

## 5.6 Land Use

### 5.6.1 Introduction

This section provides an inventory of existing and proposed designated land uses at the Carlsbad Energy Center Project (CECP) site and for the connection to the existing reclaimed water pipeline. It also evaluates the CECP's conformity with applicable land use plans and policies. Because CECP will be located on an existing power plant parcel, few of the typical power plant land use issues present themselves. CECP has also been designed to comport with current land use planning expectations of the City of Carlsbad and of the community. For instance, the new units are located away from the coastal front of the parcel. Further, the project includes the retirement of Units 1, 2, and 3 of the Encina Power Station which are located adjacent to the coast. In addition, the CECP will not use ocean water for once-through cooling.

Section 5.6.2 discusses the land use planning framework surrounding the project and adopted local, regional, and state land use plans and permits applicable to the CECP. Section 5.6.3 provides an overview of the affected environment, including agricultural uses located offsite of the CECP location but within the study area (i.e., within 1-mile of the CECP site and within 0.25 mile of the CECP's linear facilities), and describes existing and planned land uses in the land use study area. Section 5.6.4 discusses recent or proposed Zoning and General Plan amendments completed by public agencies within the past 18 months. Section 5.6.5 discusses recent discretionary review by public agencies within the past 18 months. Section 5.6.6 presents an analysis of potential land use and agricultural impacts of the CECP and the CECP's conformity with existing and designated land uses and applicable plans and policies. Section 5.6.7 discusses cumulative effects. Section 5.6.8 discusses mitigation measures. Section 5.6.9 provides proposed conditions of certification. Section 5.6.10 provides the agencies and agency contacts for land use issues. Section 5.6.11 provides a discussion of permits and the permit schedule. Section 5.6.12 lists the references used in preparing this section.

### 5.6.2 Onsite and Adjacent Land Uses

The existing Encina Power Station is located within the City of Carlsbad adjacent to the southern edge of the Agua Hedionda Lagoon. The total land acreage of the existing Encina Power Station is approximately 95 acres, not including the Agua Hedionda Lagoon acreage owned by Cabrillo Power I LLC (Cabrillo). It is bounded by SDG&E property to the south, Interstate 5 (I-5) to the east, Carlsbad Boulevard to the west, and Agua Hedionda Lagoon to the north. The north/south AT&SF/North County Transit District (NCTD) Rail Corridor bisects the area.

The Encina Power Station has been in operation as a power generation station since 1954 with no material change in the land use of the site since origination. Over the years, several operational and infrastructure changes have occurred, including the addition of the 400-foot high stack to disperse air emissions, the addition and expansion of buildings, and other site improvements. In 1999, Cabrillo acquired the power plant from San Diego Gas and Electric (SDG&E) and now owns the power plant and related facilities, fuel oil storage tanks, and lagoon areas. Existing land uses adjacent to the Encina Power Station area include open

space (Middle and Outer Agua Hedionda Lagoon and public beach), and transportation corridors (railroad and I-5). The Carlsbad Aqua Farm is located adjacent to the lagoon's southern shore and Hubbs Sea World Research Institute and fish hatchery is located on the north side of the outer lagoon. Land uses and zoning surrounding the Encina Power Station are summarized below in Tables 5.6-3 and 5.6-4, and shown in Figures 5.6-1 and 5.6-2. An expanded discussion of the applicable City of Carlsbad planning documents is included in Section 5.6.2.3.

The following discussion outlines the current land use planning framework associated with the California Energy Commission (CEC) licensing of the CECP, and serves as a guide to understanding the applicable plans and policies related to licensing the CECP. The City of Carlsbad land use planning framework as it relates to the CEC licensing of the CECP is summarized below and the implications of each of the plans is outlined in Table 5.6-1.

**TABLE 5.6-1**  
Implications of City of Carlsbad Plans and Policies for the CECP

<b>City of Carlsbad Plan/Policy</b>	<b>Authority</b>	<b>Implications</b>
General Plan	Establishes the vision and planning framework for the future development of the City. Designates the land for the proposed CECP as Public Utility (PU) which allows for the generation of electrical energy.	Specific Plan 144 (described below) requires consistency with applicable General Plan policies.
Zoning Ordinance	Implements the General Plan, and is by law consistent with the General Plan. Designates the land for the CECP as PU. The PU zoning district implements the corresponding General Plan designation of PU. The PU Zone allows for the generation and transmission of electrical energy and requires the approval of a precise development plan (PDP) prior to building permit issuance for any development in the PU zone district.	Specific Plan 144 requires consistency with applicable Zoning Ordinance requirements. Presently a PDP (PDP 00-02) serves as an informational and regulatory document to meet the City's zoning requirements for the PU Zone for the Encina Power Station.
Specific Plan 144	Sets forth the existing land uses and regulations applicable to the area of the Agua Hedionda Lagoon, including the Encina Power Station.	Specific Plan 144 must be amended by the City of Carlsbad to accommodate the CECP. This amendment (SP 144(I)) will be processed concurrently with the CEC process and corresponding amendment to the PDP.
Encina Power Station PDP	Serves as an informational and regulatory document to meet the City's zoning requirements for the PU Zone as it applies to the Encina Power Station, and thus the CECP.	The PDP must be amended by the City of Carlsbad to accommodate the CECP. This amendment, PDP 00-02(A), will be processed concurrently with the CEC process.
LCP and Agua Hedionda Land Use Plan (LUP)	Includes land use plans, policies, and standards for the 1,100-acre Agua Hedionda LUP within the City of Carlsbad's Coastal Zone. The Agua Hedionda LUP is one of the six segments of the City of Carlsbad's Local Coastal Program (LCP). Although the City has adopted the Agua Hedionda LUP and incorporated it into its LCP, the CCC excluded the Agua Hedionda segment in its final certification of the City's LCP. By withholding certification, the CCC retained final permit authority for coastal development permit approval (CDP) within this area.	Proposed development within the deferred certification area within the coastal zone requires CCC approval. The CEC siting process addresses the relationship between the CCC and the CEC. Refer to Section 5.6.2.2.1.

TABLE 5.6-1  
Implications of City of Carlsbad Plans and Policies for the CECP

City of Carlsbad Plan/Policy	Authority	Implications
South Carlsbad Coastal Redevelopment Plan	Establishes a 555-acre redevelopment area, in which the CECP site and the Encina Power Station are located. This Plan presents the Carlsbad Housing and Redevelopment Commission's anticipated projects and programs through 2010. Redevelopment of the South Carlsbad area became a tool for the City to address areas of blight. One of the Redevelopment Plan goals is to facilitate the redevelopment of the Encina Power Station to a physically small and more efficient power generating plant.	Anticipates development of the CECP.

### 5.6.3 Laws, Ordinances, Regulations, and Standards

This section lists the types of land use laws, ordinances, regulations, and standards (LORS) that are applicable to the CECP.

#### 5.6.3.1 Federal LORS

##### 5.6.3.1.1 Title 14, CFR, Section 77.17

Title 14, CFR, Section 77.17, requires an applicant to submit a Notice of Proposed Construction or Alteration (FAA Form No. 7460-1) to the Federal Aviation Administration (FAA) for construction within 20,000 feet of the nearest runway of an airport with at least one runway longer than 3,200 feet. No airport meets these criteria in the vicinity of the CECP; therefore, no further action is required by the Applicant.

#### 5.6.3.2 State LORS

##### 5.6.3.2.1 California Coastal Commission, Coastal Act

The California Coastal Commission (CCC) was established by voter initiative in 1972 (Proposition 20) and later made permanent by the Legislature through adoption of the California Coastal Act of 1976. California Coastal Act, Public Resources Code (PRC) 30000 et seq., establishes a comprehensive scheme to govern land use planning along the entire California coast. The coastal zone varies in width from several hundred feet in highly urbanized areas up to five miles in certain rural areas, and offshore the coastal zone includes a three-mile-wide band of ocean. The CCC, in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone. Development activities, which are broadly defined by the Coastal Act to include (among others) construction of buildings, divisions of land, and activities that change the intensity of use of land or public access to coastal waters, generally require a coastal development permit (CDP) from either the CCC or the local government (California Coastal Commission, 2007).

The Coastal Act includes specific policies that address issues such as shoreline public access and recreation, lower cost visitor accommodations, terrestrial and marine habitat protection, visual resources, landform alteration, agricultural lands, commercial fisheries, industrial uses, water quality, offshore oil and gas development, transportation, development design, power plants, ports, and public works. The policies of the Coastal Act constitute the

statutory standards applied to planning and regulatory decisions made by the CCC and by local governments, pursuant to the Coastal Act.

The Coastal Act sets forth general policies which govern the CCC's review of permit applications and local plans. Specific to energy facilities, the Coastal Act requires that the CCC designate specific locations within the coastal zone where the establishment of a thermal power plant subject to the Warren-Alquist Act could prevent the achievement of the objectives of the Coastal Act. Pursuant to PRC § 30500, each local government lying within the coastal zone is required to prepare a local coastal program (LCP) for management of that portion of the coastal zone within its jurisdiction. Once the CCC certifies a LCP, the authority to issue CDPs for development within the coastal zone is delegated to the local jurisdiction. However, if the CCC has not certified the LCP, or a portion of an LCP, as is the case with the Agua Hedionda Land Use Plan (LUP) segment of the City of Carlsbad LCP, the CCC retains permit authority under the Coastal Act.

When the CEC undertakes the processing of a Notice of Intention (NOI) or an Application for Certification, (AFC) for any power plant or transmission line proposed to be located, in whole or in part, within the coastal zone, the CCC may participate in the CEC process. The CCC's participation in the CEC process replaces the normal Coastal Act permitting process and the Coastal Development Permit that would normally apply to a project in the coastal zone. The CEC must send the CCC a copy of any NOI. The CCC is required to analyze each NOI and, prior to completion of the CEC staff's preliminary report on the NOI forward to the CEC a written report on the suitability of the proposed site and related facilities specified in that notice. The CEC has, in the past, applied these NOI requirements to the processing of power plant projects that are exempt from the NOI process, as CECP is. In 1995 the Vice Chair of the CEC and the Chair of the Coastal Commission signed a Memorandum of Agreement (MOA) that among other things, calls for the CCC to submit a report pursuant to PRC § 30413(d) prior to the Final Staff Assessment (FSA) prepared by the CEC staff. Though the MOA does not have the authority of a regulation or a statute, it does describe the CEC's practice and policy regarding the CCC role in and AFC. Such CCC reports, however, should not be considered required by law or regulation.

