.
- “Grading Permit” shall mean the document issued by the City engineer pursuant to title 15, section 15.16.110, after having conducted the plan review and sign-off on permit application(s) and plan submittal(s) demonstrating compliance with this Specific Plan, the ministerial landscape construction documents requirements of Chapter 4 of the City’s landscape manual, and all applicable portions of title 15 of the Carlsbad Municipal Code.
- All grading plans, specifications, and engineering reports required for grading permit submittal shall be prepared in accordance with the requirements set forth in title 15, section 15.16.067, except that such grading plans shall show in detail that it will conform to the provisions of the Specific Plan, the ministerial landscape construction documents requirements of Chapter 4 of the City’s landscape manual, and all applicable portions of title 15 of the Carlsbad Municipal Code.
- Grading permit issuance shall comply with title 15, section 15.16.110, except for completion of environmental documentation in accordance with chapter 19.04 of the Carlsbad Municipal Code. This exception applies because the Specific Plan, and the construction of improvements authorized herein, are adopted by Initiative and, therefore, are exempt from CEQA.

It shall be unlawful for any person to initiate any development within the Specific Plan area without first obtaining City engineer sign-off on the Specific Plan grading and drainage plans and grading permits.

6.10 CITY PUBLIC RIGHT-OF-WAY CODE

The Specific Plan shall comply with the applicable provisions of the Carlsbad Municipal Code, title 11, except that all plan-checks, sign-offs, actions, decisions, approvals, and other determinations with respect to such provisions shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plan review activities described in **Chapter 6.4**, Specific Plan Procedures and Process and all of the Specific Plan EPFs in Specific Plan, **Appendix B**.

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It shall be unlawful for any person to initiate any development within the Specific Plan area without first obtaining City engineer sign-off on any Specific Plan installation within the City right-of-way.

6.11 FIRE CODE

The Specific Plan shall comply with the Carlsbad Municipal Code, title 17, Fire Protection, including the requirement to have the Fire Code Official sign-off on the Specific Plan Fire Protection Plan, except that all plan-checks, sign-offs, actions, decisions, approvals, and other determinations with respect to such provisions shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plan review activities described in **Chapter 6.4**, Specific Plan Procedures and Process and all of the Specific Plan EPFs in Specific Plan, **Appendix B**.

It shall be unlawful for any person to initiate any development within the Specific Plan area without first obtaining Fire Code Official sign-off on the Specific Plan Fire Protection Plan.

6.12 COASTAL ACT ADMINISTRATION

Upon approval of the Specific Plan Initiative, this Specific Plan and the amendments to the Agua Hedionda LUP (1982) are hereby approved for submittal to the Coastal Commission pursuant to Public Resources Code section 30510 and the California Code of Regulations, title 14, section 13551(b)(1).

The amendments to the Agua Hedionda LUP shall take effect automatically upon Coastal Commission certification, including any terms or modifications which are suggested or required for final certification by the Commission. Any such terms or modifications of certification by the Coastal Commission are hereby acknowledged, accepted, and agreed upon pursuant to the California Code of Regulations, title 14, sections 13551 and 13544.5 of the Coastal Act.

Following Specific Plan approval, the Coastal Commission will consider issuance of a coastal development permit to implement the Specific Plan pursuant to Chapter 7 of the Coastal Act. As part of the coastal development permit application process, the City, working with the Specific Plan applicant or its designee, will confirm that development under the Specific Plan (1) meets all zoning requirements, (2) needs no local permits other than building permits, and (3) has satisfied the California Environmental Quality Act or is otherwise exempt.

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6.13 SUBSTANTIAL CONFORMANCE

6.13.1 Purpose

In general, the expectation and goal is that all aspects of an approved plan (i.e., site plan, site design, design guidelines, development regulations, conditions, etc.) are completed and implemented through buildout. The overriding objective is to attain the highest quality plan consistent with the site plan, design, conditions, and commitments associated with any original approval. However, there will be situations where aspects of an approved plan will be proposed for change or revision.

Notwithstanding any provision in the Carlsbad Municipal Code or other policy or regulation of the City or any department thereof, this chapter establishes the sole, exclusive, and objective criteria for the City Planner to sign-off on whether a requested Specific Plan change or modification is in substantial conformance with the original Specific Plan approval, consistent with the exclusive substantial conformance procedures set forth herein.

6.13.2 Substantial Conformance Criteria and Procedures

6.13.2.1 Substantial Conformance Criteria

The following are the exclusive criteria that shall be followed by the City Planner with regard to signing off on whether a requested Specific Plan change or modification is in substantial conformance with the original Specific Plan approval. The City Planner shall determine that changes or modifications are in substantial conformance in cases of:

- Design modifications or changes in site conditions (new or different) that deviate from the scope or conditions documented in the Specific Plan or amendments to the Agua Hedionda LUP (1982), but do not result in significant new environmental effects or significant new coastal resources effects;
- Imposition of any additional conditions or EPFs that avoid or minimize environmental effects of the Specific Plan, provided that such conditions or features are feasible, linked (i.e., there is an essential nexus) with a legitimate governmental interest, roughly proportional, and consistent with the intent and purpose of this Specific Plan;
- One or more adopted conditions or EPFs that become outdated or infeasible to implement as part of the Specific Plan, but there is one or more roughly equivalent condition(s) or feature(s) that can be substituted in place of the adopted condition(s) or feature(s), and are consistent with the intent and purpose of this Specific Plan;

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- Specific Plan modifications or Agua Hedionda LUP (1982) amendments that are required as a result of the Coastal Commission's review pursuant to Public Resources Code section 30512; or
- Clerical modifications or changes in the Specific Plan to correct inadvertent errors or inconsequential conflicts with regard to the Specific Plan or its requirements.

These substantial conformance criteria apply to any Specific Plan modifications, including those requested by the Specific Plan applicant or its designee; or required as a result of the Coastal Commission's review of the Specific Plan and the associated Agua Hedionda LUP (1982) amendments as part of the Coastal Act submission and certification process.

The City Planner shall sign-off on a substantial conformance application provided it meets the above criteria, and the sign-off shall be the final, official action of the City. The City Planner's substantial conformance determinations shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines.

6.13.2.2 Substantial Conformance Procedure

Application

Application(s) for substantial conformance shall be filed on form(s) prescribed by the City Planner and accompanied by payment of the City's fee based on the latest adopted fee schedule. Application(s) shall be made by the Specific Plan applicant or its designee.

Hearing

No public hearing or public meeting shall be required in response to a substantial conformance application.

Sign-Off

The City Planner shall review and sign-off on a substantial conformance application request if it meets the substantial conformance criteria set forth above. The City Planner shall promptly provide written notice to the Specific Plan applicant or its designee and the Coastal Commission of the sign-off of any substantial conformance application. The City Planner's sign-off or refusal to sign-off, shall be final, however, the Specific Plan applicant or designee and City Manager shall meet and confer over any such refusal to sign-off. There shall be no administrative appeal of the City Planner's sign-off or refusal to sign-off.

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The City Planner shall make its substantial conformance sign-off or refusal to sign-off and issue written notice of same within 30 days of submittal of the substantial conformance application.

6.13.3 Specific Plan Amendments

Purpose

Amendments to the Specific Plan shall be required for modifications that are beyond the scope of the above-referenced substantial conformance criteria.

Process

Except as provided in the above-referenced substantial conformance provisions, the provisions of this Specific Plan can be amended or repealed as set forth in the Specific Plan Initiative.

6.14 GENERAL PLAN CONSISTENCY

This Specific Plan has been prepared in conformance with the goals and policies of the adopted Carlsbad General Plan (1994) and the Draft General Plan Update (2014). In 2008, the City initiated a comprehensive planning and public participation process to update its General Plan. A Draft General Plan Update (2014) has been prepared, and the City is continuing to work on responses to comments received on the Draft General Plan Update (2014). When the responses to comments are completed and the City's *Draft Program Environmental Impact Report for the Carlsbad General Plan Update* (Draft EIR) is finalized, the City will initiate the public hearing process before both its Planning Commission and City Council.

At the time the process commenced for enactment of this Specific Plan, the Draft General Plan Update (2014) goals and policies had not been adopted by City Council; thus, the Specific Plan need not demonstrate consistency with a draft plan. Nonetheless, to provide information that may be useful to the City, its decision makers, and the public, this Specific Plan demonstrates its consistency with both the current and Draft General Plan Update (2014) goals and policies.

The Specific Plan, **Appendix A**, General Plan Consistency Analysis, contains the assessment demonstrating that the Specific Plan is consistent with the applicable goals and policies of both the adopted Carlsbad General Plan (1994) and the Draft General Plan Update (2014). To reduce the length of the General Plan Consistency Analysis, Specific Plan **Appendix A** does not assess Specific Plan consistency with every goal or policy included in the adopted Carlsbad General Plan (1994) or the Draft General Plan Update (2014). Instead, **Appendix A** focuses on the goals and policies relevant to the land uses and development within the Specific Plan area.

6.15 GROWTH MANAGEMENT PROGRAM CONSISTENCY

Established in 1986, the City’s Growth Management Program, enacted in Carlsbad Municipal Code, title 21, Zoning, chapter 21.90, Growth Management, directly links future development to the provision of public facilities and services in the City. The City uses a three-phase growth management approach. The “Citywide Facilities and Improvement Plan” establishes the 11 public facility performance standards and the principles for capital financing plans. “Local Facility Management Plans” are established for 25 sub-areas of the City. Development is then reviewed for compliance with the Citywide Plan and the applicable Local Facility Management Plan. Special conditions, phasing, and other requirements may apply based on the City’s three-phase approach.

The Specific Plan is in compliance with the City’s Growth Management Program, including the applicable Zone 13 LFMP (1995). To ensure that the Specific Plan remains compliant, **Table 6.0-2**, sets forth the required Zone 13 LFMP (1995) compliance provisions that shall apply to this Specific Plan and all such compliance shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines:

**Table 6.0-2
Zone 13 Local Facility Management Plan Requirements**

Compliance	Condition	Financing
<i>City Administrative Facilities</i>		
Zone 13 compliant through buildout.	No special conditions are required for City Administrative Facilities.	All necessary City Administrative Facilities are in place and the required performance has and will continue to be complied with; therefore, no special funding mechanisms are required. Participation in Carlsbad CFD No. 1 satisfies the financing guarantee for the facilities included in the CFD. Payment of Public Facilities Fees at the time of issuance of building permits for development shall satisfy the financing obligation of private development for any additional City Administrative facility upgrades or maintenance.
<i>Library Facilities</i>		
Zone 13 compliant through buildout.	No special conditions are required for Library Facilities.	All necessary Library Facilities are in place and the required performance has and will continue to be complied with; therefore, no special funding mechanisms are required. Participation in Carlsbad CFD No. 1 satisfies the financing guarantee for the facilities

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**Table 6.0-2
Zone 13 Local Facility Management Plan Requirements**

Compliance	Condition	Financing
		included in the CFD. Payment of Public Facilities Fees at the time of issuance of building permits for development shall satisfy the financing obligation of private development for any additional Library facility upgrades or maintenance.
<i>Wastewater Treatment Capacity</i>		
Zone 13 compliant through buildout.	Adequate sewer treatment capacity will be able to accommodate buildout sewer flows for the Carlsbad Sewer Service Area. Future development in Zone 13 will be required to pay the sewer connection fee and the sewer benefit area fees for this basin at the time of issuance of building permits for development within Zone 13. Payment of these fees will mitigate any Performance Standard impacts for Wastewater Treatment resulting from the development of Zone 13.	Sewer connection fees provide the source of funding for both sewer line upgrades and expansion of treatment plant capacity. Payment of sewer connection fees shall satisfy the financing obligation of private development for Wastewater Treatment Capacity
<i>Parks Facilities</i>		
Park District 1 and Zone 13 will compliant through the buildout of Zone 13 by Capital Improvement Program funding and the payment of a Growth Management Fee of \$0.40 per square foot prior to the issuance of building permits.	New development within Zone 13 shall pay a park fee of \$0.40 per square foot of nonresidential development structures. The purpose of this fee is to fund recreational facilities within the industrial corridor of the City of Carlsbad.	A Growth Management park fee of \$0.40 per square foot of non-residential development will be collected at the time of building permit issuance for any future development within the zone. This fee will be used to construct recreational facilities to offset the demand created by employees within Zone 13. Payment of this fee shall satisfy the financing guarantee for construction of the necessary future parks.
<i>Drainage Facilities</i>		
Zone 13 will be compliant through buildout by the construction of drainage facilities.	a. Prior to the issuance of a grading permit or building permit, whichever occurs first, for the Specific Plan, the Specific Plan applicant or its designee is required to financially guarantee the construction of the storm drainage facilities required for the Specific Plan development. The Specific Plan applicant or its designee shall financially guarantee and install necessary storm drain pipes and facilities and hydro-modification/detention basins at the	On-site facilities will be funded by new development. All new development will pay PLDA Fees which are used by the City of Carlsbad to fund public drainage infrastructure throughout the City. Drainage improvements shall be constructed, or an improvement agreement will be provided by the Specific Plan applicant or its designee, prior to the issuance of grading permit or building permit for the development requiring such improvement. No grading

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**Table 6.0-2
Zone 13 Local Facility Management Plan Requirements**

Compliance	Condition	Financing
	<p>downstream end of the 7 sub-basins at the northern perimeter of Zone 13 in conjunction with development of the Specific Plan.</p> <p>b. New development within Zone 13 shall pay Planned Local Drainage Area (PLDA) Fees to the City of Carlsbad. Such fees are based on a per acre basis of land developed regardless of whether the proposed development connects to the City's storm drain system. This impact fee is based on an "essential nexus" to the impact from the development on the community. Notwithstanding that a particular area within Zone 13 does not propose any connections to the City's storm drain system; a PLDA fee for the development will be required and provided.</p>	<p>permits or building permits requiring these improvements will be issued until the necessary financial guarantee for the appropriate drainage improvements has been provided to the City, and has been found acceptable to the City Finance Director and City Attorney as consistent with the Specific Plan.</p>
<i>Circulation Facilities</i>		
<p>Zone 13 Circulation facilities will be compliant through buildout by the identified traffic circulation mitigation.</p>	<p>Zone 13 Circulation facilities shall comply with the Traffic and Circulation environmental protection features set forth in the Specific Plan, Appendix B.</p>	<p>On-site facilities will be funded by new development. Specific intersection mitigation will be funded by adjacent development, or in the case where adjacent development has been completed and the area is fully urbanized, funding shall take place with Traffic Impact Fees (TIF) funds. All new development will pay TIF, which are used by the City of Carlsbad to fund public circulation improvements throughout the City.</p> <p>Circulation improvements shall be constructed, or an improvement agreement will be provided by the Specific Plan applicant or its designee, prior to the issuance of grading permit or building permit for the development requiring such improvement. No grading permits or building permits requiring these improvements will be issued until the necessary financial guarantee for the appropriate traffic improvements has been provided to the City, and has been</p>

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**Table 6.0-2
Zone 13 Local Facility Management Plan Requirements**

Compliance	Condition	Financing
		found acceptable to the City Finance Director and City Attorney as consistent with the Specific Plan.
<i>Fire Facilities</i>		
Zone 13 compliant through buildout.	No special conditions are required for Fire Facilities.	All fire facilities are in place for Zone 13 and the required Performance Standard has and will continue to be complied with; therefore, no special funding mechanisms are required.
<i>Open Space</i>		
Zone 13 compliant through buildout.	No special Zone 13 mitigation is required.	Zone 13 is in compliance with the required Open Space Performance Standard for open space and therefore no special funding mechanism is required.
<i>School Facilities</i>		
Zone 13 compliant through buildout.	Undeveloped commercial and industrial properties are exempt from the requirement to annex into Carlsbad Unified School District (CUSD) Community Facilities District No. 3 which provides the funding mechanism for payment of school mitigation costs and thus conformance with the adopted Performance Standard and requirements of the State of California and the CUSD. No mitigation conditions are required of properties within Zone 13.	The required Performance Standard has and will continue to be complied with; therefore, no special funding mechanisms are required.
<i>Sewer Collection Facilities</i>		
Zone 13 compliant through buildout by the installation of sewer collection facilities sized to serve anticipated buildout demand within the zone, subject to compliance with the identified mitigation measures.	All development within Zone 13 will be required to pay the appropriate sewer connection fees prior to issuance of any building permits for such development.	On-site facilities will be funded by new development. All new development will pay sewer connection fees which are used by the City of Carlsbad to fund public sewer infrastructure throughout the City. Sewer improvements shall be constructed, or an improvement agreement will be provided by the Specific Plan applicant or its designee, prior to the issuance of grading permit or building permit for the development requiring such improvement. No grading permits or building permits requiring these improvements will be issued until

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**Table 6.0-2
Zone 13 Local Facility Management Plan Requirements**

Compliance	Condition	Financing
		the necessary financial guarantee for the appropriate sewer collection improvements has been provided to the City, and has been found acceptable to the City Finance Director and City Attorney as consistent with the Specific Plan.
<i>Water Distribution Facilities</i>		
Zone 13 compliant through buildout by the installation of water distribution facilities sized to serve anticipated buildout demand within the zone, subject to compliance with the identified mitigation measures.	<p>a. Water facilities will be provided by the Specific Plan applicant or its designee for development within Zone 13 concurrent with Zone 13 development to the satisfaction of Carlsbad Municipal Water District (CMWD).</p> <p>b. All future development in Zone 13 shall pay a major facilities fee based on water meter size to CMWD and any capacity charge levied by the San Diego County Water Authority for domestic water meters.</p>	<p>On-site facilities will be funded by new development. All new development will pay water connection fees which are used by the City of Carlsbad to fund public water infrastructure throughout the City.</p> <p>Water improvements shall be constructed, or an improvement agreement will be provided by the Specific Plan applicant or its designee, prior to the issuance of grading permit or building permit for the development requiring such improvement. No grading permits or building permits requiring these improvements will be issued until the necessary financial guarantee for the appropriate water distribution improvements has been provided to the City, and has been found acceptable to the City Finance Director and City Attorney as consistent with the Specific Plan.</p>

In addition, the Specific Plan shall comply with the following conditions to ensure that the necessary public facilities are provided in compliance with the City of Carlsbad’s Growth Management Program:

- (1) All development within Zone 13 shall conform to the provisions and conditions of the Zone 13 LFMP (1995).
- (2) All development within Zone 13 shall be required to pay a Public Facilities Fee pursuant to the standards adopted by the City Council on July 28, 1987, and as amended from time to time and all other applicable fees. Development in Zone 13 also shall be responsible for any additional fees to be incorporated

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into this plan that are found to be necessary to enable facilities to meet the adopted Growth Management Program Performance Standard. If all such fees are paid at the time of building permit issuance, the Specific Plan area may or may not require annexation into CFD No. 1.

- (3) The City of Carlsbad shall monitor all facilities in Zone 13 pursuant to subsections 21.90.130(c), (d) and (e) of the Carlsbad Municipal Code.
- (4) All development in Zone 13 shall be in conformance with the adopted Citywide Facilities and Improvements Plan as adopted by City Council Resolution 8797 on September 23, 1986, and amended on January 9, 1990, and in conformance with future amendments as described in Condition 5 below.
- (5) An amendment to the Zone 13 LFMP (1995) will be necessary if Specific Plan development conditions change or as may be determined through the required monitoring program. Amendment to the Zone 13 LFMP (1995) may be initiated by ministerial action by the City Planner, or the Specific Plan applicant, or its designee.
- (6) If Specific Plan public facility or service is found not to be in conformance with an adopted Growth Management Program Performance Standard during the yearly monitoring, or at any other time, and a financial guarantee pursuant to the Growth Management Program for the facility is not in place, the matter will be immediately brought before the City Council. If the City Council determines that non-conformance exists, then no further building permits shall be issued until an amendment to the Citywide Facilities Improvement Plan or the Zone 13 LFMP (1995) is ministerially approved or the deficiency is otherwise satisfied pursuant to the requirements of the Growth Management Program. This amendment shall address any facility shortfalls and bring those facilities into conformance with the adopted Growth Management Program Performance Standards. Said amendment process shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines.

6.16 CITY CONDITIONS AND ENVIRONMENTAL PROTECTION FEATURES

The Specific Plan incorporates conditions and EPFs to ensure that development in the Specific Plan area shall avoid or substantially minimize significant environmental effects with appropriate sensitivity to the land, its resources, and adjacent property, as listed below.

- Aesthetics
- Agriculture and Forest Resources

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- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hydrology
- Water Quality
- Hazards and Hazardous Materials
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Fire Protection
- Police Protection
- Schools
- Libraries
- Parks and Recreation
- Traffic and Circulation
- Water Service
- Sewer Service
- Solid Waste
- Energy
- Socioeconomic Effects

All EPFs shall be implemented in accordance with the Specific Plan’s EPFs as shown in Specific Plan, **Appendix B**. The Specific Plan applicant or its designee shall bear all costs or “fair-share” costs of implementing all EPFs set forth in **Appendix B**.

6.17 OTHER IMPLEMENTATION PROVISIONS

This chapter sets forth the exclusive procedures for implementing the Specific Plan with regard to the property referenced below.

6.17.1 Open Space and Agricultural Areas

As stated, the Specific Plan’s open space and agricultural areas are of paramount importance to this plan.

The Specific Plan provisions permanently protect approximately 176.7 acres for open space and the continuation of strawberry farming and coastal agriculture. This protection is provided by requiring an easement granted to the City of Carlsbad, a qualified environmentally-focused non-profit organization, or public agency for open space and agricultural conservation purposes over approximately 155.1 acres of the Specific Plan area. The remaining approximately 21.6 acres will be subject to an easement or a deed restriction for open space and agricultural purposes — in addition to allowing supporting improvements and uses, including farm stand, farm-to-table dining, and parking.

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The Specific Plan provides Carlsbad residents and visitors low-impact public access to the open space lands by providing passive recreation amenities including miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, parking, and an integrated resource and educational signage program. Specifically, the Specific Plan requires that the open space portions of the approximately 155.1 acres be dedicated to one or more qualified environmentally-focused non-profit entities, land conservancy organizations, or public agencies; and that the agricultural portion be dedicated to one or more qualified environmentally-focused non-profit entities, land conservancy organizations, public agencies and/or qualified farming and agricultural interests.

Further, the Specific Plan requires the protected habitat, public access, and agricultural areas within the dedicated open space conservation land to be managed, operated, and maintained in cooperation with one or more qualified environmentally-focused non-profit entities, land conservancy organizations, land managers, agencies, and farming and agricultural interests. The Specific Plan provides for the continuation and support of strawberry farming and coastal agriculture within the Specific Plan area and furnishes Carlsbad residents and visitors with a pedestrian-oriented visitor-serving Outdoor Shopping, Dining, and Entertainment Promenade on approximately 26.7 acres within the Specific Plan area for a high-quality, functionally integrated district designed to maintain a sense of community and contribute to Carlsbad's traditional "village" identity and beach community character.

The Specific Plan establishes revenue sources from the Specific Plan's visitor-serving commercial uses, and/or from private funding, to dedicate, improve, restore, operate, and maintain in perpetuity the dedicated open space areas at no tax burden to Carlsbad residents. These Specific Plan open space requirements and funding mechanisms must be in place prior to opening the visitor-serving commercial component of the Specific Plan.

6.17.2 Hub Park Lease

The City Planner shall sign off on whether all of the following conditions have been satisfied with regard to the Hub Park Lease:

- The Specific Plan is adopted as provided by law, and
- The Specific Plan applicant or its designee grants permanent open space and agricultural easements in favor of one or more of the City of Carlsbad qualified environmentally-focused non-profit or land conservancy organizations, and/or farming and agricultural interests with respect to the land designated as Open Space within the portion of APN 211-010-31-00 that is north of Cannon Road.

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If the City Planner signs off that the foregoing conditions are satisfied, the Hub Park Lease shall be deemed to: (a) be inconsistent with the Carlsbad General Plan (1994) with regard to the land covered by said lease, and (b) interfere with the accomplishment of the purposes set forth in the Specific Plan. Promptly thereafter, the Carlsbad City Council shall place on its agenda for action the rescission of the Hub Park Lease within sixty (60) days of the sign-off by the City Planner.

The actions of the City Planner and the Carlsbad City Council shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines.

6.17.3 Beach Access Lease

The City Planner shall sign-off on whether all of the following conditions have been satisfied with regard to the Beach Access Lease:

- The Specific Plan is adopted as provided by law,
- The Specific Plan applicant or its designee establishes a private financing plan, consistent with the financing options set forth in this chapter, to fund the acquisition, improvements, and maintenance of the land designated as open space within APN 211-010-31-00 (i.e., the portion north of Cannon Road) and APN 211-010-24-00.
- The Specific Plan applicant or its designee grants permanent open space and agricultural easements in favor of one or more of the City of Carlsbad, qualified environmentally-focused non-profit or land conservancy organizations, and/or farming and agricultural interests with respect to the land designated as open space within the portion of APN 211-010-31-00 that is north of Cannon Road, and
- The land designated as open space within the portion of APN 211-010-31-00 that is north of Cannon Road is ultimately dedicated to one or more of qualified environmentally-focused non-profit, or land conservancy organizations, public agency, and/or farming and agricultural interests.

If the City Planner signs-off that the foregoing conditions are satisfied, the Beach Access Lease shall be deemed to: (a) be inconsistent with the Carlsbad General Plan (1994) with regard to the land covered by said lease, and (b) interfere with the accomplishment of the purposes set forth in the Specific Plan. Promptly thereafter, the Carlsbad City Council shall place on its agenda for action the rescission of the Beach Access Lease within sixty (60) days of the sign-off by the City Planner.

The actions of the City Planner and the Carlsbad City Council shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines.

6.17.4 “Not a Part” (NAP) Parcels

The development approved under the Specific Plan shall not impact any recorded easement benefitting the NAP Parcels.

6.18 OTHER LOCAL APPROVALS

Notwithstanding any provision of the Carlsbad Municipal Code or other policy or regulation of the City or any department thereof, and to ensure that development within the Specific Plan area is subject to express, objective standards that cannot be changed through any subsequent local discretionary action or interpretation, the Specific Plan shall not be subject to any provision of the Carlsbad Municipal Code that seeks to regulate or guide development within the Specific Plan, except as otherwise provided in this Specific Plan.

All development within the Specific Plan shall be subject to the Zone 13 LFMP (1995) requirements and conditions identified herein above, and the EPFs shown in **Appendix B** of the Specific Plan. The City shall enforce the Specific Plan’s Zone 13 LFMP conditions and the EPFs in the same manner as the City enforces any other conditions or measures, except that the City shall not have the power to revoke or repeal the Specific Plan.

The development standards and design guidelines set forth in **Chapters 3.0 and 4.0** of the Specific Plan and the **Chapter 6.4**, Specific Plan Procedures and Process provisions identified above are intended to be implemented as ministerial and thereby exempt from the requirements of CEQA and the Guidelines. Nonetheless, if a development standard, condition, design guideline, EPF, or any other provision of this Specific Plan is construed as “discretionary” under CEQA, then the Specific Plan shall be exempt from any such requirements. The application of this exemption — if necessary — will ensure that the Specific Plan’s fundamental intent with regard to its implementation and interpretation is realized.

Except as provided in this Specific Plan, no City of Carlsbad discretionary permit, approval, or entitlement shall be required because the intent of this Specific Plan is to replace and supersede the need for any such permit, approval, or entitlement required by the City, except as otherwise provided in this Specific Plan.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

6.0 – IMPLEMENTATION

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APPENDIX A
General Plan Consistency

APPENDIX A
General Plan Consistency

Table 1, below, provides an analysis of the Specific Plan's consistency with the Carlsbad General Plan (1994) and the Draft General Plan Update (2014) relevant goals, objectives, and policies applicable to the Specific Plan area. Based on this analysis, the Specific Plan is consistent with both the Carlsbad General Plan (1994) and the Draft General Plan Update (2014).

Table 1
Carlsbad General Plan (1994) Consistency Analysis

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
<i>Land Use Element</i>			
<i>Overall Land Use Pattern</i>			
Goal A.1	A City which preserves and enhances the environment, character and image of itself as a desirable residential, beach and open space oriented community.	The proposed Agua Hedionda South Shore Specific Plan for 85% Open Space and 15% Retail (Specific Plan) is consistent because it permanently protects and conserves approximately 176.7 acres, or more than 85% of the Specific Plan area, for open space, and the continuation of strawberry farming and coastal agriculture. The Specific Plan's protection, conservation and enhancement of the open space and agricultural land will be achieved through the Specific Plan itself and in cooperation with the City of Carlsbad (City), one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, and qualified farming and agricultural interests. The remaining approximately 26.7 acres, or less than 15% of the Specific Plan area, will include creation of a pedestrian-oriented visitor-serving commercial, shopping, dining, and entertainment promenade (Outdoor Shopping, Dining, and Entertainment Promenade). The Outdoor Shopping, Dining, and Entertainment Promenade will create a sense of community, and contribute to Carlsbad's traditional "village" identity and beach community character. For further information, refer to Specific Plan, Chapter 1.1, Overview .	Consistent
A.2	A City which provides for an orderly balance of both public and private land uses within convenient and compatible locations throughout the community and ensures that all such uses, type, amount, design and arrangement serve to protect and enhance the environment, character and image of the City.	In addition to the response above addressing Goal A.1, the Specific Plan is consistent because it will provide low-impact public access to open space lands through passive recreational opportunities in the coastal zone, which are made possible through revenue sources from the Specific Plan's Outdoor Shopping, Dining, and Entertainment Promenade. For further information, refer to Specific Plan, Chapter 1.1, Overview .	Consistent
A.3	A City which provides for land uses which through their arrangement, location and size, support and enhance the	Refer to the response above addressing Goal A.2.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	economic viability of the community		
Objective B.1	To create a distinctive sense of place and identity for each community and neighborhood of the City through the development and arrangement of various land use components.	The Specific Plan is consistent because it creates a framework for protection, conservation and development within the Specific Plan area. The Specific Plan area is divided into five unique areas: (1) Habitat Management Plan Open Space (HMP-OS); (2) Passive Open Space (P-OS); (3) Exclusive Agriculture Open Space (EAG-OS) (4) Agricultural Support Open Space (AGS-OS); and (5) Visitor-Serving Commercial (VSC). These designations will allow for and facilitate the provision of habitat protection; low-cost public access to passive open space and recreation areas; the continuation of agriculture and coastal strawberry farming; and connections to unique, high-quality visitor-serving retail, shopping, dining, entertainment, and recreation opportunities. For further information, refer to Specific Plan, Chapters 3.2 and 3.3 , Land Use Plan and Land Use Designations (respectively).	Consistent
B.2	To create a visual form for the community, that is pleasing to the eye, rich in variety, highly identifiable, reflecting cultural and environmental values of the residents.	The Specific Plan is consistent because planning principles, characteristics, and development standards therein will conserve significant environmental features and resources; protect and conserve natural resources; and serve to enhance public access, open space, trails, views, and recreation opportunities. In addition, the Specific Plan will ensure buildings, structures, and improvements incorporate designs with scale, mass, and height that respect the undisturbed character of the area, and designs follow existing topography, blend in with the natural landscape, and minimize visual prominence. For further information, refer to Specific Plan, Chapter 3 , Land Use.	Consistent
B.3	To provide for the social and economic needs of the community in conjunction with permitted land uses.	Refer to the responses above addressing Goal A.1 and Objective B.1.	Consistent
Policy C.1	Arrange land uses so that they preserve community identity and are orderly, functionally efficient, healthful, convenient to the public and aesthetically pleasing.	The Specific Plan is consistent because the five areas therein — (1) Habitat Management Plan Open Space (HMP-OS); (2) Passive Open Space (P-OS); (3) Exclusive Agriculture Open Space (EAG-OS) (4) Agricultural Support Open Space (AGS-OS); and (5) Visitor-Serving Commercial (VSC) — allow for and facilitate the provision of habitat protection; low-cost public access to passive open space and recreation areas; the continuation of agriculture and coastal strawberry farming; and connections to unique, high-quality visitor-serving retail, shopping, dining, entertainment, and recreation opportunities that promote and preserve the City's identity. For further information, refer to Specific Plan, Chapters 3.2 and 3.3 , Land Use Plan and Land Use Designations (respectively).	Consistent
C.2	Establish development standards for all land use categories that	Refer to the response above addressing Policy C.1.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	will preserve natural features and characteristics, especially those within rural, coastal and/or hillside areas.		
C.3	Ensure that the review of future projects places a high priority on the compatibility of adjacent land uses along the interface of different density categories. Special attention should be given to buffering and transitional methods, especially, when reviewing properties where different residential densities or land uses are involved.	The Specific Plan is consistent because it includes development standards that define uses permitted within the Specific Plan area and provide specific standards for development in the plan. Such development standards include provisions for permitted structures, trails, walls and fencing, lighting, signage, parking and landscaping; while paying special attention to buffering and transition methods between the visitor-serving commercial and open space areas. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	Consistent
C.4	Encourage clustering when it is done in a way that is compatible with existing, adjacent development.	Refer to the response above addressing Policy C.1.	Consistent
C.6	Review the architecture of buildings with the focus on ensuring the quality and integrity of design and enhancement of the character of each neighborhood.	The Specific Plan is consistent because all structures will employ an architectural style consistent with the City's character and history. Structural design will employ sustainable, green design and technologies, and will be designed to highlight the area's history and maximize views to agricultural lands and open space. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	Consistent
C.7	Evaluate each application for development of property with regard to the following specific criteria: <ol style="list-style-type: none"> 1. Site design quality which may be indicated by the harmony of the proposed buildings in terms of size, height and location, with respect to existing neighboring development. 2. Site design quality which may be indicated by the amount and character of landscaping and screening. 3. Site design quality which may be indicated by the arrangement of the site for efficiency of circulation, or on-site and off-site traffic safety, privacy, etc. 4. The provision of public and/or private usable open space and/or pathways designated in the Open Space and Parks and Recreation Elements. 5. Contributions to and extensions of existing systems of foot or bicycle paths, equestrian trails, and the greenbelts provided 	The Specific Plan is consistent because it development within the Specific Plan area meets the criteria outlined. The open space areas will provide trails and pathways that invite visitors, residents, and others to experience the open space areas for recreation and education purposes. Trails and pathways provide convenient connections between parking, outdoor spaces, picnic areas, viewpoints, vistas and intermediate trail connections. Landscaping and screening will reinforce pedestrian connections; and, a visual separation between vehicular and pedestrian routes. The Specific Plan provides for a bike route overlay to accommodate bicycle routes, which are otherwise not permitted in certain open space areas. The VSC area will foster a sense of community by providing safe, pedestrian-friendly walkways and trails to destinations, gathering places, picnic areas, vistas, and visitor-serving commercial, dining, entertainment, and recreation amenities for a variety of Carlsbad residents and visitors. Building size, height, and location will ensure harmony with the surrounding areas. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	for in the Circulation, Parks and Recreation and Open Space Elements of the General Plan. 6. Compliance with the performance standards of the Growth Management Plan. 7. Development proposals which are designed to provide safe, easy pedestrian and bicycle linkages to nearby transportation corridors. 8. The provision of housing affordable to lower and/or moderate income households. 9. Policies and programs outlined in Local Coastal Programs where applicable.		
C.8	Provide for a sufficient diversity of land uses so that schools, parks and recreational areas, churches and neighborhood shopping centers are available in close proximity to each resident of the City.	Refer to the responses above addressing Goal A.1, Objective B.1, and Policies C.1 through C.7.	Consistent
C.9	Consider the social, economic and physical impacts on the community when implementing the Land Use Element.	The Specific Plan is consistent because it considers and will contribute to the City's social, economic, and physical vitality. Ongoing operation of the Specific Plan upon build-out will generate thousands of jobs, and hundreds of millions in labor income and economic output annually in the region through direct, indirect, and induced economic activity.	Consistent
C.11	Restrict buildings used for large public assembly, including, but not limited to schools, theaters, auditoriums and high density residential development, to those areas which are relatively safe from unexpected seismic activity and hazardous geological conditions.	The Specific Plan is consistent because all seismic and stability effects have been avoided or substantially reduced by the Specific Plan's environmental protection features (EPFs). For information regarding the EPFs, refer to Appendix B, Environmental Protection Features.	Consistent
C.12	Develop and retain open space in all categories of land use.	Refer to the response above addressing Goal A.1, Objective B.1, and Policy C.1.	Consistent
C.14	Develop a periodic five year plan to thoroughly review the General Plan and revise the document as necessary.	The Specific Plan is consistent because it will not impede or impair the City's ability to develop a five year plan.	Consistent
C.15	Develop a program establishing policies and procedures for amending both mandatory and optional elements of the General Plan.	The Specific Plan is consistent because it will not impede or impair the City's ability to develop a program for amending General Plan elements. The Specific Plan also is consistent because pursuant to the Election Code, it will propose general plan	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
		amendments to ensure its adoption is consistent with the General Plan. For further information, refer to Specific Plan, Chapter 1.5.1, Specific Plan's Relationship to the Agua Hedionda 85/15 Specific Plan Initiative.	
C.16	Amend Title 21 of the Carlsbad Municipal Code (zoning ordinance and map), as necessary, to be consistent with the approved land use revisions of the General Plan and General Plan Land Use Map.	Refer to the response above addressing Policy C.14.	Consistent
C.17	Amend the Local Coastal Programs, as required, to be consistent with the updated General Plan, or amend the General Plan to be consistent with the Local Coastal Program.	The Specific Plan is consistent because the Agua Hedionda Local Coastal Plan (LCP) segment is a California Coastal Commission (Coastal Commission or Commission)-deferred certification area until an implementation plan for that segment is certified by the Commission. For that reason, the Commission maintains coastal development permit jurisdiction for the Agua Hedionda LCP segment.	Consistent
C.18	Amend the Local Coastal Programs, as required, to be consistent with the updated General Plan, or amend the General Plan to be consistent with the Local Coastal Program.	Refer to the response above addressing Policy C.17.	Consistent.
<i>Growth Management and Public Facilities</i>			
Goal A.1	A City which ensures the timely provision of adequate public facilities and services to preserve the quality of life of residents.	The Specific Plan is consistent because all effects to public facilities and services have been avoided or substantially reduced through the Specific Plan's EPFs. For information regarding the EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
A.2	A City which maintains a system of public facilities adequate for the projected population.	Refer to the response above addressing Goal A.1.	Consistent
A.3	A City that responsibly deals with the disposal of solid and liquid waste.	The Specific Plan is consistent because all effects to sewer service and solid waste disposal have been avoided or substantially reduced through the Specific Plan's EPFs. For information regarding the EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
Objective B.1	To develop programs which would correlate the ultimate density and projected population with the service capabilities of the City.	The Specific Plan is consistent because all effects to the City's service capabilities have been avoided or substantially reduced through the Specific Plan's EPFs. For information regarding the EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
Policy	Permit the approval of discretionary actions and the development	The Specific Plan is consistent because it sets forth exclusive procedures, regulations,	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.1	of land only after adequate provision has been made for public facilities and services.	and process to fully implement the Specific Plan. This Plan Review Process includes satisfying the City's prescribed submittal checklist requirements; providing materials that demonstrate compliance with the Specific Plan land use plan, development standards, or design guidelines, or with requirements for infrastructure, open space, trails, services, facilities, and other amenities prescribed by the Specific Plan; and undergoing plan-check on forms prescribed by the City Planner in the specified timelines. For further information, refer to Specific Plan, Chapter 6.4 , Specific Plan Procedures and Process.	
C.2	Require compliance with the following public facility performance standards, adopted September 23, 1986, to ensure that adequate public facilities are provided prior to or concurrent with development: PUBLIC FACILITY AND SERVICE PERFORMANCE STANDARDS City Administration Facilities 1,500 square feet per 1,000 population must be scheduled for construction within a five year period. Library 800 square feet per 1,000 population must be scheduled for construction within a five year period. Wastewater Treatment Capacity Sewer plant capacity is adequate for at least a five-year period. Parks Three acres of community park or special use park per 1,000 population within the Park District, must be scheduled for construction within a five year period. Drainage facilities must be provided as required by the City concurrent with development. Circulation No road segment or intersection in the zone nor any road segment or intersection out of the zone which is impacted by development in the zone shall be projected to exceed a service level C during off-peak hours, nor service level D during peak hours. Impacted means where 20% or more of the traffic generated by the local facilities management zone will use the road segment or intersection. Fire No more than 1,500 dwelling units outside of a five minute response time. Open Space Fifteen percent of the total land area in the zone exclusive of environmentally constrained non-developable land must be set aside for permanent open space and must be available concurrent with development. Schools School capacity to meet	The Specific Plan is consistent because it complies with the applicable performance standards for parks, drainage, circulation, open space, sewer, and water distribution through employment of the EPFs. For information regarding the EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	projected enrollment within the zone as determined by the appropriate school district must be provided prior to projected occupancy. Sewer Collection System Trunk line capacity to meet demand as determined by the appropriate sewer district must be provided concurrent with development. Water Distribution System Line capacity to meet demand as determined by the appropriate water district must be provided concurrent with development. A minimum 10 day average storage capacity must be provided concurrent with development.		
C.3	Ensure that funding for necessary public service and facilities is guaranteed prior to any development approvals.	The Specific Plan is consistent because it requires specific improvements to enhance habitat protection and public access to open space, and preserve, restore, and protect open space and agriculture prior to the opening of any visitor-serving commercial development within the Specific Plan area. Further, the Specific Plan is consistent because the plan will secure permanent funding mechanisms for the ongoing maintenance and management of such improvements, and the mechanism(s) must be in place before any portion of the Specific Plan area is opened to the public for a new commercial use. For further information, refer to Specific Plan, Chapter 6.2 , Financing Mechanisms.	
C.4	Coordinate the type, location, and amount of growth in the City with the City's Capital Improvement Program (CIP) to ensure that adequate funding is available to provide service and facilities.	Refer to the response above addressing Policy C.3.	Consistent
C.5	Prioritize the funding of projects in the Capital Improvement Program to provide facilities and services to infill areas in the City or areas where existing deficiencies exist.		
C.6	Maintain the Growth Monitoring Program which gives the City the ability to measure its public service requirements against the rate of physical growth. This information should be used when considering developmental requests and will allow the City to set its own direction for growth and establish priorities for capital improvement funding, provided emphasis shall be given to ensuring good traffic circulation, schools, parks, libraries, open space and recreational amenities. Public facilities may be added.	The Specific Plan is consistent because it will not impede or impair the City's ability to maintain its Growth Monitoring Program.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	The City Council shall not materially reduce public facilities without making corresponding reductions in residential densities.		
C.7	The City Council or the Planning Commission shall not find that all necessary public facilities will be available concurrent with need as required by the Public Facilities Element and the City's Growth Management Plan unless the provision of such facilities is guaranteed. In guaranteeing that the facilities will be provided emphasis shall be given to ensuring good traffic circulation, schools, parks, libraries, open space and recreational amenities. Public facilities may be added. The City Council shall not materially reduce public facilities without making corresponding reductions in residential densities.	The Specific Plan is consistent because it employs a phasing approach that ensures all necessary public facilities and services are in place prior to or concurrent with development within the Specific Plan area as required by the City's Growth Management Plan. For further information, refer to Specific Plan, Chapter 6.1 , Phasing.	Consistent
<i>Commercial</i>			
Goal A.1	A City that achieves a healthy and diverse economic base by creating a climate for economic growth and stability to attract quality commercial development to serve the employment, shopping, recreation, and service needs of Carlsbad residents.	The Specific Plan is consistent because approximately 26.7 acres, or less than 15% of the Specific Plan area, will include creation of a pedestrian-oriented visitor-serving commercial, shopping, dining, and entertainment promenade (Outdoor Shopping, Dining, and Entertainment Promenade). The promenade will create a sense of community, and contribute to Carlsbad's traditional "village" identity and beach community character. The Outdoor Shopping, Dining, and Entertainment Promenade is conveniently accessed by Interstate 5 (I-5) and Cannon Road. The Specific Plan area is uniquely situated to serve the visitor-serving commercial, shopping, dining, and entertainment needs of the entire Carlsbad community and its visitors. The Specific Plan's Visitor-Serving Commercial (VSC) designation implements the Carlsbad General Plan (1994) Travel/Recreation (TR) commercial designation, and the Agua Hedionda LUP (1982) Travel Service (TS) commercial designation. For further information, refer to Specific Plan, Chapters 1.1 and 1.4 , Overview and Intent and Purpose (respectively)..	Consistent
A.2	A City that provides for the development of compatible, conveniently located Local, General, Regional, Travel/Recreation Commercial, and Office and Related Commercial uses.		
A.3	A City that promotes economic development strategies, for commercial, industrial, office and tourist-oriented land uses.		
A.4	A City that promotes recreational and tourist-oriented land uses which serve visitors, employees of the industrial and business centers, as well as residents of the city.		
Objective B.1	To limit the amount of new commercial land use designations to that which provides for basic commercial service to all areas of the City without creating undue overlaps in trade areas, consistent with the prime concept and image of the community as a desirable residential, open space community	In addition to the response above addressing Goals A.1 through A.4, the Specific Plan is consistent because it reduces and implements the Carlsbad General Plan (1994) TR commercial designation, and the Agua Hedionda LUP (1982) TS commercial designation as one VSC designation. For further information, refer to Specific Plan, Chapter 1.4 , Intent and Purpose.	Consistent
B.3	To establish and maintain commercial development standards to	The Specific Plan is consistent because it establishes development standards that	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	address landscaping, parking, signs, and site and building design, to ensure that all existing and future commercial developments are compatible with surrounding land uses.	uniformly address landscaping, parking, signs, and site and building design to ensure all future commercial development is compatible with surrounding land uses. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	
Policy C.1	Applications for the re-designation of land to commercial land uses shall be accompanied by a conceptual development plan of the site and a market study that demonstrates the economic viability of using the land in the way being requested. Such studies shall give due consideration to existing and future sites that may compete within shared trade areas.	The Specific Plan is exempt from certain plan and permit requirements upon adoption by initiative or through election. In addition, the Specific Plan demonstrates consistency with these general guidelines by adopting the new visitor-serving commercial land use designation, which provides for the zoning of a new shopping, dining, entertainment, and recreation area. For further information, refer to Specific Plan, Chapter 3.0 , Land Use..	Consistent
C.2	<p>Utilize the following guidelines to determine the appropriate spatial distribution of new sites for local shopping centers and to assign associated zoning. In some instances it may not be possible to implement all of these guidelines fully and some degree of flexibility in their application may be required.</p> <ol style="list-style-type: none"> 1. New master plans and residential specific plans and other large development proposals shall evaluate whether there is a need to include a local shopping center within the development, consistent with these guidelines. 2. Locate local shopping centers so that, wherever possible, they are centrally located within their primary trade areas. 3. As a convention, the primary trade areas of existing and proposed local shopping centers may be defined in terms of the time patrons typically experience traveling to the center. The range of travel times for local shopping centers is given in Table 3: Guidelines for Commercial Land Uses. Any citywide analysis used to establish the spatial distribution of centers should consider a typical travel time, the current or built-out condition of the City and whether the travel being modeled occurs "on peak" or "off peak" travel hours, together with other factors that may be appropriate. 4. Citywide, trade areas of centers should abut one another as much as is possible, so as to result in minimal gaps and 		

