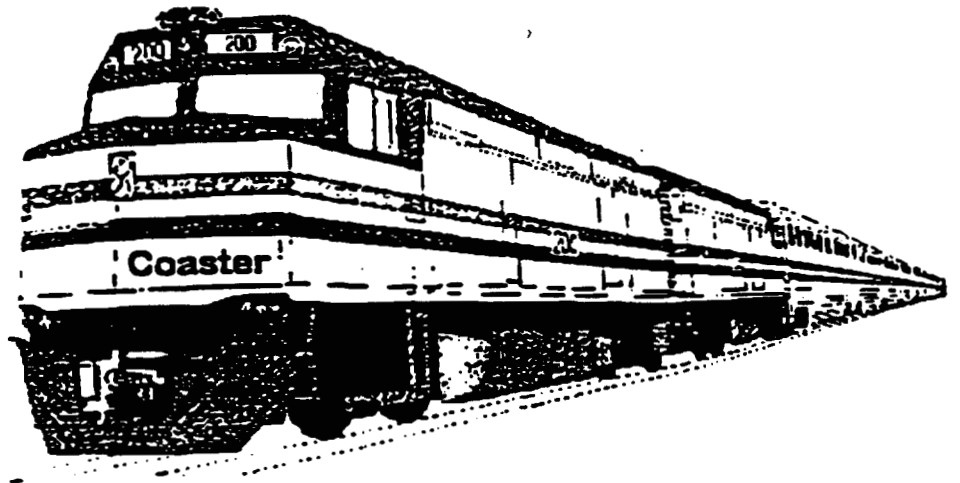


# POINSETTIA PROPERTIES SPECIFIC PLAN

*"A TRANSIT-ORIENTED DEVELOPMENT"*



SP 210(A)

November 27, 1998

# POINSETTIA PROPERTIES SPECIFIC PLAN

Prepared for:

City of Carlsbad  
Planning Department  
2075 Las Palmas Drive  
Carlsbad, California 92009

November 27, 1998

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**POINSETTIA PROPERTIES SPECIFIC PLAN  
SP 210**

A specific planned community located north of Lake Shore Gardens Mobilehome Park,  
south of the Poinsettia Transit Station and Lanikai Lane Mobilehome Park,  
west of Avenida Encinas and east of Carlsbad Boulevard

**APPROVED BY:**

Planning Commission Resolution #4161, December 3, 1997  
City Council Ordinance # NS 441, January 20, 1998  
Coastal Commission with modifications

\*\*\*\*

**SP 210(A)  
Coastal Commission Suggested Modifications**

**APPROVED BY:**

Planning Commission Resolution #4381, September 16, 1998  
City Council Ordinance # NS-460, October 27, 1998

\*\*\*

**SP 210(B)**

Ponto Area Specific Plan Amendment for a mixed-use area consisting of residential,  
Commercial and retail uses on 128.3 acres, bounded on the north by Shea Properties  
subdivision that was governed by Poinsettia Properties Specific Plan, on the east by the NCTD  
right-of-way, on the south by the Batiquitos Lagoon and the City of Encinitas and to the west by  
the Pacific Ocean.

**WITHDRAWN August 19, 2004**

# POINSETTIA PROPERTIES SPECIFIC PLAN

## Table of Contents

I.	INTRODUCTION – A TRANSIT ORIENTED COASTAL DEVELOPMENT .....	1
A.	OVERALL VISION – A TRANSIT ORIENTED COASTAL DEVELOPMENT .....	2
B.	PURPOSE AND IMPLEMENTATION OF THE VISION .....	3
C.	PROJECT LOCATION AND DESCRIPTION .....	5
1.	LOCATION .....	5
2.	PROJECT DESCRIPTION .....	5
D.	POINSETTIA PROPERTIES SPECIFIC PLAN APPLICATIONS .....	8
E.	SPECIFIC PLAN GOALS .....	9
F.	GENERAL PROVISIONS .....	10
1.	PURPOSE AND AUTHORITY .....	10
2.	ENTITLEMENTS .....	10
3.	GENERAL PLAN CONSISTENCY .....	10
4.	DEVELOPMENT CONSISTENCY .....	11
5.	SEVERABILITY .....	11
6.	MAXIMUM NUMBER OF UNITS .....	11
7.	TRANSFER OF UNITS .....	13
8.	RECORDATION .....	13
9.	GROWTH MANAGEMENT .....	13
10.	CONDITION OF VALIDITY .....	13
11.	DEDICATIONS .....	14
12.	PUBLIC FACILITIES .....	14
13.	ZONING .....	14
14.	LOCATION OF IMPROVEMENTS .....	14
15.	TRAIL SYSTEM .....	14
16.	LANDSCAPING .....	14
17.	HOMEOWNER'S ASSOCIATION .....	14
18.	ARCHITECTURAL REVIEW BOARD .....	16
19.	ROOM ADDITIONS .....	16
20.	SPECIFIC PLAN ENFORCEMENT .....	16
G.	LEGAL DESCRIPTION .....	17
II.	LAND USE .....	18
A.	GENERAL PLAN .....	18
B.	ZONING REGULATIONS .....	18
1.	ZONING FOR PLANNING AREAS .....	18
C.	LAND USES .....	19
1.	RESIDENTIAL .....	19
a.	<u>Single Family Residential</u> .....	19
b.	<u>Affordable Housing</u> .....	19

# POINSETTIA PROPERTIES SPECIFIC PLAN

## Table of Contents

2.	TRAVEL RECREATION .....	19
3.	MIXED USE .....	19
4.	OPEN SPACE .....	20
5.	SPECIFIC PLAN RELATED USES .....	20
a.	<u>Community Recreational Facility</u> .....	20
b.	<u>RV Storage Planning Area</u> .....	21
III.	CIRCULATION AND ROADWAY ALIGNMENT .....	28
A.	CARLSBAD BOULEVARD .....	28
B.	POINSETTIA LANE .....	29
C.	AVENIDA ENCINAS .....	29
D.	SURFSIDE LANE .....	30
E.	PONTO ROAD .....	30
F.	PONTO DRIVE .....	30
G.	PUBLIC STREET BETWEEN PLANNING AREAS 5 AND 6 .....	31
H.	INTERNAL STREETS .....	31
IV.	AFFORDABLE HOUSING .....	34
A.	AFFORDABLE HOUSING REQUIREMENTS .....	34
B.	POINSETTIA PROPERTIES GENERAL COMPLIANCE .....	34
C.	GENERAL CONDITIONS AND PROCESSING .....	34
D.	SECONDARY UNITS .....	35
V.	OPEN SPACE AND RESOURCE PRESERVATION .....	38
A.	INTRODUCTION .....	38
B.	PEDESTRIAN PARKWAYS AND TRAILS .....	39
1.	INTRODUCTION .....	39
2.	DESCRIPTION .....	39
a.	<u>Avenida Encinas Pedestrian/Open Space Parkway</u> .....	41
b.	<u>Railroad Pedestrian/Open Space Corridor</u> .....	41
c.	<u>Mixed-use Pedestrian Link/Corridors</u> .....	41
d.	<u>Public Access Parkway</u> .....	42
e.	<u>Parkway at Carlsbad Boulevard</u> .....	42
f.	<u>Public Pedestrian Trail to West NCTD Loading Area</u> .....	43
g.	<u>Internal parkways/trails and sidewalks</u> .....	43
h.	<u>Bike paths in right-of-way</u> .....	43
3.	ACCESS TO PARKWAYS AND TRAIL SYSTEMS .....	43
a.	<u>Avenida Encinas Pedestrian/Open Space Parkway</u> .....	43
b.	<u>Railroad Pedestrian/Open Space Parkway</u> .....	44
c.	<u>Parkway at Carlsbad Boulevard</u> .....	44

# POINSETTIA PROPERTIES SPECIFIC PLAN

## Table of Contents

4.	LINKS TO CITYWIDE TRAIL SYSTEM .....	44
C.	STRUCTURE OF HOMEOWNER ASSOCIATIONS AND MAINTENANCE .....	44
VI.	GRADING AND EARTHWORK .....	59
A.	INTRODUCTION .....	59
B.	GUIDELINES .....	59
VII.	PUBLIC FACILITIES .....	65
A.	INTRODUCTION .....	65
B.	FACILITIES BASIS OF SPECIFIC PLAN PHASING.....	65
VIII.	LOCAL COASTAL PROGRAM COMPLIANCE .....	72
A.	AGRICULTURAL LANDS .....	72
IX.	ENVIRONMENTAL COMPLIANCE AND REVIEW .....	73
X.	SPECIFIC PLAN THEME ELEMENTS .....	74
A.	ARCHITECTURE .....	74
1.	INTRODUCTION .....	74
2.	ARCHITECTURAL STYLES – SINGLE FAMILY.....	75
3.	ARCHITECTURAL STYLES – MULTIPLE-FAMILY RESIDENTIAL ....	77
4.	ARCHITECTURAL STYLES – COMMERCIAL/RETAIL.....	78
B.	LANDSCAPE GUIDELINES .....	85
1.	MASTER LANDSCAPE CONCEPT .....	85
2.	STRUCTURAL AND LANDSCAPE SETBACKS .....	86
3.	LANDSCAPE DESIGN ELEMENTS .....	87
4.	COMMUNITY TREE LIST .....	88
5.	LANDSCAPE AND IRRIGATION STANDARDS .....	89
6.	MAINTENANCE .....	89
7.	STREETScape/PARKWAY LANDSCAPING .....	90
8.	PLANT SIZES .....	90
9.	LANDSCAPE ZONES .....	90
10.	PLANT MATERIALS .....	91
C.	ENTRIES .....	92
D.	WALLS AND FENCING .....	93
1.	COMMUNITY THEME/PLANNING AREA NOISE ATTENUATION WALL .....	94
2.	PRODUCTION FENCING .....	94
E.	SIGNS .....	94
1.	PERMANENT SIGNS .....	95

# POINSETTIA PROPERTIES SPECIFIC PLAN

## Table of Contents

2.	TEMPORARY SIGNS .....	95
F.	LIGHTING .....	95
XI.	PLANNING AREA DEVELOPMENT STANDARDS .....	97
A.	INTRODUCTION .....	97
B.	PLANNING AREA DEVELOPMENT STANDARDS .....	97
1.	PLANNING AREA 1 .....	97
2.	PLANNING AREA 2 .....	102
3.	PLANNING AREA 3 .....	115
4.	PLANNING AREA 4 .....	118
5.	PLANNING AREA 5 .....	129
6.	PLANNING AREA 6 .....	135
7.	PLANNING AREA 7 .....	142
8.	PLANNING AREA 8 .....	150
XII.	SPECIFIC PLAN ADMINISTRATION .....	158
A.	AMENDMENTS .....	158
1.	STATE REQUIREMENTS .....	158
2.	LOCAL REQUIREMENTS .....	158
APPENDIX A .....		i
APPENDIX B .....		ii

# POINSETTIA PROPERTIES SPECIFIC PLAN

## List of Exhibits

Exhibit 1	Location Map	7
Exhibit 2	Existing General Plan	12
Exhibit 3	Proposed General Plan	23
Exhibit 4	Proposed Zoning Plan	24
Exhibit 5	Proposed Planning Areas	25
Exhibit 6	Land Use Summary Table	26
Exhibit 7	Public Streets	32
Exhibit 8	Avenida Encinas Typical Section	33
Exhibit 9	Open Space Acreage Summary	46
Exhibit 10	Open Space Plan – Parcel A	47
Exhibit 11	Open Space Plan – Parcel B	48
Exhibit 12	Open Space Plan – Parcel C	49
Exhibit 13	Master Public & Community Trails	50
Exhibit 14	Community Wall & Entry Concept with Public & Private Pedestrian Access Points	51
Exhibit 15	Railroad Pedestrian/Open Space Corridor – Parcel A	52
Exhibit 16	Carlsbad Boulevard Trail System – Parcels B and C	53
Exhibit 17	Carlsbad Boulevard Trail – Parcels B and C	54
Exhibit 18	Avenida Encinas Pedestrian Parkway – Parcel A	55
Exhibit 19	Public Access Parkway – Parcel A	56
Exhibit 20	Internal Parkway	57
Exhibit 21	Mixed-Use Pedestrian Corridor	58
Exhibit 22	Conceptual Grading Plan – Parcel A	62
Exhibit 23	Conceptual Grading Plan – Parcel B	63
Exhibit 24	Conceptual Grading Plan – Parcel C	64
Exhibit 25	Existing Water/Sewer/Drainage	69
Exhibit 26	Zone 22 – Storm Drain	70
Exhibit 27	Public Improvement Phasing Schedule	71
Exhibit 28	Single Family Street Scene	79
Exhibit 29	Single Family Street Scene	80
Exhibit 30	Single Family Street Scene	81
Exhibit 31	Conceptual Elevations – Planning Area 5	82
Exhibit 32	Conceptual Elevations – Planning Areas 5 and 6	83
Exhibit 33	Conceptual Elevations – Planning Area 6	84
Exhibit 34	Conceptual Site Plan – Planning Area 1	99
Exhibit 35	Conceptual Site Plan – Planning Area 2	103
Exhibit 36	Conceptual Side Yard exhibit – Planning Areas 2 and 4	104
Exhibit 37	Conceptual Site Plan – Planning Area 3	117
Exhibit 38	Conceptual Site Plan – Planning Area 4	119
Exhibit 39	Conceptual Site Plan – Planning Area 5	130
Exhibit 40	Conceptual Site Plan – Planning Area 6	136
Exhibit 41	Design Criteria – Planning Area 7	143
Exhibit 42	Design Criteria – Planning Area 8	154



# POINSETTIA PROPERTIES SPECIFIC PLAN

## I. INTRODUCTION – A TRANSIT ORIENTED COASTAL DEVELOPMENT

The purpose of this introduction is to offer the reader and user of this land use and zoning document a perspective of the unique and creative character of the Poinsettia Properties neighborhood of the City of Carlsbad, California. Many of the concepts, goals and objectives which are incorporated into the Specific Plan would not work in most other areas of the City. The existence of a North San Diego County Transit District (NCTD) rail (Coaster) station (Poinsettia Station) adjacent to the neighborhood, and the fact that the property was large enough to plan a mixed-use neighborhood, made this planning opportunity truly unique.

The Specific Plan is based upon an often discussed and rarely implemented set of planning considerations commonly termed *Transit Oriented Development* (TOD). TOD principles are used throughout and act as the primary land use principles of the Specific Plan. The principles are a compilation of planning elements used by transportation planning agencies and other planning professionals. While there is no established authority of these principles, this specific plan reflects transit development principles used by such agencies as the North San Diego County Transit District, Bay Area Rapid Transit District in San Francisco and surrounding areas, the Snohomish County Transportation Authority of Washington State and various recognized professional "TOD" land planners and architects, including the firm of Freedman, Tunge and Bottomley in San Francisco, California. The Specific Plan is also consistent with the Regional Growth Management strategy proposed by the San Diego Association of Governments which seeks to improve traffic circulation and congestion by increasing residential densities near major transportation corridors such as Interstate 5 and the North County Transit District rail line. Various elements of a TOD are discussed throughout the Specific Plan and have become a significant part of the layout and planning of that particular neighborhood. The TOD principles vary depending on the development intensity and type of each planning area. These may include Residential Medium Density, Residential-Higher Density, Commercial Neighborhoods, and Mixed-Use Neighborhoods. Each neighborhood in the Specific Plan is defined as to its use type, and in turn was designed according to the TOD principles for that use.

The Specific Plan also has the unique position of being located on one of the last large, vacant properties west of Interstate 5 in San Diego County, which makes it subject to the requirements of the California Coastal Act of 1976. This was an important factor in creating the vision of this Specific Plan. The overall goals of the Specific Plan as well as the Development Standards and Design Criteria of the individual Planning Areas have been prepared in accordance with Section 30252 of the California Coastal Act. Section 30252 states that:

The location and amount of new development should maintain and enhance public access to the coast by:

1. Facilitating the provision or extension of transit service;

2. Providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads;
3. Providing non automobile circulation within the development;
4. Providing adequate parking facilities or providing substitute means of serving the development with public transportation;
5. Assuring the potential for public transit for high intensity uses such as high-rise office buildings;
6. Assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

The following text of the Specific Plan shows how all of these goals are being implemented.

#### **A. OVERALL VISION – A TRANSIT ORIENTED COASTAL DEVELOPMENT**

Poinsettia Properties neighborhoods are planned to blend together through a unique and extensive pedestrian/bike trail system. Even though their land uses may vary (medium density, high density, commercial, mixed-use), they should flow together via this trail system. By incorporating the principals of "TOD", this specific plan will create a comprehensive integrated development plan.

The primary goal of this specific plan is to minimize the need and use of the automobile. The plan attempts to do this in three ways. First, it makes the use of the trail/parkway system the easiest and most efficient method of getting from one place to another within an acceptable walking distance of approximately ¼ mile. Second, it calls for the design of buildings and public spaces to be of a "pedestrian scale". This means that streets, walkways and public areas should be designed to encourage the pedestrian and discourage the automobile. More specific methods of accomplishing this goal are discussed within the goals and design criteria of each neighborhood. Third, the plan attempts to combine commercial, retail and residential uses with the Poinsettia Transit Station to eliminate extra trips for the transit user. This goal is further explained in the mixed-use/commercial neighborhood. This specific plan also envisions combining the unique coastal location with the TOD principles. This combination should be implemented to achieve a unique coastal community of distinct architecture designed to a pedestrian scale.

Overall, it is the vision of the writers and reviewers of the Specific Plan to capitalize on the unique opportunity which this planning effort offers, that being to plan the Poinsettia Properties neighborhood as a self sufficient, transit-oriented development, which, when developed and occupied, will minimize the use of the automobile and maximize use by pedestrians.

The vision of a coastal community which incorporates the principles of transit oriented development and the California Coastal Act are fully integrated into this specific plan and its individual sections. The following elements of the vision and Specific Plan are discussed in their respective specific plan sections, but in general will reflect the following concepts and design criteria to accomplish the overall vision.

Land Uses – Within 500 feet of the transit center there should be a mixture of commercial and residential uses at higher densities which should gradually transition to a lower number of units per acre as one moves further from the transit center. In addition, the Specific Plan will also provide conveniently located tourist related commercial services for coastal visitors.

Development setting/housing type – Encourage the residents to utilize the pedestrian-friendly design of the project. Incorporate a mixture of multi-family and single family homes.

Open space/recreation – Design both active and passive areas which encourage pedestrian use and access. Provide easy and enjoyable pedestrian access to the Poinsettia Transit Station.

Compatibility with regional objective – Provide higher densities and intensity of use along major north-south transportation corridors which are compatible with the existing transit center. Provide easy and enjoyable pedestrian access to coastal and transportation facilities.

## **B. PURPOSE AND IMPLEMENTATION OF THE VISION**

The purpose of the Poinsettia Properties Specific Plan is to guide the orderly development of the property while accomplishing the "TOD" principles outlined as an overall vision. For planning purposes, Poinsettia Properties is divided into residential, non-residential, and open space areas. The Specific Plan defines the allowable type and intensity of land uses in each planning area and provides detailed planning area development standards, requirements, development phasing and the method by which development of the Poinsettia Properties Specific Plan will be implemented. Adoption of the Poinsettia Properties Specific Plan by the Carlsbad City Council will establish the development standards applicable to the project as a whole, with consideration to individual planning areas and defining the permissible type and intensity of development, keeping in mind the unique nature of a TOD and coastal location.

Development within the Poinsettia Properties Specific Plan area shall fulfill all requirements established by the City-wide Facilities and Improvement Plan and the applicable Local Facilities Management Plan (LFMP) for Zone 22, as amended, pursuant to Carlsbad Municipal Code Chapter 21.90.

Development within the Specific Plan shall be subject to the present Growth Management plans, policies or ordinances adopted by the City Council or by citizen vote, including, but not limited to, Chapter 21.90 of the Carlsbad Municipal Code (Growth Management). The residential development potential for the Specific Panacea has been established by applying the density ranges and the "control points" of the General Plan Land Use designations which are applicable to the property. The number of residential units in a planning area may exceed the Growth Control Point provided they are within the General Plan density range. However, due to the

affordable housing elements of Planning Area 5, the density within this planning area may exceed its General Plan density range. Residential units are permitted to be transferred between Planning areas provided that the total number of units in the Specific Plan does not exceed 823. See Section F, General Provisions, on page 10 for further discussion.

The Specific Plan proposes up to 823 residential units. This represents an increase in residential units from the 449 units approved in the Zone 22 Local Facilities Management Plan dated October 19, 1988. An increase in residential units from 449 to 823 (an increase of 374 units from the city's excess dwelling unit bank) may be permitted pursuant to Carlsbad City Council Policy 43, as amended, which allows residential units to be transferred from the excess dwelling unit bank and utilized for transit oriented development. The purpose of this increase is to provide additional residential development and commuter services along a major transportation corridor, furthering the goal of reducing traffic and improving air quality.

The Specific Plan implements the City of Carlsbad's General Plan and Municipal Code by providing guidelines and standards for the full development of all phases of the project; by requiring facilities and services consistent with the regulations and ordinances of the City's Local Facilities Management Plan for Zone 22, as amended; and by ensuring that all City standards and requirements will be met in a consistent and uniform manner.

The Zone 22 Local Facilities Management Plan provides a detailed description and analysis of how Zone 22 will develop from its current status through build out. The zone plan also demonstrates how and when each facility and improvement will be constructed in order to accommodate development within the zone. The zone plan also provides a brief description of how each facility and improvement will be financed when mitigation is necessary. More specific information regarding financing is required through the adoption of a Finance Plan for Zone 22, as amended, which must be approved prior to recordation of the first final map, issuance of a grading or building permit in Zone 22.

No person shall use or develop any property covered by this specific plan in a manner which is contrary to the Specific Plan as established by the City Council. All developers within the Specific Plan shall be subject to all terms and conditions of the Poinsettia Properties Specific Plan. Unless specifically discussed in this specific plan, all City policies and ordinances apply to the Poinsettia Properties Specific Plan Area as they would apply to any property in the City of Carlsbad.

## **C. PROJECT LOCATION AND DESCRIPTION**

### **1. LOCATION**

The Poinsettia Properties Specific Plan area includes approximately 92 acres located in the southwest portion of the City of Carlsbad. The Specific Plan area is bounded on the north by the North County Transit District Station (Poinsettia Station) and Lanikai Lane Mobile Home Park, on the east by Avenida Encinas, on the south by Lakeshore Gardens Mobile Home Park, and on the west by Carlsbad Boulevard. A location map is provided on Exhibit 1, page 7.

The property enjoys the unique opportunity of being located across Carlsbad Boulevard from the Pacific Ocean just at the entrance to the South Carlsbad State Park. This beach front location influences both the pedestrian nature of the neighborhood and the architectural goals of the plan.

### **2. PROJECT DESCRIPTION**

The Specific Plan areas consist of three separate parcels, generally referred to as "Parcels A, B or C" (see Exhibit 5 on page 25). For planning purposes, the Specific Plan and planning areas are discussed in relationship to these parcels. Parcel A, which is approximately 54 acres in size, lies east of the San Diego Northern (SDN) Railroad Right-of-Way. It is divided into five planning areas composed of medium density residential, medium-high density residential, high density residential, mixed use and recreational open space. Parcels B and C lie west of the railroad right-of-way and are composed of medium-high and commercial land uses and are approximately 19 and 17 acres in size respectively. (See Exhibit 5, page 25, which shows planning areas.)

When built out, the Poinsettia Properties Specific Plan shall not exceed the maximum of 823 dwelling units as allowed by the amended Zone 22 LFMP. The amended Zone 22 LFMP analyzed and included any density bonus and other incentives which may be approved consistent with City ordinances for the provision of affordable housing, and additional units which may be allocated to transit-oriented projects pursuant to City Council Policy 43, as amended.

Amenities of the Poinsettia Properties Specific Plan include public and private pedestrian parkways and trails as well as private recreation centers. Public trails take advantage of access to Carlsbad Boulevard, South Carlsbad State Park, the Pacific Ocean and the Poinsettia Transit Station.

Common active recreation facilities will be provided for each residential planning area, except residential uses in Planning Area 6 (see Exhibit 5, page 25). Such facilities can be combined to serve more than one planning area. Each recreational facility may include a swimming pool, tennis courts, recreational building, outdoor basketball facilities, and other outdoor playing areas. These areas may be lighted for night use. Each facility shall comply with City requirements for providing recreation areas. Each facility will be

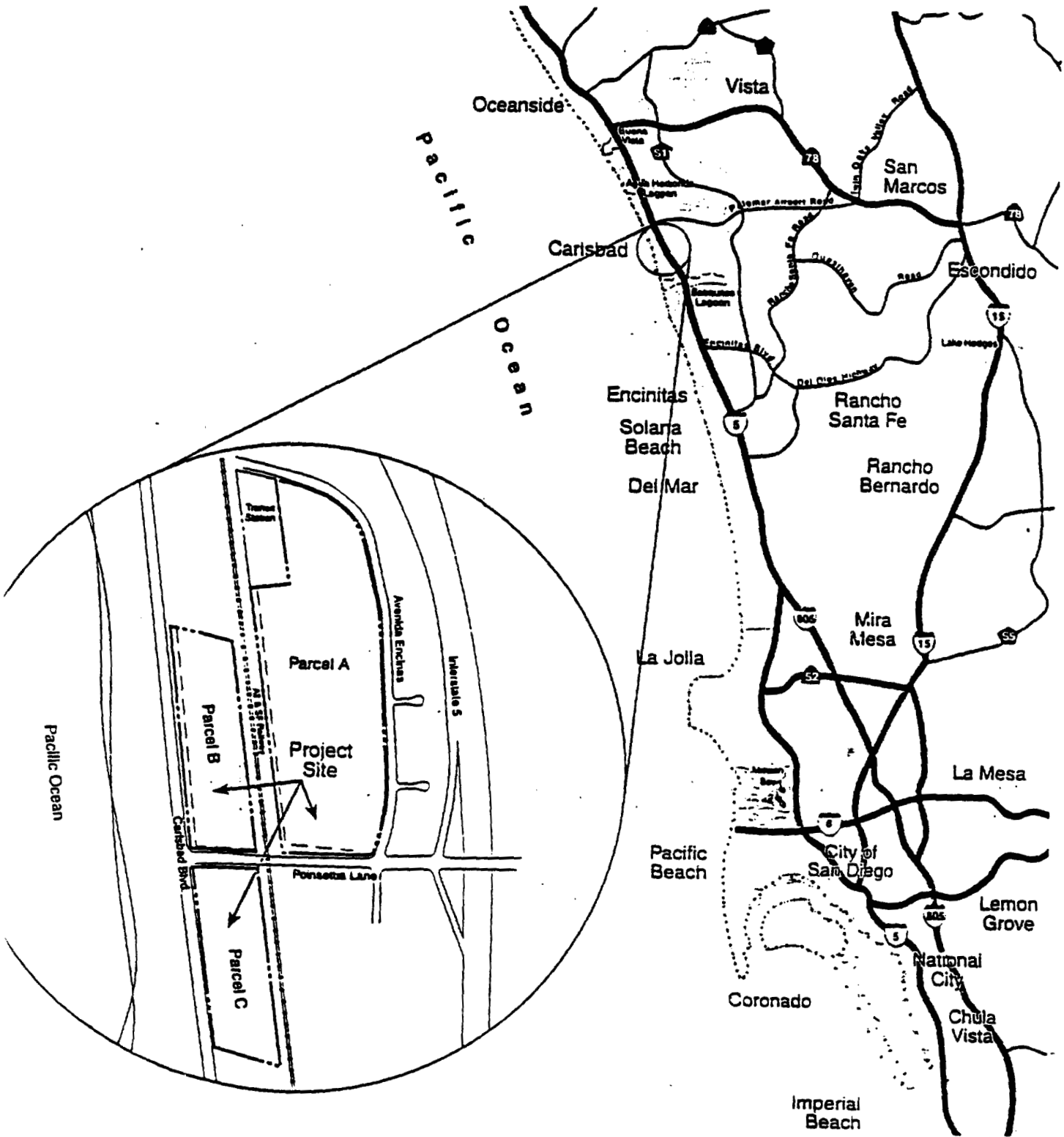
designed and approved with a tentative map (or other discretionary application) for each residential planning area. The general scheme of recreational facilities is as follows:

<u>Planning Area</u>	<u>Designated Recreation Area</u>
1	Not required – non-residential
2	Planning Area 3
3	Not required – open space/recreation area
4	Planning Area 3
5	Within Planning Area 5
6	Not required – mixed use development
7	Within Planning Area 7
8	Within Planning Area 8

(See Exhibit 5, Proposed Planning Areas, on page 25)

# Poinsettia Properties Specific Plan

Carlsbad, CA



Location Map

#### D. POINSETTIA PROPERTIES SPECIFIC PLAN APPLICATIONS

The following applications will be processed concurrently with the Poinsettia Properties Specific Plan:

**General Plan Amendment (GPA)** - The GPA accompanying this specific plan proposes to revise the land use designations within the Specific Plan area. The existing General Plan designations (shown on Exhibit 2, page 12) allow the development of a large office and commercial project as well as residential uses. The proposed land use changes indicated below and on Exhibit 3, page 23, will be compatible with the surrounding existing uses and future development, and will substantially reduce overall traffic impacts. These changes are intended to accomplish the vision of this specific plan, including the use of TOD principles, goals and objectives. Generally, these goals and objectives strive for a higher intensity of development within 500 feet of the Poinsettia Transit Center. The GPA will change the existing land use as follows:

	<u>Current General Plan</u>	<u>Proposed General Plan</u>
Parcel A	RM/O	TR/RH/RMH/RM/OS
Parcel B	RMH	RMH
Parcel C	RMH/TR	RMH/TR

**Local Coastal Program Amendment (LCPA)** - The Specific Plan area is located within the Coastal Zone, thereby necessitating the processing of Coastal Development Permits. A Mello II Local Coastal Program Amendment is required in order to maintain specific plan consistency with the City of Carlsbad's General Plan, and reflect the land use changes proposed in the Plan.

**Specific Plan (SP)** - The proposed Specific Plan will provide land uses and development standards for this area.

**Zone Change (ZC)** - The Specific Plan area will be subject to a Zone Change (ZC) which amends its existing zoning of RD-M-Q and CT-Q/RD-M-Q to CT, RD-M and OS.

**Local Facilities Management Plan Amendment (LFMP)** - The Zone 22 LFMP Amendment will reflect the land use designation changes and identify the new impacts of the proposed land use changes. Per the requirements of the Carlsbad Growth Management Program, the Zone 22 LFMP must be updated to be consistent with the General Plan land use designations proposed by the Specific Plan. The Zone 22 LFMP Amendment addresses existing and future projected adequacy of public facilities through build out of the Specific Plan and build out of the City.



## **E. SPECIFIC PLAN GOALS**

The Poinsettia Properties Specific Plan has been written using the following goals which represent the TOD principles within the setting of other City of Carlsbad policies and ordinances. Development and other entitlements within the Specific Plan area shall conform to these goals:

1. Join all of the neighborhoods and associated land uses within the Specific Plan by the use of a pedestrian/parkway/trail system. By design, encourage visitors and residents easy access to the Poinsettia Transit Station via this trail system, especially within a ¼ mile radius.
2. Design streets and adjacent buildings at a scale which will encourage pedestrian use and discourage automobile use.
3. Increase residential density within the Specific Plan to bring more residents closer to the Poinsettia Transit Station. Densities should be increased, using TOD principles, based upon the distance from the Poinsettia Transit Station. Within 500 feet of the transit station there should be a mixture of commercial and higher density residential uses at a density of 20 du/ac, which should gradually transition to a lower number of units per acre as one moves further from the transit center.
4. Provide for mixed-use areas with land uses including retail, office and recreational near the Poinsettia Transit Station to eliminate additional automobile trips for transit users and residents.
5. Eliminate artificial barriers which discourage pedestrian access to the most frequently used facilities and attractions such as the beach, adjacent shopping, the mixed-use area and the Poinsettia Transit Station.
6. Create focal community spaces which encourage pedestrian transition between land uses.
7. Ensure that public facilities and services that serve the Specific Plan area meet the applicable City standards as called for in the Carlsbad Growth Management Plan.
8. Conform to all aspects of Carlsbad's General Plan, Amended Zone 22 Local Facilities Management Plan and all applicable ordinances, regulations and policies.

## **F. GENERAL PROVISIONS**

### **1. PURPOSE AND AUTHORITY**

This Specific Plan has been prepared according to California State Government Code Section 65450, et. seq., which permits local jurisdictions to prepare specific plans for the systematic implementation of the general plan for the local agency. This plan addresses all required items as indicated in Government Code Section 65451 for the preparation of specific plans, such as land uses, public facilities, development standards and implementation measures. Additional issues pertaining to this region and community, such as neighborhood units, compatibility, and community pride are also addressed as provided for in Government Code Section 65452. The development standards set forth in this document go one step further and constitute the applicable zoning regulations for the Specific Plan area, and are adopted in ordinance form in order to supersede the otherwise applicable zoning regulations.

The Poinsettia Properties Specific Plan as adopted by the City of Carlsbad and certified by the California Coastal Commission is approved as both a land use and implementation element of the City's LCP. The Specific Plan will establish land use, zoning and development standards applicable to the project as a whole with consideration to individual planning areas, defining the permissible type and intensity of development.

### **2. ENTITLEMENTS**

The Specific Plan sets standards for development; however, it does not provide a guarantee of approval for future discretionary projects within its boundaries. Specific development plans shall be evaluated in accordance with the provisions of the Specific Plan as well as with municipal ordinances and policies in force at the time said plans are before the Planning Commission and/or the City Council for approval. Unless specifically addressed, the Specific Plan requires conformance with all otherwise applicable City development standards and requirements. Where a conflict in development standards occurs, the more restrictive standard shall take precedence.

Development within the Specific Plan shall be subject to all present and future Growth Management plans, policies or ordinances adopted by the City Council or by citizen vote including but not limited to Chapter 21.90 of the Carlsbad Municipal Code (Growth Management).

### **3. GENERAL PLAN CONSISTENCY**

The Poinsettia Properties Specific Plan is adopted by ordinance by the City Council of Carlsbad. The Specific Plan is not a component of the City's General Plan, but rather a separate document that systematically implements the City's General Plan. It creates a link between the broad-based General Plan policies and the individual development proposals and neighborhood concerns for the Specific Plan area. This specific plan has been prepared and adopted in the same manner as, and is consistent with, the General Plan. As illustrated on the General Plan Land Use Map (Exhibit 3, page 23) all General

Plan designations, as amended, are consistent with the General Plan. All applicable development regulations for the Specific Plan area are included in this text unless otherwise indicated. All amendments to the Specific Plan must be consistent with the General Plan and the vision, goals, and programs of this specific plan. The Specific Plan is a hybrid document, operating both as a planning document and establishing the zoning (and zoning standards sometimes different from those otherwise applicable under Title 21 of the Carlsbad Municipal Code (CMC)), but all implementing ordinances are consistent with the General Plan.

4. **DEVELOPMENT CONSISTENCY**

All new development proposed for the Poinsettia Properties Specific Plan area shall be consistent with the policies and regulations of this Specific Plan. The zoning set forth on the Planning Areas and Zoning exhibit (Exhibit 4, page 24) constitutes the zoning within the Specific Plan area. All zone changes, site development plans, tentative subdivision maps and other discretionary projects within the neighborhood shall be consistent with this specific plan. All public works and capital improvements in the neighborhood shall also be consistent with the Poinsettia Properties Specific Plan. Conformance to these policies and standards will ensure the systematic implementation of the General Plan.

5. **SEVERABILITY**

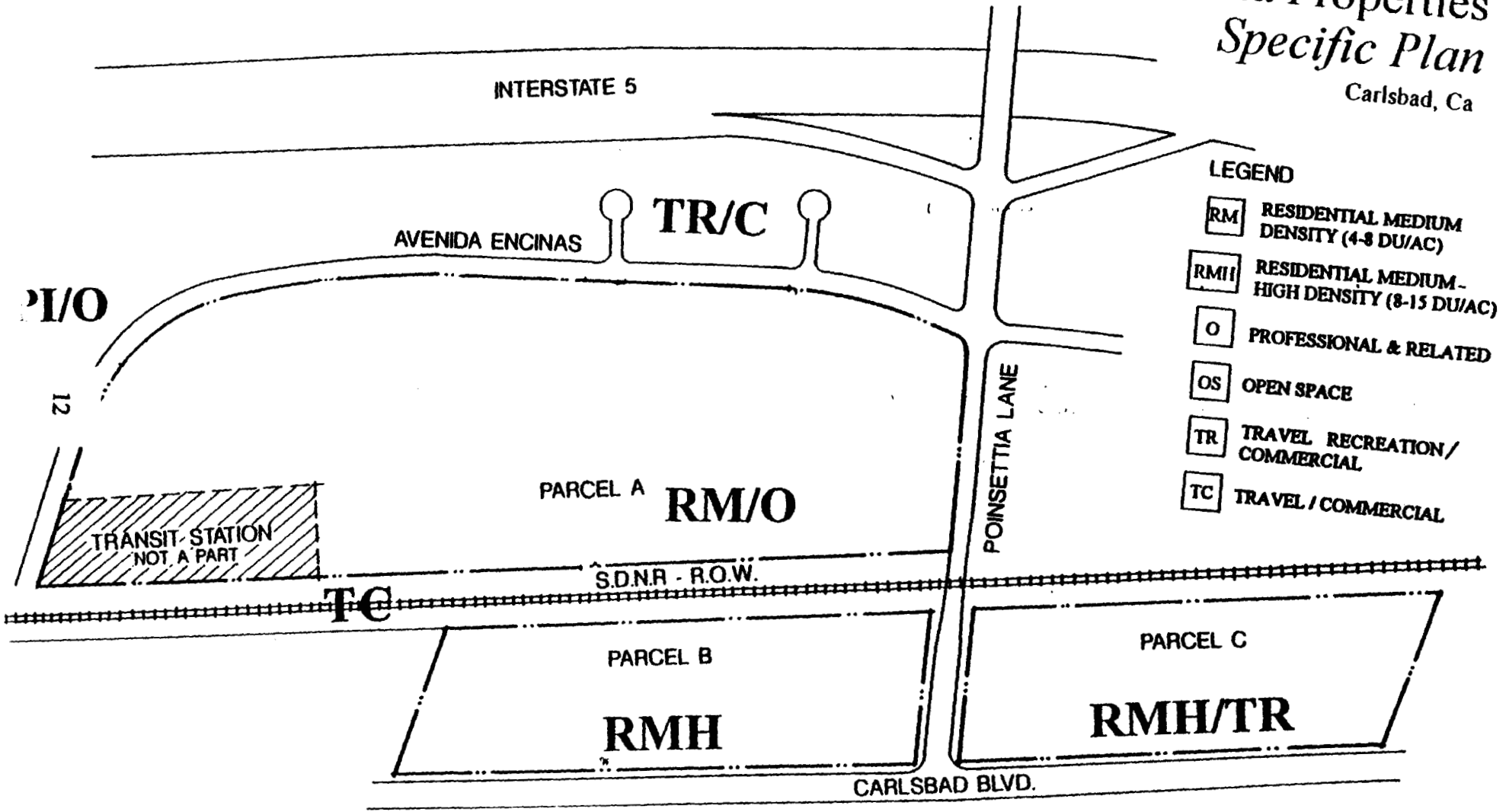
In the event that any regulation, condition, program, or portion of this specific plan is held invalid or unconstitutional by a California Court or Federal Court of competent jurisdiction, such provisions and the invalidity of such provisions shall not affect the validity of the remaining provisions.

6. **MAXIMUM NUMBER OF UNITS**

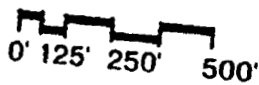
The maximum development potential permitted by this specific plan is shown on Exhibit 6, page 26. Unless a Specific Plan Amendment is processed, the development allocations shall not be changed, except as provided below.

# Poinsettia Properties Specific Plan

Carlsbad, Ca



BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS



LOCATION AND DIMENSIONS SHOWN ARE  
APPROXIMATE AND SUBJECT TO CHANGE  
AT THE TENTATIVE MAP STAGE

EXISTING GENERAL PLAN

7. TRANSFER OF UNITS

The maximum number of dwelling units allocated for the Poinsettia Properties Specific Plan is indicated on Exhibit 6, page 26. An increase in the allowable number of units within Planning Area 5 or a transfer of units from a planning area to Planning Area 5 is allowed (from what is proposed under this specific plan), provided, however, the total number of dwelling units within the Specific Plan(823 units) shall not be increased.

A dwelling unit transfer may be allowed within a quadrant pursuant to the Growth Management Ordinance (Title 21.90 of the Carlsbad Municipal Code). A transfer from a planning area to Planning Area 5 as provided within this specific plan can only occur with the consent of the property owner of the planning area from which such residential units would be transferred. Any transfer of density shall be analyzed as part of the discretionary action proposing the transfer. The review shall determine if the proposed transfer is in conformance with and compatible with the City of Carlsbad's General Plan and Municipal Code.

The density within Planning Area 5 may exceed its General Plan density range of RH (15-23 du/acre) for the provision of affordable housing units.

8. RECORDATION

Notice of the approval of this specific plan for property within its boundaries shall be recorded with the County of San Diego Recorder's Office.

9. GROWTH MANAGEMENT

The applicant shall comply with all provisions of the Carlsbad Municipal Code, Chapter 21.90 (Growth Management Program). The applicant, by pulling building permits pursuant to the Specific Plan and the Local Facilities Management Plan (LFMP) for Zone 22, agrees that all of the dedications and other requirements imposed as a condition of the Specific Plan for the Zone 22 LFMP, as amended (or as amended by the City Specific Drainage Plan), are reasonably necessary to serve the needs of the development for which the building permits are required.

10. CONDITION OF VALIDITY

If any condition for construction of any public improvements or facilities, or the payment of any fees or bonds in lieu thereof, imposed by this approval or imposed by law on this project are challenged, this approval shall be suspended as provided in Government Code Section 65913.5. If any such condition is determined to be invalid this approval shall be invalid unless the City Council determines that the project without the condition complies with all requirements of law.

11. DEDICATIONS

All land and/or easements required by this specific plan for public streets, open space, recreational purposes and public utility purposes shall be granted to the City of Carlsbad without cost to the City and free of all liens and encumbrances as conditioned by the appropriate discretionary approval.

12. PUBLIC FACILITIES

To ensure that all development areas of the Specific Plan shall be adequately served, the developers of the Specific Plan or portions thereof shall be required to provide for their share of the construction or funding of all necessary public facilities pursuant to the approved Zone 22 Local Facilities Management Plan as amended (or as amended by the City Master Drainage Plan).

13. ZONING

This Specific Plan shall constitute the zoning for all lands within the Specific Plan. No person shall use or develop contrary to the provisions of the Specific Plan any land located within the boundaries defined by the Specific Plan. All provisions of the Specific Plan are imposed as a condition of zoning. Approval of this document does not excuse compliance with all other applicable City ordinances in effect at the time building permits are issued. An underlying zone for each planning area is established on Exhibit 4, page 24, and under the development standards for each planning area. The development standards of the indicated underlying zone shall apply to each planning area, unless modified by this specific plan.

14. LOCATION OF IMPROVEMENTS

The location of streets, utilities, and other land use related improvements are approximate on the Specific Plan map. Precise locations will be established through the approval of tentative maps and site development plans (see location of utilities on Exhibit 25, page 69).

15. TRAIL SYSTEM

A trail system shall be provided for the Specific Plan area as shown on the Master Public Trails Concept exhibit (Exhibit 13, page 50). The Specific Plan Trail System is designed to tie into the proposed Citywide Trails System. A detailed description is contained in Chapter IV, Section B.

16. LANDSCAPING

The Specific Landscape Plan for Poinsettia Properties is contained in Chapter X, Section B. A detailed landscape and irrigation plan shall be submitted and approved prior to the issuance of grading or building permits, whichever occurs first, for each planning area.

17. HOMEOWNER'S ASSOCIATION

Homeowner's Associations shall be established for the residential planning areas of the Specific Plan. See page 44 for a detailed discussion of all homeowner associations, including the Master Homeowner's Association. Prior to the recordation of the first final map for a specific planning area, the applicant shall submit and receive approval for Covenants, Conditions and Restrictions (CC&Rs) for a homeowner's association. All CC&Rs prepared shall control the private uses, design, maintenance and development standards for each residential planning area. Each homeowner's association shall control landscape maintenance and architectural review.

The CC&Rs shall be approved by the City; however, the City shall not participate as a member of the Architectural Review Board. No revisions that weaken or diminish the rights of the City shall be made to these CC&Rs without the City's prior written consent.

The Developer shall establish a homeowner's association and corresponding CC&Rs. Said CC&Rs shall be submitted to the Planning Director prior to final map approval. Prior to the first occupancy, the State will require establishment of the Homeowner's Association. The Developer shall provide the Planning Department with a recorded copy of the official CC&Rs that have been approved by the Department of Real Estate and the City. At a minimum, the CC&Rs shall contain the following provisions:

- a. General Enforcement by the City. The City shall have the right, but not the obligation, to enforce those Protective Covenants set forth in this Declaration in favor of, or in which the City has an interest.
- b. Failure of Association to Maintain Common Area Lots and Easements. In the event that the Association fails to maintain the Common Area Lots and/or the Association's Easements, Parkways and trails as provided for in this Specific Plan, the City shall have the right, but not the duty, to perform the necessary maintenance. If the City elects to perform such maintenance, the City shall give written notice to the Association, with a copy thereof to the Owners in the Project, setting forth with particularity the maintenance which the City finds to be required and requesting the same be carried out by the Association within a period of thirty (30) days from the giving of such notice. In the event that the Association fails to carry out such maintenance of the Common Area Lots and/or Association's Easements, Parkways and trails within the period specified by the City's notice, the City shall be entitled to cause such work to be completed and shall be entitled to reimbursement with respect thereto from the Owners as provided herein.
- c. Special Assessments Levied by the City. In the event the City has performed the necessary maintenance to either Common Area Lots and/or Association's Easements, the City shall submit a written invoice to the Association for all costs incurred by the City to perform such maintenance of the Common Area Lots and/or

**Association's Easements.** The City shall provide a copy of such invoice to each Owner in the Project, together with a statement that if the Association fails to pay such invoice in full within the time specified, the City will pursue collection against the Owners in the Project pursuant to the provisions of the Section. Said invoice shall be due and payable by the Association within twenty (20) days of receipt by the Association. If the Association shall fail to pay such invoice in full within the period specified, payment shall be deemed delinquent and shall be subject to a late charge in an amount equal to 6 percent of the amount of the outstanding balance due.