Pursuant to PRC § 30143(d), the CCC's NOI report would normally contain a consideration of, and findings regarding, all of the following:

- The compatibility of the proposed site and related facilities with the goal of protecting coastal resources.
- The degree to which the proposed site and related facilities would conflict with other existing or planned coastal-dependent land uses at or near the site.
- The potential adverse effects that the proposed site and related facilities would have on aesthetic values.
- The potential adverse environmental effects on fish and wildlife and their habitats.
- The conformance of the proposed site and related facilities with certified local coastal programs in those jurisdictions which would be affected by any such development.

- The degree to which the proposed site and related facilities could reasonably be modified so as to mitigate potential adverse effects on coastal resources, minimize conflict with existing or planned coastal-dependent uses at or near the site, and promote the policies of this division.
- Such other matters as the commission deems appropriate and necessary to carry out this division.

The Coastal Act also provides that “[c]oastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted as reasonable long-term growth where consistent with [the Coastal Act]” (PRC § 30260.) CECP will be located entirely within the footprint of the existing, Encina Power Station, which remains coastal-dependant. While the CECP units use dry-cooled technology and do not require seawater for cooling as Encina Power Station does, expansion of electrical generation facilities at the Encina Power Station is consistent with the Coastal Act. Section 30264 of the Coastal Act states that “new or expanded thermal electric generating plants may be constructed in the coastal zone if the proposed coastal site has been determined by the [CEC] to have greater relative merit . . . than available alternative sites and related facilities for an applicant's service area. . .” (PRC § 30264.) The Encina Power Station property is zoned for public utility use and has been previously developed in its entirety for industrial uses. Construction of the CECP on the site of an existing industrial property, with limited adjacent sensitive uses, has greater relative merit to development than an alternative site. In addition, there are no available alternative sites within the City of Carlsbad, which are zoned for public utility use and which are located outside of the coastal zone.

#### 5.6.3.2.2 Warren-Alquist Act

The CEC’s AFC process is equivalent to the California Environmental Quality Act (CEQA) under the Warren-Alquist Act; so the AFC fulfills the requirements of CEQA. CEQA is codified in the California PRC, Sections 21000 through 21178.1. Guidelines for implementation of CEQA are codified in the California Code of Regulations (CCR) Sections 1500 through 15387. As noted above, the CEC’s permitting process under the Warren Alquist Act also supplants Coastal Development Permit requirements under the Coastal Act. The CEC’s permitting process under the Warren Alquist Act also supplants local government permitting and approvals.

Public Resources Codes Section 25500 of the Warren-Alquist Act provides that the CEC “shall have the exclusive power to certify all sites and related facilities in the state.” Thus, the CEC has exclusive jurisdiction over the permitting of CECP. The authority of the CEC is “in lieu of any permit, certificate, or similar document required by any state, local or regional agency... and shall supersede any applicable statute, ordinance, or regulation of any state, local, or regional agency...”

The CEC’s authority to permit power plants, thus, supersedes all local ordinances including zoning or land use plans. The CEC normally, however, defers to and allows the local land use jurisdiction to make changes to plans, zones, and allowed uses. Where such a local jurisdiction does not or will not make changes, the CEC is allowed to permit the facility where special findings are made. Specifically, Public Resources Code Section 25525 allows the CEC to permit facilities not in compliance with local ordinances where it “determines

that the facility is required for public convenience and necessity and that there are not more prudent and feasible means of achieving public convenience and necessity.”

In June 1980, the CEC prepared a report entitled, *Opportunities to Expand Coastal Power Plants in California*. The study examined opportunities to expand existing coastal zone power plants in California, specifically identifying expansion opportunities at the Encina Power Station (see Appendix 6A).

#### **5.6.3.2.3 California Land Conservation Act (Williamson Act).**

The California Land Conservation Act of 1965, commonly known as the Williamson Act, was enacted to encourage preservation of agricultural lands. The main purposes of the Williamson Act are to preserve agricultural land and to encourage open space preservation and efficient urban growth. The Williamson Act provides incentives to landowners through reduced property taxes to create an agricultural preserve and agree to keep their land in agricultural production (or another compatible use) for at least 10 years. Maps, statistics, and reports on Williamson Act lands are available online.

### **5.6.3.3 Local LORS**

#### **5.6.3.3.1 City of Carlsbad Plans and Policies**

Land use provisions included in every California city and county general plan (California State Planning Law, Government Code §65302, et seq.) reflect the goals and policies that guide the physical development of land in their jurisdiction. The following descriptions identify the City of Carlsbad planning documents that apply to development within the existing Encina Power Station.

##### ***City of Carlsbad General Plan***

City of Carlsbad General Plan establishes the vision and planning framework for the future development of the City, and as such, has identified the general distribution, location and extent of land uses within the City’s boundaries. The General Plan designates the Encina Power Station, including the CECP site as U “Public Utility”. This designation allows for such things as the generation of electrical energy, treatment of waste water, and operating facilities, or other primary utility functions designed to serve all or substantial portion of the community. The City of Carlsbad Specific Plan 144H (described below) provides for the orderly development of the area in the vicinity of the Encina Power Station. In addition the Encina Power Station Precise Development Plan (PDP) (described below) also specifies the zoning ordinance requirements applicable to any new development at the Encina Power Station.

##### ***City of Carlsbad Specific Plan 144***

Specific Plan 144 was originally adopted by the City of Carlsbad Ordinance 9279 on August 3, 1971. The purpose of the Specific Plan was to provide rules and regulations for the orderly development of 680 acres of land located east of the Pacific Ocean, south of Agua Hedionda Lagoon, and north of what is now Cannon Road and provide design and development guidelines for the operation and expansion of the Encina Power Station, then owned by SDG&E. As originally adopted, the Specific Plan placed 13 conditions of development on the power plant property and provided for methods of enforcement. Since 1977, the Specific Plan has undergone multiple amendments, and is currently documented as Specific Plan 144H. Specific Plan 144H area incorporates the Agua Hedionda

Lagoon on the West and East sides of I-5 and includes agricultural land in the southeast, and the Encina Power Station in the west (City of Carlsbad, 2006a).

Generally, the development standards and land use designations in Specific Plan 144H are the same as the standards contained in the City of Carlsbad General Plan. Specific Plan 144H incorporates the General Plan land use designations for the area covered by Specific Plan 144H. The Specific Plan is therefore consistent with the General Plan.

Specific Plan 144H authorizes no new development in the Specific Plan area over and above that allowed by Encina Power Station Precise Development Plan (PDP 00-02) (described below). The City of Carlsbad has instituted zoning regulations for the area covered by Specific Plan 144H. In the future, any amendment to the City of Carlsbad Zoning Ordinance affecting an area covered by this Specific Plan will require zoning to be consistent with the Specific Plan per Government Code Section 65455.

The General Plan for the City of Carlsbad designates the land contained in the Specific Plan 144H area as RH "Residential High Density", U "Public Utility", OS "Open Space", and T-R "Travel/Recreation Commercial." The Encina Power Station is designated U and the majority of the remaining Specific Plan area is designated OS. The Public Utility General Plan designation on the power plant site allows for the generation of electrical energy, treatment of waste water, and operating facilities, or other primary utility functions designed to serve all or a substantial portion of the community.

The Specific Plan provides regulations for the development of the Encina Power Station, allows for the generation of electrical energy, and incorporates the Encina Power Station PDP. The current PDP allows for the generation of electrical energy at the Encina Power Station to serve all or a substantial portion of the community. Thus, the Encina Power Station is consistent with the provisions of the General Plan. In addition to the generation of electricity, the only other allowed development is the proposed Carlsbad Desalination Plant. While the proposed Desalination Plant is located within the boundaries of the Encina Power Station and is proposed to use the existing sea water in-take, the desalination project would not be part of the Encina Power Station's current operations or the future operations of the CECP.

Specific Plan 144H will need to be amended to accommodate a revised PDP (see discussion below). The Applicant is filing an amendment application to the City of Carlsbad. A copy of the amendment application will be provided to the CEC under separate cover.

#### *City of Carlsbad Zoning Ordinance*

City of Carlsbad Zoning Ordinance serves as the legal mechanism for implementation of the General Plan. The Zoning Ordinance designates the land for the CECP as Public Utility (PU). The PU Zone implements the corresponding General Plan designation of Public Utility (U). The PU Zone allows for the generation and transmission of electrical energy, use and storage of fuel oils, and energy transmission facilities, all of which are existing uses at the Encina Power Station. The PU Zone also specifies that the issuance of any building permits or entitlements cannot occur until a PDP has been approved for the property. As a result, an existing Encina Power Station PDP serves as an informational and regulatory document to meet the City's zoning requirements for the PU Zone as it applies to the Encina Power Station.

### ***Encina Power Station Precise Development Plan***

The Encina Power Station Precise Development Plan (PDP) serves as an informational and regulatory document to meet the City's zoning requirements for the Public Utility (PU) Zone as it applies to the Encina Power Station. The PDP is a requirement of the Specific Plan 144H. The PU, Chapter 21.36 of the Carlsbad Municipal Code, implements the corresponding General Plan designation of Public Utility (U). Section 21.36.020 of the Public Utility Zone lists permitted uses and structures, including the generation and transmission of electrical energy, use and storage of fuel oils, and energy transmission facilities, all of which are existing uses at the Encina Power Station. The processing, use, and storage of domestic and agricultural water supplies are also identified as permitted uses in the PU Zone. Section 21.36.030 of the PU Zone requires the adoption of a PDP prior to the issuance of any building permits or entitlements for the property. The PDP is prepared consistent with the requirements of the PU Zone, and serves as the site's official PDP. The PDP will require amendment to accommodate the CECP. The Applicant is filing an amendment application to the City of Carlsbad. A copy of the amendment application will be provided to the CEC under separate cover.

### ***South Carlsbad Coastal Redevelopment Plan***

The South Carlsbad Coastal Redevelopment Plan established a 555-acre redevelopment area, which includes the CECP site and the Encina Power Station. This Plan presents the Carlsbad Housing Redevelopment Commission's anticipated projects and programs through 2010. The Plan was originally adopted by the Housing and Redevelopment Commission in 2000 and superseded by the 2006 Implementation Plan. Redevelopment of the South Carlsbad area became a tool for the City to address areas of blight related to dilapidated and deterioration buildings, health and safety hazards, incompatible uses, and inadequate utilities and infrastructure. One of the Redevelopment Plan goals is to facilitate the redevelopment of the Encina Power Station to a physically small and more efficient power generating plant.