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	<p>overlaps. This assures that all areas of the City will have "coverage" by a center, while reducing the propensity for over-commercialization (See Goal B.1).</p> <p>5. Generally, local shopping centers should not be located directly within the residential neighborhoods they serve, but, rather, on the peripheries of the neighborhoods, along or near major streets or future extensions of major streets. 6. New sites for local shopping centers should not be located along El Camino Real, so as to minimize the commercialization of this scenic roadway.</p> <p>6. The population within the trade area at buildout should be of a size that the local shopping center would be economically viable, considering other existing and future centers.</p> <p>7. Consider intersection spacing and other circulation criteria to assure safe, and functional access to the local shopping center. Good locations will be readily accessed from principal travel routes and have several entrances. (Sites located along primary arterials may have difficulty meeting this guideline.)</p>		
C.3	<p>Build, and operate local shopping centers in such a way as to complement but not conflict with adjoining residential areas. This shall be accomplished by: 1. Controlling lights, signage, and hours of operation to avoid adversely impacting surrounding uses. 2. Requiring adequate landscaped buffers between commercial and residential uses. 3. Providing bicycle and pedestrian links between proposed local commercial centers and surrounding residential uses</p>	<p>The Specific Plan is consistent because it establishes development standards that uniformly address lighting, signs, and buffers to ensure all future commercial development is compatible with surrounding land uses. The Specific Plan provides for pedestrian trails and pathways, and a bike route overlay to accommodate bicycle routes. For further information, refer to Specific Plan, Chapter 3.5, Development Standards.</p>	Consistent
C.4	<p>Comprehensively design all commercial development to address common ingress and egress, adequate off-street parking and loading facilities. Each commercial site should be easily accessible by pedestrians, bicyclists, and automobiles to nearby residential development.</p>	<p>The Specific Plan is consistent because all traffic and circulation facilities have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features.</p>	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.5	In addition to local and regional shopping centers, provide a greater mix of general commercial services to the community in convenient locations for residents. This may be accomplished through 1) the development of stand-alone general commercial uses, or 2) the development of two or more general commercial uses on the same site; provided that the commercial development is architecturally unified and avoids the creation of "strip commercial development" (i.e. long corridors of retail/service establishments with numerous curb cuts, inappropriate intersection spacing, disharmonious architectural styles, and a proliferation of signs) on discrete stand-alone commercial lots which are not part of a local or regional shopping center or meet the size requirements of a local or regional shopping center.	The Specific Plan is consistent because it provides for permitted and prohibited land uses to avoid for the creation of "strip commercial development" in favor of a high-quality, visitor-serving commercial, shopping, dining, entertainment, and recreational experience. For further information, refer to Specific Plan, Chapter 3.3.6 , Visitor-Serving Commercial (VSC).	Consistent
C.6	Ensure that commercial architecture emphasizes establishing community identity while presenting tasteful, dignified and visually appealing designs compatible with their surroundings.	Refer to Goal A.1, Overall Land Use Pattern, above addressing the Specific Plan area.	Consistent
C.8	Ensure that all commercial development provides a variety of courtyards and pedestrian ways, bicycle trails, landscaped parking lots, and the use of harmonious architecture in the construction of buildings.	The Specific Plan is consistent because it establishes development standards that address the creation of a visitor-serving commercial area that will employ complementary and harmonious architecture with the commercial design throughout the region. The VSC area will be designed to ensure a smooth transition to the surrounding community and adjacent natural open space. In addition, the VSC area will create a pedestrian-friendly retail environment with paths, courtyards, and plazas. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	Consistent
C.9	Permit the phasing of commercial projects to allow initial development and expansion in response to demographic and economic changes. Site designs should illustrate the ultimate development of the property and/or demonstrate their ability to coordinate and integrate with surrounding development.	The Specific Plan is consistent because it provides for a phasing approach as part of its implementation. For further information, refer to Specific Plan, Chapter 6.1 , Phasing.	Consistent
C.11	Encourage commercial recreation or tourist destination facilities, as long as they protect the residential character of the community and the opportunity of local residents to enjoy (in a safe,	Refer to the response above addressing Goals A.1-A.4.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	attractive and convenient manner) the continued use of the beach, local transportation, and parking facilities.		
C.12	Orient travel/recreation commercial areas along the I-5 corridor, in the Village, or near resort/recreation areas.	Refer to the response above addressing Goals A.1-A.4.	Consistent
C.13	Revise Section 21.29.030 of the Zoning Ordinance (Commercial Tourist Zone, Permitted Uses and Structures) to more accurately reflect the intent of the Travel/Recreation Commercial general plan designation to serve the traveling public, visitors to the city, as well as employees of business and industrial centers.	In addition to the response above addressing Goals A.1-A.4, the Specific Plan is consistent because it creates a new Specific Plan zone that accurately reflects the Carlsbad General Plan (1994) and complies with the City's Growth Management Program and the Agua Hedionda LUP (1982). For further information, refer to Specific Plan, Chapters 3.0 and 6.0 , Land Use and Implementation (respectively)..	Consistent
C.15	Strip commercial development (i.e. long corridors of retail/service establishments with numerous curb cuts, inappropriate intersection spacing, disharmonious architectural styles, and a proliferation of signs) shall be discouraged in all areas of the City other than the Village	The Specific Plan is consistent because it provides for permitted and prohibited land uses to avoid for the creation of "strip commercial development" in favor of a high-quality, visitor-serving commercial, shopping, dining, entertainment, and recreational experience. For further information, refer to Specific Plan, Chapter 3.3.6 , Visitor-Serving Commercial (VSC).	Consistent
<i>Agriculture</i>			
Goal A.1	A City which prevents the premature elimination of agricultural land and preserves said lands wherever possible.	The Specific Plan is consistent because it will protect approximately 176.7 acres for open space and the continuation of strawberry farming and coastal agriculture. For further information, refer to Specific Plan, Chapter 1.1 , Overview.	Consistent
A.2	A City which supports agriculture while planning for possible transition to urban uses.		
Objective B.1	To permit agricultural land uses throughout the City.	Refer to the response above addressing Goals A.1 and A.2.	Consistent
B.2	To conserve the largest possible amount of undeveloped land suitable for agricultural purposes, through the willing compliance of affected parties.	Refer to Goal A.1, Overall Land Use Pattern, above addressing the Specific Plan area.	Consistent
B.3	To develop measures to ensure the compatibility of agricultural production and adjacent land uses.	Refer to Goal A.1, Overall Land Use Pattern, above addressing the Specific Plan area.	Consistent
Policy C.1	Support and utilize all measures available, including the Williamson Act, to reduce the financial burdens on agricultural land, not only to prevent premature development, but also to encourage its continued use for agricultural purposes.	Refer to Goal A.1, Overall Land Use Pattern, above addressing the Specific Plan area.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.5	Buffer agriculture from more intensive urban land uses with mutually compatible intermediate land uses.	Refer to Objective B.1, Overall Land Use Pattern, above addressing the Specific Plan area. Further, the Specific Plan is consistent because all agriculture effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.6	Encourage soil and water conservation techniques in agricultural activities.	The Specific Plan is consistent because all soil-related and water supply effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
<i>Environmental</i>			
Goal A.1	A City which protects and conserves natural resources, fragile ecological areas, unique natural assets and historically significant features of the community.	The Specific Plan is consistent because it implements the policies of the Agua Hedionda LUP (1982) and the Coastal Act, all of which place the highest priority on the preservation and protection of natural resources, including environmentally sensitive habitat areas, wetlands, and agricultural lands, including the preservation of natural resources and environmentally sensitive areas; coastal dependent development; public recreational uses; and visitor-serving commercial/recreation. For further information, refer to Specific Plan, Chapters 1.1 through 1.5 .	Consistent
Objective B.1	To establish the preservation of the natural habitat of the rivers, riverbanks, streams, bays, lagoons, estuaries, marshes, beaches, lakes, shorelines and canyons and other areas containing rare and unique biological resources as a high priority.	Refer to the response above addressing Goal A.1.	Consistent
Policy C.2	Ensure that slope disturbance does not result in substantial damage or alteration to major significant wildlife habitat or significant native vegetation areas unless they present a fire hazard as determined by the Fire Marshal.	The Specific Plan is consistent because all geology, soils, and slope stability effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.3	Ensure that grading for building pads and roadways is accomplished in a manner that maintains the appearance of natural hillsides.	Refer to the response above addressing Policy C.2.	Consistent
C.4	Relate the density and intensity of development on hillsides to the slope of the land to preserve the integrity of hillsides.	Refer to the response above addressing Policy C.2.	Consistent
C.5	Limit future development adjacent to the lagoons and beach in such a manner so as to provide to the greatest extent feasible the physical and visual accessibility to these resources for public	The Specific Plan is consistent because it will ensure that the Hub Park and Beach lease areas within the Specific Plan area will allow those areas adjacent to the lagoon to be publicly accessible. For further information, refer to Specific Plan, Chapter 2.4 , existing	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	use and enjoyment.	constraints.	
C.6	Ensure the preservation and maintenance of the unique environmental resources of the Agua Hedionda Lagoon while providing for a balance of public and private land uses through implementation of the Agua Hedionda Land Use Plan.	Refer to the response above addressing Policy C.5.	Consistent
C.8	Require that the construction of all projects be monitored to ensure that environmental conditions and mitigating measures are fully implemented and are successful.	The Specific Plan is consistent because all identified environmental effects have been avoided or substantially reduced by the Specific Plan's EPFs, which will be implemented by adoption of the Specific Plan. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features.	Consistent
C.9	Implement to the greatest extent feasible the natural resource protection policies of the Local Coastal Program.	The Specific Plan is consistent because it implements the policies of Coastal Act and the Agua Hedionda LUP as follows: (a) protects, restores, improves, and maintains approximately 176.7 acres of open space and agriculture within the Specific Plan area and includes facilities to support those uses such as parking, restrooms, farm stand, and farm-to-table dining; (b) accounts for the social and economic needs of the Carlsbad community by providing visitor-serving commercial and open space uses, and allowing for the continuation of coastal agriculture and strawberry farming; (c) improves public access to the Agua Hedionda Lagoon by providing miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, parking, and an integrated resource and educational signage program; (d) does not interfere with coastal-dependent uses; and (e) provides a plan of coordinated development for mutually beneficial open space, agricultural, and visitor-serving commercial uses on the remaining approximately 26.7 acres of the Specific Plan area. For further information, refer to Specific Plan, Chapter 1.5.2, Relationship of the Specific Plan to the Coastal Act and the Agua Hedionda LUP.	Consistent
C.10	Utilize the goals, objectives and implementing policies of the Open Space Element regarding environmental resources that should be protected as open space.	Refer to the responses below addressing the Goals, Objectives and Policies of the Open Space Element.	Consistent
C.11	Participate in programs that restore and enhance the City's degraded natural resources.	The Specific Plan is consistent because protection, conservation and enhancement of the open space and agricultural land will be achieved through the Specific Plan itself and in cooperation with the City of Carlsbad, one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, and qualified farming and agricultural interests. For further information, refer to Specific Plan,	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
		Chapter 1.1, Overview.	
C.13	Implement the Habitat Management Plan in order to protect rare and unique biological resources with the city so as to preserve wildlife habitats.	The Specific Plan is consistent because it creates the HMP-OS designation for areas designated as existing hardline conservation areas in the City's Habitat Management Plan in order to protect rare and unique biological resources and preserve wildlife habitats. For further information, refer to Specific Plan, Chapter 3.3.1, Habitat Management Plan Open Space (HMP-OS).	Consistent
<i>Cannon Road Open Space, Farming, and Public Use Corridor</i>			
Goal A.1	Create a unique, community-oriented open space area along the Cannon Road corridor located immediately to the east of the Interstate 5 freeway including the existing Flower Fields and Strawberry Fields.	The Specific Plan is consistent because it will create a unique community-oriented open space area, which includes passive and low-impact recreation opportunities, along Cannon Road on approximately 155.1 acres of the Specific Plan area; while the remaining Specific Plan area will provide for agriculture and Visitor-Serving Commercial shopping, dining, and entertainment. For further information, refer to Specific Plan, Chapter 1.1, Overview.	Consistent
Objective B.1	To ensure that this area is permanently protected and preserved for open space uses.	Refer to the response above addressing Goal A.1, Overall Land Use Element.	Consistent
B.2	To enhance the protection of the existing Flower Fields.		
B.3	To allow the farming operations in the area such as the existing Strawberry Fields and flower growing areas to continue.		
B.4	To provide for the protection and preservation of environmental resources in the area in coordination with landowners.		
B.5	To increase public access and use to the area primarily through the incorporation of compatible public trails and active and passive recreation.		
Policy C.1	Protect and preserve this area as an open space corridor. Permit only open space, farming and compatible public uses in the area. Permitted uses shall be as follows: (1) Open Space (2) Farming and other related agricultural support uses including flower and strawberry production (3) Public trails (4) Active and Passive park, recreation and similar public and private use facilities (except on the existing Flower Fields) (5) Electrical Transmission Facilities	Refer to the response above addressing Goal A.1 and Policy C.1, Overall Land Use Element.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.2	Prohibit residential development in the area.	The Specific Plan is consistent because it does not include residential development within the Specific Plan area. For further information, refer to Specific Plan, Chapter 1.1, Overview .	Consistent
C.3	Prohibit commercial and industrial-type uses in the area other than those normally associated with farming operations and open space uses.	In addition to the response above addressing Goal A.1 and Policy C.1, Overall Land Use Element, the Specific Plan is consistent because the Specific Plan's visitor-serving commercial uses will provide funding to dedicate, improve, restore, operate, and maintain in perpetuity the dedicated open space areas at no tax burden to Carlsbad residents. For further information, refer to Specific Plan, Chapter 1.1, Overview .	Consistent
C.4	Enhance public access and public use in the area by allowing compatible public trails, community gathering spaces and public and private, active and passive park and recreation uses.		
C.5	Allow farming to continue in the area for as long as economically viable for the landowner.	The Specific Plan is consistent because it provides for the continuation and support of strawberry farming and coastal agriculture within approximately 21.6 acres of the Specific Plan, which will be subject to an easement or a deed restriction for open space and agricultural purposes, and which will allow for supporting improvements and uses, including farm stand, farm-to-table dining, and parking. For further information, refer to Specific Plan, Chapters 1.1 and 3.3, Overview and Land Use Designations (respectively) .	Consistent
C.7	If determined to be necessary, the City shall amend the Zoning Ordinance and adopt a Cannon Road Open Space, Farming and Public Use Corridor Overlay Zone to apply to the area that would provide more detail on permitted uses and land use regulations applicable to the area.	The Specific Plan is consistent because if adopted – by initiative or directly – will provide for five land use designations that will achieve the goals of an open space, farming, and public use corridor, which will permit only those uses that permanently protect, conserve, restore, or enhance existing habitat, sensitive species, and riparian/wetland resources; provide for the continuation of coastal agriculture and strawberry farming, consistent with the City's open space and agriculture heritage; provide low-impact public access for passive recreation amenities, including miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, roadway, restroom facilities, parking, farm-to-table dining, farm stand, and an integrated resource and educational signage program for use by the entire Carlsbad community; and include a new pedestrian-oriented Outdoor Shopping, Dining, and Entertainment Promenade that facilitates a high-quality, functionally integrated district that is distinctive, creates a sense of community, and contributes to Carlsbad's traditional "village" identity and beach community character. For further information, refer to Specific Plan, Chapters 1.1 and 3.3, Overview and Land Use Designation (respectively) .	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
<i>Arts Element</i>			
Goal A.1	A city strongly reflecting the arts in its total environment with land and facilities permanently dedicated to performing and visual arts, together with an abundant range of on-going and special arts programs involving as many regular and visiting members of the community as possible, as active participants, audiences, and patrons.	The Specific Plan is consistent because it facilitates the use of open space for recreational and educational opportunities, allowing active participation by the community. For further information, refer to Specific Plan, Chapter 3 , Land Use.	Consistent
Objective B.2	To provide works of art and other tangible things in public places.	The Specific Plan is consistent because it will allow for works of art and other tangible things in public places. For further information, refer to Specific Plan, Chapter 3.3.6 , Visitor-Serving Commercial.	Consistent
B.4	To develop, modify, and improve, with a consideration for aesthetic issues (in addition to engineering, safety, cost, and other issues), city landforms, landscaping and architecture.	The Specific Plan is consistent because all aesthetic effects have been avoided or substantially reduced by the Specific Plan's EPF. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
Policy C.4	Provide, when possible, for the siting, selection, installation and maintenance of works of art and other tangible things within or upon public facilities and land.	The Specific Plan is consistent because it will allow, when possible, for the siting, selection, installation and maintenance of works of art and other tangible things in public facilities. For further information, refer to Specific Plan, Chapter 3.3.6 , Visitor-Serving Commercial.	Consistent
C.5	Encourage private businesses to install permanent and temporary works of art and other tangible things in their public places.	Refer to the response above addressing Policy C.4.	Consistent.
C.6	Promote cooperative arrangements with other public or private agencies which facilitate the temporary or permanent display of works of art and other tangible things for display within or upon public or private facilities and land.	Refer to the response above addressing Policy C.4.	Consistent
C.14	Consider aesthetics in reviewing the design of public and private development proposals.	Refer to the response above addressing Objective B.4.	Consistent
<i>Circulation Element</i>			
Goal A.1	A City with an integrated transportation network serving local and regional needs which accommodates a variety of different travel modes based on safety, convenience, attractiveness, costs,	The Specific Plan is consistent because primary vehicular and public transportation access to the Specific Plan area will be provided by existing networks, including I-5 and Cannon Road. Internal circulation will be provided by a limited network of private routes	Consistent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	environmental and social impacts.	serving as access to individual portions of the Specific Plan area. The Specific Plan will encourage and establish an integrated system of pedestrian, bicycle, and trail routes throughout the Specific Plan area, focusing on a walkable environment. For further information, refer to Specific Plan, Chapters 2 and 3 , Existing Setting and Land Use. All traffic and circulation effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
A.2	A City with an adequate circulation infrastructure to serve the projected population.		
A.4	A City with properly maintained, smooth functioning and safe traffic control systems.		
A.5	A City with inviting streetscapes that encourage walking and promote a sense of neighborhood in residential developments.		
A.6	A City with streets designed to balance vehicular requirements with the needs of all pedestrians including children, the elderly and the disabled.		
A.8	A City with a circulation system that promotes alternative transportation such as walking, bicycling and public transportation.		
Objective B.1	To provide an adequate circulation infrastructure concurrent with or prior to the actual demand for such facilities.	The Specific Plan is consistent because it demonstrates consistency with the City's Growth Management Program circulation facilities. For further information, refer to Specific Plan, Chapter 6.13 , Growth Management Program Consistency. All traffic and circulation effects have been avoided or substantially reduced by the Specific Plan's EPF. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent.
B.2	To design streets for the safe and efficient movement of people, goods and services in the most environmentally sound manner possible.	The Specific Plan is consistent because all traffic and circulation effects, including those involving street design, have been avoided or substantially reduced by the Specific Plan's EPF. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
B.3	To maintain a clear and consistent set of standards for the design and construction of roads and traffic control devices.	Refer to the response above addressing Objective B.2.	Consistent
B.5	To provide safe, adequate and attractively landscaped parking facilities.	The Specific Plan is consistent because it will provide for adequate and attractively landscaped parking facilities. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	Consistent
B.7	To enhance the economic value of property and improve the economic competitiveness of the City through the construction of	Refer to the response above addressing Objective B.7.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

Table 1
Carlsbad General Plan (1994) Consistency Analysis

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	well designed, efficient, and cost effective transportation facilities.		
Policy C.1	Require new development to comply with the adopted (September 23, 1986) Growth Management performance standards for circulation facilities.	Refer to response above addressing Objective B.1.	Consistent
C.3	Use the street design standards contained in this element (Figure 1: Street Design Standards) as guidelines for what is reasonable and desirable. Allow variations to occur in accordance with established City policy regarding engineering standards variances.	Refer to the response above addressing Objective B.2.	Consistent
C.4	Minimize the number of access points to major and prime arterials to enhance the functioning of these streets as throughways.	The Specific Plan is consistent because it avoids or substantially reduces the number of access points to major and prime arterials. For information regarding the Specific Plan's EPFs for traffic and circulation, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.5	Use good road design practice to minimize the number of intersections and other conflicting traffic movements.	The Specific Plan is consistent because it avoids or substantially reduces the number of intersections and other conflicting traffic movements. For information regarding the Specific Plan's EPFs for traffic and circulation, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.6	Use good road design practice to minimize noise on adjacent land uses.	The Specific Plan is consistent because it avoids or substantially reduces noise on adjacent land uses. In particular, the visitor-serving commercial uses will shield open space and agricultural areas from I-5 noise. For information regarding the Specific Plan's EPFs for traffic and circulation, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.7	Provide traffic control devices along all roadway segments and at intersections.	The Specific Plan is consistent because provides traffic control devices along roadways and intersections through fair-share contributions. For information regarding the Specific Plan's EPFs for traffic and circulation, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.8	Provide for the safe movement of traffic and pedestrians around all road and utility construction projects.	The Specific Plan is consistent because it provides for the safe movement of traffic and pedestrians around road and utility construction projects by preparing a traffic control plan to ensure such safety measures are taken. For information regarding the Specific Plan's EPFs for traffic and circulation, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.11	Interconnect and synchronize the operation of traffic signals along arterial streets, whenever feasible.	The Specific Plan is consistent because it will work with the City to interconnect and synchronize the operation of traffic signals, where feasible. For information regarding the Specific Plan's EPFs for traffic and circulation, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.13	Establish and maintain an official street naming and addressing plan to remove conflicts, duplication, and uncertainty.	The Specific Plan is consistent because it will use existing arterials. For more information regarding traffic and circulation features, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.16	Require new development to construct all roadways needed to serve the proposed development prior to or concurrent with the circulation needs created by the development.	The Specific Plan is consistent because it will require EPFs to avoid or substantially reduce effects on circulation needs. For information regarding the Specific Plan's EPFs for traffic and circulation, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.18	Require new development to dedicate and improve all public rights-of-way for circulation facilities needed to serve development.	Refer to response above addressing Policy C.18.	
<i>Alternative Modes of Transportation</i>			
Goal A.1	A City which promotes, encourages, and accommodates a variety of transportation modes as alternatives to the automobile.	The Specific Plan is consistent because it will design, establish, and encourage an integrated system of pedestrian, bicycle, and trail routes throughout the Specific Plan area, including open space, agriculture, and visitor-serving commercial areas. In addition, the Specific Plan will provide bus stops to service the Specific Plan area at locations and with reasonable facilities in conjunction with the City Planner. The Specific Plan would also include preferential parking for electric vehicles and charging stations for electric vehicle use; provide handicap parking and access; and employ traffic control devices to ensure safe and secure environment. For further information regarding these features, refer to Specific Plan, Appendix B , Environmental Protection features.	Consistent
Objective B.1	To provide infrastructure and facilities necessary to accommodate pedestrians, bicycles, and other non-automobile modes of transportation.	Refer to the response above addressing Goal A.1.	Consistent
B.2	To reduce the number and severity of vehicular, bicycle and pedestrian-related accidents.		
B.3	To prioritize future sidewalk construction.		
Policy	Encourage the construction of sidewalks along all public	Refer to the response above addressing Goal A.1.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.1	roadways with special emphasis given to collectors, arterials, and areas with high pedestrian traffic generators such as schools, commercial centers, transportation facilities, public buildings, beaches and parks		
C.2	Encourage pedestrian circulation in commercial areas through the provision of convenient parking facilities, increased sidewalk widths, pedestrian-oriented building designs, landscaping, street lighting and street furniture.		
C.3	Design pedestrian spaces and circulation in relationship to land uses and available parking for all new construction and redevelopment projects.		
C.4	Link public sidewalks to the network of public and private trail systems.		
C.5	Provide for handicapped access to and along public sidewalks and along as much of the trail system as feasible.		
C.9	Employ improved traffic control devices and monitor police accident reports to increase pedestrian and bicyclist safety.		
C.11	Coordinate the location of bicycle routes with the Parks and Recreation Element and the Open Space and Conservation Element.		
C.12	Extend bicycle routes to cultural, educational and recreational facilities whenever practical.		
C.13	Develop and implement employer incentive programs to encourage the placement of strategic bicycle storage lockers, and the construction of safe and convenient bicycle facilities.		
C.23	Design public trails in accordance with the Open Space and Conservation Element including multi-use and equestrian segments where appropriate		

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
<i>Public Utility and Storm Drainage Facilities Goals</i>			
Goal A.1	A City with a comprehensive network of utilities and storm drainage facilities which provide appropriate public utility and flood control services to all land uses.	The Specific Plan is consistent because public facilities infrastructure, including utilities and storm drainage facilities, necessary to serve the Specific Plan area would be completed concurrent construction. In particular, after implementation of the Specific Plan, drainage from the Specific Plan area would continue to discharge into Agua Hedionda Lagoon, as it does under existing conditions. Proposed basins (or an alternative) would reduce flows to below the existing condition, and no flooding on or off site is anticipated. For more information regarding features to avoid or substantially reduce the effects to public utility, drainage, and floor control, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
A.2	A City in which the public utility and storm drainage infrastructure are constructed concurrent with or prior to the actual demand for such facilities.	Refer to the response above addressing Goal A.1.	Consistent
Objective B.1	To maintain a clear and consistent set of standards for the design and construction of public utilities.	In addition, the Specific Plan is consistent because it provides a clear and consistent standards for the design, construction, and improvement of any necessary public utilities, as outlined in Specific Plan, Appendix B, Environmental Protection Features.	
B.3	To enhance the economic value of property and improve the economic competitiveness of the City through the construction of well designed, efficient and cost effective public utility and storm drainage facilities.		
B.4	To maintain current master plans for the expansion of local public facilities for sewer, potable water, reclaimed water and storm drainage.	The Specific Plan is consistent because it would not alter current master plans related to the expansion of local public facilities for sewer, potable water, reclaimed water, or storm drainage. For further information, refer to Specific Plan, Chapter 2.3, Existing Physical Conditions, and Specific Plan, Appendix B, Environmental Protection Features for information regarding the protection and use of existing facilities.	Consistent
B.5	To comply with all federal, state and local laws and regulations regarding the preservation and enhancement of water quality.	The Specific Plan is consistent because it will comply with all federal, state, and local laws and regulations regarding the preservation and enhancement of water quality.	Consistent
Policy C.1	Require new development to construct all public facilities needed to serve the proposed development prior to or concurrent with the circulation needs created by the development.	Refer to the responses above addressing Goals A.1 and A.2.	Consistent
C.2	Develop, and update periodically, a set of standards for the design and construction of public utilities.	In addition, the Specific Plan is consistent because, the Specific Plan would comply with the City's Growth Management Program and Public Facilities Management System performance standards to ensure that adequate public infrastructure, facilities, and	

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.4	Require new development to dedicate and improve all public rights-of-way for public utility and storm drainage facilities needed to serve development.	services are provided in the Specific Plan area. For further information, refer to Specific Plan, Chapter 6.13, Growth Management Program Consistency.	
C.5	Inform the public and contractors of the danger involved, and the necessary precautions that must be taken when working on or near, pipelines or utility transmission lines.	The Specific Plan will comply with the City's Stormwater Regulations, latest version, and would implement BMPs that include pollution control practices or devices, erosion control to prevent silt runoff during construction, general housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices or devices to prevent or reduce the discharge of pollutants to stormwater, receiving water, or the stormwater conveyance system to the maximum extent practicable. For information regarding permit requirements, refer to Specific Plan, Chapter 6.8, Stormwater Management and Discharge Controls; also, for information regarding BMPs that avoid or substantially reduce effects to public facilities, refer to Specific Plan, Appendix B, Environmental Protection Features.	
C.6	Monitor the adequacy of public utilities as an integral part of the Growth Management Plan and Public Facilities Management System.	The Specific Plan also is consistent because it will not impede or impair the City's ability to ensure necessary precautions are taken when working near public utilities, or review and update facility plans.	
C.7	Ensure developer conformance with all adopted public utility and storm drainage master plans and adopted ordinances regarding the provision of public utility and storm drainage facilities.	The Specific Plan is consistent with this policy because it reviewed and updated the analysis with regard to the Zone 13 LFMP (1995) performance standards and the Specific Plan's compliance with those standards.	Consistent
C.9	Develop and implement a program of "Best Management Practices" for the elimination and reduction of pollutants which enter into and/or are transported within storm drainage facilities.		
C.10	Review and update, on a regular basis, master plans for the expansion of local public facilities for sewer, potable water, reclaimed water and storm drainage.		
<i>Noise Element</i>			
Goal A.1	A City which is free from excessive, objectionable, or harmful noise.	<p>The Specific Plan is consistent because it will provide for activities that generate noise levels that are not excessive, objectionable, or harmful. In particular, the Specific Plan provides for on-site passive activities such as, hiking, wildlife viewing, picnic areas resulting in relatively low noise levels, particularly in the eastern portions of the Specific Plan area. In the western portion of the Specific Plan area, Visitor-Serving Commercial, shopping, dining, entertainment and recreation uses will be more active. It is anticipated that, as with commercial activities, on-site noise stems from parking lots and/or parking structures and HVAC equipment/mechanical noise.</p> <p>On-site stationary equipment, such as HVAC equipment, generate varying noise levels typically ranging from approximately 45 A-weighted decibels (dBA) to 55 dBA at a distance of 50 feet. At the residences north of the lagoon, the HVAC noise could range</p>	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
		from approximately 12 to 22 dBA, which is well below ambient noise levels. In addition, at the nearest noise-sensitive receivers to the Visitor-Serving Commercial portion of the Specific Plan area, noise levels would be well below ambient noise levels.	
Objective B.2	To control harmful or undesirable noise.	In addition to the response above addressing Goal A.1, the Specific Plan is consistent because it will not result in harmful or undesirable noises. All on-site operational uses are anticipated to adhere to the City General Plan and Municipal Code noise ordinance, chapter 8.48, which limits noise to any time except: after 6 p.m. on any day, before 7 a.m. on Monday through Friday, and before 8 a.m. on Saturday; on Sunday; and on federal holidays. In addition, the Specific Plan provides for EPFs that avoid or substantially reduce noise effects, which can be found in Specific Plan, Appendix B , Environmental Protection Features.	Consistent
B.3	To protect the hearing and well-being of Carlsbad residents and visitors.		
Policy C.1	Control harmful or undesirable sounds through the planning and regulatory process with emphasis on noise/land-use compatibility planning.	Refer to the responses above addressing Objectives B.2 and B.3.	Consistent
C.2	Review all development proposals, both public and private, for consistency with the policies of this element.		
C.4	Continue to enforce building codes to ensure adequate sound insulation between dwellings and to ensure adequate sound insulation of interior areas from loud external noise sources. The City shall continue to enforce project conditions of approval related to noise control.		
C.5	Attempt to control noise primarily at its source. Where this is not feasible, controls along the transmission path of the noise should be required.		
C.7	Review City operations to make sure that noise generated by construction, maintenance activities, and street sweeping minimize significant adverse noise levels.		
C.9	Participate in noise control and hearing conservation programs in all appropriate work environments owned, operated, or otherwise under the control of the City.		