- d. The CC&Rs shall prohibit the outdoor storage or outdoor parking of recreational vehicles within any of the planning areas except in approved RV storage areas.
- e. A Homeowner's Association shall control the operation and maintenance of the recreation vehicle storage area, entry features, common slopes, recreation areas and other common features identified in the Specific Plan. A homeowner's association or other acceptable entity shall also be responsible for the maintenance of a parkway and trail system, provided, however, all public open space and trails shall be maintained by the City Open Space Maintenance District (or similar district) if such a district is formed by the City.
- f. Common area slopes within individual planning areas shall be maintained by a Homeowner's Association if exposed to major streets. The developer shall submit a master maintenance plan showing all areas to be maintained by a Homeowners' Association to be approved by the Planning Director prior to any final map approval.
- g. The CC&Rs shall control the use of parking areas and shall include Homeowner's Association responsibility for enforcing parking regulation. The Homeowner's Association shall be responsible for causing the removal of illegally parked vehicles.

## 18. ARCHITECTURAL REVIEW BOARD

Prior to the occupancy of the first unit within any planning area, the applicant shall establish an Architectural Review Board to control that planning area. The Architectural Review Board shall be responsible for the review and approval of all room additions, patio covers, decks, patios and other structures requiring a building permit. The approval of the Architectural Review Board shall occur prior to the submittal for building permits.

## 19. ROOM ADDITIONS

All proposed room additions, porch covers, patios, decks and other construction requiring a building permit from the City of Carlsbad shall be approved by the Architectural Review Board. All room additions and porch covers shall comply with the



setback and lot coverage requirements established by the Planning Area Development Standards. Sheds, patio covers or other accessory structures over 6 feet in height shall maintain a minimum setback of 5 feet from the property line of all units adjacent to Avenida Encinas, Poinsettia Lane or Carlsbad Boulevard. The above-mentioned information shall be clearly stated in the CC&Rs for this project.

**20. SPECIFIC PLAN ENFORCEMENT**

The Poinsettia Properties Specific Plan shall constitute the orderly development and the zoning for the property. Consistent with the City of Carlsbad Municipal Code, any violation of the standards and regulations identified in the Poinsettia Properties Specific Plan adopted by the City of Carlsbad's City Council shall be considered a violation of the Zoning Ordinance. Where the Specific Plan is silent on an issue, the requirements of the Carlsbad Municipal Code shall apply.

**G. LEGAL DESCRIPTION**

(See Appendix A)

## II. LAND USE

### A. GENERAL PLAN

The General Plan designations of the Poinsettia Properties Specific Plan are shown on Exhibit 3, page 23, and listed by planning area on the Land Use Summary Table (Exhibit 6, page 26). These designations are:

RM	-	Residential Medium – 4-8 dwelling units per acre (Growth Control Point 6.0 du/ac)
RMH	-	Residential Medium-High – 8-15 dwelling units per acre (Growth Control Point 11.5 du/ac)
RH	-	Residential High – 15-23 dwelling units per acre (Growth Control Point 19 du/ac)
TR/C	-	Travel Recreation/Community Commercial
OS	-	Open Space
TR	-	Travel Recreation

All development within the Specific Plan shall be consistent with these land use designations as well as complying with all other Specific Plan and planning area development standards.

### B. ZONING REGULATIONS

#### 1. ZONING FOR PLANNING AREAS

This specific plan sets forth the zoning for each planning area. The development standards of the indicated zone shall apply to each planning area unless otherwise modified by this specific plan.

<u>Planning Area</u>	<u>Applicable Zone</u>
1	CT – Commercial tourist zone
2	RD-M – Residential density-multiple zone
3	OS – Open space zone
4	RD-M – Residential density-multiple zone
5	RD-M – Residential density-multiple zone
6	CT – Commercial tourist zone
7	RD-M – Residential density-multiple zone
8	RD-M – Residential density-multiple zone

## C. LAND USES

For planning purposes, the Specific Plan is divided into planning areas as shown on Exhibit 5. Detailed land use information for each planning area is shown on the Land Use Summary Table (Exhibit 6, page 26). Specific design guidelines for each planning area are contained in Chapter XI. A general description of each land use is provided below.

### 1. RESIDENTIAL

The Specific Plan area will provide a diversity of housing to include single family and multi-family housing, including affordable housing development.

- a. Single Family Residential - Planning Areas 2, 4, 7 & 8 are designated for single family residential development. Planning Area 2 will have a General Plan designation of RM, Residential Medium (4-8 dwelling units per acre, while Planning Areas 4, 7 & 8 will have a General Plan designation of RMH (8-15 dwelling units per acre). Planning Area 2 will be developed with single family detached homes on lots with a minimum area of 3,500 square feet. Planning Areas 4, 7 & 8, may be developed on lots with a minimum lot size of 3,500 square feet. Planning Areas 2, 4, 7 & 8 may include a percentage of second units.
- b. Affordable Housing - Planning Area 5 of Parcel A is designated as the Specific Plan's affordable housing site. These units will be either "for sale and/or rent" condominiums or apartment rental units, subject to the discretion of the developer. For additional information, see Chapter XI and the Development Standards for Planning Area 5. In addition, Planning Area 6 will satisfy all affordable housing requirements within its boundaries.

### 2. TRAVEL RECREATION

The Travel Recreation Commercial area will be located in Planning Area 1 of Parcel C. The land uses will consist of those permitted by the Travel Service land use designation as described in the City of Carlsbad General Plan and as specified within the Poinsettia Properties Specific Plan. See Development Standards for Planning Area 1.

### 3. MIXED USE

Planning Area 6 of Parcel A is designated as mixed use commercial/residential area. Under this designation, up to 80,000 square feet of travel recreation and TOD service retail/commercial uses are allowed. In addition, up to 61 apartments, condominiums and/or residential "live/work" units are allowed. (See Development Standards for Planning Area 6 for more specific information.) One half of the land area of this planning area is assumed as residential uses for purposes of calculating density.

4. OPEN SPACE

Preservation and enhancement of open space is an important aspect of this specific plan. Open space constitutes a major portion of the Specific Plan. Approximately 13.8 acres or 15% of the Specific Plan area will be retained as open space. The Specific Plan Open Space Program consists of recreation areas, trails and landscape parkways from roadways and the landscape pedestrian/bicycle corridor adjacent to the railroad right-of-way. Additionally, the Poinsettia Properties Specific Plan will provide recreation areas where applicable per the requirements of Planned Development Ordinance. A more detailed discussion of open space is provided in Chapter IV of this specific plan. Exhibits 9, 10, 11, and 12, beginning on page 46, show the open space areas.

5. SPECIFIC PLAN RELATED USES

a. Community Recreational Facility

Common active recreation facilities will be provided for each residential planning area (except residential uses in Planning Area 6). Such facilities can be combined to serve more than one planning area. Each recreational facility may include a swimming pool, tennis courts, recreational building, outdoor basketball facilities, and/or other outdoor playing areas. Each facility will be designed and approved with a Tentative Map (or other required discretionary application) for each residential planning area. Common recreation areas shall meet all applicable City of Carlsbad codes and ordinances. The general scheme of recreational facilities is as follows:

<u>Designated Planning Area</u>	<u>Recreation Area</u>
1	Not required – non-residential
2	Planning Area 3
3	Not required – open space/recreation area
4	Planning Area 3
5	Within Planning Area 5
6	Not required – mixed-use development
7	Within Planning Area 7
8	Within Planning Area 8

b. RV Storage Planning Area

The Planned Development Ordinance requires that a minimum of 20 square feet of RV storage area shall be provided per residential unit. The RV storage area (or areas) for this specific plan will be provided for on Parcels A, B and/or C to serve the residents of each parcel. RV parking areas will be designed and approved with the appropriate residential tentative map or site development plan for each parcel and shall be constructed and available for use prior to occupancy of any residential unit of the planning area which the storage area shall serve. The final number of RV parking areas required shall be determined at tentative map (or other required discretionary application), based on approved market rate units per map. Parcel A can combine its RV parking requirement for all planning areas (within Parcel A) into one location. Parcels B and C can also combine both RV storage facility requirements into one location or provide separate sites within each planning area. In addition, Parcel A may, at the option of the developer, provide one location to serve all RV parking requirements for residential units in Parcels A, B and C.

The requirement for RV storage areas does not apply to any affordable housing units within Planning Area 5, "live/work" units or other residential units in Planning Area 6 or any secondary units provided in the Specific Plan.

The design of each RV Parking area shall be submitted for review and approved concurrent with the associated residential planning area(s) discretionary application(s). Each site shall be adequately screened per the City of Carlsbad's landscaping manual. The location, landscaping design and screening of the required RV parking site(s) for each area will be established with the appropriate tentative map or site development plan for each planning area within Parcels A, B and C.

The following is a table showing the required RV Parking storage areas assuming full buildout of specific plan residential units subject to such requirements. Actual RV storage area sizes will be determined by approved tentative map (or other required discretionary application) and will be based on the final number of market rate units approved for each planning area.

<u>Planning Area</u>	<u>Specific Plan Units</u>	<u>Maximum RV Storage Area (in sq. ft.)<sup>2</sup></u>
1	0	N/A
2	168 <sup>(1)</sup>	3,320
3	N/A	N/A
4	178 <sup>(1)</sup>	3,560
5	114	No requirement
6	61	No requirement
7	179 <sup>(1)</sup>	3,400
8	123 <sup>(1)</sup>	2,460

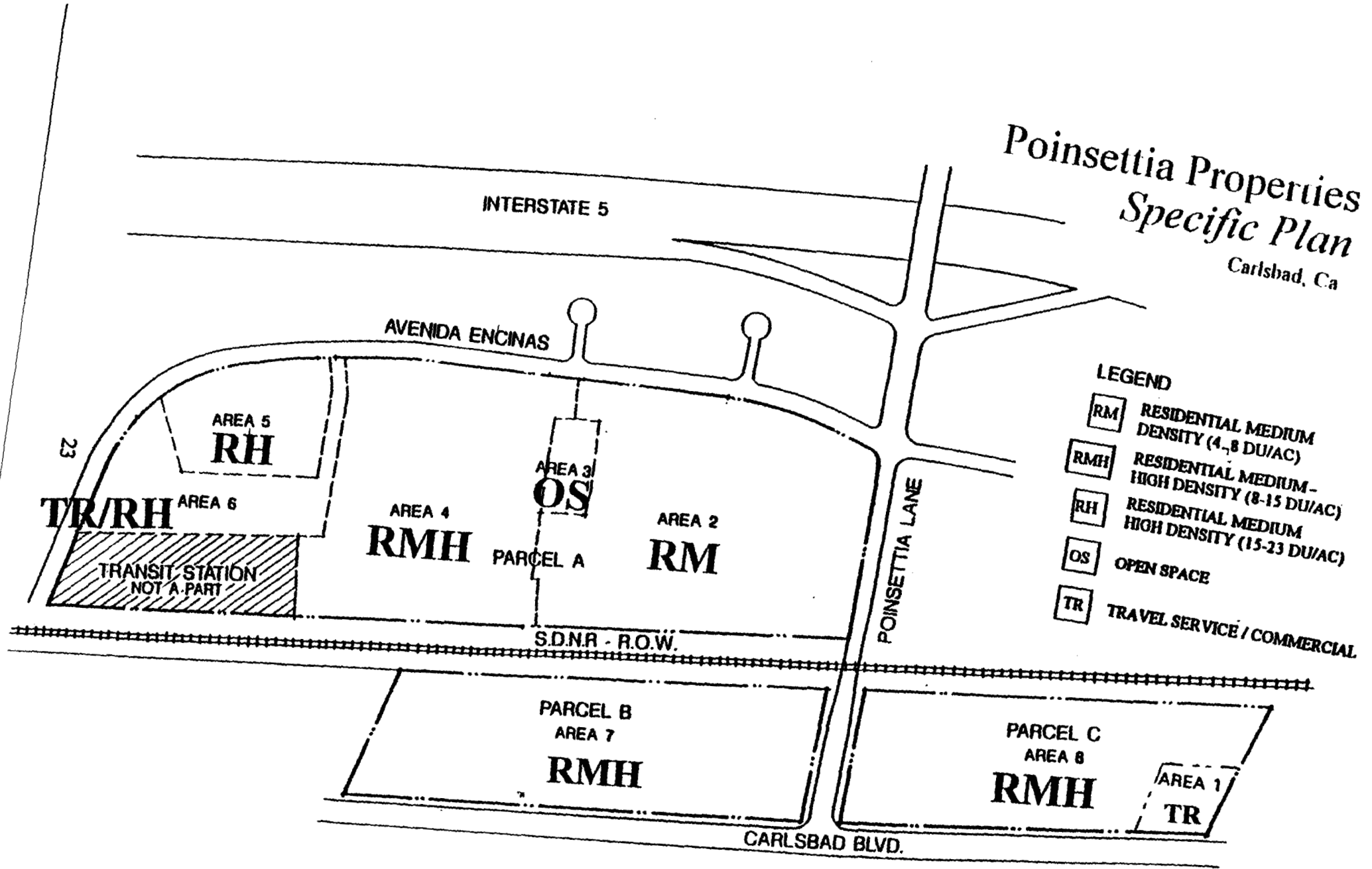
<sup>(1)</sup> Assumes no secondary units constructed. Secondary units are not subject to RV storage requirements.

<sup>(2)</sup> The actual required square footage will be determined based on the total number of market rate units approved within each planning area.

Prior to the issuance of a Certificate of Occupancy for any residential planning area, the designated RV Storage Area, which will serve such planning area, shall be constructed.

# Poinsettia Properties Specific Plan

Carlsbad, Ca

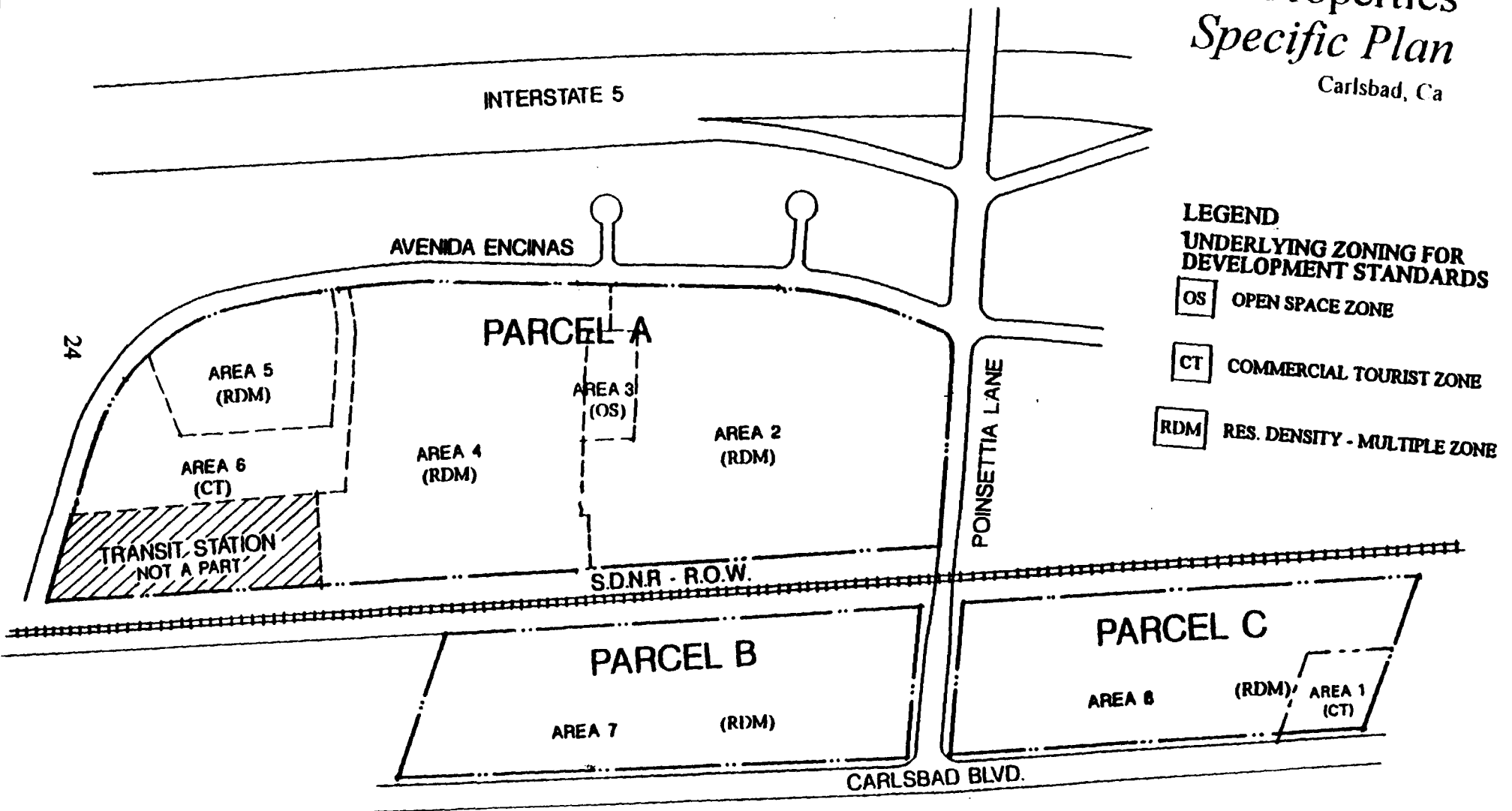


LOCATION AND DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE AT THE TENTATIVE MAP STAGE

## PROPOSED GENERAL PLAN

# Poinsettia Properties Specific Plan

Carlsbad, Ca



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0' 125' 250' 500'

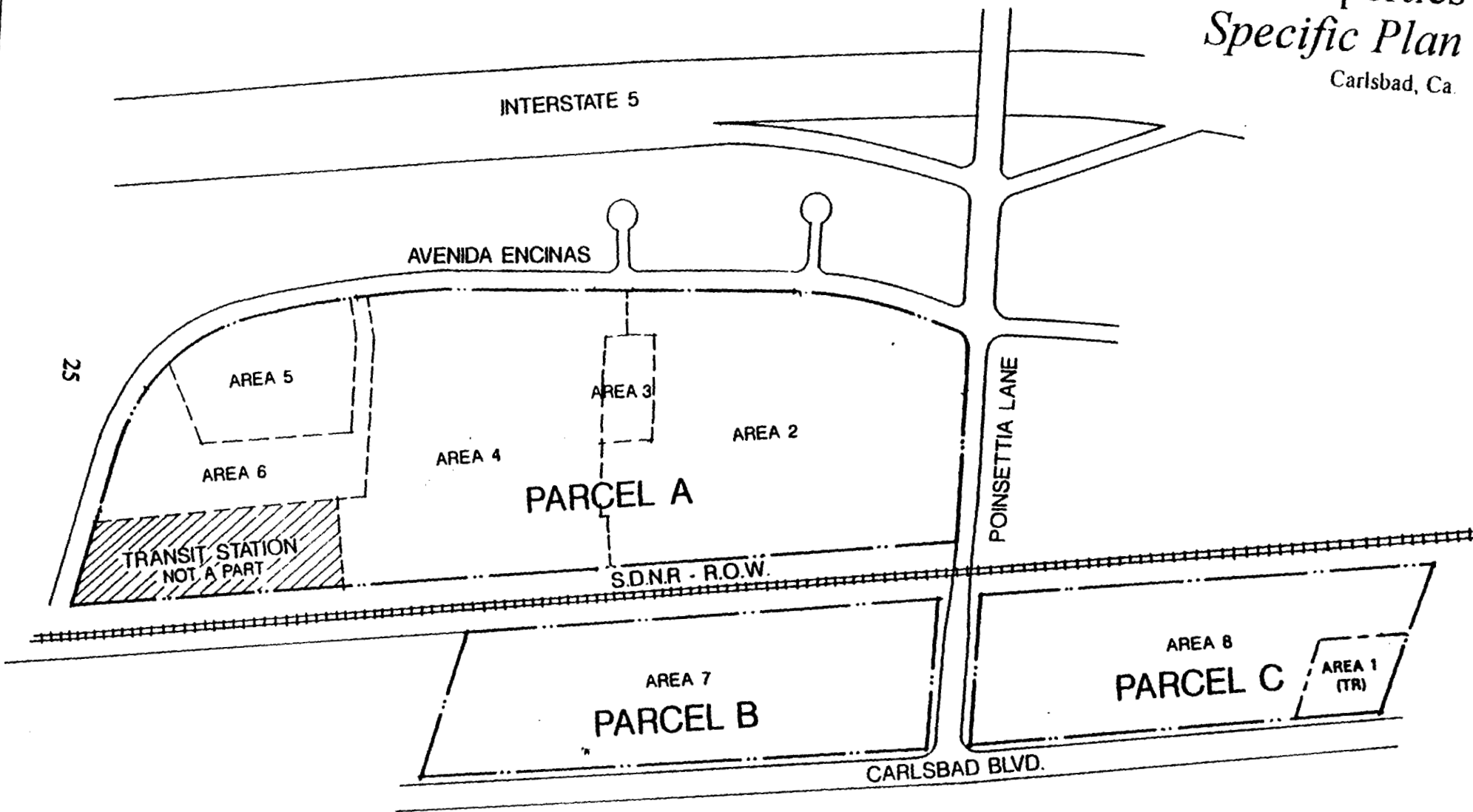
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APPROXIMATE AND SUBJECT TO CHANGE  
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## ZONING PLAN

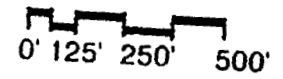


# Poinsettia Properties Specific Plan

Carlsbad, Ca



BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS



LOCATION AND DIMENSIONS SHOWN ARE  
APPROXIMATE AND SUBJECT TO CHANGE  
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## PLANNING AREAS

Note: The number of units in a Planning Area may exceed the Growth Control Point, provided, however, they are within the General Plan density range, (except Planning Area 5 which may exceed the density range). The total number of dwelling units within the Poinsettia Properties Specific Plan may not exceed 823.

**POINESETTIA PROPERTIES SPECIFIC PLAN  
LAND USE SUMMARY**

**Exhibit 6**

Planning Area	General Plan Designation	Development Type and Review Process	Acres		Residential (Units)		Non-Residential (Sq. Ft.)		
			Gross	Net (Net of existing slopes at Poinsettia)	Growth Management Control Point	Poinsettia Properties Specific Plan (1)	Poinsettia Properties Specific Plan		
Parcel A	2	RM -- 4 - 8 du/ac	SFD	TM/PD	23.6	23.3	140 (6.0 du/ac)	168	
	3	OS	Open Space		1.4	1.4	0		Open Space rec area for PA 2 & 4
	4	RMH - 8-15 du/ac	SFD	TM/PD	18.6	18.6	213 (11.5 du/ac)	178	
	5	RH - 15-23 du/ac	MF- affordable units	PD/SDP	5.6	5.6	106 (19 du/ac)	(1) (2) 114	
	6	TR/RH 15-23 du/ac	Travel Recreation Commercial/Mixed Use/MF	SDP	6.5	6.5 (Assumes 50% of land as MF residential )	61 (19 du/ac)	(3) 61	Up to 80,000 s.f. retail/commercial building space
Parcel B	7	RMH - 8-15 du/ac	SFD	PD/SDP/TM	18.7	18.7	215 (11.5 du/ac)	179	
Parcel C	1	TR	Travel Recreation	SDP	1.5	1.5	0	0	Up to 21,780 s.f. of building space (1/3 coverage)
	8	RMH - 8-15 du/ac	SFD	PD/SDP/TM	16.0	16.0	184 (11.5 du/ac)	123	
<b>Total Specific Plan (including affordable units)</b>					<b>91.9</b>	<b>91.6</b>	<b>919</b>	<b>(4) 823</b>	<b>Up to 101,780 s.f. of retail/commercial service building space</b>

(1) Units are permitted to be transferred to Planning Area 5 provided that total units in the specific plan does not exceed 823.

(2) Under Section 21.86.060(g) of the Density Bonus Ordinance and other provisions, these units may be permitted to exceed the General Plan density range.

(3) Up to 61 apartments, condominiums and/or live work units with residential use.

(4) A maximum of 24 secondary units may be located in Planning Areas 2, 4, 7 and 8. The exact distribution shall be determined through the affordable housing agreement which shall be signed prior to approval of the first final map.

Affordable Housing note: All residential units are subject to affordable housing requirements which are calculated on the following page based on a requirement of 15% affordable units. (See continuation of Exhibit 6 on following page).

# POINSETTIA PROPERTIES SPECIFIC PLAN

## Land Use Summary

### Exhibit 6/continued

<b>Planning Areas</b>	<b>Market Rate Units Subject to Affordable Housing</b>	<b>Affordable Requirement</b>	<b>General Location of 15% Affordable Housing</b>	<b>Total Market Rate and Affordable Units</b>
1	0	0	0	0
2	168	29.6	Planning Area 5	168
3	0	0	0	0
4	178	31.4	Planning Area 5	178
5	0	0	114	114
6	52	9.1	9	61
7	179	31.6	Planning Area 5	179
8	123	21.7	Planning Area 5	123
<b>Total</b>	<b>698</b>	<b>123.4</b>	<b>123</b>	<b>823</b>

### **III. CIRCULATION AND ROADWAY ALIGNMENT**

Existing and future roadways within the Poinsettia Properties Specific Plan area help to define the logical planning areas for the Specific Plan. Existing Avenida Encinas, Carlsbad Boulevard and Poinsettia Lane (Circulation Element roadways) serve as the main thoroughfares for the project.

Avenida Encinas fronts the eastern boundary of Parcel A and connects via Poinsettia Lane to Interstate 5. Carlsbad Boulevard currently is a four-lane major arterial road along the western boundary of the Specific Plan area, fronting Parcels B and C. These roadways are shown on Exhibit 3, page 23. The following sections describe improvements which will be provided for within the Specific Plan area.

As shown on Exhibit 7, page 32, Carlsbad Boulevard, Avenida Encinas, Poinsettia Lane and the proposed street between Planning Areas 5 and 6 will be public streets. Additional public streets are the entry roads that will intersect with Carlsbad Boulevard to provide access to Parcels B and C. The entry road for Parcel B will also provide access to the existing Lanikai Lane. The entry road for Parcel C will be designed to accommodate a potential extension of Ponto Road. All other streets within the Specific Plan boundary may be private and gated. The locations of gated entries are shown on Exhibit 14, page 51. Although these streets may be private and gated, to ensure that pedestrian TOD principles are adhered to, public pedestrian access through the Specific Plan area will be provided for, as shown in Exhibit 14, page 51. The phasing of public roadways and other public improvements are shown on Exhibit 27, page 71.

#### **A. CARLSBAD BOULEVARD**

Carlsbad Boulevard, adjacent to the western boundary of the Specific Plan area, is designated on the City's circulation element as a four-lane major arterial. The existing Carlsbad Boulevard roadway is built to four lanes; however, the existing improvements are not built to City standards. Carlsbad Boulevard lacks curb, gutter, sidewalk and streetlight improvements on its eastern edge. Therefore, prior to construction of any new Carlsbad Boulevard improvements, the City may prepare and adopt a study or report analyzing alternative Carlsbad Boulevard alignments. Development of Parcel A (east of the railroad right-of-way) of the Specific Plan shall not be subject to any such study and report or improvement to Carlsbad Boulevard, and such a study, report or improvement (if any) is not a condition for development to occur on Parcel A. Development of Parcels B and C of the Specific Plan (west of the railroad right-of-way) can occur prior to a City decision on realignment or completion of such study and report (if any) provided, however, that the developer of the Parcels B & C may be required to deposit an in-lieu cash deposit (or acceptable bond) with the City for frontage improvements in an amount equal to the value of the frontage improvements as described below. Any realignment or improvements cost study of Carlsbad Boulevard shall not be a condition and/or an improvement requirement for either Parcels A, B or C. As stated above, Parcels B and C may be conditioned to pay for reasonable frontage improvements. Parcels B and C are not responsible for any possible realignment, widening or other alteration to Carlsbad Boulevard (other than reasonable frontage improvements). The normal processing of entitlements or construction of parcels B or C shall not be delayed by preparation or adoption of such a realignment study.

The frontage improvements described above shall include, but not be limited to, installation of curb and gutter, sidewalk, median curbing, street lights and necessary utility relocations. Only Parcels B and C shall be responsible for their fair share of Carlsbad Boulevard improvements. In addition, Parcels B and C will take access from Carlsbad Boulevard and will be required to construct signalized intersections at these access points. These access points will generally be located at the northern boundary of Parcel B and southern boundary of Parcel C. Emergency access points can be located at Carlsbad Boulevard to serve Parcels B and C as well.

**B. POINSETTIA LANE**

Poinsettia Lane is an existing four lane major arterial roadway traveling west from Interstate 5 to intersect with Carlsbad Boulevard. The Poinsettia roadway is fully improved, except for the Poinsettia bridge over the railroad. This bridge is currently constructed as two lanes. The City of Carlsbad's Capital Improvement Program plans to widen the existing bridge from two lanes to full width of four lanes. The widening of Poinsettia bridge is not a condition of this specific plan. The bridge was constructed to its existing configuration by a previous property owner. Pursuant to the agreement between the City of Carlsbad and the previous property owner, the bridge was constructed in exchange for credits against future park fees. A memorandum of this agreement is recorded and appears as a matter of title for the property.

A portion of the existing excess right-of-way of Poinsettia Lane will be vacated as shown in Appendix B.

**C. AVENIDA ENCINAS**

Avenida Encinas is an existing four lane circulation element roadway on the eastern boundary of Parcel A. It is currently constructed as two lanes along the frontage of Parcel A. Improvements to Avenida Encinas will be determined with tentative map/site development plan approvals of Parcel A. Only Parcel A shall be responsible for improvements to Avenida Encinas. As stated earlier, Parcels B and C shall be responsible for all required improvements to Carlsbad Boulevard. An additional right-in/right-out intersection may be provided on Avenida Encinas approximately halfway between the Poinsettia Lane/Avenida Encinas intersection and the Raintree Drive/Avenida Encinas intersection.

The widening and frontage improvements to Avenida Encinas will be phased as shown on Exhibit 27, page 71. Generally, Planning Areas 1 and 5 shall be responsible and conditioned for improvements of Avenida Encinas within its frontage on Avenida Encinas. Full widening and frontage improvements must be made within the development of Planning Areas 2, 4 and/or 6 (see phasing schedule, Exhibit 27, page 71).

**D. SURFSIDE LANE**

Surfside Lane is an existing two lane road to the north of Parcel B which serves as the access road to the Lanikai Lane Mobile Home Park. During the tentative map stage, Parcel B shall plan an access point from its intersection and entry at Carlsbad Boulevard which will also serve as an

entry to Lanikai Lane Mobile Home Park. Generally, the entrance to Parcel B and Surfside Lane from Carlsbad Boulevard will be located at the northern boundary of Parcel B. The developer of Parcel B shall also provide a right turn in and out access to the Lanikai Lanes Mobile Home Park from Carlsbad Boulevard adjacent to the existing main entrance to the park. Acceleration and deceleration lanes on Carlsbad Boulevard may be required as part of the construction of this access. The exact details of this access shall be determined as part of the tentative map for Planning Area 7. Other than these access points, Parcel B shall not be responsible for any improvements to Surfside Lane.

**E. PONTO ROAD**

The proposed entry road to Parcel C from Carlsbad Boulevard is to be located approximately 200 feet north of the southern boundary of Parcel C. This southern boundary is adjacent to parcels to the south that front a private roadway known as Ponto Road. As this adjacent area undergoes improvement, it may be desirable to extend and connect Ponto Road to the Parcel C entry road. During the tentative map stage of planning, Parcel C shall be planned and designed in such a way that an extension of Ponto Road can connect with the Parcel C entry road that intersects with Carlsbad Boulevard. Other than this access point, Parcel C shall not be required to make any improvements to Ponto Road.

**F. PONTO DRIVE**

Ponto Drive is a partially improved roadway located south of Parcel C, adjacent to Carlsbad Boulevard. Currently, Ponto Drive merges with Carlsbad Boulevard through a northbound only acceleration ramp at the northerly end of the road, adjacent to the southwest edge of Parcel C. As described in the previous section, Parcel C will be provided access with an entry road that intersects with Carlsbad Boulevard. To avoid traffic conflicts, installation of this new intersection necessitates removal of the existing northbound only acceleration ramp and construction of a cul-de-sac bulb at the northern end of Ponto Drive. This adjacent area will continue to have full access to Carlsbad Boulevard from the Avenida Encinas intersection, located further south along Carlsbad Boulevard. During the tentative map stage of planning, Parcel C shall be planned and designed to provide a signalized intersection on Carlsbad Boulevard for an entry road to Parcel C and construction of a cul-de-sac bulb at the northern end of Ponto Drive. Other than this cul-de-sac bulb, Parcel C shall not be required to make any improvements to the Ponto Drive right-of-way.

**G. PUBLIC STREET BETWEEN PLANNING AREAS 5 AND 6**

A new public street is proposed between Planning Areas 5 and 6 (see Exhibit 7, page 32). This street will be constructed at a curb-to-curb width of 40 feet with parking on both sides. This street will be designed with canopy trees and pedestrian access gathering areas consistent with TOD principles. Residential units in Planning Area 5 and store front units in Planning Area 6 should be designed to front and face this street. If allowed by NCTD, the street should provide

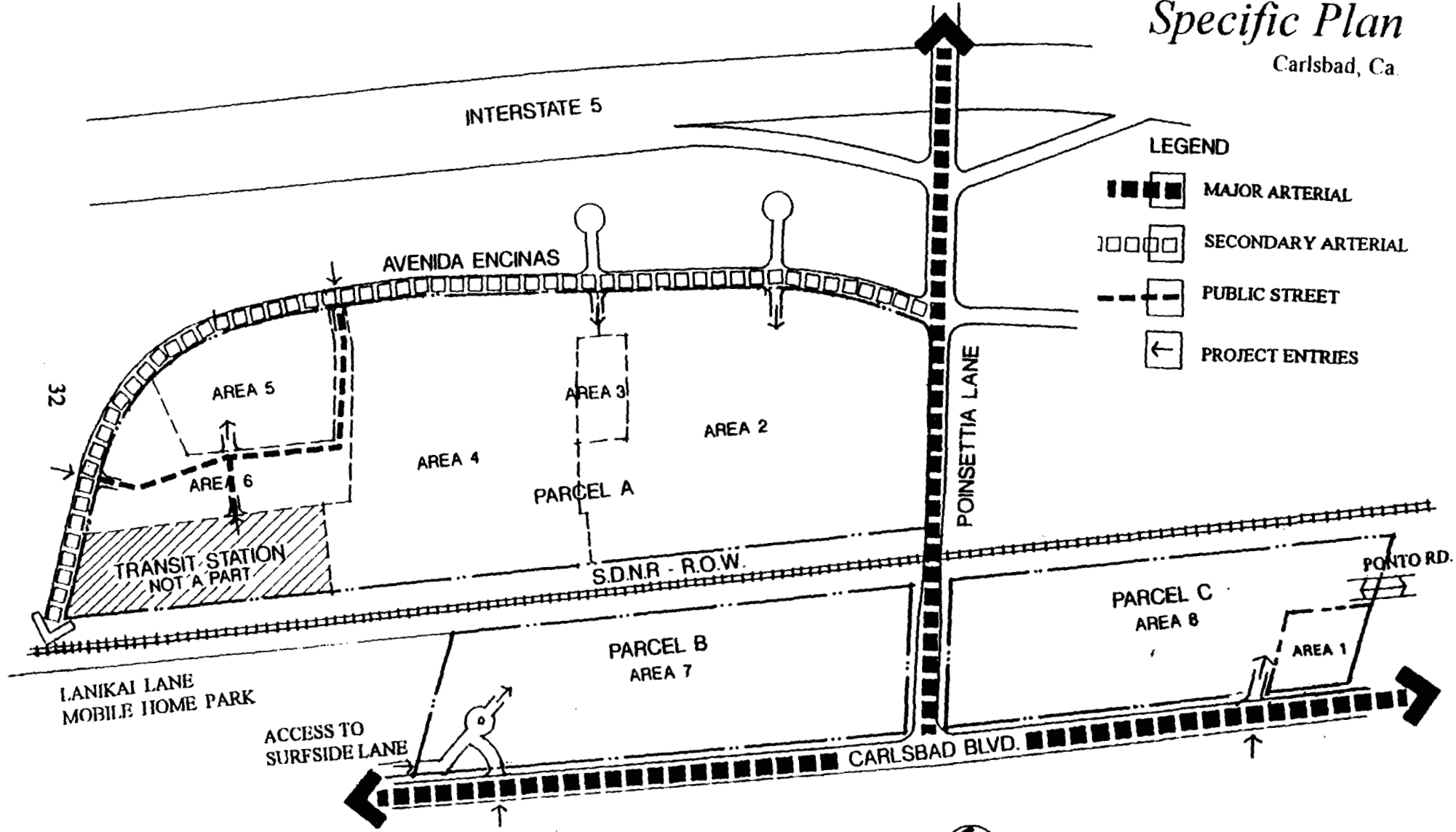
access to the Poinsettia Transit Center . The street shall be constructed with the development of Planning Area 5 and/or Planning Area 6 and completed prior to the issuance of an occupancy permit.

#### **H. INTERNAL STREETS**

Private internal streets designed using narrow widths (below private street standards) may be considered by the Planning Commission and the City Council in order to encourage a more pedestrian oriented community.

# Poinsettia Properties Specific Plan

Carlsbad, Ca.



- LEGEND**
- MAJOR ARTERIAL
  - SECONDARY ARTERIAL
  - PUBLIC STREET
  - PROJECT ENTRIES

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS



0' 125' 250' 500'

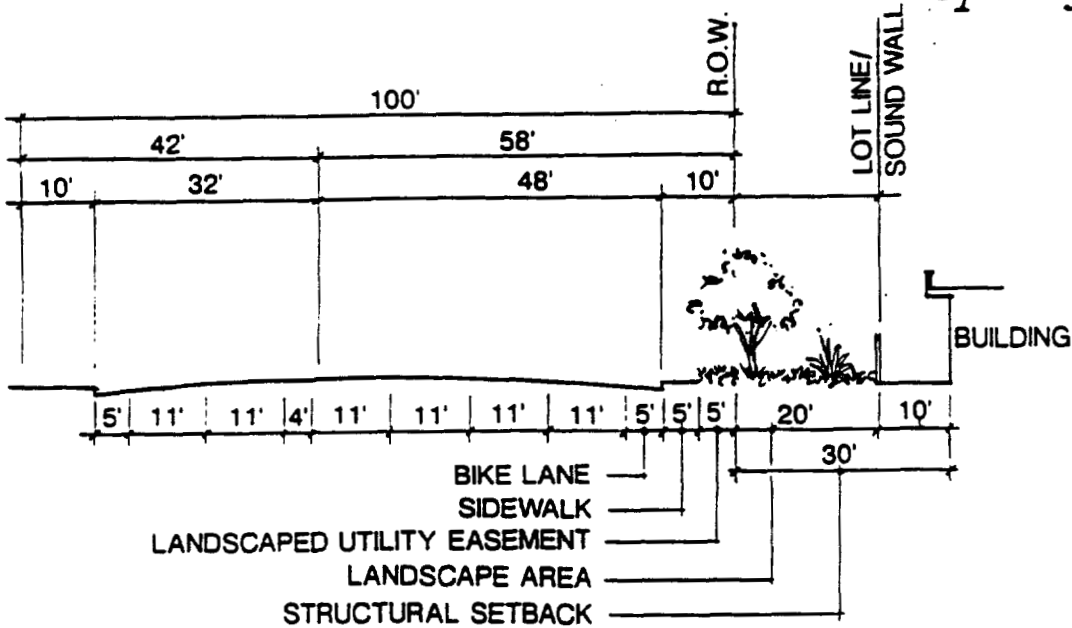
PUBLIC STREETS

LOCATION AND DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE AT THE DESIGN AND STAGE

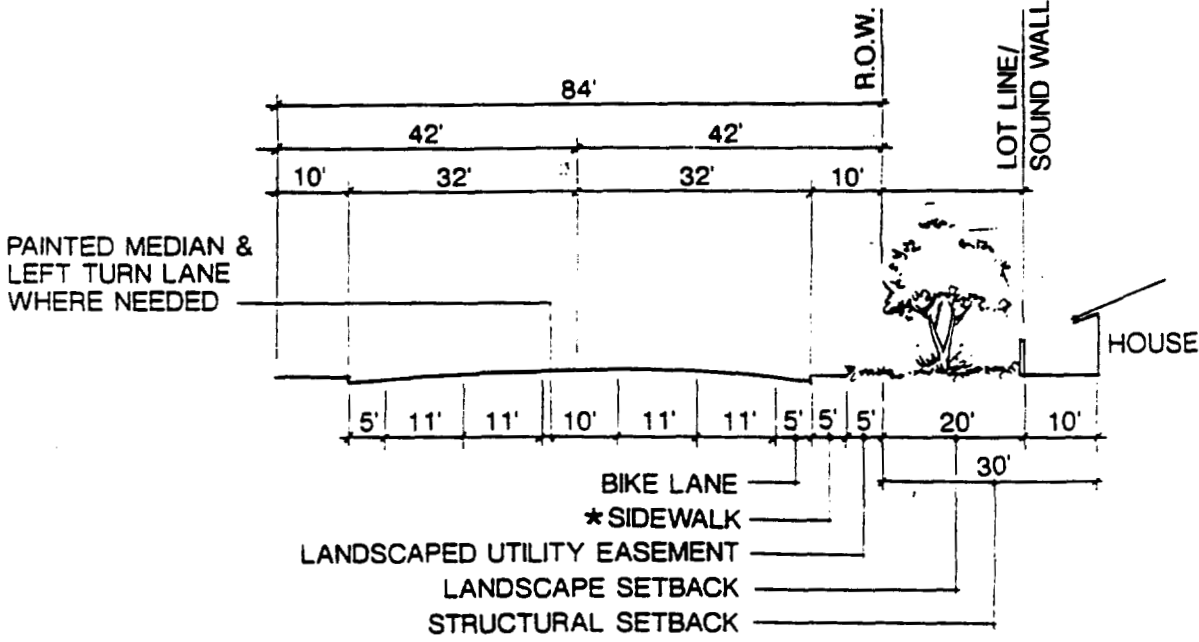


# Poinsettia Properties Specific Plan

Carlsbad, Ca



## AVENIDA ENCINAS SECTION @ POINSETTIA



## AVENIDA ENCINAS TYPICAL SECTION

\* NOTE: Sidewalk shall meander within landscape setbacks.

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

LAND CONFIGURATION AND DESIGN IS  
CONCEPTUAL. FINAL DESIGN WILL BE  
PRESENTED WITH TENTATIVE MAP.

## **IV. AFFORDABLE HOUSING**

The intent of this chapter is to describe the Poinsettia Properties Specific Plan's compliance with the requirements of Carlsbad's adopted Housing Element and with applicable ordinances which implement the policies and programs of the Housing Element.

### **A. AFFORDABLE HOUSING REQUIREMENTS**

The City of Carlsbad's Housing Element, as implemented through its Inclusionary Housing Ordinance (Chapter 21.85 of the Carlsbad Municipal Code), currently requires that at least 15% of the dwellings in a specific plan be affordable to lower income households. For the Poinsettia Properties Specific Plan (before consideration of additional units under Policy 43 – see below), this equates to a minimum of 67 affordable units [(the base of 449 future units under the Zone 22 LFMP dated 10/19/88) x (.15) = 67]. The Housing Element and implementing ordinances (Inclusionary and Density Bonus) allow the use of several alternatives and incentives for providing affordable housing. In addition, Policy 43, as amended, allows for the allocation of additional units to projects meeting certain criteria including transit oriented designed projects. The following section describes the alternatives selected for the Poinsettia Properties Specific Plan.

### **B. POINSETTIA PROPERTIES GENERAL COMPLIANCE**

The Poinsettia Properties Specific Plan proposes that additional units be allocated to the Specific Plan area as permitted in City Council Policy 43, as amended. Policy 43, as amended, provides that transit oriented developments may be allocated additional units from the City's excess dwelling unit bank. As determined by the previously approved Local Facilities Management Plan for Zone 22, the Specific Plan has an allocation of 449 base units. Under Policy 43, an additional 374 residential units are allocated to the Poinsettia Properties Plan, providing a total of 823 Specific Plan units. Of these total 823 Specific Plan units, up to 15% (or up to 123 affordable units) will be provided based on a possible total of 698 market rate units within the Specific Plan (see Exhibit 6, page 26). (Actual affordable units may be less, based on the ultimate yield of market rate unit tentative maps, but in all cases will equal 15% of total applicable units, including affordable units.)

### **C. GENERAL CONDITIONS AND PROCESSING**

1. This affordable housing plan serves to implement the General Plan in conjunction with related affordable housing ordinances. Unless otherwise specified in this specific plan, the requirements of Title 21.85 (Inclusionary Housing), Title 21.86, and Policy 43 shall apply.
2. All projects proposed within the Specific Plan shall be consistent with the policies and programs contained in the City's General Plan and Housing Element and any related Municipal Code Chapters including Title 21.85 "Inclusionary Housing", Title 21.86 "Density Bonus" (if applicable), and City Council Policy 43.

3. The requirements and conditions relating to Affordable Housing and processing tentative tract maps for market rate units are as follows: See Schedule A on page 37.
4. Prior to approval of a final map or, where a map is not being processed, prior to the issuance of building permits for any residential project subject to affordable housing requirements the, developer shall demonstrate compliance with this section of the Specific Plan by the preparation and approval of an Affordable Housing Agreement.

The Affordable Housing Agreement shall comply with all the requirements of Section 21.85.160 of the Carlsbad Municipal Code. The agreement shall be recorded, and the relevant terms and conditions therefrom filed and recorded as a deed restriction on those individual lots or units of a property which are designated for the location of affordable housing units.

The required affordable housing units shall be constructed and phased as provided within an Affordable Housing Agreement. The following guidelines should be considered and implemented where possible when developing the Affordable Housing Agreement.

- a. Up to 20% of the Specific Plan affordable units can be satisfied by the use of secondary units in Planning Areas 2, 4, 7, & 8.
- b. The mitigation of the affordable units required for Planning Area 6 shall be a part of the Affordable Housing Agreement.