### ***Local Coastal Program and Agua Hedionda Land Use Plan***

The City of Carlsbad's Local Coastal Program (LCP), adopted in 1996, includes the City's land use plans, and policies, and standards and an implementing ordinance (Zoning Ordinance) for those portions of the City that lie within the coastal zone. The LCP meets the requirements, and implement the provisions and policies of the California Coastal Act. The City's LCP includes six planning areas or segments that cover approximately one-third of the City. The CECP is located within the 1,100-acre Agua Hedionda Land Use Plan (LUP) segment which was originally adopted by the City of Carlsbad in 1982. In addition to the area within the CECP and other lands covered under the Agua Hedionda LUP, the Agua Hedionda segment consists of three distinct areas; the Outer Lagoon, Middle Lagoon, and Inner Lagoon. These areas are shown on Figure 5.6-1.

Although the City has adopted the Agua Hedionda LUP and incorporated it into its LCP, the CCC excluded the Agua Hedionda segment in its final certification of the City's LCP. By withholding certification, the CCC retained final CDP authority for this area (referred to as the "deferred certification area"). Therefore, any proposed development within the deferred certification area would normally require a CDP issued by the CCC while proposed development outside the Agua Hedionda segment and still within the City's coastal zone would normally require a CDP issued by the City.

### *City of Carlsbad Habitat Conservation and Management Plans*

The CECP site is located within the City of Carlsbad Subarea Plan within the North County Multiple Habitat Conservation Plan (MHCP). The MHCP has been prepared for a portion of San Diego County including the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. The MHCP is a long-term conservation program that addresses existing biological resources, proposed urban growth, habitat losses, and direct, indirect, and cumulative effects on sensitive species throughout the San Diego region. The MHCP is a multi-jurisdictional planning effort and each city is tasked with developing a sub-area plan in order to set policies and regulatory mechanisms to carry out the goals outlined in the regional MHCP. The Habitat Management Plan for Natural Communities in the City of Carlsbad (HMP), which serves as the city's sub-area plan and received its final approval in November, 2004, proposes a comprehensive, citywide program to preserve the diversity of habitat and protect sensitive biological resources while allowing for additional development consistent with the City's General Plan and its Growth Management Plan. The HMP also identifies existing and proposed conservation areas that are present in the general vicinity of the CECP site. The MHCP and HMP are discussed further in Section 5.2, Biological Resources.

### *Local Facilities and Improvement Plan/Local Facilities Management Plan*

As part of its Growth Management Program, the City of Carlsbad adopted the 1986 *Citywide Facilities and Improvement Plan* in order to implement the City's General Plan and Zoning Ordinance. In accordance with Chapter 21.90 of the Carlsbad Municipal Code, the City has established Local Facilities Management Plans (LFMP) as part of the City's Growth Management Program. The LFMPs address existing and future infrastructure needs in the context of projected demand. The LFMP ensures that development does not occur unless adequate public facilities and services exist or will be provided concurrent with new development. Consistent with the Citywide Plan, each plan contains performance standards (i.e., thresholds) for public facilities and services. This provides the City with quantitative guidance as to whether or not a project will be in conformance with adequate public facility and service provision thresholds. Therefore, projects within the City of Carlsbad are subject to thresholds for circulation, city administrative facilities, fire, schools, libraries, park and recreation resources, open space, wastewater treatment capacity, sewer collection system, drainage/storm water system and water distribution. It should be noted that the LFMP thresholds for city administrative facilities, fire, schools, libraries, and park and recreation resources are not applicable to the proposed project because they are population based, and the project would not directly generate additional population. Those LFMP thresholds that are applicable to the project are identified and described below:

- **Wastewater Treatment Capacity:** Sewer treatment plant capacity is adequate for at least a five year period.
- **Sewer Collection:** Trunk-line capacity to meet demand as determined by the appropriate sewer district must be provided concurrent with development.
- **Drainage Facilities:** Drainage facilities must be provided as required by the City concurrent with development.

- **Water Distribution:** Line capacity to meet demand as determined by the appropriate water district must be provided concurrent with development. A minimum 10-day average storage capacity must be provided prior to any development.
- **Open Space:** Fifteen percent of the total land area in the zone exclusive of environmentally constrained non-developable land must be set aside for permanent open space and must be available concurrent with development.
- **Circulation:** No road segment or intersection which is impacted by development shall be projected to exceed a service level C during off-peak hours nor service level D during peak hours.

### *Scenic Corridor Guidelines*

The Scenic Corridor Guidelines were adopted in 1988 for the purpose of, (1) identifying streets within the City of Carlsbad to be designated as scenic corridors, and (2) to suggest ways to preserve and enhance the character of those streets. Within the Encina Power Station PDP area, the Guidelines identify Carlsbad Boulevard as a Community Theme Corridor and the AT&SF/NCTD Railway as a Railroad Corridor. A stated goal for the Carlsbad Boulevard Corridor is to, "Preserve the natural quality of the lagoon areas by providing little, if any, additional landscaping in those areas of the corridor adjacent to a lagoon." For the railroad corridor, the Guidelines state that buildings adjacent to the railroad right-of-way shall be architecturally articulated to vary building elevations and height. There is importance placed on maintaining a pleasant building façade along the right-of-way for the enjoyment of railroad passengers.

The CECP site is visually within the Carlsbad Boulevard Theme Corridor; however, the guidelines are directed towards property directly adjacent to the roadway, bluffs, and beaches. One applicable goal is to preserve the natural quality of the lagoon areas by providing little, if any additional landscaping in those areas of the corridor adjacent to the lagoon. This precludes the use of extensive street trees and roadside plantings for additional screening. Installation of any landscaping or screening walls along the Carlsbad Boulevard frontage of the Encina Power Station area are expected to be consistent with Scenic Corridor Guidelines.

As the CECP site is adjacent to the NCTD railroad corridor, it also would be subject to the Railroad Corridor guidelines. Applicable guidelines include:

- A predominant theme tree should be encouraged on adjacent properties. The suggested tree is Torrey Pine.
- Selective berming and landscaping can be encouraged to improve aesthetics and control noise.
- Buildings adjacent to the railroad right-of-way shall be architecturally articulated to vary building elevations and height to maintain a pleasant building façade that would be visible along the railroad right-of-way.

As noted above, the CECP design and proposed screening concepts meet the intent of the Scenic Corridor Guidelines.

### ***Comprehensive Open Space and Conservation Resource Management Plan***

The City of Carlsbad's Open Space and Conservation Resource Management Plan provides the framework for protection of the City's open space resources. The Agua Hedionda Lagoon is designated as open space and forms the northern boundary of the Encina Power Station PDP planning area. Historically, this document was precursor to the currently approved Habitat Management Plan (HMP).

### ***McClellan-Palomar Airport Comprehensive Land Use Plan***

The McClellan-Palomar Airport Comprehensive Land Use Plan (CLUP) was adopted by SANDAG in 1994. A Draft update of the plan was issued for public review in March 2005. The CLUP identifies specific areas around the airport that may be impacted by airport noise or which may be subject to limitations on the height and intensity of development.

These specific areas include the Airport Influence Area, which encompasses a broad area around the McClellan-Palomar Airport, and the more focused Runway Protection Zones (RPZ) and Flight Activity Zones, which overlay smaller areas adjacent to the airport. The CECP site is located outside of these zones, and therefore not impacted by the CLUP.

### ***City of Carlsbad Noise Guidance Manual***

The City of Carlsbad Noise Guidance Manual (1995) states that if potential construction noise impacts have been identified for a project, then conditions of approval may be applied to the project to minimize these impacts. Examples of such conditions require the use of properly operated and maintained mufflers if operated within 1,000 feet of a dwelling or noise sensitive use. Refer to Section 5.7.2.3 for additional information regarding the CECP's consistency with other applicable noise regulations.

### ***City of Carlsbad Landscape Manual***

The City of Carlsbad considers that landscaping and site design help produce character and visual image for Carlsbad, creating an enduring impression of the community. The City of Carlsbad Landscape Manual is intended to aid applicants and their landscape architects in understanding the City's policies toward landscaping. It is a comprehensive document listing programs, policies, and requirements relating to landscaping within the City. This document applies to all and private developments requiring discretionary permits or submittal of landscape plans. Additional information regarding the CECP proposed landscaping screening is provided in Section 5.13.3.

For purposes of this AFC, the CECP is analyzed for its conformity with applicable land use plans and policies is presented in Tables 5.6-5 and 5.6-6.

Table 5.6-2 lists the applicable LORS and references the AFC section that explains the CECP's conformance with each LORS.

TABLE 5.6-2  
Laws, Ordinances, Regulations, and Standards for Biological Resources

LORS	Requirements/Applicability	Administering Agency	AFC Section Explaining Conformance
<b>Federal</b>			
14 CFR 77.17	Requires applicant for construction within 20,000 feet of an airport to submit Form 7460-1 to the FAA.	FAA	5.6.2.1.1
<b>State</b>			
California Coastal Commission, Coastal Act	Established policies to guide orderly development within California's coastal zone.	California Coastal Commission Energy Unit 45 Fremont Street, Suite 2000 San Francisco, CA 94105-2219	5.6.2.2.1
Warren-Alquist Act and CEQA; California Public Resources Code, Sections 21000 through 21178.1, including Guidelines for implementation of CEQA are codified in the California Code of Regulations (CCR) Sections 15000 through 15387.	Establishes policies and procedures for review of proposed power plants greater than 50 MW in California.	California Energy Commission 1516 Ninth Street Sacramento, CA 95814	5.6.2.2.2
California Lands Conservation Act (Williamson Act)	Preserves agricultural land and to encourages open space preservation and efficient urban growth.	Department of Conservation (NRCS)	5.6.2.2.3
<b>Local</b>			
General Plan (1994)	Establishes the vision and planning framework for the future development of the City, and as such, has identified the general distribution, location and extent of land uses within the City's boundaries.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5
Zoning Ordinance (2007) Carlsbad Municipal Code, Title 21	Serves as the legal mechanism for implementation of the General Plan, and is by law consistent with the General Plan.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-6

