EXHIBIT "A"

Preserve the Flower and Strawberry Fields and Save Carlsbad Taxpayers' Money

The People of the City of Carlsbad do hereby enact and ordain:

1. **Section 1. TITLE**

1.1 This measure shall be known and may be cited as **"Preserve the Flower and Strawberry Fields and Save Carlsbad Taxpayers' Money"**.

2. **Section 2. PURPOSE, LOCATION AND FINDINGS**

2.1 Purpose. The purpose of this measure is to ensure that the Flower Fields and Strawberry Fields area located along the Cannon Road corridor east of the Interstate 5 freeway is preserved in open space and that farming is allowed to continue as long as it is viable. The purpose is also to allow public use, access and community gathering places to occur in the area in a manner that will not adversely impact the unique open space and environmental resources located in the area. This measure is intended to create a sustainable area that balances social, economic and environmental values important to the community. This measure amends the General Plan which contains the vision for the future of the City and the Zoning Ordinance to designate the area for special planning consideration to ensure that the area is retained in open space, that farming is allowed to continue and that public uses and access are allowed in the area.

2.2 Location and Description of the Area Affected by Measure. The area affected by this measure is shown on Exhibit A provided herein. It contains approximately 307 acres of land located in the central portion of the City along Cannon Road east of the Interstate 5 freeway. The area presently consists primarily of open space and farming operations including the existing Flower Fields located south of Cannon Road and the area generally known as the Strawberry Fields located on the north side of Cannon Road adjacent to Interstate 5 and the south shore of the Agua Hedionda Lagoon. The area on the north side of Cannon Road also contains regionally-significant public utility uses including existing SDG&E electrical transmission lines. The City presently leases a portion of the Strawberry Fields area (approximately 91 acres and generally known as Hub Park) which was leased for potential future, public park uses. The most easterly end of the area on the north side of Cannon Road contains environmentally-sensitive, natural vegetation that is identified in the City's Habitat Management Plan as part of a proposed habitat preserve system. For purposes of this measure, the area shall herein be identified as "The Cannon Road Open Space, Farming and Public Use Corridor."

2.3 Findings. The People of the City of Carlsbad find and declare that the subject area affected by this measure is currently regulated by City policy and established land use documents including the City of Carlsbad General Plan, the City Zoning Ordinance, the Carlsbad Habitat Management Plan, the Agua Hedionda Land Use Plan, the Mello II Local Coastal Plan and the Carlsbad Ranch Specific Plan. The City also has a comprehensive Growth Management Plan that sets limits on the amount of residential development and that requires public facilities to be provided concurrent with growth. The People of the City of Carlsbad desire the General Plan and

the Zoning Ordinance be amended to (1) prohibit residential uses in the area; (2) ensure that this area is permanently protected and preserved for open space uses; (3) allow the farming operations in the area such as the Strawberry Fields and flower growing areas to continue; (4) enhance the existing protections of the Flower Fields; (5) provide for the protection of environmental resources in the area including compliance with the City's Habitat Management Plan; and (6)incorporate public trails, pedestrian accessibility, park uses, and other complementary and compatible public uses into the area.

3. Section 3. GENERAL PLAN AMENDMENTS

The Carlsbad General Plan is hereby amended as set forth in this Section.

3.1 The Land Use Element at page 27, Section II (D) is hereby amended to add a new Land Use Element Section II (D) (8) to read as follows:

8. The Cannon Road Open Space, Farming and Public Use Corridor

   The area along the Cannon Road corridor east of the Interstate 5 freeway presently consist primarily of open space and existing farming operations including the Flower Fields located to the south of Cannon Road and the existing Strawberry Fields located to the north of Cannon Road. The open space areas on the north side of Cannon Road provide spectacular views of the Agua Hedionda Lagoon and contain environmentally-sensitive natural habitat areas that need to be permanently protected.

   The existing Flower Fields and the Strawberry Fields as open space uses provide for productive use of portions of the area that enhance the cultural heritage and history of the City. Although the Flower Fields are already protected and restricted to agricultural use, the City shall utilize all existing programs and land use protections and explore other possible new mechanisms to keep the Flower Fields in production. The City shall also ensure that other farming uses such as the existing Strawberry Fields are allowed to continue as long as it is economically viable for the landowner to do so.

   The area is recognized for its significant open space opportunities; however, the area lacks adequate public access and public use areas so that the community can enjoy the open space opportunities provided in this area to their fullest potential. An interconnecting public trail through the area preferably linking the south shore of Agua Hedionda Lagoon with the existing Flower Fields could greatly enhance public access in the area. In addition, park and recreation uses that allow public gathering spaces and are compatible with other open space uses could offer opportunities for more community use and enjoyment of the area.

   Residential use is not appropriate for the area. Commercial and industrial-type uses other than those normally associated with farming operations are also not appropriate.

The Cannon Road Open Space, Farming and Public Use Corridor presents a unique opportunity for the City to create a sustainable, community-oriented open space area that balances social, economic and environmental values important to the community.