#### **D. SECONDARY UNITS**

Up to 24 Granny Flats or Carriage Units, hereinafter referred to as "Secondary Units", shall be allowed to be built over the garages or as part (or separate) of the main residential units within Planning Areas 2, 4, 7, & 8 to help fulfill the Inclusionary Housing requirement. The total number of primary and secondary units shall not exceed 168 in Planning Area 2, shall not exceed 178 in Planning Area 4, shall not exceed 179 in Planning Area 7, and shall not exceed 123 in Planning Area 8. Additional second units may be constructed but will not count toward meeting the project's Inclusionary requirement. Secondary Units are subject to the following guidelines in addition to the City's guidelines effecting secondary units. The exact distribution of secondary units shall be determined through the Affordable Housing Agreement which shall be signed prior to approval of the first final map.

1. Up to 20% of the overall Specific Plan affordable housing units can be satisfied by the use of secondary units. To be considered as an affordable unit, the unit must be restricted to rents equal to an amount equal to 30 percent of the gross monthly income of a low-income household, adjusted for household size, at 80 percent of the San Diego County median income.
2. If a secondary unit is counted as an affordable unit it will be rent restricted as provided for in the approved Affordable Housing Agreement.

3. The Affordable Housing Agreement shall provide that an administrative permit be recorded against each residence that includes a secondary unit that is counted as an affordable unit. The administrative permit shall regulate the restricted rents placed on the affordable secondary unit.
4. All secondary units must be a minimum of 400 square feet in size. Secondary units which have an internal access through the primary unit shall be constructed as a one bedroom unit. Secondary units with direct access (no access through the primary unit) may be constructed as a studio. Second units must not exceed a size of 640 square feet.

## SCHEDULE A

<b>REQUIRED DISCRETIONARY ACTIONS BY PLANNING AREA</b>	
<b>Planning Area</b>	<b>Actions Required by Planning Area</b>
1	<ol style="list-style-type: none"> <li>1. Site Development Plan</li> <li>2. Coastal Development Permit</li> </ol>
2	<ol style="list-style-type: none"> <li>1. Tentative Map</li> <li>2. Planned Unit Development</li> <li>3. Site Development Plan, or equivalent, for Planning Area 3.</li> <li>4. Approved Affordable Housing Agreement.</li> <li>5. Coastal Development Permit</li> </ol>
3	N/A
4	<ol style="list-style-type: none"> <li>1. Tentative Map</li> <li>2. Planned Unit Development</li> <li>3. Site Development Plan, or equivalent, for Planning Area 3.</li> <li>4. Approved Affordable Housing Agreement.</li> <li>5. Coastal Development Permit</li> </ol>
5	N/A
6	<ol style="list-style-type: none"> <li>1. Site Development Plan, or equivalent, for affordable units in Planning Area 6.</li> <li>2. Approved Affordable Housing Agreement.</li> <li>3. Coastal Development Permit</li> </ol>
7	<ol style="list-style-type: none"> <li>1. Tentative Map</li> <li>2. Planned Unit Development</li> <li>3. Approved Affordable Housing Agreement.</li> <li>4. Coastal Development Permit</li> </ol>
8	<ol style="list-style-type: none"> <li>1. Tentative Map</li> <li>2. Planned Unit Development</li> <li>3. Approved Affordable Housing Agreement.</li> <li>4. Coastal Development Permit</li> </ol>

## V. OPEN SPACE AND RESOURCE PRESERVATION

### A. INTRODUCTION

Approximately 13.8 acres or 15% of the Poinsettia Properties Specific Plan consists of open space. The exhibits referenced in the table below detail the planned location of open space within this specific plan. In addition, the table tabulates the calculation of open space requirements.

	<u>Approx. Gross Acres</u>	<u>Approx. Constrained Slopes</u>	<u>Approx. Net Acreage</u>	<u>15% Open Space Required</u>	<u>Approx. Open Space Provided</u>	<u>Open Space Exhibit</u>	<u>Page</u>
Parcel A	55.7	–	55.7	8.4	8.6	9/10	46, 47
Parcel B	18.7	–	18.7	2.8	2.7	9/11	46, 48
Parcel C	17.5	–	17.5	2.6	2.5	9/12	46, 49
Totals	92	–	91.9	13.8	13.8		

The exhibits referenced above establish the planned open space of this specific plan. These exhibits are conceptual in nature and therefore the exact location of this open space acreage (including public and/or private designation) shall be identified with appropriate future tentative maps or site development plans (provided the general concepts of these open space exhibits are met). Open space may consist of recreation areas, slopes, trails (public and private) and setbacks from roadways and the railroad right-of way and other designated areas. Open space provided within Parcels A, B and C can be combined to satisfy the 15% overall requirement of the Specific Plan.

The open space provided within the Poinsettia Properties Specific Plan complies with all applicable City ordinances and standards, including the City's Growth Management Ordinance, General Plan and Zoning requirements. It is an integrated plan designed to create a pedestrian-oriented community. It is intended to address the following items per City standards: a) Open space for the preservation of natural resources; b) Open space for the managed production of resources; c) Open space for outdoor recreation; and d) Open space for public health and safety. These items are discussed further on page 19. As a result, the Poinsettia Properties Specific Plan is required to provide 15%, or approximately 13.8 acres, of open space.

All open space requirements are met by the standards set forth in this section, including the City's Growth Management Plan, General Plan and Municipal Code. Open Space requirements for Growth Management purposes are addressed in the amended LFMP for Zone 22. The requirements of the General Plan are addressed and satisfied by the Open Space provisions provided herein, including the discussion of pedestrian trails and parkways on page 39.

## **B. PEDESTRIAN PARKWAYS AND TRAILS**

### **1. INTRODUCTION**

As called out both in the Vision and Goals section of this plan, a trail system which blends the various neighborhoods and land uses is the key element of a TOD. For this reason, the Specific Plan includes an extensive system which allows maximum connectability of all neighborhoods, but more importantly allows easy and comfortable access to the Poinsettia Transit Station. In addition to the trail system itself, the plan also calls for an appropriate scale of buildings to encourage its use, as well as inviting public areas where different neighborhoods and land uses meet.

To encourage non vehicular movement within the community, a system of pedestrian parkways and trails have been developed. These trails and parkways allow residents to move freely about the Poinsettia Properties communities and access both the open space and recreation amenities provided. This trail system is also designed to tie into a future city-wide trail system if one is developed. In addition, trails will be designed to provide pedestrian access to the Poinsettia Transit Station. Exhibit 13, page 50, details the trail/parkway concept of the Specific Plan.

Each planning area containing a segment of the public trail system shall be conditioned to construct its trail segment prior to issuance of any building permits for that planning area. Such access-ways shall be preserved for public use by requiring irrevocable offers of dedication of those areas as a condition of development. Prior to the issuance of any building permits for those planning areas, the trail dedications shall be accepted by the City of Carlsbad if the City agrees and it adopts a Citywide Trails Program that includes provisions for maintenance and liability. Otherwise, prior to issuance of any building permits, the obligation for acceptance, construction, maintenance and liability shall be the responsibility of another agency designated by the City or the responsibility of the Homeowner's Association. Upon acceptance of the dedication, including maintenance and liability responsibilities, and completion of the trail improvements, the trail shall be open for public use. The access-ways shall not adversely impact environmentally sensitive habitats.

### **2. DESCRIPTION**

The Specific Plan provides for the following types of trails and parkways, which are also shown as Exhibit 13, page 50. The following table lists these facilities and their design standards as well as a text discussion.

Trail/Parkway Facility	Design Standard
Avenida Encinas Pedestrian Open Space Parkway	A 20 foot landscaped parkway along the western right-of-way of Avenida Encinas fronting Parcel A. Within this parkway, a five foot meandering sidewalk shall be constructed.
Railroad Pedestrian/Open Space Corridor	A minimum 100 foot setback along the western boundary of Parcel A from all wetland areas located on site or within the railroad right-of-way unless a reduced buffer is endorsed by the U.S. Fish & Wildlife Service. An open space setback from the railroad right-of-way of lesser width, but not less than 40 feet, shall be permitted in areas where wetlands are not present within the railroad right-of-way or on the subject site, subject to approval by the U.S. Fish and Wildlife Service. This setback area shall be landscaped pursuant to Exhibit 15, page 52, and shall include a 8-10 foot natural public trail constructed on decomposed granite and stabilized with concrete (or other construction type as may be approved by the City). The public trail shall be located in the eastern half of the setback.
Mixed-Use Pedestrian Link Corridors	An average 10 foot sidewalk and landscaped canopy area along both sides of the public street in Planning Area 6. Sidewalks shall be 5 feet wide.
Public Access Parkway a. Public Access Parkway (Planning Area 4) b. Private Community Trail (Planning Area 2)	<p>A north/south spine corridor within Parcel A providing public access between Avenida Encinas and the mixed-use pedestrian link/corridors. This area shall be an average of 15 feet in width including landscaping and a 5-foot sidewalk.</p> <p>The Public Access Parkway is divided into two segments. The segment within Planning Area 4 is known as the Public Access Parkway, which allows for public access. The segment within Planning Area 2 is known as the Private Community Trail, which does not provide for public access.</p>
Parkway at Carlsbad Boulevard	A 40 foot wide landscape setback, including a 8-10 foot wide natural trail of decomposed granite with stabilizing concrete (or other construction as may be approved by the City).
Public Pedestrian Trail to the west of Poinsettia Transit Station loading area	A 5-10 foot wide natural trail (decomposed granite or other acceptable material) on the northern boundary of Parcel B and within the SDN right-of-way, if approved by NCTD.
Internal Parkways/Trails/Sidewalks	Other internal parkways/trails and sidewalks within each planning area are designed to link and connect with main parkways and trails.



a. Avenida Encinas Pedestrian/Open Space Parkway

This parkway includes a 20 foot landscaped area outside of the Avenida Encinas right-of-way and a 10-foot portion within the Avenida Encinas right-of-way to be dedicated for a meandering sidewalk (5 feet) and landscaped utility easement (5 feet) (see Exhibit 18, page 55). This in addition to the 20 foot landscaped area will create an overall 30 foot landscaped/sidewalk setback when measuring from the street curb of Avenida Encinas. The design shall encourage public pedestrian use and access to the Poinsettia Transit Center. Any required bus turnouts shall be constructed within this parkway. The design of this parkway shall be approved in conjunction with other discretionary applications. (See Exhibit 18, page 55, which details a typical cross section of Avenida Encinas.) This entire area is to be considered as part of the Specific Plan's overall open space requirements and satisfaction thereof.

b. Railroad Pedestrian/Open Space Corridor

This corridor shall be constructed with a minimum 100 foot setback along the western boundary of Parcel A from all wetland areas located on the site or within the railroad right-of-way unless a reduced buffer is endorsed by the U.S. Fish & Wildlife Service. An open space setback from the railroad right-of-way of lesser width, but not less than 40 feet, shall be permitted in areas where wetlands are not present within the railroad right-of-way or on the subject site, subject to approval by the U.S. Fish and Wildlife Service. This setback shall be landscaped pursuant to Exhibit 15, page 52 and shall include a 8-10 foot natural public trail constructed on decomposed granite and stabilized with concrete (or other construction type as may be approved by the City). The public trail shall be located in the eastern half of the setback.

In addition, where possible, this setback area shall be designed in cooperation with the proposed regional commuter trail proposed within the SDN right-of-way. Although this specific plan is required to dedicate and construct its portion of the Citywide trail system, this specific plan is not required to plan or construct the proposed regional trail. Subsequent discretionary application permits or development of the Specific Plan area shall not be delayed pending the planning and approval of the proposed regional trail. However, if the timing and construction of the regional trail is consistent with the planning and development of the Specific Plan area, then both the developer and lead agencies should be encouraged to cooperate with the design and construction of the regional trail.

c. Mixed-use Pedestrian Link/Corridors

This area is the pedestrian element designed within the public street between Planning Areas 5 and 6. Links and corridors shall be established to encourage pedestrian access and exchange between Planning Areas 5, 6 and the Poinsettia Transit Station. This shall be accomplished through the use of sidewalks, canopy trees, landscaping, outside

eating areas, gathering areas and other elements to encourage pedestrian and public activity. Exhibit 21, page 58, provides a vignette of the types of public gathering places that could be designed along this corridor. The average width of this corridor will be 10', although this area could be expanded at public gathering places. Portions of this area shall be counted toward satisfaction of the Specific Plan's overall open space requirement. The design of this link/corridor shall be approved by the Planning Director in conjunction with other discretionary permit applications.

d. Public Access Parkway

Planning Areas 2, 3, and 4 shall include a "pedestrian collector spine" intended to facilitate pedestrian access to the mixed-use pedestrian link/corridors of Planning Areas 5 and 6 and the Poinsettia Transit Station. This sidewalk/parkway will be a private facility, except that a portion within Planning Area 4 and an east/west segment sited along the boundaries of Planning Areas 2 and 4 will provide unrestricted public access between the Avenida Encinas pedestrian parkway and the mixed-use pedestrian link/corridors, as well as the railroad pedestrian/open space corridor.

The locations of public access to this sidewalk/parkway is shown on Exhibit 14, page 51. The portion of this "pedestrian collector spine" parkway in Planning Areas 2 and 3 shall not be accessible to the public.

The Public Access Parkway is divided into two segments. The segment within Planning Area 4 is known as the "Public Access Parkway", which allows for public access. The segment in Planning Area 2 is known as the Private Community Trail which does not provide for public access.

This sidewalk/parkway shall include landscaping and a 5-foot wide sidewalk and shall be designed at an average width of 15 feet including the landscaped parkway and sidewalk. Landscaping shall include canopy trees to create an enjoyable streetscape. This sidewalk/parkway (both public access and private sections in Planning Area 2, 3 and 4) are part of the Specific Plan's overall open space requirements and counted toward the satisfaction of open space requirements.

e. Parkway at Carlsbad Boulevard

This area includes a landscaped parkway and trail (8 -10 foot width) within a 40-foot landscape setback at the western boundaries of Parcels B and C along Carlsbad Boulevard. The 8-10 foot wide trail shall be a natural type constructed with decomposed granite and stabilized with concrete (or other construction type as may be approved by the City). (See Exhibit 16, page 53, which shows the location of this parkway.) Conceptual design of this parkway is shown on Exhibit 17, page 54. This

parkway shall be counted toward satisfaction of the Specific Plan's overall open space requirement.

f. Public Pedestrian Trail to West NCTD Loading Area

This trail shall be a 5-10 foot wide natural trail along the northern boundary of Parcel B which connects the parkway at the Carlsbad Boulevard boundary of Parcel B to the SDN right-of-way. If approved by NCTD, this trail shall extend northward within the SDN right-of-way to the west NCTD loading area.

g. Internal parkways/trails and sidewalks

Other internal parkways/trails/sidewalks shall be proposed for each planning area with a tentative map or other discretionary application. These internal parkways/trails/sidewalks will be designed to provide links and connections to the other main parkways and trails of the Specific Plan. Internal parkways which average 15 feet in width, with a minimum width of 10 feet (including sidewalks), shall be counted toward the satisfaction of the Specific Plan's open space requirements. Sidewalks shall be provided on both sides of internal streets within single family neighborhoods unless approved otherwise by the City. Multi-family areas shall provide a well designed internal pedestrian system. The exact location of the internal trail within Planning Area 8 shall be determined at the time of the review of the Tentative Map and Planned Development Permit (see Exhibit 13, page 50).

h. Bike paths in right-of-way

Bikeways may be provided on Avenida Encinas and Carlsbad Boulevard. Bike racks and related facilities shall be provided within each recreational facility and within the two commercial planning areas to encourage this mode of transportation.

3. ACCESS TO PARKWAYS AND TRAIL SYSTEMS

Because there is a need to provide certain sound walls, privacy walls, and private yard fencing, there is a need to define access points to the system of parkways and trails in order to maintain the TOD principles. Conceptual points and type of access are shown on Exhibit 14, page 51 and are further defined below:

a. Avenida Encinas Pedestrian/Open Space Parkway

This parkway is intended to be a public pedestrian parkway. Access to this parkway within the Specific Plan area will be at two points.

- (1) The entry of Planning Area 4 (which may be combined with Planning Areas 2 and 3) will be an unrestricted public access point.
- (2) The Planning Area 6 public street and mixed-use pedestrian link/corridor will be an unrestricted public access point.

b. Railroad Pedestrian/Open Space Parkway

Unrestricted public access will be provided at Poinsettia Lane and at the Poinsettia Transit Station. Because the eastern boundary of this parkway will be bounded by a private sound wall, certain private access gates shall be located and constructed in the sound wall to ensure private community access to this parkway. These access gates can be controlled by private use of keys or access codes and are not for public use. However, one public access gate shall be provided. This access point may be placed in either Planning Area 2 or 4 to connect this corridor with the Avenida Encinas Public Access Parkway.

c. Parkway at Carlsbad Boulevard

Unrestricted public access will be provided at Poinsettia Lane and at the Poinsettia Transit Station. Because the eastern boundary of this parkway will be bounded by a private sound wall, certain private access gates shall be located and constructed in the sound wall to ensure private community access to this parkway. These access gates can be controlled by private use of keys or access codes and are not for public use.

4. LINKS TO CITYWIDE TRAIL SYSTEM

Trails within the Specific Plan could be linked to a future Citywide trail system if the City decides to develop such a system. The City has prepared a study for the Citywide trail system but the City Council has not approved a trail maintenance program at this time. In addition, this specific plan may cooperate with lead agencies in the planning and development of the NCTD regional trail (see discussion on page 41, section 2 (b)).

**C. STRUCTURE OF HOMEOWNER ASSOCIATIONS AND MAINTENANCE**

Due to the nature of both public and private open space parkways and trails within the Specific Plan, a structure of homeowner associations is required. In general there may be two types of associations, Planning Area Homeowner Associations (HOA) for residential areas, Property Owner Associations (POA) for non-residential areas and a Master Property Owners Association.

Planning area HOA's shall be established for each planning area located in a residential or non-residential planned unit development (except Planning Area 1) and may maintain private open space, recreation areas, RV parking and other private common areas within its boundaries. Certain Planning

Area Associations can elect to jointly share ownership and maintenance of facilities, if desirable. In addition, two or more planning areas can combine to form one planning area HOA to serve such combined planning areas.

A Master HOA shall maintain all dedicated public open space and trails. The Master HOA will be owned and funded by the Planning Area HOA in a formula to be established prior to the first final map within the Specific Plan. Generally, the formula for cost allocation shall be based on residential units with an allocation factor also provided to commercial uses based on a residential equivalency.

The Master HOA may be in the form of a non-conventional homeowner's association, as may be approved by the City. It can be in the form of other entities acceptable to the Planning Director, including, but not limited to, a limited liability company.

In the event a City-wide Maintenance District (or other similar public district) is formed or adopted to maintain the City-wide Trail System, the trails of the Specific Plan, which are part of the City-wide Trail Program, will be eligible for annexation into the City's Maintenance District. Furthermore, other trails of the Specific Plan, which are open to the public, may be annexed into the City Maintenance District as may be approved by the City of Carlsbad.

To facilitate maintenance of public open space parkways and trails by the Master HOA and City-wide District (if formed or adopted), these public open space areas and public trails may be created as legal lots, where possible, during the subdivision process. Specifically, these open spaces and public parkway areas include the Avenida Encinas Pedestrian Parkway, Railroad Pedestrian/Open Space Corridor, Mixed-Use Pedestrian Link/Corridor and the Public Pedestrian/Open Space Parkway at Carlsbad Boulevard and the Public Pedestrian trail to west NCTD loading area.

For purposes of establishing residential assessments for Planning Area HOA and a Master HOA (or equivalent), secondary units (if any) in Planning Areas 2, 4, 7, & 8 will not be treated as separate residential units, unless determined otherwise by the Department of Real Estate. In addition, a primary unit with a secondary unit shall not bear a higher assessment than a residential unit without a secondary unit.

The structure of any homeowners' association and responsibility thereof, will be determined prior to or concurrent with final map approval.

## OPEN SPACE ACREAGE SUMMARY

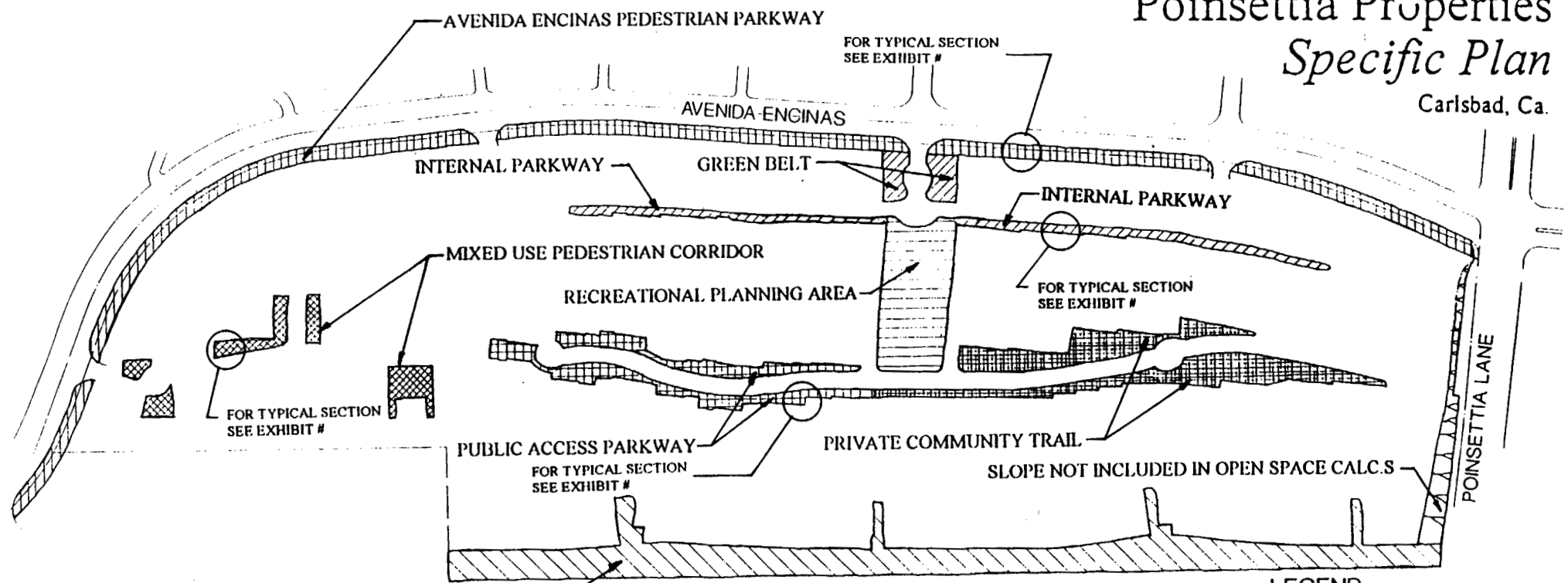
<u>OPEN SPACE</u>	<u>AREA 1</u>	<u>AREA 2</u>	<u>AREA 3</u>	<u>AREA 4</u>	<u>AREA 5</u>	<u>AREA 6</u>	<u>AREA 7</u>	<u>AREA 8</u>	<u>TOTALS</u>
1. RAILROAD PEDESTRIAN/ CORRIDOR OPEN SPACE (acres)	--	1.47	--	1.31	--	--	0.75	0.72	4.25
2. AVENIDA ENCINAS PEDESTRIAN PARKWAY (acres)	--	0.82	--	0.68	0.45	0.35	--	--	2.3
3. INTERNAL PARKWAY (AVERAGE 15' WIDE) (acres)	--	0.22	--	0.17	--	--	•	•	0.39
4. PRIVATE COMMUNITY TRAIL (PA 2) (acres)	--	0.92	--	--	--	--	•	•	0.92
5. RECREATION AREA (acres)	--	--	1.07	--	--	--	• 0.1	• 0.1	1.27
6. PUBLIC ACCESS PARKWAY (PA 4) (AVERAGE 15' WIDE) (acres)	--	0.25	--	0.54	--	--	--	--	0.79
7. MIXED USE PEDESTRIAN CORRIDOR (acres)	--	--	--	--	--	0.32	--	--	0.32
8. POINSETTIA LANE 40' SETBACK	--	--	--	--	--	--	0.44	0.42	0.86
9. CARLSBAD BOULEVARD OPEN SPACE (acres)	0.18	--	--	--	--	--	1.39	1.12	• 2.69
TOTAL GROSS ACRES OF OPEN SPACE	0.18	3.68	1.07	2.7	0.45	0.67	2.68	2.36	13.79
GROSS AREA (acres)	1.5	23.6	1.4	18.6	5.6	6.5	18.7	16.0	91.9
% OF GROSS AREA AS OS	12.00%	15.59%	76.43%	14.52%	8.04%	10.31%	14.33%	14.75%	15.01%

Note: The open space area acreage tabulations are estimates based on a conceptual site plan and conceptual design of the specific plan, parkways, trails and other open space. The actual location of open space will be determined with the tentative map or with other discretionary applications. The total open space shall be 15% of the entire specific plan area.

• At the time of preparation of the Poinsettia Properties Specific Plan, detailed land planning had not been completed for Planning Areas 7 & 8. The acreage shown in Planning Areas 7 & 8 for Recreation Areas are minimum acreages. When detailed site plans have been completed it is highly likely that the amount of open space in category 5 (Recreation Areas) will be significantly increased.

# Poinsettia Properties Specific Plan

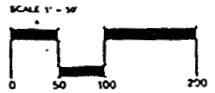
Carlsbad, Ca.



### LEGEND

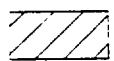
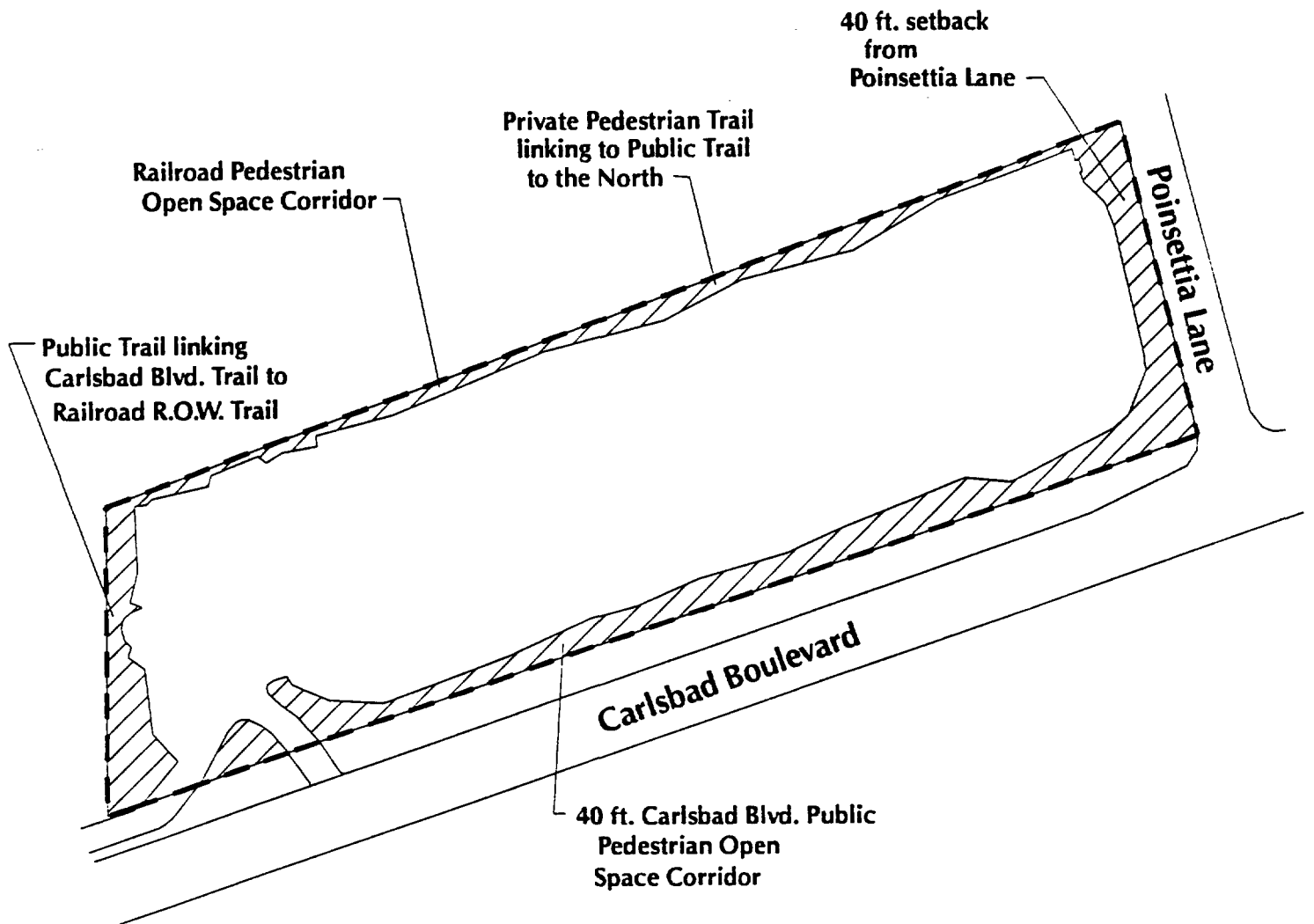
-  RAILROAD PEDESRIAN CORRIDOR
-  OPEN SPACE
-  AVIENDA ENCINAS PEDESTRIAN PARKWAY
-  GREEN BELT
-  RECREATION AREA
-  PEDESTRIAN PARKWAY
-  CANOPY STREETWAY & PUBLIC AREAS
-  20' LANDSCAPE SETBACK
-  PRIVATE COMMUNITY TRAIL

## POINSETTIA PROPERTIES



LOCATION AND DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE AT THE TENTATIVE MAP STAGE

47



Open Space



Property Boundary



North  
(Not to Scale)

15% of Net O.S. Requirement

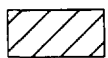
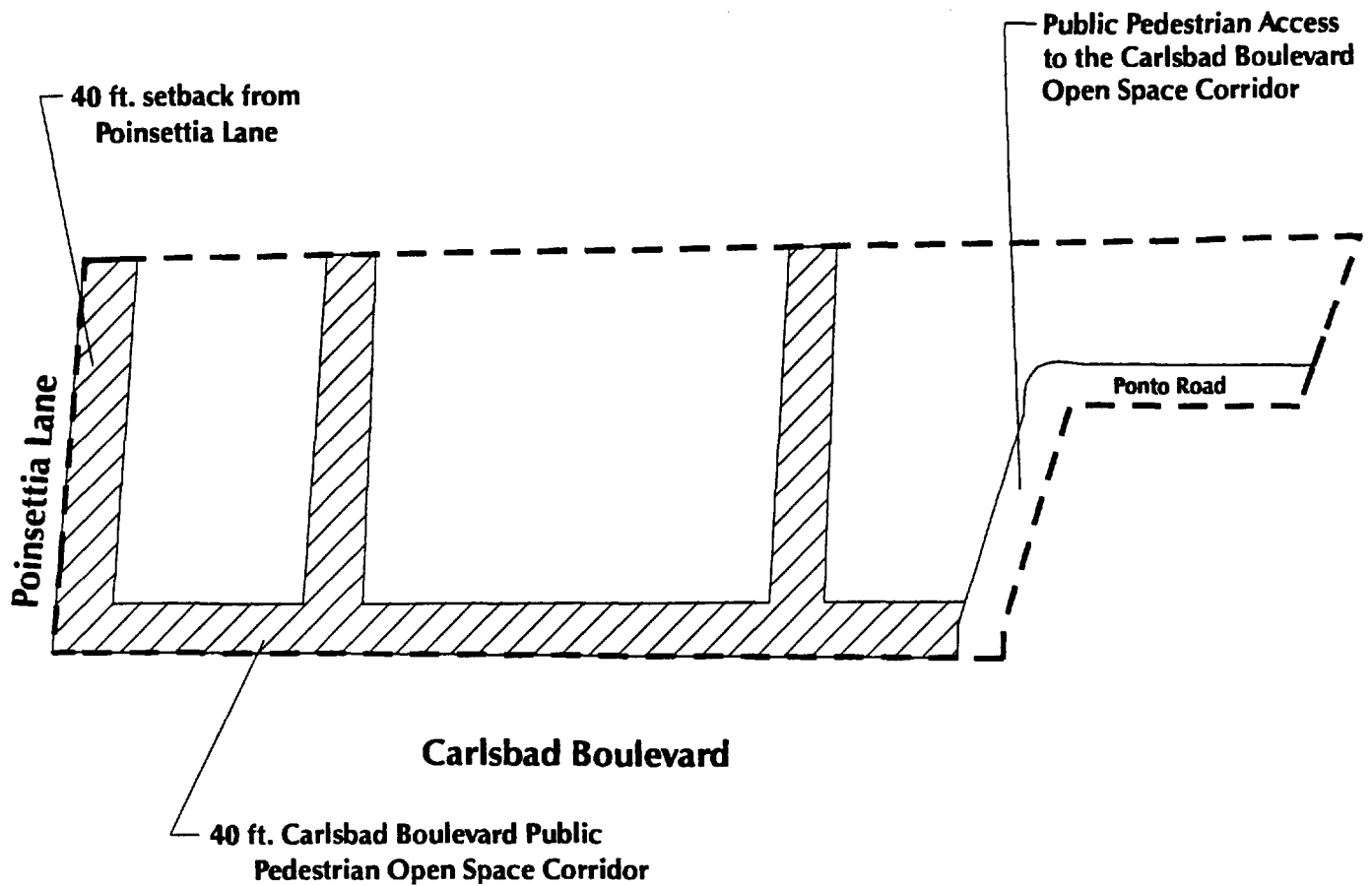
Note: The open space shown on this exhibit is conceptual in nature. The exact boundaries and acreage of the open space will be determined during the review of the tentative map for this site.

**Open Space**

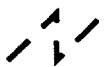
**Poinsettia Properties Specific Plan**

Planning Area 7





Open Space



Property Boundary



North  
(Not to Scale)

**15% of Net Acreage O.S. Requirement**

**Note:** The open space shown on this exhibit is conceptual in nature. The exact boundaries and acreage of the open space will be determined during the review of the tentative map for this site.

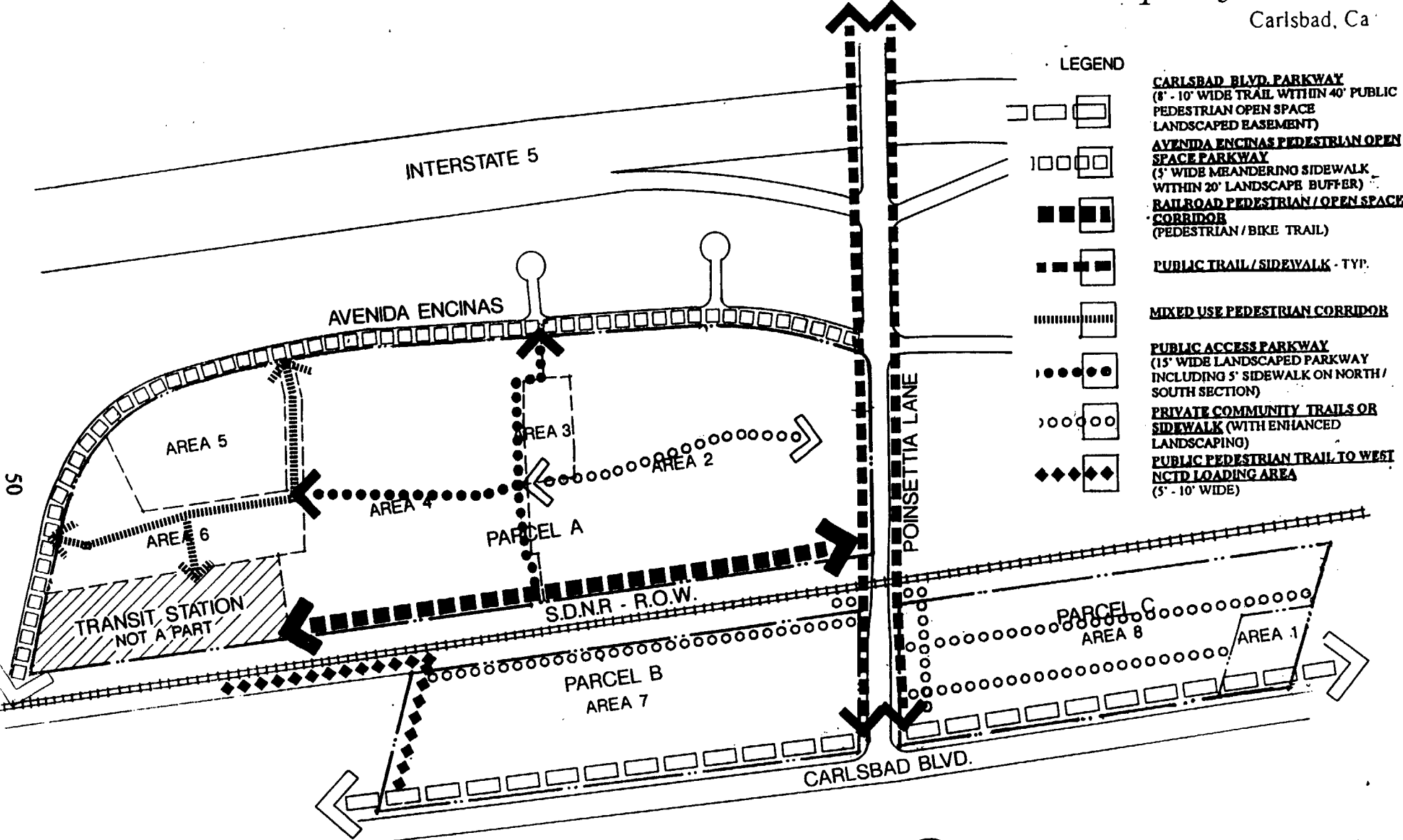
**Open Space**

**Poinsettia Properties Specific Plan**

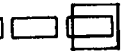
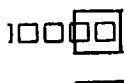


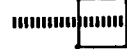



**Planning Area 8**

# Poinsettia Properties Specific Plan

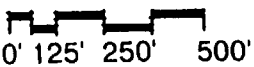
Carlsbad, Ca



**LEGEND**

-  **CARLSBAD BLVD. PARKWAY**  
(8' - 10' WIDE TRAIL WITHIN 40' PUBLIC PEDESTRIAN OPEN SPACE LANDSCAPED EASEMENT)
-  **AVENIDA ENCINAS PEDESTRIAN OPEN SPACE PARKWAY**  
(5' WIDE MEANDERING SIDEWALK WITHIN 20' LANDSCAPE BUFFER)
-  **RAILROAD PEDESTRIAN / OPEN SPACE CORRIDOR**  
(PEDESTRIAN / BIKE TRAIL)
-  **PUBLIC TRAIL / SIDEWALK - TYP.**
-  **MIXED USE PEDESTRIAN CORRIDOR**
-  **PUBLIC ACCESS PARKWAY**  
(15' WIDE LANDSCAPED PARKWAY INCLUDING 5' SIDEWALK ON NORTH / SOUTH SECTION)
-  **PRIVATE COMMUNITY TRAILS OR SIDEWALK** (WITH ENHANCED LANDSCAPING)
-  **PUBLIC PEDESTRIAN TRAIL TO WEST NCTD LOADING AREA**  
(5' - 10' WIDE)

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS



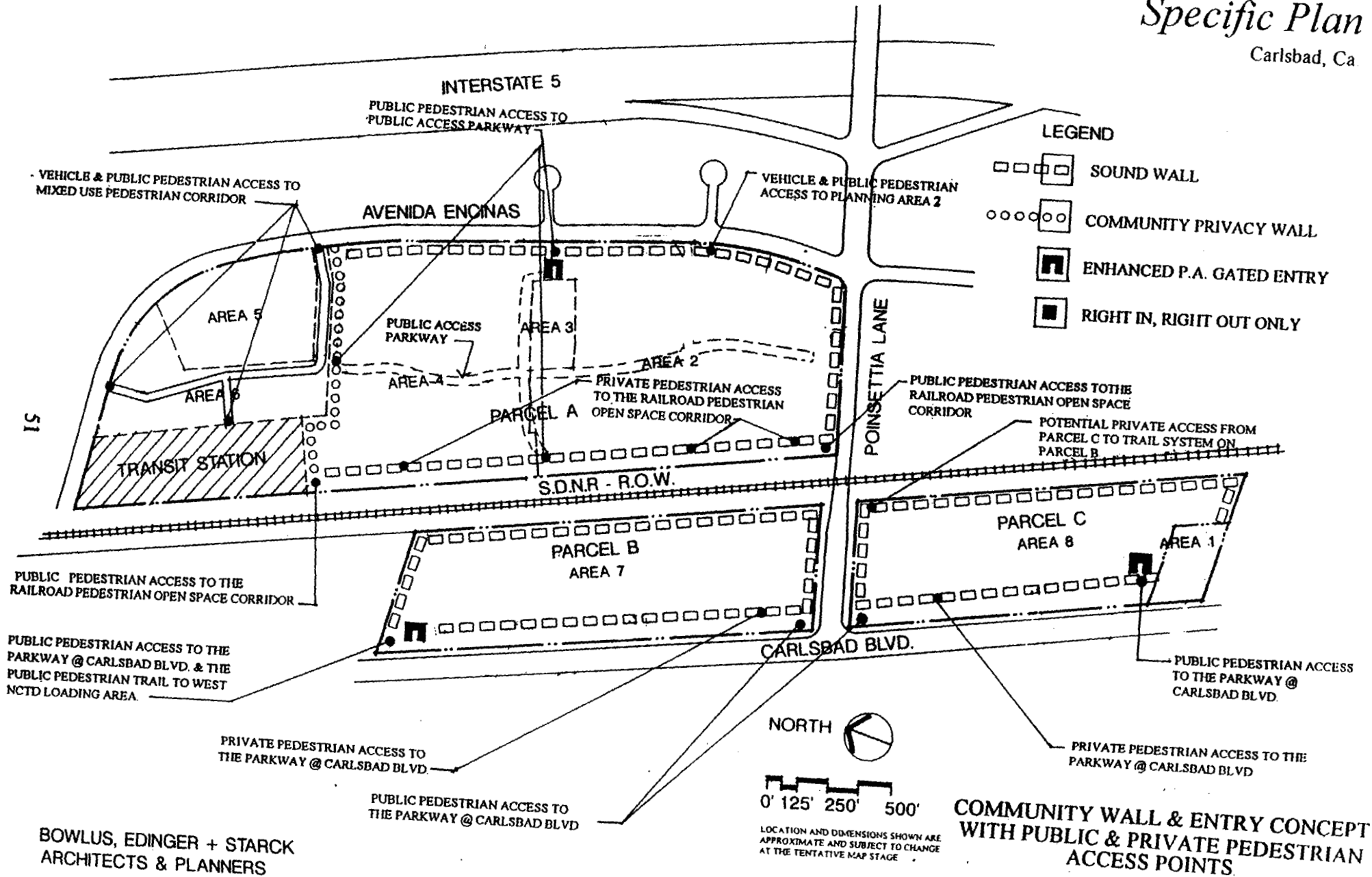
LOCATION AND DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE

## MASTER PUBLIC & COMMUNITY TRAILS CONCEPT

Exhibit 13

# Poinsettia Properties Specific Plan

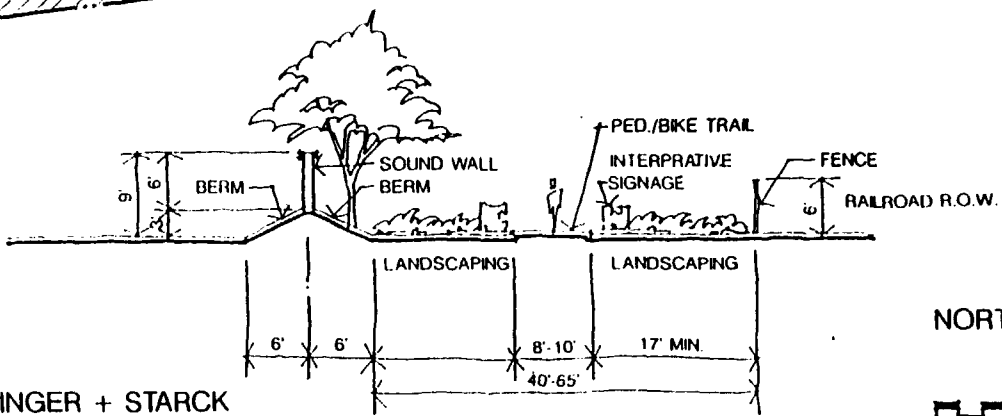
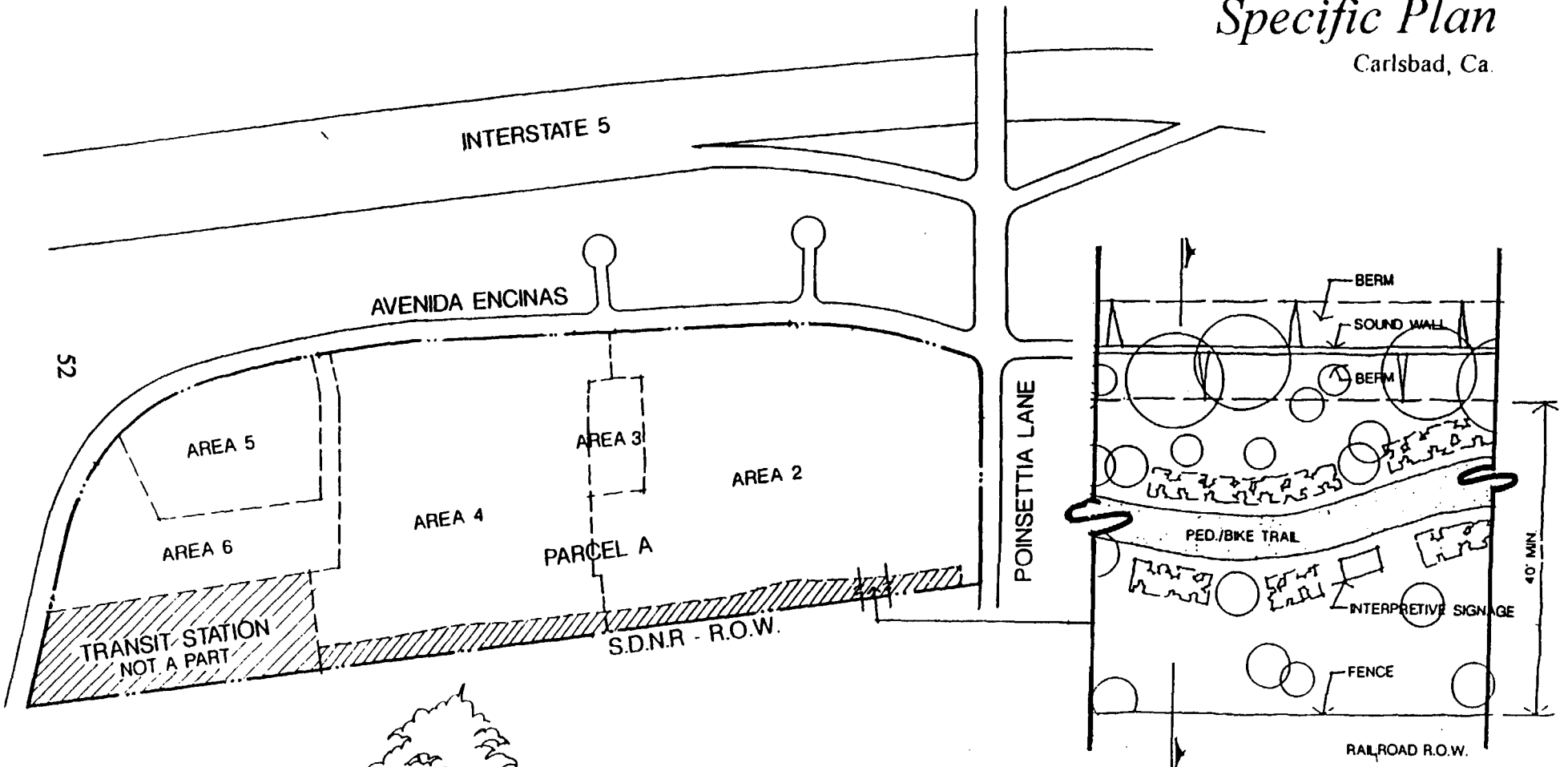
Carlsbad, Ca



BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

# Poinsettia Properties Specific Plan

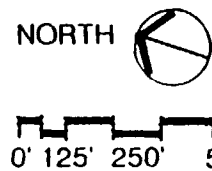
Carlsbad, Ca.