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
<i>Land Use / Noise</i>			
Goal A.1	A City where land uses are not significantly impacted by noise.	Refer to the responses above addressing Goal A.1 and Objectives B.2 and B.3, Noise Element.	Consistent
A.2	A City with industrial and commercial land uses which do not produce significantly adverse noise impacts.		
A.3	A City which controls mobile sources of noise to help assure that mobile noise sources do not substantially contribute to the noise environment.	The Specific Plan is consistent because at completion, the additional traffic is excepted to increase the noise along adjacent roads by less than 1 decibel (dB) due to the incorporation of alternative transportation methods. For further information, refer to Specific Plan, Appendix B , Environmental Protection Features, for the Specific Plan's implementation of alternative transportation methods, such as pedestrian trails and walkways, bike routes, and bus stops.	Consistent
Objective B.1	To achieve noise compatibility between industrial/commercial and surrounding land uses and achieve an acceptable noise environment in industrial/commercial areas.	Refer to the responses above addressing Goal A.1 and Objectives B.2 and B.3, Noise Element.	Consistent
B.2	To Achieve noise impact compatibility between land uses through the land use planning/development review process.		
Policy C.1	Encourage the development of compatible land uses in areas which are subject to excessive noise levels.	Refer to the response above addressing Goal A.1.	Consistent
C.2	Develop specific noise standards for use in reviewing noise sensitive development.	The Specific Plan is consistent because it implements BMPs to reduce construction noise at sensitive receivers and at adjacent biological habitat areas, even though the Specific Plan would not result in the generation of noise levels in excess of Municipal Code standards. In addition, the Specific Plan includes design features that shield sensitive areas from noise sources. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards. For information regarding the EPFs that will be implemented to avoid or substantially reduce noise effects, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.3	Require the use of project design techniques, such as, increasing the distance between the noise source and the receiver; placing non-noise sensitive uses such as parking areas, maintenance facilities, and utility areas between the source and the receiver; using non-sensitive structures, such as a garage, to shield noise	The Specific Plan is consistent because it provides for project design techniques that avoid or substantially reduce noise and environmental effects on the Specific Plan area. In addition, the Specific Plan includes design features that shield sensitive areas from noise sources. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards. For information regarding the EPFs, refer to Appendix B , Environmental	Consistent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	sensitive areas; and, orienting buildings to shield outdoor spaces from a noise source to minimize noise impacts during any discretionary review of a residential or other noise sensitive project.	Protection Features.	
C.7	Enforce the policy of the City that site design techniques such as increasing the distance between the noise source and the receiver; placing non-noise sensitive uses such as parking areas, maintenance facilities and utility areas between the source and the receiver; using non-noise sensitive structures, such as a garage, to shield noise-sensitive areas; and orienting buildings to shield outdoor spaces from a noise source, be the first tool used to mitigate noise impacts on noise sensitive land uses rather than the construction of walls or berms.		
C.9	Discourage the exclusive use of noise walls in excess of 6 feet in height as mitigation for noise along Circulation Element roadways.	The Specific Plan is consistent because it will not include noise walls.	Consistent
C.10	Utilize natural barriers such as site topography or constructed earthen berms to mitigate noise on a project. When noise walls are determined to be the only feasible solution to noise mitigation, then the walls shall be designed to limit aesthetic impacts. When over-height walls are necessary to mitigate noise, a berm/wall combination with heavy landscaping, a terraced wall heavily landscaped, or other similar innovative wall design technique shall be used to minimize visual impacts.	In addition to the response above addressing Policies C.3 and C.7, the Specific Plan is consistent because it utilizes natural barriers to mitigate noise with features designed to limit aesthetic effects, including natural vegetative buffers and other topographic elements. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	Consistent
<i>Circulation / Noise Goals</i>			
Goal A.1	To provide a roadway system that does not subject surrounding land uses to significantly adverse noise levels.	Refer to the responses above addressing Goals A.1 through A.3, Land Use/Noise. In addition, the Specific Plan is consistent because all traffic and circulation effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
Objective B.1	To design and manage all roadways to maintain acceptable	Refer to the responses above addressing Goals A.1 through A.3, Land Use/Noise. In	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	noise levels.	addition, the Specific Plan is consistent because all traffic and circulation effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
Policy C.1	Take measures to reduce traffic noise on streets throughout Carlsbad. This will include continued enforcement of applicable sections of the California Vehicle Code regarding equipment and/or operation of motor vehicles.	Refer to the responses above addressing Goals A.1 through A.3, Land Use/Noise. In addition, the Specific Plan is consistent because all traffic and circulation effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.2	Consider noise impacts in the design of road systems and give special consideration to those road corridors in scenic or noise sensitive areas.		
C.3	Review traffic flow systems and synchronize signalization, wherever possible to avoid traffic stops and starts, which produce excessive noise, and to adjust traffic flow to achieve noise levels acceptable to surrounding areas.		
<i>Employment / Noise Goals</i>			
Goal A.1	A City with healthy and productive work environments that do not cause hearing damage or other adverse noise related health impacts to workers in the City of Carlsbad.	The Specific Plan is consistent because it will not result in exposure of persons to, or generation of noise levels in excess of, standards established in the City's Noise Ordinance (Municipal Code, Chapter 8.48). The Specific Plan is will not cause damage or other adverse noise-related health impacts to workers because more than 85% of the uses contemplated within the Specific Plan area include open space, passive recreation uses, and existing agriculture. The remaining uses, or less than 15%, contemplated within the Specific Plan area will include visitor-serving commercial uses, which are consistent with the existing land uses. For further information, refer to Specific Plan, Chapter 2.1 , Site Conditions and Existing Land Use.	Consistent
Objective B.1	To promote an ongoing noise control and hearing conservation program for the work environment.	The Specific Plan is consistent because it will not prevent or in any way prohibit City noise control and hearing conservation programs for the work environment.	Consistent
B.2	To promote hearing conservation in the workplace.	Refer to the response above addressing Objective B.1.	Consistent
B.3	To encourage that all business entities operating in the City comply with all occupational Health and Safety laws, rules and/or regulations established by authorized city, county, state or federal agencies.	The Specific Plan is consistent because it will comply with city, county, state, or federal occupational Health and Safety law, rules and/or regulations.	Consistent
Policy	Participate in noise control and hearing conservation programs in	Refer to the response above addressing Objective B.1.	Consistent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.1	all appropriate work environments owned, operated, or otherwise under the control of the City.		
C.2	Promote that all persons responsible for operation of noise-producing equipment or processes, exercise reasonable care to minimize casual noise exposure to unprotected workers or passers-by to reduce risk of hearing damage.	The Specific Plan is consistent because it will promote the exercise of reasonable care in operating noise-producing equipment/processes to reduce the risk of hearing damage.	Consistent
C.3	Encourage and assist its employees in identifying and abating potential noise hazards on City-owned or controlled property.	The Specific Plan does not create any noise hazards or the need for abatement.	Consistent
<i>Open Space and Conservation Element</i>			
<i>Open Space Planning and Protection</i>			
Goal A.1	An open space system of aesthetic value that maintains community identity, achieves a sense of natural spaciousness, and provides visual relief in the cityscape.	The Specific Plan is consistent because it will create a unique pedestrian-oriented open space that complements the City's character as a desirable beach and "village" community. Structures will be designed to have minimal impact on the locale and adjacent areas, and employed in ways that highlight the site's views to the agricultural land and natural lagoon, wetlands, and open space areas. Structure design will employ sustainable, "green" techniques and technologies such as natural lighting and "passive design" solutions. Visual resources and natural landforms would be maintained by conserving prominent topographic features and contouring trails to follow existing topography. For further information, refer to Specific Plan, Chapter 3.0 , Land Use.	Consistent
A.2	A city with a balance of programmed and unprogrammed open space within each of the four quadrants of the City.	The Specific Plan is consistent because it will permanently conserve areas previously programmed and unprogrammed open space. For further information, refer to Specific Plan, Chapters 1.0 and 3.0 , Introduction and Land Use (respectively).	Consistent
A.3	An open space system that improves the quality of life for the citizens of Carlsbad.	The Specific Plan is consistent because it will provide approximately 176.7 acres of open space and agricultural lands that will include recreation opportunities to enhance the quality of life for the citizens of Carlsbad by allowing access to miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, roadway, restroom facilities, parking, farm-to-table dining, farm stand, and an integrated resource and educational signage program. In addition, the Specific Plan's approximately 26.7 acres will provide a unique, high-quality shopping, dining, entertainment and recreation opportunity for Carlsbad residents. For further information, refer to Specific Plan, Chapter 1.1 , Overview..	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
A.4	A city with an adequate amount and variety of open space for outdoor recreation, including, but not limited to: parks; beaches; areas for organized sports; connecting corridors containing trails; water recreation areas (beaches, lagoons, lakes); unique conservation areas for nature study; and, semi-developed areas for camping.	Refer to the responses above addressing Goal A.3.	Consistent
Objective B.1	To preserve, protect and enhance those areas of the City that provide unique and special open space functions including, but not limited to, cultural and visual amenities, active and passive recreational uses, landmarks, buffers between incompatible land uses, wildlife habitats and unique and desirable vegetation.	The Specific Plan is consistent because it permanently protects and conserves approximately 176.7 acres, or more than 85% of the Specific Plan area, for open space and passive recreation, and the continuation of strawberry farming and coastal agriculture. The Specific Plan's protection, conservation and enhancement of the open space and agricultural land will be achieved through the Specific Plan itself and in cooperation with the City of Carlsbad (City), one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, and qualified farming and agricultural interests. The remaining approximately 26.7 acres, or less than 15% of the Specific Plan area, will include a new pedestrian-oriented visitor-serving commercial, shopping, dining, and entertainment uses and create a sense of community, establish a gathering place, and contribute to Carlsbad's traditional "village" identity and beach community character. For further information, refer to Specific Plan, Chapter 1.1 , Overview. The Specific Plan also is consistent because it provides for natural buffers and setbacks to preserve, create, and separate opens space areas from other land uses. The Specific Plan also provides for parks and plazas for passive community recreation and gathering. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards. The Specific Plan is consistent because the design guidelines conform with the Coastal Resources Planning and Management Policies set forth in the Coastal Act, Chapter 3, Articles 1-6, which protect public access, water-oriented recreational activities, the marine environment, commercial fishing, recreational boating, environmentally sensitive habitat areas, prime agricultural land, and scenic and visual qualities of coastal areas. For further information, refer to Specific Plan, Chapter 4.0 , Design Guidelines.	Consistent
B.2	To create a more rural atmosphere in the urban environment, by identifying, acquiring, and protecting natural open space areas which are visible from public gathering places.		
B.3	To provide public access to all open space areas except where sensitive resources may be threatened or damaged, where the public health and safety may be compromised or where access would interfere with the managed production of resources, such as agriculture.		
B.4	To mandate open space as a necessary provision of the Local Facilities Management Zone plans which are required by the Growth Management Ordinance.		
B.5	To provide for parks and plazas and preserve natural areas within developments.		
B.6	To provide, where possible, increased setbacks along arterial corridors and establish greenways or similar areas to preserve and/or create open space areas as a means of maintaining community scale and identity, separating conflicting land uses, and achieving a sense of natural openness as an integral part of urban surroundings.		
B.7	To provide for the distribution of programmed and unprogrammed recreation areas throughout the four quadrants of		

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/Inconsistent
	the City and to separate the uses where needed.		
B.8	To set aside 15 percent of the developable land of specified zones as open space, pursuant to the Growth Management open space performance standard.	<p>The Specific Plan also is consistent with the Local Facilities Management Plan (LFMP) for Zone 13 and the Growth Management Program. In particular, as a result of the proposed Specific Plan and the addition of improved open space lands (e.g., passive open space improvements, exclusive agricultural open space improvements), the qualifying open space inventory within Zone 13 would increase from 182.2 acres to 238.7 acres, or to 34.4% of the total available open space. For further information, refer to Specific Plan, Chapter 6.13, Growth Management Program Consistency.</p> <p>The Specific Plan is consistent because it maintains wildlife corridors and habitat linkage through its adherence to the City's Habitat Management Plan, which outlines specific conservation, management, facility siting, land use, and other measures that the City would take to preserve the diversity of habitat and protect sensitive biological resources in the City while also allowing for additional development and growth as anticipated under the City's General Plan. For further information, refer to Specific Plan, Chapter 3.3.1, Habitat Management Plan Open Space.</p>	
B.9	To maintain an inventory of open space.		
B.12	To contribute to regional biodiversity and the viability of rare, unique or sensitive biological resources throughout the city by maintaining functional wildlife corridors and habitat linkage.		
Policy C.1	Use open space to provide neighborhood, community, and city identity and to provide separations between conflicting land uses.	Refer to the response above addressing Goals A.1 through A.4, and B.1 through B.12.	Consistent
C.4	Identify existing open space for protection, management, and potential enhancement to maintain and, if possible, increase its value as wildlife habitat.		
C.8	Utilize the Growth Management Ordinance to implement the goals and objectives of this element and establish standards for open space.		
C.15	Preserve panoramic viewpoints, as identified in the Open Space and Conservation Resource Management Plan, and where possible, provide public access.		
C.16	Acquire, protect or negotiate for public access to those privately-held natural open space lands that could be used for unprogrammed recreational uses.		
C.17	Make accessible to the public, those open space areas designated for recreational use, and where feasible, provide them with essential utilities, public facilities and services.		
		The Specific Plan is consistent because it would make open space areas accessible to the public for low-impact recreational use, and provide essential utilities, public facilities, and services. Portions of the designated open space and agricultural land will become an integral part of the Specific Plan area, and low-impact public access will allow for passive	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
		recreation amenities, including miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, roadway, restroom facilities, parking, farm-to-table dining, farm stand, and an integrated resource and educational signage program for use by the entire Carlsbad community. For further information, refer to Specific Plan, Chapter 1.1, Overview.	
C.19	Recognize that the map entitled "Conceptual Open Space and Conservation Map" dated June 1992, (see Map 2: Conceptual Open Space and Conservation Map) represents the conceptual open space priorities of the City. The conceptual components of this map, including greenways and trails, are intended to be flexible, and should not be interpreted as depicting precise, rigid alignments. It is anticipated that the alignments of the greenways and trails may be adjusted as warranted, as better information becomes available through additional fieldwork, further environmental analysis, more detailed planning, or similar future activities. However, the points where a greenway or trail passes from one Local Facilities Management zone to another, or from one property ownership to an adjacent ownership should remain consistent with this map, unless an agreement has been reached with the adjacent zone or property ownership to shift the transition point. A general plan amendment will not be required to specifically site the conceptual components of this map. A general plan amendment will be required if any conceptual component is deleted.	The Specific Plan is consistent because it amends Map 2: Conceptual Open Space and Conservation Map. Trails to accurately reflect the trails, pedestrian walkways, and bike routes within the Specific Plan area that enhance and adjust those trails already depicted therein.	Consistent
C.20	Require that the following procedure be adhered to for adjusting the boundaries of any open space area shown on the map titled "Official Open Space and Conservation Map" dated June 1992 Findings required for the approval of a boundary adjustment to the map are as follows: 1. The proposed open space area is equal to or greater than the area depicted on the Official Open Space and Conservation Map; and	The Specific Plan is not expanding the existing boundaries of open space lands. For further information, refer to Specific Plan, Chapters 1.0 and 2.0, Introduction and Existing Setting (respectively).	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	<p>2. The proposed open space area is of environmental quality equal to or greater than that depicted on the Official Open Space and Conservation Map; and</p> <p>3. The proposed adjustment to open space, as depicted on the Official Open Space and Conservation Map, is contiguous or within close proximity to open space as shown on the Official Open Space Map.</p> <p>The City Council may also modify the boundary location shown on the open space maps but only if it finds that the modification is necessary to mitigate a sensitive environmental area which is impacted by development, provided the boundary modification preserves open space at a 2 to 1 ratio (proposed acreage to existing acreage) and is within close proximity to the original area of open space. Additionally, City Council may exempt public rights-of-way from the boundary adjustment procedures. However, environmental analysis shall be performed for all proposed public right-of-way improvements, and if determined that there are significant adverse impacts to the value of the open space system, those impacts shall be mitigated. It is not the intention of this boundary adjustment procedure to allow for the exchange of environmentally constrained lands which are designated open space, for lands which are not environmentally constrained.</p>		
C.26	Rezone open space lands, dedicated to the City in fee title or easement to open space (OS) zoning.	The Specific Plan is consistent because it permanently protects and conserves approximately 176.7 acres for open space and the continuation of strawberry farming and coastal agriculture. This protection is provided by requiring an easement granted to the City of Carlsbad, a qualified environmentally-focused non-profit organization, or public agency for open space and agricultural conservation purposes over approximately 155.1 acres of the Specific Plan area. The remaining approximately 21.6 acres will be subject to an easement or a deed restriction for open space and agricultural purposes — in addition to allowing supporting improvements and uses, including farm stand, farm-to-table dining, and parking. For further information, refer to Specific Plan, Chapter 1.1 , Overview.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.27	Plan for, and design, open space with regard to its various specific functions, as opposed to considering open space as having a single general function.	The Specific Plan is consistent because it plans for and designs a framework for the protection, conservation and development within the Specific Plan area. The Specific Plan area is divided into five unique areas (as opposed to one single open space area): (1) Habitat Management Plan Open Space (HMP-OS); (2) Passive Open Space (P-OS); (3) Exclusive Agriculture Open Space (EAG-OS) (4) Agricultural Support Open Space (AGS-OS); and (5) Visitor-Serving Commercial (VSC). These designations ensure distinction in the function of open space, and allow for and facilitate the provision of habitat protection; low-cost public access to passive open space and recreation areas; the continuation of agriculture and coastal strawberry farming; and connections to unique, high-quality visitor-serving retail, shopping, dining, entertainment, and recreation opportunities. For further information, refer to Specific Plan, Chapters 3.2 and 3.3 , Land Use Plan and Land Use Designations (respectively).	Consistent
C.30	The City shall implement the Habitat Management Plan and shall coordinate its planning with the North County regional Multi-Species Habitat Conservation Plan.	Refer to the response above addressing Goals A.1 through A.4, and B.1 through B.12.	Consistent
<i>Obtaining Open Space</i>			
Goal A.1	A city which provides for the open space needs of its citizens.	The Specific Plan is consistent because it will permanently protect and conserve approximately 176.7 acres for open space, and continuation of agriculture, for use by the residents of Carlsbad. For further information, refer to Specific Plan, Chapter 1.1 , Overview..	Consistent
A.2	A city where new developments provide for the open space needs of their occupants.		
Objective B.3	To assure that, to the maximum degree possible, those benefiting from the acquisition or improvement of open space and recreational facilities provide funding in direct proportion to the benefits they derive.	In addition to the response above addressing Goal A.1 and Policy C.1, Overall Land Use Element, the Specific Plan is consistent because the Specific Plan's visitor-serving commercial uses will provide funding to dedicate, improve, restore, operate, and maintain in perpetuity the dedicated open space areas at no tax burden to Carlsbad residents. For further information, refer to Specific Plan, Chapter 1.1 , Overview.	Consistent
Policy C.1	Exactions from new developments should include, but not be limited to, legislative protection, Quimby Act dedication, park-in lieu fees, industrial recreation fees, setback requirements, the provision of essential improvements, and the adoption of appropriate Local Facilities Management Plans, Master Plans, and Specific Plans.	The Specific Plan is consistent because all exactions and essential improvements for development of the Specific Plan area will be compensated. In particular, the Specific Plan provides funding to dedicate, improve, restore, operate, and maintain in perpetuity the dedicated open space areas at no tax burden to Carlsbad residents. For further information, refer to Specific Plan, Chapter 1.1 , Overview. In addition, in lieu mitigation fees have been addressed as an EPF for the Specific Plan area. For information regarding this EPF, refer to Specific Plan, Appendix B , Environmental Protection	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
		Features.	
C.5	Develop a program to encourage private donations for open space acquisition, protection, improvement, or maintenance by placing the donors' names on permanent markers at the sites of their gifts.	Refer to the response above addressing Goal A.1, Overall Land Use Pattern.	Consistent
C.9	Consider designating a conservancy agency or similar organization to be responsible for protection, maintenance, monitoring and liability of open space lands.	Refer to response above addressing Policy C.26, Open Space Planning and Protection.	Consistent
C.10	Implement when possible, the finance strategies contained in the Open Space and Conservation Resource Management Plan. These implementation strategies should guide the systematic acquisition, protection, maintenance, administration and financing of open space and provide an organizational structure to implement the City's open space plan.	The Specific Plan is consistent because it requires specific improvements to enhance habitat protection and public access to open space, and because it preserves, restores and protects open space and agriculture areas before the opening of any visitor-serving commercial development within the Specific Plan area. The Specific Plan also will secure permanent funding mechanisms for the ongoing maintenance and management of such improvements be put in place before any portion of the Specific Plan area is opened to the public for a new commercial use. Those financing mechanisms include but are not limited to community facilities district, landowner funding agreement, development impact fees, private endowment, and private financing for the systematic acquisition, protection, maintenance, administration, and financing of open space. For further information, refer to Specific Plan, Chapter 6.2 , Financing Mechanisms.	Consistent
<i>Special Resource Protection</i>			
Goal A.1	A city that protects environmentally sensitive land and buffer areas.	The Specific Plan is consistent because it will permanently protect, conserve, restore, or enhance existing habitat, sensitive species, and riparian/wetland resources; and provide for the continuation of coastal agriculture and strawberry farming through the Specific Plan itself and in cooperation with the City of Carlsbad, one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, and qualified farming and agricultural interests. For further information, refer to Specific Plan, Chapters 1.1 and 3.5 , Overview and Development Standards (respectively). The Specific Plan also is consistent because it will protect and preserve open space, lagoons, and other unique resources using EPFs to avoid or substantially reduce effects	Consistent
A.2	A city that protects and preserves visually attractive and/or significant natural areas.		
A.3	A city that preserves optimum sustainable environmental quality levels with respect to air, water, sound levels, and plant and animal life.		
A.4	A city that preserves as open space, hillsides, ridges, valleys, canyons, lagoons, beaches and other unique resources that provide visual and physical relief to the Cityscape.		
A.5	A city that preserves, where possible, historic, cultural,		

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APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	archeological, paleontological, and educational resources.	on air quality, water quality, noise, biological resources, historic, cultural, archeological, paleontological, and educational resources. For example, the Specific Plan restricts the use of non-invasive plants, and prohibit construction to avoid wildlife feeding, nesting, and breeding area, and makes every possible effort to preserve native habitat. For further information regarding those EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	
A.6	A city that conserves natural and manmade resources.		
A.7	A city which makes every possible effort to preserve sensitive flora and fauna.		
A.8	A city which preserves a variety of unique conservation areas to accommodate the needs of humans, plants and animals		
A.9	A city which protects wildlife habitat through the preservation and enhancement of significant feeding, nesting, and breeding areas.		
A.10	A city which preserves, to the maximum extent possible, the existing level of biodiversity.		
Objective B.3	To preserve areas of unique scenic, historical, archeological, paleontological and cultural value, and where possible, provide public access to these areas.	The Specific Plan is consistent because it will protect areas of unique scenic, historical, archeological, paleontological and cultural value, where possible, through the employment of qualified specialists to monitor development activities to ensure proper treatment of those resources. For further information regarding these EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
B.4	To develop cultural/educational amenities which could include a museum, exhibition hall or interpretive center, within open space areas.	The Specific Plan is consistent because it will develop cultural/education amenities such as an outdoor classroom, and an integrated resource and educational signage program for use by the entire Carlsbad community and its visitors within the Specific Plan area. For further information, refer to Specific Plan, Chapter 3.3 , Land Use Designations.	Consistent
B.6	To minimize environmental impacts to sensitive resources within the City.	The Specific Plan is consistent because it incorporates EPFs to avoid or substantially reduce environmental impacts to sensitive resources within the City. For information regarding these EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
B.7	To minimize impacts from new development on hillsides, ridges, valleys, canyons, lagoons, beaches and other unique resources that provide visual and physical relief to the cityscape.	The Specific Plan is consistent because it will ensure that no development effects, as defined in section 30106 of the Coastal Act, occur on delineated wetland, riparian, upland native habitat areas, and steep slopes. The Specific Plan also will maintain consistency with the City's Habitat Management Plan hardline preserve boundary to minimize effect on resources that provide visual and physical relief to the cityscape. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	Consistent
B.8	To develop an inventory of environmentally sensitive resources	The Specific Plan is consistent because it will not impede or impair the City's ability to	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	that are to be conserved within the City.	develop an inventory of environmentally sensitive resources that are to be conserved within the City.	
B.9	To develop and implement, when possible, a plan to guide the systematic acquisition, protection and maintenance of sensitive environmental resources and provide an organizational structure to implement the plan	The Specific Plan is consistent because it provides specific implementation procedures to guide the systematic acquisition, protection, and maintenance of open space, and provides an organizational structure to implement the Specific Plan. For further information, refer to Specific Plan, Chapter 6.0 , Implementation. The Specific Plan also is consistent because it will not impede or impair the City's ability to protect rare, threatened or endangered plant and animal communities in accordance with the Habitat Management Plan. For further information, refer to Specific Plan, Chapter 3.5.1 , Habitat Management Plan Open Space (HMP-OS) Development Standards.	Consistent
B.10	To develop and implement, when possible, a financing strategy to acquire and protect areas which are rich in habitat diversity.		
B.11	To protect rare, threatened or endangered plant and animal communities in accordance with the Habitat Management Plan.		
B.12	To ensure that whenever possible, new development does not adversely impact sensitive environmental resources.		
B.13	To coordinate city habitat management planning efforts with federal, state and local agencies, and other planning efforts of the City.	The Specific Plan is consistent because any Specific Plan applicant will coordinate with City habitat management planning efforts and with other federal, state, local agency planning efforts.	Consistent
Policy C.1	Utilize sensitive design criteria to preserve the unique and special resources in the City and to integrate them into the design of any development.	Refer to the response above addressing Goals A.1 through A.10 and Objectives B.3 through B.13.	Consistent
C.2	Amend ordinances as necessary to define sensitive and constrained lands consistent with the City's habitat management planning efforts, and prohibit development and density credit thereon.	Refer to the response above addressing Policy C.27, Open Space Planning and Protection.	Consistent
C.4	Designate for preservation as open space those areas that provide unique visual amenities and define the urban form as contained in the Open Space and Conservation Resource Management Plan. These areas shall include agriculture, hillsides, ridges, valleys, canyons, beaches, lagoons, lakes and other unique resources that provide visual and physical relief to the cityscape by creating natural contrasts to the built-up, manmade scene.	Refer to the response above addressing Goals A.1 through A.10 and Objectives B.3 through B.13.	Consistent
C.5	Designate for open space, hillsides, valleys and ridges during the	Refer to the response above addressing Goals A.1 through A.10 and Objectives B.3	Consistent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	approval of Specific Plans, Master Plans and Planned Developments, and also at the time of subdivision approval consistent with the recommendations of the Open Space and Conservation Resource Management Plan.	through B.13.	
C.6	Designate as buffers portions of land next to sensitive environmental areas.	Refer to the response above addressing Policy C.3, Overall Land Use Pattern.	Consistent
C.7	Assure that where feasible from an environmental standpoint, developments near or adjacent to bodies of water, provide open space that has public access to and views of the water.	Refer to the response above addressing Goals A.1 through A.10 and Objectives B.3 through B.13.	Consistent
C.8	Require a city permit for any grading, grubbing, or clearing of vegetation in undeveloped areas, with appropriate penalties for violations.	The Specific Plan is consistent because it will require a grading permit issued pursuant to title 15, section 15.16.110, after having conducted the plan review and sign-off on permit application(s) and plan submittal(s). For further information, refer to Specific Plan, Chapter 6.9 , Grading Ordinance. The Specific Plan is consistent because all biological effects for grading, grubbing, or clearing of vegetation have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.9	Ensure that the improvements recommended for open space areas are appropriate for the type of open space and the use proposed. No improvements shall be made in environmentally sensitive areas, except to enhance the environmental value of the areas.	The Specific Plan is consistent because it ensures that improvements for protection, conservation and development within the Specific Plan area are tailored to the five unique areas: (1) Habitat Management Plan Open Space (HMP-OS); (2) Passive Open Space (P-OS); (3) Exclusive Agriculture Open Space (EAG-OS) (4) Agricultural Support Open Space (AGS-OS); and (5) Visitor-Serving Commercial (VSC). These designations allow for and facilitate distinctive treatment of habitat protection; low-cost public access to passive open space and recreation areas; the continuation of agriculture and coastal strawberry farming; and connections to unique, high-quality visitor-serving retail, shopping, dining, entertainment, and recreation opportunities. For further information, refer to Specific Plan, Chapters 3.2, 3.3 and 3.5 , Land Use Plan, Land Use Designations and Development Standards (respectively).	Consistent
C.10	Consider designating for open space those areas that preserve historic, cultural, archeological, paleontological and educational resources.	Refer to the response above addressing Goals A.1 through A.10 and Objectives B.3 through B.13.	Consistent
C.11	Preserve open space areas in as natural a state as possible.	Refer to the response above addressing Goals A.1 through A.10 and Objectives B.3	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
		through B.13.	
C.12	Require that grading be accomplished in a manner that will maintain the appearance of natural hillsides and other landforms wherever possible.	The Specific Plan is consistent because grading will be accomplished in a manner that maintains the appearance of natural hillsides and other landforms where possible. In particular, protection of preserved habitats will be marked to prohibit access during construction. For further information regarding the EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.13	Require that soil reports, plans for erosion and sediment control measures and provisions of maintenance responsibilities be a requirement of any approval process.	The Specific Plan is consistent because it requires the preparation of a geotechnical report as an EPF to avoid or substantially reduce effects to geology and soils. For further information regarding EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.14	Implement ordinances limiting the density, intensity and character of development of hillside areas and ridges, and provide standards for sensitive grading where development of hillsides is allowed.	Refer to the responses above addressing Policies C.1 through C.13.	Consistent
C.15	Require that at the time of any discretionary approval, any land dedicated to the City for its habitat or scenic value, have an appropriate easement and/or zoning placed on it for resource protection.	The Specific Plan is consistent because it requires that permanent open space and agricultural easements — on approximately 155.1 acres be recorded in favor of a qualified environmentally-focused non-profit organization, or public agency for open space and agricultural conservation purposes. For further information, refer to Specific Plan, Chapter 1.1 , Overview.	Consistent
C.16	Recognize and implement the policies of the California Coastal Act and the Carlsbad Local Coastal Program when reviewing potential development in the coastal zone.	In addition, the Specific Plan is consistent because it recognizes and implements the policies of the California Coastal Act in that the Specific Plan preserves natural resources and environmentally sensitive areas, coastal dependent development, public recreational uses, and visitor-serving commercial recreation. For further information, refer to Specific Plan, Chapter 1.5.2 , Specific Plan's relationship to the Coastal Act and the Agua Hedionda LUP (1982).	
C.17	Prevent incompatible development of areas that should be reserved or regulated for scenic, historic, conservation or public health and safety purposes.		
C.18	Conserve and encourage the use of appropriate forms of vegetation and sensitive grading techniques needed to: (a) prevent erosion, siltation and flooding, (b) protect air and water resources, and (c) protect and enhance visual resources.	Refer to the response above addressing Policy C.8.	Consistent
C.19	Preserve natural resources by: protecting fish, wildlife, and	Refer to the response above addressing Goals A.1 through A.10 and Objectives B.3	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	vegetation habitats; retaining the natural character of waterways, shoreline features, hillsides, and scenic areas and viewpoints; safeguarding areas for scientific and educational research; respecting the limitations for air and water resources to absorb pollution; encouraging legislation that will assist logically in preserving these resources and, protecting archeological and paleontological resources.	through B.13.	
C.20	Preserve the identity of those areas of the City with unique topographic features and establish proper soil management techniques to eliminate or minimize adverse and unsafe soil conditions.	Refer to the response above addressing Goals A.1 through A.10 and Objectives B.3 through B.13. In addition, the Specific Plan is consistent because it employs EPFs that will preserve topographic features and establish proper soil management techniques. For further information regarding the EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.21	Use the Williamson Act, land dedication, scenic easements, or open space easements to preserve unique and special resources in the City.	Refer to the response above addressing Goal A.1, Overall Land Use Pattern.	Consistent
C.22	Participate in the statewide and regional plans (the state of California's Natural Community Conservation Planning (NCCP), efforts with SANDAG and other north county cities in the preparation of a North County Wildlife Forum (Multi-species Habitat Conservation Plan), to conserve sensitive environmental resources.	Refer to the response above addressing Objective B.7, Special Resources Protection.	Consistent
C.23	Coordinate planning and development of a citywide open space system with habitat planning efforts including the city's Habitat Management Plan.	Refer to the response above addressing Objective B.7, Special Resources Protection.	Consistent
C.24	Minimize the encroachment of development into wetland and riparian areas.		
C.25	Coordinate the protection of wetlands, woodlands, riparian areas, and other sensitive habitat areas with appropriate state and federal protection agencies.		
C.26	Encourage and participate in regional planning efforts to protect environmentally sensitive species from extinction.	The Specific Plan is consistent because the Specific Plan applicant will not impede or impair the City's ability to encourage and participate in regional planning efforts to protect	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
		environmentally sensitive species from extinction.	
C.27	Require adequate buffers between new development and environmentally sensitive habitats.	The Specific Plan is consistent because it provides for natural buffers and setbacks to preserve, create, and separate opens space areas from other land uses. The Specific Plan also provides for parks and plazas for passive community recreation and gathering. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	Consistent
C.28	Locate trails and other passive recreational features with care to minimize impacts to sensitive habitats.	The Specific Plan is consistent because it will locate trails and other passive recreational features with care to minimize effects to sensitive habitats, restricting those areas to within the first 15 feet of the buffer closest to the development, if construction of the trail or pathway and its proposed use is consistent with the preservation goals for the adjacent habitat, and that appropriate measures are taken for physical separation from sensitive areas. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	Consistent
C.29	Support innovative site design techniques such as cluster-type housing and transfer of-development-rights to preserve sensitive environmental resources and to allow development projects to comply with the city's Habitat Management Plan.	The Specific Plan is consistent because it supports innovative design techniques, through its commitment to design to LEED Gold Core and Shell Design Standards. For further information, refer to Specific Plan, Chapter 4.0 , Design Guidelines and Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.30	Require private development which impacts sensitive resources to provide appropriate mitigation measures as identified in the city's Habitat Management Plan, so that the existing biodiversity within the City is maintained.	The Specific Plan is consistent because it creates the HMP-OS designation for areas designated as existing hardline conservation areas in the City's Habitat Management Plan in order to protect rare and unique biological resources to preserve wildlife habitats. For further information, refer to Specific Plan, Chapter 3.3.1 , Habitat Management Plan Open Space (HMP-OS). In addition, the Specific Plan is consistent because all biological effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.33	Assure that, at minimum, there is no net loss of wetlands acreage or value, and the net gain of wetlands acreage is the long-term goal of the City.	Refer to the response above addressing Policy C.27, Open Space Planning and Protection.	Consistent
C.34	Require all development projects to comply with the city's Habitat Management Plan.		
C.35	Implement the City's Habitat Management Plan including making all necessary changes to applicable city ordinances.		

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
<i>Trail / Greenway System</i>			
Goal A.1	A city with open space areas connected by Greenways.	The Specific Plan is consistent because it will incorporate connections to open space areas by Greenways. For further information, refer to Specific Plan, Chapters 3.0 and 4.0 , Land Use and Design Guidelines (respectively).	Consistent
A.2	A city with a Carlsbad Trail System.	The Specific Plan is consistent because it will provide for a network of trails through the open space areas with appropriate buffering from sensitive areas for passive recreation. For further information, refer to Specific Plan, Chapters 1.0, 2.0, and 3.0 , Introduction, Existing Setting, and Land Use (respectively).	Consistent
Objective B.1	To ensure that there is continuity and environmental sensitivity in the routing and design of the trail system.	Refer to the response above addressing Goals A.1 and A.2.	Consistent
B.2	To route trails near environmentally sensitive areas only with appropriate buffers or fencing.		
B.3	To provide trails that serve as pedestrian and bicycle transportation between residential and commercial areas.	Refer to the response above addressing Goals A.1 and A.2.	Consistent
B.5	To finance, manage, and acquire land for a Carlsbad Trail System	Refer to the response above addressing Policy C.10, Obtaining Open Space.	Consistent
Policy C.3	Obtain an irrevocable offer to dedicate or a permanent easement for trailways where feasible, in all cases where trails are proposed or required as part of the Carlsbad Trail System.	Refer to the response above addressing Policy C.26, Open Space Planning and Protection.	Consistent
C.4	Design the trail system to serve both recreation and non-motorized transportation purposes.	Refer to the response above addressing Goal A.2.	Consistent
C.5	Provide greenway linkages from major recreational/open space areas to other areas of activity, including, but not limited to, residential neighborhoods, places of employment, parks, schools, libraries, and viewpoints.	Refer to the response above addressing Goals A.1 and A.2, and the response above addressing Policy C.7, Overall Land Use Pattern.	Consistent
C.6	Ensure that trails are sensitive to surrounding land uses and are normally placed at a significantly different elevation than adjacent residences.	Refer to the response above addressing Goal A.2. In addition, the Specific Plan is consistent because it ensures that trails are sensitive to surrounding uses, taking care to minimize effects to sensitive habitats. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	Consistent
C.7	Assure that major powerline easements receive credit toward the	The Specific Plan is consistent because it will not impair or impede the City's ability to	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	15-percent Growth Management open space performance standard if they are enhanced or improved to establish key links in the Carlsbad Trail System.	provide credit toward the 15% Growth Management open space performance standard (if applicable).	
C.9	Prohibit the approval of a project which would eliminate the trail alignments as depicted on the Conceptual Open Space and Conservation Map, unless a general plan amendment is approved to delete such a trail segment.	The Specific Plan is consistent because it includes a general plan amendment to the Conceptual Open Space and Conservation Map as part of the Specific Plan Initiative to enhance trail alignments to suit the current needs of the City. For further information, refer to Specific Plan, Chapter 1.5.1 , Specific Plan's Relationship to the Agua Hedionda 85/15 Specific Plan Initiative.	Consistent
C.10	Address the citywide greenway system and the Carlsbad Trail System when considering and reviewing Local Facilities Management Plans, major development applications and applications involving potential greenway and trail linkages, as shown on the Conceptual Open Space and Conservation Map (see Map 2: Conceptual Open Space and Conservation Map).	Refer to response above addressing Policy C.9.	Consistent
C.11	Design physical improvements to trails, of the Carlsbad Trail System, so that they are consistent with the recommendations of the Open Space and Conservation Resource Management Plan.	The Specific Plan is consistent because it will design improvements to trail consistent with the recommendations of the Open Space and Conservation Resources Management Plan, except that all such provisions of the plan shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plans and activities described in Specific Plan, Chapter 6.4 , Specific Plan Procedures and Process.	Consistent
C.12	Utilize Table 5.4-6 of the General Plan EIR: Carlsbad Trail System Impact/Mitigation Summary to identify potential impacts and consider suggested mitigation measures at the time of specific project review of trail system links and approval.	The Specific Plan is consistent because all trail and recreation effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
<i>Promoting Agriculture</i>			
Goal A.1	A city which recognizes the important value of agriculture and horticultural lands.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the promotion of agriculture is protected and conserved by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
Objective B.1	To develop an inventory of agricultural uses in the City.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
B.2	To promote the establishment of agricultural preserves.	responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features. In addition, the Specific Plan is consistent because it will not impair or impede the City's ability to develop an inventory of agriculture uses and to promote agriculture preserves.	
B.3	To promote the use of new technology for agricultural purposes to improve the economic viability of agriculture.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
B.4	To ensure that new development is sensitive to existing agricultural uses.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
B.5	To ensure that agricultural uses do not adversely impact sensitive environmental resources.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
Policy C.1	Buffer, where possible, agriculture from more intensive urban uses with less intense land uses which are mutually compatible.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features. In addition, the Specific Plan is consistent because it provides for buffers, where possible, to shield agriculture from more intensive urban uses. For further information, refer to Specific Plan, Chapters 3.3, 3.4, and 3.5 , Land Use Designations, Permitted Land Uses Summary, and Development Standards (respectively).	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.2	Encourage the use of water conservation techniques in agricultural enterprises including the use of reclaimed wastewater for irrigation.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.3	Support agriculture water rates for agricultural/horticultural operations as instituted by the Metropolitan Water District.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features. In addition, the Specific Plan is consistent because it will support agriculture water rates instituted by the MWD.	Consistent
C.4	Encourage the establishment of new agricultural preserves for areas within the coastal zone designated for agricultural land use.	Refer to response above addressing Objective B.1, Overall Land Use Pattern.	Consistent
C.5	Encourage and support the economic viability of agricultural land.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.6	Encourage agricultural use as a permissible land use in areas designated as open space in non-environmentally sensitive areas.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.7	Discourage the premature elimination of agricultural land.		
C.9	Assure that urban development takes place in those areas that are the least agriculturally productive.		
C.10	Support and utilize all measures available, including the Williamson Act, not only to prevent premature developments, but also to promote the economic viability of agricultural uses.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.11	Utilize proper design criteria for new development to maximize	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	the preservation of agricultural lands.	responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
C.12	Provide landowners and interested citizens with information about agricultural preserves as established by the Williamson Act and encourage them to utilize this information.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs promote the protection and conservation of agriculture. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.13	Accomplish grading of agricultural lands in a manner that minimizes erosion of hillsides and minimize stream siltation and to maintain the appearance of natural hillsides and other land forms wherever possible.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs will avoid or substantially reduce the effects of grading activities on agricultural lands. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.14	Manage agricultural land and prime soil as a natural resource and as a significant contrasting land use to the urbanized environment of the City.	The Specific Plan is consistent because it recognizes the standards and policies set forth by Chapter 3 of the Coastal Act, to protect public coastal access, the marine environment, commercial fishing, recreational boating, environmentally sensitive habitat areas, prime agricultural land, and scenic and visual qualities of coastal areas by regulating the siting and design of coastal development. For further information, refer to Specific Plan, Chapter 1.5.1 , Specific Plan's relationship to the Coastal Act and the Agua Hedionda LUP (1982).	Consistent
C.15	Prevent agricultural run-off and other forms of water pollution from entering the storm drain system and polluting the City's water bodies.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the Specific Plan and its EPFs will avoid or substantially reduce the effects of grading activities on agricultural lands. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.16	Prior to the approval of discretionary permits within an existing or former agricultural area in Carlsbad, a detailed soils testing and analysis report shall be prepared by a registered soils engineer and submitted to City and County Health Departments for review and approval. This report shall evaluate the potential for soil contamination due to historic use, handling, or storage of	The Specific Plan is consistent because it will comply with the preparation of geotechnical report(s); however, the Specific Plan review requirements call for the review to be ministerial and thereby exempt from the requirements of CEQA. For further information, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	agricultural chemicals restricted by the San Diego County Department of Health Services. The report shall also identify a range of possible mitigation measures to remediate any significant public health impacts if hazardous chemicals are detected at concentrations in the soil which would have a significantly adverse effect on human health.		
C.17	If use of agricultural chemicals within an existing agricultural operation has the potential to adversely impact a proposed residential development on an adjacent parcel, mitigation measures including, but not limited to, physical barriers and/or separation between the uses should be considered.	Refer to the response above addressing Goal A.1., Overall Land Use Pattern, and all responses above addressing the Agriculture Element of the General Plan (1994). In addition, the effects of chemical use, if they exist, have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
<i>Fire Risk Management</i>			
Goal A.1	A city in which the fire risk presented by native wildland open space is mitigated in a manner that provides a reasonable level of fire protection with sensitivity toward the preservation of natural resources.	The Specific Plan is consistent because it will coordinate with the City with regard to fire risk mitigation measures and with regulations and policies of local, state, and federal agencies. The Specific Plan shall comply with the Carlsbad Municipal Code, title 17, Fire Protection, including the requirement to have the Fire Code Official sign-off on the Specific Plan Fire Protection Plan, except that all such provisions shall be ministerial and thereby exempt from the requirements of CEQA and the Guidelines, including said exemptions with regard to all plans and activities described in Specific Plan, Chapter 6.4 , Specific Plan Procedures and Process. In addition, all effects presented by fire risks have been avoided or substantially reduced by the Specific Plan's EPF to ensure fire risk management. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
Objective B.1	To identify high fire risk characteristics of proposed open space areas prior to designation as open space or acquisition by the City.	Refer to the response above addressing Goal A.1.	Consistent
B.2	To determine the mitigation measures most appropriate for high fire risk areas, within city designated open space areas, prior to city acquisition or designation of those areas.		
B.3	To coordinate fire risk management practices with the City's Open Space, Conservation and Habitat Management planning efforts. Prior to designation or acquisition of land for open space		

