

Planning Area F Zoning Facts

Zoned Open Space & Carlsbad and Local Coastal Program Zoning for Planning Area F [aka Shopoff site]:

The site Shopoff has an option to purchase is officially Planning Area F in the P-C Zone.

There are Zoned Open Space areas within the P-C Planned Community Zone, such as San Pacifico's Recreation Center, The Aviara Golf Course, recreation areas, and landscaped and natural Open Space areas. The Open Space Zoning within the P-C Zone is done by Planning Area Zoning in a Master Plan. The Master Plan is the governing Zoning for the entire P-C Zone. Unfortunately the City's planning structure is a bit complicated.

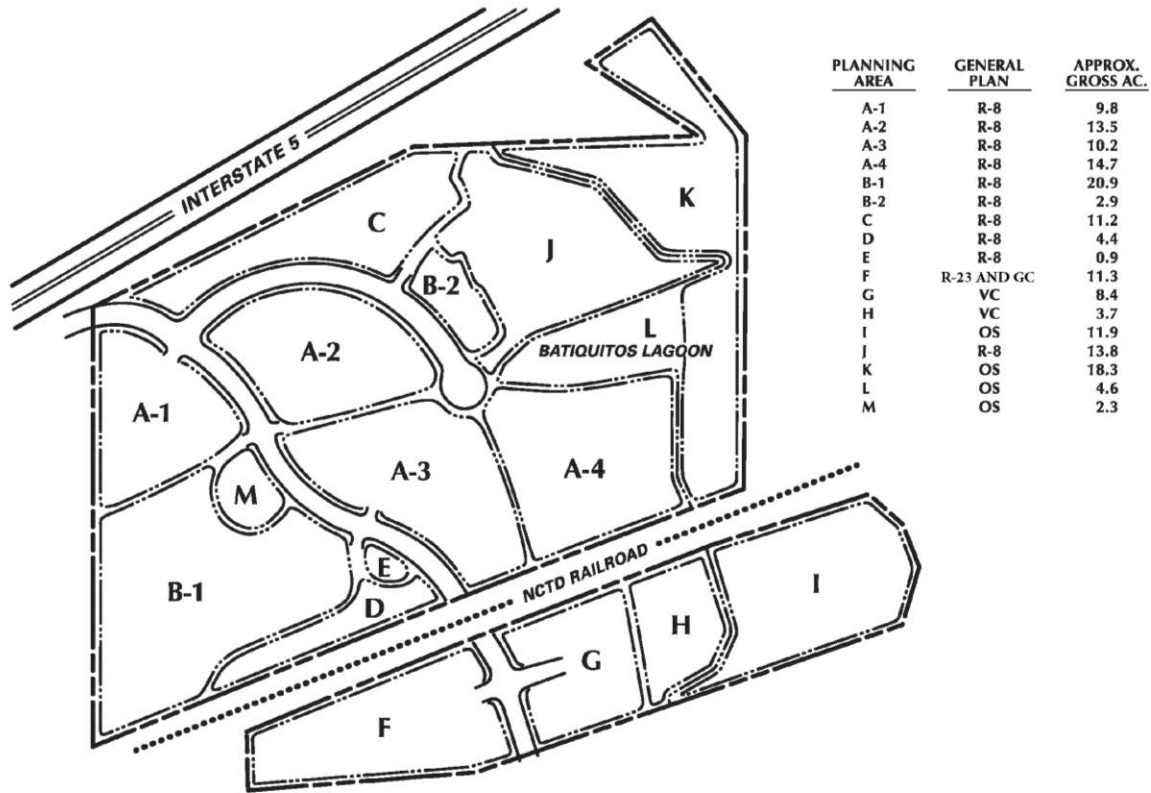
Carlsbad Zoning Map:



Source: <http://www.carlsbadca.gov/civicax/filebank/blobload.aspx?BlobID=24153>

The Shopoff site is Planning Area F of the Poinsettia Shores Planned Community (P-C) that is governed by the Poinsettia Shores Master Plan and Local Coastal Program. San Pacifico is the largest component of this Coastal Planned Community, Master Plan and Local Coastal Program. Because Poinsettia Shores Planned Community is in the California Coastal Zone the Zoning must be approved by the California Coastal Commission by a document called a Local Coastal Program to be valid.