SECTION

DETAIL PLAN

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS



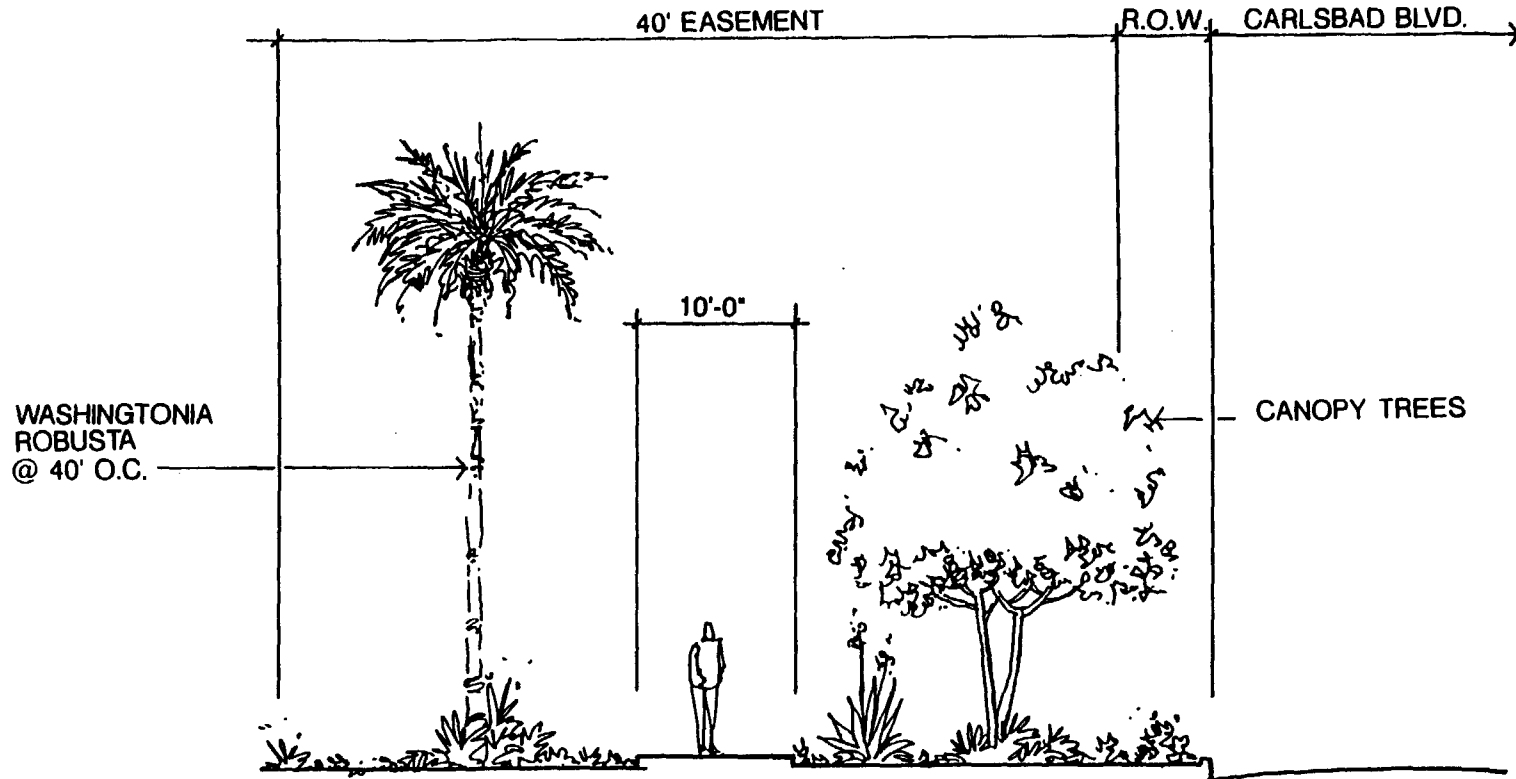
RAILROAD PEDESTRIAN /  
OPEN SPACE CORRIDOR

LOCATION AND DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE

# Poinsettia Properties Specific Plan

Carlsbad, Ca

53



SECTION

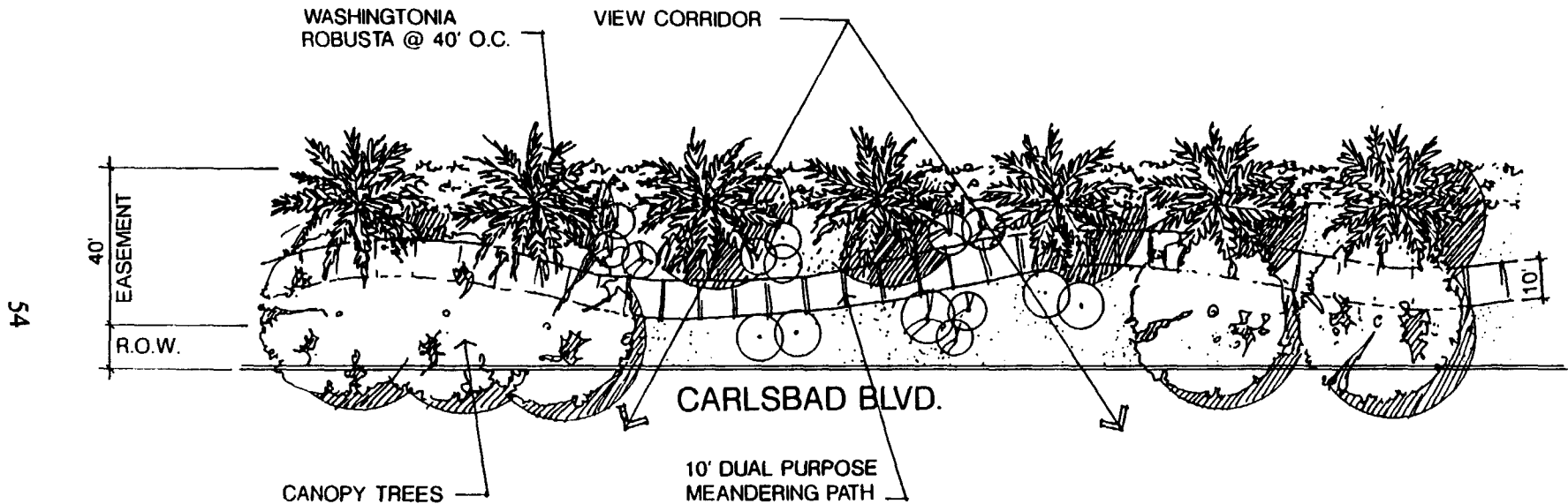
## PARKWAY AT CARLSBAD BLVD. - PARCELS B & C

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

**THIS EXHIBIT IS CONCEPTUAL ONLY.  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREAS TENTATIVE MAP.**

# Poinsettia Properties *Specific Plan*

Carlsbad, Ca



DETAIL PLAN

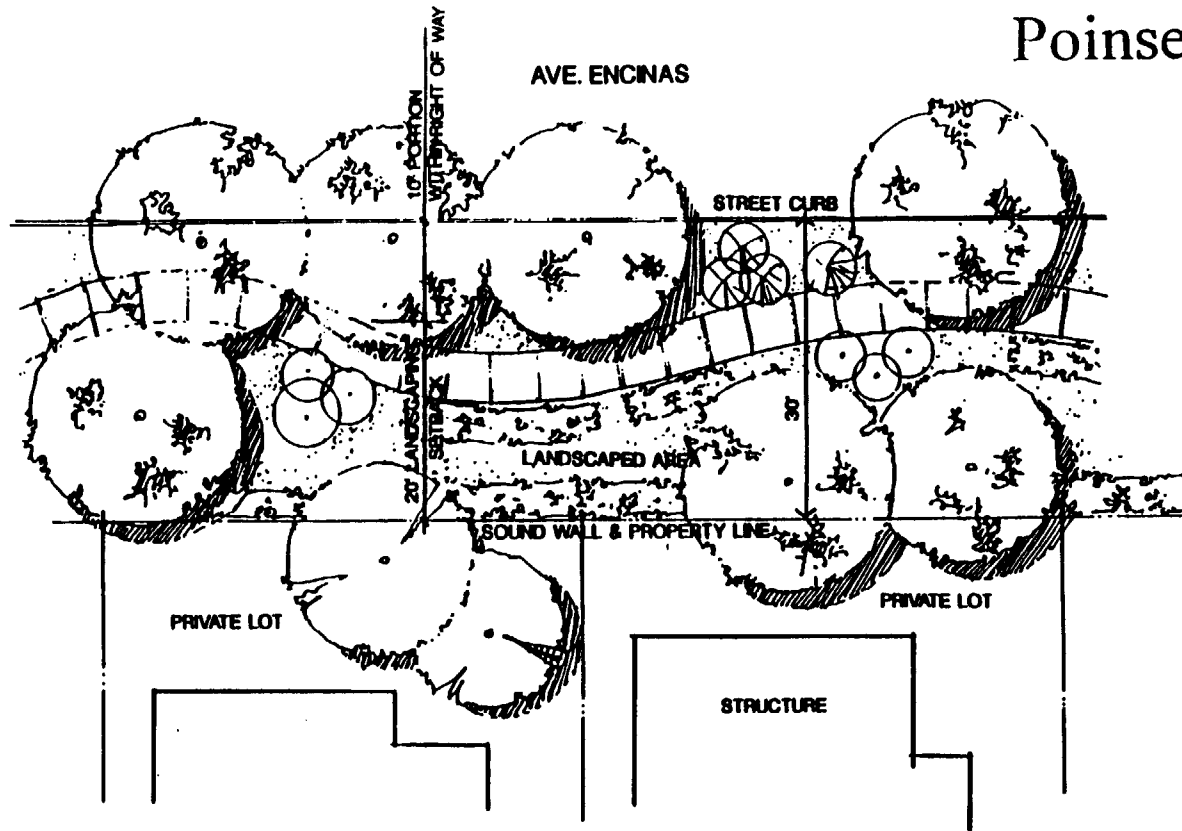
## PARKWAY AT CARLSBAD BLVD. - PARCELS B & C

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

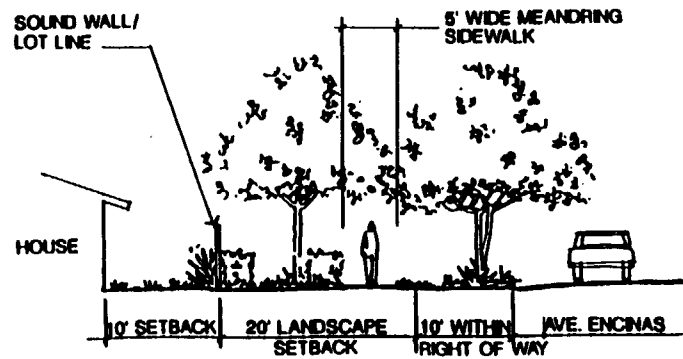
**THIS EXHIBIT IS CONCEPTUAL ONLY.  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREA TENTATIVE MAP.**

# Poinsettia Properties Specific Plan

Carlsbad, Ca



DETAIL PLAN



SECTION

TYPICAL PORTION OF AVE  
ENCINAS PEDESTRIAN PARKWAY

55

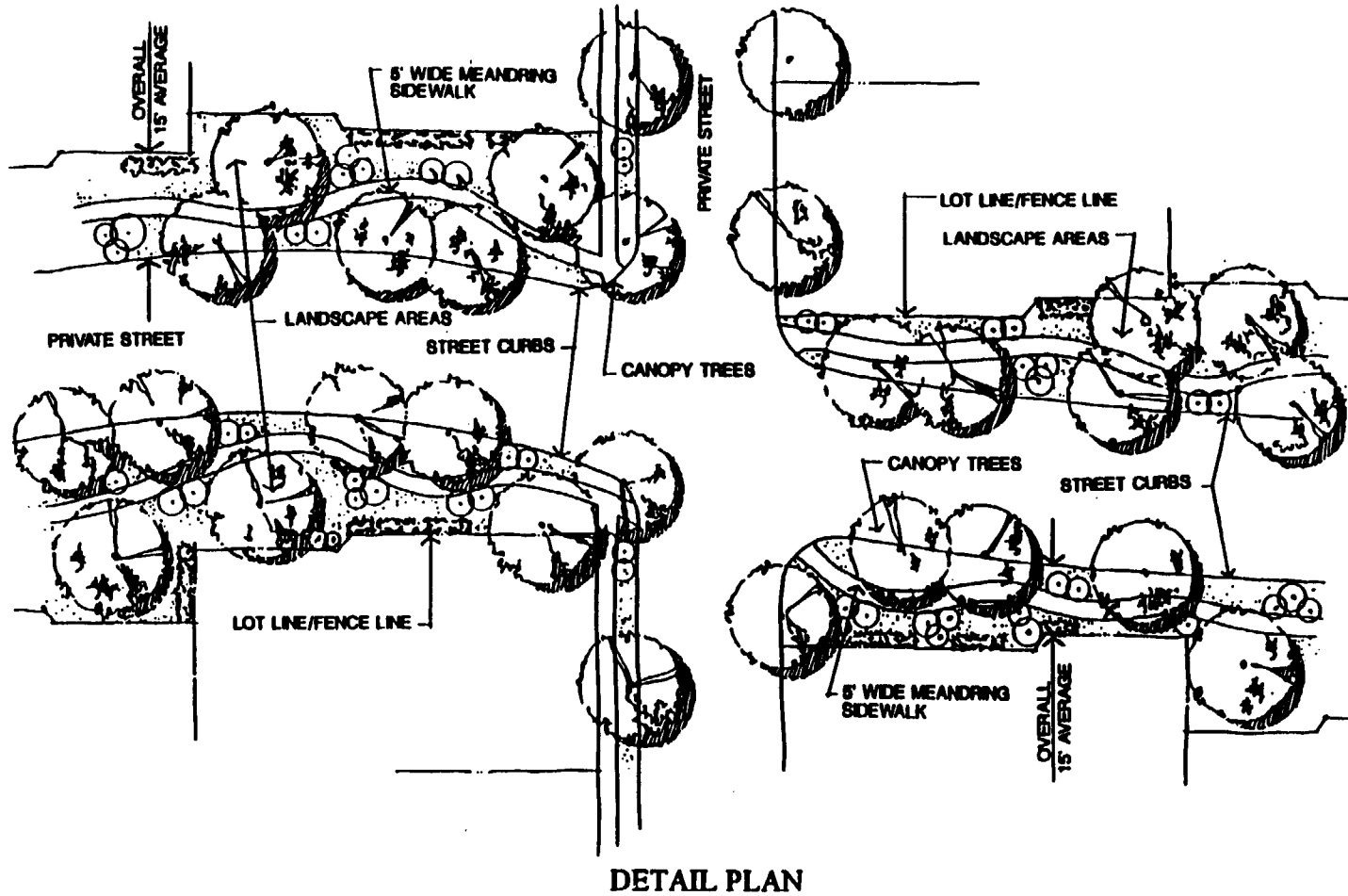
THIS EXHIBIT IS CONCEPTUAL ONLY.  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREAS TENTATIVE MAP.

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

# Poinsettia Properties Specific Plan

Carlsbad, Ca

56



TYPICAL PORTION OF  
PUBLIC ACCESS PARKWAY

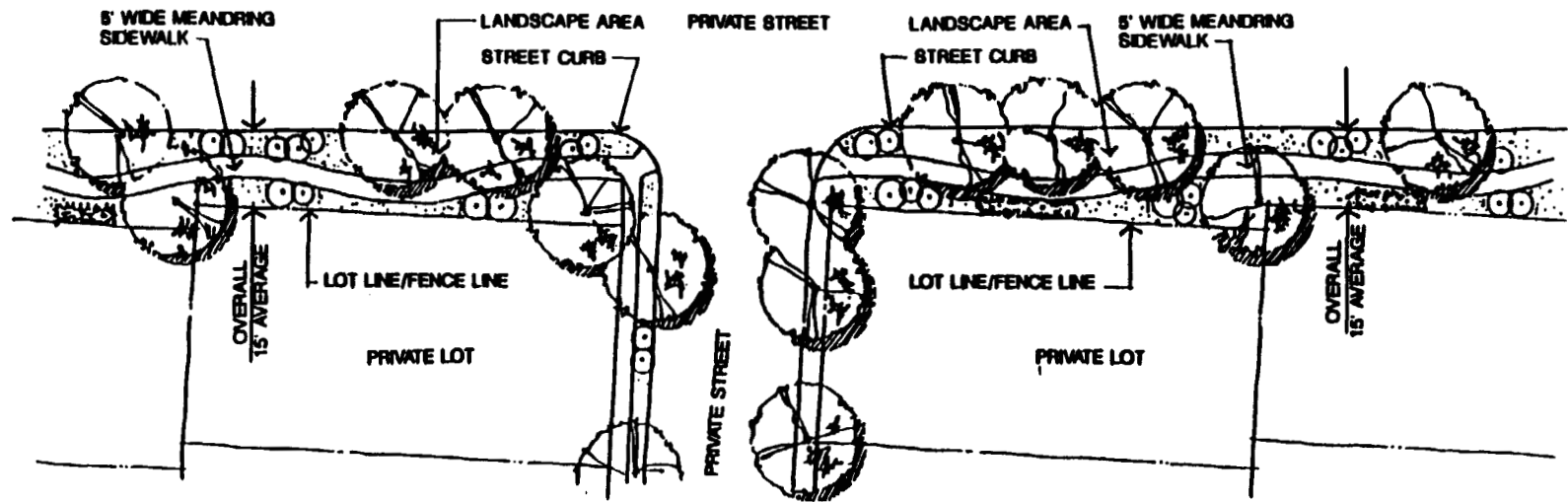
BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

THIS EXHIBIT IS CONCEPTUAL ONLY.  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREAS TENTATIVE MAP.



Poinsettia Properties  
*Specific Plan*  
Carlsbad, Ca.

57



DETAIL PLAN

**THIS EXHIBIT IS CONCEPTUAL ONLY,  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREAS TENTATIVE MAP.**

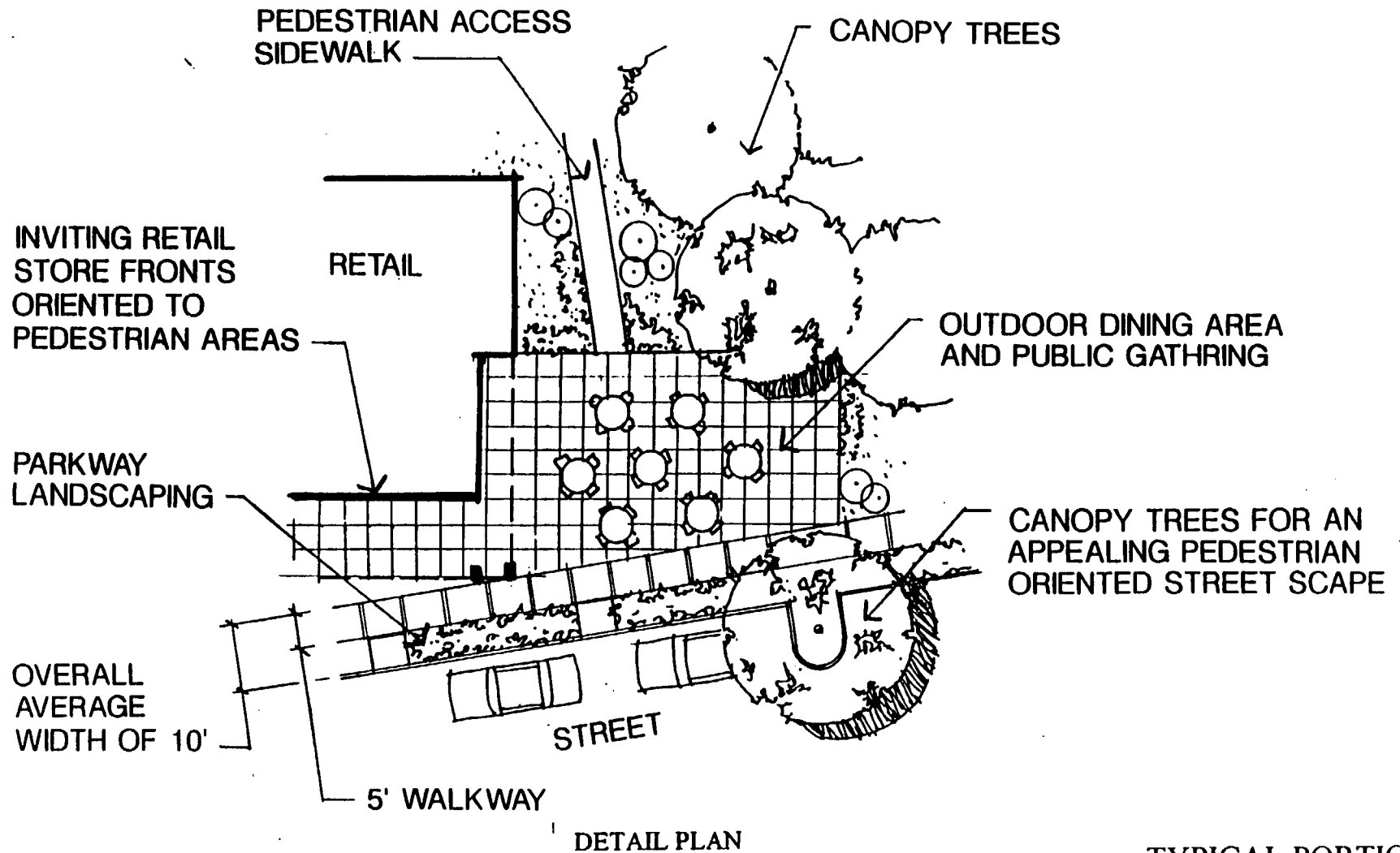
**BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS**

**TYPICAL PORTION OF  
INTERNAL PARKWAY**

# Poinsettia Properties Specific Plan

Carlsbad, Ca

58



TYPICAL PORTION OF  
MIXED USE CORRIDOR

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

THIS EXHIBIT IS CONCEPTUAL ONLY.  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREA TENTATIVE MAP.

Exhibit 21

## **VI. GRADING AND EARTHWORK**

### **A. INTRODUCTION**

The purpose of this chapter is to establish appropriate guidelines for grading in the Poinsettia Properties Specific Plan area. Although most of the Poinsettia Properties area was previously graded under agricultural uses, some additional grading will be needed to complete the construction of Avenida Encinas and complete finish grading which will create building pads which drain properly. Hillside conditions may exist per Chapter 21.95 of the Carlsbad Municipal Code (Hillside Development Ordinance) which may necessitate Hillside Development Permits. Proposed grading for the Specific Plan is shown on Exhibits 22, 23, and 24, starting on page 62. Grading quantities will be determined through review and approval of tentative maps, final maps, site development plans, and grading plans.

### **B. GUIDELINES**

The following guidelines are hereby established to assure appropriate grading designs for the Poinsettia Properties Specific Plan area.

1. Grading plans shall conform to the requirements of Chapter 21.95, Section 21.83.060, and Chapter 15.16 of the Carlsbad Municipal Code and the City of Carlsbad Landscape Guidelines Manual. Preliminary and final grading plans will be prepared in accordance with the Municipal Code for review by the City Engineer.
2. All permanent manufactured slope banks in excess of three feet in height shall be constructed at a gradient of 2 to 1 (horizontal to vertical) or less. Any exceptions to this gradient must be approved by the City Engineer and Planning Director.
3. Phasing of grading within each planning area shall provide for the safety and maintenance of other planning areas already developed or under construction.
4. Phasing shall preclude, where possible, hauling of earth over residential streets or developed areas.
5. Grading permits may be issued after adequate review of grading plans by the City Engineer. These permits may be issued and grading may commence after approval of the Specific Plan and tentative map but may not be issued prior to the recordation of the final map, unless approved by the City Engineer, Planning Director and the Community Development Director.
6. Runoff and erosion shall be reduced by the construction of temporary and/or permanent desiltation basins identified within the Zone 22 Local Facilities Management Plan, or as superseded by a subsequent update to the Carlsbad Specific Drainage Plan.

Provision for maintenance and removal of deposited sediment must be made prior to final map approval. The plans for these basins must be approved by the City of Carlsbad Engineering Department.

7. Grading shall comply with the provisions of Section 21.203.040 Development Standards for the Carlsbad Municipal Code as part of the Coastal Development Permit. The provisions of Section 21.203.040 shall be attached as conditions to future Coastal Development Permits for the project site. All grading operation shall be limited from April 1 to October 1 of each year or as otherwise allowed by the Mello II Local Coastal Plan. All areas disturbed by grading shall be planted within 60 days of the initial disturbance and prior to October with temporary or permanent (in the case of finished slopes) erosion control methods.
8. Grading shall be phased so that all temporary erosion control basins are installed with the grading operation of that phase to the satisfaction of the City Engineer.
9. Temporary runoff-control devices should be installed prior to any grading activities.
10. All graded areas shall have erosion control measures installed within 30 days after rough grading is completed. If permanent vegetation cannot be installed within the 30-day period, temporary irrigation shall be installed if required for the maintenance of the public health, safety and welfare.
11. If grading activities are scheduled such that permanent landscaping and irrigation cannot be completed prior to August 1 of any year, then in addition to hydroseeding the developer shall additionally install City approved jute mat or straw punch on all exposed slopes to the satisfaction of the City Engineer.
12. All temporary slopes or flat areas not scheduled for development within 60 days shall be hydroseeded or planted per Standard 1 of the Landscape Manual. Ninety percent (90%) germination within 3 days is required by means of rainfall or with an irrigation system if rainfall is insufficient.
13. The application for grading permits must provide assurance to the Planning Director and City Engineer that manufactured slope banks will be properly landscaped consistent with the City's Landscape Manual.
14. Grading plans shall also include an erosion control plan. At a minimum, such mitigation shall require completion of construction prior to the issuance of a Certificate of Occupancy for all improvements shown in the Master Drainage Plan for the area between the project site and the lagoon (including the debris basin), as well as: restriction of grading activities to the months of April through September of each year (unless a variance is granted); revegetation of graded areas immediately after grading;

and a mechanism for permanent maintenance if the City declines to accept the responsibility. Construction of drainage improvements may be through formation of an assessment district, or through any similar arrangement that allots costs among the various landowners in an equitable manner.

15. Prior to hauling dirt, construction materials, or equipment to or from any proposed construction site within this project, the developer shall submit to and receive approval from the City Engineer for the proposed haul route. The developer shall comply with all conditions and requirements the City Engineer may impose with regards to the hauling operation.
16. The final graded elevation of Parcels B and C shall be as close as possible to the elevation of the north bound lanes of Carlsbad Boulevard while still permitting both sites to gravity drain and sewer to existing facilities. The elevation of Parcels B and C shall not be raised in order to improve views within the Specific Plan.

### C. Remedial Grading

All three parcels within the Poinsettia Properties Specific Plan have been used for agricultural purposes in the past. This has resulted in the upper three feet of the soil being heavily weathered and broken up from being repeatedly disced and plowed. The upper three feet of the material will have to be removed and recompacted. In addition it is assumed that the existing material will have to "shrink " or loose 25% of its volume due to recompaction.

Preliminary estimates indicate that the following amounts of import will be required:

Parcel A -	100,000 cubic yards
Parcel B -	12,600 cubic yards
Parcel C -	54,275 cubic yards

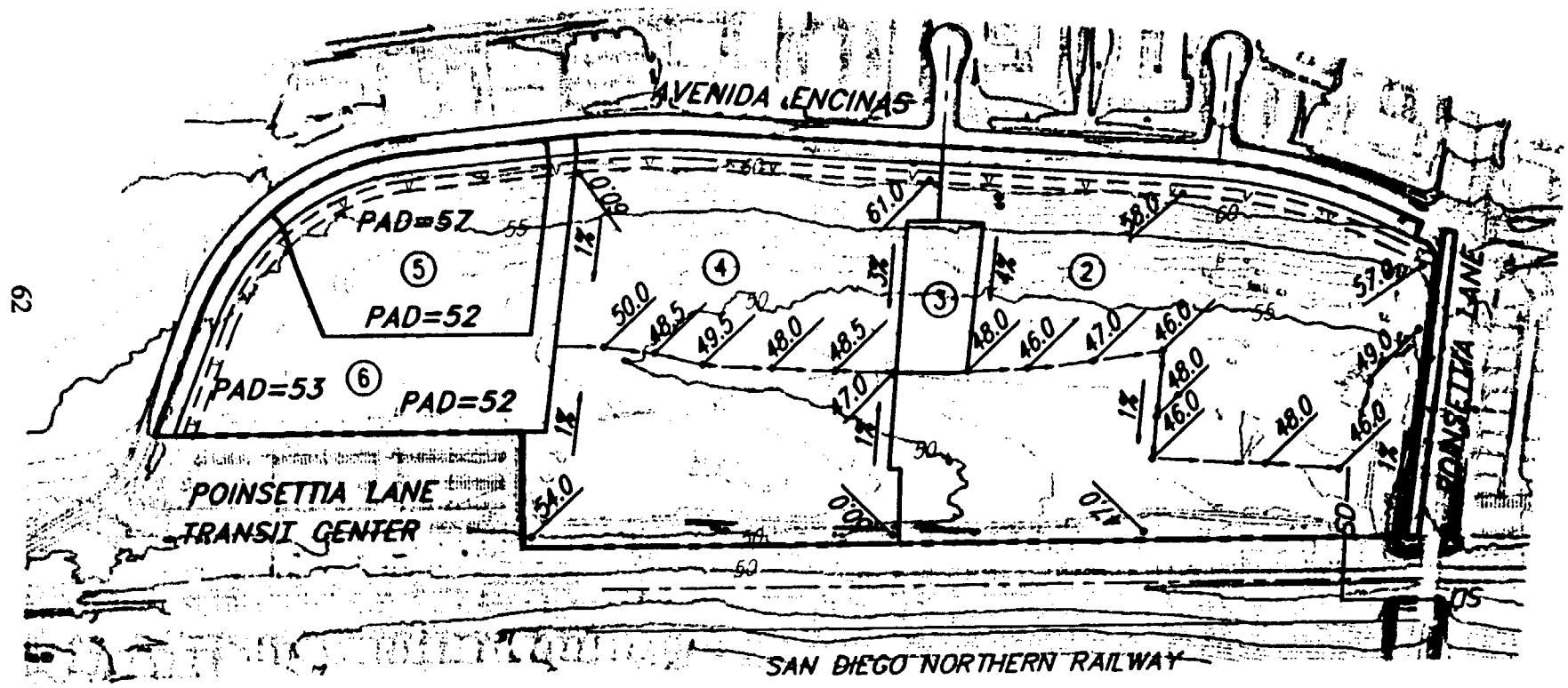
(The above estimates are preliminary and actual import requirements may be greater. The actual import requirements will be determined by the soil conditions of the site.)

To remedy this problem temporary stock piles may be located on any of the three parcels subject to the requirements of the Grading Ordinance. This material will then be incorporated into the grading plans for the subject parcel.



NOTE: EXHIBIT IS CONCEPTUAL ONLY. EXACT CUBIC YARDAGE OF GRADING MAY CHANGE BASED ON FINAL GRADING PLANS.

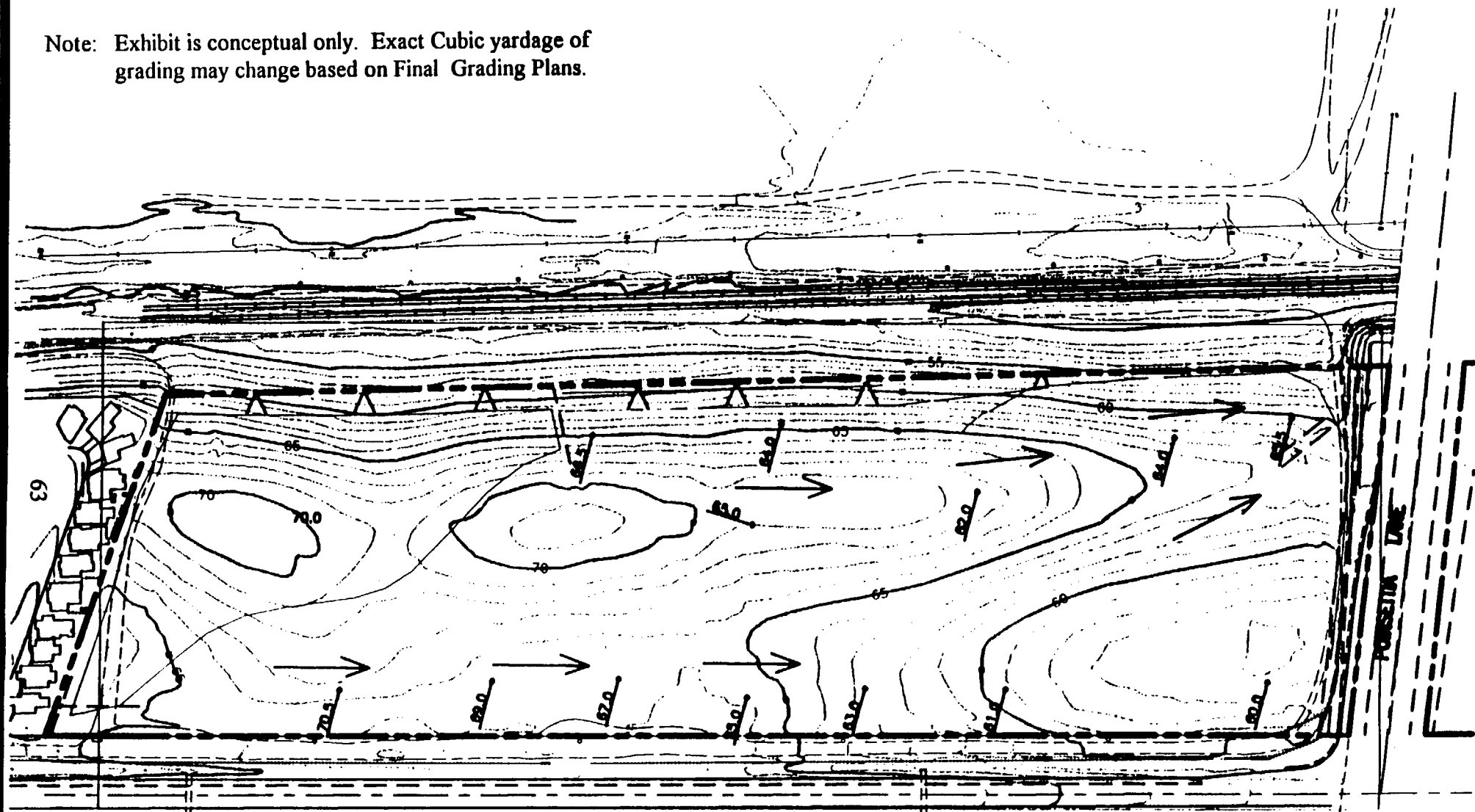
SCALE: 1" = 400'



Note: Exhibit is conceptual only. Exact Cubic yardage of grading may change based on Final Grading Plans.

CONCEPTUAL GRADING EXHIBIT  
PARCEL "A"

Note: Exhibit is conceptual only. Exact Cubic yardage of grading may change based on Final Grading Plans.

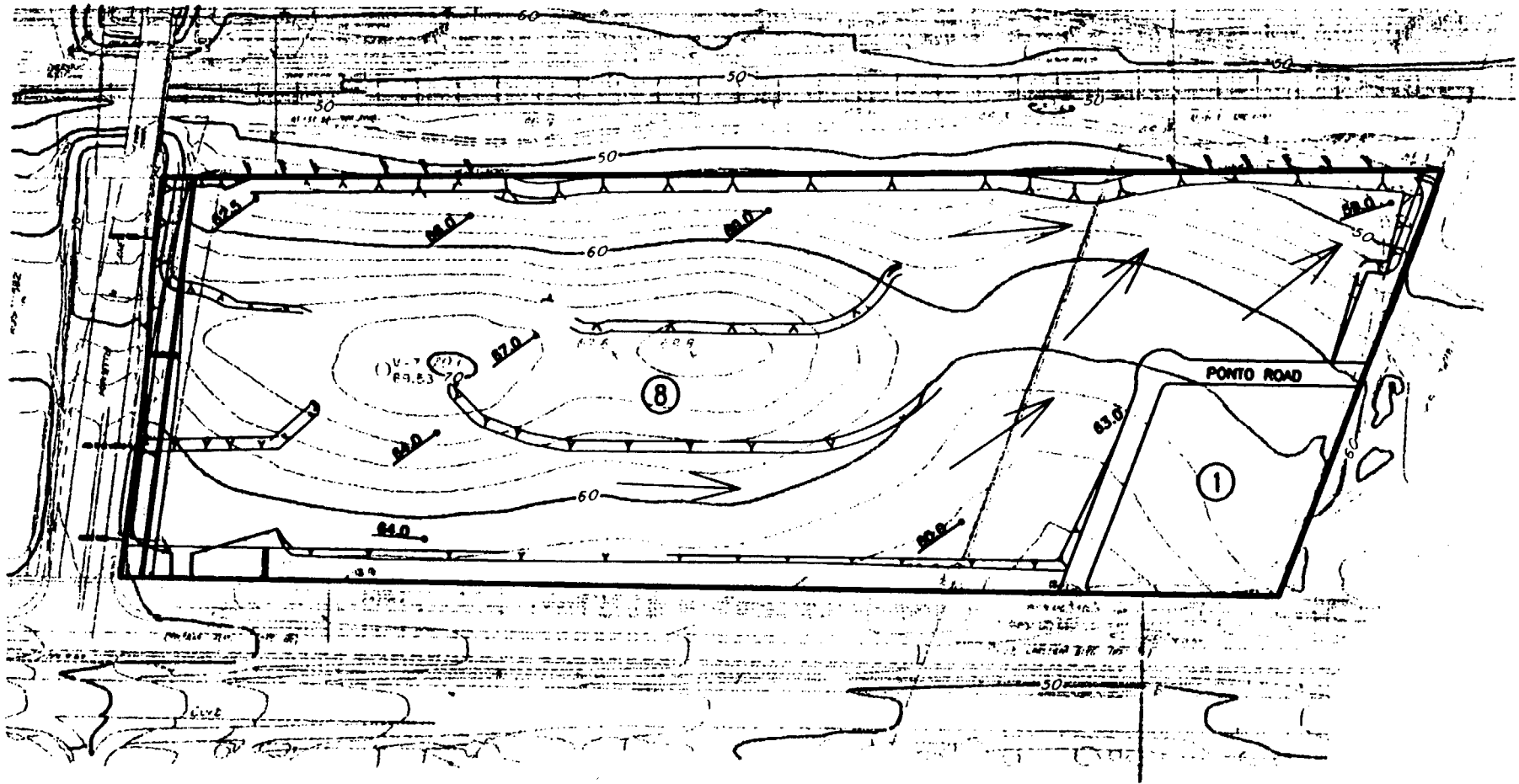


CARLSBAD BOULEVARD

PONSETTA LANE

CONCEPTUAL GRADING  
PARCEL 'B'

NOTE: EXHIBIT IS CONCEPTUAL ONLY. EXACT CUBIC YARDAGE OF GRADING MAY CHANGE BASED ON FINAL GRADING PLANS.



Note: Exhibit is conceptual only. Exact Cubic yardage of grading may change based on Final Grading Plans.

CONCEPTUAL GRADING  
PARCEL 'C'



## **VII. PUBLIC FACILITIES**

### **A. INTRODUCTION**

The Poinsettia Properties Specific Plan area lies entirely within Local Facilities Management Zone 22. Concurrent with this specific plan, the approved Zone 22 LFMP is being updated and amended. In particular, a new Circulation section in the LFMP Amendment provides an updated traffic analysis and conditions based on the Poinsettia Properties Specific Plan. Facility requirements for the Poinsettia Properties Specific Plan are identified in the existing Zone 22 Local Facilities Management Plan (LFMP), Zone 22 LFMP Amendment, or as superseded by a subsequent update to the Carlsbad Drainage Specific Plan or the Zone 22 Finance Plan. Together these documents will address the eleven facilities and services required by the City's Growth Management Program.

### **B. FACILITIES BASIS OF SPECIFIC PLAN PHASING**

The Zone 22 Local Facilities Management Plan and Amendment was prepared pursuant to Chapter 21.90 of the Carlsbad Municipal Code. The Zone 22 LFMP Amendment requires that a financing program guaranteeing the construction of required facilities must be approved prior to recordation of any final map, issuance of a building or grading permit, whichever occurs first in the Specific Plan area (Zone 22). The finance plan will link specific facility improvements to the planning area requiring those facilities for development.

Together the LFMP documents and the required Zone 22 Finance Plan will: (1) demonstrate how and when each required facility and improvement will be constructed to accommodate development within the Specific Plan, and (2) provide a complete description of how each facility and improvement will be financed when mitigation is necessary. The need for facilities will be determined as development occurs within the Specific Plan area. Any planning area or portion of the Specific Plan may develop so long as adequate facilities are provided to serve that planning area. In addition, prior to recordation of a final map, issuance of a grading permit or building permit for each planning area, the applicant shall demonstrate the adequacy and availability of public facilities and services.

Concurrent with the preparation of this specific plan, a new Circulation section was prepared for the Zone 22 LFMP. The new Circulation section contained in the Zone 22 LFMP Amendment addresses changes to the General Plan land uses and reduction of traffic impacts. Circulation and roadway alignments for the Specific Plan are discussed with exhibits in Chapter II.

All properties within the Specific Plan have annexed into the Carlsbad School District CFD #3. This district mitigates all school impacts through the use of Mello Roos financing which can be "passed through" to the eventual home buyer. The term "pass through" means that the eventual home buyer and all subsequent homeowners will assume a portion of the Mello Roos bond

obligation and make their pro-rated share of payments toward the servicing of such bonds for the term of the bonds.

Regarding school facilities, the following or similar condition will be placed on every tentative map within the Specific Plan:

Prior to the approval of any final map or the issuance of any building permits within the Poinsettia Properties Specific Plan, the applicant for the final map or permit shall submit evidence to the City that impacts to school facilities have been mitigated in conformance with the City's Growth Management Plan to the extent permitted by applicable state law for legislative acts. If the mitigation involves a financing method such as a Mello-Roos Community Facilities District which is inconsistent with the City's Growth Management Plan including City Council Policy Statement No. 38, the developer shall submit disclosure documents for approval by the City Manager and City Attorney which shall disclose to future owners in the project, to the maximum extent possible, the existence of the tax and that the school district is the taxing agency responsible for the financing district. At a minimum, the project CC&R's shall require maximum disclosure and signed statements for disclosures upon transfer of residential property.

The following is a discussion of certain facilities. Exhibit 27, page 71, outlines the phasing of these and other public improvements.

Circulation:

As described in Section III, page 28, the project shall be served by four main public streets; Avenida Encinas, Poinsettia Lane, Carlsbad Boulevard and the public street within Planning Area 6. If required by NCTD, bus stops shall be designed and integrated within the parkways of Avenida Encinas and Poinsettia Lane. Three of these public streets exist; however, certain improvements are required as described on page 28. Each street improvement shall be made as follows:

<u>Street</u>	<u>Improvement Requirement</u>	<u>Phasing</u>
Avenida Encinas	Widening to 4 lanes (including pedestrian parkway)	The general phasing plan for Avenida Encinas is as follows: The entire widening of Avenida Encinas and the intersection improvements at Poinsettia Lane shall be completed prior to issuance of an occupancy permit in either Planning Areas 2 or 4. Planning Areas 5 and 6 shall only need to complete the widening of their respective frontage on Avenida Encinas prior to the issuance of an occupancy permit. In addition to its frontage improvements to Avenida Encinas, Planning Area 2 shall also be required to complete any intersection improvements at Poinsettia Lane.
Poinsettia Lane Bridge over railroad	Widening to 4 lanes	City to construct improvement from its capital improvement fund. No planning area is responsible for this improvement.
Carlsbad Boulevard	Frontage improvements (including pedestrian parkway)	Improvements based on frontage of each planning area in Parcels B and C. Each planning area is responsible for its own frontage improvements. Improvements to be completed prior to an occupancy permit in related planning area. See phasing schedule (Exhibit 27, page 71)
Planning Area 6 Public Street	Construction to full width (including mixed-use pedestrian link/corridors).	Completion prior to an occupancy permit in Planning Areas 5 and/or 6.

Drainage:

Parcels A, B and C shall drain south to the Kaiza Poinsettia drainage system. Such a drainage system shall require a 72"-84" line within the railroad right-of-way running south to connect to the Kaiza Poinsettia 78" line. These improvements are shown on Exhibit 26, page 70. In general, all planning areas other than Planning Area 5 need to have this connection made prior to the first building permit. Planning Area 5 of Parcel A does not need this facility in place in order to develop. Planning Area 5 can sheet drain onto Parcel A until such time that it is developed. (See phasing schedule, Exhibit 27, page 71.) As shown on Exhibit 26, page 70, Parcel A will require one or more points to construct (jack and bore) a drainage line underneath the rail road tracks and to connect to the main trunk line east of the rail road tracks.