3.2 The Land Use Element at pages 37 and 38, Agriculture-C. Implementing Policies and Action Programs is hereby amended by deleting existing C.3 and replacing it with a new C.3 to read as follows:

C.3 The City shall utilize all existing programs and land use protections and explore possible new grant programs and other outside financial assistance to keep the existing Flower Fields in permanent farming and flower production.

3.3 The Land Use Element at page 40, Section III; Goals, Objectives and Implementing Policies and Action Programs, is hereby amended to add a new section entitled Special Planning Considerations-The Cannon Road Open Space, Farming and Public Use Corridor to provide as follows:

SPECIAL PLANNING CONSIDERATIONS-THE CANNON ROAD OPEN SPACE, FARMING AND PUBLIC USE CORRIDOR

A. Goal

Create a unique, community-oriented open space area along the Cannon Road corridor located immediately to the east of the Interstate 5 freeway including the existing Flower Fields and Strawberry Fields.

B. Objectives

B.1 To ensure that this area is permanently protected and preserved for open space uses.

B.2 To enhance the protection of the existing Flower Fields.

B.3 To allow the farming operations in the area such as the existing Strawberry Fields and flower growing areas to continue.

B.4 To provide for the protection and preservation of environmental resources in the area in coordination with landowners.

B.5 To increase public access and use to the area primarily through the incorporation of compatible public trails and active and passive recreation.

C. Implementing Policies and Action Programs

C.1 Protect and preserve this area as an open space corridor. Permit only open space, farming and compatible public uses in the area. Permitted uses shall be as follows:

(1) Open Space
(2) Farming and other related agricultural support uses including flower and strawberry Production
(3) Public trails
(4) Active and Passive park, recreation and similar public and private use facilities (except on the existing Flower Fields)
(5) Electrical Transmission Facilities

C.2 Prohibit residential development in the area.

C.3 Prohibit commercial and industrial-type uses in the area other than those normally associated with farming operations and open space uses.

C.4 Enhance public access and public use in the area by allowing compatible public trails, community gathering spaces and public and private, active and passive park and recreation uses.

C.5 Allow farming to continue in the area for as long as economically viable for the landowner.

C.6 Utilize all existing programs and land use protections and explore possible new mechanisms to keep the existing Flower Fields in production.

C.7 If determined to be necessary, the City shall amend the Zoning Ordinance and adopt a Cannon Road Open Space, Farming and Public Use Corridor Overlay Zone to apply to the area that would provide more detail on permitted uses and land use regulations applicable to the area.

C.8 The City shall initiate a public planning process with broad public participation to fully accomplish implementation of the goals, objectives and action programs listed above.

3.4 The Open Space and Conservation Element at page 16, Section F. Citywide Open Space Plan, Category 2: Open Space for Managed Production of Resources, Forestry/Agriculture/Aquaculture (2a), is hereby amended by changing the wording of the first sentence to read as follows:

> Forestry, agriculture and aquaculture are considered a category 5 citywide priority for future open space planning except that agricultural uses in the Cannon Road Open Space, Farming and Public Use Corridor shall be considered a category 1 priority.

4. Section 4. ZONING ORDINANCE AMENDMENTS

The Carlsbad Zoning Ordinance is hereby amended as set forth in this Section.

4.1 The official Zoning Map is amended to rezone the area as shown on Exhibit A provided herein and not presently zoned Open Space to the OS (Open Space) zone.

5. Section 5. IMPLEMENTATION

5.1 Effective Date. This measure shall become effective upon passage by the voters in accordance with Elections Code 9217. With respect to the General Plan Amendments contained in Section 3 of this measure, if the number of General Plan Amendments in the calendar year as permitted by California Government Code Section 65358 have already been utilized, the Amendments to the General Plan enacted by this measure shall be the first amendment and shall become effective on January 1 of the next year following passage. Upon the effective date of this measure, all entitlements (whether discretionary or ministerial) not yet issued or project approvals not yet approved, shall not be issued or approved unless they are consistent with all provisions of this measure.

5.2 Interpretation And Authority To Amend Other City Ordinances, Codes And Policies. This measure shall be interpreted so as to be consistent with all federal and state laws. It shall also be broadly interpreted and construed in order to achieve the purposes and findings stated in the measure. The City is hereby authorized to make any other amendments to the General Plan, the Zoning Ordinance or any other plans, policies or ordinances necessary to fully implement the provisions of this measure and to ensure consistency between the provisions of this measure and all other elements of the General Plan, the Zoning Ordinance, and any other plans, policies or ordinances. If deemed necessary, the City is authorized to amend the Zoning Ordinance to create and adopt a Cannon Road Open Space, Farming and Public Use Corridor Overlay Zone which would then be applied to the area affected by this measure. The Overlay Zone could provide more detail on permitted uses and regulations applicable to the area.

5.3 Public Process To Comprehensively Implement Measure. Upon the passage of this measure, the City shall initiate a comprehensive planning process with broad public participation and input to accomplish full implementation of the measure. The process shall include determining the most appropriate open space, recreational and public uses for the area, should farming become no longer economically-viable in the area. The process shall result in achieving complete General Plan, Zoning and Local Coastal Program consistency so that the full intent of this measure can be implemented by the City.

