

Agua Hedionda South Shore Specific Plan Impartial Analysis of Measure A

Measure A proposes a Specific Plan governing future land uses and development in the Agua Hedionda South Shore area. It amends the General Plan, Agua Hedionda Land Use Plan, and Zoning Code to facilitate development of visitor-serving commercial uses, increase open space, allow public access to open space, and continue agricultural uses.

Measure A was originally proposed by a citizen initiative signed by at least 15% of Carlsbad registered voters. On August 25, 2015, the City Council unanimously approved the Specific Plan by Ordinance No. CS-283. Subsequently, citizens circulated a referendum petition signed by at least 10% of the voters which required the City Council to reconsider Ordinance No. CS-283. The City Council then called a special election to allow voters to decide Measure A.

The Specific Plan encompasses 203.4 acres of privately owned land east of the I-5 freeway between Agua Hedionda Lagoon and Cannon Road. The western 48.3 acres have been designated for commercial use since at least 1982. The eastern 155.1 acres were designated open space in 2006 by Proposition D.

The Specific Plan re-designates 21.6 acres from commercial uses to open space. Up to 585,000 square feet of commercial uses in an outdoor shopping, dining and entertainment promenade is proposed on the remaining 26.7 commercial acres. City staff estimates a resulting \$2,575,000 net annual increase in general fund revenues. Public access to the open space would be provided through trails, picnic and vista areas, agriculture, farm to table dining, an outdoor classroom and amphitheater.

Measure A is not subject to review under the California Environmental Quality Act. The California Supreme Court held that a report prepared pursuant to Elections Code section 9212 is the exclusive means for assessing environmental impacts of initiatives. The City prepared a 9212 report at City Council direction.

The 9212 report reviewed the proponent's environmental analysis for compliance with City development standards. Staff determined environmental impacts were identified and mitigated, consistent with comparable development projects in the City and that the project met or exceeded city development standards, with the exception of traffic. Regional traffic growth will exceed City standards with or without the project. Measure A improves traffic by implementing traffic mitigation measures.

The Specific Plan establishes development standards and design guidelines. Matters not specifically regulated by the Specific Plan are subject to the Carlsbad Municipal Code and other City regulations. Future approvals and determinations regarding development in the Specific Plan area shall be made by the City Planner and are ministerial in nature. The California Coastal Commission will be required to approve the Specific Plan after voter adoption.

By its terms, Measure A shall not be amended or repealed without a vote of the people for 15 years. Thereafter, it may be amended or repealed by the City Council or a vote of the people. Without this provision, state law provides changes can only be made by a vote of the people.

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The above statement is an impartial analysis of Ordinance or Measure. If you desire a copy of the ordinance or measure, please call the elections official's office at 760-434-2808 and a copy will be mailed at no cost to you or a copy can be found on the City of Carlsbad website at www.carlsbadca.gov/cityhall/clerk.