**TABLE 5.6-2**  
Laws, Ordinances, Regulations, and Standards for Biological Resources

<b>LORS</b>	<b>Requirements/Applicability</b>	<b>Administering Agency</b>	<b>AFC Section Explaining Conformance</b>
Specific Plan 144 (2006)	Sets forth the existing land uses and land use regulations applicable to the Agua Hedionda Lagoon area, including the Encina Power Station.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5
Encina Power Station PDP (2006)	Serves as an informational and regulatory document to meet the City's zoning requirements for the PU as the zone applies to the Encina Power Station. The PDP: a. Depicts the existing land uses and baseline conditions; b. Establishes development standards consistent with applicable zoning requirements; c. Includes provisions for administrative approvals for minor accessory uses and facility modifications necessary for daily power generation and desalination operations and to meet security requirements; d. Establishes PDP amendment procedures; e. Facilitates building permit issuance for allowed uses at the Encina Power Station.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5
Scenic Corridor Guidelines	Identifies streets within the City of Carlsbad to be designated as scenic corridors, and suggests ways to preserve and enhance the character of those corridors.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5
Local Facilities Management Plan (LFMP)	Part of the City's Growth Management Program and addresses existing and future infrastructure needs.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5

**TABLE 5.6-2**  
Laws, Ordinances, Regulations, and Standards for Biological Resources

<b>LORS</b>	<b>Requirements/Applicability</b>	<b>Administering Agency</b>	<b>AFC Section Explaining Conformance</b>
Local Coastal Program (LCP) and Agua Hedionda Land Use Plan (2006)	Includes the City's land use plans, policies, and standards and an implementing ordinance (Zoning Ordinance) for the City's Coastal Zone. Although the City has adopted the Agua Hedionda LUP and incorporated it into its LCP, the CCC excluded the Agua Hedionda segment in its final certification of the LCP. By withholding certification, the CCC retained final permit authority for this area. Any proposed development within the deferred certification area requires CCC approval.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5
Comprehensive Open Space and Conservation Resource Management Plan	Provides the framework for protection of the City's open space resources.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5
South Carlsbad Coastal Redevelopment Plan (2006)	Establishes a 555-acre redevelopment area which includes the CECP site and the Encina Power Station.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5
Comprehensive Land Use Plan (CLUP), McClellan-Palomar Airport (1994)	Identifies areas likely to be impacted by noise and flight activity created by aircraft operations at the airport.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5
Landscape Manual (1990)	Aids applicants and their landscape architects in understanding the City's policies toward landscaping. It lists programs, policies, and requirements relating to landscaping within the City.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5
Noise Guidelines Manual (1995)	Provides guidelines and procedures to implement policies outlined in the Noise Element of the Carlsbad General Plan.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5

**TABLE 5.6-2**  
Laws, Ordinances, Regulations, and Standards for Biological Resources

<b>LORS</b>	<b>Requirements/Applicability</b>	<b>Administering Agency</b>	<b>AFC Section Explaining Conformance</b>
San Diego County Multiple Habitat Conservation Program (2003)	Establishes a regional effort conducted in conjunction with Section 10a of the Federal Endangered Species Act and the California Natural Communities Conservation Planning Act and is the framework for development of a regional habitat preserve for rare plant and wildlife species in northwestern San Diego County.	San Diego County	Table 5.6-5 and Section 5.2, Biological Resources
Habitat Management Plan for Natural Communities in the City of Carlsbad (2004)	Serves as the city's sub-area plan and identifies existing and proposed conservation areas in the general vicinity of the CECP site.	City of Carlsbad Planning Department 1635 Faraday Avenue Carlsbad, CA 92008	Table 5.6-5 and Section 5.2, Biological Resources

## 5.6.4 Affected Environment

In accordance with the CEC Siting Regulations, this section discusses the affected environment for the study area (i.e. for 1-mile surrounding the CECP site and 0.25 mile from the center line of the reclaimed water pipeline linear).

### 5.6.4.1 General Description of Study Area

The CECP site is located in the City of Carlsbad, in San Diego County. The CECP site is bounded to the north by the Agua Hedionda Lagoon, to the east by I- 5 and agricultural lands, to the south by residential, and to the west by the existing Encina Power Station, Carlsbad Boulevard and the Pacific Ocean.

### 5.6.4.2 Existing Land Uses, Planning, and Zoning Designations

A general plan is a plan for future development that includes goals and policies to guide development. The Carlsbad General Plan (City of Carlsbad, 1994) is the planning document applicable to the CECP site and all project-related linears. The City of Carlsbad Zoning Ordinance is a regulatory tool used to implement the General Plan. It defines zones that dictate permitted uses as well as design requirements such as setbacks and height limits.

General Plan Land Use Designations within the project vicinity include Open Space, Public Utilities, and Travel/Recreation Commercial. General Plan Land Use Designations adjacent to the CECP site and within a 1-mile radius of the site include Elementary School, Junior High School, Planned Industrial, Open Space, Public Utilities, Regional Commercial, Local Shopping Center, Travel/Recreation Commercial, Office and Related Commercial, Village, Low-Medium Density, Medium Density, Medium-High Density, and High Density (Figure 5.6-1). Land Use Designations are described in Table 5.6-3.

Zoning designations (City of Carlsbad Municipal Code, Chapter 21.36) within the project vicinity include Residential Agricultural, Public Utility, and Open Space. Zoning Designations adjacent to the CECP site and within a 1-mile radius of the site include Residential Agricultural, One-Family Residential, Two-Family Residential, Multiple-Family Residential, Residential Density-Multiple, Residential Professional, Tourist Commercial, Public Utility, Village Redevelopment, Planned Community, Open Space, Neighborhood Commercial Zone, and General Commercial Zone (Figure 5.6-2). Zoning Designations are described in Table 5.6-4.

#### 5.6.4.2.1 CECP Power Plant Site

The CECP site is comprised of approximately 23-acres. The site is located in an industrial area in the City of Carlsbad, in San Diego County within the existing Encina Power Station. The Carlsbad General Plan and Zoning Ordinance both designate the Encina Power Station site as Public Utility (U and PU, respectively) and the CECP site is located within the Public Utility designation which specifically allows electrical generation and transmission facilities. The total land acreage of the existing Encina Power Station is approximately 95 acres, not including the Agua Hedionda Lagoon acreage owned by Cabrillo Power I LLC. The Encina Power Station consists of an approximately 65 acre parcel containing the existing generating equipment (Assessor Parcel Number [APN] 210-01-43) and an approximately 30 acre parcel west of the railroad tracks containing the fuel tanks that are being removed and upon which CECP will be constructed (APN 210-01-41).

TABLE 5.6-3  
 City of Carlsbad General Plan Land Use Designations in the Project Vicinity  
*Permitted Uses for General Plan Land Use Designations*

Land Use Designation *	General Plan
<b>Land Use Designations Adjacent to the CECP Site</b>	
Open Space (OS)	Provides for the following: (a) Preservation of Natural Resources; (b) Managed Production of Resources; (c) Outdoor Recreation; (d) Aesthetic, Cultural and Educational; and (e) Public Health and Safety. It also includes goals, policies, and objectives regarding open space planning protection, obtaining open space, special resource protection, trail/green-way system, promoting agriculture, fire risk management, air quality preservation, water quality, protection and historical and cultural preservation
Public Utilities (U)	Applies to areas within the City, both existing and proposed, either being used or which may be used for public or quasi-public functions. Primary functions include the generation of electrical energy, treatment of waste water, public agency maintenance storage and operating facilities, or other primary utility functions designed to serve all or a substantial portion of the community. Sites identified with a U designation indicate that the City is studying or may in the future evaluate the location of a utility facility which could be located within a one kilometer radius of the designations on a site for such a facility. Specific siting for such facilities shall be accomplished only by a change of zone, and an approved PDP adopted by ordinance and approved only after fully noticed public hearings.
Travel/Recreation Commercial (T-R)	Applies to areas for visitor attractions and commercial uses that serve the travel and recreational needs of tourists, residents, and employees of business and industrial centers. Such uses may include, but are not limited to, hotels and motels, restaurants, recreation facilities, museums, travel support services, and specialty retail uses catering to tourists. Travel/recreation commercial uses are generally located near major transportation corridors or recreational and resort areas such as spas, hotels, beaches or lagoons. Travel/recreation commercial uses should be compatible with and designed to protect surrounding properties, should ensure safe traffic circulation and should promote economically viable tourist-oriented areas of the City.
<b>Land Use Designations Within the CECP Study Area</b>	
Elementary School (E)	Represents both existing and proposed school sites necessary to serve the City's planning areas. Sites are designated as elementary, junior high, high school, continuation school, and private school facilities.
Junior High School (J)	See E designation above
Planned Industrial (PI)	Includes those areas currently used for, proposed as, or adjacent to industrial development, including manufacturing warehousing, storage, research and development, and utility use. Agricultural and outdoor recreation uses on lots of one acre or more are considered to be a proper interim use for industrially designated areas.
Open Space (OS)	See description of OS above.
Public Utilities (U)	See description of U above.
Regional Commercial (R)	Allows shopping goods, general merchandise, automobile sales, apparel, furniture, and home furnishing in full depth and variety. Two or more department stores are typically the major anchors of a regional shopping center, while other stores supplement and complement the various department store lines.

**TABLE 5.6-3**  
 City of Carlsbad General Plan Land Use Designations in the Project Vicinity  
*Permitted Uses for General Plan Land Use Designations*

<b>Land Use Designation *</b>	<b>General Plan</b>
Local Shopping Center (L)	Allows shopping centers that include elements of the traditional neighborhood center and, under some circumstances, elements of the traditional community shopping center.
Travel/Recreation Commercial (T-R)	See description of T-R above.
Office & Related Commercial (O)	Designates areas that are compatible with and environmentally suited for office and professional uses, as well as related commercial uses. This designation is especially appropriate for medical office use. Office and related commercial land use can be used as buffers between retail commercial areas and residential uses.
Village (V)	Addresses land uses located in the heart of “old” Carlsbad in the area commonly referred to as the “downtown.” Permitted land uses may include retail stores, offices, financial institutions, restaurants and tourist-serving facilities.
Low-Medium Density (RLM)	Allows development with single-family dwellings at a density between 0 to 4 dwelling units per acre. On sites containing sensitive biological resources, as identified in the Carlsbad Habitat Management Plan, development other than single-family dwellings may be approved with a PDP, subject to the density range of this designation.
Medium Density (RM)	Allows development with single-family dwellings, two-family dwellings and multiple-family dwellings at a density between 4 to 8 dwelling units per acre.
Medium-High Density (RMH)	Allows development with two-family dwellings and multiple-family dwellings, as well as single-family dwellings (developed as two or more detached units on one lot) at a density between 8 to 15 dwelling units per acre. Development of single-family dwellings on individual lots may be approved with a PDP, subject to the density range of this designation.
High Density (RH)	Allows development with two-family and multiple-family dwellings, as well as one-family dwellings (developed as two or more detached units on one lot) at a density between 15 to 23 dwelling units per acre.