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	purposes, the issues of fire risk liability; land maintenance practices for the reduction of fire risk; funding for long-term fire risk maintenance; and the environmental impacts of fire risk management will be addressed.		
B.4	To coordinate city fire risk mitigation measures with the regulations and policies of local, state and federal agencies.	Refer to the response above addressing Goal A.1.	Consistent
Policy C.1	Develop a procedure to evaluate environmental impacts of fuel management procedures, as required by the Fire Chief, in high risk areas.	Refer to the response above addressing Goal A.1.	Consistent
<i>Air Quality Preservation</i>			
Goal A.1	A city with clean air.	The Specific Plan is consistent because all effects to air quality have been avoided or substantially reduced by the Specific Plan's EPF to ensure clean air. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
Objective B.2	To participate in a program to improve air quality in the region.	Refer to response above addressing Goal A.1. The Specific Plan is consistent because it will not impede or impair the City's ability to participate in programs to improve regional air quality.	Consistent
Policy C.4	Make every effort to participate in programs to improve air quality in the San Diego Region.	Refer to response above addressing Goal A.1. The Specific Plan is consistent because it will not impede or impair the City's ability to participate in programs to improve regional air quality.	Consistent
C.6	<p>The City shall monitor all construction to ensure that proper steps are taken by developers to reduce short-term construction related impacts to air resources. During cleaning, grading, earth moving or excavation developers shall:</p> <ul style="list-style-type: none"> • Control fugitive dust by regular watering, paving construction roads, or other dust preventive measures; • Maintain equipment engines in proper tune; • Seed and water until vegetation cover is grown; • Spread soil binders; • Wet the area down, sufficient enough to form a crust on the surface with repeated soakings, as necessary, to maintain 	Refer to response above addressing Goal A.1.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	the crust and prevent dust pick-up by the wind; • Street sweeping, should silt be carried over to adjacent public thoroughfares; • Use water trucks or sprinkler systems to keep all areas where vehicles move damp enough to prevent dust raised when leaving the site; • Wet down areas in the late morning and after work is completed for the day; * Use of low sulphur fuel (0.5% by weight) for construction equipment.		
<i>Water Quality Protection</i>			
Goal A.1	A city with high quality of water resources.	The Specific Plan is consistent because any effects to water quality, water supply, and water resources have been avoided or substantially reduced by the Specific Plan's EPF to ensure high quality of water resources. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
Objective B.1	To control storm water pollutants.	The Specific Plan is consistent because it seeks to control storm water pollutants through implementation of a SWMP and BMPs. For further information, refer to the Specific Plan, Chapter 6.0 , Implementation. Additionally, any effects from stormwater pollutants have been avoided or substantially reduced by the Specific Plan's EPF to ensure high quality of water resources. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
B.2	To design storm water conveyance systems that do not adversely impact sensitive environmental resources.	The Specific Plan is consistent because it will design a stormwater conveyance system to avoid or substantially reduce effects to water quality as part of the Specific Plan's EPF. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
B.3	To improve water quality within the City.	Refer to the response above addressing Goal A.1.	Consistent
B.4	To coordinate the management of storm water pollutant with federal, state and local agencies.	Refer to the response above addressing Objective B.1.	Consistent
B.5	To conserve and efficiently manage the potable water resources available to the City of Carlsbad.	Refer to the response above addressing Objective B.1.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
Policy C.1	Develop and implement a Jurisdictional Urban Runoff Management Program (JURMP) consistent with the Regional Water Quality Control Board Order No. 2001-01 and any subsequent amendments to it.	The Specific Plan is consistent because it will adopt and implement a SUSMP and BMPs. For further information, refer to the Specific Plan, Chapter 6.0 , Implementation. Additionally, any effects from stormwater pollutants have been avoided or substantially reduced by the Specific Plan's EPF to ensure high quality of water resources. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.2	Adopt and implement a Master Drainage and Standard Urban Storm Water Mitigation Plan (SUSMP) consistent with the Regional Water Quality Control Board Order No. 2001-01 and any subsequent amendments to it.		
C.4	Prior to making land use decisions, utilize methods available to estimate increases in pollutant loads and flows, resulting from projected future development. The City shall require developments to incorporate structure and non-structural best management practices (BMP's) to mitigate the projected increases in pollutant loads.	Refer to the response above addressing Goal A.1.	Consistent
C.5	Implement water pollution prevention methods to the maximum extent practicable, supplemented by pollutant source controls and treatment. Use small collection strategies located at, or as close as possible to, the source (i.e., the point where water initially meets the ground) to minimize the transport of urban runoff and pollutants offsite and into a municipal separate storm sewer system (MS4)		
C.6	Make the necessary structural controls to the storm water conveyance system to remove or reduce storm water pollutant levels.		
C.7	Post-development runoff from a site shall not contain pollutant loads which cause or contribute to an exceedance of receiving water quality objectives or which have not been reduced to the maximum extent practicable.		
C.9	Developments shall implement appropriate recommendations to protect water quality found in the San Diego Association of Government's (SANDAG's) Water Quality Element of its	The Specific Plan is consistent because it will be in compliance with SANDAG's Regional Growth Management Strategy. Additionally, the Specific Plan would be subject to regulations under the City's Watershed Urban Runoff Management Plan, the City's	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	Regional Growth Management Strategy.	Standard Urban Stormwater Management Plan, and all applicable federal, state, and local regulations related to water quality.	
C.11	Preserve, where possible, natural water courses or provide naturalized drainage channels within the City.	The Specific Plan is consistent because drainage will continue to the Agua Hedionda Lagoon as it currently exists.	Consistent
C.12	Coordinate the needs of storm water pollution management with habitat management, aesthetics and other open space needs.	Refer to the response above addressing Goal A.1.	Consistent
C.13	Require that, where possible, naturalized channels and pollution management basins be landscaped with native plant species which balance the needs of fire suppression, habitat values, maintenance, aesthetics and pollution absorption.	Refer to the response above addressing Goal A.1.	Consistent
C.14	Permit public access to creeks, lakes and lagoons, where consistent with sand resource management practices.	Refer to the response above addressing Goal A.1.	Consistent
C.16	Conserve, protect and enhance the water resources of the City.	Refer to the response above addressing Goal A.1.	Consistent
C.17	Promote the use of water efficient sprinkling and gardening systems.	The Specific Plan is consistent because it provides EPFs that require the use of energy saving technology, such as LEED Gold Core and Shell Design Standards; and water saving irrigation technology and drought tolerant landscapes through the preparation of a landscape/irrigation plan. For further information regarding EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.18	Require new development to utilize measures designed to conserve water in their construction.	Refer to response above addressing Policy C.17.	Consistent
C.19	Maintain natural water resources in the City of Carlsbad in as natural a state as possible by: (a) conserving or improving the appearance and ecology of those which are in a relatively untouched condition; (b) restoring, in accordance with recognized ecological principles and insofar as it is possible, those water areas which have been significantly altered, to a condition which is most beneficial to the public; and (c) simulating a natural condition in areas which are to be altered in the future for purposes of safety engineering, water conservation, or recreation.	Refer to the response above addressing Goal A.1.	Consistent
C.20	Prevent industrial waste, agricultural runoff, water softener	Refer to the response above addressing Goal A.1.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	discharges, domestic detergents, and other forms of water pollution from entering the storm drain system and polluting the City's water bodies.		
C.21	Utilize sensitive design criteria to protect the integrity of the water resources in the City.		
C.22	Prohibit alteration of waterways and water bodies that would cause significant adverse impacts on the environment.	Refer to the response above addressing Goal A.1.	Consistent
C.24	Conserve, and protect the water resources including, but not limited to, floodplains, shoreline, lagoons, waterways, lakes, ponds, and the ocean.	Refer to the response above addressing Goal A.1.	Consistent
C.26	<p>Development projects should be designed to comply with the following site design principles:</p> <ol style="list-style-type: none"> 1. Protect slopes and channels to decrease the potential for slopes and/or channels from eroding and impacting storm water runoff. 2. To the extent practicable, cluster development on the least environmentally sensitive portions of a site while leaving the remaining land in a natural undisturbed condition. 3. Preserve, and where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands and buffer zones. Encourage land acquisition of such areas. 4. Provide buffer zones for natural water bodies. 5. Minimize the amount of impervious surfaces and directly connected impervious surfaces in areas of new development and redevelopment. 6. Where feasible implement site design/- landscape features to slow runoff and maximize on-site infiltration of runoff. 7. Properly design outdoor material storage areas (including the use of roof or awning covers) to minimize the opportunity for toxic compounds, oil and grease, heavy metals, nutrients, 	Refer to the response above addressing Goal A.1.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	suspended solids and other pollutants from entering the storm water conveyance system. 8. Incorporate roof or awning covers over trash storage areas (i.e., with roof or awning covers) to prevent off-site transport of trash and other pollutants from entering the storm water conveyance system. 9. Limit disturbances of natural water bodies and natural drainage systems caused by development including roads, highways and bridges. 10. Design streets and circulation systems to reduce pollutants associated with vehicles and traffic resulting from development.		
<i>Historic and Cultural Preservation</i>			
Goal A.1	A city in which its existing and continuing heritage is protected, preserved, recognized and enhanced	The Specific Plan is consistent because it places paramount importance on providing for the continuation of coastal agriculture and strawberry farming, consistent with the City's open space and agriculture heritage. For further information, refer to Specific Plan, Chapter 1.1 , Overview.	Consistent
A.2	A city proud of the beauty and accomplishments characterizing its past and continuing history.		
A.3	A city economy strengthened by historic preservation.		
Objective B.1	To encourage property owners to utilize all available incentives for the preservation of historic resources.	The Specific Plan is consistent because it encourages the Specific Plan applicant to preserve the City's open space and agricultural heritage through cooperation with the City of Carlsbad, one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, and qualified farming and agricultural interests; and, through supporting uses and improvements, including farm stand, farm-to-table dining. For further information, refer to Specific Plan, Chapter 1.1 , Overview.	Consistent
B.2	To promote the use of historic resources for the education, pleasure and welfare of the people of the City.	Refer to the response above addressing Goals A.1 through A.3 and Objective B.1.	Consistent
B.5	To enhance the City's appeal to tourists and visitors in order to support and stimulate business and industry.	Refer to the response above addressing Goal A.1, Overall Land Use Pattern.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
<i>Parks and Recreation Element</i>			
<i>Park Development</i>			
Goal A.2	A City that encourages the development of park and recreational facilities and activities by private industry, the residential development community and specialized user groups to augment existing public facilities.	The Specific Plan is consistent because it encourages the development of passive recreation areas, including miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, roadway, restroom facilities, parking, farm-to-table dining, farm stand, and an integrated resource and educational signage program for use by the entire Carlsbad community. For further information, refer to Specific Plan, Chapter 1.1, Overview .	Consistent
Objective B.5	To implement the use of energy saving technology in all rehabilitation and new park development projects. Water saving irrigation technology and drought tolerant landscapes should be used whenever possible.	The Specific Plan is consistent because it provides EPFs that require the use of energy saving technology, such as LEED Gold Core and Shell Design Standards; and water saving irrigation technology and drought tolerant landscapes through the preparation of a landscape/irrigation plan. For further information regarding EPFs, refer to Specific Plan, Appendix B, Environmental Protection Features .	Consistent
B.10	To encourage park facilities to be acquired, developed, operated and maintained utilizing a privatization approach, where appropriate and feasible.	Refer to response above addressing Goal A.1., Overall Land Use Pattern.	Consistent
B.12	To ensure that park and recreational facilities are compatible with surrounding uses.	Refer to the response above addressing Goal A.2.	Consistent
Policy C.7	Provide for Park Signage at all parks.	The Specific Plan is consistent because it requires interpretive signage to identify key site elements; and way-finding and access signage, including overview maps showing trail system with mileage markers, would be provided throughout the trail system, pursuant to the specific standards for each land use designation. For further information regarding signage, refer to the design guidelines and standards in Specific Plan, Chapters 3.0 and 4.0, Land Use and Design Guidelines (respectively).	Consistent
C.9	Require that any development of recreational facilities on public land by developers, service clubs, civic groups, individual donors or organizations shall be consistent with the standards/guidelines of this element.	The Specific Plan is consistent because recreational facilities would be developed in consistency with the Parks and Recreation General Plan Element, as demonstrated herein.	Consistent
C.17	Encourage public involvement in the siting, acquisition and design development of park facilities and recreation programming to ensure community needs are met.	The Specific Plan is consistent because it will be adopted or voted upon, allowing public involvement in the process. For further information, refer to Specific Plan, Chapter 1.5.1, Specific Plan's Relationship to the Agua Hedionda 85/15 Specific Plan Initiative	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.23	Implement the recommendations of the Carlsbad Landscape Manual in all rehabilitation and new park development projects.	The Specific Plan is consistent because all landscaping will adhere to the ministerial landscape construction documents requirements of Chapter 4 of the city's landscape manual. For further information, refer to Specific Plan, Chapter 3.5 , Development Standards.	Consistent
<i>Recreation Programs</i>			
Goal A.1	A City that offers a wide variety of recreational activities and park facilities designed to encourage participation by users of all ages and interests.	The Specific Plan is consistent because portions of the designated open space and agricultural land will become an integral part of the Specific Plan area, and low-impact public access will allow for passive recreation amenities, including miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, roadway, restroom facilities, parking, farm-to-table dining, farm stand, and an integrated resource and educational signage program for use by the entire Carlsbad community. For further information, refer to Specific Plan, Chapters 1.0 and 3.0 , Introduction and Land Use (respectively).	Consistent
Objective B.1	To ensure that park development and recreational programming is cost effective.	Refer to the response above addressing Policy C.10, Obtaining Open Space.	Consistent
B.3	To provide for safe recreational use at the Agua Hedionda Lagoon on a partially self-sustaining basis.	Refer to the response above addressing Goal A.1 and Objective B.1.	Consistent
B.4	To provide, maintain and/or encourage recreation facilities, programs or events which will attract and generate tourist and non-tax payer revenues.	Refer to the response above addressing Goal A.1 and Objective B.1.	Consistent
B.5	To ensure that park development and recreational programming meets the needs of the community.	Refer to the response above addressing Goal A.1 and Objective B.1.	Consistent
B.6	To ensure park development and recreational programming is consistent with the Open Space and Conservation Element.	The Specific Plan is consistent because the analysis above for Open Space and Conservation Element demonstrate such consistency.	Consistent
C.4	Develop a program that encourages donations in support of park facilities and recreation programs from private individuals, local businesses, industry, and service groups.	Refer to the response above addressing Policy C.10, Obtaining Open Space.	Consistent
Policy C.8	Analyze park development and recreational programming for cost effectiveness prior to implementation.	Refer to the response above addressing Policy C.10, Growth Management and Public Facilities, and Policy C.10, Obtaining Open Space.	Consistent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
<i>Special Resource, Open Space and Cultural-Historical Area</i>			
Goal A.1	A City that coordinates the planning of park facilities and trails with other recreational oriented land uses such as open space.	The Specific Plan is consistent because portions of the designated open space and agricultural land will become an integral part of the Specific Plan area, and low-impact public access will allow for passive recreation amenities, including miles of new nature trails and walkways, picnic and rest areas, lagoon vistas, an outdoor classroom, roadway, restroom facilities, parking, farm-to-table dining, farm stand, and an integrated resource and educational signage program for use by the entire Carlsbad community. For further information, refer to Specific Plan, Chapters 1.0 and 3.0 , Introduction and Land Use (respectively).	Consistent
A.2	A City with special resource, open space and cultural/historic areas, which provide educational benefits and passive or active, use opportunities.		
A.3	A City that preserves areas of scenic, historic, and cultural value.		
Objective B.1	To improve the recreational and educational potential of the City's three (3) lagoons and beach areas.	Refer to response above addressing Goals A.1 through A.3.	Consistent
B.3	To enter into and maintain agreements with SDG&E to establish access to and along the southeast side of Agua Hedionda Lagoon, seeking long-term lease periods.	The Specific Plan is consistent because it will allow the Hub Park and Beach lease areas to revert to open spaces uses to protect in perpetuity sensitive habitat, special status species, riparian and wetland resources; to facilitate the ongoing viability of strawberry farming and coastal agriculture; and, to avoid or substantially reduce effects to the land and waters surrounding the southeast side of Agua Hedionda Lagoon. For further information, refer to Specific Plan, Chapters 2.4 and 6.15 , Existing Constraints and Other Implementation Provisions (respectively).	Consistent
B.4	To enter into and maintain agreements with SDG&E to establish connecting access between Veterans Memorial Park and the Southeast side of Agua Hedionda Lagoon.		
B.5	To provide limited public access to the wetlands of the Agua Hedionda Lagoon for the purpose of visitor attractions such as interpretive centers, boardwalks, etc.	Refer to the responses above addressing Goals A.1 through A.3 and Objectives B.1 through B.4.	Consistent
B.6	To ensure that Special Resource, Open Space and Cultural/Historic Areas meet the needs of Carlsbad residents, tourists and employees in the City of Carlsbad.	Refer to the responses above addressing Goals A.1 through A.3 and Objectives B.1 through B.4.	Consistent
Policy C.1	Require that offers to dedicate or requests to enhance and/or develop open space areas for recreation purposes be reviewed by both the Parks and Recreation Commission and Planning Commission, and if deemed appropriate, recommended to the City Council for their discretionary approval.	Refer to the responses above addressing Goals A.1 through A.3 and Objectives B.1 through B.4. In addition, the Specific Plan contains review requirements, except that all such requirements shall be ministerial and thereby exempt from the requirements of CEQA. Further, refer to the Specific Plan Initiative for general plan amendments with respect to this policy. For more information, refer to Specific Plan, Chapter 6.4 , Specific Plan Procedures and Process, and all of the EPFs contained in, and required by, Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.2	Enhancement or improvement of Special Resource Areas will require approvals and shall conform to the requirements of all		

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	regulatory agencies involved.		
C.3	Acknowledge and attempt to preserve the environmental sensitivity and ecology within appropriate Special Resource Areas.	Refer to the responses above addressing Goals A.1 through A.3 and Objectives B.1 through B.4.	Consistent
C.4	Promote expansion of educational use opportunities in areas of significant ecological value where discretionary use of the resource allows.	Refer to the responses above addressing Goals A.1 through A.3 and Objectives B.1 through B.4.	Consistent
C.5	Combine historically significant sites with recreational learning opportunities, where possible.		
C.9	Enhance the availability of special resource and or open space areas and promote awareness of the educational opportunities associated with them.		
C.12	Seek funding opportunities from state, federal, and local agencies to provide additional access points or improve the recreational and educational potential of the City's three lagoons and other Special Resource Areas.		
<i>Public Safety Element</i>			
<i>General</i>			
Goal A.1	A City which minimizes injury, loss of life and damage to property resulting from fire, flood, crime, hazardous material, or seismic disaster occurrence.	The Specific Plan is consistent because it will incorporate EPFs that avoid or substantially reduce injury, loss of life, and damage to property resulting from fire, flood, crime, hazardous material, or seismic disaster occurrence. For further information regarding those EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
<i>Geology and Seismic Safety</i>			
Goal A.1	A City which minimizes injury, loss of life, and damage to property resulting from potential geologic and seismic disasters.	The Specific Plan is consistent because all seismic and geologic hazards have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features. However, the Specific Plan area is not underlain by known active or potentially active faults, the potential for ground rupture due to faulting is considered low. The identified EPFs are included to ensure compliance and/or help reduce effects from any potential hazard. The Specific Plan will submit evidence that structures are designed to meet	Consistent
Objective B.1	To establish a development project review process that allows consideration of seismic and geologic hazards at the earliest possible point in the development process, preferably before comprehensive engineering work has commenced.		
Policy	Require project applicants to submit evidence that structures are		

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.2	designed to meet ground response characteristics of their individual site.	ground response characteristics.	
C.3	Prohibit the location of critical structures directly across known faults unless a geotechnical and/or seismic investigation is performed to show that the fault is neither active nor potentially active.	Refer to the response above addressing Goal A.1, Objective B.1, and Policy C.2.	Consistent
C.4	Use the City's geotechnical maps (prepared by Leighton & Associates, Inc., 1992) as generalized guidelines for planning purposes and in determining the type of geotechnical report to be required as well as the extent of the report. These maps include the Geotechnical Hazards/ Constraints Map, Land Use Capability Map, Fault Location and Seismically-Induced Ground Shaking Map, Mineral Resources and Catastrophic Dam Failure Inundation, and the Tsunami and Seiche Hazard Zone Map. (These maps are on file in the Planning Department.)	In addition to the response above addressing Goal A.1, Objective B.1 and Policy C.2, the Specific Plan is consistent because it will use the City's geotechnical maps on file with the Planning Department for determining the type and extent of its geotechnical report.	Consistent
C.5	Require applicants to conduct detailed geologic and seismic investigations at sites where the construction of critical structures (high-occupancy structures and those which must remain in operation during emergencies) and structures over four stories are under consideration.	In addition to the response above addressing Goal A.1, Objective B.1, and Policy C.2, the Specific Plan is consistent because the Specific Plan applicant will conduct a detailed geologic and seismic investigations; and, in any case, buildings do not exceed 35 feet or three levels.	Consistent
C.7	Require qualified professionals in the fields of Soil Engineering and Engineering Geology to review grading plans and inspect areas of excavation during and after grading, to evaluate slope stability and other geotechnical conditions that may affect site development and public safety. It is imperative in areas of known or suspected landslides and/or adverse geologic conditions to ascertain slope stability before and after development. The following determinations should be made in these cases: extent of landslide, depth-to-slide plane, soil types and strengths, presence of clay seams and ground water conditions.	Refer to the response above addressing Goal A.1, Objective B.1, and Policy C.2. In addition, available geologic information indicates dense/firm and clayey/plastic nature of the on-site formational deposits, and the absence of shallow groundwater; and, therefore, the potential for landslides and liquefaction that could result in lateral spreading or collapse and seismic settlement is very low. The soils at the base of the northern slope by Agua Hedionda Lagoon likely have a high potential for liquefaction; however, no visitor-serving commercial uses would be permitted in this area because it is designated HMP-OS, which prohibits the development of buildings or structures.	Consistent
C.8	Establish procedures to efficiently process required geotechnical reports. All reports dealing with geology should be produced,	Refer to the response above addressing Goal A.1, Objective B.1, and Policy C.2.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	reviewed, and approved by geotechnically competent persons. However, only in those cases where city staff cannot adequately review and assess geologic reports should outside consulting help be sought.		
C.12	Require installation of appropriate siltation and erosion control measures on proposed building and development sites wherever there is a potential for soil erosion.	The Specific Plan is consistent because no visitor-serving uses would be permitted in areas that are likely to have any potential for liquefaction, expansion, or any water and erosion hazards. In addition, the Specific Plan will implement the erosion and pollution control BMPs to prevent silt runoff during construction. In addition, all flood and erosion effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
C.17	Design all structures in accordance with the seismic design standards of the Uniform Building Code and State building requirements.	The Specific Plan is consistent because it will adhere to the Uniform Building Code and State building requirements.	Consistent
<i>Flood Hazard</i>			
Goal A.1	A City which minimizes injury, loss of life, and damage to property resulting from the occurrence of floods.	The Specific Plan is consistent because it will employ best management practices (BMPs) and hydromodification control techniques, stand-alone flow control facilities or in combination with flood control, to minimize injury, loss of life, and damage to property resulting from the occurrence of floods. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
Objective B.2	To restrict or prohibit uses which are dangerous to the health and safety of people or adversely affect property due to water and erosion hazards, or which result in damaging increases in erosion or flood height or velocities.	The Specific Plan is consistent because no visitor-serving uses would be permitted in areas that are likely to have any potential for liquefaction, expansion, or any water and erosion hazards. In addition, the Specific Plan will implement the erosion and pollution control BMPs to prevent silt runoff during construction. In addition, all flood and erosion effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
B.3	To continue to pursue flood control programs through such means as: application of the grading ordinance, the flood plain overlay zone, and the recommendations of the Open Space and Conservation and the Public Safety Elements.	The Specific Plan is consistent because it will adhere to local, applicable flood control programs.	Consistent
Policy	Enforce the Colby-Alquist Floodplain Management Act which	The Specific Plan is consistent because it does not propose any housing on-site, and no	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
C.1	prohibits the placement of structures in the floodway, except for public utility or communication lines.	structures are proposed within this portion of the Specific Plan site, or adjacent to this flood hazard area. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
C.2	Require a Special Use Permit for all development proposed within the 100-year floodplain. Review all such proposals to ensure that all building elevations are higher than the peak flow level of a 100-year flood and do not adversely impact other properties.		
C.3	Require all proposed drainage facilities to comply with the City's "Standard Design Criteria" to ensure they are properly sized to handle 100-year flood conditions.	Refer to the response above addressing Goal A.1 and Objective B.2. In addition, the Specific Plan is consistent because it will comply with all applicable best management practices (BMPs) and low impact development (LID) requirements of the Carlsbad Municipal Code Standard Urban Stormwater Management Plan (SUSMP) and city standards. For further information, refer to Specific Plan, Chapter 6.8 , Stormwater Management and Discharge Controls.	Consistent
C.4	Comply with all requirements of the State Department of Water Resources' Division of Dam Safety to ensure adequate flood control.	The Specific Plan is consistent because it will ensure adequate flood control. There are four dams within or adjacent to the Carlsbad area: Calavera, Maerle, San Marcos, and Bressi. None of these dams is directly upstream of Agua Hedionda Lagoon and the adjacent Specific Plan area; therefore, failure would not result in flooding on site. Adequate flood control will be ensured by the EPFs implemented as part of this Specific Plan. For information regarding the EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.5	Review all new development proposals to ensure compliance with those sections of Titles 18 and 20 pertaining to drainage and flood control structures.	The Specific Plan is consistent because it will provide EPFs pertaining to drainage and flood control that comply with the Carlsbad Municipal Code. For further information regarding those EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features. For information on compliance with the City's drainage requirements, refer to Chapter 6.4 , Specific Plan Procedures and Policies, of the Specific Plan.	Consistent
C.7	Require installation of protective structures or other design measures to protect proposed building and development sites from the effects of flooding or wave action.	Refer to the response above addressing Policy C.5..	Consistent
<i>Fire and Emergency Medical Services</i>			
Goal A.1	A City which minimizes the injury, the loss of life and damage to property resulting from fire hazards.	The Specific Plan is consistent because it ensures public services are adequate <i>via</i> by the City's Police and Fire Departments. Fire protection for the Specific Plan area is	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
A.2	A City which optimizes the organization and delivery of emergency services.	provided by the City of Carlsbad Fire Department. The Department currently has six fire stations serving the City. The currently station nearest the Specific Plan area is Fire Station No. 4 located at 6885 Batiquitos Drive. For further information, refer to Specific Plan, Chapter 5.2 , Public Services and Facilities. The Specific Plan is consistent because it avoids or substantially reduces effects to fire protection through implementation of the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
Objective B.1	To reduce fire hazards to an acceptable level of risk.	The Specific Plan is consistent because it will implement measures to reduce fire hazards to acceptable levels, maintain adequate response times, and minimum flow of water for fire protection. The Specific Plan is consistent because it will consider measures to avoid or reduce the risk of life and loss of property. For information regarding these features, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
B.2	To maintain an initial emergency travel response time of five (5) minutes.		
B.3	To maintain close coordination between planned improvements to the circulation system within the City of Carlsbad and the location of fire stations to assure adequate levels of service and response times to all areas of the community.		
B.4	To require a minimum flow of water for fire protection in accordance with adopted City Uniform Fire Code.		
B.5	To consider, in land use decisions, site constraints in terms of hazards and current levels of emergency service delivery capabilities. In areas where population or building densities may be inappropriate to the hazards present, measures shall be taken to mitigate the risk of life and property loss.		
Policy C.1	Enforce the Uniform Building and Fire Codes, adopted by the City, to provide fire protection standards for all existing and proposed structures.	The Specific Plan is consistent because it will comply with the Carlsbad Municipal Code, title 17, Fire Protection, including the requirement to have the Fire Code Official sign-off on the Specific Plan Fire Protection Plan. For further information, refer to Specific Plan, Chapter 6.4 , Specific Plan Procedures and Process, and all of the EPFs in Specific Plan, Appendix B , Environmental Protection Features.	Consistent
C.2	Review new development proposals to consider emergency access, fire hydrant locations, fire flow requirements, and wildland fire hazards.	In addition, the Specific Plan is consistent because it will identify and consider installation of emergency access, fire hydrant locations, fire flow requirements, wildland fire hazards, emergency water systems, automatic building fire sprinklers, and other measures, as	
C.3	Require new development to provide the installation of emergency water systems and all-weather access roads prior to		

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APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
	the placement of combustible materials on the site.	further outlined as EPFs in Specific Plan, Appendix B , Environmental Protection Features.	
C.4	Continue the use of local ordinances to expand the use of automatic fire sprinklers (above the minimums required by regional model building codes) and require wood roofs to be fire retardant, especially in new commercial and residential construction.		
C.5	Inspect all new or altered buildings and structures to be sure they conform with applicable fire, building and life safety codes.	The Specific Plan is consistent because it will comply with applicable fire, building and life safety codes. For further information, refer to Specific Plan, Chapter 6.4 , Specific Plan Procedures and Process, and all of the EPFs contained in, and required by, Specific Plan, Appendix B , Environmental Protection Features.	Consistent
<i>Disaster Preparedness</i>			
Goal A.1	A City which provides for emergency response during and after catastrophic events.	The Specific Plan is consistent because it will not impede the City's emergency response during and after catastrophic events, and will comply with all federal, state, and local regulations regarding hazards, hazardous materials, seismic events and natural disasters.	Consistent
Objective B.2	To establish and maintain safe and effective evacuation routes.	The Specific Plan is consistent because it will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.	Consistent
Policy C.2	Promote public awareness of possible natural and man-made hazards, measures which can be taken to protect lives and property, response plans, and evacuation routes.	The Specific Plan is consistent because it will not impede the City's ability to promote public awareness of possible natural and man-made hazards. The Specific Plan contains EPFs that will avoid or substantially reduce effects related to natural and man-made hazards. For information regarding those EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
<i>Hazardous Materials</i>			
Goal A.1	A City which minimizes injury, loss of life, and damage to property resulting from hazardous materials disaster occurrence.	The Specific Plan is consistent because it will not impede the City's ability to minimize injury, loss of life, and damage to property resulting from hazardous materials disaster occurrence. The Specific Plan contains EPFs that will avoid or substantially reduce effects related to hazardous materials disaster occurrences. For information regarding those EPFs, refer to Specific Plan, Appendix B , Environmental Protection Features.	Consistent
Objective B.1	To limit the hazards associated with the manufacture use, transfer, storage and disposal of hazardous materials and hazardous wastes through enforcement of applicable local, county, state and federal regulations.		
B.2	To comply with San Diego County's Hazardous Waste Management Plan.	The Specific Plan is consistent because it will adhere to San Diego County's Hazardous Waste Management Plan, enforce all applicable local, county, state, and federal	

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APPENDIX A (Continued)

**Table 1
Carlsbad General Plan (1994) Consistency Analysis**

Overall Land Use Pattern	Policy Text	Consistency Analysis	Consistent/ Inconsistent
Policy C.1	Review land use decisions to consider constraints presented by the potential for on-site and off-site contamination by use, transfer, storage, or land disposal of hazardous materials and wastes. Land use decisions should be consistent with federal, state and county environmental regulations.	regulations, and be consistent with federal, state, and county environmental regulations that concern the manufacture, use, transfer, storage and disposal of hazardous wastes and hazardous materials.	
<i>Crime Hazards</i>			
Goal A.1	A City which minimizes injury, loss of life, and damage to property resulting from crime.	The Specific Plan is consistent because it ensures public services are adequate via the City's Police and Fire Departments. For further information, refer to Specific Plan, Chapter 5.2 , Public Services and Facilities. The Specific Plan is consistent because it avoids or substantially reduces effects to fire protection through implementation of the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features	Consistent
Objective B.4	To encourage crime prevention through the planning process by establishing specific design criteria and standards to be used in the review of land use development.	Refer to the response above addressing Goal A.1.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
<i>Land Use and Community Design Element</i>			
<i>Land Use Goals</i>			
2-G.1	Maintain a land use program with amount, design and arrangement of varied uses that serve to protect and enhance the character and image of the city as expressed in the Carlsbad Community Vision, and balance development with preservation and enhancement of open space.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction and Chapter 4.0 , Design Guidelines.	Consistent
2-G.2	Promote a diversity of compatible land uses throughout the city, to enable people to live close to job locations, adequate and convenient commercial services, and public support systems such as transit, parks, schools, and utilities.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Chapter 5 , Infrastructure	Consistent
2-G.3	Promote infill development that makes efficient use of limited land supply, while ensuring compatibility and integration with existing uses. Ensure that infill properties develop with uses and development intensities supporting a cohesive development pattern.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction and Chapter 4.0 , Design Guidelines.	Consistent
2-G.6	Allow a range of mixed-use centers in strategic locations that maximize access to commercial services from transit and residential areas.	New development within the Specific Plan's Community Promenade district would foster a sense of community by providing visitor-serving commercial, retail, dining, entertainment, and recreation amenities along the I-5 and Cannon Road, for a variety of Carlsbad residents and visitors. For further information, refer to Specific Plan Chapter 5.1.2 , Public Transportation.	Consistent
2-G.7	Ensure that neighborhood serving shopping and mixed-use centers include shopping as a pedestrian-oriented focus for the surrounding neighborhood, are physically integrated with the surroundings, and contain neighborhood-serving stores and small offices. Where appropriate, include in the centers high and medium density housing surrounding the retail core or integrated in mixed-use buildings.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1.3 Bicycle and Pedestrian Facilities.	Consistent
2-G.8	Provide opportunities for continued economic growth and vitality that enhance Carlsbad's position as a premier regional employment center.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 6.0 , Implementation.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
2-G.9	Accommodate a diversity of business establishments in appropriately-scaled settings, including large-scaled industrial and research and development establishments proximate to the Palomar-McClellan Airport, regionally-scaled shopping centers, and neighborhood-serving commercial centers with smaller-sized stores, restaurants and offices to meet shopping, recreation, and service needs of residents and visitors.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
2-G.10	Promote continued growth of visitor-oriented land uses, and provide enhanced opportunities for new hotels and visitor-services in desirable locations.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
2-G.13	Maintain land use compatibility between McClellan-Palomar Airport and surrounding land uses, and encourage the airport's continued operations while ensuring it does not unduly impact existing neighborhoods and communities.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
2-G.15	Support agricultural uses throughout the city while planning for the transition of agriculture to other uses.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
<i>Land Use Policies</i>			
2-P.1	Maintain consistency between the General Plan and Title 21 of the Carlsbad Municipal Code (Zoning Ordinance and map).	The Specific Plan is regulatory in nature, and the land use plan and designations, zoning, development regulations, design guidelines, implementation program, conditions, and environmental mitigation contained herein shall govern all uses within the Specific Plan area. Matters not specifically regulated or required by this Specific Plan shall be subject to the Carlsbad Municipal Code and other applicable, adopted rule, regulation, or official policy of the City, in addition to all applicable, adopted federal, state, and regional laws and regulations. For further information, refer to Specific Plan Chapter 1.5.4 , Specific Plan's Relationship to the City Municipal Code.	Consistent
2-P.4	When uncertainty exists regarding the precise boundary of the various land use designations identified on the Land Use Map,	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or	Consistent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	such boundaries shall be interpreted as follows: A) Where boundaries appear to follow the centerline of a street or highway, ownership boundary lines, or topographic features such as valleys or ridgelines, then the boundaries shall be interpreted to follow the lines/features they appear to follow; B) Where boundaries appear to reflect environmental and resource management considerations, boundaries shall be interpreted in a manner which is consistent with the considerations that the boundary reflects.	more existing goals. Refer to Table 1. For further information, refer to Specific Plan Figure 3.0-1 Conceptual Land Use.	
2-P.5	Work with SANDAG through participation in its various standing committees on regional plans and initiatives. Adopt local implementing policies and programs when found to be consistent with the General Plan and in the best interests of Carlsbad's residents and businesses.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Appendix B , Environmental Protection Features for more information.	Consistent
2-P.10	Development on slopes, when permitted, shall be designed to minimize grading and comply with the hillside development provisions of the Zoning Ordinance and the Carlsbad Local Coastal Program.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. Construction activities would minimize land disturbance (e.g., clearing, grading, and cut-and-fill) in erosive areas.	Consistent
2-P.15	Locate commercial land uses as shown on the Land Use Map. Where applications for the re-designation of land to commercial land uses are submitted, these shall be accompanied by a conceptual development plan of the site and a market study that demonstrates the economic viability of using the land in the way being requested, as well as the impact on the viability of commercial uses designated on the Land Use Map that may compete within shared trade areas.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Figure 3.0-1 Conceptual Land Use.	Consistent
2-P.16	Except within the Village, commercial development shall occur in the form of discrete shopping centers, as opposed to generalized retail districts or linear "strip commercial" patterns (i.e. long corridors of commercial uses with numerous curb cuts, unsafe intersection spacing, disharmonious architectural styles, and a proliferation of signs).	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 4.0 , Design Guidelines.	Consistent
2-P.17	Ensure that all residential areas have convenient access to daily	This policy is the same as an existing goal or policy in the	Consistent

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	goods and services by locating local shopping centers centrally within their primary trade areas, as defined in Table 2-4. Such trade areas should minimize gaps between or overlaps with the trade areas of other local shopping centers.	Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	
2-P.18	New master plans and residential specific plans and other large development proposals shall evaluate whether there is a need to include a local shopping center within the development.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
2-P.19	Locate regional shopping centers on sites that are easily visible and accessible from highways and freeways. Local shopping centers may be adjacent to or integrated into regional centers to also serve the daily convenience needs of customers utilizing the regional shopping center.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 2.2.1 Regional and Local Circulation.	Consistent
2-P.20	Limit general commercial development to sites where such uses are appropriate and desirable, provided the development is designed to be architecturally unified and does not result in "strip commercial" development.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 2.1 Site Conditions and Existing Land Use, and Chapter 4.6 Visitor Serving Commercial Design Guidelines.	Consistent
2-P.21	Locate visitor commercial uses near major transportation corridors and proximate to key visitor draws, such as the ocean, lagoons, the Village, LEGOLAND, and businesses in the Palomar Airport Road corridor.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 2.1 Site Conditions and Existing Land Use.	Consistent
2-P.22	Build and operate commercial uses in such a way as to complement but not conflict with adjoining residential areas. This shall be accomplished by: a. Controlling lights, signage, and hours of operation to avoid adversely impacting surrounding uses. b. Requiring adequate landscaped buffers between commercial and residential uses. c. Providing bicycle and pedestrian links between commercial centers and surrounding residential uses, and providing bicycle parking racks. d. Ensuring building mass does not adversely impact surrounding residences.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.5 Development Standards.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
2-P.23	Ensure that commercial development is designed to include: a. Integrated landscaping, parking, signs, and site and building design b. Common ingress and egress, safe and convenient access and internal circulation, adequate off-street parking and loading facilities. Each commercial site should be easily accessible by pedestrians, bicyclists, and automobiles to nearby residential development. c. Architecture that emphasizes establishing community identity while presenting tasteful, dignified and visually appealing designs compatible with their surroundings. d. A variety of courtyards and pedestrian ways, bicycle facilities, landscaped parking lots, and the use of harmonious architecture in the construction of buildings.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.5 , Development Standards and Chapter 5.0 , Infrastructure.	Consistent
2-P.24	When "community" tenants (see Table 2-4, earlier) are included in a local shopping center, they must be fully integrated into the overall function and design of the center, including the architecture, internal circulation and landscaping. The inclusion of such tenants should complement, not supplant the principal function of the center, which is to provide local goods and services. a. No community "anchor" tenant may be built as a stand-alone building. It must share (or appear to share) walls and its building facade with other tenants in the center. b. No community "anchor" tenant or secondary tenant may feature corporate architecture or logos (excluding signage) that is not integrated into the overall design of the center.	This policy is the same as or similar to an existing policy or goal in the Carlsbad General Plan (1994). Refer to Appendix A , Table 1.	
2-P.32	Allow for agricultural uses throughout the city.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Figure 3.0-1 Conceptual Land Use	Consistent
2-P.33	Ensure the existing Flower Fields remain in flower production by utilizing all available methods and programs, including grants and other outside financial assistance.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. The proposed Specific Plan would not impact the existing Flower Fields. Refer to Table 1.	Consistent
2-P.34	Encourage soil and water conservation techniques in agricultural activities.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		more existing goals. Refer to Table 1. The Specific Plan is consistent because all soil and water conservation techniques have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
2-P.35	Require new development located in the Airport Influence Area (AIA) to comply with applicable land use compatibility provisions of the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) through review and approval of a site development plan, or other development permit. Unless otherwise approved by City Council, development proposals must be consistent or conditionally consistent with applicable land use compatibility policies with respect to noise, safety, airspace protection, and overflight notification, as contained in the McClellan-Palomar ALUCP. Additionally, development proposals must meet Federal Aviation Administration (FAA) requirements with respect to building height as well as the provision of obstruction lighting when appurtenances are permitted to penetrate the transitional surface (a 7:1 slope from the runway primary surface). Consider San Diego County Airport Land Use Commission recommendations in the review of development proposals.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.5 Development Standards.	Consistent
<i>Community Character, Design, and Connectedness Goals</i>			
2-G.16	Enhance Carlsbad's character and image as a desirable residential, beach and open-space oriented community.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 4.0 , Design Guidelines.	Consistent
2-G.17	Ensure that the scale and character of new development is appropriate to the setting and intended use. Promote development that is scaled and sited to respect the natural terrain, where hills, public realm, parks, open space, trees, and distant vistas, rather than buildings, dominate the overall landscape, while developing the Village, Barrio, and commercial and industrial areas as concentrated urban-scaled nodes.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.0 , Development Standards and Chapter 4.0 , Design Guidelines.	Consistent
2-G.18	Ensure that new development fosters a sense of community and	This goal is the same as an existing goal in the Carlsbad General	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	is designed with the focus on residents, including children, the disabled and the elderly, instead of the automobile by providing: safe, pedestrian-friendly, tree-lined streets; walkways to common destinations such as schools, bikeways, trails, parks and stores; homes that exhibit visual diversity, pedestrian-scale and prominence to the street; central gathering places; and recreation amenities for a variety of age groups.	Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.0 , Development Standards and Chapter 4.0 , Design Guidelines.	
2-G.19	Ensure that new neighborhood commercial centers are designed for pedestrian comfort, and integrated with the surrounding neighborhoods with new streets and paths.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1.3 Bicycle and Pedestrian Facilities.	Consistent
2-G.20	Develop an active ocean waterfront, with new growth accommodated west of Interstate 5, to enable residents and visitors to enjoy more opportunities for dining, shopping, and recreating along the coastline. Develop public gathering places and recreational opportunities along the coastal corridor.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
2-G.21	In accordance with Proposition D, which was enacted by Carlsbad voters in 2006, create a unique, community-oriented agricultural and open space area along the Cannon Road corridor located east of Interstate 5 including the existing flower fields and strawberry fields (does not include the 50 acre parcel located adjacent to the east side of Interstate-5).	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction and Chapter 2.1 Site Conditions and Existing Land Use.	Consistent
2-G.22	Ensure that adequate public facilities and services are provided in a timely manner to preserve the quality of life of residents.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information refer to Specific Plan Chapter 6.13 , Growth Management Program Consistency.	Consistent
2-G.23	Develop programs that correlate the projected population with the service capabilities of the city.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information refer to Specific Plan Chapter 6.13 , Growth Management Program Consistency.	Consistent