Sewer:

Capacity and availability in railroad right-of-way. A general sewer plan is shown on Exhibit 25, page 69. Parcel A may require a sewer pump station for some or all of its planning areas.

Water:

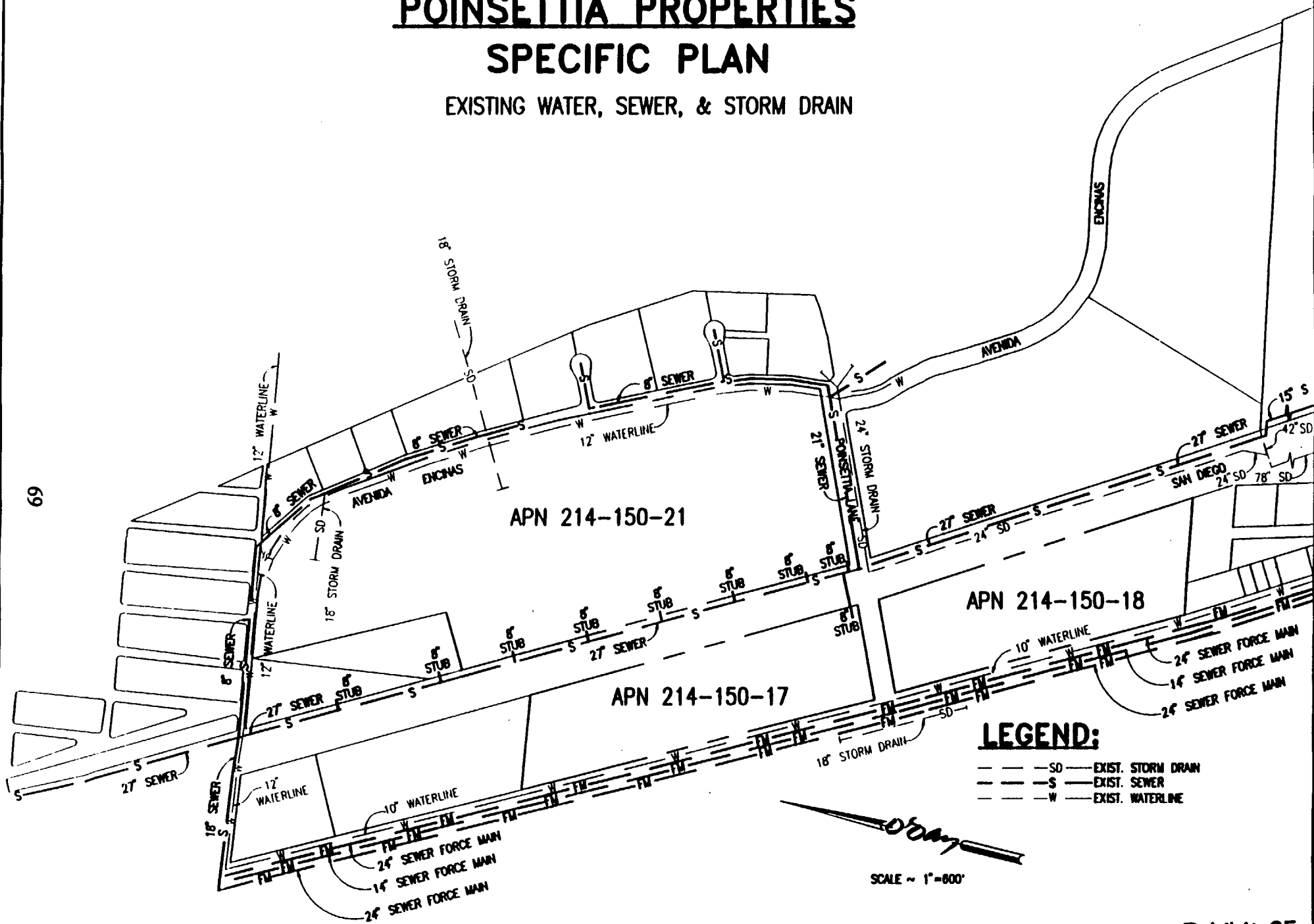
Capacity and availability in Avenida Encinas and Carlsbad Boulevard (see Exhibit 25, page 69).

Public Trails:

Public trails are planned along Carlsbad Boulevard, the railroad corridor and Avenida Encinas. (See phasing schedule, Exhibit 27, page 71.) (Public trails are being addressed here even though they are not public facilities which are normally addressed under Growth Management).

# POINSETTIA PROPERTIES SPECIFIC PLAN

EXISTING WATER, SEWER, & STORM DRAIN



69

APN 214-150-21

APN 214-150-18

APN 214-150-17

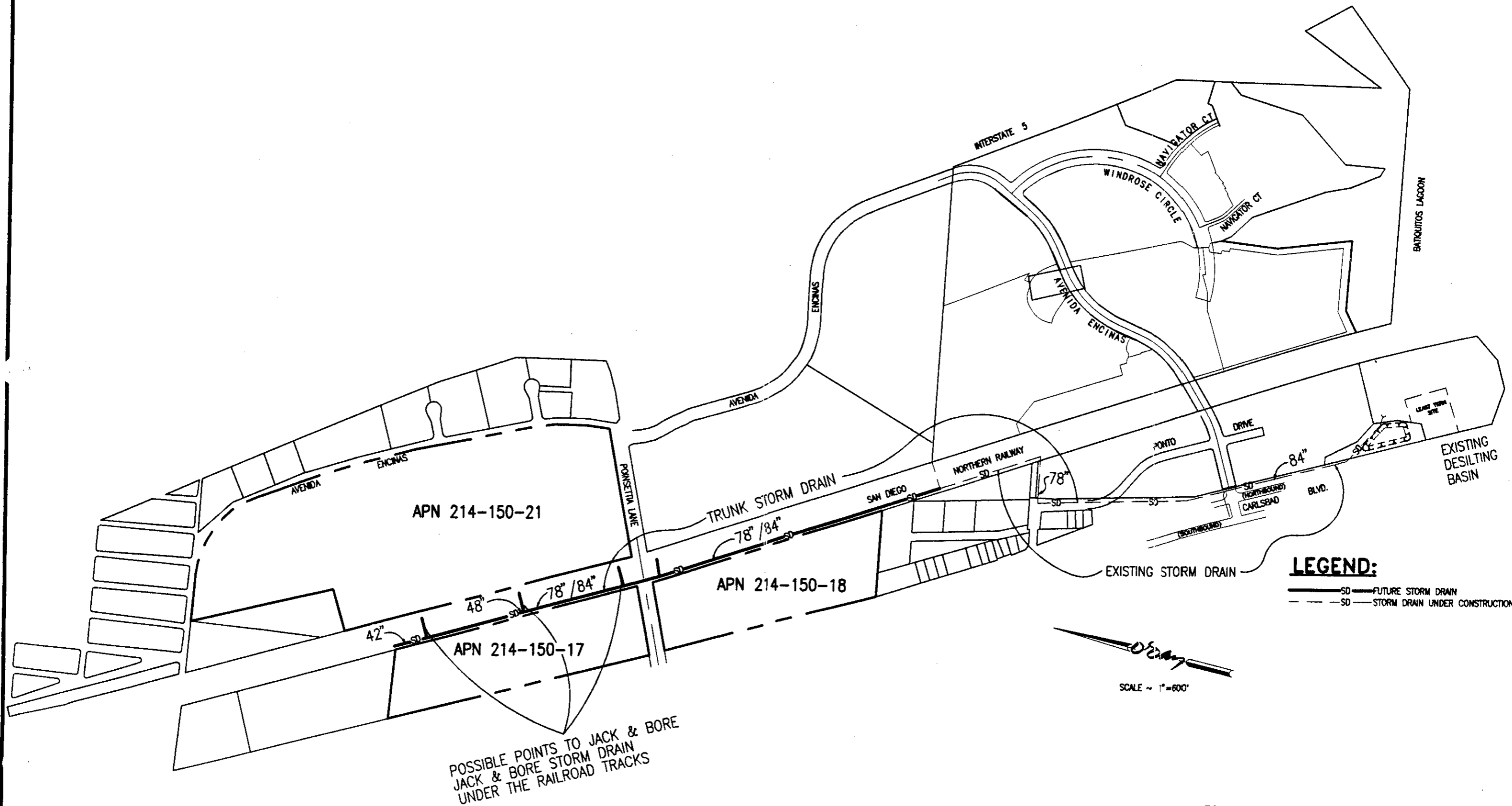
### LEGEND:

- SD--- EXIST. STORM DRAIN
- S--- EXIST. SEWER
- W--- EXIST. WATERLINE

SCALE ~ 1"=800'

Exhibit 25

# ZONE 22 DRAINAGE EXHIBIT



**LEGEND:**  
 — SD — FUTURE STORM DRAIN  
 - - - SD - - - STORM DRAIN UNDER CONSTRUCTION

SCALE ~ 1" = 600'

**Exhibit 27 Public Improvement Phasing Schedule**

PUBLIC IMPROVEMENT	PLANNING AREAS							
	1	2	3	4	5	6	7	8
<b>Regional Storm Drain</b>	X	X	X	X		X	X	X
<b>Carlsbad Boulevard. Frontage Improvements:</b>								
<i>Frontage along Parcel B</i>							X	
<i>Frontage along Parcel C</i>	X							X
<b>Widening of Avenida Encinas:</b>								
<i>Poinsettia to Raintree Drive ( including intersection improvements at Poinsettia Lane)</i>		X		X				
<i>Frontage along Planning Area 2</i>		X		X				
<i>Frontage along Planning Area 4</i>		X		X				
<i>Frontage along Planning Area 5</i>		X		X	X			
<i>Frontage along Planning Area 6</i>		X		X		X		
<b>Public Street in Planning Area 6</b>					X	X		
<b>Public Trails:</b>								
<b>Avenida Encinas Pedestrian Parkway:</b>								
<i>Poinsettia to Raintree Drive</i>		X		X				
<i>Frontage along Planning Area 2</i>		X		X				
<i>Frontage along Planning Area 4</i>		X		X				
<i>Frontage along Planning Area 5</i>		X		X	X			
<i>Frontage along Planning Area 6</i>		X		X		X		
<b>Railroad Pedestrian/Open Space Corridor (Parcel A)</b>		X		X				
<b>Carlsbad Boulevard Parkway (fronting Parcel B)</b>							X	
<b>Carlsbad Boulevard Parkway (fronting Parcel C)</b>	X							X

**General Note:** The schedule provided herein assigns the condition of construction of certain public improvements to various planning areas. The intent of this schedule is to identify public improvements which will be constructed concurrently with the improvement of the indicated planning area. The indicated improvement needs to be completed prior to issuance of a Certificate of Occupancy in the indicated planning area. Any planning area or portion of the Specific Plan can develop at any time, provided that adequate facilities exist or are constructed to serve the developing areas. This specific plan does not require the sequential development of any planning areas.

**Note:** An "X" under a planning area number indicates that the planning area is responsible for the completion of each indicated improvement prior to the issuance of a Certificate of Occupancy for the planning area.

## VIII. LOCAL COASTAL PROGRAM COMPLIANCE

The Poinsettia Properties Specific Plan area falls within the Coastal Zone. The area falls within the Mello II Local Coastal Plan (LCP) segment which provides policies and development guidelines for compliance with the State Coastal Act.

All proposed development in the Poinsettia Properties Specific Plan area shall comply with the requirements of the Mello II LCP policies and provisions, including guidelines for grading and the provision of erosion control devices. A Coastal Development Permit must be obtained prior to development of any planning area.

The LCP Amendment which accompanies the Poinsettia Properties Specific Plan is required due to the land use changes proposed by the Poinsettia Properties Specific Plan. The Poinsettia Properties Specific Plan proposes to change the current land use designations from those approved with the current LCP. More specifically, the current approved LCP land uses are those listed on page 8 as approved by the current General Plan. The LCP Amendment will amend the land uses to reflect the proposed General Plan uses listed on page 8. In addition, the proposed land use changes may require changes to the LCP land use descriptions. These proposed changes may require a Major Local Coastal Program Amendment.

### A. AGRICULTURAL LANDS

#### Agricultural Conversion Mitigation Fee:

The Poinsettia Properties Specific Plan consists of approximately 92 acres of non-prime agricultural lands, subject to the Agricultural Conversion Mitigation Fee.

Conversion of non-prime agricultural lands shall be permitted upon payment of an agricultural conversion fee which shall mitigate the loss of agricultural resources by preserving or enhancing other important coastal resources. The amount of the fee shall be determined by the City Council at the time it considers the proposal for development (tentative map/site development plan approval) and shall reflect the per acre cost of preserving prime agricultural land pursuant to Option 1 of the "Mello II" portion of the Carlsbad LCP, as amended, but shall not be less than \$5,000 nor more than \$10,000 per acre, unless modified by City Council to allow payment of a lesser fee. All mitigation fees collected under this section shall be deposited in the State Conservatory Fund and shall be expended consistent with the provisions of the LCP.



## **IX. ENVIRONMENTAL COMPLIANCE AND REVIEW**

The Poinsettia Properties Specific Plan has complied with the California Environmental Quality Act (CEQA) through completion of appropriate environmental documentation and disclosure to the public and decision makers.

The Poinsettia Properties Specific Plan applicant completed and submitted to the City a full Environmental Impact Assessment, including up to date technical studies for traffic and biological resource impacts. Based on this information, the City of Carlsbad issued a Environmental Impact Report 96-01 (EIR) for the proposed project which requires mitigation for any potentially significant impacts to reduce them below a level of significance.

## **X. SPECIFIC PLAN THEME ELEMENTS**

This chapter of the Specific Plan addresses the design theme and architectural style of the Specific Plan area. In addition, it calls for certain design elements which are key to accomplishing the TOD principles and the vision and goals of this specific plan. It also calls for certain treatment of transitional areas between neighborhoods and land uses so as to blend these neighborhoods and eliminate barriers to pedestrian access.

Fundamentally, the theme of the Specific Plan is that of a small seaside village, located with easy access to the beach, shopping and work via the Poinsettia Transit Station. While not themed as to a British style, the project could be likened to a small, self-sufficient village on the coast of England, which is connected to London by a one hour train ride, with the train station in the middle of the village.

### **GENERAL COMMUNITY DEVELOPMENT STANDARDS**

All development within the Specific Plan area shall comply with these general guidelines. They have been developed to insure that neighborhoods and land uses have their own identity, but are also blended with the overall theme of a seaside village.

#### **A. ARCHITECTURE**

##### **1. INTRODUCTION**

The Poinsettia Properties Specific Plan has taken a new path relating to the development of architectural guidelines at the specific plan level. It has focused on four architectural styles for the single family detached neighborhoods. They are Craftsman, Beach Cottage, Seaside (St. Malo) Village and Prairie. The multi-family areas of the Specific Plan may be developed with the Northern Italian styles of architecture in addition to the four previously mentioned styles. Using combined elements of each or some of these styles, the Specific Plan has developed elevations for each of the single-family residential neighborhoods. These elevations are included in the Specific Plan as examples of the type of architecture which will ultimately be developed.

Outlined below are the key elements of each of these styles. They are shown here to call out acceptable architectural elements within the Specific Plan. They are not to be taken as styles which are exclusive, but rather they contain elements which may be mixed and matched to achieve the seaside village affect. They may even be used side by side within a neighborhood, with some common elements for style, to create a more interesting streetscape.

### **Seaside Cottage or St. Malo Style**

The seaside cottage style has its roots in the half-timbered building style brought to America by the Puritans and German immigrants. It was revived and adapted to American materials and climate from the 1890's to 1910's. The most notable feature is the decorative half-timbering. St. Malo, at the southern end of the Oceanside, California beach area is a prime example of a seaside cottage neighborhood. Key elements of the style are:

- ▶ Decorative wood half-timbering in diagonal and grid patterns
- ▶ Irregular roof line composed of intersecting gable and hip posts
- ▶ Steeply pitched flat tiles or shingle roofs 6:12 slopes or greater
- ▶ Tight eaves 6" to 12 " with larger 12" to 18" eaves
- ▶ Massive and elaborate chimneys
- ▶ Stucco mixed with half-timbering, brick or stone accents
- ▶ Round arched doorways, sometimes with some Renaissance detailing
- ▶ Vertically proportioned windows

### **Craftsman**

This style grew out of the arts and crafts movement that began in England in the 1900's. It emphasizes natural materials, a relaxed architectural composition and crafted wood details. The most famous craftsman style architects were the Greene Brothers. They built homes along the California coast from the 1900's to the 1930's. The elements of this style are:

- ▶ Broad shingles or flat tile roofs at 4:12 slope
- ▶ Simple gable or hip roof-lines
- ▶ Long, unenclosed rakes and eaves (24" to 30") cast deep shadows
- ▶ Exposed rafters and beams with shaped ends
- ▶ Wood siding combined with stucco, singles, bricks or stone
- ▶ Deep porches with decorative wood railings, knee braces and battered columns
- ▶ Exposed and elaborate structure at roofs and porches
- ▶ Patterns built up from repeated elements
- ▶ More elaborate "handcrafted" details
- ▶ Windows with patterned frames
- ▶ The above elements can be modified, combined with elements of other architectural styles, and other elements can be added

## **Prairie**

This is a truly indigenous American style. It developed in Chicago in the early 1900's and spread throughout the country. Frank Lloyd Wright helped to create and popularize this alternative to the historically prevailing styles that preceded it. This style emphasized an asymmetrical architecture in contrast to the boxy symmetrical architectural styles of the late 1800's. Key elements of this style are:

- ▶ Asymmetrical hips over one and two story masses
- ▶ Masses radiate out from a central heavy fireplace mass.
- ▶ Deep eaves (30" to 30") which cast deep shadows
- ▶ Windows are arranged in horizontal groups
- ▶ House extends out into landscape with terraces, walls and planters
- ▶ Stucco with brick or stucco accents that reinforce the horizontal proportions
- ▶ Accents that reinforce the horizontal proportions
- ▶ Single story porches with massive supports
- ▶ The above elements can be modified, combined with elements of other architectural styles, and other elements can be added

Elements of the architectural styles referenced above have been incorporated into a specific architectural design for each planning area. These conceptual designs are further described through text and exhibits under the design standards for each planning area.

### 3. ARCHITECTURAL STYLES – MULTIPLE-FAMILY RESIDENTIAL

In addition to the four previously discussed styles, the multi-family and the mixed commercial development within Planning Areas 5 and 6 of the Specific Plan may utilize Northern Italian style of architecture. In addition, these planning areas may also use similar elements approved for the single family planning areas. Exhibit 30, page 81, and Exhibit 31, page 82, show elements of Northern Italian and Seaside Cottage styles incorporated into a multi-family structure. Other architectural styles and design elements may be considered at the tentative map review process provided they are acceptable to the Planning Director.

#### **Northern Italian**

This style is a revival of the spirit of the irregularly massed farmhouses of Italy's Campagna. It features classic Italian Villa elements which lend the appearance of volume broken into towers and wings and opened up with balconies and verandas. Features include shallow hipped or gabled roofs with heavy bracketing under the

eaves, and roundheaded windows often grouped in twos or threes. Though some houses were built of stone or brick, the ideal surface was a smooth stucco wall surface.

The dwellings were Tuscan influenced in the formal balance of their facades and in the use of vertical elements simulating towers, or "belvedere", often centered to create the impression of height and presence common in the imposingly towered Tuscan villa.

### Application

The Tuscan villa, or "Northern Italian" influences, will be created for the project by incorporating certain design elements and materials. These include barrel or "S" tile roof trellage at ends of buildings to soften the scale; window surrounds or sill accents; wainscot banding to articulate one and two story elements; tile or stone accent at grade level; various chimney cap details; a variety of window sizes and shapes; foundation planting to soften grade changes; vertical elements to create accents; texture change in stucco finish to emphasize wainscot banding; and small scale elements in wall masses.

### Standards

- ▶ Earth tone or indigenous color influenced "S" tile roof at 4:12 to 5:12 slope, however no bright red tile roofs shall be used
- ▶ Simple gable or hip roof lines
- ▶ Thick stucco walls with vent tile accents
- ▶ Chimney cap detailing
- ▶ Wrought iron or wood balcony detailing, but no black wrought iron
- ▶ Arched and recessed windows
- ▶ Porches with exposed timber rafters and thick stucco columns
- ▶ Corbeled eave details
- ▶ Short 12" to 18" eaves with clipped rakes
- ▶ Stucco wainscoting at the base of walls or at windows and openings
- ▶ Use of wood shutters and awnings
- ▶ Use of stone or terra cotta accents
- ▶ Facade color treatments

#### 4. ARCHITECTURAL STYLES – COMMERCIAL/RETAIL

The architectural styles for the commercial/retail areas in Planning Areas 1 and 6 shall be consistent with both the style and elements established for both single family and multi-family products. These specific styles and elements shall be submitted with appropriate discretionary applications for Planning Areas 1 and 6.

PAINTED ALUMINUM WINDOW

PAINTED WOOD PANELING

PAINTED WOOD PANELING

PAINTED WOOD PANELING

PAINTED WOOD PANELING

PAINTED WOOD PANELING

PAINTED WOOD PANELING

ASPHALT DRIVE OR GENERALLY COLORED CONCRETE DRIVE



PLAN X

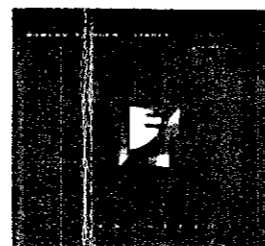
PLAN 3A

PLAN 2

PLAN 3B

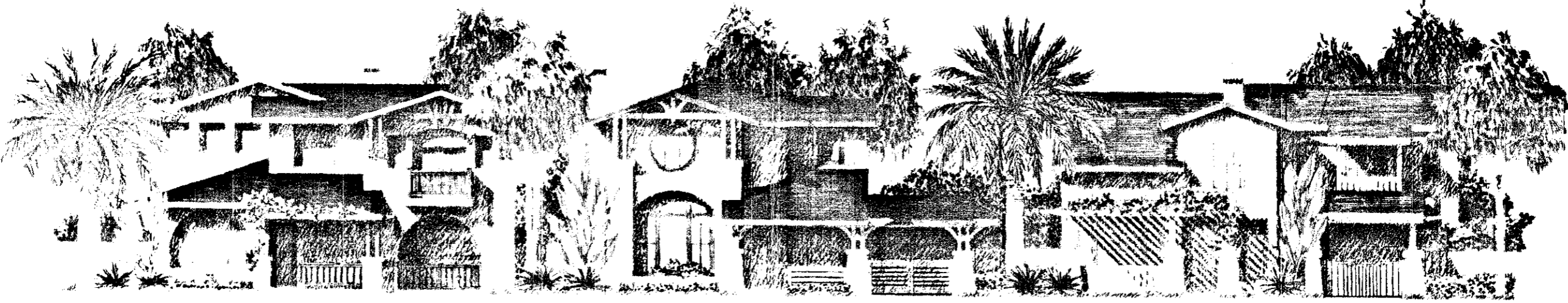
STREET SCENE  
AREA 2

# POINSETTIA PROPERTIES





PAINTED SHUTTERS    PAINTED WOOD FENCE    PAINTED WOOD COLUMN    PAINTED SHUTTERS    PAINTED WOOD FENCE    PAINTED WOOD COLUMN

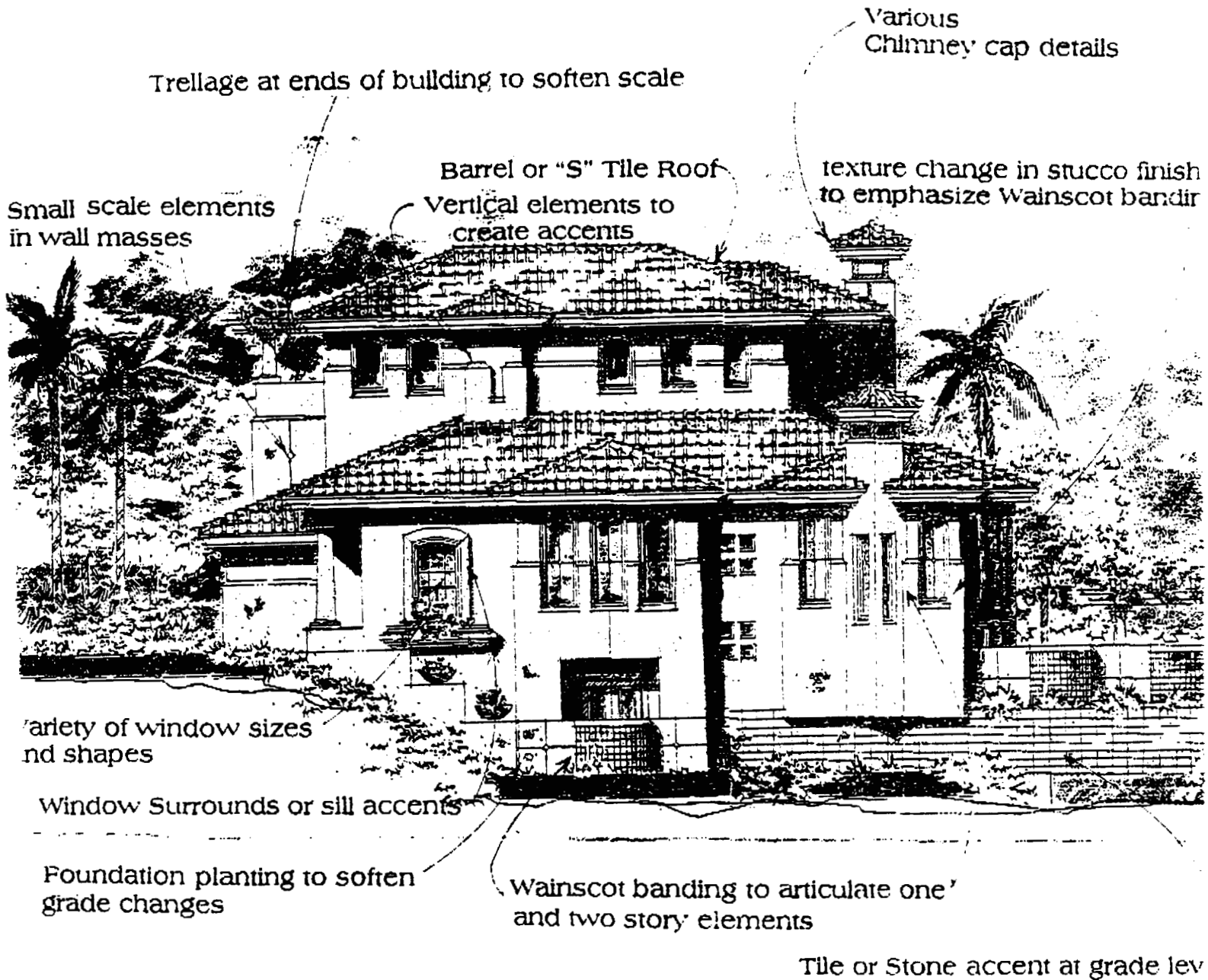


STREET SCENE

# POINSETTIA PROPERTIES

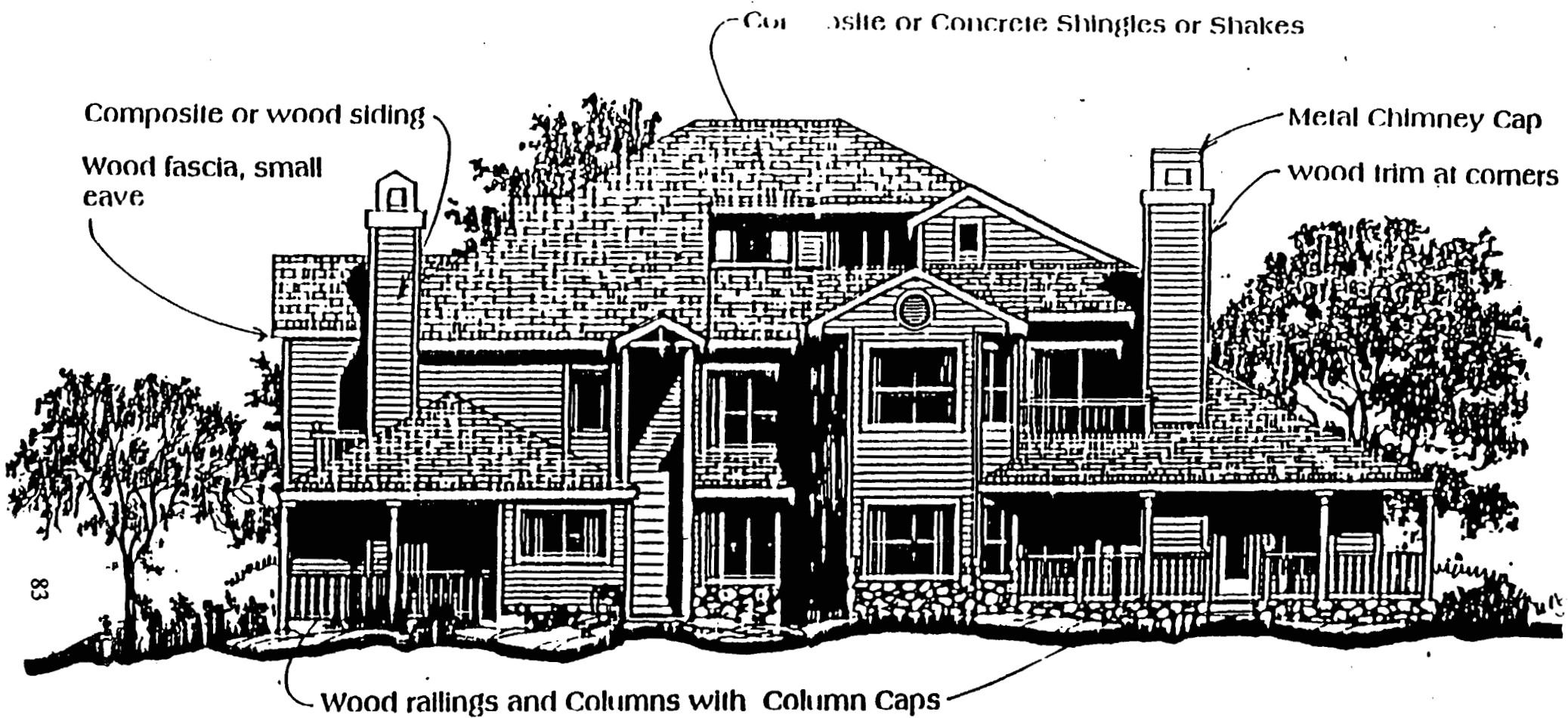






## Northern Italian Style

**THIS EXHIBIT IS CONCEPTUAL ONLY.  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREA TENTATIVE MAP.**



# Seaside Cottage Style

## Multifamily Residential

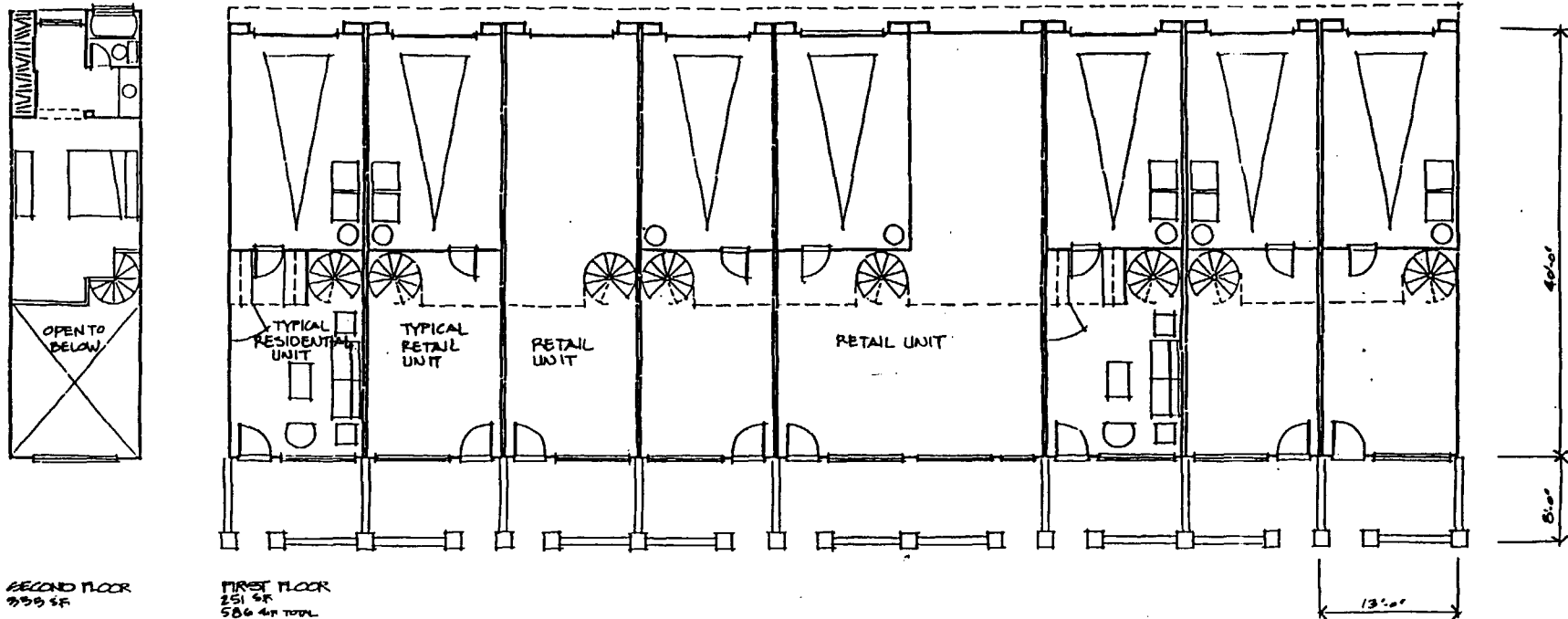
THIS EXHIBIT IS CONCEPTUAL ONLY.  
 FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
 WITH THIS PLANNING AREAS TENTATIVE MAP.

# Poinsettia Properties Specific Plan

Carlsbad, Ca.



FRONT ELEVATION



SECOND FLOOR  
955 SF

FIRST FLOOR  
251 SF  
586 SF TOTAL

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

THIS EXHIBIT IS CONCEPTUAL ONLY,  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREAS TENTATIVE MAP.

CONCEPTUAL LIVE/WORK UNITS  
PLANNING AREA 6

Exhibit 33

## **B. LANDSCAPE GUIDELINES**

The purpose of the landscape plan is to visually reinforce the patterns established by the Specific Plan and communicate the overall landscape concept of the Poinsettia Properties community. This specific plan will serve as a guide to assure that individual projects will be compatible within the comprehensive landscape plan for the overall community. Landscape plans shall be submitted for each planning area concurrent with applications for discretionary development approvals for that planning area. All landscape plans shall be prepared in accordance with the City's Landscape Manual unless specified otherwise in this chapter or the design criteria specified in Chapter XI of this specific plan as reviewed and approved through the City's Landscape Plan review and approval process. All new construction shall be landscaped in accordance with the City approved Landscape Plan for that planning area and be subject to City inspection of adequate maintenance levels.

Trees will be one of the dominant thematic elements used to create a logical sense of order, continuity and contrast throughout the community. Trees will be preselected to provide the necessary guidance to the various parties responsible for implementing and administering the landscape program. Plant lists are generally descriptive of the type and character of each planting community or zone. Additional species may be included in final landscaping plans.

### **1. MASTER LANDSCAPE CONCEPT**

The major components of the landscape design are the existing street areas, ocean view corridors, trail corridors, railroad corridors, streetscape and accent plantings. The Master Landscape Concept proposes the use of a specific list of trees designed to reinforce the project's coastal setting and create a sense of neighborhood. Wherever possible, dense groups of trees shall be planted thereby creating a desirable accent for the property. Upon ultimate development, the Poinsettia Properties Specific Plan area will feature:

- A public parkway/trail system pursuant to Exhibit 13, page 50 . These public parkways/trails will include the following distinct elements which are described on page 39.
  - a. The Avenida Encinas Pedestrian Parkway – 20 foot landscape buffer along Avenida Encinas
  - b. Railroad Pedestrian/Open Space Corridor – 40 foot landscaped buffer
  - c. Public Pedestrian/Open Space Parkway at Carlsbad Boulevard
  - d. Mixed-use Pedestrian Link/Corridor

- A public/private trail system within the community as well as other recreational amenities.
- A streetscape on Avenida Encinas, Poinsettia Lane (slope), and Carlsbad Boulevard with focal trees along with accent signage, flowering shrub masses, drought-resistant plant materials, turf, and meandering sidewalks. These streetscapes will be part of the public parkways described on page 39. Existing slopes within the Poinsettia Lane right-of-way shall be landscaped consistent with Avenida Encinas and Carlsbad Boulevard.
- Buffering and screening of adjacent mobile home park by use of large shrubs and/or trees.

Visually strong avenues of trees will line the primary streets. Canopy trees and other trees will provide additional focus along Avenida Encinas, Poinsettia Lane (slope), and Carlsbad Boulevard at the community entries and at the community recreational facility. Seventy-five percent of all trees within the Poinsettia Properties Specific Plan shall be canopy trees and eucalyptus trees are specifically prohibited. Colorful plantings will also accent the entries and focal areas to provide visual relief along the streetscapes.

Streetscapes for General Plan roadways are prescribed by the City's landscape manual. An open space setback will be provided along Avenida Encinas and Carlsbad Boulevard in conjunction with public trails (Exhibit 13, page 50, shows these setback/trail areas) within the Specific Plan area. These are open space areas which include public pedestrian trails. Maintenance of these open space areas shall be performed by either a Master Homeowners' Association or another acceptable entity (see page 44 for further discussion). The setback will buffer residential units and commercial areas from traffic.

## 2. STRUCTURAL AND LANDSCAPE SETBACKS

The following are the structural and landscape setbacks established for the indicated public streets:

	<u>Structural Setback from Right of Way</u>	<u>Landscape Setback from Right of Way</u>	<u>Exhibit No.</u>
Carlsbad Boulevard	40 feet	40 feet	16, 17
Poinsettia Lane	40 feet	20 feet	
Avenida Encinas	30 feet	20 feet	8, 18

Note: Bus turnouts, bus stops, and other bus lanes (if any) for Avenida Encinas and Carlsbad Boulevard can be constructed within the landscape setback area.

### 3. LANDSCAPE DESIGN ELEMENTS

The primary function of the trail system is to encourage pedestrian activity between land uses, and to the Poinsettia Transit Station in accordance with TOD principles. The following is a list of landscape elements of the Specific Plan. These elements will be detailed at the submittal of tentative map, site development plan or other discretionary permits for each planning area. Design has been based on the vision, goals and objectives of this specific plan.

#### a. Streets (dominant, support trees)

Landscaping of streets will provide continuity throughout the community and create the appropriate link with adjacent areas. Streets within the Poinsettia Properties Specific Plan area will reflect the "community design theme" and be selected from the appropriate tree list and be located as a single species per street.

- Avenida Encinas, Poinsettia Lane (slope), and Carlsbad Boulevard will continue existing tree patterns established by the City of Carlsbad.

#### b. Planning area (theme trees)

Each planning area may have its own distinctive theme reflective of its plant community location.

#### c. Entries (accent trees)

Entries are in two categories:

- Primary Project Entry (community entry)
- Primary Planning Area Entry

Accent trees will be used to contrast with designated street trees. Major entry accent trees will be pre-selected; however, the primary and secondary entry trees will be selected by the developer (subject to approval by the City).

#### d. Focal accent points

Flowering accent trees will be used at focal points, such as project entries, planning area entries, recreation areas and outdoor gathering spots to provide distinctive contrast.

e. Slopes

Permanent Landscaping for slopes will be designed to soften the appearance of the slope and to visually soften the transition between slope and pad areas. Erosion control shall be provided per Standards 1 through 4 of the City's Landscape Manual. Plantings shall be chosen from the appropriate landscape zone while complementing the applicable plant community and maintaining view opportunities.

4. COMMUNITY TREE LIST

The following is a list of plant materials per the City's Landscape Manual. It is not an all inclusive list of appropriate plant materials for this specific plan. Use of planting materials will be determined through the tentative map or other discretionary applications for each planning area. All approved trees and plant materials must be proven to tolerate coastal salt and winds and other conditions in the Specific Plan area.

a. Streets

Avenida Encinas

- Support Tree - Melaleuca Quinquenervia - Cajeput tree
- Theme Tree - Washintonia robusta
- Accent/interest - Small flowering trees

Carlsbad Boulevard

- Median tree - Washingtonia robusta - Mexican Fan Palm
- Theme tree - Cupressus macrocarpa - Monterey Cypress
- Support tree - Melaleuca nesophien  
Myoporum

Poinsettia Lane

- Median tree - Magnolia grandi flora - Southern Magnolia
- Theme tree - Magnolia grandi flora - Southern Magnolia
- Support tree - Brachychiton acerifolia - Flame tree  
Stenocarpus sinatus - Fire wheel tree

Collector Streets (Planning Areas)

- Tree varieties - To be determined at time of tentative map processing

b. Open Space adjacent to the Railroad Corridor

- i. Adjacent to the existing vernal pools along the east side of the railroad right-of-way, drought tolerant native species such as laurel sumac, lemonade berry, Cleveland's Sage, black sage, flattop buckwheat and bush monkeyflower. Torrey pines shall be planted to provide shade trees in this area.
- ii. Adjacent to the westerly edge of the Railroad Right-of-Way, landscaping species shall be compatible with the landscaping used in each planning area and shall provide some tree species which will create a shade canopy.

Note: Plant material must be suited to coastal exposure.

5. LANDSCAPE AND IRRIGATION STANDARDS

All landscape planting and irrigation systems shall conform to the City of Carlsbad's Landscape Manual. Requirements for reclaimed water and other water conservation methods shall also be complied with.

6. MAINTENANCE

All landscape maintenance shall conform to the City of Carlsbad's Landscape Manual and project CC&Rs. In general, the overall appearance of the landscape shall be neat, healthy and free of weeds and debris. All new construction shall be landscaped in accordance with a City approved Landscape Plan, and subject to City inspection of adequate maintenance levels.

Maintenance of landscaping will be dependent upon whether the area in question is for the use of the general public ("public") or the exclusive use of Poinsettia Properties homeowners ("private"). Exhibit 10 (Open Space Plan), page 47 shows which areas of the Specific Plan open space will be public. The specific homeowners' association for each planning area shall be responsible for the maintenance of all private open space within its planning area, except private open space within individual private lots.

Maintenance and liability for all areas shown as public open space shall be the responsibility of a Citywide Open Space Maintenance District, if formed. In the event no district is formed, then these responsibilities shall be assumed by the specific homeowners' association for each planning area in which such open space exists, and Master Homeowners' Associations or other acceptable entity (see further discussion on page 44).



## 7. STREETSCAPE/PARKWAY LANDSCAPING

The streetscape scene and parkway design is comprised of the relationship between buildings, structures, street scale, adjacent views/vistas, signage, landscaping and street furnishings. To create an attractive pedestrian experience, all single family lots shall be planted with a minimum of two 15 gallon street trees per lot. Design of street and parkway landscaping shall be determined through the tentative map or other discretionary applications for each planning area.

## 8. PLANT SIZES

Streetscape trees shall be a 15 gallon minimum size with larger sizes (minimum 24" box) planted on collector streets. Specimen trees may be utilized at project entries and other focal points. Five percent (5%) of the trees shall required to be 24" box specimens.

Ground cover shall be planted consistent with the City's Landscape Manual to insure quick cover and to reduce erosion. Additional 1 gallon trees shall be planted at no less than the minimum rate required by erosion control standards. On pad areas, 50% of shrubs should be 5 gallon and all trees on pad areas should be 15 gallon minimum. However, 15 gallon containers for some trees on slopes such as Poinsettia Lane are suggested for greater initial impact. Larger sizes and quantities are anticipated in Zone 1 areas and in other highly visible areas.

## 9. LANDSCAPE ZONES

The Landscape Communities have been assigned landscape intensity classifications based on the intensity of maintenance and water requirements per the City of Carlsbad Landscape Manual. A brief description of each zone is given below. Landscape zones for each planning area will be identified and defined in the landscape plans accompanying each tentative map or other discretionary applications.

### a. Zone One: Lush Landscapes

Lush Landscaping is used along the streets, around entry monuments and in the recreation center where lush, green, flowering landscaping is required. These are high maintenance areas and will require significant amounts of irrigation. Consideration will be given to water conservation measures where appropriate.

b. Zone Two: Refined Landscape

Refined landscapes are those which require less intensive maintenance practices (such as mowing, pruning, etc.) and less water. Their appearance is unmanicured but well kept. These areas are primarily found along street landscape areas.

c. Zone Three: Naturalizing Landscape

Naturalizing landscape shall be planted for low use areas that do not have a refined appearance but are not native - a transition between the two. It should be able to naturalize and become self sustaining once established, but may require irrigation in summer months.

d. Zone Four: Native Landscape

Areas of existing vegetation planned for low-level active use where existing vegetation is retained with very little modification. It will require a minimal level of maintenance (usually periodic control of debris and minor clearing for seasonal fire protection) and no supplemental irrigation.

10. PLANT MATERIALS

The following is a list of plant materials suggested for Poinsettia Properties. It is not an all inclusive list of appropriate plant materials for this specific plan. Use of planting materials will be determined through the tentative map or other discretionary applications for each planning area. All approved trees and plant materials must be proven to tolerate coastal salt and winds and other conditions in the Specific Plan area.

a. Zone 1: Lush Landscapes

Trees -                      Metrosideros excelsus  
   Salix babilonica  
   Other flowering trees for interest/accent

Shrubs -                      Agapanthus africanus  
   Fatsia japonica  
   Carissa grandiflora  
   Phoenix roebelenii  
   Liriope  
   Coprosma baueri

Ground cover - Hedera helix  
Fragaria chiloensis  
Vinca minor

b. Zone 2: Refined Landscape

Trees - Erythina caffra  
Cupaniopsis anacardioides  
Other flowering trees for interest/accent

Shrubs - Leptospermum  
Pittosporum (all)  
Raphiolephis umbrellata  
Glaeagnus pungens  
Rhus integrifolia

c. Zone 3: Naturalizing Landscape

Trees - Metrosideros exceisus  
Salix babilonica  
Other flowering trees for interest/accent

Shrubs - Cassia Artemisioides  
Rhus integrifolia  
Rhus laurina  
Lavatera assurgentiflora

Ground cover - Baccharis Pilularis  
Native Mix (Hydroseeding as permitted by the Landscape Manual)  
Arctostaphylosura-ursi

### C. ENTRIES

Entry monuments serve several important purposes. They identify the community, help establish a hierarchal order within the community (from main entry to neighborhood entry to secondary entry) and provide unifying design accents throughout the community. The Poinsettia Properties Specific Plan area may have planning area project entries located along Avenida Encinas, and Carlsbad Boulevard. The location of all planning area entries, walls and fencing shall be established through the landscape plans of appropriate tentative maps, site development plans, or other discretionary applications. Exhibit 14, page 51, shows the conceptual location of entries to planning areas of the Specific Plan.