\* Generally, the development standards in Specific Plan 144H are the same as for the General Plan.

TABLE 5.6-4  
City of Carlsbad Existing Zoning Designations

Designation *	Intent and Purposes of Zone Designations
<b>Zoning designations adjacent to the CECP site</b>	
Residential Agricultural (R-A)	Implements the residential low density (RL) and residential low-medium density (RLM) land use designations of the General Plan; and provides regulations and standards for the development of single-family dwellings and other permitted or conditionally permitted uses.
Public Utility (PU)	Insures compatibility of the development with the General Plan and the surrounding developments; insures that due regard is given to environmental factors; and provides for public involvements and other conditions of approval necessitated by the development.
Open Space (OS)	Provides for open space and recreational uses which have been deemed necessary for the aesthetically attractive and orderly growth of the community; protects and encourage said uses wherever feasible; can be used in conjunction with publicly owned property utilized as parks, open space, recreation areas, civic centers and other public facilities of a similar nature; designates high priority resource areas at time of development that, when combined would create a logical and comprehensive open space system for the community; implements the goals and objectives of the General Plan; and protects areas set-aside and preserved as natural habitat and the biological resources located in the areas in conformance with the City's habitat management plan.
<b>Zoning designations within the CECP Study Area</b>	
Residential Agriculture (R-A)	See R-A description above.
One-Family Residential (R-1)	Implements the residential low density (RL), residential low-medium density (RLM) and residential medium density (RM) land use designations of the General Plan; and provides regulations and standards for the development of one-family dwellings and other permitted or conditionally permitted uses.
Two-Family Residential (R-2)	Implements the residential medium density (RM) land use designation of the General Plan; and provides regulations and standards for the development of residential dwellings, and other permitted or conditionally permitted uses.
Multiple-Family Residential (R-3)	Implements the residential medium-high density (RMH) and residential high density (RH) land use designations of the General Plan; and provides regulations and standards for the development of residential dwellings and other permitted or conditionally permitted uses.
Residential Density-Multiple (RD-M)	Implements the residential medium density (RM), residential medium-high density (RHM) and residential high density (RH) land use designations of the General Plan; and provides regulations and standards for the development of residential dwellings and other permitted or conditionally permitted uses.
Residential Professional (R-P)	Implements the office and related commercial (O), residential medium-high density (RMH) and residential high density (RH) land use designations of the General Plan; provides areas for the development of certain low-intensity business and professional offices and related uses in locations in conjunction with or adjacent to residential areas; provides transitional light traffic-generating commercial areas between established residential areas and nearby commercial or industrial development; and, provides regulations and standards for the development of office and residential uses and other permitted or conditionally permitted uses.

TABLE 5.6-4  
City of Carlsbad Existing Zoning Designations

Designation *	Intent and Purposes of Zone Designations
Tourist Commercial (C-T)	Implements the travel/recreation commercial (TR) land use designation of the General Plan; provides for the development of tourist-oriented attractions and commercial uses that serve the travel and recreational needs of tourists, residents, as well as employees of business and industrial centers; and provides regulations and development standards to ensure such uses are compatible with and designed to protect surrounding properties, ensure traffic circulation, and promote economically viable tourist-oriented areas of the city.
Public Utility (PU)	See description of PU above
Village Redevelopment (V-R)	Establishes land use classifications and develop standards and procedures for that area of the city described in the Carlsbad Village Area Redevelopment Plan, as adopted by City Council Ordinance No. 9591. This zone adopts the Village Master Plan and Design Manual adopted pursuant to the redevelopment plan as the zoning for this area.
Planned Community (P-C)	Provides a method for and to encourage the orderly implementation of the General Plan and any applicable specific plans by the comprehensive planning and development of large tracts of land under unified ownership or developmental control so that the entire tract will be developed in accord with an adopted master plan to provide an environment of stable and desirable character; provides a flexible regulatory procedure to encourage creative and imaginative planning of coordinated communities involving a mixture of residential densities and housing types, open space, community facilities, both public and private and, where appropriate, commercial and industrial areas; allows for the coordination of planning efforts between developer and city to provide for the orderly development of all necessary public facilities to insure their availability concurrent with need; provides a framework for the phased development of an approved master planned area to provide some assurance to the developer that later development will be acceptable to the city; provided such plans are in accordance with the approved planned community master plan; and ensures that all new and, as appropriate, existing master plans reserve a site or sites for community facilities uses which benefit the community as a whole by satisfying social/religious/human service needs pursuant to Chapter 21.25 of this code.
Open Space (O-S)	See description of O-S above.
C1	No intent/purpose provided
C2	No intent/purpose provided
CTQ	Not in legend or in Zoning Ordinance
RPQ	Not in legend or in Zoning Ordinance

\* Generally, the development standards in Specific Plan 144H are the same as for the General Plan.

#### 5.6.4.2.2 Linear Facilities

##### *Reclaimed Water*

CCR Title 22 reclaimed water will be delivered to CECP through a reclaimed water line adjacent to the existing rail line to the CECP site from a connection to the City's system at Cannon Road and Avenida Encinas. This new 12-inch pipe will be approximately 3,700 feet long. The pipeline will be constructed within existing easements and only approximately 1,000 feet of the line will occupy publicly dedicated streets or property.

#### 5.6.4.2.3 Recreation, Scenic, Agricultural, Natural Resource Protection and Extraction, Educational, Religious, Cultural and Historic and Unique Land Uses

##### *Recreation Land Use*

There are five City parks or facilities, one State Beach, and one private park within approximately 1 mile of the CECP site. Magnolia Athletic Field is located on Highland Drive, north of the CECP site. Canyon Park is located on Carlsbad Boulevard and Cannon Road, south of the CECP site. This park features basketball courts, picnic tables, barbeque, toy lot play area, and a softball back stop. Chase Field and Brierly Field are both located north of the CECP site, just west of I-5 and adjacent to Chestnut Avenue. Holiday Park is also north of the CECP site and located off Chestnut Avenue, but is adjacent to the east side of I-5. Additionally, Carlsbad State Beach is located just west of the CECP site. Car Canyon Park, located on Paseo Del Norte south of the CECP site, is adjacent to the west side of I-5. This small greenbelt is privately owned and operated.

Just outside of the project study area, Laguna Riviera Park is located on Kelly and Park Drive, east of the CECP site. This park features a tot lot area, horseshoe pit, picnic tables, barbeque, basketball courts, tennis courts, and an open grass area.

##### *Scenic Land Use*

I-5 is directly east of the project site and is an Eligible State Scenic Highway. I-5 and Carlsbad Boulevard, which is directly west of the project site, are both considered Community Scenic Corridors pursuant to the Carlsbad General Plan. (See Section 5.13 for more information on visual and aesthetic resources in the project boundary).

##### *Natural Resource Protection and Natural Resource Extraction Areas*

Although the CECP site is located within an existing power plant, it is located immediately south and adjacent to a regionally significant biological resource, Agua Hedionda Lagoon. As a result of this sensitive resource, the CECP site will be required to comply with the North County Multiple Habitat Conservation Plan (MHCP) and the Habitat Management Plan for Natural Communities in the City of Carlsbad (HMP). Additional discussion of conformance with these plans is provided in Table 5.6-5. There are no other natural resource protection or natural resource extraction areas within the project study area.

##### *Education and Religious, and Unique Land Uses*

There are 16 schools located within the Carlsbad Unified School District, which serves the City of Carlsbad. Valley Middle School, Jefferson Elementary School, Magnolia Elementary School (which also houses Carlsbad Seaside Academy, a public home school program), Pine Elementary School, and Carlsbad Village Academy (an alternative public high school) are all located within the project study area. Additionally, there is one private religious school (Saint Patrick's) north of the CECP site on Tamarack Avenue and one private for profit

alternative High School (La Palma High School) also north of the CECP site on Harding Street within the project study area.

There are five churches located within the project study area. These include the First Baptist Church of Carlsbad, Saint Patrick's Catholic Church, the North Coast Christian Fellowship, Carlsbad Community Church, and the Carlsbad Religious Science Church, all located north of the CECP site.

### ***Cultural and Historic Land Use***

CH2M HILL conducted an archival research, reviewed all cultural resource investigation reports within the project boundary; contacted all interested agencies, Native American groups, and historic societies; and, conducted a complete filed investigation. No cultural resources were discovered during the survey performed by CH2M HILL. Since no objects or sites were located, no site records were prepared. No impact to any cultural resources is expected to occur within the CECP site. (See Section 5.3, Cultural Resources, for more information.)

## **5.6.5 Recent or Proposed Zoning and General Plan Amendments**

Within the last 18-months, there have been no recent or proposed zoning and General Plan Amendments within the project study area. Refer to section 5.6.7 for a discussion of cumulative development within the vicinity of the CECP.

## **5.6.6 Recent Discretionary Reviews by Public Agencies**

Within the last 18-months, there have been no discretionary reviews by public agencies within the project study area. Refer to Section 5.6.7 for a discussion of cumulative development within the vicinity of the CECP.

## **5.6.7 Environmental Analysis**

### **5.6.7.1 Significance Criteria**

#### **5.6.7.1.1 Land Use**

Significance criteria for impacts to land use were determined through review of applicable state and local regulations. Because the Warren-Alquist Act is equivalent to CEQA review, the following criteria developed from the CEQA Guidelines and the CEQA Checklist was used to evaluate the potential environmental impacts of the project:

- Will the project physically divide an established community?
- Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?
- Will the project convert prime farmland, unique farmland, or farmland of statewide importance (Farmland), as shown on the maps prepared pursuant to the Farmland

Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

- Will the project involve other changes in the existing environment which, given their location and nature, could result in conversion of Farmland to nonagricultural use?

#### 5.6.7.1.2 Agriculture Criteria

The potential for impacts to soils resources and their uses (such as agricultures) were evaluated with respect to the criteria described in the Appendix G checklist of CEQA. An impact is considered potentially significant if it would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps for the Farmland Mapping and Monitoring Program by the California Resources Agency, to non-agricultural use.
- Conflict with existing zoning for agricultural use or a Williamson Act contract.