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
<i>Community Character and Design Policies</i>			
2-P.38	Establish development standards that will preserve natural features and characteristics, especially those within coastal, hillside and natural habitat areas.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.5 Development Standards.	Consistent
2-P.39	Ensure that the review of future projects places a high priority on the compatibility of adjacent land uses along the interface of different residential density and non-residential intensity categories. Special attention should be given to buffering and transitional methods, especially, when reviewing properties where different residential densities or land uses are involved.	This policy is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.0 , Land Use.	Consistent
2-P.40	Ensure that development on hillsides, where permitted pursuant to the hillside development regulations of the Zoning Ordinance, is designed to preserve and/or enhance the visual quality of the pre-existing topography.	This policy is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
2-P.41	Where feasible, locate development away from visible ridges; larger buildings, such as large retail stores and office and industrial development, should be arranged to minimize the buildings' visual appearance from major transportation corridors and vistas.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 4.0 , Design Guidelines.	Consistent
2-P.42	Encourage clustering of development to preserve natural terrain and maximize open space areas around developments.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 4.0 , Design Guidelines.	Consistent
2-P.43	Evaluate each discretionary application for development of property with regard to the following specific criteria: a. Site design and layout of the proposed buildings in terms of size, height and location, to foster harmony with landscape and adjacent development. b. Site design and landscaping to provide buffers and screening where appropriate, conserve water, and reduce erosion and runoff. c. Building design that enhances neighborhood quality, and incorporates considerations of visual quality from key vantage points,	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapters 1.0, 3.0, and 4.0 .	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	<p>such as major transportation corridors and intersections, and scenic vistas. d. Site and/or building design features that will reduce greenhouse gas emissions over the life of the project, as outlined in the Climate Action Plan. e. Provision of public and/or private usable open space and/or pathways designated in the Open Space, Conservation, and Recreation Element. f. Contributions to and extensions of existing systems of streets, foot or bicycle paths, trails, and the greenbelts provided for in the Mobility, and Open Space, Conservation, and Recreation elements of the General Plan. g. Compliance with the performance standards of the Growth Management Plan. h. Development proposals which are designed to provide safe, easy pedestrian and bicycle linkages to nearby transportation corridors. i. Provision of housing affordable to lower and/or moderate income households. j. Policies and programs outlined in Local Coastal Program where applicable. k. Consistency with applicable provisions of the Airport Land Use Compatibility Plan for McClellan-Palomar Airport.</p>		
2-P.46	<p>Enhance walkability on a citywide scale by installing benches and transit shelters and adding landscaping, wayfinding and pedestrian-scaled lighting. Consider ways to improve rail and freeway overpass/ underpass areas, with lighting, sidewalk improvements and art installations.</p>	<p>This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 4.0, Design Guidelines.</p>	Consistent
2-P.47	<p>In design requirements for sites adjacent to pedestrian-oriented streets, consider how buildings address the street, through ample windows for display, outdoor eating areas, entryway design options and attractive signage.</p>	<p>This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.</p>	Consistent
2-P.49	<p>Promote development of new activity centers along the ocean waterfront—places where people can eat, shop, recreate and connect with the ocean while taking in the views of the sand, water and sunset. Potential locations for this include the Carlsbad Boulevard/Agua Hedionda Center (see Figure 2-2); near the intersection of Palomar Airport Road and Carlsbad</p>	<p>The proposed Specific Plan's designations will allow for and facilitate the provision of habitat protection; low-cost public access to passive open space and recreation areas; the continuation of agriculture and coastal strawberry farming; and connections to unique, high-quality visitor-serving retail, shopping, dining, entertainment, and recreation opportunities. For further</p>	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	Boulevard; the Ponto area; and other appropriate sites that may provide opportunities for the development of activity centers.	information, refer to Specific Plan Chapter 1.0 , Introduction.	
2-P.53	Integrate disparate master planned communities and neighborhoods into a cohesive whole, by establishing streetscape schemes along key connector streets and arterials.	This policy is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Section 3.5 Development Standards.	Consistent
2-P.54	Encourage use of public space and rights-of-way for periodic community events such as farmers markets, street fairs, and athletic events.	The Specific Plan is consistent with this policy because the AGS-OS designation is intended to accommodate the continuation of coastal agriculture and strawberry farming in an open space setting, and accommodate an agricultural farm stand (approximately 2,200 square feet) and associated produce sales, farmers market, farm-to-table dining (approximately 6,500 square feet), "you-pick" opportunities and other accessory uses supporting the continuation of coastal agriculture and strawberry farming and its connection to the VSC and EAG-OS designations within the Specific Plan area. For further information, refer to Chapter 3.3.5 , Agricultural Support Open Space.	Consistent
<i>Growth Management Goals and Policies</i>			
2-G.22	Ensure that adequate public facilities and services are provided in a timely manner to preserve the quality of life of residents.	This goal is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because timely implementation of public facilities and services has been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
2-G.23	Develop programs that correlate the projected population with the service capabilities of the city.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
2-P.56	Require compliance with Growth Management Plan public facility performance standards, as specified in the Citywide Facilities and Improvements Plan, to ensure that adequate public facilities are provided prior to or concurrent with development.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because timely implementation of public facilities and services has been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B ,	Consistent

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APPENDIX A (Continued)

Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		Environmental Protection Features and Specific Plan Chapter 6.13, Growth Management Program Consistency.	
2-P.57	Coordinate future development with the Capital Improvement Program (CIP) to ensure adequate funding for needed facilities and services; and prioritize the funding of CIP projects to provide facilities and services to infill areas, in transit priority or planned smart growth areas, and areas where existing deficiencies exist.	This policy is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 6.2, Financing and Maintenance of Public Improvements.	Consistent
2-P.58	Maintain the Growth Management monitoring and annual reporting program, which: a) monitors the number of existing and future dwelling units compared to the growth management dwelling unit limitations, and b) measures the city's public service requirements against the rate of physical growth. Use this information to establish priorities for capital improvement funding, and when considering development requests.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 6.2, Financing and Maintenance of Public Improvements.	Consistent
2-P.59	The City Council or the Planning Commission shall not find that all necessary public facilities will be available concurrent with need as required by the Growth Management Plan unless the provision of such facilities is guaranteed. In guaranteeing that the facilities will be provided, funding shall be available for the necessary facilities prior to approval of development permits, and emphasis shall be given to ensuring a balanced circulation system, schools, parks, libraries, open space and recreational amenities. Public facilities may be added, however, the City Council shall not materially reduce public facilities without making corresponding reductions in residential capacity.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because timely implementation of public facilities and services has been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features and Specific Plan Chapter 6.13, Growth Management Program Consistency.	Consistent
2-P.60	In coordination with land owners, provide for the protection and preservation of environmental and agricultural resources in the corridor area by permitting only: a. Open space b. Farming and other related agricultural support uses, including flower and strawberry production and commercial support uses. c. Public trails d. Active and passive parks, recreation and similar public and private facilities (except on the existing Flower Fields) e. Electrical Transmission Facilities	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0, Introduction.	Consistent
2-P.61	Prohibit residential uses. Commercial and industrial uses are also prohibited in the corridor area, unless such uses are	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	normally associated with or in support of farming operations and open space uses.	more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.3.3 EAG-OS for an explanation of allowed uses.	
2-P.62	Enhance public access and public use in the area by allowing compatible public trails, community gathering spaces and public and private, active and passive park and recreation uses.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
2-P.63	Allow farming to continue in the area for as long as economically viable for the landowner.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
2-P.64	Utilize all existing programs and land use protections and explore possible new mechanisms to keep the existing Flower Fields in production.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. Proposed Specific Plan would not affect the existing Flower Fields.	Consistent
<i>Mobility Element</i>			
<i>Mobility Goals</i>			
3-G.1	Keep Carlsbad moving with livable streets that provide a safe, balanced, cost-effective, multi-modal transportation system, accommodating the mobility needs of all community members, including children, the elderly and the disabled.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1 , Mobility.	Consistent
3-G.2	Improve connectivity for residents, visitors, and businesses.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1 , Mobility.	Consistent
3-G.3	Provide inviting streetscapes that encourage walking and promote livable streets.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1 , Mobility.	Consistent
3-G.4	Manage and "right size" parking to support all modes of transportation and ensure efficient use of land.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan	Consistent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		Chapter 5.1, Mobility.	
3-G.5	Implement transportation demand and traffic signal management techniques to improve mobility.	The Specific Plan is consistent because TDM measures and adaptive signal technology have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features.	Consistent
3-G.7	Provide for the safe and efficient movement of goods throughout the city.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1, Mobility.	Consistent
<i>Mobility Policies</i>			
3-P.2	Integrate livable streets in all capital improvement projects, where applicable, as well as new development projects.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1, Mobility.	Consistent
3-P.3	Apply and update the city's multi-modal level of service (MMLOS) methodology and guidelines that reflect the core values of the Carlsbad Community Vision related to transportation and connectivity. Utilize the MMLOS methodology to evaluate impacts of individual development projects and amendments to the General Plan on the city's transportation system.	The Specific Plan would increase MMLOS scores for pedestrian, bicycle, and transit. For further information, refer to Specific Plan Chapter 5.1, Mobility.	Consistent
3-P.4	Implement the city's MMLOS methodology by evaluating level of service (LOS) for prioritized modes. Maintain LOS D or better only for prioritized modes of travel by street typology as outlined in Table 3-1 and Figure 3-1.	The Specific Plan would increase MMLOS scores for pedestrian, bicycle, and transit. For further information, refer to Specific Plan Chapter 5.1, Mobility.	Consistent
3-P.5	Require developers to construct or pay their fair share toward improvements for all travel modes consistent with this Mobility Element, the Growth Management Plan, and specific impacts associated with their development.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 6.2, Financing and Maintenance of Public Improvements.	Consistent
3-P.6	Utilize transportation demand management strategies, non-automotive enhancements (bicycle, pedestrian, transit, train, trails, and connectivity), and traffic signal management techniques as long-term transportation solutions and traffic	The Specific Plan is consistent because TDM measures and adaptive signal technology have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features.	Consistent

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	mitigation measures to carry out the Carlsbad Community Vision.		
3-P.9	Require new development that adds traffic to LOS-exempt locations (consistent with 3-P.7) to implement transportation demand management strategies that reduce the reliance on the automobile and assist in achieving the city's livable streets vision.	The Specific Plan is consistent because TDM measures and adaptive signal technology have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
3-P.22	Identify and implement necessary pedestrian improvements on pedestrian-prioritized streets with special emphasis on providing safer access to schools, parks, community and recreation centers, shopping districts, and other appropriate facilities.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1 , Mobility.	Consistent
3-P.24	Improve and enhance parking, connectivity, access and utilization for pedestrians and bicycles to COASTER stations, utility corridors, and open spaces consistent with city planning documents.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1 , Mobility.	Consistent
3-P.25	Evaluate incorporating pedestrian and bicycle infrastructure within the city as part of any planning or engineering study, private development, or capital project where bicyclists or pedestrians are a prioritized or non-prioritized mode.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1 , Mobility.	Consistent
3-P.27	Engage the community in the policy setting and planning of street, bicycle, pedestrian, transit, and connectivity studies, plans and programs.	The Specific Plan is part of a Specific Plan Initiative process that will be adopted either directly or by vote at an election. Opportunities for community input will occur in conjunction with the Specific Plan Initiative process; and, for that reason, the Specific Plan is consistent with this policy.	
3-P.28	Require developers to improve pedestrian and bicycle connectivity consistent with the city's bicycle and pedestrian master plans and trails master planning efforts. In addition, new residential developments should demonstrate that a safe route to school and transit is provided to nearby schools and transit stations within a half mile walking distance.	The Specific Plan would increase MMLoS scores for pedestrian, bicycle, and transit. Sidewalks and pedestrian paths within the Specific Plan area would provide convenient access to storefronts, outdoor spaces and parking. The Specific Plan does not include residential development. This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1 , Mobility.	Consistent
3-P.29	Work with existing neighborhoods and businesses to improve	This policy is the same as an existing goal or policy in the	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	pedestrian and bicycle connectivity and safety consistent with the city's pedestrian and bicycle master plans and trails master planning efforts.	Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1, Mobility .	
3-P.31	Partner with other agencies and/or developers to improve transit connectivity within Carlsbad. As part of a comprehensive transportation demand management (TDM) strategy and/or with transit oriented development (TOD), a shuttle system could be established that connects destinations and employment centers like LEGOLAND, hotels, the Village, McClellan-Palomar Airport, business parks, the COASTER and Breeze transit stations, and key destinations along the coast. The system could incorporate shuttle service in adjacent cities to maximize connectivity.	The Specific Plan is consistent because TDM measures and adaptive signal technology have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features and Specific Plan Chapter 5.1, Mobility .	Consistent
3-P.33	Coordinate with NCTD to improve the quality of bus stop facilities in the city.	The Specific Plan is consistent because coordination with NCTD is required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features .	Consistent
3-P.34	Develop flexible parking requirements to provide the "right amount" of on-site vehicle parking. Such requirements will include implementation of innovative parking techniques, implementing effective TDM programs to reduce parking demand, and consideration of other means to "right size" the parking supply.	Automobile parking field design would include an efficient traffic movement pattern, adequate turning radii, and convenient parking locations. The Specific Plan is consistent because TDM measures and innovative parking techniques are required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features .	Consistent
3-P.35	Require new employment development to provide secure bicycle parking on-site. Major employers should provide shower and changing rooms for employees as appropriate.	This policy is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because TDM measures for bicycle parking have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features and Specific Plan Chapter 5.1, Mobility .	Consistent
3-P.37	Consider supporting new development and existing businesses with various incentives (such as parking standards modifications) for implementing TDM programs that minimize the reliance on single-occupant automotive travel during peak commute hours.	This policy is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because TDM measures minimizing reliance on single-occupant	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		automotive travel have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features and Specific Plan Chapter 5.1 , Mobility.	
<i>Open Space and Conservation Element</i>			
<i>Open Space Goals</i>			
4-G.1	Develop a balanced and integrated open space system reflecting a variety of considerations—resource conservation, production of resources, recreation, and aesthetic and community identity—and ensuring synergies between various open space components and compatibility with land use planning.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 4.0 , Design Guidelines.	Consistent
4-G.2	Protect environmentally sensitive lands, wildlife habitats, and rare, threatened or endangered plant and animal communities.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. See Chapter 3.0 , Land Use.	Consistent
4-G.3	Promote conservation of hillsides and ridgelines.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 4.0 , Design Guidelines.	Consistent
4-G.4	Maintain a diversified, comprehensive system of open space for outdoor recreation, including, but not limited to: parks; beaches; areas for organized sports; connecting corridors containing trails; water recreation areas (beaches, lagoons, lakes); unique conservation areas for nature study; and, semi-developed areas for camping	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
4-G.5	Offer a wide variety of recreational activities and park facilities designed to encourage educational benefits and active or passive participation by users of all ages and interests.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
4-G.6	Operate a financially self-supportive system of recreational facilities and programs.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 6.2 , Financing and Maintenance of Public Improvements.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
4-G.7	Coordinate the planning of park facilities and trails with other recreation-oriented land uses such as open space.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0, Introduction .	Consistent
4-G.9	Utilize greenways and trails to connect the city's open space network.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0, Introduction .	Consistent
4-G.10	Recognize the important value of agriculture and horticultural lands in the city, and support their productive use.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0, Introduction .	Consistent
4-G.11	Protect air quality within the city and support efforts for enhanced regional air quality.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because implementation of air quality EPFs designed to support and/or enhance air quality have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features .	Consistent
4-G.12	Promote the protection of Carlsbad's creeks, lagoons, ocean and other natural water bodies from pollution.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because implementation water quality EPFs designed to protect such resources have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features .	Consistent
<i>Open Space Policies</i>			
4-P.1	Maintain an integrated open space classification system that accommodates conservation, resource production, recreation, and aesthetic needs.	The Specific Plan will permanently protect approximately 176.7 acres, more than 85% of the Specific Plan area, for open space and the continuation of strawberry farming and coastal agriculture. The Specific Plan's protection, conservation and enhancement of the open space and agricultural land will be achieved through the Specific Plan itself and in cooperation with the City of Carlsbad, one or more qualified environmentally	Consistent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		focused non-profit entities, land conservancy organizations, land managers, public agencies, and qualified farming and agricultural interests. For further information, refer to Specific Plan Chapter 1.0, Introduction .	
4-P.2	Designate for preservation as open space those areas that provide unique visual amenities within the urban form, such as agriculture, hillsides, ridges, valleys, canyons, beaches, lagoons, creeks, lakes and other unique resources that provide visual and physical relief to the cityscape by creating natural contrasts to the built-up, manmade scene.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
4-P.3	Ensure that the Cannon Road Open Space, Farming, and Public Use Corridor is permanently protected and preserved for open space uses.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan will permanently protect approximately 176.7 acres, more than 85% of the Specific Plan area, for open space and the continuation of strawberry farming and coastal agriculture. The Specific Plan's protection, conservation and enhancement of the open space and agricultural land will be achieved through the Specific Plan itself and in cooperation with the City of Carlsbad, one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, and qualified farming and agricultural interests. For further information, refer to Specific Plan Chapter 1.0, Introduction .	Consistent
4-P.4	Provide public access to all open space areas. When natural open lands are privately-held, acquire or negotiate for public access if the land could be used for unprogrammed recreational uses. Public access shall not be provided where sensitive resources may be threatened or damaged, where public health and safety may be compromised or where access would interfere with the managed production of resources, such as agriculture.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0, Introduction .	Consistent
4-P.5	Require compliance with the Growth Management Plan open space performance standard specified in the Citywide Facilities and Improvements Plan, and maintain appropriate criteria, standards, and classifications. The following open space areas	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 6.13, Growth Management	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	<p>shall not be utilized to meet the open space performance standard:</p> <ul style="list-style-type: none"> a) Schools, except public school playgrounds, athletic fields and courts for which the city has joint use agreements with the school districts. b) Parks, public or private; however, credit may be granted for private parks if the granting of the open space credit will not adversely impact the city's ability to obtain all of the applicable open space priorities identified for the local facilities management zone (LFMZ) by the Open Space and Conservation Resource Management Plan (OSCRMP). c) Open space that is not available to the public, unless it is an open space priority identified by the OSCRMP and the granting of the open space credit will not adversely impact the city's ability to obtain all of the open space priorities identified for the LFMZ by the OSCRMP. d) Powerline easements, except where the land within the easement is identified by the OSCRMP as an open space priority, such as a trail or greenway, and the granting of the open space credit will not adversely impact the city's ability to achieve all of the open space priorities identified for the LFMZ by the OSCRMP. Major powerline easements that provide key links to the Carlsbad trail system shall receive credit toward the open space performance standard. e) Golf courses, except those portions of golf courses identified by the OSCRMP as an open space priority, such as a trail or greenway. Credit may be granted for other areas of a golf course if the granting of the open space credit for this area will not adversely impact the city's ability to achieve all of the open space priorities identified for the LFMZ by the OSCRMP. 	<p>Program Consistency.</p>	
4-P.6	<p>Require that adjustment of the boundaries of any open space area shown on the Land Use Map be allowed only if all of the following criteria are met:</p>	<p>This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information,</p>	<p>Consistent</p>

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	<p>a) The proposed open space area is equal to or greater than the area depicted on the Land Use Map; and</p> <p>b) The proposed open space area is of environmental quality equal to or greater than that depicted on the Land Use Map; and</p> <p>c) The proposed open space area is contiguous or within close proximity to open space shown on the Land Use Map.</p> <p>The City Council may also adjust the boundary of any open space area shown on the Land Use Map if it finds that the adjustment is necessary to mitigate a sensitive environmental area that is impacted by development, provided the open space boundary modification preserves open space at a 2 to 1 ratio (proposed acreage to existing acreage) and is within close proximity to the original area of open space.</p> <p>Additionally, the City Council may exempt public rights-of-way from the open space boundary adjustment requirements. However, environmental analysis shall be performed for all proposed public right-of-way improvements, and if determined that there are significant adverse impacts to the value of the open space system, those impacts shall be mitigated.</p> <p>The adjustment of open space boundaries shall not result in the exchange of environmentally constrained lands that are designated open space on the Land Use Map for lands that are not environmentally constrained.</p>	<p>refer to Specific Plan Chapter 1.0, Introduction.</p>	
4-P.7	<p>Maintain an inventory of all open space lands, including sites designated as open space on the Land Use Map, sites dedicated in fee title or easement as open space, and school recreation areas.</p>	<p>This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Figure 3.0-1 Conceptual Land Use.</p>	<p>Consistent</p>
4-P.8	<p>Maintain and implement the city's Habitat Management Plan (HMP), including the requirement that all development projects comply with the HMP and related documents. Require assessments of biological resources prior to approval of any development on sites with sensitive habitat, as depicted in Figure 4-3.</p>	<p>This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.3.1, HMP-OS Land Use Designations, and Chapter 3.5.1 HMP-OS Development Standards.</p>	<p>Consistent</p>

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
4-P.9	Consider working with private foundations and organizations or designating a conservancy agency to be responsible for protection, maintenance, monitoring and liability of open space lands.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
4-P.10	Ensure that the improvements recommended for open space areas are appropriate for the type of open space and the use proposed. No improvements (excluding necessary infrastructure) shall be made in environmentally sensitive areas, except to enhance the environmental value of the areas.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Table 3.0-2 and Table 3.0-3 for permitted land uses within sensitive habitat.	Consistent
4-P.11	Continue participation in regional planning efforts to protect habitat and environmentally sensitive species.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because implementation of EPFs designed to protect environmentally sensitive species have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features .	Consistent
4-P.12	Support innovative site design techniques such as cluster-type housing and transfer-of-development-rights to preserve sensitive environmental resources and to allow development projects to comply with the city's Habitat Management Plan.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because implementation of EPFs designed to protect environmentally sensitive species have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features .	Consistent
4-P.13	Assure that development or grading on hillsides (if allowed) relates to the slope of the land in order to preserve the integrity and appearance of natural hillsides and other landforms wherever possible.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because implementation of EPFs designed to protect environmentally natural resources have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features .	Consistent
4-P.14	Maintain functional wildlife corridors and habitat linkage in order to contribute to regional biodiversity and the viability of rare, unique or sensitive biological resources throughout the city.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because implementation of EPFs designed to protect	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		and restore habitat linkages and regional biodiversity have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
4-P.15	Coordinate the implementation and planning of the city's Habitat Management Plan with the North County Multi-Species Habitat Conservation Plan.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
4-P.16	Partner with other governmental agencies, private land owners and non-profit organizations, and utilize grants, bonds and other funding sources when it is necessary to acquire open space land.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information see Specific Plan Chapter 1.0 , Introduction, and Chapter 6.0 Implementation.	Consistent
4-P.17	Require that, at the time of any discretionary approval, any land identified as open space for its habitat or scenic value shall have an appropriate easement and/or land use and zoning designation placed on it for resource protection.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information see Specific Plan Chapter 1.0 , Introduction, and Chapter 6.0 Implementation.	Consistent
4-P.18	Require a city permit for any grading, grubbing, or clearing of vegetation in undeveloped areas, with appropriate penalties for violations.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information see Specific Plan Chapter 1.5.6 .	Consistent
4-P.19	Develop, implement and periodically update a Parks and Recreation Needs Assessment and Comprehensive Action Plan that identifies appropriate programming for the city's parklands, prioritizes future parkland development, reflects the needs of residents at the neighborhood and citywide level and of an increasingly diverse and aging population, and in concert with the citywide trails program, creates new linkages to neighborhoods.	Specific Plan area would not result in increased use of existing neighborhood and regional parks, due to the Specific Plan area providing for an increase in public recreational area within the City. The Specific Plan area would potentially extend the life of existing parks by the availability of amenities that the Specific Plan has to offer. Existing, planned, and available parkland is anticipated to accommodate the City without resulting in deterioration of facilities. The Specific Plan is in conformance with the Parks and Recreation Needs Assessment and Comprehensive Action Plan, and provides low-impact recreational facilities appropriate for all ages. For further information see Specific Plan Chapter 1.0 , Introduction, and Chapter 6.0 Implementation.	Consistent

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
4-P.20	Acquire and develop park areas in accordance with the Growth Management Plan park standard of 3.0 acres of community park or special use area per 1,000 residents within each of the four city quadrants. Park acreage requirements shall be determined on a quadrant basis.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
4-P.21	Maintain appropriate recreational standards for employment areas.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
4-P.22	Utilize the provisions of the Quimby Act, Growth Management Plan and Planned Community Zone to ensure the timely construction of parks so that they are provided concurrent with need.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1	Consistent
4-P.23	Prefer in-lieu fees to dedication of parkland, unless sites offered for dedication provide features and accessibility similar in comparison.	For further information, refer to Specific Plan Chapter 6.2 , Financing and Maintenance of Public Improvements.	Consistent
4-P.24	Consider accessibility, housing density, proximity to schools, general public access, local resident access, adjacent residential area traffic impacts, safe pedestrian access, and compatible use with the surrounding environment when determining park locations. Wherever possible, park sites should be located near schools or natural areas.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 5.1 , Mobility.	Consistent
4-P.28	Require that any development of recreational facilities on public land by developers, service clubs, civic groups, individual donors or organizations be consistent with the goals and policies of this element.	The proposed Specific Plan is consistent based on the analysis provided within Table 1 and P-2.	Consistent
4-P.29	Consider the following during the development/re-development of parkland: expanding minimum buffers around sensitive resources; utilizing natural plant species in park projects; incorporating plant species that provide food such as seeds, nuts and berries for wildlife and bird species; protecting and buffering drinking water sources such as small ponds and wetland areas; and limiting turf grass use to recreational areas. Use the Carlsbad Landscape Manual in landscape refurbishment and	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.5 Development Standards.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	new park development projects.		
4-P.30	Design parks to protect public safety by ensuring adequate lighting, signage, and maintenance.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.5 Development Standards.	Consistent
4-P.31	Where appropriate, designate as open space those areas that preserve historic, cultural, archeological, paleontological and educational resources.	This policy is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because implementation of EPFs designed to protect historic, cultural, archeological, and paleontological resources have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
4-P.32	Seek to preserve the environmental integrity, ecology, and character of special resource areas.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because implementation of EPFs designed to protect environmentally natural resources have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
4-P.33	Promote expansion of recreational and educational use opportunities in areas of significant ecological value, such as lagoons, where discretionary use of the resource allows. Consider partnering with private foundations for the conservation of such lands and the development of educational programming. <ul style="list-style-type: none"> • Combine historically significant sites with recreational learning opportunities, where possible. • Utilize community parks in support of historical and cultural programs and facilities when feasible and appropriate. • Coordinate the efforts of the Historic Preservation Commission on the siting and care of historic ruins within parks. 	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because implementation of EPFs designed to protect historic, cultural, archeological, and paleontological resources have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
4-P.34	Seek funding opportunities from state, federal, and local agencies to provide additional access points or improve the	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	recreational and educational potential of the city's three lagoons and other special resource areas.	more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction and Chapter 6.2 , Financing and Maintenance of Public Improvements.	
4-P.35	Assure that, where feasible, developments near or adjacent to bodies of water provide open space that has public access to and views of the water.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
4-P.36	Explore ways to increase access to the beach and lagoons from the city's eastern neighborhoods.	The Specific Plan would provide safe, pedestrian-friendly walkways and trails to destinations, gathering places, picnic areas, vistas, and recreation amenities near the lagoon for a variety of Carlsbad residents and visitors. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
4-P.39	Prepare a comprehensive Trails Master Plan update, that expands the existing and planned 61-mile trail system, with the following objectives: <ul style="list-style-type: none"> • Connectivity between off-road trails and major on-road pedestrian and bicycle routes, such that future improvements in the trail system also contribute to linkages between important sites (beaches, lagoons, schools, commercial centers, master planned communities, and others) • Design and designate trails as multi-use to be accessible for all user groups, including walkers, bicyclists, and equestrians (as land use policy allows). Ensure that the network provides an appropriate amount of resources for each trail type or user group • Greenway and trail linkages from major recreational/open space areas to other land use areas or activities, including, but not limited to, residential neighborhoods, places of employment, parks, schools, libraries, and viewpoints • Linkages/multi-use trails connecting businesses and residential neighborhoods to the beaches 	Trails throughout the open space area would be connected to internal pathways and trails that are within and surround the Visitor-Serving Commercial area. Providing access to places of employment, viewpoints and open space. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
4-P.40	Participate with other north county communities to establish an intercommunity open space linkage program and regional trail	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	network.	more existing goals. Refer to Table 1.	
4-P.41	Locate multi-use trails and associated amenities and passive recreational features to minimize impacts to sensitive habitats and other sensitive surrounding land uses, such as residences.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
4-P.42	Obtain an irrevocable offer to dedicate or a permanent easement for multi-use trails on privately owned property where feasible, and where trails are proposed as part of the Carlsbad trail system.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 6.0 , Implementation.	Consistent
4-P.43	Allow and encourage farming operations in the Cannon Road Open Space, Farming, and Public Use Zone (such as the strawberry fields) as long as they are economically viable for the landowner.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
4-P.44	Ensure the existing Flower Fields remain a farming and flower production use by utilizing all available methods and programs, including grants and other outside financial assistance.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
4-P.45	Utilize available methods and resources to reduce the financial burdens on agricultural land, not only to prevent premature development, but also to encourage its continued use for agricultural purposes.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Section 6.2 , Financing and Maintenance of Public Improvements.	Consistent
4-P.46	Ensure new development adjacent to an agricultural use is sensitive to the continuation of the agricultural use by requiring appropriate design criteria, such as site layout, use of vegetation and buffers.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.5 Development Standards.	Consistent
4-P.47	Encourage soil and water conservation techniques in agricultural activities.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
4-P.48	Ensure that the grading of agricultural lands is accomplished in a manner that minimizes erosion of hillsides and minimizes stream siltation and to maintain the appearance of natural hillsides and other land forms wherever possible.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. For further information, refer to Specific Plan Chapter 3.5 Development Standards.	Consistent
4-P.49	Prevent agricultural run-off and other forms of water pollution	This policy is the same as an existing goal or policy in the	Consistent

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	from entering the storm drain system and polluting the city's water bodies.	Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because water quality protection features have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
4-P.50	Prior to the approval of new development within an existing or former agricultural area in Carlsbad, require a detailed soils testing and analysis report be prepared by a registered soils engineer and submitted to the city and the county health department for review and approval. This report shall evaluate the potential for soil contamination due to historic use, handling, or storage of agricultural chemicals restricted by the San Diego County Department of Health Services. If hazardous chemicals are detected at concentrations in the soil that would have a significantly adverse effect on human health, the report shall identify a range of possible mitigation measures to remediate the significant public health impacts.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because hazardous soils tests have been conducted and soil/geotechnical evaluations have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
4-P.51	Participate in the implementation of transportation demand management programs on a regional basis.	The Specific Plan is consistent because TDM measures and adaptive signal technology have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
4-P.53	Provide, whenever possible, incentives for carpooling, flex-time, shortened work weeks, and telecommunications and other means of reducing vehicular miles traveled.	The Specific Plan is consistent because TDM measures minimizing reliance on single-occupant automotive travel have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features and Specific Plan Chapter 5.1 , Mobility.	Consistent
4-P.54	Cooperate with the ongoing efforts of the U.S. Environmental Protection agency, the San Diego Air Pollution Control District, and the State of California Air Resources Board in improving air quality in the regional air basin.	The Specific Plan is consistent because implementation of air quality EPFs designed to support and/or enhance air quality have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
4-P.55	Ensure that construction and grading projects minimize short-term impacts to air quality.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/inconsistent
	<ul style="list-style-type: none"> a) Require grading projects to provide a storm water pollution prevention plan (SWPPP) in compliance with city requirements, which include standards for best management practices that control pollutants from dust generated by construction activities and those related to vehicle and equipment cleaning, fueling and maintenance; b) Require grading projects to undertake measures to minimize mono-nitrogen oxides (NOx) emissions from vehicle and equipment operations; and c) Monitor all construction to ensure that proper steps are implemented. 	<p>more existing goals. Refer to Table 1. The Specific Plan is consistent because implementation of air quality EPFs designed to support and/or enhance air quality have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features.</p>	
4-P.56	<p>Work with the stakeholders in the community and region, such as but not limited to the San Diego Regional Water Quality Control Board (RWQCB), California Fish and Wildlife, U.S. Fish and Wildlife, Coastal Commission, Army Corps of Engineers, Environmental Protection Agency, neighboring cities, counties, businesses, residents, and non-profit groups, to comply with applicable federal, state and local regulations related to water quality in our region, consistent with the city's current NPDES Municipal Storm Water Permit issued by the RWQCB or other related regulations. Prepare and implement any applicable plans such as a Water Quality Improvement Plan, Integrated Regional Water Management Plan, Load Reduction Plan or others as needed to comply with applicable regulations.</p>	<p>The Specific Plan is part of a Specific Plan Initiative process that will be adopted either directly or by vote at an election. Opportunities for community input will occur in conjunction with the Specific Plan Initiative process; and, for that reason, the Specific Plan is consistent with this policy.</p> <p>In addition, as part of the Specific Plan, Chapter 6.4, Specific Plan Procedures and Process, all post-Specific Plan plans, drawings, specifications, and objective requirements will be available for review by the City and other interested public agencies.</p>	Consistent
4-P.57	<p>Require developments to incorporate structural and non-structural best management practices (BMPs) to mitigate or reduce the projected increases in pollutant loads. Do not allow post-development runoff from a site that would cause or contribute to an exceedance of receiving water quality objectives or has not been reduced to the maximum extent practicable.</p>	<p>This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because implementation of structural and non-structural BMPs, and water quality objectives have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features.</p>	Consistent
4-P.58	<p>Implement water pollution prevention methods to the maximum extent practicable, supplemented by pollutant source controls</p>	<p>This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or</p>	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	and treatment. Use small collection strategies located at, or as close as possible to, the source (i.e., the point where water initially meets the ground or source of potential pollution) to minimize the transport of urban runoff and pollutants offsite and into a municipal separate storm sewer system (MS4).	more existing goals. Refer to Table 1. The Specific Plan is consistent because all water pollution prevention methods have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
4-P.59	Make any necessary structural control changes to the storm water conveyance system to remove or reduce storm water pollutant levels.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
4-P.61	Continue to implement a program to detect and eliminate illicit connections to storm drains and illegal discharges of non-storm water wastes into storm water conveyance systems.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because adequate storm drain connections and water conveyance systems have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
4-P.62	Continue to implement a program for the testing and monitoring of storm water and/or non-storm water flows consistent with the city's NPDES Municipal Storm Water Permit issued by the RWQCB or other related regulations.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because all storm water effects have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
4-P.63	Preserve, where possible, natural watercourses or provide naturalized drainage channels within the city. Where feasible, implement restoration and rehabilitation opportunities	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because protection of natural water courses, as well as restoration and rehabilitation opportunities have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
4-P.64	Coordinate the needs of storm water pollution management with habitat management, flood management, capital improvement projects, development, aesthetics and other open space needs.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because storm water pollution prevention measures have been required by the Specific Plan's EPFs. For information	Consistent

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
Noise Element			
<i>Noise Goals</i>			
5-G.1	Protect public health and welfare by eliminating existing noise problems where feasible, maintaining an acceptable indoor and outdoor acoustic environment, and preventing significant degradation of the acoustic environment.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because noise effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
5-G.2	Ensure that new development is compatible with the noise environment, by continuing to use potential noise exposure as a criterion in land use planning.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because noise effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
5-G.5	Foster healthy and productive work environments that do not cause hearing damage or other adverse noise related health impacts to workers in Carlsbad.	This goal is the same as an existing goal in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because noise effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
<i>Noise Policies</i>			
5-P.1	Acceptability of Use Location. Use the noise and land use compatibility matrix (Table 5-1) and Future Noise Contours map (Figure 5-3) as criteria to determine acceptability of a land use, including the improvement/construction of streets, railroads, freeways and highways. Do not permit new noise-sensitive uses—including schools, hospitals, places of worship, and homes—where noise levels are “normally unacceptable” or higher, if alternative locations are available for the uses in the city.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because noise effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
5-P.3	Noise-Attenuation. For all projects that require discretionary	This policy is the same as an existing goal or policy in the	Consistent

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	review and have noise exposure levels that exceed the standards in Table 5-1, require site planning and architecture to incorporate noise-attenuating features. With mitigation, development should meet the allowable outdoor and indoor noise exposure standards in Table 5-2. When a building's openings to the exterior are required to be closed to meet the interior noise standard, then mechanical ventilation shall be provided.	Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. . The Specific Plan is consistent because noise effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
5-P.4	Exterior Noise Levels Exceeding Acceptable Level. If the noise analysis shows that exterior noise levels cannot be mitigated to an acceptable level as identified in Table 5-2, the development should not be approved without one or more of the following findings: a. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the noise. b. Changes or alterations to avoid or substantially lessen noise are within the responsibility and jurisdiction of another public agency and not the City of Carlsbad. Such changes have been adopted by such other agency or can and should be adopted by such other agency. c. Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives to avoid or substantially lessen noise. If a project is approved with exterior noise levels exceeding the acceptable noise level, all purchasers of the impacted property shall be notified in writing prior to purchase, and by deed disclosure in writing, that the property they are purchasing is, or will be, impacted by noise and does not meet City of Carlsbad noise standards for residential property.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. . The Specific Plan is consistent because noise effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
5-P.5	Noise Generation, As part of development project approval, require that noise generated by a project does not exceed standards established in Table 5-3.	The Specific Plan is consistent because noise effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
5-P.6	Berms and Sound Walls. Discourage the use of berms and	This policy is the same as an existing goal or policy in the	Consistent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	sound walls for noise mitigation; rather, encourage the use of project design techniques such as increasing the distance between the noise source and the noise sensitive receiver and use non-noise sensitive structures (e.g., a garage) to shield noise sensitive areas. If a berm or wall is determined necessary to mitigate noise, discourage exclusive use of walls in excess of six feet in height and encourage use of natural barriers such as site topography or constructed earthen berms. When walls are determined to be the only feasible solution to noise mitigation, then the walls shall be designed to limit aesthetic impacts. When walls over six feet in height are necessary to mitigate noise, a berm/wall combination with heavy landscaping, a terraced wall heavily landscaped, or other similar innovative wall design technique shall be used to minimize visual impacts.	Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because noise effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
5-P.18	Promote that all persons responsible for operation of noise-producing equipment or processes, exercise reasonable care to minimize casual noise exposure to unprotected workers or passers-by to reduce risk of hearing damage.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because noise effects have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
Public Safety Element			
<i>Public Safety Goals</i>			
6-G.1	Minimize injury, loss of life, and damage to property resulting from fire, flood, hazardous material release, or seismic disasters.	The Specific Plan is consistent because potential damage due to fire, flood, hazardous material release, or seismic disasters have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-G.2	Minimize safety hazards related to aircraft operations in areas around the McClellan-Palomar Airport.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
6-G.3	Maintain safety services that are responsive to citizens' needs to ensure a safe and secure environment for people and property in the community.	The Specific Plan is consistent because impacts to safety services (fire and police) have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to	Consistent