Entry monumentation will be incorporated into a planning area's required landscape plan and be provided by the developer. Grading plans may also show these walls due to sight distance consideration. These are the entries to the individual planning areas in Poinsettia Properties. They are to be designed as an enhanced extension of the community fencing detail. These should be limited to the one or two major entry points into a planning area and will provide visitors with the project name identification.

The vehicular entries into all planning areas may be manned or electronically guarded gates. This is intended to limit the automobile access into the private portions of the Specific Plan development area. Public pedestrian access on all identified public corridors will be unrestricted. Exhibit 14, page 51, shows the general location of project sound walls and the public pedestrian access-ways.

The design and architectural elements of entries shall be compatible and consist with the Specific Plan theme elements of this specific plan. Design will be determined at the tentative map for each planning area.

#### **D. WALLS AND FENCING**

The TOD principles call for the general elimination of pedestrian barriers such as walls. Because the Poinsettia Properties project is basically in-fill, and because the City of Carlsbad has a stringent noise abatement ordinance, some walls will be needed to help abate noise from such sources as the NCTD railroad right-of-way, Carlsbad Boulevard, Poinsettia Lane, and Avenida Encinas. Exhibit 14, page 51, shows the general location of project sound walls.

To accomplish the TOD goal of pedestrian scale and access, the Poinsettia Properties Specific Plan will not have neighborhood walls at locations of principal pedestrian access from one neighborhood and land use to another. Exhibit 14, page 51, shows the relationship of access gates to pedestrian corridors.

The walls and fences for the Poinsettia Properties Specific Plan area are divided into two categories: Community Theme/Planning Area Noise Attenuation Wall, and Production Fencing. All wall types combine community theme pilasters in appropriate areas. Exhibit 14, page 51, shows the general location of these walls.

The design and architectural elements of all walls and fencing shall be compatible and consistent with the Specific Plan theme element of this specific plan. Design will be determined at the tentative map for each planning area. The design of walls should accomplish the objective of a unifying theme and integrated community with a pedestrian scale.

## 1. COMMUNITY THEME/PLANNING AREA NOISE ATTENUATION WALL

Community Theme Walls which also serve as noise attenuation walls shall be constructed as shown on exhibits within this chapter with a height of not more than 6 vertical feet above finished grade, unless otherwise approved by the City Engineer, or required due to topographical conditions, or noise mitigation requirements. Where a noise study indicates that additional barrier height is needed to mitigate noise to an acceptable level, the additional height shall be composed of a berm constructed with maximum 2:1 slope at each side and of minimum width to support the wall on top, or a terrace between two walls, or a wall with a height of more than 6 feet if approved through the discretionary plan review process. In addition, clear wall elements such as plexiglass may be used to obtain wall heights in excess of 6 feet if required for noise attenuation.

## 2. PRODUCTION FENCING

Production fencing is primarily used to separate side and rear yards of residential lots or other areas within a planning area. Production fencing may be wood, block, and/or iron.

## E. SIGNS

Appropriate signage is important in maintaining the community design theme, as well as providing a system for identifying community development and giving directional information to residents and visitors. Unless noted within this specific plan, all residential and non-residential signs shall comply with the requirements of the City of Carlsbad's Sign Ordinance (Chapter 21.41 of the Carlsbad Municipal Code). Individual sign programs will be submitted at the time of tentative map or site development permit review for each planning area.

The following basic principles shall be considered in the provision of signs within this specific plan:

1. The design and architectural elements of the proposed signs shall be compatible and consistent with theme elements of the Specific Plan.
2. Signs should relate to human scale, especially along pedestrian corridors and should encourage pedestrian use.
3. The design of signs should be compatible with and complement the architecture of the adjacent buildings.
4. Signs should be designed to create a unifying theme within the Specific Plan.

5. Pedestrian oriented signs in Planning Area 6 should include the use of three-dimensional signs.

Signs utilized in the Poinsettia Properties Specific Plan include both temporary and permanent types:

1. PERMANENT SIGNS

Permanent signs include:

- a. Trail head markers
- b. Street signs
- c. Recreation Center signs
- d. Planning area entry signs
- e. Commercial signage
- f. Project identification
- g. Public access trails
- h. Directional signs to Poinsettia Transit Station
- i. Fire lane signs

2. TEMPORARY SIGNS

Temporary signs which will be present until the completion of project construction include:

- a. Marketing and subdivision sale signs
- b. Future facility signs
- c. Community entry signs
- d. Directional signs
- e. Project identification

## F. LIGHTING

The design issue of "lighting" includes street lighting, as well as building and landscape accent lighting, and sign illumination. The following basic principles should be considered in the provision of lighting:

1. Street lights should provide a safe and desirable level of illumination for both motorists and pedestrians without intruding into residential areas.
2. Lighting fixtures should relate to the human scale, especially in pedestrian areas.

3. Lighting and lighting fixtures should complement the design and character of each planning area in which they are placed.
4. All lighting shall be designed to create a unifying theme within the Specific Plan and to create an integrated pedestrian coastal community using TOD principles of easy pedestrian access.
5. All lighting shall be pedestrian oriented and friendly but shall not be obtrusive or offensive.
6. All street lighting shall conform to City standards or an approved theme lighting program, and shall be approved by the City Engineer.
7. Lighting of tennis courts and/or basketball courts may be allowed subject to the approval of the City.
8. Illuminated entries should direct lighting low to the ground and be limited to only the immediate vicinity of the entry.
9. Lighted entries should not be distracting, create visual hot spots or glare, etc.
10. All lighting should be designed so that it is directed away from the adjacent existing mobile home park residences.
11. All commercial lighting shall be restricted and designed so as not to significantly effect any residential planning area or other nearby properties.
12. All lighting conditions will be addressed in the review and approval of any site development plan or other application.

# **XI. PLANNING AREA DEVELOPMENT STANDARDS**

## **A. INTRODUCTION**

The Poinsettia Properties Specific Plan has been divided into five residential planning areas, one Travel Recreation planning area, one Recreation area and one Mixed Use area. Each planning area subsection of this chapter contains exhibits and special design criteria applicable to that particular planning area. Unless otherwise specified in this Chapter or within this specific plan, development standards for all ownership units within the residential planning areas shall be in accordance with the Planned Development Ordinance, Chapter 21.45 of the Carlsbad Municipal Code.

Each planning area has been designed and planned to accomplish the visions, goals and objectives of this specific plan.

## **B. PLANNING AREA DEVELOPMENT STANDARDS**

### **1. PLANNING AREA 1 DEVELOPMENT STANDARDS**

#### **a. Implementation of Specific Plan Vision and Goals – Purpose and Intent**

The purpose of this planning area, including its design standards and allowed uses, is to provide for a blend of Travel/Recreation Commercial and transit-oriented development. Planning Area 1 is designated as travel recreation due to its location on Carlsbad Boulevard, proximity to the freeway, ocean, hotels, restaurants and other tourist serving facilities and easy access for both vehicles and pedestrian users.

The types of commercial uses allowed in this area will service both the residents of the Specific Plan as well as beach visitors. This site's location on a Major Arterial providing access to the beach will make it an excellent location to provide commercial uses that will serve residents of the Specific Plan as well as beach visitors and people traveling on the freeway. The commercial uses within this planning area shall be designed to provide convenient services to both the residents of the Specific Plan as well as the traveling public. Residents of the Specific Plan will be able to gain access to the commercial services provided by this site by the public pedestrian parkway along Carlsbad Boulevard. The architecture, landscaping and other theme elements to be used within this planning area shall reflect a beach and pedestrian oriented neighborhood and shall be compatible with the adjacent planning areas to provide for an integrated neighborhood.



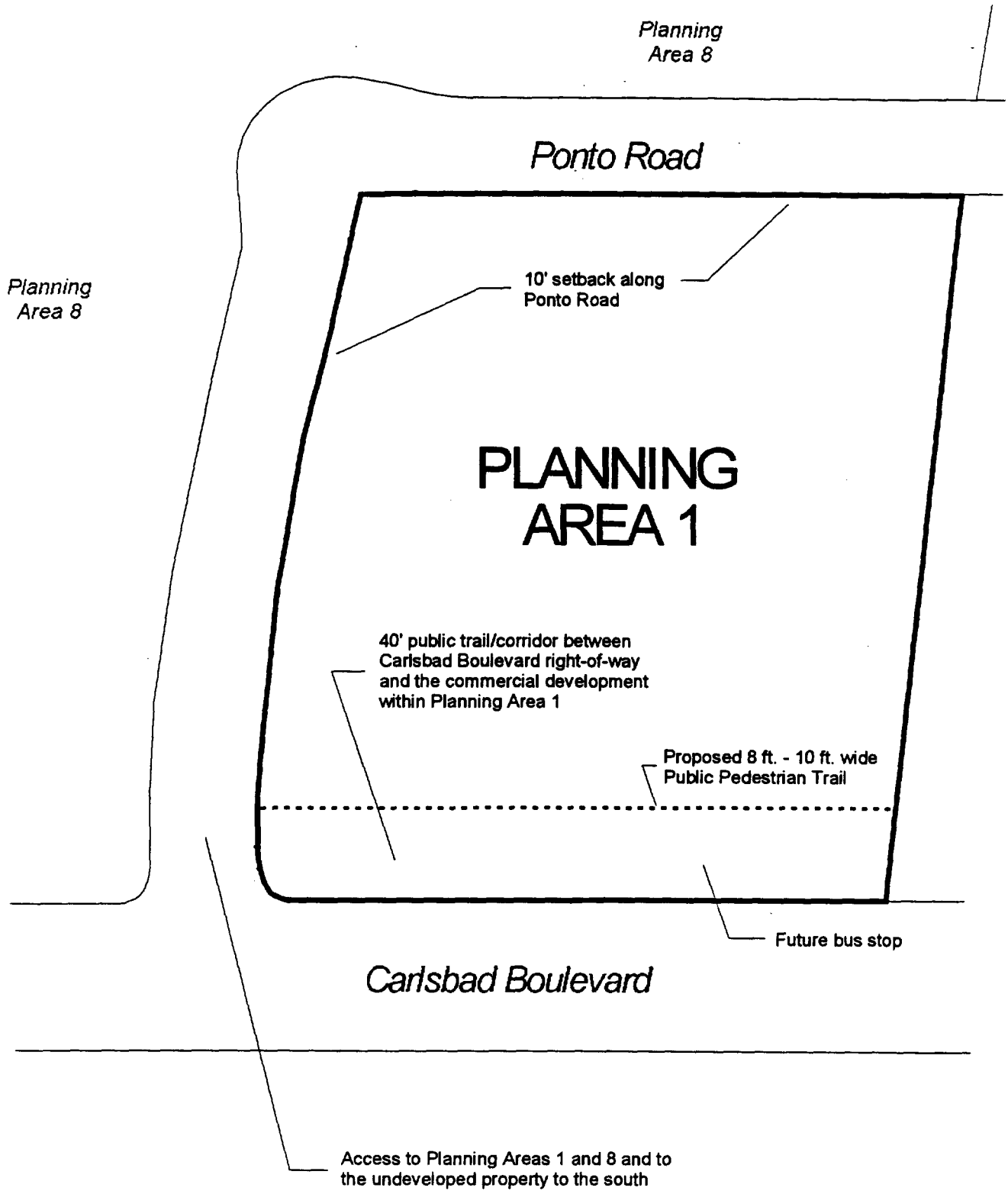
b. Description:

1. Planning Area 1 (Exhibit 5, page 25) is a 1.5 acre (gross) site located at the southeast corner of Carlsbad Boulevard and the future Ponto Road. Planning Area 1 shall be developed with travel recreation/commercial uses.
2. Planning Area 1 shall be developed per the CT Zone and related ordinances unless otherwise addressed in the Development Standards for this planning area or elsewhere in this specific plan.
3. The exhibits listed below are used as references in review of this planning area:

<u>Exhibit</u>	<u>Page</u>
# 5, Planning Area Map	25
#34, Conceptual Site Plan	99

c. Use Allocation:

General Plan Land Use:	Travel Recreation (TR)
Zoning:	Commercial Tourist (CT)
Poinsettia Properties Specific Plan:	Allows commercial uses as allowed under the CT Zone which serve the traveling public and beach visitors including, but not limited to, restaurants (no drive-thrus), convenience stores (with no gas station services), and other commercial/retail uses and any other use except gas stations which may be deemed to meet the intent of the CT Zone.
Development Process:	SDP/CUP (if required)
d. Lot Size:	Minimum 5,000 square feet



## Design Criteria

e. **Development Standards:**

1. **Setbacks:**

- All buildings shall be set back a minimum of 40 feet from Carlsbad Boulevard (see Exhibit 34, page 99).
- A 10 foot landscaped setback shall be provided along Ponto Road.

2. **Building Height:**

- A maximum of 35 feet and two stories shall be allowed. Building height shall be measured per the definition contained in Section 21.04.065 of the Carlsbad Municipal Code.

3. **Architectural, Signage/Entries and Landscape Themes:**

- Architectural, signage/entries and landscape themes shall complement the Specific Plan theme elements as set forth in Chapter X of this specific plan. Architecture, signage/entries, landscaping and lighting shall also complement the theme elements used in other planning areas of Parcel C. The theme consistent throughout this planning area shall be one of a pedestrian-oriented beach community which includes TOD principles. Specific design elements of this planning area shall be addressed and approved with a tentative map or other discretionary permit applications.

f. **Special Design Criteria - Transit Oriented and Other Design Criteria:**

1. Exhibit 34, page 99, shows the access points and landscape buffers for Planning Area 1. Exact details of the development of this planning area will be determined at the time of the approval of the Site Development Plan. The Site Development Plan will be prepared in accordance with the Development Standards and Design Criteria of this chapter.
2. Development in this area shall be designed to have minimal impacts on the adjacent residential development in Planning Area 8.
3. No lighted pole signs, roof top signs or any signs protruding above the level of the structures shall be allowed.

4. All lighting shall be designed so that it does not spill out onto adjacent properties.
  5. Directional signage on Planning Area 1 shall be designed to facilitate access by beach visitors and pedestrians.
  6. The architecture of the buildings in this planning area shall be compatible with the adjacent residential development.
  7. Planning Area 1 shall provide a variety of outdoor seating/gathering areas. Outdoor seating may include benches, seats on planters, outdoor eating areas, or other such facilities meeting the intent of providing outdoor gathering facilities.
- g. Development Review Process:
1. Development review process will require a Site Development Plan (SDP) or a Conditional Use Permit (CUP) as may be determined by the City Planning Director.

## 2. PLANNING AREA 2 DEVELOPMENT STANDARDS

### a. Implementation of Specific Plan Vision and Goals – Purpose and Intent

The purpose and intent of this planning area is to implement the goal of providing a single family residential element which complements the Poinsettia Transit Station and coastal features of the Specific Plan area. Under the principles of transit-oriented development, Planning Area 2 shall develop within a density range of 4-8 du/acre while providing pedestrian access for its residents to the Specific Plan parkways, trails and the Poinsettia Transit Center. The architecture, landscaping and other theme elements to be used within this planning area shall reflect a beach and pedestrian-oriented neighborhood and shall be compatible with other planning areas to provide for an integrated community.

This planning area's entry may be combined with the entry to Planning Area 3 and/or Planning Area 4, thus providing one common private vehicular entry. The concept of one common entry is shown on Exhibit 13, page 50, and Exhibit 14, page 51. Exhibit 13 details the concept of public pedestrian access through a private entry gate which encourages and allows easy access to the transit station.

### b. Description:

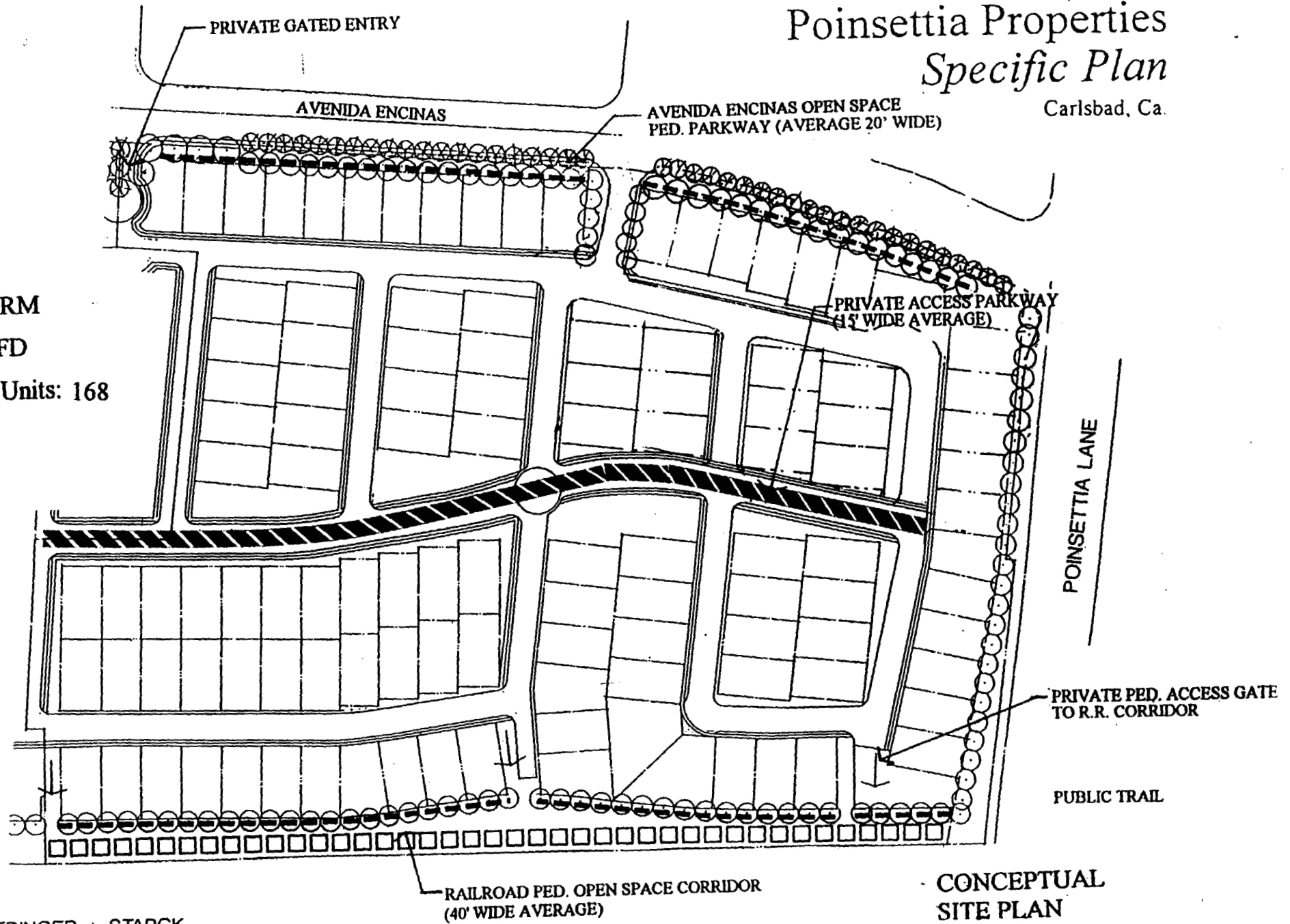
1. Planning Area 2 (Exhibit 5, page 25) is located west of Avenida Encinas and east of the railroad right-of-way near the intersection of Avenida Encinas and Poinsettia Lane. It has a gross planning area of approximately 23.6 acres. Planning Area 2 shall be developed with single family detached residences.
2. Projects within Planning Area 2 shall be developed per the PD Ordinance, Chapter 21.45 of the Carlsbad Municipal Code and the RD-M Zone, Chapter 21.24 of the Municipal Code, unless specified otherwise in the Development Standards for the planning area, or elsewhere in this specific plan.
3. The following exhibits are used in this section and are helpful in review of this planning area:

<u>Exhibit</u>	<u>Page</u>
# 5, planning area map	25
# 35, site plan	103
# 28-30, conceptual single family street scenes	79-81
# 36, conceptual side yard exhibit	104

# Poinsettia Properties Specific Plan

Carlsbad, Ca.

Land Use: RM  
Product: SFD  
Maximum Units: 168



103

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

## AREA 2

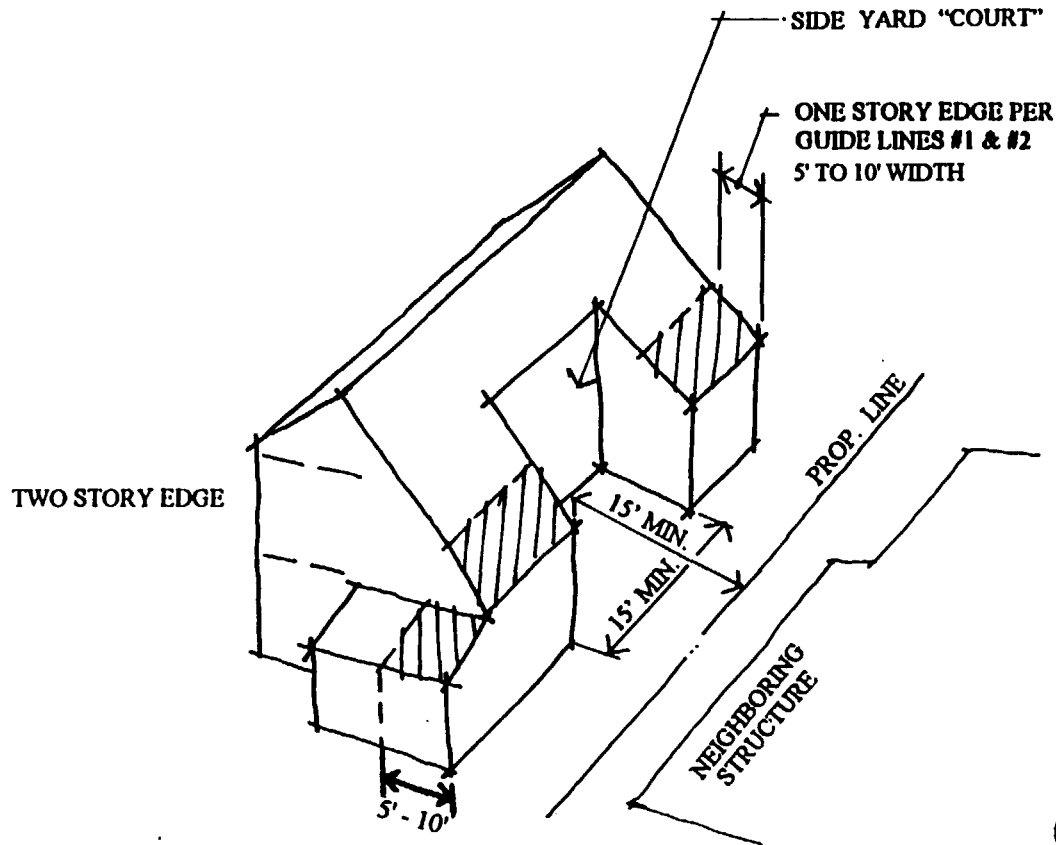
THIS EXHIBIT IS CONCEPTUAL ONLY.  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREAS TENTATIVE MAP

CONCEPTUAL  
SITE PLAN

Exhibit 35

# Poinsettia Properties Specific Plan

Carlsbad, Ca



## Conceptual Sideyard Court Exhibit for Planning Areas 2 & 4

104

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

**THIS EXHIBIT IS CONCEPTUAL ONLY,  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREAS TENTATIVE MAP.**

Exhibit 36

c. Use Allocation:

General Plan Land Use:	RM (4-8 du/ac)
Growth Control Point:	6.0 du/ac
Zoning:	RD-M
Poinsettia Properties Specific Plan:	allows 168 single-family homes, including secondary units
Development Process:	Tentative Map/PUD
Product Type:	Single family residential

This planning area allows for up to 168 single family detached homes and can be developed at this density without the use of secondary units. In the event secondary units are proposed as part of a subdivision map, the sum of secondary units and single family homes shall not exceed 168 units. The use of secondary units is an option of the developer, but not a requirement.

d. Lot Size: Minimum 3,500 square feet

e. Development Standards:

1. Parkways and Setbacks:

Poinsettia Lane:

- All buildings shall be set back a minimum of 40 feet from Poinsettia Lane. This setback area includes the 20 foot landscaped setback along Poinsettia Lane.

Avenida Encinas Pedestrian/Open Space Parkway:

- All homes shall be set back a minimum of 30 feet from the Avenida Encinas right-of-way. This setback area includes the 20 foot landscaped parkway along Avenida Encinas. (See Exhibit 18, page 55 and discussion starting on page 39).

Railroad Pedestrian/Open Space Corridor:

- A minimum 100 foot open space setback shall be provided between homes in Planning Area 2 and all wetland areas located on the site or within the existing railroad right-of-way to the west unless a reduced buffer is endorsed by the U.S. Fish & Wildlife Service. To accomplish



this setback, an open space easement at least 100 feet wide will be established along the railroad right-of-way. No homes or other development shall be allowed within this setback, however, a public trail and trail associated uses, utilities, sewer, water and drainage facilities, and native and drought-tolerant landscaping are allowed if the U.S. Fish and Wildlife Service agrees through a Section 7 consultation that such development can occur without adversely impacting the wetlands. A public trail allowed in the setback shall be located within the eastern half of the buffer. Sound walls and/or rear yard fences can be placed at the eastern boundary of this setback. Any utilities allowed in the setback shall be placed underground in this setback. The public trail in this area shall provide access to the Poinsettia Train Station. An open space setback from the railroad right-of-way of lesser width, but not less than 40 feet, shall be permitted in areas where wetlands are not present within the right-of-way or on the subject site, subject to approval by the U.S. Fish and Wildlife Service.

- Planning Area 2 shall include a "pedestrian collector spine" to serve as a main community (private) sidewalk/trail for pedestrian use. (See Exhibit 19, page 56, and further discussion starting on page 39.) This private community sidewalk/trail shall be an average width of 15 feet, with a 10 foot minimum, including a 5 foot sidewalk and 5 foot landscaped area.
- Front Yards:  
Front yard setbacks for livable dwelling space may range from 10-20 feet with a 15 foot average. The 15 foot average shall be calculated by measuring the closest point of the structure (not including porch) to the front property line on each lot and calculating the average on a project level basis. Front porches may be located 10 feet from the front property line if the porch has a minimum dimension of five feet and a minimum area of 50 square feet. Porches may not be enclosed, utilized to support a second story deck or converted to livable area. Garages situated perpendicular to the street shall maintain a 20 foot setback. Side-located garages may have a 10 foot setback but must have detailed facade articulation on the side-street elevation.
- Side yards:  
Minimum of 5 feet for all lots (less allowed protrusions). Minimum distance between structures shall be 10 feet (less allowed protrusions) with an overall average of 12 feet.

- **Rear yards:**  
Minimum depth of rear yards shall be 10 feet. All lots shall provide a minimum private rear yard or side yard area of 15 feet by 15 feet. All habitable portions of structures shall maintain a 10 foot rear yard setback. Garages located at the rear of a lot may have a 5 foot setback from the rear property line. However, if a second unit or habitable space is located above the garage, the livable portion of the structure shall maintain a minimum 10 foot setback from the rear property line.
  - **Accessory Structures:**  
Except for garages as described in the preceding section, accessory structures shall be located in conformance with the requirements of Section 21.24.090 of the Carlsbad Municipal Code.
  - All room additions shall comply with the setback requirements of this chapter and shall not encroach into the 15 foot by 15 foot private rear or side yard areas.
2. **Building Height:**
- A maximum of 30 feet and two stories shall be allowed. Building height shall be measured per the definition contained in Section 21.04.065 of the Carlsbad Municipal Code.
3. **Architectural, Signage/Entries and Landscape Themes:**
- Architecture and design shall comply with the goals and vision above relating to a TOD. The primary purpose of these goals is to create a streetscape which is to the scale of pedestrian users. The style of architecture shall comply with the styles mentioned in the Specific Plan theme elements under chapter X on page 74. Exhibits 28-30, pages 79-81, show conceptual architectural styles which illustrate examples of theme elements, styles and design consistent with the intent of this specific plan.
  - Architectural signage/entries and landscape themes shall complement the Specific Plan elements as set forth in Chapter X. Architectural signage/entries, landscaping and lighting shall complement the same elements used in other planning areas of Parcel A. The theme consistent throughout this planning area shall be one of a pedestrian-oriented beach community which includes TOD principles. Specific

design elements of this planning area shall be addressed and approved with a tentative map or other discretionary permit applications.

#### 4. Secondary units

- The developer of Planning Area 2 has the option of constructing secondary units governed under the City guidelines for secondary units (Section 21.10.05 of the Carlsbad Municipal Code). Up to 20% of the Specific Plan's overall affordable housing requirements may be satisfied through the use of secondary units. See additional discussion under the Affordable Housing section, page 34.
- Each secondary unit shall include bathroom and kitchen facilities.
- RV storage area requirements do not apply to secondary units.

#### f. Special Design Criteria - Transit Oriented and Other Design Criteria:

1. Allow innovative house and lot designs that increase housing variety, such as wide and shallow lots, alley products, zero lot lines, "Z" lots and exclusive use areas subject to the approval of the final decision making body.
2. Garages shall be offset at least five feet from the front facade or the portion of the front porch closest to the street of each home or be located to the rear of the property. The surface area of garage doors facing directly on the street shall not exceed 50 percent of the front surface area of the home. Side-loaded garages shall be designed with adequate architectural detailing to appear as a livable portion of the home.
3. Building facades shall incorporate a minimum of four varieties of design elements to create character and interest to the home. These elements may vary depending on the architectural style used. Examples of such elements include:
  - A variety of roof planes
  - Deeply recessed windows/doors
  - Paned windows and doors
  - Exposed roof beams or rafter tails
  - Decorative window ledges
  - Accent materials such as stucco, wood, siding and stone
  - Window and door lintels
  - Dormers
  - Accent and varied shape windows

- Window boxes and planters with architecturally evident supports
  - Exterior wood elements
  - Variations in colors of stucco and other elements
  - Accent colors on doors, shutters or other elements
  - Stucco wainscoting
  - Covered balconies
  - Arched elements
  - Shutters
4. Rear building elevations exposed to public streets shall include enhanced architectural detailing incorporating elements of good design, such as described in item #2 above.
  5. Seventy-five percent of all homes shall feature either of the following:
    - i. A defined front porch that creates a sense of openness to the street and sidewalk and also a sense of personal space through the use of railings, planters, etc. The minimum front porch depth dimension shall be five feet and shall be large/long enough to create an obvious "porch element" to the front of the home; or
    - ii. A second floor, unenclosed balcony which faces the street. Such balconies shall have a minimum dimension of six by six feet and shall be designed to become an architectural feature of the front of the house.
  6. The portions of the homes visible to the adjacent public and private streets should articulate entries including doors, alcoves, gates, overhead trellises and lighting to create a sense of identity.
  7. Where compatible with the architecture of the unit, an accent window having a different or articulated shape (e.g. rounded, diamond and/or with contrasting moldings) or with finer texture (e.g. many small panes) should be used to create interest on the elevations facing the streets.
  8. To create streetscape variety, multiple building elevations should be encouraged through a variety of roof, window, siding, trim accents, garage door and entry treatments.
  9. Architectural articulation of front elevations shall be encouraged through the use of sub-elements such as projections, dormers, roof ridge jogs, roof overhangs, recessed doorways, bay windows and ground level front porches.

10. Maximum lot coverage shall be 50%.
11. All buildings shall comply with the requirements of Carlsbad's Small Lot Architectural Guidelines except for the modifications below. To permit innovative designs, such as rear yard garages and side yard courts, the following guidelines may be substituted for Small Lot Guidelines 1 and 2 respectively:
  - i. In projects where there are three 2 story units in a row situated less than 15 feet apart, at least one of the three units shall have a single story building edge. The depth of the single-story edge shall not be less than 10 feet and shall run the length of the building pad, except that courtyards set back a minimum of 15 feet from the property line and which are a minimum 15 feet wide are not required to have a single story building edge. The roof covering the single story element shall be substantially lower than the roof for the 2 story element of the unit (this is not intended to preclude long shed-type roofs falling to a single-story element) (see Exhibit 36, page 104).
  - ii. In projects where there are three 2 story units in a row situated between 15 and 20 feet apart, at least one of the three units shall have a single story building edge with a depth of not less than 5 feet running the length of the building pad, except that courtyards set back a minimum of 15 feet from the property line and which are a minimum 15 feet wide are not required to have a single story building edge. The roof of the single story element shall be substantially lower than the roof for the two story element of the building (this is not intended to preclude long shed-type roofs falling to a single-story element) (see Exhibit 36, page 104).
12. Discourage perimeter walls around neighborhoods except where required for noise attenuation.
13. Provide sidewalks on both sides of all streets for better pedestrian access.
14. Provide direct walkways between neighborhoods, land uses, and the Poinsettia Transit Station.
15. Private streets shall be designed to include a minimum 50 foot curb radius on knuckle designs.

16. Area drains for side yards, within 3 feet of the foundation, and drainage through curbs will be allowed subject to the requirement that a fail safe overflow is provided.
17. Gated entry turnarounds will be designed to conform to AASHTO "P" (passenger) design vehicles and City of Carlsbad engineering standards. Bus turn around criteria is not required.
18. In the event alleys are proposed, minimum alley width shall be 20 feet. Garages may have a 5 foot minimum setback from the alley.
19. Onsite parking requirements for secondary units can be satisfied by uncovered tandem parking in driveways provided that the garage is setback 20 feet from the street curb.
20. A buffer is required from the vernal pools within the existing railroad right-of-way to the west. This buffer will be a minimum of 100 feet in width, unless a reduced buffer is endorsed by the U.S. Fish & Wildlife Service, and is known as the railroad pedestrian/open space corridor.
21. Sound walls or wall/berm combinations shall be used where necessary to a height necessary as determined by the noise study required for this planning area (see "Special Conditions" below) to mitigate noise along Avenida Encinas and the railroad right-of-way. These walls and/or berms shall be shown, reviewed, and approved on plans submitted as a part of any future planned development permit for this planning area prior to approval of the planned development permit. Preliminary Landscape Plans submitted for any future planned development permit shall show landscaping along noise walls which reduces the visual impacts of the walls.
22. Prior to the granting of occupancy for any home in this planning area, the portion of the Avenida Encinas Pedestrian Open Space Parkway and the Railroad Pedestrian/Open Space Corridor outside of this planning area shall be completed.
23. The RV Storage requirement for Planning Area 2 must be addressed with the Tentative Map for Planning Area 2. Requirements for RV Storage are described on page 20.
24. In addition to active recreation facilities provided in Planning Area 3, Planning Area 2 shall provide a passive recreation space in the form of a neighborhood

plaza with some homes fronting on such area. The passive recreation area, a minimum of 10,000 square feet in size, shall include tables and benches and/or outdoor seating. The portion of the area used for passive recreational purposes may count toward meeting the common passive recreation requirements of Chapter 21.45 of the Carlsbad Municipal Code. The Planning Director may allow for the consolidation of other recreation sites or building separation areas to increase the size and usefulness of the plaza; however, in all cases, minimum side yard setbacks shall be maintained.

25. All existing public views from I-5 across the Specific Plan property, through the hotel site(s) located north of Poinsettia Lane and west of I-5, to the ocean shall be preserved. Existing views of the ocean horizon shall be identified through a line of sight analysis which identifies the metes and bounds of the existing visual corridors. The sight line analysis shall be submitted as part of the application for a coastal development permit for the Master Tentative Map. The visual analysis shall be used to design future development in this planning area to avoid significant impacts to existing public views from I-5.

g. Development Review Process

1. Tentative Map/Planned Development Permit

The following conditions identify the development process for this planning area:

- A tentative tract map processed pursuant to Title 20 and 21 of the Carlsbad Municipal Code shall be submitted and approved prior to the development of any ownership units within this planning area. The tentative map(s) shall be consistent with the concepts, goals and standards specified in this specific plan. After final map approval of the planning area(s) grading, building and other ministerial permits for the development of the site may be issued provided that all public facility requirements have been satisfied per the Zone 22 Local Facilities Management Plan.
- If any tentative map creates lots less than 7,500 square feet in size or ownership multi-family units, then the developer must process a planned development permit pursuant to Chapter 21.45 of the Carlsbad Municipal Code concurrently with the tentative map.

- A tentative map and planned development permit may cover more than one planning area if the planning areas involved contain the same product type.
- Planning Area 2 may be developed with second dwelling units. Second units required to fulfill the City's Inclusionary requirement shall be developed pursuant to Section 21.10.015 of the Carlsbad Municipal Code and processed in conformance with the requirements of the Second Dwelling Unit Ordinance, policies of the Housing Commission, the Poinsettia Properties Specific Plan and the Planning Area 2 Design Criteria. The units may be approved as a part of the Planned Development Permit that approves the floor plans and the architecture for Planning Area 2 as long as they are processed consistent with Section 21.10.015 of the Carlsbad Municipal Code.

2. Architectural/Planned Development Permit Amendments

Prior to issuance of a building permit within a planning area, the applicant may apply for modifications to the planned development permit to modify the approved floor plans, elevations, and building foot prints. The Planning Commission shall determine whether the modification is a minor or major amendment to the planned development permit. If an amendment is required, it shall be accomplished through an approved planned development permit amendment per Carlsbad Municipal Code Section 21.45.160. The Planning Commission's review of the amendment to the planned development permit shall, if determined to be a Minor Amendment, address architecture, floor plans, development standards and compliance with the code.

3. Site Development Plan for Delayed Architectural Review

A tentative map and planned development permit may be approved for Planning Areas 2, 4, 7 & 8 (if developed with single-family detached units) without being accompanied by floor plans and elevations. If the developers of these planning areas decide to pursue this alternative they shall provide building envelopes for each lot and prepare Design Guidelines which shall be approved with the tentative map and planned development permit. Building envelopes are conceptual only and do not guarantee the approval of building foot prints. Prior to issuance of a Building Permit for planning areas that choose this option, a Site Development Plan for the floor plans, architecture and building foot prints shall be processed and approved by the Planning Commission pursuant to Chapter 21.06 of the Carlsbad Municipal Code. The Planning



Commission's review shall address architecture, building foot prints, development standards, and compliance with the Municipal Code. No new conditions shall be placed on the previously approved tentative map unless the floor plans and elevations approved by the site development plan necessitate a revision to of the approved tentative map.

4. Architectural Site Development Plan Amendments

If the applicant chooses the option of a site development plan approval for delayed architectural review, then modification of the approved floor plans, elevations, and building footprints shall be processed by an amendment to the site development plan. The same criteria that applies for an Architectural Planned Development Permit Amendment shall apply for an Architectural Site Development Plan Amendment.

### 3. PLANNING AREA 3 DEVELOPMENT STANDARDS

#### a. Implementation of Specific Plan Vision and Goals – Purpose and Intent

The purpose and intent of this planning area is to provide a common and integrated private recreational area for both Planning Areas 2 and 4. The design and location create a centrally located recreational area which is accessible by walking. In addition, the recreational area will be linked to the Specific Plan parkways for easy access to the transit station and other areas within the Specific Plan.

#### b. Description:

1. This area shall be developed as a private Community Recreation Center and will be located between Planning Areas 2 and 4. The Recreational Facility Center has a gross acreage of approximately 1.4 acres.
2. This facility shall serve only the homeowners of Planning Areas 2 and 4. This will be a private facility maintained by the homeowners' association of Planning Areas 2 and 4.
3. The facility may consist of a swimming pool, spa, tennis courts, basketball courts, children's play areas, picnic areas, club house facility, and several grassy play areas. Tennis courts and basketball courts may be lighted.

#### c. Use Allocation:

General Plan Land Use: Open Space  
Zoning: Open Space

#### d. Special Design Criteria - Transit Oriented and Other Standards:

1. The following recreational facilities may be located within this area:

swimming pool	volleyball courts
spa	children's play area
clubhouse	grassy open play areas
tennis courts	outdoor basketball courts

2. Site planning for this area shall minimize, to the extent possible, light and noise impacts to the adjacent residences.
3. The final design and recreational amenities in this area shall be determined at the time of the Site Development Plan approval. Planning Area 3 may be

developed in phases as long as at least a portion of the proposed recreational features are in place prior to occupancy of the first dwelling unit in Planning Area 2 or 4. The types, location and phasing of recreational facilities shall be determined as a part of the review and approval of the Site Development Plan for Planning Area 3. The Site Development Plan for Planning Area 3 shall be submitted and processed concurrently with the Tentative Maps and Planned Development Permits for Planning Areas 2 and/or 4, whichever is submitted first.

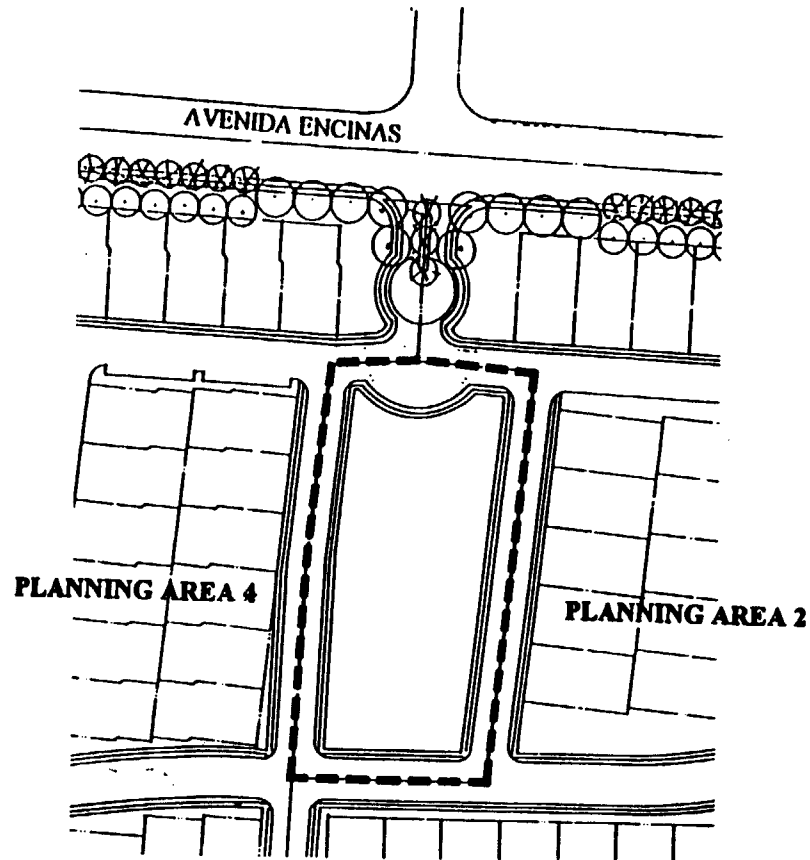
4. Building structures and facilities shall be architecturally integrated, oriented, and related to pedestrian scale.
5. Screening walls for storage spaces, loading areas and equipment shall be architecturally integrated with surrounding buildings and design.
6. Building placement shall be designed to create opportunities for plazas or other landscaped open spaces within the Planning Area.
7. Available street parking is adequate parking for this facility; therefore, no separate parking area needs to be provided.
8. Lighting of tennis courts and/or basketball courts shall be allowed subject to the approval of the City.
9. Provide easy pedestrian access to Planning Area 3 from Planning Areas 2 and 4 in conformance with TOD principles. By design and in conformance with TOD principles, discourage automobile trips to Area 3 by making pedestrian access easier, and finding parking within Area 3 more difficult.
10. A portion of the Community (Private) Trail/Sidewalk within Planning Area 2 may be constructed in this planning area (see Planning Area 2, page , 106).

e. Approval Process:

The Site Development Plan for Planning Area 3 shall be approved concurrently, or prior to Planning Areas 2 or 4 whichever is proposed first. Phasing for the development of Planning Area 3 shall be addressed as a part of the Site Development Plan review process.

# Poinsettia Properties *Specific Plan*

Carlsbad, Ca.



117

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ARCHITECTS & PLANNERS

## PLANNING AREA 3/ COMMON RECREATION AREA

THIS EXHIBIT IS CONCEPTUAL ONLY.  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREAS TENTATIVE MAP

CONCEPTUAL  
SITE PLAN

Exhibit 37

#### 4. PLANNING AREA 4 DEVELOPMENT STANDARDS

##### a. Implementation of Specific Plan Vision and Goal – Purpose and Intent

The purpose and intent of this planning area is to provide medium-high density, market rate single-family detached units which complement the Poinsettia Transit Station and coastal features of the Specific Plan area. Under the principles of transit-oriented development, Planning Area 4 shall develop within a density range of 6-9 du/ac (including secondary units) while providing pedestrian access for its residents to the Specific Plan parkways, trail and transit center. The density range of 6-9 du/ac (including secondary units) is a transit development principle which targets this density range for land uses from 500 feet to 1/4 mile from a transit station.

The design of this planning area shall accomplish the vision, goal and objectives as set forth in this specific plan, including design which encourages pedestrian access to the Poinsettia Transit Station. This planning area may utilize private access gates which restrict public vehicular access to this planning area, provided, however, public pedestrian access through an unrestricted entry must be maintained in an effort to encourage pedestrian access to the Poinsettia Transit Station. This planning area's entry may be combined with the entry to Planning Area 3 and/or Planning Area 4, thus providing one common private entry. The concept of one common entry is shown on Exhibit 13, page 50, and Exhibit 14, page 51. The common private entry with public pedestrian access shown on the above referenced exhibits anticipates public pedestrian access to be provided within Planning Area 4. Additional discussion regarding public pedestrian access is found on page 42, section 2 (d).