#### 5.6.7.2 Analysis of Potential Effects on Land Use

The following discussion analyzes the CECP against the CEQA thresholds of significance for evaluating environmental impacts to the area of land use.

##### • **Will the project physically divide an established community?**

The CECP will not physically divide an established community because the CECP site is located on a site that is designated as Public Utility, which allows electrical generation and transmission facilities, and is currently being used as a power plant. Therefore, the CECP site will not divide an established community, affect access to the City or the project area or introduce incompatible land uses. The linear facilities will not physically divide established communities because potable water, sewer, and natural gas will be supplied through existing lines. Reclaimed water will be supplied through an offsite connection; however, it is located immediately adjacent to the project site and will be underground, and minimal environmental impacts are expected to occur from construction.

##### • **Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

This Section 5.6 addresses the consistency of the CECP with local land use plans and policies. The CECP site and linear facilities are located on land that is designated for industrial uses under the Carlsbad General Plan, Carlsbad Zoning Ordinance, Specific Plan 144, and the Encina Power Station PDP. Due to the nature of the allowable activities, the CECP is considered to be consistent with these plans and policies. As discussed above, because of the specific nature of both Specific Plan 144 and the Encina Power Station PDP, these two plans must be amended to allow the CECP. The City of Carlsbad is expected to process amendments to these plans concurrently with the CEC process.

- **Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?**

Although the CECP site is located within an existing power plant, it is located immediately adjacent to a regionally significant biological resource, Agua Hedionda Lagoon. As a result of this sensitive resource, the CECP site will be required to comply with existing habitat conservation plans, including the North County Multiple Habitat Conservation Plan (MHCP) and the Habitat Management Plan for Natural Communities in the City of Carlsbad (HMP). The MHCP is a long-term conservation program that addresses existing biological resources, proposed urban growth, habitat losses, and direct, indirect, and cumulative effects on sensitive species throughout the San Diego region. As a requirement of the MHCP, the City of Carlsbad has prepared the HMP that proposes a comprehensive, citywide program to preserve the diversity of habitat and protect sensitive biological resources while allowing for additional development consistent with the City's General Plan and its Growth Management Plan. The Agua Hedionda watershed is identified as an existing conservation area under the HMP. Conservation goals for the HMP include conservation of the majority of sensitive habitats and species in or contiguous with biological core areas, including no net loss of wetland habitat, and preserve, coastal sage scrub, and maritime succulent scrub adjacent to the lagoons. Additional description of these plans is included in Section 5.6.2.3.1 and Section 5.2, Biological Resources. The CECP will comply with the requirements of these plans.

- **Will the project convert prime farmland, unique farmland, or farmland of statewide importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?**

No prime farmland, unique farmland, or farmland of statewide importance; however, prime farmland, farmland of statewide importance, unique farmland, and farmland of local importance occur adjacent to and within the 1-mile buffer of the CECP site (see Figure 5.6-3). No impacts to these agricultural resources would occur as a result of the development of this project.

- **Will the project involve other changes in the existing environment which, given their location and nature, could result in conversion of Farmland to nonagricultural use?**

The project does not involve other changes to the existing environment that could result in conversion of Farmland to nonagricultural use.

#### 5.6.7.2.1 Compatibility with Plans and Policies

The CECP is consistent with the goals and policies of applicable plans. Tables 5.6-5 and 5.6-6 provide a summary of the project's conformity with these applicable plans.

TABLE 5.6-5  
City of Carlsbad Conformity with Applicable General Plan-Related Policies

General Plan Element	Goal/Policy/Objective	Conformity
<b>Land Use Element, Overall Land Use Pattern</b>		
<p>Comply with the following: arrange land uses so that they preserve community identity and are orderly, functionally efficient, healthful, convenient to the public, and are aesthetically pleasing; establish development standards for all land use categories that will preserve natural features and characteristics, coastal and/or hillside areas; ensure that the review of future projects places a high priority on the compatibility of adjacent land uses along the interface of different density categories; evaluate each application for development to ensure compatibility with adjacent land uses, implementation of landscape screening, onsite and offsite traffic circulation and safety, provision of useable open space, contribution to open space amenities, compliance with the Growth Management Plan performance standards, conformance with the City's LCP; and that open space is retained in all land use categories.</p>	<p>Yes. The CECP will not prohibit the preservation of open space within the Agua Hedionda Lagoon. Therefore, the CECP will comply with these policies.</p>	
<b>Land Use Element, Industrial</b>		
<p>Comply with the following: provide for Industrial sites that can accommodate onsite development standards and areas for expansion; protect the integrity and promote the identity of Industrial districts by bounding them by significant physical features such as primary streets, streams and railroads; regulate Industrial land uses on the basis of performance standards, including, but not limited to, noise, emissions, and traffic; control nuisance factors (noise, smoke, dust, odor, and glare) and do not allow the exceedance of city, state and federal standards; require private Industrial developers to provide for the recreational needs of employees working in the Industrial area; screen all storage, assembly, and equipment areas completely from view; and incorporate mechanical equipment, vents, stacks, apparatus, antennae, and other appurtenant items into the project design to screen the project from view.</p>	<p>Yes. The CECP will limit noise emissions as described in Section 5.7, Noise, limit air emissions as described in Section 5.1, Air Quality, limit traffic as described in Section 5.12, Traffic and Transportation, control nuisance factors as described in these sections, and provide landscape screening as described in Section 5.13, Visual Resources. No employees will be added during operation. The existing NRG Energy employees at the Encina Power Station receive employment benefits, including recreational provisions which will remain in effect for the CECP. Thus, the CECP will comply with these policies.</p>	
<b>Open Space and Conservation Element</b>		
<b>Open Space Planning and Protection</b>		
<p>Comply with the following: preserve, protect and enhance those areas of the City that provide unique and special open space functions and preserve panoramic viewpoints, as identified in the Open Space and Conservation Resource Management Plan; and where possible, provide public access.</p>	<p>Yes. The CECP will not prohibit the preservation of open space within the Agua Hedionda Lagoon, or citywide implementation of the HMP. Therefore, the CECP will comply with these policies.</p>	

TABLE 5.6-5  
City of Carlsbad Conformity with Applicable General Plan-Related Policies

General Plan Element	Goal/Policy/Objective	Conformity
<b>Promoting Agriculture</b>		
Comply with the following: ensure that new development is sensitive to existing agricultural uses and buffer, where possible, agriculture from more intensive urban uses with less intense land uses which are mutually compatible.		Yes. As discussed in Section 5.6.3.3, the CECP will not impact agricultural activities. Therefore, the CECP will comply with these policies.
<b>Air Quality Preservation:</b>		
Comply with the following: provide, whenever possible, incentives for car pooling, flex-time, shortened work weeks and telecommunications and other means of reducing vehicular miles traveled and the monitor all construction to ensure short-term construction related impacts to air resources are reduced.		As discussed in Section 5.1, Air Quality, the CECP will be subject to standard conditions of approval from the CEC and the San Diego County Air Pollution Control District that will require minimizing air quality impacts. Therefore, the CECP will comply with these policies.
<b>Water Quality Protection</b>		
Comply with the following: control storm water pollutants; implement water pollution prevention methods to the maximum extent practicable supplemented by pollutant source controls and treatment; control pollutant loads from post-development runoff; implement appropriate recommendations to protect water quality found in the San Diego Association of Governments (SANDAG's) Water Quality Element of its Regional Growth Management Strategy; implement testing and monitoring of storm water flows; require water conservation measures during construction; prevent industrial waste and other forms of water pollution from entering the storm drain system and polluting the City's water bodies.		As discussed in Section 5.15, Water Resources, the CECP will be subject to CEC standard conditions of certification that will require minimizing impacts to water quality. Therefore, the CECP will comply with these policies.
<b>Parks and Recreation Element</b>		
<b>Special Resource, Open Space and Cultural-Historical Areas</b>		
Comply with the following: enter into and maintain agreements with SDG&E to establish access to and along the southeast side of Agua Hedionda Lagoon enhance the availability of special resource and or open space areas.		As discussed in Sections 5.3, Cultural Resources and 5.13, Visual Resources, the CECP will be subject to CEC standard conditions of certification that will require minimizing visual and cultural impacts. Therefore, the CECP will comply with these policies.

TABLE 5.6-5  
City of Carlsbad Conformity with Applicable General Plan-Related Policies

General Plan Element	Goal/Policy/Objective	Conformity
<b>Public Safety Element</b>		
<b>Geology and Seismic Safety</b>		
<p>Comply with the following: establish a development project review process that allows consideration of seismic and geologic hazards at the earliest possible point in the development process; require project applicants to design structures to meet ground response characteristics of their individual site; prohibit the location of critical structures in areas of high seismic susceptibility; and require geotechnical reports.</p>	<p>As discussed in Section 5.4, Geologic Hazards and Resources, the CECP will be subject to CEC standard conditions of certification that will require minimizing geologic and seismic impacts. Therefore, the CECP will comply with these policies.</p>	
<b>Flood Hazards</b>		
<p>Comply with the following: restrict or prohibit uses which are dangerous to the health and safety of people or adversely affect property due to water and erosion hazards, or which result in damaging increases in erosion or flood height or velocities; require a Special Use Permit for all development proposed within the 100-year floodplain; and require installation of protective structures or other design measures to protect proposed building and development sites from the effects of flooding or wave action.</p>	<p>As discussed in Section 5.15, Water Resources, the CECP will be subject to CEC standard conditions of certification that will require minimizing flood hazards associated with implementation of the CECP. The CECP site is outside of the 100- and 500-year floodplain as discussed in Section 5.15.3.1. Therefore, the CECP will comply with these policies.</p>	
<b>Fire and Emergency Medical Services</b>		
<p>Comply with the following: reduce fire hazards to an acceptable level of risk; maintain a five minute emergency response time; consider, site constraints in terms of hazards and current levels of emergency service delivery capabilities in land use decisions; enforce the Uniform Building and Fire Codes, adopted by the City, to provide fire protection standards; review new development proposals to consider emergency access, fire hydrant locations, and fire flow requirements; require new development to provide the installation of emergency water systems and all-weather access roads to the placement of combustible materials on the site; inspect all new or altered buildings and structures to be sure they conform with applicable fire, building and life safety codes.</p>	<p>As discussed in Section 5.5, Hazardous Materials Handling, and Section 5.16, Worker Health and Safety, the CECP will be subject to CEC standard conditions of certification that will require minimizing fire and emergency services impacts. Therefore, the CECP will comply with these policies.</p>	