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		Appendix B , Environmental Protection Features.	
<i>Public Safety Policies</i>			
6-P.1	Enforce the Cobey-Alquist Floodplain Management Act and the city's Floodplain Management Regulations to prohibit construction of structures in a designated floodway where such development would endanger life or significantly restrict the carrying capacity of the designated floodway; and to regulate development within other areas of special flood hazard, flood related erosion hazard and mudslide hazard to ensure such development does not adversely affect public health and safety due to water and erosion hazards, or result in damaging increases in erosion, flood height or velocities.	The Specific Plan is consistent because potential flood and erosional hazards have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.2	Continue to implement and pursue flood control programs that reduce flood hazards, such as the city's Grading Ordinance and the Floodplain Management Regulations.	The Specific Plan is consistent because potential flood hazards have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.3	Cooperate and coordinate with federal, state and local jurisdictions, and agencies involved in the mitigation of flood hazards from dam inundation, tsunamis, sea level rise, and major flood events.	The Specific Plan is consistent because potential flood hazards have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.4	Require all proposed drainage facilities to comply with the city's Standard Design Criteria to ensure they are properly sized to handle 100-year flood conditions.	The Specific Plan is consistent because potential flood hazards have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.5	Require installation of protective structures or other design measures to protect proposed building and development sites from the effects of flooding.	The Specific Plan is consistent because potential flood hazards have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.6	Enforce the requirements of Titles 18, 20, and 21 pertaining to drainage and flood control when reviewing applications for building permits and subdivisions.	The Specific Plan is consistent because measures for drainage and flood control have been included by EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.8	Comply with Federal Emergency Management Agency (FEMA)	The Specific Plan is consistent because potential flood hazards	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	requirements to identify flood hazard areas and control development within these areas in order for residents to qualify for federal flood insurance. Cooperate with FEMA on shoreline flooding hazards and other mapping efforts.	have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
6-P.9	Allow for consideration of seismic and geologic hazards at the earliest possible point in the development process, preferably before comprehensive engineering work has commenced.	The Specific Plan is consistent because seismic and geologic hazards have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.10	Maintain geotechnical report guidelines identifying specific requirements for various levels of geotechnical evaluation, including reconnaissance studies, preliminary geotechnical investigation reports, and as-graded geotechnical reports.	The Specific Plan is consistent because seismic and geologic hazards have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.11	Use information in Figure 6-4 as a generalized guideline for planning purposes and in determining the type and extent of geotechnical report to be required for a proposed development project. When a geotechnical report is required, require submission of the report and demonstration that a project conforms to all mitigation measures recommended in the report prior to city approval of the proposed development.	The Specific Plan is consistent because seismic and geologic hazards have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.12	Require a geotechnical investigation and report of all sites proposed for development in areas where geologic conditions or soil types are susceptible to liquefaction. Also require demonstration that a project conforms to all mitigation measures recommended in the geotechnical report prior to city approval of the proposed development (as required by state law).	The Specific Plan is consistent because seismic and geologic hazards have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.13	Prohibit location of critical structures directly across known earthquake faults unless a geotechnical and/or seismic investigation is performed to show that the earthquake fault is neither active nor potentially active.	The Specific Plan is consistent because seismic and geologic hazards have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.14	Require applicants to conduct detailed geologic and seismic investigations at sites where the construction of critical structures (high-occupancy structures and those that must remain in operation during emergencies) and structures over four stories	The Specific Plan is consistent because seismic and geologic hazards have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B ,	Consistent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	are under consideration.	Environmental Protection Features.	
6-P.15	In accordance with the California Subdivision Map Act, deny subdivision maps if a project site is not physically suitable for either the type or density of a proposed development because of geologic, seismic, or other hazards.	The Specific Plan is consistent because seismic and geologic hazards have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.16	Require qualified geotechnical engineering professionals to review grading plans and inspect areas of excavation during and after grading, to evaluate slope stability and other geotechnical conditions that may affect site development and public safety. In areas of known or suspected landslides and/or adverse geologic conditions, the following determinations should be made: extent of landslide, depth-to-slide plane, soil types and strengths, presence of clay seams and ground water conditions.	The Specific Plan is consistent because seismic and geologic hazards have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.17	Continue to regulate development, including remodeling or structural rehabilitation, to ensure adequate mitigation of safety hazards on sites having a history or threat of seismic dangers, erosion, subsidence, or flooding.	The Specific Plan is consistent because seismic and geologic hazards have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.18	Ensure that development in the McClellan-Palomar Airport Influence Area is consistent with the land use compatibility policies contained in the McClellan-Palomar Airport Land Use Compatibility Plan.	This goal is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1.	Consistent
6-P.19	Limit hazards associated with the manufacture, use, transfer, storage and disposal of hazardous materials and hazardous wastes through enforcement of applicable local, county, state and federal regulations.	The Specific Plan is consistent because potential impacts associated with the use, transfer, storage, and disposal of hazardous materials have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.20	Coordinate with the County of San Diego and use the San Diego County Multi-Jurisdictional Hazard Mitigation Plan as a guide for implementing actions to reduce hazardous waste impacts.	The Specific Plan is consistent because potential impacts associated with the use, transfer, storage, and disposal of hazardous materials have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.21	Regulate locations for the manufacture, storage, and use of hazardous materials within the city through implementation of	The Specific Plan is consistent because potential impacts associated with the use, transfer, storage, and disposal of	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	Carlsbad Municipal Code Title 21 (Zoning Ordinance).	hazardous materials have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
6-P.22	Regulate development on sites with known contamination of soil and groundwater to ensure that construction workers, future occupants, and the environment as a whole, are adequately protected from hazards associated with contamination, and encourage cleanup of such sites.	The Specific Plan is consistent because potential impacts associated with the use, transfer, storage, and disposal of hazardous materials have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.23	Provide for hazardous materials emergency incident responses. Coordinate such responses with applicable federal, state and county agencies.	The Specific Plan is consistent because potential impacts associated with the use, transfer, storage, and disposal of hazardous materials have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.24	Maintain regulations that require proper storage and disposal of hazardous materials to reduce the likelihood of leakage, explosions, or fire, and to properly contain potential spills from leaving the site.	The Specific Plan is consistent because potential impacts associated with the use, transfer, storage, and disposal of hazardous materials have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.26	Support public awareness and participation in household hazardous waste management, solid waste, and recycling programs.	The Specific Plan is consistent because potential impacts associated with the use, transfer, storage, and disposal of hazardous materials have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.27	Maintain adequate Police and Fire Department staff to provide adequate and timely response to all emergencies.	The Specific Plan is consistent because funding mechanisms adequate fire department facilities and services have been required by EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features. For further information, refer to Specific Plan Chapter 6.2 , Financing and Maintenance of Public Improvements, and Chapter 6.3 , Growth Management Program Consistency.	Consistent
6-P.28	Ensure Fire Department facilities and services are provided consistent with the minimum performance standards of the city's Growth Management Plan.	The Specific Plan is consistent because funding mechanisms adequate fire department facilities and services have been required by EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features. For further	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		information, refer to Specific Plan Chapter 6.2 , Financing and Maintenance of Public Improvements, and Chapter 6.3 , Growth Management Program Consistency.	
6-P.29	Encourage physical planning and community design practices that deter crime and promote safety.	Parking and loading areas shall provide adequate lighting to ensure safety and security. Lighting will be used to provide at limited areas such as driveways, parking areas, support facilities, restrooms, and as necessary for safety and security purposes. Planting design strategies will vary according to plant types, sizes, and spacing appropriate for locations within the open space. The planting design will enhance views, conserve water and contribute to safety and security. For further information, refer to Specific Plan Chapter 4.0 , Design Guidelines.	Consistent
6-P.30	Maintain close coordination between planned improvements to the circulation system within the city and the location of fire stations to assure adequate levels of service and response times to all areas of the community.	The Specific Plan is consistent because funding mechanisms adequate fire department facilities and services have been required by EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features. For further information, refer to Specific Plan Chapter 6.2 , Financing and Maintenance of Public Improvements, and Chapter 6.3 , Growth Management Program Consistency.	Consistent
6-P.31	Consider site constraints in terms of hazards and current levels of emergency service delivery capabilities when making land use decisions. In areas where population or building densities may be inappropriate to the hazards present, take measures to mitigate the risk of life and property loss.	The Specific Plan is consistent because hazards due to in adequate levels of service have been avoided or substantially reduce by EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.32	Coordinate the delivery of fire protection services through mutual aid agreements with other agencies when appropriate.	The Specific Plan is consistent because hazards due to in adequate levels of service have been avoided or substantially reduce by EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.33	Enforce the Uniform Building and Fire codes, adopted by the city, to provide fire protection standards for all existing and proposed structures.	The Specific Plan is consistent because Uniform Building and Fire codes have been required by EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.34	Promote community awareness of possible natural and man-made hazards, response plans and measures that can be taken to protect lives.	The Specific Plan is consistent because potential hazards from natural and/or man-made hazards have been avoided or substantially reduced by EPFs. For information regarding the	Consistent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		EPFs, refer to Appendix B , Environmental Protection Features.	
6-P.35	When future development is proposed to be intermixed with wildlands and/or adjacent to wildlands, require applicants to comply with the city's adopted Landscape Manual, which includes requirements related to fire protection, and calls for preparation of a fire protection plan when a proposed project contains or is bounded by hazardous vegetation or is within an area bounded by a very high fire hazard severity zone, or as determined by the Fire Code official or his representative.	Removal of native vegetation and development of designated Open Space, as shown in the Specific Plan, is specifically prohibited, except upon written order of the Carlsbad Fire Department for fire prevention purposes, or upon written directive from the City Planner, based upon a request from the Specific Plan applicant accompanied by a report from a qualified arborist/botanist indicating the need to remove specified trees and/or plants because of disease. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.37	Promote public awareness of possible natural and man-made hazards, measures that can be taken to protect lives and property, response plans, and evacuation routes.	The Specific Plan is consistent because potential hazards from natural and/or man-made hazards have been avoided or substantially reduced by EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
6-P.39	Ensure all new development complies with all applicable regulations regarding the provision of public utilities and facilities.	The Specific Plan is consistent because measures requiring compliance with applicable regulations regarding public utilities and facilities have been required by EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
Arts, History, Culture and Education Element			
<i>Arts, History, Culture and Education goals</i>			
7-G.1	Recognize, protect, preserve, and enhance the city's diverse heritage.	This goal is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The intent of the Specific Plan is to permanently provide for the continuation of coastal agriculture and strawberry farming, consistent with the City's open space and agricultural heritage. For further information, refer to Specific Plan Chapter 1.0, Introduction.	Consistent
7-G.2	Make Carlsbad's history more visible and accessible to residents and visitors.	The intent of the Specific Plan is to permanently provide for the continuation of coastal agriculture and strawberry farming, consistent with the City's open space and agricultural heritage. An integrated coastal resources educational program, would provide the entire Carlsbad community with history of the Agua Hedionda Lagoon, and surrounding open space and agricultural resources.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		For further information, refer to Specific Plan Chapter 1.0 , Introduction.	
<i>Arts, History, Culture and Education policies</i>			
7-P.2	Encourage the use of regional, state and federal programs that promote cultural preservation to upgrade and redevelop properties with historic or cultural value. Consider becoming a participant in the Mills Act tax incentive program.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The intent of the Specific Plan is to permanently provide for the continuation of coastal agriculture and strawberry farming, consistent with the City's open space and agricultural heritage. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
7-P.7	Implement the City of Carlsbad Cultural Resources Guidelines to avoid or substantially reduce impacts to archaeological and paleontological resources.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because potential impacts to archaeological and paleontological resources have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
7-P.8	During construction of specific development projects, require monitoring of grading, ground-disturbing, and other major earth-moving activities in previously undisturbed areas or in areas with known archaeological or paleontological resources by a qualified professional, as well as a tribal monitor during activities in areas with cultural resources of interest to local Native American tribes. Both the qualified professional and tribal monitor shall observe grading, ground-disturbing, and other earth-moving activities.	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because potential impacts to archaeological and paleontological resources have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
7-P.9	Ensure that treatment of any cultural resources discovered during site grading complies with the City of Carlsbad Cultural Resource Guidelines. Determination of the significance of the cultural resource(s) and development and implementation of any data recovery program shall be conducted in consultation with interested Native American tribes. All Native American human remains and associated grave goods shall be returned to their most likely descendent and repatriated. The final disposition of	This policy is the same as an existing goal or policy in the Carlsbad General Plan (1994) or a modified version of one or more existing goals. Refer to Table 1. The Specific Plan is consistent because potential impacts to archaeological and paleontological resources, including the discovery of human remains, have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	artifacts not directly associated with Native American graves shall be negotiated during consultation with interested tribes; if the artifact is not accepted by Native American tribes, it shall be offered to an institution staffed by qualified professionals, as may be determined by the City Planner. Artifacts include material recovered from all phases of work, including the initial survey, testing, indexing, data recovery, and monitoring.		
7-P.10	Require consultation with the appropriate organizations and individuals (e.g., Information Centers of the California Historical Resources Information Systems [CHRIS], the Native American Heritage Commission [NAHC], and Native American groups and individuals) to minimize potential impacts to cultural resources that may occur as a result of a proposed project.	The Specific Plan is consistent because potential impacts to archaeological and paleontological resources have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
Economy, Business Diversity, and Tourism Element			
<i>Economy, Business Diversity and Tourism Goals</i>			
8-G.1	In partnership with business and community groups, proactively engage in the city's economic development.	The Specific Plan would contribute to the City's economic vitality while conserving its open space, agriculture and aesthetic resources. The Specific Plan will enhance business in Carlsbad and has established land uses that contribute to the long term needs of the community. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
8-G.2	Facilitate retention, expansion, attraction and incubation of businesses that meet the city's economic development objectives.		
8-G.3	Maintain and enhance a world class climate for conducting business in Carlsbad.		
8-G.4	Establish land use priorities based on economic criteria and long term community needs; reserve sites for designated uses rather than accepting any development.	The Specific Plan would contribute to the City's economic vitality while conserving its open space, agriculture and aesthetic resources. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent.
8-G.6	Establish a strong talent pipeline that can serve the needs of local businesses in the short and long term, as well as serve regionally important industry clusters.	The Specific Plan would contribute to the City's economic vitality while conserving its open space, agriculture and aesthetic resources. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent.
<i>Economy, Business Diversity and Tourism Policies</i>			
8-P.3	Lead and promote business outreach and collaborative initiatives among business leaders and economic stakeholders. Such	The Specific Plan will contribute to Carlsbad's economic vitality. As with all phasing projections, the Specific Plan development is	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	outreach and collaboration shall include partnering with local businesses and economic development and employment organizations to identify strategies for local business retention and expansion, talent attraction and regional branding.	necessarily influenced by the economy, growth rates, market conditions, and other changing economic and financial conditions. As these factors change during the course of buildout of the Specific Plan, necessary adjustments in phasing will be instituted in close coordination with the City. For further information, refer to Specific Plan Chapter 6.1 , Phasing.	
8-P.5	Encourage increased year-round tourism through such means as working with the Carlsbad Tourism Business Improvement District to help market Carlsbad as a complete multi-day, year-round destination, and by working with other organizations to promote and develop Carlsbad as an ecotourism destination.	The Specific Plan area would be located within a tourism centric corridor in Local Facilities Management Zone 13, which include LEGOLAND California, the Carlsbad Premium Outlets, the Museum of Making Music, the Gemological Institute, and several resorts and hotels. The Specific Plan area would also be located within two miles of the Village of Carlsbad. As such, the Specific Plan could have the potential to create a synergistic relationship with these nearby attractions, prompting visitors to spend an extra night in the City. It is reasonable to anticipate that the Specific Plan could be well aligned with SAG's recommendations to enhance the shopping experience the City, as well as cater to the target market segment identified for potential growth during low season. For further information, refer to Specific Plan Chapter 4.0 , Design Guidelines.	Consistent
8-P.10	As part of the Encina Power Station reuse, ensure development of a balanced cluster of visitor serving commercial uses, such as hotel and retail uses and restaurants, with flexibility to adapt to changing economic circumstances. Ensure this area has a pedestrian-oriented ambiance, is welcoming and accessible to the broader community (not just hotel guests), and provides for restaurants and open spaces that capitalize on ocean views. See policies in the Land Use and Community Design Element for more on development of this site.	The Specific Plan is consistent because infrastructure improvements adequate in size have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
8-P.11	Encourage strategic land assembly and infrastructure improvements to provide sites adequate in size and at appropriate locations to meet the needs of businesses the city wishes to attract.		
<i>Sustainability Element</i>			
<i>Sustainability Goals</i>			
9-G.1	Through implementation of the policies and programs in the General Plan, maintain a long-term balance among the three dimensions of sustainability—environmental, economic, and social—to ensure a vibrant, healthy, and prosperous community.	The Specific Plan would contribute to the City's economic vitality while conserving its open space, agriculture, and aesthetic resources. The Specific Plan would provide low-impact public access to open space lands and agricultural fields, as well as create a sense of community with a pedestrian friendly Community Promenade. For further information, refer to Specific Plan, Chapters 3.2 and 3.3 , Land Use Plan and Land Use	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
		Designations (respectively).	
9-G.2	Undertake initiatives to enhance sustainability by reducing the community's greenhouse gas (GHG) emissions and fostering green development patterns—including buildings, sites, and landscapes.	The Specific Plan would implement innovative, sustainable building designs that would reduce energy and greenhouse gas emissions. The Specific Plan is consistent because GHG emissions have been avoided or substantially reduced by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
9-G.3	Promote energy efficiency and conservation in the community.	The Specific Plan area would contribute to the City's efforts in decreasing the use of energy and fossil fuel consumption in transportation, waste reduction and recycling, with efficient building design and use. The Specific Plan would ensure energy efficiency and water conservation, including landscaping. Additionally, building design within the Specific Plan would employ sustainable, green design and technologies. The Specific Plan would implement innovative, sustainable building designs that would reduce energy and greenhouse gas emissions. The Specific Plan is consistent because energy efficient measures have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
9-G.4	Strive to reduce the city's reliance on imported water.	The Specific Plan area is located entirely within the Carlsbad Municipal Water District (CMWD) water service area, and would receive potable and recycled water service through CMWD. Although the Specific Plan would receive imported water, the Specific Plan would implement energy efficient, sustainable design, and landscaping measures, to conserve water on-site and in the community. The Specific Plan is consistent because water conservation and reduction measures have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
9-G.5	Create a healthy, balanced, functional, and equitable food system for the entire Carlsbad community by: Reducing barriers and increasing access to locally-grown fruits and vegetables; increasing communitywide knowledge of healthy food choices	The Specific Plan would ensure agricultural uses are given a high priority, ultimately providing the community with locally grown, fresh produce. The Specific Plan would establish an urban agriculture education	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	and behaviors.	farm which would furthermore educate visitors and the surrounding community about food resources. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	
<i>Sustainability Policies</i>			
9-P.1	Use the Climate Action Plan as the city's policy and action guide to reduce Carlsbad's contribution to climate change.	The Specific Plan would comply with regulations in the Climate Action Plan, and incorporate innovative, sustainable building and area designs that reduce energy and greenhouse gas emissions. The Specific Plan area encourages pedestrian and bicycle transportation. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
9-P.2	Continue efforts to decrease use of energy and fossil fuel consumption in municipal operations, including transportation, waste reduction and recycling, and efficient building design and use.	<p>The Specific Plan would continue efforts in the City to decrease use of energy and fossil fuel consumption in transportation, waste reduction and recycling, with efficient building design and use. The Specific Plan area would incorporate the following green design features:</p> <ul style="list-style-type: none"> • Implementing LEED Gold Core and Shell Design Standard • Using Energy Star Appliances • Installing High efficiency lighting • Installing electronic parking availability signage • Incorporating an Energy Management System • Implementing water conservation measures, such as using recycled water or outdoor irrigation and installing dual flush toilets, waterless urinals, and self-closing faucets • Photovoltaic panels over 60% of the parking garage roof • Solar water heaters and heat pumps • Preferential parking for electric vehicles and charging stations for electric vehicle use <p>The Specific Plan is consistent because energy and fossil fuel consumption effects have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B, Environmental Protection Features.</p>	Consistent
9-P.5	Undertake measures to expand the use of recycled water for	As previously described, the Specific Plan would implement water	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	landscape irrigation and commercial and industrial process water. Encourage potential future customers identified in the latest Recycled Water Master Plan to retrofit their water systems to utilize recycled water as it becomes available and cost-effective to do so.	conservation measures, such as using recycled water for outdoor irrigation. The Specific Plan is consistent because water conservation and reduction measures have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
9-P.6	Promote the use of on-site gray water and rainwater collection systems through education, expedited permitting review, fee exemptions and other measures.	The Specific Plan incorporates water conservation measures and "low impact development" best management practices. These best management practices include options in the event that the Specific Plan's structural "low impact development" best management practices are not technically feasible. Such options include MS4 Permit allowances for on-site treatment in conjunction with off-site retention volume reduction measures. Rainwater harvesting is an alternative retention best management practice option.	Consistent
9-P.9	Adopt a construction and demolition waste recycling ordinance that requires, except in unusual circumstances, all construction, demolition and renovation projects meeting a certain size or dollar value, to divert from landfills 100 percent of all Portland cement concrete and asphalt concrete and an average of at least 50 percent of all remaining non-hazardous debris from construction, demolition, and renovation projects	The Specific Plan would be in compliance with California Green Building Standards Code (Title 24). CALGREEN requires that every new building constructed in California divert 50% of construction waste from landfills, and install low pollutant-emitting materials. The Specific Plan would most likely exceed these standards. The Specific Plan is consistent because recycling and waste diversion measures have been required by the Specific Plan's EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
9-P.10	Decrease the need for artificial cooling, heating and lighting, and promote outdoor lifestyles in Carlsbad's sunny and moderate climate by: ensuring that the Zoning Ordinance provides for adequate private and common open spaces as part of multifamily developments, encouraging residential and office buildings to have windows that open to the outside in all habitable rooms, and maximize the use of daylight.	All development on-site would incorporate sustainable, green design and technologies. Additionally, the proposed Specific Plan promotes outdoor lifestyles by implementing low-impact recreational amenities such as nature trails, pedestrian walkways, picnic and rest areas, lagoon vistas, outdoor classroom, an integrated coastal resources educational program, and an outdoor Community Promenade. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent
9-P.11	Implement the city's Landscape Manual to mitigate urban heat island effects through minimum tree canopy coverage and maximum asphalt and paving coverage, particularly for denser	Implementation of the Specific Plan would not result in an urban heat island, due to the amount of designated open space, adherence to the City's Landscape Manual, and paving materials	Consistent

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

APPENDIX A (Continued)

**Table 2
Specific Plan Consistency with the Draft General Plan Update (2014)**

Policy Number	Policy Text	Consistency Analysis	Consistent/Inconsistent
	areas like the Village and the Barrio, shopping centers, and industrial and other areas with expansive surface parking.	for parking lots would be semi-porous (e.g., crushed granite or gravel), where appropriate, to maximize on-site infiltration. The Specific Plan is consistent because heat island effects have been avoided or substantially reduced by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	
9-P.12	Continue pursuit of sustainable energy sources—such as hydroelectricity, geothermal, solar, and wind power—to meet the community's needs.	The Specific Plan would implement green design features such as photovoltaic panels over 60% of the parking garage roof and LEED Gold Core and Shell Design Standards. The Specific Plan is consistent with the City's Preliminary CAP Project Review Checklist. The Specific Plan is consistent because energy conservation and renewable energy use has been required by the EPFs. For information regarding the EPFs, refer to Appendix B , Environmental Protection Features.	Consistent
9-P.13	Use the city's Climate Action Plan as the platform for delineating and implementing measures to improve energy conservation, and increase renewable energy use (such as solar) in existing and new development.		
9-P.15	Seek ways to partner with regional community supported agriculture (CSA) programs as an alternative source of fresh and healthy fruits and vegetables for Carlsbad residents, particularly those with limited mobility, limited income, or those furthest from existing grocery stores.	The Specific Plan will permanently protect approximately 176.7 acres, more than 85% of the Specific Plan area, for open space and the continuation of strawberry farming and coastal agriculture. The Specific Plan's protection, conservation and enhancement of the open space and agricultural land will be achieved through the Specific Plan itself and in cooperation with the City of Carlsbad, one or more qualified environmentally focused non-profit entities, land conservancy organizations, land managers, public agencies, and qualified farming and agricultural interests. For further information, refer to Specific Plan Chapter 1.0 , Introduction.	Consistent

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APPENDIX B
Environmental Protection Features

APPENDIX B — ENVIRONMENTAL PROTECTION FEATURES

Table 1, below, summarizes the Specific Plan's environmental protection features that are made part of the Specific Plan. The Specific Plan features are intended to avoid or substantially reduce all potential environmental effects to the maximum extent feasible, and the City of Carlsbad retains full authority to enforce each of the Specific Plan environmental protection features.

**TABLE 1
ENVIRONMENTAL PROTECTION FEATURES**

ENVIRONMENTAL PROTECTION FEATURES	
<i>Environmental Analysis</i>	
(Environmental Protection Features¹) EPF-1	The Specific Plan applicant ² shall comply with all applicable provisions of federal and state laws and regulations in effect at the time of building permit issuance.
EPF-2	The Specific Plan applicant shall comply with all conditions and mitigation measures required as part of the Zone 13 Local Facilities Management Plan (1995) prior to the issuance of building permits.
EPF-3	The Specific Plan applicant shall pay the City of Carlsbad's standard improvement plan check and inspection fees. Specific Plan improvements shall be commenced within 48 months (plus a one (1) year extension) from the approval date of the Specific Plan's coastal development permits; provided, however, there is no litigation filed challenging any aspect of the Specific Plan or the coastal development permit. In the event of any such litigation, the time frames specified herein shall be tolled with regard to all Specific Plan and coastal development permit improvement requirements from the date the complaint or petition is filed until the time that such litigation is finally resolved by a court of competent jurisdiction. .
EPF-4	Prior to issuance of building permits, the Specific Plan applicant shall pay all fees, deposits, and charges for connection to public facilities.
EPF-5	No building permit shall be issued within the Specific Plan area unless any applicable fee required by Carlsbad Municipal Code, Chapter 21.90, Growth Management, and any applicable local facilities management plan fee, are first paid.
<i>Aesthetics</i>	
EPF AES-1	Lighting necessary for agricultural operations shall be compatible with adjacent uses.
EPF AES-2	Selected architectural elements in the Visitor Serving Commercial area will be highlighted with illumination and provide a safe and secure environment for visitors and merchants.

¹ Environmental Protection Features (EPFs) apply exclusively and specifically to this Specific Plan.

² When this **Table 1** refers to the Project applicant, the reference shall mean the Project applicant or its designee.

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EPF AES-3 Light fixtures at a variety of lighting levels will be used at entries, plazas, parking lots, and other areas where evening activity is expected.

EPF AES-4 All light standards shall be consistent with the design, materials, color, color of light, and overall architectural style of the Specific Plan.

EPF AES-5 The Specific Plan applicant shall prepare a landscape and irrigation plan in conformance with the following standards:

The Specific Plan applicant shall submit and obtain City of Carlsbad (City) Planner (City Planner) review of a final landscape and irrigation plan showing conformance with any approved preliminary landscape/irrigation plan, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan. The Specific Plan applicant shall construct and install all landscaping and irrigation as shown on the approved final plans. All landscaping shall be maintained, free from weeds, trash, and debris. All irrigation systems shall be maintained to provide the optimal amount of water to the landscape for plant growth without causing soil erosion, runoff, or water waste.

EPF AES-6 The Specific Plan applicant shall execute and submit to the City engineer for recordation the City's standard form street tree maintenance agreement, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

EPF AES-7 Signs for the Specific Plan area shall conform to the standards set forth in the Specific Plan and subject to the review by the City Planner prior to installation of such signs, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

EPF AES-8 This Specific Plan shall be annexed into the City's Street Lighting and Landscaping District No. 2 (SL&LD No. 2); the Specific Plan applicant shall cause to be executed an agreement to annex the subject property into SL&LD No. 2 in a form acceptable to the assistant City finance director and in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan; and the Specific Plan applicant shall pay all fees necessary to annex the property into SL&LD No. 2.

Agriculture and Forest Resources

EPF AG-1 Agricultural uses in the EAG-OS and AGS-OS shall be preserved in perpetuity through the recordation of an open space easement(s) over these lands. See also **EPF BIO-18**.

Air Quality

EPF AQ-1 The Specific Plan applicant shall request that the San Diego Air Pollution Control District revise the RAQS to include the development projections of the proposed Specific Plan in the SDAPCD's next triennial update to the RAQS.

EPF AQ-2 The Specific Plan applicant shall control fugitive dust by watering areas of the construction site with the potential to generate fugitive dust emissions twice a day.

EPF AQ/GHG-3 The Specific Plan applicant shall design the visitor-serving commercial structures to adhere to the Leadership in Energy and Environmental Design (LEED) Gold Core and Shell Design Standards.

EPF AQ/GHG-4 The Specific Plan's nonresidential structures shall exceed the 2013 Title 24 Building Energy Efficiency Standards by 5% (California Code of Regulations, Title 24, Part 6). In the event that an update to the 2013 Standards becomes effective before building permits are secured and that update achieves greater than a 5% improvement in energy efficiency relative to the 2013 Standards, the Specific Plan will comply with the then-effective and applicable building standards.

EPF AQ/GHG-5 The Specific Plan will require the commercial retail structures to utilize a computer-based energy management system capable of reducing and optimizing operational energy consumption. The energy management system will be designed to provide automated control and monitoring of the Specific Plan's energy consumption from heating, air conditioning, ventilation and lighting. The data obtained from the energy management system then will be used by the Specific Plan Proponent and individual commercial tenants to perform self-diagnostic

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and optimization routines at regularly-scheduled intervals, and prepare trend analysis and consumption forecasts, thereby facilitating enhancements to the efficiency of energy consumption.

EPF AQ/GHG-6 The Specific Plan design shall include photovoltaic panels to cover a minimum of 60% of the Parking Structure roof.

EPF AQ/GHG-7 The Specific Plan shall require:

- Use of Energy Star appliances, where available, by the commercial tenants;
- Installation of high-efficiency interior and exterior lighting; and,
- Implementation of water conservation measures, such as using recycled water for outdoor irrigation, and installing dual-flush toilets, waterless urinals, and self-closing faucets.

EPF AQ/GHG-8 The Specific Plan shall require the installation of six electric vehicle charging stations and provide preferential parking locations for electric vehicles.

EPF AQ/GHG-9 The Specific Plan shall require the installation of electronic parking availability signage to facilitate the smooth and efficient movement of vehicles.

EPF AQ-10 The Specific Plan applicant shall develop a Green Cleaning Product education program to be made available to commercial tenants. The education program shall consist of:

- Provision of educational materials on low VOC consumer products.
- Educational materials addressing the use of detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn and garden products; disinfectants; sanitizers; aerosol paints; automotive specialty products; low VOC paints and architectural coatings; and low emission landscape equipment.
- Educational materials on the importance of recycling and purchasing recycled material.

EPF AQ/GHG-11 To minimize idling time and combustion of vehicle fuels, the Specific Plan applicant shall ensure that any commercial building that utilizes large-scale refrigerated storage (e.g., restaurant; grocery store) equips each loading dock with an electrical hook-up to power refrigerated trucks.

EPF AQ/GHG-12 To minimize fuel combustion, all landscaped areas associated with the Specific Plan's commercial land uses shall be landscaped and maintained with electrical equipment, to the extent feasible.

Biological Resources

EPF BIO-1 To avoid direct effects to nesting raptors and songbirds, construction related to the Specific Plan shall be phased to avoid the migratory bird nesting season (typically February 15 through September 1). If construction must occur during the migratory bird nesting season, a focused avian nesting survey shall be performed in the Specific Plan area, within 300 feet of the proposed construction, and by a qualified biologist 72 hours prior to construction. If an active bird nest is found, the nest will be flagged and mapped on the construction plans along with an appropriate buffer, which will be determined by the biologist based on the biology of the species. The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing. Construction shall be permitted in areas outside of the nest and buffer area. If nesting birds are present on site, a biological monitor shall be present daily during construction activities while the nest(s) is active to ensure that no effects to nesting birds occur.

EPF BIO-2 Focused surveys for burrowing owl, in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012), shall be conducted in all areas proposed for disturbance prior to commencement of construction activities. If burrowing owls are detected within the Specific Plan area, either a temporary buffer shall be installed around the active burrow or the owls shall be passively relocated from the site prior to construction activities.

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EPF BIO-3 A contractor education program shall be prepared and implemented to apprise all construction personnel and subcontractors of environmental restrictions relevant to construction and the penalties for violations. The Specific Plan applicant and contractor shall establish a protocol for communicating problems or potential construction changes that may affect on-site biological resources. Workers shall be made aware of protected habitat and the occurrence of sensitive species in the Specific Plan area through the use of photos or on-the-ground demonstrations. The sensitivity of certain special-status wildlife species to human activities, the legal protection afforded to those species, and the roles and authority of monitoring biologists shall be discussed.

EPF BIO-4 The monitoring biologist shall be on site during any initial clearing of habitat (annual ground cover, shrubs, or trees). The monitoring biologist will flush sensitive species (avian or other mobile species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities.

EPF BIO-5 Construction noise levels at the riparian canopy edge shall be kept below A-weighted decibels (adjusted for human frequencies) as equivalent sound level (60 dBA Leq) from 5:00 a.m. to 11:00 a.m. during the peak nesting period of March 15 to July 15. For the balance of the day/season, the noise levels shall not exceed 60 dBA, averaged over a 1-hour period (i.e., 1-hour Leq/dBA). Noise levels shall be monitored and monitoring reports shall be provided to the City.

EPF BIO-6 To reduce long-term nighttime lighting effects, shielded low-sodium, low-wattage lighting on all proposed building and accent lighting will be used to cut glare and light scatter, and to direct light away from sensitive biological resources. No night lighting shall be allowed in habitat areas. The Specific Plan applicant shall follow the lighting development standards set forth in the Specific Plan, Chapter 3.0, and submit the lighting plans for review by the City Planner, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

EPF BIO-7 All site preparation and construction activities shall incorporate standard BMPs including straw bales, gravel bags, sand bags, periodic watering of bare areas, and the directing of construction area drainage to existing storm drain facilities.

EPF BIO-8 During construction, material stockpiles shall be placed such that they cause minimal interference with on-site drainage patterns. Silt fencing and other silt containment devices will be installed, where necessary, to prevent off-site transport of sediment and pollutants.

EPF BIO-9 Prior to initiating initial grading/earth movement activities, all preserved habitats immediately adjacent to the work limits shall be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking, or storage of equipment or materials will be permitted in such marked areas.

EPF BIO-10 No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council (formerly the California Exotic Pest Plant Council), or the State of California shall be employed or allowed to naturalize or persist on site. No plant species listed as a "noxious weed" by the State of California or the federal government shall be used in the Specific Plan. All new plants in passive open space and habitat management preserve areas shall be native species.

EPF BIO-11 Upon Specific Plan completion, signage shall be included in the sensitive habitat areas (where determined appropriate by a qualified biologist) to identify adjacent habitats and educate employees and others on the importance of staying on designated trails/paths, disposing of trash properly, and reducing fire hazards.

EPF BIO-12 A minimum 20-foot buffer shall be implemented around all native upland habitats.

EPF BIO-13 A minimum 100-foot buffer shall be implemented around all environmentally sensitive habitat areas, riparian, and wetland as defined in California Public Resources Code, section 30107.5.

EPF BIO-14 A minimum 50-foot buffer shall be implemented around all streambeds.

EPF BIO-15 Prior to the removal or damage of any active nests or any tree pruning or removal operations during the prime nesting season, that being March 15 to May 30, a certified biologist shall survey the trees to determine if there are any active nests within 500 feet of the area of tree removal or pruning. If any active nests are located within 500 feet, no tree pruning or removal

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operations can occur until the nests are vacated or until the end of the prime breeding season, whichever occurs later.

EPF BIO-16 Prior to any tree removal or pruning operations proposed outside of the prime nesting season but within the period of February 15 to August 31, a certified biologist shall provide confirmation that no disturbance would occur to active nests or nesting activities. Documentation from the certified biologist consistent with these requirements shall be submitted to the City Planner to demonstrate compliance with this condition. A note to this effect shall be placed on the construction or grading plans.

EPF BIO-17 The Specific Plan applicant shall pay the in lieu mitigation fee (if applicable) in accordance with the City's adopted Fee Schedule prior to issuance of a building permit. If the in-lieu mitigation fee for the Specific Plan is not paid, building permits shall not be issued.

EPF BIO-18 The Specific Plan applicant shall grant a conservation easement for the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of certain species.

EPF BIO-19 The Specific Plan applicant shall dedicate an open space easement for those portions of the Specific Plan area that are part of the Specific Plan's designated open space.

EPF BIO-20 Removal of native vegetation and development of designated Open Space, as shown in the Specific Plan, including but not limited to fences, walls, decks, storage buildings, pools, spas, stairways, and landscaping, other than that approved as part of the grading plan, improvement plans, biological revegetation program and landscape plan, is specifically prohibited, except upon written order of the Carlsbad Fire Department for fire prevention purposes, or upon written directive from the City Planner, based upon a request from the Specific Plan applicant accompanied by a report from a qualified arborist/botanist indicating the need to remove specified trees and/or plants because of disease. For areas containing native vegetation, the report required to accompany the request shall be prepared by a qualified biologist.

EPF BIO-21 Prior to issuance of a grading permit or clearing of any habitat, whichever occurs first, the Specific Plan applicant shall take the following actions in relation to the Specific Plan open space designated land areas, as shown in the Specific Plan that is to be conserved for natural habitat:

- a. Select a conservation entity that possesses qualifications to manage said open space for conservation purposes.
- b. Prepare a property analysis record or other similar method for estimating the costs of management and monitoring in perpetuity of said open space.
- c. Based on the results of the property analysis record or other similar method, provide a non-wasting endowment or other financial mechanism as provided for in the Specific Plan in an amount sufficient for management and monitoring in perpetuity of said open space.
- d. Record a conservation easement over the Specific Plan's designated open space.
- e. Prepare a natural habitat restoration, maintenance, and monitoring plan to ensure adequate management and maintenance in perpetuity of the Specific Plan's designated open space; the plan shall be submitted to the City Planner for review in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

EPF BIO-22 For impacts to native upland habitats onsite, the environmental protection will occur at a 2:1 ratio and no net loss of habitat shall apply. The no net loss standard for upland habitat impacts within the Coastal Zone shall entail the creation of associated upland habitat or substantial restoration of degraded habitat at a minimum ratio of 1:1. Habitat preserved onsite will not count as preservation. Because the project proposes to implement all environmental protection onsite, the project will include creation of upland habitat or substantial restoration of degraded habitat at a 2:1 ratio. All restoration will occur within the coastal zone. At least 67% of the coastal sage scrub on site must be conserved.

EPF BIO-23 Effects to non-native vegetation communities or land cover types (excluding coastal sage scrub) shall be compensated for in the form of an in lieu mitigation fee as provided in the table below.

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In-Lieu Mitigation Fee Guidelines

Habitat Type	Guidelines	Fee per Acre¹
Disturbed land (i.e., not graded in last 5 years)	Pay fee	See Note 1
Agricultural land	Pay fee unless already paying coastal zone agricultural mitigation fee	See Note 1
Eucalyptus woodland	Pay fee (note potential raptor/other bird nesting and bat roosting constraints)	See Note 1
Ornamental	Not applicable	No fee

¹ Fees are subject to change and shall be confirmed with the City prior to payment based on the City's adopted Fee Schedule.

Cultural Resources

EPF CUL-1 A qualified archaeologist and a Native American monitor(s) shall be present to monitor all Specific Plan-related ground disturbance to ensure proper treatment of previously undocumented archaeological or historical resources. If any previously undocumented archaeological or historical resources are found during construction, all earth-moving activity within and around the immediate discovery area shall be diverted until the archaeologist and Native American monitor(s) can assess the nature of the find. Preservation in place shall be the preferred manner of assessment because: (a) it maintains the relationship between the deposits or artifacts and the archaeological context; and (b) may avoid conflict with religious or cultural values of groups associated with the designated site. Preservation in place may be accomplished by, among other methods: (a) planning construction to avoid the designated site; (b) incorporating the site within greenspace or other open space; (c) covering the designated site with appropriate soils before construction; and/or (d) deeding the designated site into a permanent conservation easement. If avoidance of previously undocumented archaeological or historical resources is not feasible, environmental protection through data recovery shall be implemented.

When data recovery through excavation is the only feasible environmental protection feature (after exhausting preservation in place options), a data recovery plan shall be prepared and provided to the City Planner prior to any excavation being undertaken. Such plan shall also be deposited with the California Historical Resources Regional Information Center. Archaeological sites known to contain human remains shall be treated in accordance with the law. If a deposit or artifact must be removed during project excavation or testing, curation may be an appropriate environmental protection feature.

Data recovery shall not be required for an archaeological or historical resource if the data recovery plan reflects that testing or study already completed has adequately recovered the scientifically consequential information from and about the archaeological or historic resource. The data recovery plan is deposited with the California Historical Resources Regional Information Center.

EPF CUL-2 In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:

- (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - (A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
 - (B) If the coroner determines the remains to be Native American:

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1. The coroner shall contact the Native American Heritage Commission within 24 hours.
 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided by law, or
- (2) Where the following conditions occur, the Specific Plan applicant shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
- (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
 - (B) The descendant identified fails to make a recommendation; or
 - (C) The Specific Plan applicant rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

EPF CUL-3 A qualified paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. A qualified paleontologist is defined as an individual with an MS or PhD in paleontology or geology; familiar with paleontological procedures and techniques; knowledgeable in the geology and paleontology of San Diego County; and has worked as a paleontological mitigation supervisor in San Diego County for at least one year.

A paleontological monitor shall be on site on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential (e.g., Quaternary terrace and landslide deposits correlative with the Bay Point Formation, and the Santiago Formation) to inspect exposures for contained fossils. For Quaternary terrace deposits correlative with the Lindavista Formation, a monitor should be on site on a part-time basis. Geological units with a low potential for yielding paleontological resources, including Holocene age alluvium and previously disturbed deposits, would not require monitoring. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor shall work under the direction of a qualified paleontologist.

When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short time. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In those instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovering of small fossil remains, such as isolated mammal teeth, it may be necessary to set up a screen-washing operation on the site.

Fossil remains collected during monitoring and salvage shall be cleaned, repaired, sorted, and cataloged as an environmental protection. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections. Donation of the fossils shall be accompanied by financial support for initial specimen storage. A final summary report shall be completed that outlines the results of the protection. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.

Geology and Soils

EPF GEO-1 The Specific Plan applicant shall execute and submit to the City Engineer for recordation the city's standard form Geologic Failure Hold Harmless Agreement, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

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EPF GEO-2 Based upon a review of the proposed grading and the identified grading quantities, the Specific Plan applicant shall be required to prepare and submit to the City of Carlsbad grading plans and any related authorizations in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan. The Specific Plan applicant shall submit the grading plans and technical studies/reports for City Engineer review, post security, and pay all applicable grading plan review and permit fees per the City's latest fee schedule, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

EPF GEO-3 The Specific Plan applicant on behalf of itself and all of its successors in interest hereby agrees to hold harmless and indemnify the City from any action that may arise through any geological failure, ground water seepage or land subsidence and subsequent damage that may occur on the Specific Plan area and that is caused by Specific Plan construction, operation, or maintenance.

EPF GEO-4 The bluff edge shall be determined by a qualified geologist or surveyor according to the definition included in the California Code of Regulations, title 14, section 13577(h)(2).