##### b. Description:

1. Planning Area 4 is located west of Avenida Encinas and east of the railroad right of way near the intersection of Avenida Encinas and Poinsettia Lane. It has a gross planning area of approximately 18.6 acres. Planning Area 4 may be developed with single family detached residences.
2. Projects within Planning Area 4 shall be developed per the Planned Development Ordinance (Chapter 21.45 of the Carlsbad Municipal Code) and RD-M Zones (Chapter 21.24 of the Municipal Code) unless specified otherwise in the Development Standards for the planning area and elsewhere in this specific plan.

# Poinsettia Properties *Specific Plan*

Carlsbad, Ca.

AVENIDA ENCINAS PED. OPEN SPACE  
PARKWAY (20' WIDE)

SOUND WALL

PED. ENTRY WITH PUBLIC ACCESS  
WHICH CAN BE GATED AT NIGHT  
PRIVATE GATED ENTRY

Land Use: RMH  
Product: SFD  
Maximum Units: 178

PUBLIC ACCESS PARKWAY  
(AVERAGE 15' WIDE)

119

PRIVATE PED. GATES TO  
R.R. CORRIDOR

SOUND WALL

PUBLIC RAILROAD PED. OPEN SPAC  
CORRIDOR (AVERAGE 40' WIDE)  
WITH PUBLIC TRAIL

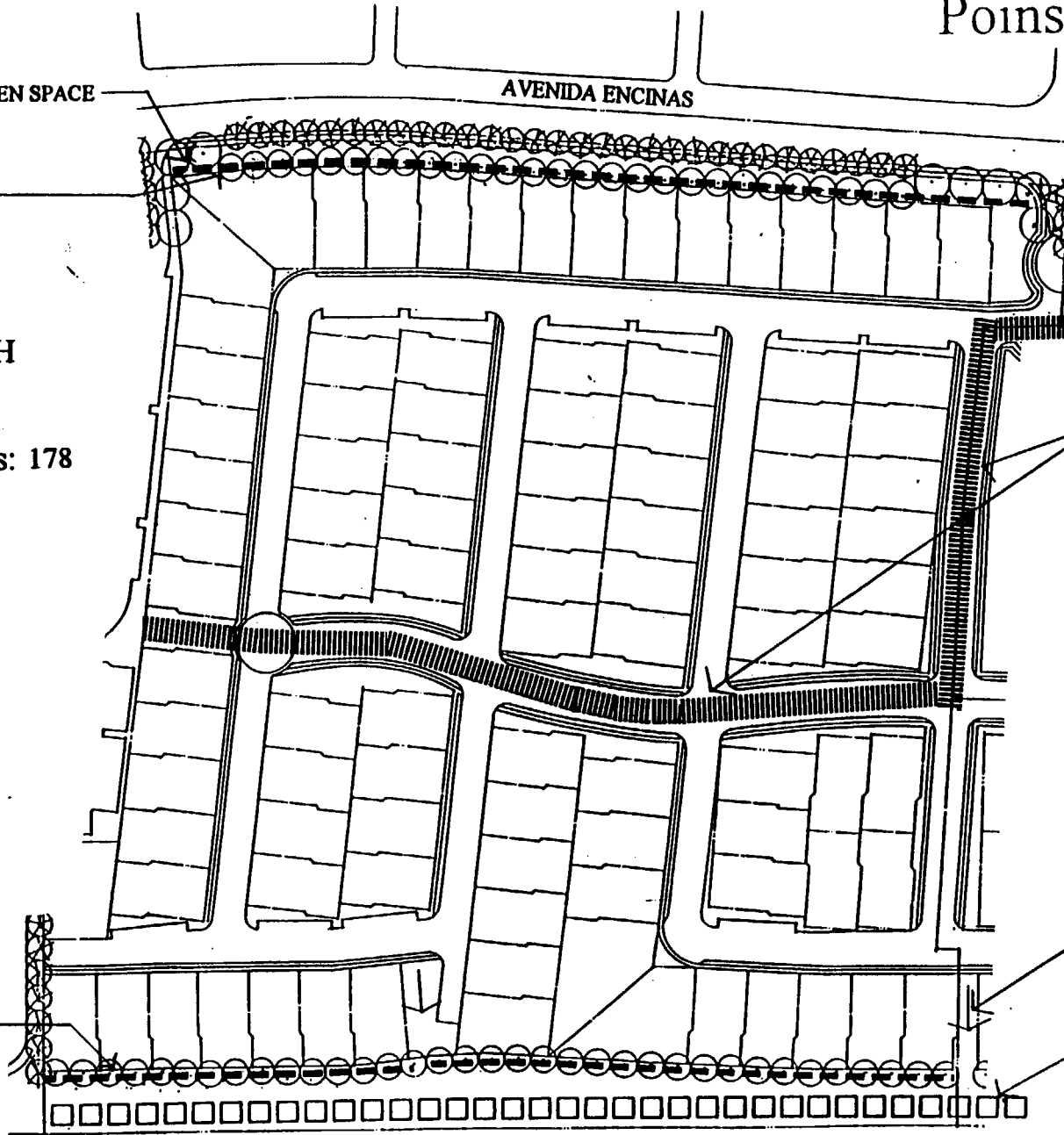
CONCEPTUAL  
SITE PLAN

BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

AREA 4

THIS EXHIBIT IS CONCEPTUAL ONLY.  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREAS TENTATIVE MAP

Exhibit 38



3. The following exhibits are used in this section and are helpful in review of this planning area:

<u>Exhibit</u>	<u>Page</u>
# 5, Planning area map	25
# 38, Site plan	119
# 28-30, conceptual single family street scenes	79-81

c. Use Allocation:

General Plan Land Use:	RMH (8 - 15 du/ac)
Growth Control Point:	11.5 du/ac
Zoning:	RD-M Development Standards
Poinsettia Properties Specific Plan:	allows up to 178 single-family homes, including secondary units
Development Process:	Tentative Map/PUD
Product Type:	Single family residential

This planning area allows for up to 178 single family detached homes and can be developed at this density without the use of secondary units. In the event secondary units are proposed as part of a subdivision map, the sum of secondary units and single family homes shall not exceed 178 units. The use of secondary units is an option of the developer, but not a requirement.

d. Lot Size: Minimum 3,500 square feet

e. Development Standards:

1. Setbacks and Parkways

Avenida Encinas Pedestrian/Open Space Parkway:

- All homes shall be set back a minimum of 30 feet from Avenida Encinas. This setback area includes the 20 foot landscaped parkway and meandering sidewalk along Avenida Encinas (see Exhibit 18, page 55 and discussion starting on page 39).

### Railroad Pedestrian/Open Space Corridor:

- A minimum 100 foot open space setback shall be provided between homes in Planning Area 4 and all wetland areas located on the site or within the existing railroad right-of-way to the west unless a reduced buffer is endorsed by the U.S. Fish & Wildlife Service. To accomplish this setback, an open space easement at least 100 feet wide will be established along the railroad right-of-way. No homes or other development shall be allowed within this setback, however, a public trail and trail associated uses, utilities, sewer, water and drainage facilities, and native drought-tolerant landscaping are allowed if the U.S. Fish and Wildlife Service agrees through a Section 7 consultation that such development can occur without adversely impacting the wetlands. A public trail allowed in the setback shall be located within the eastern half of the buffer. Sound walls and/or rear yard fences can be placed at the eastern boundary of this setback. Any utilities allowed in the setback shall be placed underground in this setback. The public trail in this area shall provide access to the Poinsettia Train Station. A open space setback from the railroad right-of-way of lesser width, but not less than 40 feet, shall be permitted in areas where wetlands are not present within the right-of-way or on the subject site, subject to approval by the U.S. Fish and Wildlife Service.

- Public Access Parkway

Parcel A (Planning Areas 2, 3, and 4) shall include a north/south "pedestrian collector spine" intended to facilitate pedestrian access to the mixed-use pedestrian link/corridors of Planning Area 5 and 6 and the Transit Station. This sidewalk/parkway will be a private facility, but a portion within Planning Area 4 will provide public access between the Avenida Encinas pedestrian parkway and the mixed-use pedestrian link/corridors. The location of this public access to this sidewalk/parkway is shown on Exhibit 14, page 51. This public access segment will be an unrestricted public access-way. In addition, the east/west segment sited along the boundaries of Planning Areas 2 and 4 shall provide unrestricted public access linking the Avenida Encinas public access parkway with the railroad pedestrian/open space corridor.

This sidewalk/parkway shall include landscaping and a 5 foot wide sidewalk and shall be designed at an average width of 15 feet, with a 10 foot minimum, including the landscaped parkway and sidewalk. Landscaping shall include canopy trees to create an enjoyable streetscape. This sidewalk/parkway (both public access and private sections in Planning Area 2, 3 and 4) are part of the Specific Plan's overall open space.



- **Side yards:**  
Minimum of 5 feet for all lots (less allowed protrusions). Minimum distance between structures of 10 feet (less allowed protrusions) with an overall average of 12 feet.
- **Front Yards:**  
Front yard setbacks for livable dwelling space may range from 10-20 feet with a 15 foot average. The 15 foot average shall be calculated by measuring the closest point of the structure (not including porch) to the front property line on each lot and calculating the average on a project level basis. Front porches may be located 10 feet from the front property line if the porch has a minimum dimension of five feet and a minimum area of 50 square feet. Porches may not be enclosed, utilized to support a second story deck or converted to livable area. Garages situated perpendicular to the street shall maintain a 20 foot setback. Side-located garages may have a 10 foot setback but must have detailed facade articulation on the side-street elevation.
- **Rear yards:**  
Minimum depth of rear yards shall be 10 feet. All lots shall provide a minimum private rear yard or side yard area of 15 feet by 15 feet. All habitable portions of structures shall maintain a 10 foot rear yard setback. Garages located at the rear of a lot may have a 5 foot setback from the rear property line. However, if a secondary unit or any habitable space is located above the garage, the livable portion of the structure shall maintain a minimum 10 foot setback from the rear property line.
- **Accessory Structures:**  
Except for garages as described in the preceding section, accessory structures shall be located in conformance with the requirements of Section 21.24.090 of the Carlsbad Municipal Code.

## 2. Building Height:

- Single-family detached units shall have a maximum height of 30 feet and two stories. Building height shall be measured per the definition contained in Section 21.04.065 of the Carlsbad Municipal Code.

## 3. Architectural, Signage/Entries and Landscape Themes:

- Architectural, signage/entries and landscape themes shall comply with the Specific Plan Theme elements as set forth in Chapter X of this Specific Plan. Conceptual elements of themes which may be used in this planning area are shown on Exhibits 28-30 on pages 79-81.

- Architectural, signage/entries and landscape themes shall complement the Specific Plan theme elements as set forth in Chapter X of this Specific Plan. Architecture, signage/entries, landscaping and lighting shall complement the same elements used in other planning areas of Parcel A. The theme consistent throughout this planning area shall be one of a pedestrian-oriented beach community which includes the principles of transit-oriented development. Specific design elements of this planning area shall be addressed and approved with a tentative map or other discretionary permit applications.

#### 4. Secondary units

- The developer of Planning Area 4 can have the option of constructing secondary units governed under the City guidelines for secondary units (see Section 21.10.05 of the Carlsbad Municipal Code).

Up to 20% of the Specific Plan's overall affordable housing requirements may be satisfied through the use of secondary units. See additional discussion under the Affordable Housing section, page 34.

- Each secondary unit shall include bathroom and kitchen facilities.
- RV storage area requirements do not apply to secondary units.

#### f. Special Design Criteria - Transit Oriented and Other Standards:

1. Building facades shall incorporate a minimum of four varieties of design elements to create character and interest to the home. These elements may vary depending on the architectural style used. Examples of such elements include:
  - A variety of roof planes
  - Deeply recessed windows/doors
  - Paned windows and doors
  - Exposed roof beams or rafter tails
  - Decorative window ledges
  - Accent materials such as stucco, wood, siding and stone
  - Window and door lintels
  - Dormers
  - Accent and varied shape windows
  - Window boxes and planters with architecturally evident supports
  - Exterior wood elements

- Variations in colors of stucco and other elements
  - Accent colors on doors, shutters or other elements
  - Stucco wainscoting
  - Covered balconies
  - Arched elements
  - Shutters
2. Rear building elevations exposed to public streets shall include enhanced architectural detailing incorporating elements of good design, such as described above.
  3. Provide sidewalks on both sides of all streets for better pedestrian access.
  4. Provide direct walkways between neighborhoods, land uses, and the Poinsettia Transit Station.
  6. Discourage perimeter walls around neighborhoods except where required for noise attenuation.
  7. A buffer is required from the vernal pools within the existing railroad right-of-way to the west. This buffer will be a minimum 100 feet in width, unless a reduced buffer is endorsed by the U.S. Fish & Wildlife Service, and is known as the railroad pedestrian/open space corridor.
  8. Sound walls or wall/berm combinations shall be used where necessary and to a height necessary as determined by the noise study required for this planning area to mitigate noise along Avenida Encinas and the railroad right-of-way. These walls and/or berms shall be shown, reviewed and approved on plans submitted as a part of any future planned development permit for this planning area, prior to approval of the planned development permit. Preliminary landscape plans submitted for any future planned development permit shall show landscaping along noise walls which reduces the visual impacts of the walls.
  9. Private streets shall be designed to include a minimum 50 foot curb radius on knuckle designs.
  10. Gated entry turnaround will be designed to conform to AASHTO "P" (passenger) design vehicles and City of Carlsbad engineering standards. Bus turn around criteria is not required.
  11. Setbacks shall be determined as described in Section XI.B.2.e.1 (page 105) of this Specific Plan.

12. Planning Area 4 may be developed with single-family detached homes if the following Design Criteria are incorporated:
- i. Allow innovative house and lot designs that increase housing variety, such as wide and shallow lots, alley products, zero lot lines, "Z" lots and exclusive use areas (subject to the approval of the final decision making body).
  - ii. Garages shall be offset at least five feet from the front facade or the portion of the front porch closest to the street of each home or be located to the rear of the property. The surface area of garage doors facing directly on the street shall not exceed 50 percent of the front surface area of the home. Side-loaded garages shall be designed with adequate architectural detailing to appear as a livable portion of the home.
  - iii. Seventy-five percent of all homes shall feature either of the following:
    - A defined front porch that creates a sense of openness to the street and sidewalk and also a sense of personal space through the use of railings, planters, etc. The minimum front porch depth dimension shall be five feet and shall be large/long enough to create an obvious "porch element" to the front of the home; or
    - A second floor, unenclosed balcony which faces the street. Such balconies shall have a minimum dimension of six by six feet and shall be designed to become an architectural feature of the front of the house.
  - iv. The portions of the homes visible to the adjacent public and private streets should articulate entries including doors, alcoves, gates, overhead trellises and lighting to create a sense of identity.
  - v. Where compatible with the architecture of the unit, an accent window having a different or articulated shape (e.g. rounded, diamond and/or with contrasting moldings) or with finer texture (e.g. many small panes) should be used to create interest on the elevations facing the streets.
  - vi. To create streetscape variety, multiple building elevations should be encouraged through a variety of roof, window, siding, trim accents, garage door and entry treatments.

- vii. Architectural articulation of front elevations shall be encouraged through the use of sub-elements such as projections, dormers, roof ridge jogs, roof overhangs, recessed doorways, bay windows and ground level front porches.
- viii. Encourage second units to increase density of neighborhoods within 1/4 mile of Poinsettia Transit Station.
- ix. Maximum lot coverage shall be 50%.
- x. All buildings shall comply with the requirements of the Carlsbad's Small Lot Architectural Guidelines except for the modifications below. To permit innovative designs, such as rear yard garages and side yard courts, the following guidelines may be substituted for Small Lot Guidelines 1 and 2 respectively:
  - In projects where there are three 2 story units in a row situated less than 15 feet apart, at least one of the three units shall have a single story building edge. The depth of the single-story edge shall not be less than 10 feet and shall run the length of the building pad, except that courtyards set back a minimum of 15 feet from the property line and which are a minimum 15 feet wide are not required to have a single story building edge. The roof covering the single story element shall be substantially lower than the roof for the 2 story element of the unit (this is not intended to preclude long shed-type roofs falling to a single-story element) (see Exhibit 36, page 104).
  - In projects where there are three 2 story units in a row situated between 15 and 20 feet apart, at least one of the three units shall have a single story building edge with a depth of not less than 5 feet running length of the building pad, except that courtyards set back a minimum of 15 feet from the property line and which are a minimum 15 feet wide are not required to have a single story building edge. The roof of the single story element shall be substantially lower than the roof for the two story element of the building (this is not to preclude long shed-type roofs falling to a single-story element) (see Exhibit 36, page 104).
- xi. Area drains for side yards within 3 feet of the foundation and drainage through curbs will be allowed subject to the requirement that a fail safe overflow is provided.
- xii. In the event alleys are proposed, minimum alley width shall be 20 feet, with no parking permitted. Garages may have a 5 foot minimum setback from the alley.

- xiii. Onsite parking requirements for secondary units can be satisfied by uncovered tandem parking in driveways, provided that the garage is setback 20 feet from the street curb.
  - xiv. Encourage rear-of-lot garages for more pedestrian friendly streetscapes.
  - xv. Setbacks shall be determined as described in Section XI.B.4.e.1 of this Specific Plan.
  - xvi. Recreational vehicle storage shall be provided as described on page 20.
  - xvii. Building facades shall incorporate a minimum of four varieties of design elements to create character and interest to the home. These elements may vary depending on the architectural style used. Examples of such elements include:
    - A variety of roof planes
    - Deeply recessed windows/doors
    - Paned windows and doors
    - Exposed roof beams or rafter tails
    - Decorative window ledges
    - Accent materials such as stucco, wood, siding and stone
    - Window and door lintels
    - Dormers
    - Accent and varied shape windows
    - Window boxes and planters with architecturally evident supports
    - Exterior wood elements
    - Variations in colors of stucco and other elements
    - Accent colors on doors, shutters or other elements
    - Stucco wainscoting
    - Covered balconies
    - Arched elements
    - Shutters
  - xviii. Rear building elevations exposed to public streets shall include enhanced architectural detailing incorporating elements of good design, such as described above.
13. In addition to active recreation facilities provided in Planning Area 3, Planning Area 4 shall provide a passive recreation space in the form of a neighborhood

plaza with some homes fronting on such area. The passive recreation area, a minimum of 10,000 square feet in size, shall include tables and benches and/or outdoor seating. The portion of the area used for passive recreational purposes may count toward meeting the common passive recreation requirements of Chapter 21.45 of the Carlsbad Municipal Code. The Planning Director may allow for the consolidation of other recreation sites or building separation areas to increase the size and usefulness of the plaza; however, in all cases, minimum side yard setbacks shall be maintained.

**g. Development Review Process**

**1. Tentative Map/Planned Development Permit**

Tentative Map/Planned Development Permits shall be processed as provided in Section XI.B.2.g.1 on page 112 of this Specific Plan.

- Planning Area 4 may be developed with second dwelling units. Second units required to fulfill the City's Inclusionary requirement shall be developed pursuant to Section 21.10.015 of the Carlsbad Municipal Code and processed in conformance with the requirements of the Second Dwelling Unit Ordinance, policies of the Housing Commission, the Poinsettia Properties Specific Plan and the Planning Area 4 Design Criteria. The units may be approved as a part of the Planned Development Permit that approves the floor plans and the architecture for Planning Area 4 as long as they are processed consistent with Section 21.10.015 of the Carlsbad Municipal Code.

**2. Architectural/Planned Development Permit Amendments**

Architectural/Planned Development Permit Amendments shall be processed as provided in section XI.B.2.g.2 on page 113 of this Specific Plan.

**3. Site Development Plan for Delayed Architectural Review**

Delayed Architectural Review for Planning Area 3 shall be processed as provided in section XI.B.2.g.3 on page 113 of this Specific Plan.

**4. Architectural Site Development Plan Amendments**

Amendments to architectural plans approved via the Site Development Plan process shall be amended as provided in section XI.B.1.g.4 on page 114 of this Specific Plan.

**5. PLANNING AREA 5 DEVELOPMENT STANDARDS**

**a. Implementation of Specific Plan Vision and Goals – Purpose and Intent**

The purpose of this planning area is to provide affordable housing for the Specific Plan while satisfying transit-oriented principles of development. To this end, Planning Area 5 is identified as the affordable housing site for the Specific Plan due to its proximity to the transit station, commercial/retail uses, and to focus on increased density within 500 feet of the transit station. Under TOD principles, Planning Area 5 should develop at a density of 20 or more residential units per acre. Planning Area 5 will obtain this density through a well planned, multi-family project which integrates the pedestrian use and access to the transit station and commercial/retail uses proposed for Planning Area 6. Theme elements within Planning Area 5 will be consistent with the rest of the Specific Plan area to ensure a well-designed, architecturally integrated, pedestrian-oriented community.

**b. Description:**

1. Planning Area 5 is located west of Avenida Encinas, east of the railroad right-of-way and adjacent to the NCTD transit station. It has a net and gross planning area of 5.6 acres. Planning Area 5 is designated as the Specific Plan's affordable housing site.
2. Projects within Planning Area 5 shall be developed per Chapter 21.24 of the Carlsbad Municipal Code, the RD-M Zone, unless specified otherwise in the Development Standards for the planning area and elsewhere in this specific plan.
3. The following exhibits are used in this section and are helpful in review of this planning area:

<u>Exhibit</u>	<u>Page</u>
# 5, planning area map	25
# 39, planning area site plan	130
# 31-33, illustration of conceptual elevation	82-84

**c. Use Allocation:**

General Plan Land Use: RH (15 - 23 du/ac)  
Growth Control Point: 19.00 du/ac  
Zoning: RD-M



# Poinsettia Properties *Specific Plan*

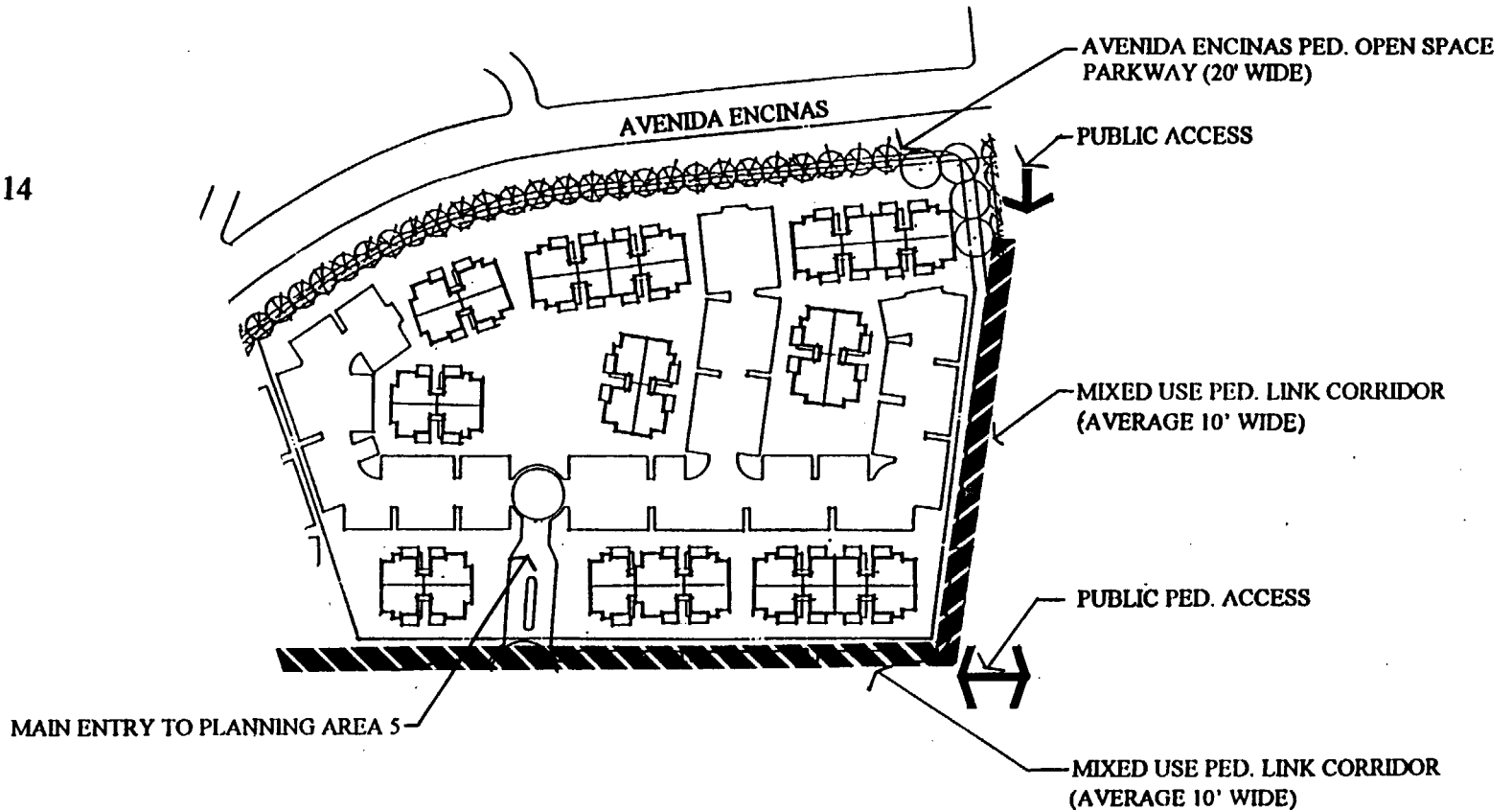
Carlsbad, Ca.

Land Use: RH

Product: MF

Maximum Units: 114

130



BOWLUS, EDINGER + STARCK  
ARCHITECTS & PLANNERS

## AREA 5

THIS EXHIBIT IS CONCEPTUAL ONLY.  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREAS TENTATIVE MAP

CONCEPTUAL  
SITE PLAN

Growth Management allows for up to 100 units, however, per Exhibit 6 of this specific plan, Planning Area 5 may be developed with up to 114 dwelling units exceeding the density range of the RH General Plan designation. The increase over the density range is allowed in order to accomplish the affordable nature of the planning area and to accomplish the TOD principle of higher residential densities within 500 feet of the transit station.

Poinsettia Properties Specific Plan: Allows for up to 114 affordable housing units.  
Development Process: Site Development Plan  
Product Type: Multi-family apartments and/or condominiums

d. Product Type: Per RD-M zone, may be either apartments or condominiums.

e. Development Standards:

1. Setbacks and Parkways:

Avenida Encinas Pedestrian/Open Space Parkway:

- All buildings shall be set back a minimum of 30 feet from Avenida Encinas. This setback area includes the 20 foot landscape parkway and meandering sidewalk along Avenida Encinas (see Exhibit 18, page 55, and discussion starting on page 39).
- All buildings shall be set back a minimum of 10 feet from the internal street between Planning Area 5 and Planning Area 4, and between Planning Area 5 and Planning Area 6.
- Provide access and orientation to transit station.
- Design layout to minimize noise impacts and to meet City standards.
- This planning area is designated as the location of affordable housing in which case the General Plan and Carlsbad Municipal Code may permit standard modifications to the Carlsbad Municipal Code and planning policies.

**2. Building Height:**

- A maximum of 35 feet and three stories shall be allowed. Building height shall be measured per the definition contained in Section 21.04.065 of the Carlsbad Municipal Code.

**3. Architectural, Signage/Entries and Landscape Themes:**

- Architectural, signage/entries and landscape themes shall complement the Specific Plan theme elements as set forth in Chapter X of this specific plan.

**4. Recreational vehicle storage is not required for Planning Area 5 if developed with affordable units.**

**f. Special Design Criteria - Transit Oriented and Other:**

1. Prohibit buildings less than two stories in height. Provide residential densities of 20 or more units per acre.
2. Require direct pedestrian access between housing and Poinsettia Transit Station.
3. Require reduced setbacks of buildings from the street to a 10 foot minimum.
4. Require off-street parking to be in the interior of the project.
5. Require off-street parking to be in "smaller" pockets inter-spaced with buildings and/or landscaping.
6. Require that each development project be connected to adjacent developments via a direct sidewalk or pathway.
7. Prohibit the use of project walls except where required by City of Carlsbad sound attenuation ordinance.

8. Residential units, where possible, should be designed to face the commercial/retail development in Planning Area 6 and interior public street between Planning Areas 5 and 6. Walls should be discouraged in these areas where possible.
9. Encourage architecture with front porches, pedestrian scale articulated facades, varying plans and roof lines.
10. Sound walls or wall/berm combinations shall be used, where necessary and to a height necessary as determined by the noise study required for this planning area, to mitigate noise along Avenida Encinas and the railroad right-of-way. These walls and/or berms shall be shown, reviewed and approved on plans submitted as a part of any future site development plan for this Planning Area, or prior to approval of a planned development permit. Preliminary landscape plans submitted for any future site development plan/planned development permit shall show landscaping along noise walls to reduce the visual impacts of the walls.
11. Prior to the granting of occupancy for any home in this planning area, construction of that portion of any public trail which is within this Planning Area shall be completed.
12. Planning Area 5 shall provide for a site specific recreational area. Uses in this area may include swimming pool, spa, playing field, and other generally acceptable recreational uses. Any such recreational area shall be designed as part of this planning area site development plan.
13. Alley width (if proposed) shall be 20 feet.
14. In addition to active recreation facilities provided in Planning Area 3, Planning Area 5 shall provide a passive recreation space in the form of a neighborhood plaza with some homes fronting on such area. The passive recreation area, a minimum of 10,000 square feet in size, shall include tables and benches and/or outdoor seating. The portion of the area used for passive recreational purposes may count toward meeting the common passive recreation requirements of Chapter 21.45 of the Carlsbad Municipal Code. The Planning Director may allow for the consolidation of other recreation sites or building separation areas to increase the size and usefulness of the plaza; however, in all cases, minimum side yard setbacks shall be maintained.

**g. Development Review Process:**

**1. Tentative Map/Planned Development Permit**

Tentative Map/Planned Development Permits shall be processed as provided in section XI.B.2.g.1 on page 112 of this Specific Plan.

**2. Site Development Plan Permit**

The following conditions identify the development process for this planning area:

- A Site Development Plan processed pursuant to Chapter 21.06 of the Carlsbad Municipal Code shall be submitted and approved prior to the development of any units within this planning area. The Site Development Plan shall be consistent with the concepts, goals and standards specified in this specific plan. After final map approval of Planning Area 5 grading, building and other ministerial permits for the development of the site may be issued provided that all public facility requirements have been satisfied per the Zone 22 Local Facilities Management Plan.

## 6. PLANNING AREA 6 DEVELOPMENT STANDARDS

### a. Implementation of Specific Plan Vision and Goals – Purpose and Intent

The purpose and intent of this planning area is to accomplish the following objectives:

1. To implement the transit-oriented development principle of establishing uses of high intensity and density within 500 feet of the transit station.
2. To relocate the tourist service commercial uses from Parcel C (as approved under the Local Coastal Program) to a location which enhances and complements the transit station, and which provides superior access for both pedestrian and transit users in conformance with the goals of Section 30252 of the California Coastal Act.

To accomplish these objectives, Planning Area 6 is proposed as a mixed-use project of residential and commercial/retail uses. One half of the planning area is assumed as residential for purposes of calculating residential density and residential development. Planning Area 6 will be a mixed-use development which integrates pedestrian access between commercial/retail elements of the planning area, the adjacent transit station, and other Specific Plan areas. Theme elements within Planning Area 6 will be consistent with the rest of the Specific Plan area to ensure a well designed, architecturally integrated pedestrian-oriented community.

### b. Description:

1. Planning Area 6 is located west of Avenida Encinas and its intersection with Poinsettia Lane. It has a gross and net area of approximately 6.5 acres. Planning Area 6 shall be developed with commercial and/or retail uses and will allow for up to 61 residential units. Planning Area 6 will mitigate its own affordable housing requirement through rent restrictions of 15% of its units.
2. Planning Area 6 shall be designed per the CT Zone and related ordinances unless otherwise addressed in the Development Standards for this planning area and elsewhere in this specific plan.

Residential development within Planning Area 6 shall be processed pursuant to a site development plan. Units proposed for sale will require the processing of a tentative map and non-residential planned unit development permit.

# Poinsettia Properties *Specific Plan*

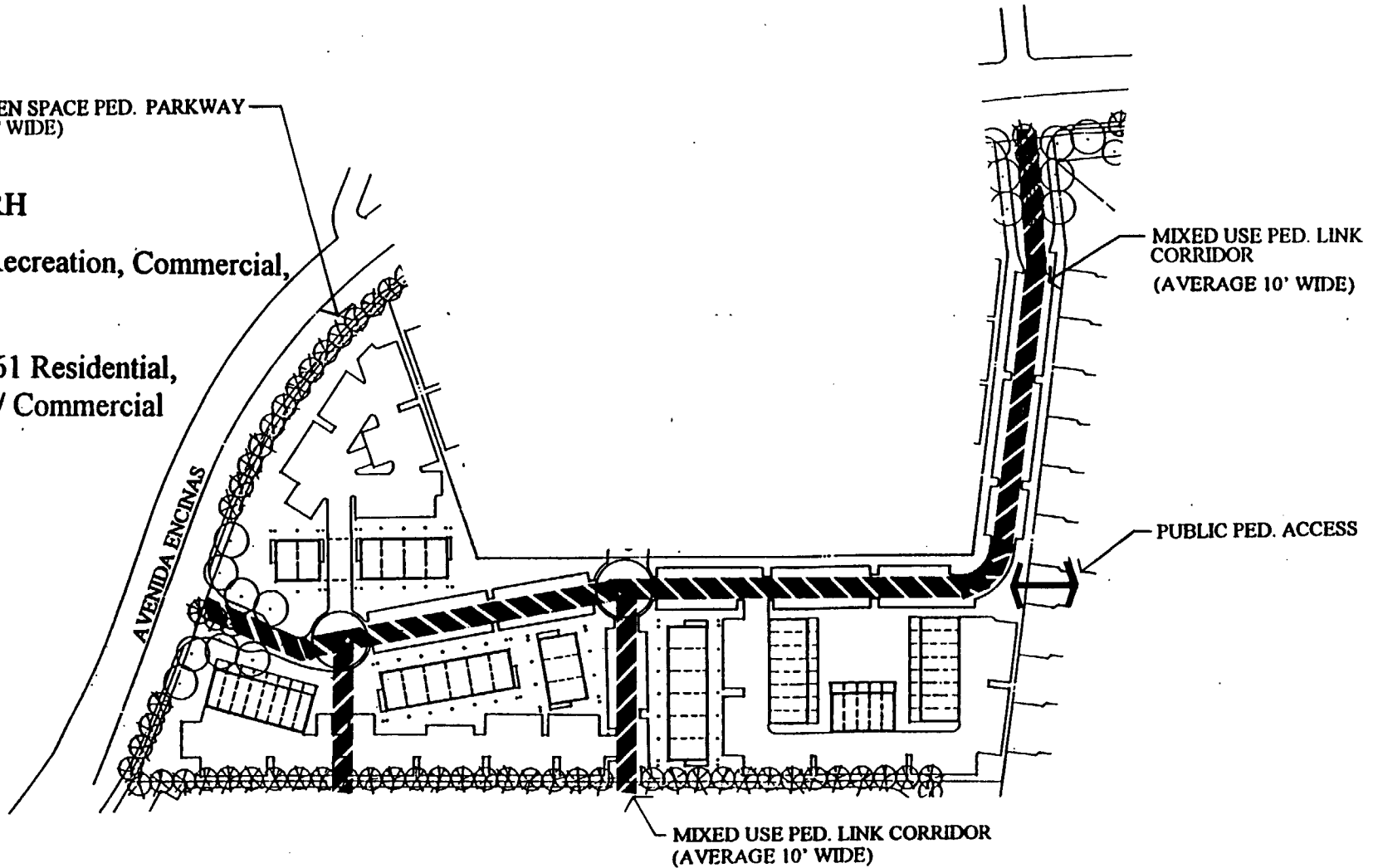
Carlsbad, Ca.

AVENIDA ENCINAS OPEN SPACE PED. PARKWAY  
(20' WIDE)

Land Use: PR / RH

Product: Travel, Recreation, Commercial,  
Mixed Use / MF

Maximum Units: 61 Residential,  
80,000 s.f. Retail / Commercial



136

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ARCHITECTS & PLANNERS

## AREA 6

THIS EXHIBIT IS CONCEPTUAL ONLY.  
FINAL ARCHITECTURAL DESIGN SHALL BE APPROVED  
WITH THIS PLANNING AREAS TENTATIVE MAP

CONCEPTUAL  
SITE PLAN

Exhibit 40

3. The following exhibits are used in this section and are helpful in review of this planning area.

<u>Exhibit</u>	<u>Page</u>
# 5, planning area map	25
# 40, planning area site plan	136
# 31-33, conceptual elevations	82-84

c. Use Allocation:

<p>General Plan Land Use: Zoning: Poinsettia Properties Specific Plan:</p>	<p>Travel Recreation CT Development Standards Allows up to 80,000 square feet of commercial/retail uses as allowed under the CT Zone including, but not limited to, restaurants, fast food (no drive thru), restaurants, bakery, coffee shops, video rentals, retail, banking, child care center, dry cleaners, book stores, office, professional, and other commercial/retail uses and any other use which may be approved by the Planning Director. In addition, this area allows up to 61 residential units. Residential units can be apartments above commercial/retail and live/work units designated for residential units as described later in this section.</p>
<p>Development Process:</p>	<p>SDP/CUP/TM/Non-Residential PUD</p>

d. Lot Size: Not applicable

e. Development Standards:

1. Setbacks and Parkways:

Avenida Encinas pedestrian/open space parkway

- All buildings shall be set back a minimum of 30 feet from Avenida Encinas. This setback area includes the 20 foot landscaped parkway along Avenida Encinas. (See Exhibit 18, page 55 and discussion starting on page 39.)



2. **Building Height:**
    - A maximum of 35 feet or three stories shall be allowed. Building height shall be measured per the definition contained in Section 21.04.065 of the Carlsbad Municipal Code.
  3. Recreational vehicle storage is not required for any residential component of this mixed use planning area.
- f. **Special Design Criteria - Transit Oriented and Other:**
1. Exhibit 40, page 136, details a conceptual site plan for this planning area. This exhibit shows a conceptual design which may vary provided that final design complies with all applicable ordinances.
  2. The principal design consideration for this planning area is to incorporate the commercial uses, the residential uses and the work/live uses into one harmonious community. To create a "village" street scene that is a vibrant and diverse neighborhood where people can live and work. As this planning area is directly adjacent to the Poinsettia Transit Station, its basic design is to facilitate an assortment of uses and functions. These include:
    - i. To offer commercial uses which are related to the use of the Poinsettia Transit Station "Coaster". These uses are ones which might cause the need for an additional stop on the way to or from the Station, such as cleaners, coffee shop, child day care, book or periodical purchase or market.
    - ii. To offer lower cost residential opportunities very close to the Poinsettia Transit Station, thereby making connections to primary employment centers viable with the reduced need or use of an automobile.
    - iii. To offer a "mixed use" environment for people to work and live in one location and yet have transportation services available to them, thereby eliminating or reducing the need for the use of an automobile.
    - iv. To encourage the use of this planning area, the design scale of the buildings should be reduced to a more pedestrian level. This includes such methods as discouraging the use of automobiles and parking, creating easy to use trails and bikeways, bringing buildings closer to the streets, and creating pedestrian focal points where people can sit and gather.

- v. To create an interesting and active environment where pedestrians can use the private and public facilities and have easy access to and from the NCTD Transit Station.
- vi. Streets may be public and/or private.
- vii. Encourage a mix of small office, retail and residential buildings and uses. To create the devised "village atmosphere" no individual use should take up more than 10,000 square feet. However, subject to the approval of the Planning Director, certain users may exceed this maximum square footage requirement. An example would be an individual business providing a variety of uses, such as a coffee shop, book store, video rental. Another exception would be a day care facility that may need more than 10,000 square feet to be economically viable while providing a much needed service to residents of the plan. When approving uses larger than 10,000 square feet their impact on the desired "village atmosphere" shall be considered by the Planning Director.
- vii. Encourage housing on upper floors.
- ix. Encourage that adjacent residential neighborhoods be connected via safe, direct walkways.
- x. Encourage commercial shops and services near the Poinsettia Transit Station.
- xi. Discourage buildings less than two stories high.
- xii. Prohibit subdivisions of land into lots for single family housing.
- xiii. Encourage direct pedestrian access between buildings and the Poinsettia Transit Station.
- xiv. Encourage narrow local streets of 28 foot width with canopy trees.
- xv. Encourage minimal street setbacks (10 feet or less for areas with outdoor dining).
- xvi. Provide sidewalk amenities such as outdoor seating areas and other public gathering places, benches and other street furniture and lighting to encourage a safe, active street scene.

- xvii. Benches and/or outdoor seating shall be provided along all pedestrian pathways including the public street in Planning Area 6.
- xviii. Planning Area 6 shall provide a square or plaza for outdoor gathering. This space shall include such items as shade trees, sunny areas, a fountain, a clock tower, tables and seating.
- xix. Planning Area 6 shall provide a variety of outdoor seating/gathering areas. Outdoor seating may include benches, seats on planters, outdoor eating areas, or other such facilities meeting the intent of providing outdoor gathering facilities.
- xx. Individual "live/work units" can be used as the following:
- A place for work within the structure, such as an office.
  - A place for retail sales.
  - A place for some forms of inside art production which do not create a public nuisance, such as noise or dust.
  - A place for residential use (apartment or condominium)
  - A place where some of these uses can be combined in one unit, such as residential and office use.
  - Both commercial or residential units can be condominiums or apartments.
  - Allowed commercial retail and office uses for live/work units include all uses listed under Section XI.B.6.c (*Use Allocation* section, page 137) for this planning area.
- xxi. A child day care center shall be incorporated in the development of Planning Area 6 in accordance with the provisions of Chapter 21.83 of the Carlsbad Municipal Code relative to child day care centers in the C-1 and C-2 zones. Twenty-five percent of the proposed square footage in Planning Area 6 may be developed and occupied prior to construction of a child day care center.
- g. Development Review Process
1. For Sale Units
    - i. Tentative Map/Non-Residential Planned Development Permit  
Tentative Map/Non-Residential Planned Development Permits shall be processed as provided in section XI.B.1.g.1 on page 101 of this Specific Plan.

ii. Architectural/Non-Residential Planned Development Permit Amendments

Architectural/Non-Residential Planned Development Permit Amendments shall be processed as provided in section XI.B.1.g.2 on page 128 of this Specific Plan.

2. Rental Units

- i. A Site Development Plan shall be processed in accordance with Chapters 21.06 and 21.53 of the Carlsbad Municipal Code.

## 7. PLANNING AREA 7 DEVELOPMENT STANDARDS

### a. Implementation of Specific Plan Vision & Goals - Purpose and Intent

The purpose and intent of this planning area is to provide medium-high density single family detached units within walking distance of the beach, the transit station, and the commercial uses in Planning Area 6.

The design of this planning area shall accomplish the vision, goal and objectives as set forth in this Specific Plan, including a design which encourages pedestrian access to the Poinsettia Transit Station. This planning area may utilize private access gates which restrict public access to this planning area, provided, however, public pedestrian access to the west NCTD loading area is included as provided for on page 43 and Exhibits 13 and 14 on pages 50 and 51.

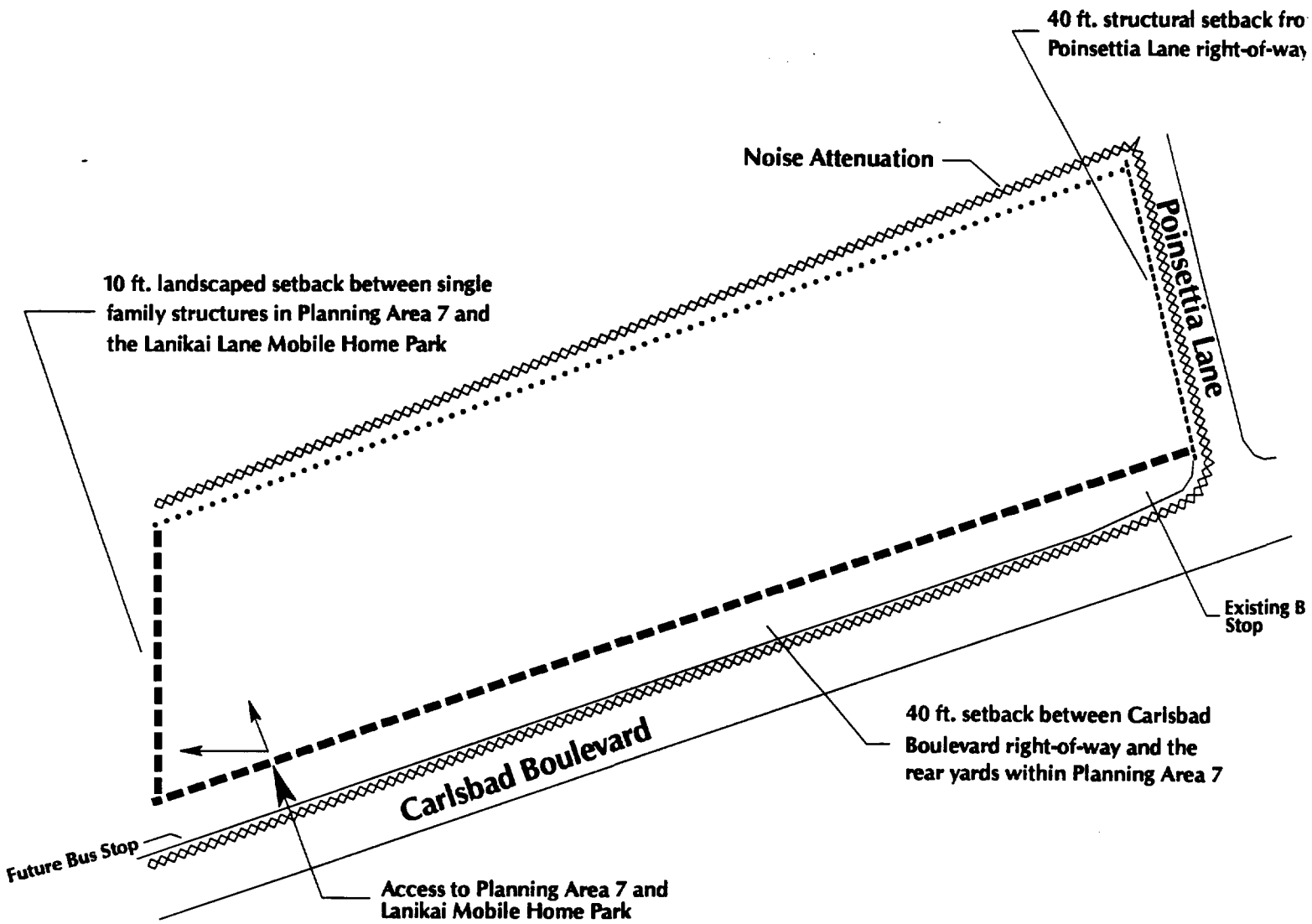
### b. Description:

- Planning Area 7 is located east of Carlsbad Boulevard north of the intersection of Poinsettia Lane. It has a gross planning area of approximately 18.7 acres and a net area of 18.7 acres. Planning Area 7 shall be developed with single family detached residences.
- Planning Area 7 shall comply with the requirements of the Carlsbad Zoning Ordinance for a RD-M designation unless otherwise stated in this Specific Plan.