Shopoff proposed Amendment to Poinsettia Shores Master Plan & Local Coastal Program, Exhibit 8:



**PLANNING AREAS
POINSETTIA SHORES MASTER PLAN**



EXHIBIT 8

October 20, 1993
Revised October 14, 2016

Source: Shopoff proposed Amendments to Poinsettia Shores Master Plan & Locals Coastal Program on file with City of Carlsbad Planning Department - MP-16-01, LCPA-16-02 amend 2017-01, HMP-15-04 & HMP-16-02, MS-16-02, CT-16-03, PUD-16-01 & PUD-16-02, SDP-16-02, CDP-16-07 & CDP-16-08

The Local Coastal Program for Planning Area F’s has the Zoning as “Non-residential Reserve”. You can look this up yourself go to page 101 at the following link on the on the City’s Local Coastal Program Website <http://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=24088>. CA Coastal Commission and Carlsbad Local Coastal Program’s current Costal Zoning of Planning Area F specifically states and requires the following. The following is the same as the current Planning Area F zoning in the Poinsettia Shores Master Plan and Local Coastal Program:

“10. PLANNING AREA F

Planning Area F is located at the far northwest corner of the Master Plan area west of the AT&SF Railway right-of-way. This Planning Area has a gross area of 11 acres and a net developable area of 10.7 acres.

Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an “unplanned” area, for which land uses will be determined at a later date when more specific planning is carried out for areas west of the railroad right-of-way. A future Major Master Plan Amendment will be required prior to further development approvals for Planning Area F, and shall include an LCP Amendment with associated environmental review, if determined necessary. The intent of the NRR designation is not to limit the range of potential future uses entirely to non-residential, however, since the City's current general plan does not contain an “unplanned” designation, NRR was determined to be appropriate at this time. In the future, if the Local Coastal Program Amendment has not been processed, and the City develops an “unplanned” General Plan designation, then this site would likely be redesignated as “unplanned.” Future uses could include, but are not limited to: commercial, residential, office, and other uses, subject to future review and approval. **As part of any future planning effort, the City and Developer must consider and document the need for the provision of lowercost visitor accommodations or recreational facilities (i.e. public park) on the west side of the railroad.”** *Source: Carlsbad Local Coastal Program page 101.*

The Ponto Development Committee has confirmed that the “City and Developer” did not comply with this requirement when the City changed the General Plan land use designation on Planning Area F.

In a Public Records Request [PRR-2017-260] the Ponto Development Committee specifically asked the City for a record of the Developers and City complying with the Planning Area F requirements in the Ponto Beachfront Village Vision Plan and/or 2015 General Plan Update process. **PPR-2017-260 produced no record of City and Developer compliance with the Planning Area F requirements. Specifically the City stated: “The CPRA (California Public Records Act) does not require an entity (City) to either create a record that does not exist or to answer questions (form or interrogatory). In reviewing your email you are asking the City to answer questions about information not found in the documents of existence provided. The City is unable to assist you in this manner.”**

As such Shopoff is proposing to “Amend” the current Coastal “Non-residential Reserve” General Plan Land Use designation and Coastal Zoning for Planning Area F. To do so requires both City and California Coastal Commission approval. Shopoff and/or the City will be required to comply with the above Coastal Zoning requirements. The California Coastal Commission has informed the City of this and has graciously provided the following communication so Carlsbad Citizens have an understanding of the Local Coastal Program [LCP] Amendment issues/process for Planning Area F:

“The City is currently undertaking a comprehensive update to their LCP funded in part through a CCC grant. As a part of this process the City will be consolidating all previous LCP segments into a single, unified LCP. The City has received direction from both the Commission (May 2016 CCC hearing) and Commission staff, that **as a part of this update the City shall undertake an inventory of visitor serving uses currently provided within the City’s Coastal Zone which will then serve to inform updates to the City’s land use and zoning maps as necessary. This inventory could have future implications for the appropriate land use and zoning associated with the Ponto area.”** *Source: California Coastal Commission Staff*

Recreation use is one of the Coastal Visitor Serving uses. Inland Carlsbad and other North County Citizens, and Visitors (that stay in our hotels and resorts) can only access, recreate and visit the coast if there are Coastal recreational land uses and areas to do so. Without Coastal recreational visitor serving uses the coast would be a wall of inaccessible development that excludes visitors (like our own inland Carlsbad Citizens) from accessing and recreating at the Coast. A Coastal Public Park is particularly

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valuable as a visitor serving use as it is a “low-cost” visitor serving land use that is affordable to all. As the Ponto Development Committee and San Pacifico Community Association have documented – THE CITY CURRENTLY HAS NO EXISTING OR PLANNED COASTAL PARKS IN SOUTH CARLSBAD. We hope the LCP Amendment Process will change that and South Carlsbad Citizens and Visitors will have a meaningful Coastal Park to access and recreate.