EPF GEO-5 A detailed geotechnical report analyzing the setbacks needed to achieve the safety standards outlined below shall be completed for any specific development proposed on the site. Structures requiring foundations, pools, and fountains shall be set back a minimum of 50 feet from the bluff edge. All development shall be removed or relocated landward when threatened by erosion. The bluff edge shall be determined by a qualified geologist or surveyor for the property according to the definition included in California Code of Regulations, title 14, section 13577(h)(2).

Slope stability analyses and erosion rate estimates shall be performed by a licensed certified engineering geologist and/or geotechnical engineer, or a registered civil engineer with experience in soil engineering. All impermeable, permanent structures shall be setback to ensure a minimum factor of safety of 1.5 (static) and 1.1 (pseudo static). The long-term erosion setback (for structures requiring structural foundations, pools, and fountains) shall be the distance that the bluff might be expected to erode over the design life of the structure (expected to be 75 years) and include an allowance for possible acceleration of historical bluff retreat rates due to sea level rise. Bluff erosion rate estimates shall be established by examining historical records, surveys, aerial photographs, studies, or other evidence that shows the location of the bluff edge through time and be based on a minimum of 50 years of historical information.

EPF GEO-6 All landscaping within any Specific Plan-required bluff setback shall consist of native, non-invasive, drought-tolerant, fire-resistant species and any irrigation system shall be low volume (drip, micro jet, etc.). Excessive irrigation in the bluff setback is prohibited. Drainage and erosion control facilities shall convey site drainage in non-erosive manner to minimize hazards, site instability, and erosion. No removal or thinning of vegetation shall occur on the bluff face.

Greenhouse Gas Emissions

Refer to Air Quality, above.

Hydrology

EPF HYD-1 A biofiltration basin shall be implemented on site within subwatershed 5 for detention of peak flows from the access road on site.

EPF HYD-2 One of two detention options shall be implemented on site within subwatershed 7 to attenuate peak flows associated with on-site construction. A biofiltration basin shall be implemented to detain flows above the surface if no potential open space site constraints are encountered during final design. If these constraints occur, an underground detention vault shall be implemented.

EPF HYD-3 The Specific Plan applicant shall be responsible for ensuring that all final design plans (e.g., grading plans, improvement plans, landscape plans, building plans) incorporate all source control, site design, and treatment control best management practices (BMPs); hydromodification features, and Low Impact Development facilities.

EPF HYD-4 The Specific Plan applicant shall prepare and submit its stormwater management plan for review by the city engineer, in accordance with the exclusive provisions set forth in

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Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan, demonstrating how the Specific Plan complies with hydromodification requirements per the City's Standard Urban Stormwater Management Plan (latest version).

EPF HYD-5 Not Used

EPF HYD-6 Not Used

EPF HYD-7 The Specific Plan applicant shall prepare and process improvement plans for review by the city engineer.

EPF HYD-8 Not Used

EPF HYD-9 The Specific Plan applicant, on behalf of itself and all of its successors in interest, has hereby agreed to hold harmless and indemnify the City of Carlsbad from any action that may arise through any diversion of waters, the alteration of the normal flow of surface waters or drainage, or the concentration of surface waters or drainage from the drainage system or other improvements identified in the City-approved development plans; or by the design, construction, or maintenance of the drainage system or other improvements identified in the City-approved construction plans.

EPF HYD-10 The Specific Plan applicant shall pay the Citywide Public Facilities Fee, the License Tax on new construction, and the Community Facilities District No. 1 special tax (if applicable), subject to any authorized credits. The Specific Plan applicant shall also pay any applicable Zone 13 Local Facilities Management Plan Fees. All such taxes/fees shall be paid at issuance of building permit. If the taxes/fees are not paid, building permits shall not be issued.

EPF HYD-11 The Specific Plan applicant shall implement the following Hydromodification Control Performance Standard:

Hydromodification control BMPs shall be selected and applied to maintain post-project flow rates and durations within 10% of pre-development conditions, for the range of geomorphically significant flows. In addition, construction in the Specific Plan area will avoid critical sediment yield areas as identified in the Carlsbad Watershed Management Area Analysis, or implement measures that allow critical coarse sediment to be discharged to receiving waters, such that there is no net effect to the receiving water. The hydromodification performance standard shall be achieved through LID and/or hydromodification control BMPs designed to achieve the flow duration control standard.

Hydromodification control BMPs that shall be implemented to meet the performance standard may include the LID site design and structural BMPs (see **EPF WQ-18 through EPF WQ-19**) for water quality. Alternatively, hydromodification control may be provided in separate stand-alone flow control facilities or in combination with flood control.

Water Quality

Pre-Construction BMPs

EPF WQ-1 Prior to the issuance of a grading permit, the Specific Plan applicant shall execute a standard form City permanent stormwater quality best management practices (BMPs) maintenance agreement and submit an executed copy to the city engineer for recordation.

EPF WQ-2 Prior to the issuance of a building permit, the Specific Plan applicant shall submit to the City a Tier 3 storm water pollution prevention plan (TIER 3 SWPPP). The TIER 3 SWPPP shall identify and incorporate measures to reduce storm water pollutant runoff during construction of the Specific Plan to the maximum extent practicable. The Specific Plan applicant shall pay all applicable SWPPP plan fees per the City's latest fee schedule.

EPF WQ-3 Prior to the issuance of a grading permit, the Specific Plan applicant shall submit to the City engineer receipt of a Notice of Intent (NOI) from the State Water Resources Control Board (SWRCB).

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EPF WQ-4 Prior to the issuance of a grading permit, the Specific Plan applicant shall comply with the following:

Implement the following BMPs at all times: pollution control practices or devices, erosion control to prevent silt runoff during construction, general housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices or devices to prevent or reduce the discharge of pollutants to stormwater, receiving water, or stormwater conveyance system to the maximum extent practicable. The Specific Plan applicant shall notify prospective tenants of the above requirements.

EPF WQ-5 Prior to the issuance of a grading permit, the Specific Plan applicant shall prepare and process a stormwater management plan (SWMP), subject to review by the city engineer, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan to demonstrate how the Specific Plan meets new/current stormwater treatment requirements per the City's Standard Urban Stormwater Management Plan (SUSMP) (latest version). In addition to new treatment control BMP selection criteria in the SUSMP, the Specific Plan applicant shall ensure that runoff from impervious areas (roofs, pavement, etc.) are drained through landscaped (pervious) areas prior to discharge. The Specific Plan applicant shall pay all applicable fees per the City's latest fee schedule.

EPF WQ-6 Prior to the issuance of a grading permit, the Specific Plan applicant shall provide all-weather maintenance access roads to the public drainage facilities (e.g., headwalls, rip-rap field). Where maintenance access roads are not practical and/or permitted, the Specific Plan applicant shall incorporate low-maintenance design features.

EPF WQ-7 Prior to the issuance of a grading permit, the Specific Plan applicant shall provide the City with evidence that an NOI has been filed with the SWRCB. Such evidence will consist of a copy of the NOI stamped by the State Water Resources Control Board (SWRCB) or the Regional Water Quality Control Board (RWQCB), or a letter from either agency stating that the NOI has been filed, with a copy of the site's applicable waste discharge identification (WDID) number.

Construction BMPs

EPF WQ-8 The contractor shall implement the following erosion control best management practices (BMPs) as needed during construction activities resulting from the Specific Plan:

- Physical stabilization through hydraulic mulch, soil binders, straw mulch, bonded and stabilized fiber matrices, compost blankets, and erosion control blankets (i.e., rolled erosion control products).
- Contain and secure protection of stockpiled materials from wind and rain, unless actively in use.
- Soil roughen graded areas (through track walking, scarifying, sheepsfoot rolling, or imprinting) to slow runoff, enhance infiltration, and reduce erosion.
- Vegetative stabilization through temporary seeding and mulching to establish interim vegetation.
- Wind erosion (dust) control through the application of water or other dust palliatives as necessary to prevent and alleviate dust nuisance.

EPF WQ-9 The contractor shall implement the following sediment control BMPs as needed during construction activities resulting from the Specific Plan:

- Perimeter protection to prevent sediment discharges (silt fences, fiber rolls, gravel bag berms, sandbag barriers, and compost socks).
- Storm drain inlet protection.
- Sediment capture and drainage control through sediment traps and sediment basins.
- Velocity reduction through check dams, sediment basins, and outlet protection/velocity dissipation devices.
- Reduction in off-site sediment tracking through construction entrance/exit stabilization, construction road stabilization, and entrance/exit tire wash.

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- Slope interruption at permit-prescribed intervals (fiber rolls, gravel bag berms, sandbag berms, compost socks, biofilter bags).

EPF WQ-10 The contractor shall implement the following waste and material management BMPs as needed during construction activities resulting from the Specific Plan:

- Management of the following types of materials, products, and wastes: solid, liquid, sanitary, concrete, hazardous, and equipment-related wastes. Management practices include covered storage and secondary containment for material storage areas, secondary containment for portable toilets, covered dumpsters, dedicated and lined concrete washout/waste areas, proper application of chemicals, and proper disposal of all manner of wastes.
- Protection of soil, landscaping, and construction material stockpiles through covers, the application of water or soil binders, and perimeter control measures.
- Incorporation of a spill response and prevention techniques as part of the Specific Plan Stormwater Pollution Prevention Plan (SWPPP) and provision of spill response materials that will be available and conspicuously located at all times on site.

EPF WQ-11 The contractor shall implement the following non-stormwater management BMPs as needed during construction activities resulting from the Specific Plan:

- BMPs or good housekeeping practices to reduce or limit pollutants at their source before they are exposed to stormwater, including such measures as water conservation practices, vehicle and equipment cleaning and fueling practices, and street sweeping. All such measures will be recorded and maintained as part of the Specific Plan SWPPP.

EPF WQ-12 The contractor shall implement the following training and education BMPs as needed during construction activities resulting from the Specific Plan:

- Inclusion of Construction General Permit defined "Qualified SWPPP Developers" (QSD) and "Qualified SWPPP Practitioners" (QSP). QSDs and QSPs shall have required certifications and attend State Water Resources Control Board sponsored training.
- Training of individuals responsible for SWPPP implementation and permit compliance, including contractors and subcontractors.
- Signage (bilingual, if appropriate) to address SWPPP-related issues (such as site cleanup policies, BMP protection, washout locations, etc.).

EPF WQ-13 The contractor shall implement the following inspections, maintenance, monitoring, and sampling BMPs as needed during construction activities resulting from the Specific Plan:

- Performing routine site inspections and inspections before, during (for storm events > 0.5 inch), and after storm events.
- Preparing and implementing rain event action plans prior to any storm event with 50% probability of producing 0.5 inch of rainfall, including performing required preparatory procedures and site inspections.
- Implementing maintenance and repairs of BMPs as indicated by routine, storm event, and rain event action plan inspections.
- Implementing the construction site monitoring plan for non-visible pollutants if a leak or spill is detected.
- Sampling of discharge points for turbidity and pH a minimum of three times per qualifying storm event and recording and retention of results.

Post-Construction BMPs

EPF WQ-14 The Specific Plan area shall effectively eliminate discharges of non-stormwater into the municipal separate storm sewer system (MS4) by implementing BMPs to prevent these discharges. The BMPs shall include prohibiting the discharge of wash water from vehicle and/or equipment washing to the storm drain, as follows:

- Vehicle/equipment cleaning needs shall either provide a covered, bermed area for washing activities or discourage vehicle/equipment washing by removing hose bibs and installing signs.

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prohibiting such uses.

- Washing areas for cars, vehicles, and equipment shall be paved and designed to prevent run-on to or runoff from the area, and plumbed to drain to the sanitary sewer.
- If a car wash area is not provided, measures will be taken to discourage on-site car washing (e.g., posting signage) and to explain how these measures will be enforced.

EPF WQ-15 The Specific Plan applicant shall make storm drain stencils and signs visible adjacent to drain inlets. Stenciling will be provided for all stormwater conveyance system inlets and catch basins. Inlet stenciling may include concrete stamping, concrete painting, or placards.

SPF WQ-16 The Specific Plan applicant shall protect outdoor material storage areas from rainfall, run-on, runoff, and wind dispersal. Materials with the potential to pollute stormwater shall be stored in a manner that prevents contact with rainfall and/or stormwater runoff. Specific BMPs include the following:

- Materials with the potential to contaminate stormwater will be placed in an enclosure, such as in a building, shed, or cabinet, or under a roof or awning that prevents contact with rainfall and runoff, and/or will be enclosed within a secondary containment structure such as a berm, dike, or curb.
- Storage area roofs or awnings will extend beyond the storage area to minimize collection of stormwater within secondary containment areas.
- Contaminated runoff from secondary containment structures will be directed to the sanitary sewer.
- Storage areas shall contain leaks and spills, where necessary.
- Storage areas will be designed to effectively contain spills, for example by sloping toward a sump.
- Roof downspouts will be directed away from storage areas.

SPF WQ-17 The Specific Plan applicant shall protect work areas from rainfall, run-on, runoff, and wind dispersal. Outdoor work areas with potential for pollutant generation shall comply with the following BMPs:

- An impermeable surface (such as concrete or asphalt) will be created or a prefabricated metal drip pan will be used, depending on the size needed to protect the materials.
- The area will be covered with a roof or other acceptable cover.
- A berm will be placed along the perimeter of the area to prevent water from adjacent areas from flowing onto the surface of the work area.
- Runoff will be directly connected to the sanitary sewer. Other specialized containment system(s) may be used where feasible.

The work area will be located away from storm drains or catch basins.

EPF WQ-18 A landscape management plan shall be developed and implemented for all Specific Plan area landscaping that addresses integrated pest management (IPM) and pesticide and fertilizer application guidelines. The IPM will use pest-resistant plants, biological controls, cultural practices, habitat modification, and the use of pesticides according to treatment thresholds only when monitoring indicates pesticides are needed because pest populations exceed established thresholds. The following practices will be implemented within developed areas:

- Existing native trees, shrubs, and ground cover will be preserved if present and feasible.
- Pest-resistant plants will be used, especially adjacent to hardscape areas.
- To ensure successful establishment, the selected plant palette will be appropriate to site soils, slopes, climate, sun, wind, rain, land use, air movement, ecological consistency, and plant

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interactions. Low-water plants will be used.

- Landscaping will be maintained using minimal or no pesticides.
- IPM information will be provided to owners, lessees, and operators.

In addition, the landscape management plan shall include the following components:

- Pesticide applicator certifications, licenses and training.
- Pest identification protocols.
- Practices to prevent pest incidence and reduce pest buildup.
- Monitoring to examine vegetation and surrounding areas for pests to evaluate trends and to identify when controls are needed.
- Establishment of action thresholds that trigger control actions.
- Pest control methods: cultural, mechanical, environmental, and biological controls, as well as appropriate, more conventional pesticides.
- Pesticide management: safety (e.g., Material Safety Data Sheets, precautionary statements, and protective equipment), regulatory requirements, spill mitigation, and groundwater and surface water protection measures associated with pesticide use.
- Fertilizer management guidelines for soil assessment, fertilizer types, application methods, and storage and handling.
- Irrigation systems incorporating weather- or soil moisture-based controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change to reduce water usage and irrigation runoff.

EPF WQ-19 Decorative fountains and pools shall be plumbed to the sanitary sewer.

EPF WQ-20 Outdoor floor sink drains shall have overhead coverage. Indoor and outdoor sink drains shall be connected to a grease interceptor and will discharge to the sanitary sewer.

EPF WQ-21 Vehicle and equipment maintenance, and fuel dispensing, shall not be performed on site. If such activities are needed, source control BMPs shall be provided.

EPF WQ-22 Loading docks shall be covered and/or graded to minimize run-on to and runoff from the loading area. Roof downspouts will be positioned to direct stormwater away from the loading area. Water from loading dock areas shall drain to the sanitary sewer unless infeasible as shown in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan. Direct connections to storm drains from depressed loading docks shall be prohibited. Loading dock areas draining directly to the sanitary sewer will be equipped with a spill control valve or equivalent device, which will be kept closed during periods of operation. A roof overhang shall be installed over the loading area or door skirts (cowling) shall be installed at each bay that encloses the end of the trailer.

EPF WQ-23 Plazas, sidewalks, and parking lots shall be swept at least weekly with a high-efficiency sweeper to prevent the accumulation of litter and debris. Debris from pressure washing shall be collected to prevent entry into the storm drain system. Wash water containing any cleaning agent or degreaser shall be collected and discharged to the sanitary sewer and not discharged to a storm drain.

EPF WQ-24 Prior to the issuance of a building permit, the Specific Plan applicant shall control the following miscellaneous discharges:

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- Fire sprinkler test water shall be discharged to the sanitary sewer.
- Boiler drain lines shall be directly or indirectly connected to the sanitary sewer system and shall not discharge to the storm drain system.
- Condensate drain lines may discharge to landscaped areas if the flow is small enough that runoff will not occur. Condensate drain lines shall not discharge to the storm drain system.
- Rooftop-mounted equipment with potential to produce pollutants (e.g., galvanized metal) shall be roofed.
- Sumps shall feature a sediment sump to reduce the quantity of sediment in pumped water.
- Copper roofing, gutters, and trim or other unprotected metals that may leach into runoff shall not be used.

Low Impact Development Site Design BMPs

EPF WQ-25 Prior to the issuance of a grading permit, the Specific Plan applicant shall use the following Low Impact Development site design BMPs :

- Maintenance or restoration of natural storage reservoirs and drainage corridors (including topographic depressions, areas of permeable soils, natural swales, and ephemeral and intermittent streams).
- Buffer zones for natural water bodies.
- Conservation of natural areas within the construction footprint, including existing trees, other vegetation, and soils.
- Construction of streets, sidewalks, or parking lot aisles to the minimum widths necessary, provided public safety is not compromised.
- Minimization of the impervious footprint of the structures/facilities.
- Minimization of soil compaction to landscaped areas.
- Disconnection of impervious surfaces through distributed pervious areas.
- Landscaped or other pervious areas designed and constructed to effectively receive and infiltrate, retain, and/or treat runoff from impervious areas, prior to discharge.
- Small collection systems located at or as close as possible to the source, to minimize the transport of runoff and pollutants.
- Use of permeable materials for low-traffic areas with appropriate soil conditions.
- Landscaping with native or drought-tolerant species.
- Harvesting and using precipitation.

Structural Low Impact Development BMPs

EPF WQ-26 Prior to the issuance of a grading permit, the following performance standard for structural LID BMPs shall be used for the Specific Plan:

- LID retention BMPs must be selected to retain (i.e., intercept, store, infiltrate, evaporate, and/or evapotranspire) the volume of stormwater runoff produced from the 85th percentile, 24-hour storm event (water quality design volume) to the maximum extent feasible.

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- If it is technically infeasible to retain all or part of the water quality design volume, LID biofiltration BMPs may be used. Biofiltration BMPs must be sized to capture and treat 1.5 times the remaining portion of the water quality design volume. Alternatively, flow-through biofiltration BMPs that provide a total volume of at least 0.75 times the remaining water quality design volume may be used.

Although it is not anticipated to be the case for the Specific Plan area, if both of these structural LID BMP options are not technically feasible, on-site treatment shall occur in conjunction with off-site retention volume mitigation.

Trash Management Control BMPs

EPF WQ-27 Prior to the issuance of a building permit, the Specific Plan applicant shall cause to be installed and maintained full trash capture systems in storm drains that receive runoff from the Specific Plan area.

EPF WQ-28 Prior to the issuance of a building permit, the Specific Plan applicant shall protect trash storage areas from rainfall, run-on, runoff, and wind dispersal. The Specific Plan will include the following source control BMPs to address trash storage areas:

- Trash container areas will be designed so that drainage from adjoining roofs and pavement is diverted around the area to prevent run-on.
- Trash container areas will be screened or walled to prevent off-site transport of trash.
- Roofs, awnings, or attached lids will be provided on all trash containers to prevent rainfall from entering the containers.
- Storm drain inlets will be located away from the immediate vicinity of the trash storage area.
- Signs will be posted on all dumpsters informing users that hazardous material is not to be disposed of.

Agricultural Operation BMPs

EPF WQ-29 Prior to the issuance of a building permit in the Visitor-Servicing Commercial area, a nutrient management plan that includes the following components:

- Apply nitrogen (N) and phosphorus (P) at recommended rates for realistic yield goals. Through precision farming techniques, yield and fertilization can be optimized.
- Use proper timing, formulation, and application methods for nutrients that maximize plant utilization of nutrients and minimize the loss to the environment. This includes split applications and banding of the nutrients, use of nitrification inhibitors and slow-release fertilizers, and incorporation or injection of fertilizers, manures, and other organic sources.
- Coordinate irrigation water management with nutrient management. For example, in-field measurement of crop and soil N status during the growing season can be coupled with high-frequency irrigation to match N applications with crop needs and reduce N losses. Irrigation should also be managed to minimize leaching and runoff.
- Use buffer areas to address concerns on fields where the risk of environmental contamination is high. Buffers may be necessary between urban development and agricultural operations. The site plan may need to be discussed with agricultural commissioner.

EPF WQ-30 Prior to the issuance of a building permit in the Visitor-Serving Commercial zone, an Integrated Pest Management plan shall be completed for crops exceeding 20 acres that includes the following components:

- Identify potential pests. Identify plant species and pests for each plant. Provide materials (e.g., field manual) and tools (e.g., hand lens) to facilitate identification.
- Establish monitoring guidelines for each pest. Monitoring procedures should include regular visual inspection or checking with traps and methods to quantify observations. Monitor for both

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pests and beneficial insects. Use the monitoring program to evaluate when pests may become intolerable and to evaluate the level of effectiveness of controls.

- Establish injury levels and action thresholds for each pest. The injury level is the number of pests associated with intolerable damage. Action thresholds are the set of conditions required to trigger a control action, usually pesticide application.
- Establish a recordkeeping system. Include observations such as:
 - Identification of pest species and how the identification was made
 - The density of the pest infestation
 - The geographic distribution of the pest problem
 - Complete information on how the problem was treated, including the effectiveness
 - Side effects of the treatment on non-target species
 - Public complaints that arise and positive feedback received
- Develop a list of acceptable management strategies for each pest. For example, modify landscaping to be less conducive to pest survival, use pest-resistant plant varieties, encourage naturally occurring biological controls, educate the public to be more tolerant of pests, remove pests mechanically or with barriers and traps, and develop a list of the least toxic pesticides to the environment and formulations that will control the pest if other methods are not successful.
- Develop specific criteria for selecting pest management methods; for example, least disruptive to natural controls, least damaging to water quality.
- Develop pesticide application guidelines/checklist. For example, make sure the application equipment is calibrated correctly; keep written records of any pesticide application.
- Designate responsible parties to implement each step.
- Develop a list of resources.
- Consider the Integrated Pest Management plan as an adaptive program.

EPF WQ-31 Prior to the issuance of a grading permit, the following erosion and sediment control measures shall be applied to the agricultural areas within the Specific Plan area:

- Ensure that runoff will discharge to desilting basins.
- Establish and maintain perennial vegetative cover on fallowed land.

Hazards and Hazardous Materials

EPF HAZ-1 The nutrient management, pesticide management, and erosion and sediment control set forth in Water Quality (see **EPF WQ-29**, **EPF WQ-30**, and **EPF WQ-31** above) shall be implemented as part of the Specific Plan.

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Land Use

There are no land use effects; and, therefore, no environmental protection features are identified.

Mineral Resources

There are no mineral resources effects; and, therefore, no environmental protection features are identified.

Noise

EPF NOI-1 Prior to the issuance of a grading permit, the Specific Plan applicant shall ensure that:

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.
- Temporary sound barriers / shielding shall be installed. This may comprise shielding of equipment in the vicinity of non-mobile equipment where this is the source, or alternatively, shielding at the site boundaries (i.e., the northern, southern, and eastern sides, where adjacent residences are closest).
- Construction noise reduction methods, such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and using electric air compressors and similar power tools rather than diesel equipment, where feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive noise receivers.
- During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise-sensitive receptors.
- Construction activities within the Specific Plan area shall be limited to the following hours: Monday through Friday from 7:00 a.m. to 6:00 p.m. and Saturday 8:00 a.m. to 6:00 p.m. No work shall occur on Sundays or federal holidays.

EPF NOI-2 The following noise control measure represents a best practice to reduce construction noise at adjacent biological habitat areas:

- Construction shall not occur within a 500-foot buffer of biological habitat areas during the breeding season (February 15 through September 1); alternatively, measures (such as installation of temporary noise barriers if needed) will be taken to ensure that noise levels from construction do not exceed either the ambient noise level or 60 A-weighted decibels equivalent sound level, whichever is greater.

Population and Housing

There are no population and housing effects; and, therefore, no environmental protection features are identified.

Fire Protection

EPF FP-1 The Specific Plan applicant and the fire marshal shall identify all Specific Plan-applicable fire protection measures (fire flows, fire hydrant locations, building sprinklers) to serve the Specific Plan. Fire hydrants shall be considered public improvements and be served by public water mains. The plans for such service shall be subject to review in accordance with the exclusive

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provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

Police Protection

There are no police protection effects; and, therefore, no environmental protection features are identified.

Schools

EPF SCH-1 Prior to the issuance of a building permit, the Specific Plan applicant shall provide proof to the City Planner that the Specific Plan applicant has satisfied its obligation to provide school facilities fees.

Libraries

LB-1 The Specific Plan applicant shall pay the citywide Public Facilities Fee, the License Tax on new construction, and the CFD No. 1 special tax (if applicable), subject to any authorized credits. The Specific Plan applicant shall also pay any applicable Zone 13 Local Facilities Management Plan Fee. All such taxes/fees shall be paid at issuance of building permit. If the taxes/fees are not paid, building permits shall not be issued.

Parks and Recreation

EPF REC-1 Prior to the issuance of a certificate of occupancy for the Visitor-Serving Commercial area, the trail network shall be constructed by the Specific Plan applicant, as a private trail open to the public and shall be the maintenance responsibility of the Specific Plan applicant.

Traffic and Circulation

City Improvements

EPF TRA-1 Payment of Citywide Traffic Impact Fee (TIF)

- Timing of Improvement: TIF paid as part of building permit.

EPF TRA-2 Payment of District 3 Bridge & Thoroughfare Fee

- Timing of Improvement: BDF paid as part of building permit.

EPF TRA-3 Cannon Rd/El Camino Real

- Description: Widen El Camino Real northbound approach to provide three through lanes and one right turn lane and add second southbound left turn lane (Improvement is included in current TIF program).
- Fair Share: 5%

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- Specific Plan Contribution: Payment of TIF.
- Timing of Improvement: Expected to be in place by end of 2016; however, the City will monitor location as part of its Growth Management Program and implement improvements to maintain performance standards accordingly.

EPF TRA-4 Palomar Airport Rd/College Blvd

- Description: Widen southbound approach to provide second through lane (Improvement is included in current TIF program).
- Fair Share: 4%
- Specific Plan Contribution: Payment of TIF.
- Timing of Improvement: City will monitor location as part of its Growth Management Program and implement improvements to maintain performance standards accordingly or earlier.

EPF TRA-5 Alga Rd-Aviara Pkwy/El Camino Real

- Description: Provide separate northbound right-turn lane (Improvement is included in current TIF program).
- Fair Share: 1%
- Specific Plan Contribution: Payment of TIF.
- Timing of Improvement: City will monitor location as part of its Growth Management Program and implement improvements to maintain performance standards accordingly or earlier.

EPF TRA-6 Tamarack Ave/El Camino Real

- Description: Provide three lanes in each direction on El Camino Real and add second northbound left-turn lane as funded through current TIF and Robertson Ranch development. Also, re-stripe to add 2nd westbound left-turn lane and reduce eastbound departure leg to one lane (road diet on Tamarack from Skyline Road to Carlsbad Village Drive); will be implemented as part of City re-surfacing project.
- Fair Share: 3%
- Specific Plan Contribution: Specific Plan contribution to El Camino Real widening will be through payment of TIF. Specific Plan will also pay for 100% of re-striping cost of \$100,000. The cost of the re-striping improvement will be reimbursed minus the Specific Plan's fair-share amount of \$3,000, with \$97,000 being subject to reimbursement. Therefore, at the time that building permits are pulled under the Specific Plan, the total of \$100,000 shall be paid to the City.
- Timing of Improvement: El Camino Real improvements are expected to be completed by end of 2016. Re-surfacing of Tamarack and road diet anticipated by end of 2019. However, in both cases, the City will monitor locations as part of its Growth Management Program and implement improvements to maintain performance standards accordingly.

EPF TRA-7 Cannon Rd/Paseo del Norte-Site Dwy

- Description: Provide southbound right-turn out lane at inbound site driveway (at new midblock intersection on Cannon Road between Paseo del Norte and Car Country Drive) to provide optional access to the Paseo del Norte intersection and increased egress capacity from the site.
- Fair Share: 100%
- Specific Plan Contribution: Specific Plan to fund and build improvement.
- Timing of Improvement: City will monitor location as part of its Growth Management Program and Specific Plan applicant will implement improvement to maintain City

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performance standards accordingly or earlier.

EPF TRA-8 El Camino Real/Faraday Ave

- Description: Install southbound and westbound right-turn overlap signal phases.
- Fair Share: 1%
- Specific Plan Contribution: Specific Plan will pay for 100% of the improvement cost of \$50,000. The cost of the improvement will be reimbursed minus the Specific Plan's fair-share amount of \$500, with \$49,500 being subject to reimbursement. Therefore, at the time that building permits are pulled under the Specific Plan, the total of \$50,000 shall be paid to the City.
- Timing of Improvement: City will monitor location as part of its Growth Management Program and implement improvements to maintain performance standards accordingly or earlier.

EPF TRA-9 Palomar Airport Rd/Paseo del Norte

- Description: Developer/Gas Tax funded CIP improvement to add separate eastbound right turn lane and to lengthen eastbound left turn pocket. Also, re-stripe southbound through/right-turn lane as right-turn only and install overlap phasing.
- Fair Share: 4%
- Specific Plan Contribution: Specific Plan will pay for 100% of re-striping cost of \$75,000, plus its fair share (equally 4%) toward the CIP improvements which total \$797,000. The Specific Plan's fair share toward the CIP improvements equals \$31,880. The cost of re-striping will be reimbursed minus the Specific Plan's fair-share amount of \$3,000, with \$72,000 being subject to reimbursement. Therefore, at the time that building permits are pulled under the Specific Plan, the total of \$106,880 shall be paid to the City.
- Timing of Improvement: City will monitor location as part of its Growth Management Program and implement improvements to maintain performance standards accordingly or earlier.

EPF TRA-10 Palomar Airport Rd/Armada Dr

- Description: Re-stripe southbound through lane as through/right-turn lane and re-stripe northbound through/right-turn lane as through lane and install northbound right-turn overlap phasing.
- Fair Share: 5%
- Specific Plan Contribution: Specific Plan will pay for 100% of the improvement cost of \$50,000. The cost of the improvement will be reimbursed minus the Specific Plan's fair-share amount of \$2,500, with \$47,500 being subject to reimbursement. Therefore, at the time that building permits are pulled under the Specific Plan, the total of \$50,000 shall be paid to the City.
- Timing of Improvement: City will monitor location as part of its Growth Management Program and implement improvements to maintain performance standards accordingly or earlier.

EPF TRA-11 Palomar Airport Rd/El Camino Real

- Description: Install adaptive signal system at 22 intersections on El Camino Real, Palomar Airport Road, Paseo del Norte and Cannon Road.
- Fair Share: 2%
- Specific Plan Contribution: Specific Plan will pay \$140,000 for installation of adaptive signals at 7 locations (at \$20,000 each) where intersection impacts have been identified along El Camino Real, Palomar Airport Road, Paseo del Norte and Cannon Road.

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- Timing of Improvement: City initiating pilot program in 2015 and full implementation is anticipated before 2019. However, the City will monitor location as part of its Growth Management Program and implement improvements to maintain performance standards accordingly or earlier.

Caltrans Improvements

EPF TRA-12 Northbound and Southbound I-5 mainline from La Costa Ave to Carlsbad Village Drive

- Description: Provide an additional mainline mixed-flow or Express/HOV travel lane in each direction. The I-5 NCCP will construct four new express lanes (two in each direction) through the impacted sections. The improvements also include extending auxiliary lanes on I-5 from Palomar Airport Road to Cannon Road and from Cannon Road to Tamarack Avenue in both directions.
- Fair Share: 2-3% (varies by segment).
- Specific Plan Contribution: Specific Plan will pay fair-share contribution towards this impacted component of the I-5 NCCP project.

EPF TRA-13 I-5 Southbound On-ramp at Tamarack Ave

- Description: Widen on-ramp to provide two mixed flow lanes and one HOV lane. The I-5 NCCP will widen the ramp to include a second mixed flow lane on Tamarack Avenue, as well as construct a southbound auxiliary lane from Tamarack Avenue to Cannon Road. This will provide additional vehicle queuing capacity on the ramp and allow adjustment of the ramp metering rate to reduce queuing.
- Fair Share: 3%
- Specific Plan Contribution: Specific Plan will pay fair-share contribution towards this impacted component of the I-5 NCCP project.

EPF TRA-14 I-5 Southbound On-ramp at Cannon Rd

- Description: Provide downstream capacity in the form of an additional mainline lane and/or auxiliary lane(s) to allow for adjustment of ramp metering timing. The I-5 NCCP will construct four new express lanes (two in each direction) through the impacted sections. The improvements also include extending auxiliary lanes on I-5 from Palomar Airport Road to Cannon Road and from Cannon Road to Tamarack Avenue in both directions. This additional capacity will allow for adjustment of the ramp metering rate to reduce queuing.
- Fair Share: 3%
- Specific Plan Contribution: Specific Plan will pay fair-share contribution towards this impacted component of the I-5 NCCP project.

EPF TRA-15 I-5 Northbound Ramps at Cannon Rd

- Description: Dedicate right-of-way and re-construct the westbound approach of Cannon Road to include two through lanes and two dedicated right-turn lanes. This improvement will provide more queuing space for right-turning traffic and increase capacity for traffic traveling westbound through the interchange.
- Fair Share: 100%
- Specific Plan Contribution: Specific Plan will pay for and construct this improvement as part of the site frontage improvements.

Section 4.21 Water Service

EPF WS-1 The Specific Plan shall be approved upon the express condition that building permits shall not be issued for the Specific Plan area, unless adequate water facilities are available at

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ENVIRONMENTAL PROTECTION FEATURES

the time of permit issuance and will continue to be available until time of occupancy.

EPF WS-2 The Specific Plan applicant shall design and construct public facilities within public right-of-way or within minimum 20-foot- wide easements granted to the City of Carlsbad. Wider easements may be required for adequate maintenance, access and/or joint utility purposes, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan. The Specific Plan applicant shall dedicate public water easements, if necessary, for the proposed pressure reducing station in conjunction with a review by the district engineer, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

EPF WS-3 The Specific Plan applicant shall design landscape and irrigation plans utilizing recycled water as a source and prepare and submit a colored recycled water use map for processing by the district engineer, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

EPF WS-4 The Specific Plan applicant shall install potable water and/or recycled water services and meters at locations identified by the district engineer, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan. The locations of said services shall be reflected on public improvement plans.

EPF WS-5 The Specific Plan applicant shall design and construct public water and recycled water facilities in conjunction with the district engineer and city engineer, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

EPF WS-6 The Specific Plan applicant shall pay the Citywide Public Facilities Fee, the License Tax on new construction, and the CFD No. 1 special tax (if applicable), subject to any authorized credits. The Specific Plan applicant shall also pay any applicable Zone 13 Local Facilities Management Plan Fee. All such taxes/fees shall be paid at issuance of building permit. If the taxes/fees are not paid, building permits shall not be issued.

Sewer Service

EPF SS-1 The Specific Plan applicant shall pay the citywide Public Facilities Fee, the License Tax on new construction, and the CFD No. 1 special tax (if applicable), subject to any authorized credits. The Specific Plan applicant shall also pay any applicable Zone 13 Local Facilities Management Plan Fee. All such taxes/fees shall be paid at issuance of building permit. If the taxes/fees are not paid, building permits shall not be issued.

EPF SS-2 Building permits will not be issued within the Specific Plan area unless the district engineer has determined that adequate sewer facilities are available at the time of building permit issuance and will continue to be available until time of occupancy.

EPF SS-3 The Specific Plan applicant shall cause to be dedicated to the City the easements for public sewer. All land so offered shall be free and clear of all liens and encumbrances and without cost to the City of Carlsbad.

EPF SS-4 The Specific Plan applicant shall design and construct public facilities within public right-of-way or within minimum 20-foot- wide easements granted to the district or the City of Carlsbad. At the discretion of the district or city engineer, wider easements may be required for adequate maintenance, access, and/or joint utility purposes, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

EPF SS-5 The Specific Plan applicant shall design and construct public sewer facilities, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan.

Solid Waste

EPF SW-1 The Specific Plan must comply with the City's existing regulations related to solid waste, which requires the segregation of solid waste, recyclable materials, and green waste.

ENVIRONMENTAL PROTECTION FEATURES

The City currently diverts approximately 57% of the solid waste generated within its jurisdiction from landfills and is in compliance with all federal, state, and local statutes and regulations related to solid waste. The Specific Plan shall also be consistent with the statewide goal of 75% waste diversion.

Energy

Refer to **Air Quality**, above.

EPF ENR-1 The Specific Plan applicant shall design and construct public facilities within public right-of-way or within minimum 20-foot-wide easements granted to the City of Carlsbad, in accordance with the exclusive provisions set forth in Chapter 6.4, Specific Plan Procedures and Process, of the Specific Plan. At the discretion of the district or city engineer, wider easements may be required for adequate maintenance, access, and/or joint utility purposes.

Socioeconomic Effects

There are no fiscal or economic effects result in physical impacts; and, therefore, no environmental protection features are identified.

APPENDIX C
Legal Description

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of San Diego, and described as follows:

Parcel 10 of Certificate of Compliance recorded October 30, 2001 as File No. 2001-0789074, being a portion of Lot H of Rancho Agua Hedionda, in the City of Carlsbad County of San Diego, State of California, according to Map thereof No. 823, filed in the Office of the County Recorder of San Diego County, November 16, 1896, more particularly described as follows:

Commencing at the most Northerly corner of Parcel A of a Certificate of Compliance recorded November 22, 1995 as File No. 1995-0532900; thence along the Northeasterly line thereof South 33° 44' 36" East 1,290.81 feet; thence South 71° 40' 52" East, 1,586.90 feet; thence South 53° 19' 03" East 893.14 feet; thence South 64° 01' 56" East, 2,257.42 feet to the true point of beginning; thence leaving said Northeasterly line South 08° 21' 57" East, 182.60 feet; thence South 83° 25' 06" West, 313.69 feet; thence South 62° 01' 07" West, 160.23 feet; thence North 76° 53' 47" West, 269.28 feet; thence South 55° 39' 38" West, 381.01 feet; thence South 66° 59' 23" West, 594.40 feet; thence South 87° 02' 46" West, 210.53 feet; thence North 64° 43' 30" West 244.66 feet; thence North 74° 31' 19" West, 186.69 feet; thence North 17° 29' 43" West, 220.16 feet; thence North 83° 34' 03" West, 514.52 feet; thence North 80° 57' 43" West, 209.62 feet; thence North 72° 35' 04" West, 308.66 feet; thence North 45° 17' 25" West, 291.62 feet; thence North 53° 58' 34" West, 226.98 feet; thence North 64° 17' 22" West, 177.48 feet; thence North 70° 53' 29" West 346.91 feet; thence North 48° 58' 53" West 87.04 feet to the Northeasterly corner of Certificate of Compliance recorded November 1, 1985 as File No. 85-411922; thence along the Easterly line thereof South 22° 27' 28" East, 1,994.40 feet to a point on a curve concave Southerly having a radius of 1,051.00 feet; said point being on the Northerly line of Cannon Road to which a radial bears North 07° 46' 16" West; thence Easterly 353.93 feet along said curve and said Northerly line of Cannon Road through a central angle of 19° 17' 41"; thence South 78° 28' 35" East 767.23 feet; thence leaving said Northerly line South 11° 31' 25" West, 51.00 feet to the centerline of said Cannon Road; thence along said centerline South 78° 28' 35" East, 835.93 feet to the Westerly line of Parcel B of Certificate of Compliance recorded November 22, 1995 on File No. 1995-0532901; thence along the boundary thereof North 11° 31' 25" East, 51.00 feet to the Northerly right-of-way of Cannon Road; thence North 06° 29' 19" East, 323.42 feet to the Southwest corner of the Encina Hub Park Lease as shown on Record of Survey Map No. 12462; thence Easterly along the Southerly line of said Encina Hub Park South 84° 52' 07" East, 2,075.76 feet; thence leaving said line South 39° 27' 15" East, 241.06 feet; thence South 85° 03' 35" East, 84.61 feet; thence South 38° 58' 33" East, 274.45 feet; thence North 62° 59' 30" East, 158.03 feet; thence North 83° 53' 25" East, 164.59 feet; thence South 18° 51' 24" East, 200.23 feet to a point on a curve concave Northerly having a radius of 2,000 feet to which a radial bears South 03° 09' 01" West; thence Easterly 412.95 feet along said curve through a central angle of 11° 49' 49"; thence North 81° 19' 12" East 321.89 feet to a point on the Westerly line of Lot F of said map No. 823; thence along said Westerly line North 00° 04' 42" East, 592.04 feet to a point 8 of said Lot F; thence North 07° 20' 13" East, 1,219.61 feet to the North line of said Lot F; thence along said North line North 86° 51' 28" West, 2,025.21 feet to Point 6 of Lot F; thence North 64° 01' 56" West, 275.00 feet to the true point of beginning.