### c. Use Allocation:

General Plan Land Use:	RMH (8-15 du/ac)
Zoning Designation:	RD-M (Residential Density-Multiple Zone)
Growth Control Point:	19 du/ac
Poinsettia Properties Specific Plan:	Allows up to 179 single-family detached units.
Development Process:	SDP/Planned Development/Tentative Map
Product Type:	single-family detached units

### d. Lot Size: 3,500 square feet



Land Use: RH  
 Product: MF  
 Maximum Units: 179



- ..... Proposed Community (Private) Trails or Sidewalk
- Existing Public Trail/Sidewalk
- Proposed 8 ft. - 10 ft. wide Public Pedestrian Trail

## Design Criteria

### Poinsettia Properties Specific Plan

Planning Area 7

e. **Development Standards:**

1. **Setbacks**

- A 10 foot landscape setback shall be provided between single family structures in Planning Area 7 and the existing mobile home park to the north.
- All structures shall be set back a minimum of 40 feet from the Poinsettia Lane right-of-way. This setback shall not include any private yard.
- A 40 foot public trail/open space corridor shall be established along Carlsbad Boulevard. No homes shall be allowed within this setback, however, utilities and drainage facilities, landscaping, a public trail and associated uses are permitted. This 40 foot setback shall not include any private yard, but shall be between the Carlsbad Boulevard right-of-way and the rear yards within this planning area. Sound walls and/or rear yard fences can be placed at the eastern boundary of this setback. The public trail in this area shall provide access to existing sidewalks at Poinsettia Lane and the existing/proposed intersections on Carlsbad Boulevard and shall be designed to facilitate and encourage public pedestrian usage.

2. **Building Height**

- Single-family detached units shall have a maximum height of 30 feet and two stories. Building height shall be measured per the definition contained in Section 21.04.065 of the Carlsbad Municipal Code.

3. **Secondary units**

- The developer of Planning Area 7 can have the option of constructing secondary units governed under the City guidelines for secondary units (Section 21.10.05 of the Carlsbad Municipal Code).

Up to 20% of the Specific Plan's overall affordable housing requirement may be satisfied through the use of secondary units. Up to five secondary units can count toward satisfying the affordable housing requirements for Planning Area 7.

- Each secondary unit shall include bathroom and kitchen facilities.
- RV storage area requirements do not apply to secondary units.

f. **Special Design Criteria - Transit Oriented and Other:**

1. Provide safe, convenient pedestrian and bicycle access to transit facilities for the future residents of this planning area.
2. Where walls are provided for privacy and/or sound attenuation, pedestrian gates shall be installed where feasible to facilitate pedestrian/bicyclist use of the trails within and adjacent to this planning area.
3. A separate on-site private trail system providing access to the railroad right-of-way through a secured gate located at the northeast corner of the site may be provided in addition to the public trail located within the Carlsbad Boulevard right-of-way and adjacent to the north property line. The private on-site trail will be for the use and benefit of the residents of this planning area. To encourage the use of these trails, they should be visually demarcated through the use of special surface treatment, consistent landscaping, lighting and signage.
4. Prior to the granting of occupancy for any home within a planning area adjacent to any public or private trail, construction of that portion of the trail which is within this planning area shall be completed.
5. All access to and from Planning Area 7 shall be directly from Carlsbad Boulevard with appropriate traffic control in place. Ponto Drive, in front of Lanikai Lane Mobile Home Park, shall not be used for construction traffic.
6. A right-turn-in/right-turn-out access from Carlsbad Boulevard, with appropriate deceleration lane, shall be constructed by the developer at the entry to the Lanikai Mobile Home Park concurrent with the development of Planning Area 7, to the satisfaction of the City Engineer.
7. The existing street connection between Surfside Lane and Ponto Drive shall not be affected by the approval of this project.
8. An emergency access point shall be provided between Poinsettia Lane and the main entrance in Planning Area 7. The exact design and location of the emergency access point shall be determined at the time of tentative map review.
9. Walls constructed around the perimeter of Planning Areas 7 along Carlsbad Boulevard and Poinsettia Lane shall all be compatible in design with the dwelling units in this planning area.



10. Sound walls or wall/berm combinations shall be used where necessary and to a height necessary, as determined by the noise study required for this planning area, to mitigate noise along the railroad right-of-way. These walls and/or berms shall be shown, reviewed and approved on plans submitted as a part of any future planned development permit or site development plan for this planning area, prior to approval of the permit. Preliminary landscape plans submitted for any future permit shall show landscaping along noise walls which reduces the visual impacts of the walls.
11. Incorporate innovative house and lot designs that increase housing variety, such as wide and shallow lots, alley products, zero lot line cluster product and exclusive use areas.
12. Architectural articulation of front elevations shall be encouraged through the use of sub-elements such as projections, dormers, roof ridge jogs, roof overhangs, recessed doorways, bay windows and ground level front porches.
13. The portions of the homes visible to the adjacent public and private streets should articulate entries including doors, alcoves, gates, overhead trellises and lighting to create a sense of identity.
14. Where compatible with the architecture of the unit, an accent window having a different or articulated shape (e.g. rounded, diamond and/or with contrasting moldings) or with finer texture (e.g. many small panes) should be used to create interest on the elevations facing the streets.
15. To create streetscape variety, multiple building elevations should be encouraged through a variety of roof, window, siding, trim accents, garage door and entry treatments.
16. Maximum lot coverage shall be 50%.
17. All buildings shall comply with the requirements of Carlsbad's Small Lot Architectural Guidelines except for the modifications below, unless approved otherwise by the final decision making body. To permit innovative designs, such as rear yard garages and side yard courts, the following guidelines may be substituted for Small Lot Guidelines 1 and 2 respectively:
  - i. In projects where there are three 2 story units in a row situated less than 15 feet apart, at least one of the three units shall have a single story building

edge. The depth of the single-story edge shall not be less than 10 feet and shall run the length of the building pad, except that courtyards set back a minimum of 15 feet from the property line and which are a minimum 15 feet wide are not required to have a single story building edge. The roof covering the single story element shall be substantially lower than the roof for the 2 story element of the unit (this is not intended to preclude long shed-type roofs falling to a single-story element) (See exhibit 36, page 104).

- ii. In projects where there are three 2 story units in a row situated between 15 and 20 feet apart, at least one of the three units shall have a single story building edge with a depth of not less than 5 feet running the length of the building pad, except that courtyards set back a minimum of 15 feet from the property line and which are a minimum 15 feet wide are not required to have a single story building edge. The roof of the single story element shall be substantially lower than the roof for the two story element of the building (this is not intended to preclude long shed-type roofs falling to a single-story element) (See exhibit 36, page 104).
18. Structures shall have a maximum height of 30 feet. No building shall exceed a height of 30 feet and two stories if a minimum roof pitch of three to twelve (3:12) is provided, or 24 feet and two stories if less than a three to twelve (3:12) roof pitch is provided; however, the City Council would be inclined to review favorably proposals for structures having a maximum height of 28 feet on Parcels B and C.
  19. Area drains for side yards within 3 feet of the foundation and drainage through curbs will be allowed subject to the requirement that a fail safe overflow is provided.
  20. Setbacks shall be determined as described in Section XI.B.2.e.1 (page 105) of this Specific Plan.
  21. In the event alleys are proposed, minimum alley width shall be 20 feet. Garages may have a 5 foot minimum setback from the alley.
  22. Garages shall be offset at least five feet from the front facade or the portion of the front porch closest to the street of each home or be located to the rear of the property. The surface area of garage doors facing directly on the street shall not exceed 50 percent of the front surface area of the home. Side-loaded garages shall be designed with adequate architectural detailing to appear as a livable portion of the home.

23. Building facades shall incorporate a minimum of four varieties of design elements to create character and interest to the home. These elements may vary depending on the architectural style used. Examples of such elements include:
- A variety of roof planes
  - Deeply recessed windows/doors
  - Paned windows and doors
  - Exposed roof beams or rafter tails
  - Decorative window ledges
  - Accent materials such as stucco, wood, siding and stone
  - Window and door lintels
  - Dormers
  - Accent and varied shape windows
  - Window boxes and planters with architecturally evident supports
  - Exterior wood elements
  - Variations in colors of stucco and other elements
  - Accent colors on doors, shutters or other elements
  - Stucco wainscoting
  - Covered balconies
  - Arched elements
  - Shutters
24. Rear building elevations exposed to public streets shall include enhanced architectural detailing incorporating elements of good design, such as described above.
25. Seventy-five percent of all homes shall feature either of the following:
- i. A defined front porch that creates a sense of openness to the street and sidewalk and also a sense of personal space through the use of railings, planters, etc. The minimum front porch depth dimension shall be five feet and shall be large/long enough to create an obvious "porch element" to the front of the home; or
  - ii. A second floor, unenclosed balcony which faces the street. Such balconies shall have a minimum dimension of six by six feet and shall be designed to become an architectural feature of the front of the house.
26. In addition to active recreation facilities provided in Planning Area 3, Planning Area 7 shall provide a passive recreation space in the form of a neighborhood plaza with some homes fronting on such area. The passive recreation area, a

minimum of 10,000 square feet in size, shall include tables and benches and/or outdoor seating. The portion of the area used for passive recreational purposes may count toward meeting the common passive recreation requirements of Chapter 21.45 of the Carlsbad Municipal Code. The Planning Director may allow for the consolidation of other recreation sites or building separation areas to increase the size and usefulness of the plaza; however, in all cases minimum side yard setbacks shall be maintained.

27. All existing public views from I-5 across the Specific Plan property, through the hotel site(s) located north of Poinsettia Lane and west of I-5 to the ocean, shall be preserved. Existing views of the ocean horizon shall be identified through a line of sight analysis which identifies the metes and bounds of the existing visual corridors. The sight line analysis shall be submitted as part of the application for a Coastal Development Permit for the Master Tentative Map. The visual analysis shall be used to design future development in this planning area to avoid significant impacts to existing public views from I-5.

g. Development Review Process

1. Tentative Map/Planned Development Permit

Tentative Map/Planned Development Permits shall be processed as provided in section XI.B.2.g.1 on page 112 of this Specific Plan.

## 8. PLANNING AREA 8 DEVELOPMENT STANDARDS

### a. Implementation of Specific Plan Visions & Goals - Purpose and Intent

The purpose and intent of this planning area is to provide medium-high density single-family detached units. Similar to Planning Area 7 this area will provide an attractive alternative for many professionals that enjoy the North County beach-orientated lifestyle, yet work in San Diego. Although this planning area is more than a quarter of a mile from the transit station, it would be a short bike ride on the safe pedestrian/bike trails being provided by this Specific Plan. Residents of this planning area would be able to bicycle to the transit station and secure their bikes in the lockers provided at the station.

The design of this planning area shall accomplish the vision, goals, and objectives as set forth in this Specific Plan, including a design which encourages pedestrian access to the Poinsettia Transit Station. This planning area may utilize private access gates which restrict public vehicular access to this planning area. Trail systems and community entry points are shown on Exhibit 13, page 50, and Exhibit 14, page 51.

### b. Description:

- Planning Area 8 is located east of Carlsbad Boulevard, south of the intersection of Carlsbad Boulevard and Poinsettia Lane. It has a gross and net planning area of approximately 17.5 acres. Planning Area 8 shall be developed with single-family detached units.
- Planning Area 8 shall comply with the requirements of the Carlsbad Zoning Ordinance for a RD-M designation unless otherwise stated in this Specific Plan.

### c. Use Allocation:

General Plan Land Use:	RMH (8-15 du/ac)
Underlying Zoning Designation:	RD-M (Residential Density-Multiple Zone) Development Standards
Growth Control Point:	11.5 du/ac
Poinsettia Properties Specific Plan:	allows up to 123 single-family detached units
Development Process:	Site Development Plan/Planned Development/Tentative Map
Product Type:	single-family detached units

d. Lot Size: 3,500 square feet

e. Development Standards:

1. Setbacks

- All structures shall be set back a minimum of 40 feet from the Poinsettia Lane right-of-way. This setback shall not include any private yard.
- All structures shall maintain the following setbacks from Ponto Road:  
Front yard - 20 feet  
Side yard - 10 feet  
Rear yard - 10 feet
- A 40 foot public trail/open space corridor shall be established along Carlsbad Boulevard. No homes shall be allowed within this setback; however, utilities and drainage facilities, landscaping, a public trail and associated uses are permitted. This 40 foot setback shall not include any private yard, but shall be between the Carlsbad Boulevard right-of-way and the rear yards within this planning area. Sound walls and/or rear yard fences can be placed at the eastern boundary of this setback. The public trail in this area shall provide access to existing sidewalks at Poinsettia Lane and the existing/proposed intersections on Carlsbad Boulevard and shall be designed to facilitate and encourage public pedestrian usage.

2. Building Height

- Structures shall have a maximum height of 30 feet. No building shall exceed a height of 30 feet and two stories if a minimum roof pitch of three to twelve (3:12) is provided, or 24 feet and two stories if less than a three to twelve (3:12) roof pitch is provided; however, the City Council would be inclined to review favorably proposals for structures having a maximum height of 28 feet on parcels B and C.

3. Secondary units

- The developer of Planning Area 8 can have the option of constructing secondary units governed under the City guidelines for secondary units (Section 21.10.05 of the Carlsbad Municipal Code).

Up to 20% of the Specific Plan's overall affordable housing requirement may be satisfied through the use of secondary units. Up to seven

secondary units can count toward satisfying the affordable housing requirements for Planning Area 8.

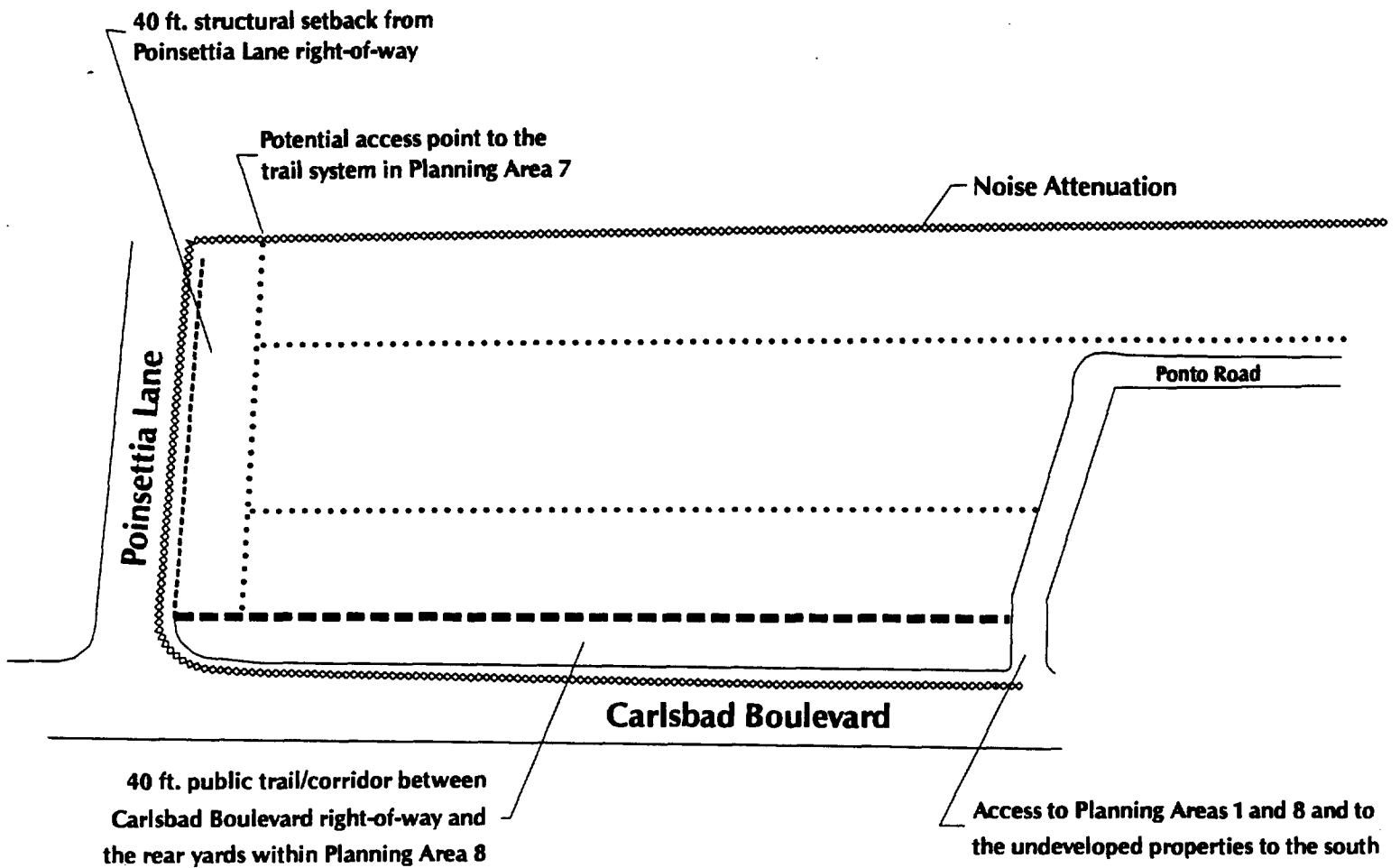
- Each secondary unit shall include bathroom and kitchen facilities.
- RV storage area requirements do not apply to secondary units.

f. **Special Development Criteria - Transit Oriented and Other:**

1. Provide safe, convenient pedestrian and bicycle access to transit facilities for the future residents of this planning area.
2. Sound walls or wall/berm combinations shall be used where necessary and to a height necessary, as determined by the noise study required for this planning area, to mitigate noise along the railroad right-of-way. These walls and/or berms shall be shown, reviewed and approved on plans submitted as a part of any future planned development permit or site development plan for this planning area prior to approval of the Permit. Preliminary landscape plans submitted for any future permit shall show landscaping along noise walls which reduces the visual impacts of the walls.
3. Prior to the granting of occupancy for any home in a planning area adjacent to any public or private trail, construction of that portion of the trail which is within this planning area shall be completed.
4. Streets and driveways within Planning Area 8 may be private except for the entrance off Carlsbad Boulevard which provides access to Ponto Road as well as to this planning area.
5. Access to the railroad right-of-way through a secured gate located at the northeast corner of the site may be provided in addition to the public trail located with the Carlsbad Boulevard right-of-way and adjacent to the north property line.
6. Where walls are provided for privacy and/or sound attenuation, pedestrian gates shall be installed where feasible to facilitate pedestrian circulation.
7. Walls constructed around the perimeter of Planning Areas 8 along Carlsbad Boulevard and Poinsettia Lane shall all be compatible in design with the dwelling units in this planning area.

8. Provide sidewalks on both sides of main corridor streets for better pedestrian access.
  - An emergency access point shall be provided between Poinsettia Lane and the main entrance in Planning Area 8. The exact design and location of the emergency access point shall be determined at the time of tentative map review.
10. Setbacks shall be determined as described in Section XI.B.2.e.1 (page 105) of this Specific Plan.
11. Incorporate innovative house and lot designs that increase housing variety, such as wide and shallow lots, alley products, zero lot line cluster product and exclusive use areas.
12. Architectural articulation of front elevations shall be encouraged through the use of sub-elements such as projections, dormers, roof ridge jogs, roof overhangs, recessed doorways, bay windows and ground level front porches.
13. The portions of the homes visible to the adjacent public and private streets should articulate entries including doors, alcoves, gates, overhead trellises and lighting to create a sense of identity.
14. Where compatible with the architecture of the unit, an accent window having a different or articulated shape (e.g. rounded, diamond and/or with contrasting moldings) or with finer texture (e.g. many small panes) should be used to create interest on the elevations facing the streets.
15. To create streetscape variety, multiple building elevations should be encouraged through a variety of roof, window, siding, trim accents, garage door and entry treatments.
16. Maximum lot coverage shall be 50%.
17. All buildings shall comply with the requirements of Carlsbad's Small Lot Architectural Guidelines except for the modifications below, unless approved otherwise by the final decision making body. To permit innovative designs, such as rear yard garages and side yard courts, the following guidelines may be substituted for Small Lot Guidelines 1 and 2 respectively:
  - i. In projects where there are three 2 story units in a row situated less than 15 feet apart, at least one of the three units shall have a single





40 ft. public trail/corridor between Carlsbad Boulevard right-of-way and the rear yards within Planning Area 8

Access to Planning Areas 1 and 8 and to the undeveloped properties to the south

Land Use: RMH  
 Product: SFD  
 Maximum Units: 123



- ..... Proposed Community (Private) Trails or Sidewalk
- Existing Public Trail/Sidewalk
- Proposed 8 ft. - 10 ft. wide Public Pedestrian Trail

## Design Criteria

### Poinsettia Properties Specific Plan

Planning Area 8

story building edge. The depth of the single-story edge shall not be less than 10 feet and shall run the length of the building pad, except that courtyards set back a minimum of 15 feet from the property line and which are a minimum 15 feet wide are not required to have a single story building edge. The roof covering the single story element shall be substantially lower than the roof for the 2 story element of the unit (this is not intended to preclude long shed-type roofs falling to a single-story element) (See exhibit 36, page 104).

- ii. In projects where there are three 2 story units in a row situated between 15 and 20 feet apart, at least one of the three units shall have a single story building edge with a depth of not less than 5 feet running the length of the building pad, except that courtyards set back a minimum of 15 feet from the property line and which are a minimum 15 feet wide are not required to have a single story building edge. The roof of the single story element shall be substantially lower than the roof for the two story element of the building (this is not intended to preclude long shed-type roofs falling to a single-story element) (See exhibit 36, page 104).

18. Area drains for side yards within 3 feet of the foundation and drainage through curbs will be allowed subject to the requirement that a fail safe overflow is provided.
19. In the event alleys are proposed, minimum alley width shall be 20 feet. Garages may have a 5 foot minimum setback from the alley.
20. Garages shall be offset at least five feet from the front facade or the portion of the front porch closest to the street of each home or be located to the rear of the property. The surface area of garage doors facing directly on the street shall not exceed 50 percent of the front surface area of the home. Side-loaded garages shall be designed with adequate architectural detailing to appear as a livable portion of the home.
21. Building facades shall incorporate a minimum of four varieties of design elements to create character and interest to the home. These elements may vary depending on the architectural style used. Examples of such elements include:
  - A variety of roof planes
  - Deeply recessed windows/doors

- Paned windows and doors
  - Exposed roof beams or rafter tails
  - Decorative window ledges
  - Accent materials such as stucco, wood, siding and stone
  - Window and door lintels
  - Dormers
  - Accent and varied shape windows
  - Window boxes and planters with architecturally evident supports
  - Exterior wood elements
  - Variations in colors of stucco and other elements
  - Accent colors on doors, shutters or other elements
  - Stucco wainscoting
  - Covered balconies
  - Arched elements
  - Shutters
22. Rear building elevations exposed to public streets shall include enhanced architectural detailing incorporating elements of good design, such as described above.
23. Seventy-five percent of all homes shall feature either of the following:
- A defined front porch that creates a sense of openness to the street and sidewalk and also a sense of personal space through the use of railings, planters, etc. The minimum front porch depth dimension shall be five feet and shall be large/long enough to create an obvious "porch element" to the front of the home; or
  - A second floor, unenclosed balcony which faces the street. Such balconies shall have a minimum dimension of six by six feet and shall be designed to become an architectural feature of the front of the house.
24. If Planning Area 8 is developed prior to Planning Area 1, a disclosure of the future commercial uses that may occur in Planning Area 1 shall be provided to all home buyers. The contents and format of this disclosure shall be subject to the approval of the City.
25. In addition to active recreation facilities provided in Planning Area 3, Planning Area 8 shall provide a passive recreation space in the form of a neighborhood plaza with some homes fronting on such area. The passive recreation area, a

minimum of 10,000 square feet in size, shall include tables and benches and/or outdoor seating. The portion of the area used for passive recreational purposes may count toward meeting the common passive recreation requirements of Chapter 21.45 of the Carlsbad Municipal Code. The Planning Director may allow for the consolidation of other recreation sites or building separation areas to increase the size and usefulness of the plaza; however, in all cases minimum side yard setbacks shall be maintained.

26. All existing public views from I-5 across the Specific Plan property to the ocean shall be preserved. These views are located west of I-5 and south of Poinsettia Lane, through the Poinsettia Village Shopping Center. Existing views of the ocean horizon shall be identified through a line of sight analysis which identifies the metes and bounds of the existing visual corridors. The sight line analysis shall be submitted as part of the application for a Coastal Development Permit for the Master Tentative Map. The visual analysis shall be used to design future development in this planning area to avoid significant impacts to existing public views from I-5.

### 3. Development Review Process

#### g. Development Review Process

##### i. Tentative Map/Planned Development Permit

Tentative Map/Planned Development Permits shall be processed as provided in section XI.B.2.g.1 on page 112 of this Specific Plan for all single family detached or for sale attached projects proposed.

## **XII. SPECIFIC PLAN ADMINISTRATION**

### **A. AMENDMENTS**

Individual planning areas within this specific plan shall be reviewed relative to the provisions of this chapter. Any revisions to the Poinsettia Properties Specific Plan shall be processed pursuant to California State Government Code Section 65450, et. seq.

Approval of this specific plan indicates acceptance by the City Council of a general framework for community development. Part of that framework establishes specific development standards that constitute the zoning regulations for the Poinsettia Properties Specific Plan.

Amendments to the Poinsettia Properties Specific Plan shall be subject to the review and approval of the City Council. The Planning Commission shall first hear and consider all applications for an amendment to the Specific Plan. The Planning Commission shall prepare a recommendation and findings on all applications for an amendment to the City Council. As required by the California Government Code and the California Environmental Quality Act, all agencies significantly affected by the amendment to the Specific Plan shall also be notified of the proposed action prior to approving the amendment of the Specific Plan.

Depending on the extent and impact of the Specific Plan Amendment, a subsequent Environmental Impact Report or mitigated negative declaration which focuses on the new impacts may be warranted.

#### **1. STATE REQUIREMENTS**

As contained in Section 65450, et. seq. of the California Government Code, a specific plan shall be prepared, adopted, and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body. No specific plan may be adopted or amended unless the proposed specific plan or amendment is consistent with the City's General Plan.

#### **2. LOCAL REQUIREMENTS**

It is anticipated that certain amendments to the Specific Plan may be necessary during the development of the area. Any amendments to the Specific Plan shall occur in accordance with the Carlsbad General Plan.

All amendments shall be submitted to the California Coastal Commission for their review and approval, prior to their enactment, in accordance with the Coastal Act of 1976 and the California Code of Regulations.

i. Amendments

This specific plan was prepared pursuant to California Government Code Section 65450, et. seq. and is a partial implementation of the Mello II Segment of the Local Coastal Program. Amendments to the Specific Plan shall be processed in accordance with the applicable requirements of law which include Section 65450, et. seq. of the California Government Code, the California Coastal Act of 1976, and the California Code of Regulations (Title 14, Division 5.5; California Coastal Commission Administrative Regulations).

## **APPENDIX A**

## Legal Description

(Carlsbad)

That certain property situated in San Diego County, California described as follows:

### PARCEL 1:

THOSE PORTIONS OF LOTS 2 AND 3 THE NORTH 1/3 OF LOT 4 AND THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING SOUTHWESTERLY OF THE SOUTHWESTERLY LINE OF THE 200 FOOT RIGHT OF WAY OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD AND LYING EASTERLY OF THE EASTERLY LINE OF PARCEL 5-A AS DESCRIBED IN THE FINAL ORDER OF CONDEMNATION IN SUPERIOR COURT OF SAN DIEGO COUNTY, CASE NO. 165983, A COPY OF WHICH BEING RECORDED APRIL 23, 1952 IN BOOK 4444, PAGE 396 OF OFFICIAL RECORDS, SAID EASTERLY LINE BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID FRACTIONAL SECTION 29, DISTANT THEREON NORTH  $89^{\circ}49'10''$  WEST 325.97 FEET FROM THE CORNER COMMON TO SECTION 28, 29, 32 AND 33, TOWNSHIP 12 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, SAID POINT ALSO BEING DISTANT ALONG SAID SOUTH LINE SOUTH  $89^{\circ}49'10''$  EAST 88.23 FEET FROM ENGINEERS STATION 196 PLUS 46.33 ON THE CENTER LINE OF THE DEPARTMENT OF PUBLIC WORKS SURVEY MADE IN 1947 BETWEEN HALF MILE SOUTH OF SAN MARCOS CREEK AND 2.2 MILES SOUTH OF CARLSBAD, ROAD XI-SD-2-B; THENCE ALONG A LINE PARALLEL WITH AND DISTANT 80.00 FEET EASTERLY AT RIGHT ANGLES FROM THE CENTER LINE OF SAID SURVEY NORTH  $24^{\circ}45'30''$  WEST 72.54 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 6,120 FEET THROUGH AN ANGLE OF  $4^{\circ}55'30''$  A DISTANCE OF 526.06 FEET; THENCE NORTH  $19^{\circ}50'$  WEST 3628.47 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 19,846 FEET THROUGH AN ANGLE POINT OF  $0^{\circ}22'46''$  A DISTANCE OF 131.43 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 2, DISTANT ALONG SAID NORTH LINE SOUTH  $89^{\circ}55'53''$  WEST 466.01 FEET FROM THE NORTHEAST CORNER OF SAID LOT 2, SAID POINT ALSO BEING DISTANT ALONG SAID NORTH LINE OF LOT 2 NORTH  $89^{\circ}55'53''$  EAST 84.78 FEET FROM ENGINEER'S STATION 240 PLUS 28.54 ON THE CENTER LINE OF SAID SURVEY.



EXCEPTING THEREFROM SAID LOT 3, THAT PORTION CONVEYED TO THE COUNTY OF SAN DIEGO, IN PARCEL 2 OF DIRECTORS DEED RECORDED DECEMBER 22, 1966 AS FILE NO. 198819 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY TERMINUS OF COURSE NO. 5 OF PARCEL ONE OF THAT CERTAIN DIRECTORS DEED CONVEYED TO THE COUNTY OF SAN DIEGO AND RECORDED ON DECEMBER 22, 1966 AS FILE NO. 198819 OF OFFICIAL RECORDS, SAID COURSE NO. 5 HAVING A BEARING AND DISTANCE OF NORTH 13°05'20" WEST, 20.00 FEET; THENCE ALONG THE SOUTHERLY PROLONGATION OF SAID COURSE SOUTH 13°46'30" EAST 28.75 FEET TO A LINE HAVING A BEARING OF SOUTH 76°16'30" WEST, SAID LINE BEING SOUTH 13°46'30" EAST 28.75 FEET FROM THE NORTHERLY LINE OF POINSETTIA LANE MEASURED ALONG THE SOUTHERLY PROLONGATION OF SAID COURSE NO. 5; THENCE SOUTH 76°16'30" WEST 1155.57 FEET TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD COMPANY, SAID POINT OF INTERSECTION BEING THE TRUE POINT OF BEGINNING AND BEING DISTANT SOUTH 21°08'51" EAST 27.97 FEET FROM THE NORTHERLY LINE OF POINSETTIA LANE MEASURED ALONG THE WESTERLY RIGHT OF WAY OF SAID RAILROAD COMPANY; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE NORTH 21°08'51" WEST 51.43 FEET TO A LINE PARALLEL WITH AND DISTANT NORTHERLY 51.00 FEET MEASURED AT RIGHT ANGLES TO THE ABOVE MENTIONED LINE HAVING A BEARING AND DISTANCE OF SOUTH 76°16'30" WEST 1155.57 FEET; THENCE ALONG SAID PARALLEL LINE SOUTH 76°16'30" WEST 495.77 FEET TO THE INTERSECTION WITH THE EASTERLY RIGHT OF WAY OF THE STATE HIGHWAY AS DESCRIBED IN PARCEL 5A OF FINAL ORDER OF CONDEMNATION IN SUPERIOR COURT OF SAN DIEGO COUNTY, CASE #165983 FILED IN THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY; THENCE ALONG SAID EASTERLY LINE SOUTH 19°50'19" EAST 51.29 FEET; THENCE NORTH 76°16'30" EAST 496.95 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM THOSE PORTIONS PREVIOUSLY DEDICATED TO THE PUBLIC USE AS DESCRIBED IN THE AFOREMENTIONED DIRECTORS DEED RECORDED DECEMBER 22, 1966 AS FILE NO. 198819 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY TERMINUS OF COURSE NO. 5 OF PARCEL ONE OF THAT CERTAIN DIRECTORS DEED CONVEYED TO THE COUNTY OF SAN DIEGO AND RECORDED ON DECEMBER 22, 1966 AS FILE NO. 198819 OF OFFICIAL RECORDS SAID COURSE NO. 5 HAVING A BEARING AND DISTANCE OF NORTH 13°05'20" WEST, 20.00 FEET; THENCE ALONG THE SOUTHERLY PROLONGATION OF SAID COURSE SOUTH 13°46'30" EAST 28.75 FEET TO A LINE HAVING A BEARING OF SOUTH 76°16'30" WEST, SAID LINE BEING SOUTH 13°46'30" EAST 28.75

FEET FROM THE NORTHERLY LINE OF POINSETTIA LANE MEASURED ALONG THE SOUTHERLY PROLONGATION OF SAID COURSE NO. 5; THENCE SOUTH 76°16'30" WEST 1155.57 FEET TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD COMPANY, SAID POINT OF INTERSECTION BEING THE TRUE POINT OF BEGINNING AND BEING DISTANT SOUTH 21°08'51" EAST 27.97 FEET FROM THE NORTHERLY LINE OF POINSETTIA LANE AS MEASURED ALONG THE WESTERLY RIGHT OF WAY OF SAID RAILROAD COMPANY; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE SOUTH 21°08'51" EAST 51.43 FEET TO A LINE PARALLEL WITH AND DISTANT SOUTHERLY 51.00 FEET MEASURED AT RIGHT ANGLES TO THE ABOVE MENTIONED LINE HAVING A BEARING AND DISTANCE OF SOUTH 76°16'30" WEST 1155.57 FEET; THENCE ALONG SAID PARALLEL LINE SOUTH 76°16'30" WEST 498.13 FEET TO THE INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF THE STATE HIGHWAY AS DESCRIBED IN PARCEL 5A OF FINAL ORDER OF CONDEMNATION IN SUPERIOR COURT OF SAN DIEGO COUNTY CASE #165983 FILED IN THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY; THENCE ALONG SAID EASTERLY LINE NORTH 19°50'19" WEST 51.29 FEET; THENCE NORTH 76°16'30" EAST 496.95 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THOSE PORTIONS PREVIOUSLY DEDICATED TO THE PUBLIC USE AS DESCRIBED IN THE AFOREMENTIONED DIRECTORS DEED RECORDED DECEMBER 22, 1966 AS FILE NO. 198819 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, AND MINERAL RIGHTS BELOW 500 FEET WITHOUT RIGHT OF SURFACE ENTRY AS RESERVED BY A. L. SHIPLEY, JR., CONSERVATOR OF THE ESTATE OF GEORGE H. CAPRON IN DEED RECORDED JUNE 30, 1969 AS FILE NO. 116095 AND RE-RECORDED JULY 23, 1969 AS FILE NO. 132460, BOTH OF OFFICIAL RECORDS.

PARCEL 2:

THOSE PORTIONS OF THE EAST HALF OF SECTION 29 AND THE WEST HALF OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 29; THENCE ALONG THE NORTHERLY LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER NORTH 89°58'20" WEST 294.68 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 600.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 63°10'41" AN ARC DISTANCE OF 661.60 FEET; THENCE TANGENT TO SAID CURVE SOUTH 26°50'59" EAST 389.48 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1700.00 FEET; THENCE SOUTHERLY ALONG SAID LAST MENTIONED

CURVE THROUGH A CENTRAL ANGLE OF  $9^{\circ}37'29''$  AN ARC DISTANCE OF 285.57 FEET; THENCE TANGENT TO SAID LAST MENTIONED CURVE SOUTH  $17^{\circ}13'30''$  EAST 1187.36 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1250.00 FEET; THENCE SOUTHERLY ALONG SAID LAST MENTIONED CURVE, THROUGH A CENTRAL ANGLE OF  $23^{\circ}30'00''$  AN ARC DISTANCE OF 512.69 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 500.00 FEET; THENCE SOUTHERLY ALONG SAID LAST MENTIONED CURVE TO AN INTERSECTION WITH THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DEEDED TO THE COUNTY OF SAN DIEGO IN PARCEL 1 OF DIRECTORS DEED RECORDED DECEMBER 22, 1966 AS FILE NO. 198819 OF OFFICIAL RECORDS; THENCE SOUTH  $76^{\circ}54'40''$  WEST ALONG SAID NORTHERLY LINE TO THE EASTERLY LINE OF THE 200.00 FOOT ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY RIGHT OF WAY; THENCE ALONG SAID EASTERLY LINE NORTH  $21^{\circ}08'15''$  WEST TO THE WEST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER; THENCE ALONG SAID WEST LINE NORTH  $00^{\circ}02'20''$  WEST, 765.33 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY TERMINUS OF COURSE NO. 5 OF PARCEL 1 OF THAT CERTAIN DIRECTORS DEED CONVEYED TO THE COUNTY OF SAN DIEGO AND RECORDED ON DECEMBER 22, 1966 AS FILE NO. 198819 OF OFFICIAL RECORDS, SAID COURSE NO. 5 HAVING A BEARING AND DISTANCE OF NORTH  $13^{\circ}05'20''$  WEST, 20.00 FEET; THENCE ALONG THE SOUTHERLY PROLONGATION OF SAID CURVE SOUTH  $13^{\circ}46'30''$  EAST 28.75 FEET TO A LINE HAVING A BEARING OF SOUTH  $76^{\circ}16'30''$  WEST, SAID LINE BEING SOUTH  $13^{\circ}46'30''$  EAST 28.75 FEET FROM THE NORTHERLY LINE OF POINSETTIA LANE MEASURED ALONG THE SOUTHERLY PROLONGATION OF SAID COURSE NO. 5; THENCE SOUTH  $76^{\circ}16'30''$  WEST 243.98 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE CITED AS BEING A CURVE HAVING A RADIUS OF 500.00 FEET AND AN ARC DISTANCE OF 174.53 FEET IN PARCEL 2 IN DEED TO JOHN D. LUSK & SON, A CALIFORNIA CORPORATION, RECORDED JANUARY 9, 1973 AS FILE NO. 73-006848 OF OFFICIAL RECORDS OF SAID SAN DIEGO COUNTY; THENCE CONTINUING SOUTH  $76^{\circ}16'30''$  WEST 709.90 FEET - RECORD 710.09 FEET - TO THE INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD COMPANY SAID POINT OF INTERSECTION BEING DISTANT SOUTH  $21^{\circ}08'51''$  EAST 28.15 FEET FROM THE NORTHERLY LINE OF POINSETTIA LANE AS MEASURED ALONG THE EASTERLY RIGHT OF WAY OF SAID RAILROAD COMPANY; THENCE ALONG SAID EASTERLY RIGHT OF WAY NORTH  $21^{\circ}08'51''$  WEST 51.43 FEET TO A LINE PARALLEL WITH AND DISTANT NORTHERLY 51.00 FEET MEASURED AT RIGHT ANGLES TO THE ABOVE MENTIONED LINE HAVING A BEARING AND DISTANCE OF SOUTH  $76^{\circ}16'30''$  WEST 709.90 FEET; THENCE ALONG SAID PARALLEL LINE NORTH  $76^{\circ}16'30''$  EAST 719.15 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 500.00 FEET,

SAID CURVE BEING THE ABOVE MENTIONED CURVE HAVING A RADIUS OF 500.00 FEET, A RADIAL FROM SAID POINT BEARS NORTH 82°07'45" EAST; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 5°51'15" AN ARC LENGTH OF 51.09 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THOSE PORTIONS PREVIOUSLY DEDICATED TO THE PUBLIC USE AS DESCRIBED IN THE AFOREMENTIONED DEED RECORDED DECEMBER 22, 1966 AS FILE NO. 198819 OF OFFICIAL RECORDS.



EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

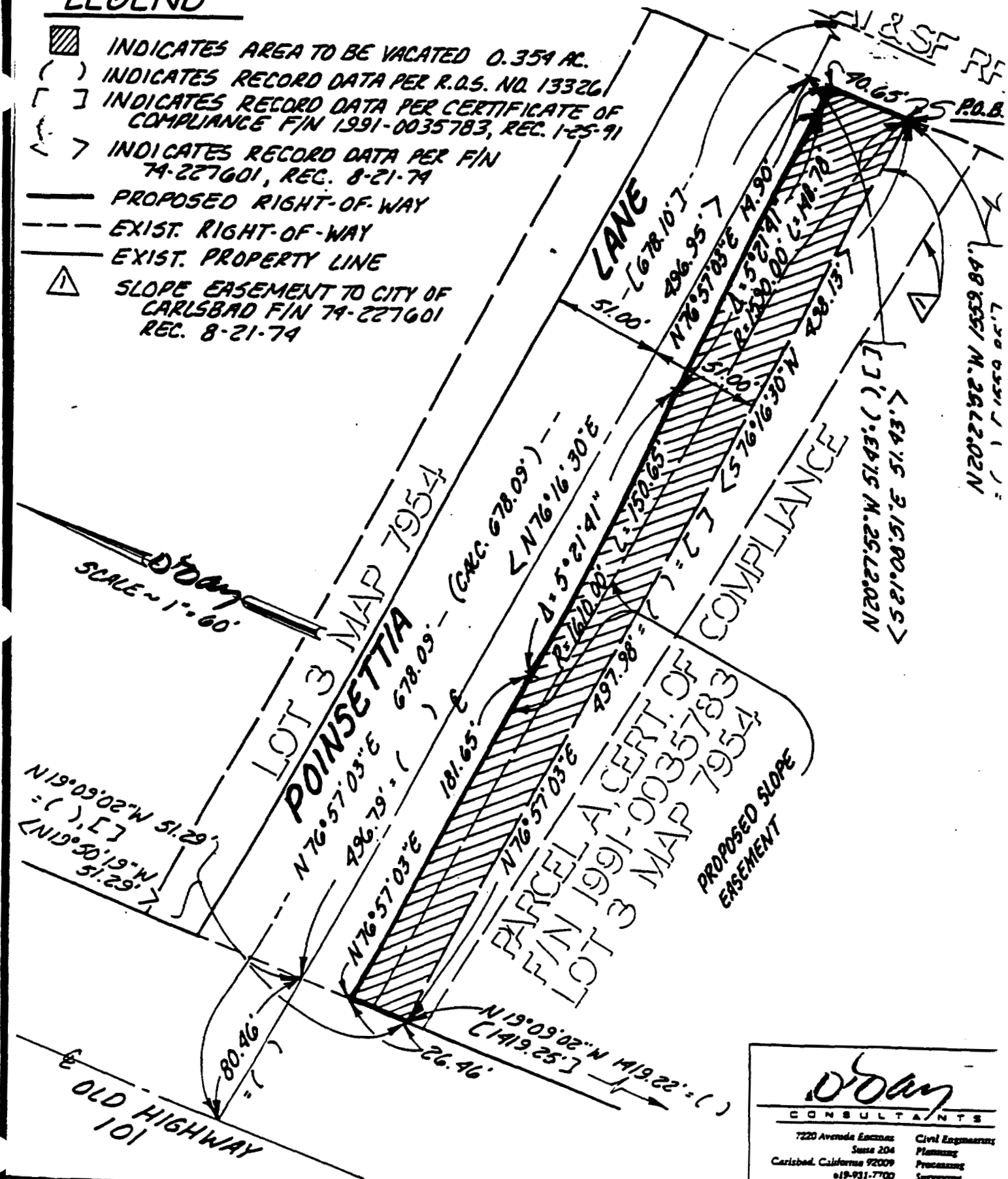
BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTH-EAST QUARTER OF SAID SECTION 29; THENCE SOUTH 20°27'52" EAST 869.10 FEET; THENCE SOUTH 69°32'08" WEST 275.76 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY, BEING 200.00 FEET WIDE; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 20°27'52" WEST 154.51 FEET TO A POINT ON THE EASTERLY LINE OF LOT 1 IN SAID SECTION 29; THENCE ALONG SAID LINE NORTH 0°38'14" EAST 765.95 FEET TO THE POINT OF BEGINNING.

ALSO, EXCEPTING THEREFROM, ALL OIL AND MINERAL RIGHTS BELOW 500 FEET WITHOUT RIGHT OF SURFACE ENTRY AS RESERVED BY A. L. SHIPLEY, JR., CONSERVATOR OF THE ESTATE OF GEORGE H. CAPRON IN DEED RECORDED JUNE 30, 1969 AS FILE NO. 116905 AND RE-RECORDED JULY 23, 1969 AS FILE NO. 132460, BOTH OF OFFICIAL RECORDS.

## **APPENDIX B**

# LEGEND

-  INDICATES AREA TO BE VACATED 0.354 AC.
- ( ) INDICATES RECORD DATA PER R.O.S. NO. 13326
- [ ] INDICATES RECORD DATA PER CERTIFICATE OF COMPLIANCE FIN 1991-0035783, REC. 1-25-91
- < > INDICATES RECORD DATA PER FIN 74-227601, REC. 8-21-74
- PROPOSED RIGHT-OF-WAY
- - - EXIST. RIGHT-OF-WAY
- EXIST. PROPERTY LINE
-  SLOPE EASEMENT TO CITY OF CARLSBAD FIN 74-227601 REC. 8-21-74



SCALE = 1" = 60'

$N 19^{\circ} 09' 02'' N$  20.60' 61.19'  
 = ( ) [ ]  
 = ( ) [ ]  
 = ( ) [ ]

**O'Day**  
 CONSULTANTS

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Civil Engineering  
 Planning  
 Processing  
 Surveying

PROJECT NAME:  
**POINSETTIA LANE STREET VACATION**

PROJECT NO. EXHIBIT:  
**"B"**