TABLE 5.6-5  
City of Carlsbad Conformity with Applicable General Plan-Related Policies

General Plan Element	Goal/Policy/Objective	Conformity
<b>Hazardous Materials</b>		
<p>Comply with the following: limit the hazards associated with the use, transfer, storage and disposal of hazardous materials and hazardous wastes through enforcement of applicable local, county, state and federal regulations; review land use decisions to consider constraints presented by the potential for onsite and offsite contamination by use, transfer, storage, or land disposal of hazardous materials and wastes; provide for hazardous materials emergency incident responses; and maintain regulations which require proper storage and disposal of hazardous materials to reduce the likelihood of leakage, explosions, or fire, and to properly contain potential spills from leaving the site.</p>		<p>As discussed in Section 5.5, Hazardous Materials Handling, the CECP will be subject to CEC standard conditions of certification that will require minimizing hazardous materials impacts. Therefore, the CECP will comply with these policies.</p>
<b>Airport Hazards</b>		
<p>Ensure that development in the Airport Influence Area occurs in compliance with relevant adopted policies.</p>		<p>The CECP site is outside of the Airport Influence Area outlined in the CLUP and therefore is not subject to conformance with these policies.</p>
<b>Circulation Element</b>		
<b>General</b>		
<p>Attempt to control noise primarily at its source. Where this is not feasible, controls along the transmission path of the noise should be required.</p>		<p>As discussed in Section 5.7, Noise, the CECP will be subject to CEC standard conditions of certification that will require compliance with CEC standards for minimizing noise impacts. Therefore, as proposed, the CECP is expected to comply with these policies.</p>
<b>Streets and Traffic Control</b>		
<p>Comply with the following: provide for the safe movement of traffic and pedestrians around all road and utility construction projects; require new development to construct all roadways needed to serve the proposed development prior to or concurrent with the circulation needs created by the development; and require new development to dedicate and improve all public rights-of-way for circulation facilities needed to serve development.</p>		<p>As discussed in Section 5.12, Traffic and Transportation, the CECP will be subject to CEC standard conditions of certification that will require minimizing street and traffic control impacts. Therefore, the CECP will comply with these policies.</p>

TABLE 5.6-5  
City of Carlsbad Conformity with Applicable General Plan-Related Policies

General Plan Element	Goal/Policy/Objective	Conformity
<b>Public Utility and Storm Drainage Facilities:</b>		
Ensure developer conformance with all adopted public utility and storm drainage master plans and adopted ordinances regarding the provision of public utility and storm drainage facilities.		As discussed in Sections 2.9, Project Description, and 5.15, Water Resources, the CECP will be subject to CEC standard conditions of certification that will require minimizing public utility and storm drainage facility impacts. Therefore, the CECP will comply with these policies.
<b>Regional Circulation Consideration</b>		
Comply with the following: Transportation Demand Management strategies consistent with the San Diego Regional Air Quality Strategy; encourage the inclusion of onsite or nearby amenities such as day care facilities, dry cleaners and convenience stores within industrial projects to reduce vehicular trips.		As discussed in Section 5.12, Traffic and Transportation, the CECP will be subject to CEC standard conditions of certification that will require compliance with CEC standards for regional circulation impacts. Therefore, as proposed, the CECP is expected to comply with these policies.
<b>Land Use/Noise</b>		
Comply with the following: achieve noise compatibility and an acceptable noise environment between industrial and surrounding land uses; achieve noise impact compatibility between land uses through the land use planning/development review process; encourage the development of compatible land uses in areas that are subject to excessive noise levels; enforce the 60 dBA CNEL exterior noise level for all residential units; discourage the exclusive use of noise walls in excess of 6 feet in height as mitigation for noise along Circulation Element roadways; and use natural barriers such as site topography or constructed earthen berms to mitigate noise. When noise walls are determined to be the only feasible solution to noise mitigation, then the walls shall be designed to limit aesthetic impacts. When over-height walls are necessary to mitigate noise, a berm/wall combination with heavy landscaping, a terraced wall heavily landscaped, or other similar innovative wall design technique shall be used to minimize visual impacts.		As discussed in Section 5.7, Noise, the CECP will be subject to CEC standard conditions of certification that will require compliance with CEC standards for minimizing noise impacts. Therefore, as proposed, the CECP is expected to comply with these policies.

TABLE 5.6-5  
City of Carlsbad Conformity with Applicable General Plan-Related Policies

General Plan Element	Goal/Policy/Objective	Conformity
<b>Other Applicable City of Carlsbad Plans and Policies</b>		
<b>Specific Plan 144 (2006)</b>		
Sets forth the existing land uses and land use regulations applicable to the Agua Hedionda Lagoon area, including the Encina Power Station.		Yes. The CECP will be consistent with the Specific Plan after it is approved by the City and the CCC. An Amendment to the Specific Plan, SP 144(I) will be processed by the City concurrent with the CEC licensing process. Therefore, as proposed, the CECP is expected to comply with these policies.
<b>Encina Power Station Precise Development Plan (2006)</b>		
Serves as an informational and regulatory document to meet the City's zoning requirements for the Public Utility Zone (PU) as the zone applies to the Encina Power Station.		Yes. The CECP will be consistent with the PDP requirements after it is approved by the City and the CCC. An Amendment to the PDP, PDP 00-02(A) will be processed by the City concurrent with the CEC licensing process and SP 144(I). Therefore, as proposed, the CECP is expected to comply with these policies.
<b>Scenic Corridor Guidelines</b>		
Identifies streets within the City of Carlsbad to be designated as scenic corridors, and suggests ways to preserve and enhance the character of those corridors.		Yes. With the incorporation of the landscape concepts described in Section 5.13, Visual Resources, the CECP will comply with these guidelines. Therefore, as proposed, the CECP is expected to comply with these policies.
<b>Local Facilities Management Plan (LFMP)</b>		
Part of the City's Growth Management Program and addresses existing and future infrastructure needs.		Yes. The CECP will comply with all of the applicable thresholds from the LFMP as listed in Section 5.6.2.3.1. Since the CECP is located within an already developed area, the LFMP open space threshold does not apply to the CECP. Therefore, as proposed, the CECP is expected to comply with these policies.

TABLE 5.6-5  
City of Carlsbad Conformity with Applicable General Plan-Related Policies

General Plan Element	Goal/Policy/Objective	Conformity
<b>Local Coastal Program (LCP) and Agua Hedionda Land Use Plan (2006)</b>		
Includes the City's land use plans, policies, and standards and an implementing ordinance (Zoning Ordinance) for the City's Coastal Zone. Although the City has adopted the Agua Hedionda LUP and incorporated it into its LCP, the CCC excluded the Agua Hedionda segment in its final certification of the LCP. By withholding certification, the CCC retained final permit authority for this area. Any proposed development within the deferred certification area requires CCC approval.		Yes. Consistent with the CEC Siting Regulations, the CCC is required to provide input on the CECP as part of the CEC licensing process, as described in section 5.6.2.2.1. Therefore, as proposed, the CECP is expected to comply with these policies.
<b>Comprehensive Open Space and Conservation Resource Management Plan</b>		
Provides the framework for protection of the City's open space resources		Yes. The CECP will not prohibit the preservation of open space within the City and specifically within the Agua Hedionda Lagoon. Therefore, as proposed, the CECP is expected to comply with these policies.
<b>South Carlsbad Coastal Redevelopment Plan (2006)</b>		
Establishes a 555-acre redevelopment area, which includes the CECP site and the Encina Power Station.		Yes. The Redevelopment Plan envisioned the redevelopment at the Encina Power Station consistent with the CECP.
<b>Comprehensive Land Use Plan (CLUP) – McClellan-Palomar Airport (1994)</b>		
Identifies areas likely to be impacted by noise and flight activity created by aircraft operations at the airport.		Yes. The CECP site is outside the airport's area of influence. Therefore, these policies do not apply to the CECP.
<b>Landscape Manual (1990)</b>		
Aids applicants and their landscape architects in understanding the City's policies toward landscaping. It lists programs, policies, and requirements relating to landscaping within the City.		Yes. The CECP will comply with the City's landscaping requirements through the implementation of the landscape concepts discussed in Section 5.13, Visual Resources. Therefore, as proposed, the CECP is expected to comply with these policies.

TABLE 5.6-5  
City of Carlsbad Conformity with Applicable General Plan-Related Policies

General Plan Element	Goal/Policy/Objective	Conformity
<b>Noise Guidelines Manual (1995)</b>		
Provides guidelines and procedures to implement policies outlined in the Noise Element of the Carlsbad General Plan.		Yes. The CECP will comply as discussed in Section 5.7, Noise. Therefore, as proposed, the CECP is expected to comply with these policies.
<b>San Diego County Multiple Habitat Conservation Program (2003)</b>		
Establishes a regional effort conducted in conjunction with Section 10a of the Federal Endangered Species Act and the California Natural Communities Conservation Planning Act and is the framework for development of a regional habitat preserve for rare plant and wildlife species in northwestern San Diego County.		Yes. The CECP will comply as discussed in Section 5.2, Biological Resources. Therefore, as proposed, the CECP is expected to comply with these policies.
<b>Habitat Management Plan for Natural Communities in the City of Carlsbad (2004)</b>		
Serves as the city's sub-area plan and identifies existing and proposed conservation areas in the general vicinity of the CECP site.		Yes. The CECP will comply as discussed in Section 5.2, Biological Resources. Therefore, as proposed, the CECP is expected to comply with these policies.