Excepting therefrom that portion of Lot H of Rancho Agua Hedionda as described as the exception Parcel in said Certificate of Compliance recorded November 22, 1995 as File No. 1995-0532900, described as follows:

Beginning at the true point of beginning of said exception parcel; thence North 21° 56' 23" West, 234.00 feet (North 21° 57' 46" West Record); thence North 68° 03' 37" East, 260.32 feet; thence South 21° 56' 23" East, 234.00 feet; thence South 68° 03' 37" West, 260.32 feet to the point of beginning.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

(End of Legal Description)

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

EXHIBIT "A"
LEGAL DESCRIPTION

Order No.: 426460
Escrow No: 426460

The land referred to herein is situated in the State of California County of San Diego, and described as follows:

Parcel 10 of Certificate of Compliance recorded October 30, 2001 as File No. 2001-0789074, being a portion of Lot H of Rancho Agua Hedionda, in the City of Carlsbad County of San Diego, State of California, according to Map thereof No. 823, filed in the Office of the County Recorder of San Diego County, November 16, 1896, more particularly described as follows:

Commencing at the most Northerly corner of Parcel A of a Certificate of Compliance recorded November 22, 1995 as File No. 1995-0532900; thence along the Northeasterly line thereof South 33° 44' 36" East 1,290.81 feet; thence South 71° 40' 52" East, 1,586.90 feet; thence South 53° 19' 03" East 893.14 feet; thence South 64° 01' 56" East, 2,257.42 feet to the true point of beginning; thence leaving said Northeasterly line South 08° 21' 57" East, 182.60 feet; thence South 83° 25' 06" West, 313.69 feet; thence South 62° 01' 07" West, 160.23 feet; thence North 76° 53' 47" West, 269.28 feet; thence South 55° 39' 38" West, 381.01 feet; thence South 66° 59' 23" West, 594.40 feet; thence South 87° 02' 46" West, 210.53 feet; thence North 64° 43' 30" West 244.66 feet; thence North 74° 31' 19" West, 186.69 feet; thence North 17° 29' 43" West, 220.16 feet; thence North 83° 34' 03" West, 514.52 feet; thence North 80° 57' 43" West, 209.62 feet; thence North 72° 35' 04" West, 308.66 feet; thence North 45° 17' 25" West, 291.62 feet; thence North 53° 58' 34" West, 226.98 feet; thence North 64° 17' 22" West, 177.48 feet; thence North 70° 53' 29" West 346.91 feet; thence North 48° 58' 53" West 87.04 feet to the Northeasterly corner of Certificate of Compliance recorded November 1, 1985 as File No. 85-411922; thence along the Easterly line thereof South 22° 27' 28" East, 1,994.40 feet to a point on a curve concave Southerly having a radius of 1,051.00 feet; said point being on the Northerly line of Cannon Road to which a radial bears North 07° 46' 16" West; thence Easterly 353.93 feet along said curve and said Northerly line of Cannon Road through a central angle of 19° 17' 41"; thence South 78° 28' 35" East 767.23 feet; thence leaving said Northerly line South 11° 31' 25" West, 51.00 feet to the centerline of said Cannon Road; thence along said centerline South 78° 28' 35" East, 835.93 feet to the Westerly line of Parcel B of Certificate of Compliance recorded November 22, 1995 on File No. 1995-0532901; thence along the boundary thereof North 11° 31' 25" East, 51.00 feet to the Northerly right-of-way of Cannon Road; thence North 06° 29' 19" East, 323.42 feet to the Southwest corner of the Encina Hub Park Lease as shown on Record of Survey Map No. 12462; thence Easterly along the Southerly line of said Encina Hub Park South 84° 52' 07" East, 2,075.76 feet; thence leaving said line South 39° 27' 15" East, 241.06 feet; thence South 85° 03' 35" East, 84.61 feet; thence South 38° 58' 33" East, 274.45 feet; thence North 62° 59' 30" East, 158.03 feet; thence North 83° 53' 25" East, 164.59 feet; thence South 18° 51' 24" East, 200.23 feet to a point on a curve concave Northerly having a radius of 2,000 feet to which a radial bears South 03° 09' 01" West; thence Easterly 412.95 feet along said curve through a central angle of 11° 49' 49"; thence North 81° 19' 12" East 321.89 feet to a point on the Westerly line of Lot F of said map No. 823; thence along said Westerly line North 00° 04' 42" East, 592.04 feet to a point 8 of said Lot F; thence North 07° 20' 13" East, 1,219.61 feet to the North line of said Lot F; thence along said North line North 86° 51' 28" West, 2,025.21 feet to Point 6 of Lot F; thence North 64° 01' 56" West, 275.00 feet to the true point of beginning.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Excepting therefrom that portion of Lot H of Rancho Agua Hedionda as described as the exception Parcel in said Certificate of Compliance recorded November 22, 1995 as File No. 1995-0532900, described as follows:

Beginning at the true point of beginning of said exception parcel; thence North $21^{\circ} 56' 23''$ West, 234.00 feet (North $21^{\circ} 57' 46''$ West Record); thence North $68^{\circ} 03' 37''$ East, 260.32 feet; thence South $21^{\circ} 56' 23''$ East, 234.00 feet; thence South $68^{\circ} 03' 37''$ West, 260.32 feet to the point of beginning.

(End of Legal Description))

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT R
TO THE INITIATIVE**

**HUB PARK LEASE
ATTACHED FOR INFORMATIONAL PURPOSES ONLY**

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

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Return to

*City of Carlsbad
1200 Elm Ave
Carlsbad, Ca 92008*

L E A S E

THIS LEASE, made and entered into as of the 10th day of November, 1975, by and between SAN DIEGO GAS & ELECTRIC COMPANY, a California corporation, hereinafter called "Lessor", and the CITY OF CARLSBAD, CALIFORNIA, a municipal corporation, hereinafter called "Lessee",

W I T N E S S E T H:

WHEREAS, In 1971 Lessor requested specific plan approval for certain public utility operations in the City of Carlsbad; and

WHEREAS, In the course of processing said request Lessor offered to make a portion of the property covered by the specific plan available to the Lessee for park and recreational purposes, and

WHEREAS, Said offer was accepted by Lessee and incorporated in Ordinance No. 9279 which approved the specific plan as a condition thereof; and

WHEREAS, In accordance with Section 2, Condition No. 3, of Ordinance No. 9279, Lessor and Lessee have resolved the details regarding the lease of certain hereinafter described real property;

NOW, THEREFORE, in consideration of the performance of the terms and conditions hereof the parties agree as follows:

1. Leased Premises. Lessor does hereby lease to Lessee

EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

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those certain premises located in the City of Carlsbad, State of California, containing approximately ninety-one (91) acres as generally shown on the map marked Exhibit "A", attached hereto and made a part hereof. Lessor shall survey the premises within ninety (90) days of the execution of this lease and shall furnish Lessee with a legal description to be attached hereto as Exhibit "B" and made a part hereof.

2. Use. The leased premises may be used by Lessee for park and recreation purposes which shall be supervised to the same extent as other comparable properties owned by Lessee and used for the same purpose. Lessee shall not use the leased premises for any commercial or business purpose that does not reasonably relate to the use of the premises for park and recreation purposes.

3. Term. The term of this lease shall be for a period of sixty (60) years commencing on the 10th day of November, 1975, and ending on the 9th day of November, 2035.

4. Renewal. Within ninety (90) days from the expiration of the initial sixty (60) year term, and each succeeding term thereafter, the parties may by written mutual agreement renew this lease for three (3) additional periods, each consisting of a ten (10) year term, plus one (1) additional term of nine (9) years. In no event shall the cumulative terms exceed ninety-nine (99) years.

5. Additional Construction. This lease is made upon the express condition that the leased premises will be available for

2.

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
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use by Lessor at any and all times for the repair or maintenance of existing and future facilities, as well as all other operations necessary in connection with its public utility operations. It is understood that Lessor may construct additional electrical transmission lines and/or other utility lines upon the leased premises and reserves the right to accomplish said construction. Lessor shall make reasonable efforts to coordinate such activities with Lessee to minimize the interference with the Lessee's use of the premises.

6. Rent. Lessee agrees to pay Lessor rent based on the amount of one half of the taxes assessed against the leased premises and paid by Lessor, but in no case shall the amount paid by the City exceed the sum of fourteen thousand dollars (\$14,000) annually. Lessee and Lessor shall take all reasonable steps to relieve Lessor of the real property tax liability on the leased premises for the term of the lease or any renewal as herein provided. The obligation of Lessee to pay rent shall not commence until five (5) years after execution of this lease or until Lessee has adopted a plan of development for the premises and obtained all permits necessary to accomplish the development, whichever occurs later.

7. Improvements. Lessee shall have the right to construct improvements upon the leased premises. Lessee agrees to consult with Lessor regarding any proposed improvements prior to the commencement of construction. No improvements, including grading or structures of any type, shall interfere with Lessors public utility facilities or operations on the leased premises. Lessor may relocate in a mutually agreeable manner any such improvement at Lessor's expense. Lessor will take every reasonable means to avoid relocation of Lessee's improvements. Upon termination of this lease, after receipt of a written demand from Lessor, Lessee shall remove all improvements

3.

EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

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within ninety (90) days at Lessee's expense.

8. Protection and Patrols. Lessee agrees to police, regulate, and control the entry and activities in and upon the leased premises to the same extent as other comparable property owned by Lessee. In addition, Lessee will take reasonable steps to protect all Lessor-owned property surrounding or adjacent to the leased premises and exterior thereto so as to minimize any and all disturbances and damages, including the possibility of damage to property and injuries to persons incident to the use of said premises by any person entering thereon. Said protection shall be consistent with the protection given to other private property in the City of Carlsbad.

9. Waste. Lessee shall not commit, suffer, nor permit any waste, nuisances, or unlawful acts on the leased premises, and shall at all times maintain the same in a clean and sanitary condition in compliance with all applicable rules, laws, regulations, and ordinances respecting health and safety of the City of Carlsbad and County of San Diego, and the State of California.

10. Right of Entry. Lessor reserves the right to enter upon the leased premises at any time for the purpose of viewing, patrolling and inspecting the same to see if Lessee is faithfully complying with the terms and conditions of this lease.

11. Rights of Lessee. Lessee shall have no rights nor acquire any interest in or to the leased premises other than as provided in this lease and as a lessee and tenant thereof.

12. Default. Should default be made in the performance of any of the terms and conditions of this lease and such default shall continue for sixty (60) days after Lessee has been notified

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

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in writing of such default, then Lessor may re-enter, take possession of said premises, and remove any and all persons and property of Lessee therefrom.

13. Assignment. Lessee shall not assign this lease nor sublease the leased premises except upon the written consent of Lessor which shall not be unreasonably withheld. Subject to the terms and provisions of this lease, Lessee may make any joint use agreement for the use or improvement of the premises and may grant permits, licenses or privileges to any agency, person or partnership to enter upon and/or use any or all of the leased premises, upon terms and conditions as the Lessee deems necessary or desirable.

14. Waiver. Any waiver by Lessor of any breach of one or more of the terms, covenants, and conditions of this lease shall not be a waiver of any subsequent or other breach of the same, or of any other term or condition hereof.

15. Indemnity. Lessee hereby agrees to indemnify, save and hold Lessor harmless from and against any and all demands, claims, suits, loss, damage, injury, resulting from any act or omission of Lessee, its employees, agents, permittees, invitees, or other persons upon the leased premises with or without the consent of Lessee to the person or persons, or property or properties of any person, including injury to or death of any person in any way arising from use and occupancy of the leased premises by Lessee, its agents, servants, employees, or invitees, whether actual or implied by law.

It is the mutual intention and agreement of the parties that the foregoing indemnity provisions shall extend to any and

5.

EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

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all damages suffered by Lessor to its property adjacent to the leased premises or injury to or death of any person upon the adjacent property in any way arising from the use or occupancy of the leased premises, occasioned by the negligent, willful, or intentional acts or omissions of any persons using and who may be in or upon the leased premises.

16. Liability Protection. Lessee agrees to include the leased property in the liability protection program in use for other property owned by Lessee.

17. Notices. Notices to be given from or to either party may be addressed as follows:

- a. Lessor at 101 Ash Street, San Diego, California 92101.
- b. Lessee at 1200 Elm Avenue, Carlsbad, California 92008.

Notices shall be deemed given hereunder when placed by either party in the United States mail, postage prepaid, certified, and properly addressed to the other.

18. Ordinance No. 9279, Section 2, 13-B, 1-3. It is agreed that construction of park improvements, under Paragraph 7 of this lease, are not considered development of Lessor's property as specified in Ordinance No. 9279, Section 2, 13-B, 1-3.

19. Existing Agricultural Lease. Lessee recognizes that a part of the park lease area is presently being leased by Lessor for agricultural purposes. Lessee agrees that Lessor may continue to lease this area for agricultural purposes and will not require the cancellation until Lessee's plans to develop the leased premises for its intended park use are ready to be implemented. Prior to

6.

EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

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implementation, Lessee agrees to provide Lessor with one year's advance notice so that Lessor can arrange the termination of the agricultural use.

IN WITNESS WHEREOF, the parties have individually executed and caused this lease to be executed for and on behalf of each by their respective officers or agents as of the day and year first above written.

SAN DIEGO GAS & ELECTRIC COMPANY,
a California corporation

By 
Senior Vice President

LESSOR

CITY OF CARLSBAD, a Municipal
Corporation of the State of
California

BY 
ROBERT C. FRAZEE, Mayor

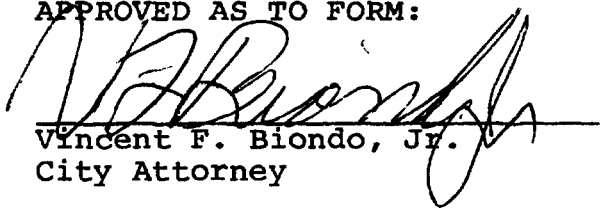
LESSEE

LEWIS L. CHASE, Vice Mayor

ATTEST:


MARGARET E. ADAMS
City Clerk

APPROVED AS TO FORM:


Vincent F. Biondo, Jr.
City Attorney

7.

EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

TO 449 CA (5-73)
(Corporation)

1245



STATE OF CALIFORNIA
COUNTY OF San Diego } SS.

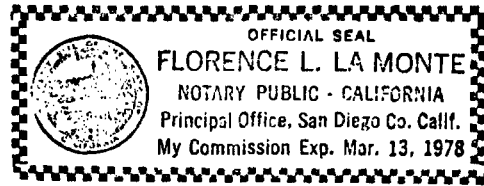
STAPLE HERE

On August 27, 1976 before me, the undersigned, a Notary Public in and for said State, personally appeared R. E. Morris known to me to be the Senior Vice President, and _____ known to me to be _____ Secretary of the corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature Florence L. La Monte

FLORENCE L. LA MONTE
Name (Typed or Printed)



(This area for official notarial seal)

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

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EXHIBIT B

LEGAL DESCRIPTION OF HUB PARK SITE
CITY OF CARLSBAD

That portion of Lots "F" and "H" of Rancho Agua Hedionda, in the City of Carlsbad, County of San Diego, State of California, according to Partition Map thereof No. 823, filed in the office of the County Recorder of said County, November 16, 1896, described as follows:

Beginning at the corner common to Lots "F", "H" and "I" of said Rancho Agua Hedionda; thence along the Northerly line of said Lot "F" South 86° 52' 04" East (record South 87° 23' 24" East per Record of Survey No. 7938), 1456.25 feet; thence leaving said line South 22° 50' 04" West, 1273.28 feet to the beginning of a 949.00 foot radius tangent curve concave Northwesterly; thence Southwesterly along the arc of said curve through a central angle of 18° 39' 20", a distance of 309.00 feet; thence non-tangent North 84° 52' 43" West, 2517.07 feet; thence North 27° 23' 43" West, 392.39 feet; thence North 84° 52' 43" West, 453.19 feet; thence North 07° 51' 43" West, 259.19 feet; thence North 89° 26' 05" West, 404.67 feet; thence North 16° 24' 38" West, 440 feet more or less to the mean high tide line of Agua Hedionda upper Lagoon; thence Southeasterly, Northeasterly and Northwesterly along said mean high tide line to the Northeasterly line of said Lot "H"; thence along said line South 64° 01' 41" East, 275 feet more or less to the POINT OF BEGINNING.

DESCRIPTION
PREPARED BY <u>Bickley</u>
COMPARED BY <u>DEM</u>
SKETCH NO. <u>T-1500-22-5</u>
DATE <u>1-20-76</u>

EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT S
TO THE INITIATIVE**

**BEACH ACCESS LEASE
ATTACHED FOR INFORMATIONAL PURPOSES ONLY**

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY**

2ND AMENDMENT TO LEASE

This SECOND AMENDMENT TO LEASE is made and entered into this 22nd day of NOVEMBER, 1995 by and between SAN DIEGO GAS & ELECTRIC COMPANY, a California corporation, ("COMPANY"), as lessor and the CITY OF CARLSBAD, a Municipal Corporation ("CITY") as lessee,

RECITALS

- A. Company and City entered into a lease of the Agua Hedionda Upper Lagoon, dated March 4, 1957 ("Lease").
- B. Company and City entered into an AMENDMENT TO LEASE on April 1, 1962, which amended the lease by, among other things, adding the Agua Hedionda Middle Lagoon to the leased area.
- C. Company and City now wish to amend the Lease by canceling the Lease on the Middle Lagoon.

NOW THEREFORE, it is mutually agreed between Lessor and Lessee as follows:

- 1. Paragraph 3 of the Amendment to Lease, is hereby amended to delete any reference to the Middle Lagoon, and shall read as follows:

"The City covenants and agrees to police, regulate, and control the entry and activities in and upon the premises demised hereunder, described as the Upper Lagoon, and the posted picnic areas, and in addition, will protect all company owned property surrounding the demised premises, exterior to the portions herein demised, so as to minimize any and all disturbances and damages, including the possibility of damage to property and injury to persons incident to the use of said premises by any permittees, licensees, invitees, agents, employees or independent contractors of the City"

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY**

2. Paragraph 14 of the Amendment to Lease is deleted, and the following is substituted in its place:

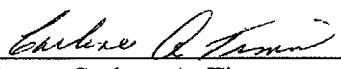
“14. Both parties recognize and agree that due to the operation of the tides, flow of waters, and other causes not under the control of either party, certain subsurface obstructions, shoals, bars, and other potentially dangerous conditions, may develop from time to time in and under the surface of the waters of the Upper Lagoon, and the City, its agents, servants, employees, permittees, licensees, invitees, and other persons using and entering upon the Upper Lagoon and any of the premises herein demised, do so with knowledge and express notice of such conditions, and do hereby specifically release and hold the Company harmless from and against any claims, demands, or liabilities for damages or injuries occasioned by or resulting from such subsurface conditions.”

3. To the extent that the above changes and modifications are at variance with the provisions of the Lease dated March 4, 1957, as amended, the provisions of this Lease are modified, altered and amended. All other terms and conditions of the Lease shall remain and continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to Lease to be executed by their authorized corporate representatives as of the day and year first above written.

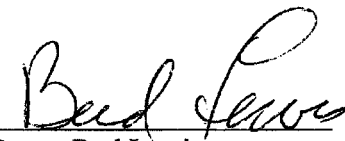
LESSOR:

SAN DIEGO GAS &
ELECTRIC COMPANY,
a California corporation


By: Carlene A. Timm
Real Estate Management &
Planning, Manager

LESSEE:

CITY OF CARLSBAD,
a Municipal Corporation


By: Bud Lewis
Mayor of the City
of Carlsbad

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EXHIBIT ATTACHED FOR INFORMATIONAL PURPOSES ONLY**

AMENDMENT TO LEASE

THIS AGREEMENT, made and entered into as of this 1st day of April, 1962, by and between SAN DIEGO GAS & ELECTRIC COMPANY, a California corporation, hereinafter referred to as the "Company", as Lessor, and the CITY OF CARLSBAD, a municipal corporation of the State of California, hereinafter referred to as the "City", as Lessee,

WITNESSETH:

WHEREAS, the parties hereto have made and entered into a lease dated March 4, 1957, respecting certain demised premises therein described; and

WHEREAS, the City and its inhabitants will enjoy certain recreational benefits by extending the term of the lease of the waters of the Upper Lagoon; and

WHEREAS, since the execution of the said lease, the Company, at its own expense, has improved certain beach areas suitable for picnics and extends to the people of the City of Carlsbad the use of the surface of the waters of the Middle Lagoon, which the Company believes will add to the enjoyment of sports enthusiasts, vacationers and others pursuing aquatic sports, fishing, and relaxation; and

WHEREAS, it is the intention of the parties hereto that the enjoyment of the premises hereinafter described shall be without prejudice or detriment to the Company in the use and operation of its facilities situated at or near the described premises; and

WHEREAS, the parties intend by this, as an amendment to said lease, to modify, extend, and change certain conditions thereof in accordance with the desires of the parties;

NOW, THEREFORE, the parties agree that said lease is hereby amended in the following respects only:

1. The following is hereby substituted in the place and stead of Paragraph 2 of said lease and the same is hereby amended to read as follows:

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"2. This lease is hereby renewed and the term hereof is hereby extended for a period of ten (10) years, commencing on the 1st day of April, 1962, and ending on the 31st day of March, 1972. To assure to each and to provide for certain rights and privileges of the parties, said extended term is divided into two equal periods of five (5) years each, and each such period is subject to the following conditions:

a. The first period of five (5) years shall commence on the 1st day of April, 1962, and shall continue to and including the 31st day of March, 1967, subject to all the other terms and conditions of this lease as amended. During the first period of such extension, the Lessee shall have the quiet and peaceable use of said demised premises, and during which period the Company has no planned expansion program which will affect the demised premises. It is specifically understood that the Company may enter upon the premises, under Paragraph 3 hereof, to perform such maintenance and repair work as shall be deemed necessary by the Company.

b. The second period of five (5) years shall commence on the 1st day of April, 1967, and shall continue to and including the 31st day of March, 1972, during which period the Company, on a date as yet unascertained, will enter into a major construction program to provide additional facilities in order to provide better service to the City, its inhabitants, and others living in and near the area in which the demised premises are situated, and which program will involve and affect certain of the demised premises. To the extent necessary for the work required to be performed under such major construction program, the Company will from time to time interfere with and interrupt the use, and quiet and peaceable enjoyment of the demised premises by the Lessee, to

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which the Lessee hereby agrees.

c. On and after the 31st day of March, 1972, this lease shall continue from year to year thereafter unless this lease is terminated by either party as provided in Paragraph 2d below.

d. Either party may terminate this lease by written notice to the other given not less than sixty (60) days prior to the 1st day of April of any year after 1971, and upon the giving of such notice this lease shall terminate as of the 1st day of April following the giving of such notice.

e. In the event of such termination of this lease, any structural improvement which may have theretofore been erected or constructed on the leased premises by the City or its licensees or permittees shall be removed therefrom at the expense of the City within sixty (60) days from and after the date of termination. Either party hereto further reserves the right to terminate this lease at any time should the other fail to perform faithfully each and all of the conditions, covenants, and obligations on its part to be performed."

2. The following is hereby substituted in the place and stead of Paragraph 9 of said lease and the same is hereby amended to read as follows:

"9. Notwithstanding any other provisions contained in this lease, the Company reserves to itself the sole and exclusive use of the entire southerly bank of said Upper Lagoon, as shown or indicated on 'Exhibit A' attached hereto, except as hereinafter provided.

a. The Company has established and posted certain 'picnic beaches' on the southerly shore which the Company may expand, or reduce in size and number at its sole option, and as to these, so long as the same may be so set aside, the City, its licensees, permittees, and invitees, may jointly use and enjoy said 'picnic beaches' for the sole purpose of recreation and diversion, and no part thereof shall be used for commercial activities, purposes,

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or endeavors of any kind or character. In the event of any dispute or question as to what constitutes a 'commercial activity', the decision of the Company shall be binding and conclusive. The recreational activities on the southerly shore shall be confined to the posted areas.

b. In consideration of the use and privilege extended to the City under Paragraph 9a above, the City agrees, at its own expense and at no cost to the Company, to erect, provide, maintain and service such suitable sanitary facilities as may be required for the comfort and needs of the persons using said posted beach areas.

c. The Company reserves the right at any time during the term of this lease, or an extension hereof, to grant to its employees or to an association of company employees, the right and privilege of access to and from said Upper Lagoon from the southerly bank thereof; and the Company further reserves the right to grant to said company employees or to an association of said employees, the sole and exclusive right and privilege to erect a boat landing or boat landings or other structures on the southerly bank of said Upper Lagoon or in the waters adjacent thereto; and the Company further reserves the right to grant to said employees or association of employees a joint use with the City of the waters of the Upper Lagoon for recreational purposes, including fishing, boating and other similar sporting activities.

d. The Company, its employees, agents, servants, permittees and licensees, shall have the right, without payment of any fee or compensation to the City or its licensees or permittees therefor, to enter upon the leased premises at any time for the purpose of operating, maintaining, and repairing any of said property.

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e. It is understood and agreed by the Company and the City that any use of the leased premises by the employees, permittees and licensees of the Company shall be subject to the structural building requirements of the City of Carlsbad, and any safety and operational rules and regulations of said city. "

3. The following is substituted in the place and stead of Paragraph 10 of said lease and the same is hereby amended to read as follows:

"10. The City covenants and agrees to police, regulate, and control the entry and activities in and upon the premises demised hereunder, described as the Upper and Middle Lagoon, and the posted picnic areas, and, in addition, will protect all company-owned property surrounding the demised premises, exterior to the portions herein demised, so as to minimize any and all disturbances and damages, including the possibility of damage to property and injury to persons incident to the use of said premises by any permittees, licensees, invitees, agents, employees or independent contractors of the City. "

4. A new Paragraph 14 is added to said lease to read as follows:

"14. The Company further grants to the City the right to use the surface of the waters of the lagoon generally referred to as the Middle Lagoon for recreational, sport, fishing and other similar purposes of the City and its licensees, permittees and invitees.

a. The Middle Lagoon is designated and described for the purposes of this lease only, as that portion of the lagoon waters that lie between the easterly right of way line of the Santa Fe Railway and the westerly right of way line of the present California State Freeway 101. It is understood and agreed that any and all portion and portions of the Company's contiguous shore lands lying above Mean Sea Level, USGS Datum, is excluded herefrom.

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b. Both parties recognize and agree that due to the operation of the tides, flow of waters, and other causes not under the control of either party, certain subsurface obstructions, shoals, bars, and other potentially dangerous conditions, may develop from time to time in and under the surface of the waters of the Upper and Middle Lagoons, and the City, its agents, servants, employees, permittees, licensees, invitees, and other persons using and entering upon the Middle and Upper Lagoons and any of the premises herein demised, do so with specific knowledge and express notice of such conditions, and do hereby specifically release and hold the Company harmless from and against any claims, demands, or liabilities for damages or injuries occasioned by or resulting from such subsurface conditions. "

5. A further new Paragraph 15 is hereby added to said lease, to read as follows:

"15. Notices to be given hereunder from one party to the other may be served in person or may be sent by certified mail to:

- a. The City, at 2960 Rio Pico Boulevard, Carlsbad, California;
- b. The Company, at 861 Sixth Avenue, San Diego, California; or
- c. At such other place as the parties may designate. "

6. This amendment to said lease shall not become effective unless and until it shall be authorized and approved by the Public Utilities Commission of the State of California, and shall be subject to any changes or modifications as said Commission may direct or order in the exercise of its jurisdiction.

7. Insofar as the above changes and modifications are at variance with the provisions of the lease dated March 4, 1957, the provisions of said lease are modified, altered, and amended. As to any and all of the other terms and conditions of said lease, the same shall remain and continue and are now in full force and effect.

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IN WITNESS WHEREOF, the parties have caused this instrument to be executed for and on behalf of each of the parties by their duly authorized officers or agents as of the day and year first above written.

SAN DIEGO GAS & ELECTRIC COMPANY,
a Corporation

By *[Signature]* President

LESSOR

Attest:

[Signature]
Assistant Secretary

CITY OF CARLSBAD, a Municipal
Corporation

By *[Signature]*

LESSEE

Attest:

[Signature] Clerk

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LE A S E

THIS AGREEMENT, made this *4th* day of *March* 1957, between SAN DIEGO GAS & ELECTRIC COMPANY, a California corporation, sometimes hereinafter referred to as the "Company," as Lessor, and the CITY OF CARLSBAD, a municipal corporation of the State of California, sometimes hereinafter referred to as the "City," as Lessee,

W I T N E S S E T H:

1. That for and in consideration of the mutual covenants, agreements and benefits to the respective parties hereto and the sum of \$1.00 in hand paid by the City to the Company, receipt of which is hereby acknowledged, the said Lessor does hereby lease to the said Lessee those certain lands and waters thereon, commonly known as the Upper Agua Hedionda Lagoon, or sometimes referred to herein as the "lagoon"; delineated and shown on "EXHIBIT 'A'" hereto attached, for recreation, sporting, fishing and other purposes of said City.

2. That the term of this lease shall be for an initial period of five years commencing as of the 1st day of April, 1957, and ending the 31st day of March, 1962, and continuing thereafter from year to year unless terminated by either party at the beginning of any lease year commencing April 1st, 1962, and not before, in the manner

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set forth below, viz:

In the event either the Lessor or Lessee shall so desire to terminate this lease as herein provided, it shall give written notice to the other party of the desire so to terminate not less than sixty days before April 1st, and upon the giving of such notice as herein provided, this lease shall thereafter ipso facto terminate as of the 1st day of April following the giving of such notice, said notice to be given by the party so desiring to terminate the lease by forwarding a copy of such notice to the other party by United States mail to the addressee at its place of business in the City of San Diego or City of Carlsbad, as the case may be.

In the event of such termination of the lease, any structural improvement which may have theretofore been erected or constructed on the leased premises by the City or its licensees or permittees shall be removed therefrom at the expense of the City within sixty days from and after the date of termination. Either party hereto further reserves the right to terminate this lease at any time should the other fail to faithfully perform each and all of the conditions, covenants and obligations on its part to be performed.

3. That this lease is made upon the express condition, among others, that said lands or lagoon and the entire area leased hereby will be available for the unrestricted and unconditional use by the Company at any

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and all times for dredging, redredging, filling, refilling, deepening and/or other improving or maintenance work therein, thereon and thereabouts; as well as all other operations necessary in connection with its public utility operations.

4. That during the term hereof the City shall assume and accept all liability from any and all causes to persons or parties, other than the Company, its representatives, agents or employees, engaged in its public utility operations, for events that occur upon the leased premises during the term of this lease, and the City further covenants and agrees to protect, indemnify and save harmless the Company from any and all such liabilities.

In no event shall the Company be liable for damages or injuries to persons or property of the City or its permittees or licensees, whether such injury arises out of the condition of the premises or the use of the premises, the City hereby agreeing in each instance, as aforesaid, to hold the Company harmless against any claim or demand for such damage or injury or arising out of the same or otherwise.

5. Subject to the terms and provisions of this lease, the Company hereby expressly confers upon the City the right to grant permits, licenses or privileges to any agency, person or partnership to enter upon and/or use portions of the leased premises, upon terms and conditions as the City deems necessary or desirable, it being under-

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stood, however, that in no event shall such permits, licenses or privileges extend beyond the term of this lease and that each and all of the same be, as herein indicated, subordinate and subject to the terms and provisions of this master lease.

Subject to the provisions of paragraph ⁹ ~~X~~ hereof, *EDF*
the City, its permittees and licensees shall have the *ROO*
right to erect and maintain structures on the premises, *M.M.C.*
but the same shall at all times be free from mechanics' liens and other encumbrances.

6. The City shall not commit nor suffer waste to be committed on the premises, nor permit unlawful acts to be done or performed thereon and shall at all times keep and maintain the premises and the immediate surroundings in a sanitary condition so that the same shall meet with the approval of all health authorities of the City of Carlsbad and the State of California, and neither of the parties hereto shall at any time permit any nuisance to be committed on the lands or waters of the upper lagoon or an any part of the same. The City shall permit no shooting or other objectionable activities on or over said property.

7. This lease shall not be assignable or transferrable, and there shall be no subletting by the City except upon the written consent of the Company first had and obtained, it being understood that any and all persons or parties entering upon the lands and waters subject

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hereto under or by virtue of this lease, shall not be considered as acquiring hereunder any permanent interest of whatever nature or kind in the land or waters of the Company or to any part of the same.

8. All costs and expenses in connection with the activities of the City covered by this lease shall be borne by the City except as may be otherwise indicated herein, and in the event this lease is terminated in whole or in part the City agrees not to claim or hold the Company liable for any loss which may be occasioned thereby.

9. The Company reserves the right to the sole and exclusive use of the southerly bank of said upper lagoon as shown or indicated on Exhibit "A" attached hereto; in the event that the Company shall at any time during the term of this lease grant to its employees or an employee association of the Company the right and privilege of access to said lagoon from the southerly bank thereof (and it shall have the right and privilege so to do) the Company shall have the further right to give and grant to its employees or an employee association of the Company the sole and exclusive right and privilege of erecting a boat landing or boat landings or other structures on the south bank of said lagoon or in the waters adjacent thereto, including the use of such waters of said lagoon for recreational purposes, including fishing thereon.

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The Company, its employees, agents, servants, permittees and licensees to have the right without payment to the City therefor, to enter upon the said leased premises at any and all times for the purpose of operating and maintaining said property.

It is understood and agreed by the Company and the City that any use of the leased premises by the employees, permittees and licensees of the Company shall be subject to the structural building requirements of the City of Carlsbad, and any safety and operational rules and regulations that may be hereinafter adopted by the City of Carlsbad.

10. The City covenants and agrees that it will in a reasonable manner, and consistent with the protection given to other private property within the City of Carlsbad, endeavor to protect all surrounding area owned by the Company and exterior to the portions of land owned by the Company herein leased to the City. City agrees to use its best efforts to regulate activities and entry upon the upper lagoon so as to minimize dangers incident thereto by any permittees or licensees of the City of Carlsbad.

11. No payments of rental are to be made hereunder by the City, consideration for this lease being the benefits accruing and to accrue to each of the parties hereto growing out of the execution of this lease.

12. Neither the City, its licensees or

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permittees shall at any time during the term of this lease cause or permit any solid fills of earth, concrete, rock or other material to be placed in, upon or along said leased premises or permit or cause to be placed any rock or cement therein or thereon; and neither shall said City, its licensees or permittees, at any time during the continuance of this lease erect, place or construct any float, wooden pier or other structure at, upon or along said lagoon which shall extend from the shoreline of said lagoon more than 150 feet into or over said lagoon, measured at right angles to the shoreline of the same.

13. This lease shall not become effective unless and until it shall have been authorized by the Public Utilities Commission of the State of California, and shall be subject to such changes and modifications as said Commission may direct in the exercise of its jurisdiction.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their proper officers thereunto duly authorized this day of 1957.

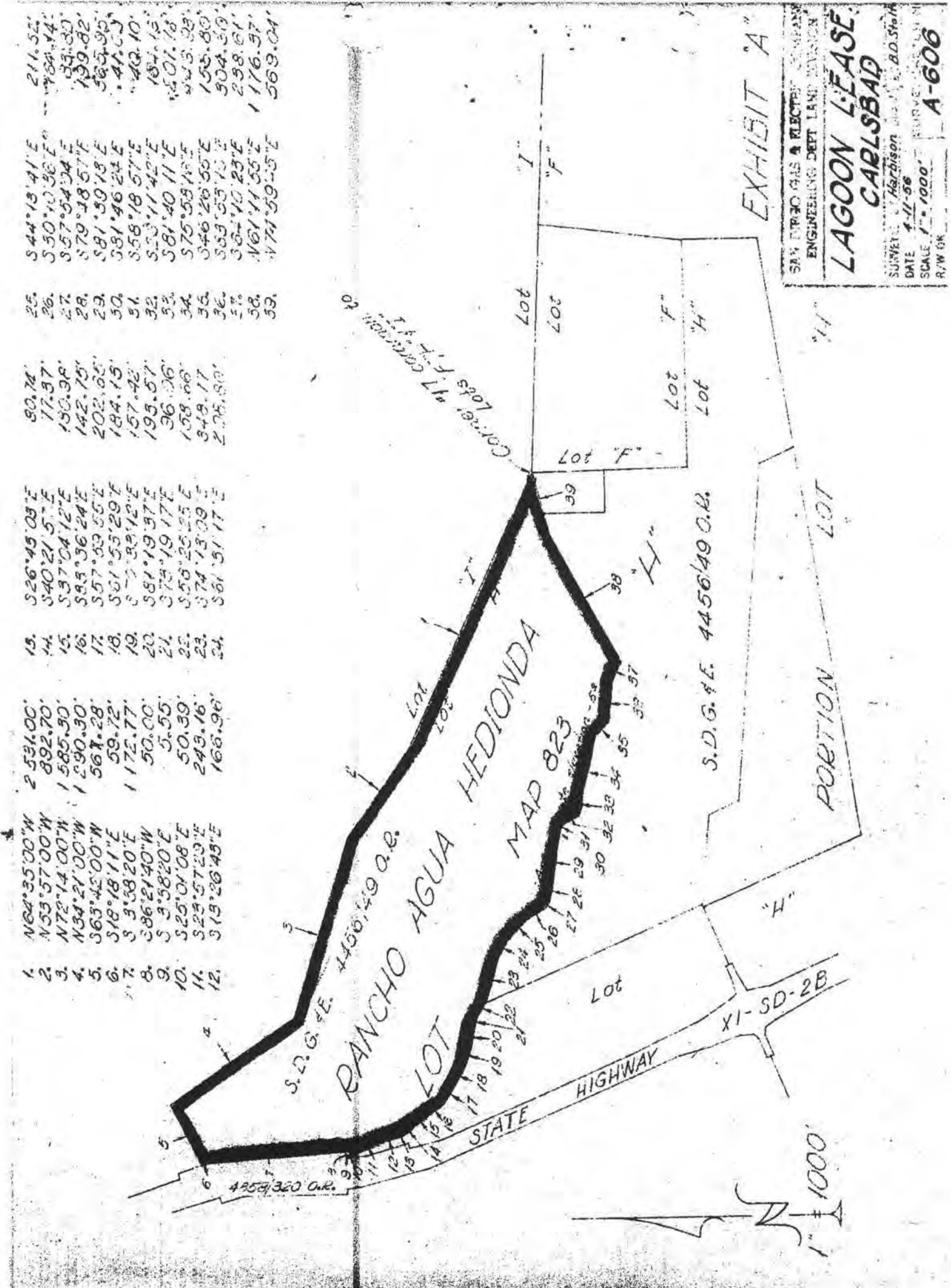
SAN DIEGO GAS & ELECTRIC COMPANY,
a corporation

By *E. J. Sherman* President
By *R. J. [unclear]* Secretary
LESSOR

CITY OF CARLSBAD, a municipal corporation,

By *M. M. [unclear]*
LESSEE

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MK

55109

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
SAN DIEGO GAS & ELECTRIC COMPANY)	
for an order of the Public Utilities)	
Commission of the State of California)	Application No. 38965
approving a lease agreement entered)	
into by the applicant for lands and)	
waters thereon, described in the agree-)	
ment and commonly known as the Upper)	
Agua Hedionda Lagoon.)	

OPINION AND ORDER

The San Diego Gas & Electric Company by its application filed on April 8, 1957, applied for authority to carry out the terms of an agreement dated March 4, 1957, with the City of Carlsbad. Under the terms of the agreement the applicant agrees to lease to the City of Carlsbad certain lands and water thereon, commonly known as the Upper Agua Hedionda Lagoon.

The application states that as an accommodation to the City of Carlsbad's desire to develop the area for recreational and other purposes, and in the interests of promoting good public relations with the citizens of the City of Carlsbad, and with the belief that it would in no way hinder the applicant's public utility operations, the applicant entered into the agreement dated March 4, 1957, a copy of which was attached to the application and marked Exhibit "B".

The agreement provides for the lease of the lagoon for the above-mentioned purposes for the period April 1, 1957 to March 31, 1962, continuing thereafter on a year-to-year basis unless terminated by either party at the beginning of any lease year commencing April 1, 1962.

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A. 38965 MK

The agreement provides that the entire area leased will be available for the unrestricted and unconditional use by applicant at any and all times for dredging, redredging, filling, refilling, deepening and/or other improving or maintenance work therein, thereon and thereabouts, as well as all other operations necessary in connection with its public utility operations.

No monetary payments of rental will be made and the City of Carlsbad agrees that during the term of the lease it shall assume and accept all liability from any and all causes to persons or parties, other than the Company, its representatives, agents or employees, engaged in its public utility operations, for events that occur upon the leased premises during the term of the lease and the City further covenants and agrees to protect, indemnify and save harmless the Company from any and all such liabilities.

The agreement contains a provision that the lease shall not become effective unless and until it shall have been authorized by the Public Utilities Commission of the State of California and shall be subject to such changes and modifications as said Commission may direct in the exercise of its jurisdiction.

The Commission having considered the above-entitled application and being of the opinion that the application should be granted and that a public hearing thereon is not necessary; therefore,

IT IS HEREBY ORDERED that San Diego Gas & Electric Company may, on or after the effective date hereof, lease to the City of Carlsbad, in accordance with the terms of an agreement dated March 4, 1957, a copy of which is attached to the application as Exhibit "B", those certain parcels of property described therein and as shown by the map attached to said agreement.

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A. 38965 MK

IT IS FURTHER ORDERED that San Diego Gas & Electric Company shall file a statement with this Commission promptly after termination of this agreement showing the date when said agreement was terminated.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 11th day of JUNE, 1957.

PETER E. MITCHELL
President
RAY E. UNTEREINER
MATTHEW J. DOOLEY
REX HARDY
C. LYN FOX
Commissioners