5.4 Severability. If any section, sub-section, sentence, clause, phrase, part, or other portion of this measure, or application thereof, is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the remaining portions or provisions of this measure. It is hereby declared by the people voting for this measure that this measure, and each section, sub-section, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, part, or portions, or the application thereof, are declared invalid or unconstitutional.

5.5 Conflicting Ballot Measures. This measure is inconsistent with and intended as an alternative to any other initiative(s) or measure(s) placed on the same ballot that addresses the same subject matter as this measure. In the event that this measure and another initiative(s) or measure(s) addressing the same subject matter as this measure, or any part thereof, is approved by a majority of voters at the same election, and this measure receives a greater number of affirmative votes than any other such initiative(s) or measure(s), then this measure shall prevail and control in its entirety and said other initiative(s) or measure(s) shall be rendered void and without any legal effect.

Exhibit List

Exhibit A - Map showing boundaries of Area affected by this measure

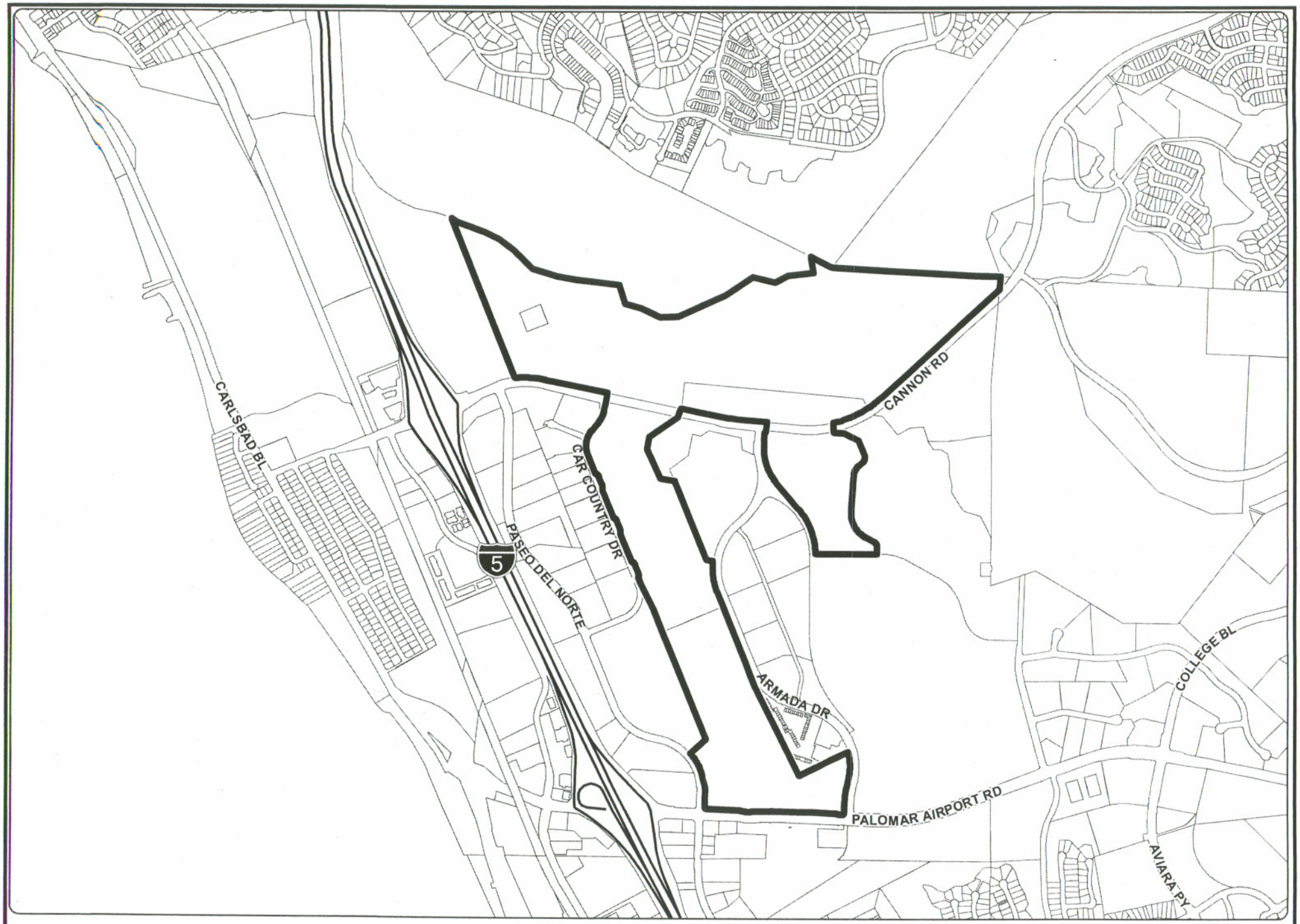

Exhibit A

The Cannon Road Open Space, Farming and Public Use Corridor

City of Carlsbad

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