TABLE 5.6-6

Consistency of the CECP with Pertinent City of Carlsbad Zoning-Related Regulations, Ordinances, and Standards

Provision	Description	Project Consistency
<b>Chapter 21.36 Public Utility (PU) Zone</b>		
<b>21.36.010 Intent and Purpose</b> (Ord. 9441 § 1 (part), 1975: Ord. 9268 § 1 (part), 1971: Ord. 9060 § 1390)	The intent and purpose of the PU zone is to provide for public utility and related uses subject to a PDP to: insure compatibility of the development with the General Plan and the surrounding developments; insure that due regard is given to environmental factors; and provide for public improvements and other conditions of approval necessitated by the development.	Yes. The CECP is consistent with the intent and purposes of the PU Zone. Therefore, as proposed, the CECP is expected to comply with these policies.
<b>21.36.020 Permitted Uses</b> (Ord. NS-791 § 26 (part), 2006: Ord. 9804 § 6 (part), 1986; Ord. 9785 § 22, 1986; Ord. 9674 § 2 (part), 1983; Ord. 9507 § 4, 1978; Ord. 9441 § 1 (part), 1975: Ord. 9268 § 1 (part), 1971: Ord. 9060 § 1391)	In a PU zone, uses shall be permitted, subject to the requirements and development standards specified by this chapter, and subject to the provisions of Chapter 21.44 of this title governing off-street parking requirements. Permitted uses include: agricultural activities; discretionary uses determined acceptable by the City Council; energy transmission facilities; governmental maintenance and service facilities; petroleum products booster stations; natural gas and water processing and storage; recreation facilities; fuel storage; and wastewater treatment, disposal, or reclamation facilities. Uses allow with a Conditional Use Permit include: agricultural worker housing; airports; alcohol treatment centers; aquaculture and aquaculture stands; campsites; cemeteries; crematoriums; fairgrounds; golf courses; greenhouses; hazardous waste facilities; hospitals; mobile buildings; packing/sorting sheds; radio/telecommunication towers; recycling facilities; stadiums; transit passenger terminals; windmills; wireless communication facilities; and zoos.	Yes. The CECP is consistent with requirements of the energy transmission facility PU permitted use. Therefore, as proposed, the CECP is expected to comply with these policies.
<b>21.36.030 Precise Development Plan</b> (PDP) (Ord. 9441 § 1 (part), 1975: Ord. 9268 § 1 (part), 1971: Ord. 9060 § 1392)	No building permit or other entitlement for any use in the PU zone shall be issued until a PDP has been approved for the property. The PDP may include provisions for any accessory use necessary to conduct any permitted use.	Yes. The existing Encina Power Station PDP covers the CECP site. The PDP will be amended to cover the CECP. This Amendment will be processed by the City of Carlsbad concurrent with the CEC process. Therefore, as proposed, the CECP is expected to comply with these policies.
<b>23.36.050 Conditions</b> (Ord. 9551 § 1, 1980; Ord. 9441 § 1 (part), 1975: Ord. 9268 § 1 (part), 1971: Ord. 9060 § 1394)	The city council may impose such conditions on the applicant and the PDP as are determined necessary and consistent with the provisions of this chapter, the general plan and any specific plans that include provisions for, but are not limited to, the following: (1) setbacks, yards and open space; (2) special height and bulk of building regulations; (3) fences and walls; (4) regulation of signs; (5) landscaping; (6) special grading restrictions; (7) requiring street dedication and improvements (or posting of bonds); (8) requiring public improvements either on or off the subject site that are needed to service the proposed development; (9) require time period within which the project or any phases of the project shall be completed; (10) regulation of points of ingress and egress; (11) parking; and (12) regulation of the type, quality, distribution and use of reclaimed water, or reclaimed wastewater.	Yes. The Amendment to the Encina Power Station PDP to accommodate the implementation of the CECP will address these requirements. This Amendment will be processed by the City of Carlsbad concurrent with the CEC process. Therefore, as proposed, the CECP is expected to comply with these policies.

TABLE 5.6-6  
Consistency of the CECP with Pertinent City of Carlsbad Zoning-Related Regulations, Ordinances, and Standards

Provision	Description	Project Consistency
<p><b>21.36.060 Minimum Lot Area</b> (Ord. 9441 § 1 (part), 1975; Ord. 9268 § 1 (part), 1971; Ord. 9060 § 1395)</p>	<p>The minimum allowed lot area in the PU zone is 7,500 square feet.</p>	<p>Yes. The CECP site is 22.88 acres (996,645 square feet) which exceeds the minimum lot size requirements for the PU zone district. Therefore, as proposed, the CECP is expected to comply with these policies.</p>
<p><b>21.36.070 Lot Coverage</b> (Ord. 9441 § 1 (part), 1975; Ord. 9268 § 1 (part), 1971; Ord. 9060 § 1396)</p>	<p>All buildings and structures, including accessory buildings and structures, shall cover no more than fifty percent of the area of the lot.</p>	<p>Yes. The CECP site is located within the already developed Encina Power Station and therefore this provision does not apply. Existing Tanks 5 through 7 will be the location of the future CECP which is part of existing lot coverage development at the power plant.</p>
<p><b>21.36.080 Parking and Loading Areas</b> (Ord. 9441 § 1 (part), 1975)</p>	<p>No parking or loading area shall be located: (1) In a front, side or rear yard adjoining a street; or (2) Within ten feet of an interior side or rear property line.</p>	<p>Yes. All parking areas will comply with these requirements. Therefore, as proposed, the CECP is expected to comply with these policies.</p>
<p><b>21.36.090 Landscaping Required</b> (Ord. 9441 § 1 (part), 1975)</p>	<p>Except for approved ways of ingress and egress and parking and loading areas, all required yards shall be: (1) Permanently landscaped with one or a combination of more than one of the following: lawn, shrubs, trees, and flowers; and (2) Served by a water irrigation system and supplied with bubblers and sprinklers.</p> <p>No walls or fences over four feet in height may be constructed in any area where landscaping is required.</p>	<p>Yes. The CECP will comply with the City's landscaping requirements through the implementation of the landscape concepts discussed in Section 5.13, Visual Resources. Therefore, as proposed, the CECP is expected to comply with these policies.</p>
<p><b>21.36.100 Final Precise Development Plan</b> (Ord. 9441 § 1 (part), 1975)</p>	<p>After approval, the applicant shall submit a reproducible copy of the PDP that incorporates all requirements of the approval to the city manager for signature. Prior to signing the final PDP, the city manager shall determine that all applicable requirements have been incorporated into the plan and that all conditions of approval have been satisfactorily met or otherwise guaranteed.</p> <p>The final signed PDP shall be the official site layout plan for the property and shall be attached to any application for a building permit on the subject property.</p>	<p>Yes. The CECP will be consistent with the PDP requirements once it is amended and this project includes an obligation that the changes be obtained. An Amendment to the PDP will be processed by the City concurrent with the CEC licensing process. The submission of a reproducible copy of the Final PDP will be done as part of the final building clearance for the CECP. Therefore, as proposed, the CECP is expected to comply with these policies.</p>

### 5.6.7.3 Potential Effects on Agriculture

The following discussion analyzes the proposed CECP against the CEQA thresholds of significance for evaluating environmental impacts to the area of agriculture.

- **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps for the Farmland Mapping and Monitoring Program by the California Resources Agency, to non-agricultural use.**

Areas used for agricultural production within 1 mile of the project site consist of strawberry fields on the east side of I-5. The soils mapped in the CECP and surrounding areas have been developed for industrial, commercial, residential, recreation, and agricultural uses. Given the current land use, these areas are not unsuitable for commercial crop production. No agricultural activities were observed during field visits to the site and surrounding area.

The Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation (CDC) provide statistics on conversion of farmland to non-agricultural uses for San Diego County where the CECP site is located (CDC, 2007). In the year 2004, San Diego County had approximately 210,763 acres of Important Farmland (including Prime Farmland, Farmland of Statewide and Local Importance and Unique Farmlands) and an additional 107,327 of grazing land. In the period from 2002 to 2004, Important Farmlands had shown a net decrease of almost 3,153 acres (1.5 percent) within the county. A review of the "Important Farmlands" mapping by the FMMP shows that the lands surrounding the project site are designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance (See Figure 5.6-3).

- **Conflict with existing zoning for agricultural use or a Williamson Act contract.**

The project is not directly affecting areas zoned for agricultural use or under Williamson Act contract; therefore no impacts to these agricultural resources would occur as a result of the development of this project.

### 5.6.8 Cumulative Effects

The CEQA Guidelines (Section 15355) define cumulative effects as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."

The CEQA Guidelines further note that:

The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative effects can result from individually minor, but collectively significant, projects taking place over a period of time.

Cumulative land use impacts could occur if the development of the proposed project and other related past, present, and reasonably foreseeable probable future projects would be inconsistent with applicable plans and policies. The following list of cumulative projects

(Table 5.6-7) was developed in consultation with the City of Carlsbad. The locations of these projects are shown on Figure 5.6-4.

TABLE 5.6-7  
Cumulative Projects List

Project Name	Location	Description	Status
Carlsbad Seawater Desalination Plant	Encina Power Station	50 million gallon per day seawater desalination plant, pipelines, pumps, and other appurtenant and ancillary water facilities to produce and distribute potable water.	Pending approval from the CCC – unknown at this time; operation expected as early as 2010.
Interstate 5 (I-5) North Coast Corridor	Northern San Diego County. La Jolla Village Drive (I-5) and Mira Mesa Boulevard (I-805) to Vandgrift Boulevard.	26 mile project adding highway lanes and operational improvements to provide mobility choices for motorists on I-5 in northern the San Diego region.	The overall corridor project is expected to be complete in 2015.
City of Carlsbad Capital Improvement Program (CIP) – Terramar Lift Station Emergency Generator	500 feet west of the railroad right-of-way on the north side of Cannon Road.	Construction of approximately 500 linear feet of sewer pipeline from the lift station to the Vista/Carlsbad interceptor or install a standby generator.	Expected to be constructed in 2007 through 2008
CIP – Vista/Carlsbad Interceptor Agua Hedionda Lift Station (VC 12)	South shore of Agua Hedionda Lagoon adjacent to the east side of the railroad tracks.	Upgrade the existing pump station to increase capacity for buildout conditions. The project would also include replacement of existing pumps with larger capacity pumps and associated appurtenances.	Expected to be constructed between 2007 through 2009
CIP – Vista/Carlsbad Interceptor Sewer Reach VC11B	North County Transportation District railroad right-of-way from Olive Avenue south across Agua Hedionda Lagoon to the Agua Hedionda Lift Station.	Replacement of the existing Vista/Carlsbad Interceptor Sewer Reach VC11B and bridge (wood trestle) with 800 feet of 54-inch pipeline and a new concrete bridge.	No construction schedule at this time
CIP – Vista/Carlsbad Interceptor Sewer Reaches VC13 to VC15	Agua Hedionda Lift Station south to the Encina Water Pollution Control Facility	Replacement of the existing Vista/Carlsbad Interceptor Sewer Reaches VC13 to VC15 with a 54" pipeline.	No construction schedule at this time
CIP – Carlsbad Boulevard Bridge Over Power Plant Discharge Channel	Carlsbad Boulevard north of Cannon Road over the power plant outlet channel.	Installation of a concrete barrier on the existing bridge, provide a decorative fence to screen the existing power plant, and provide any needed repair of the bridge deck. The project may require relocation of a 12-inch water line, 4-inch HP gas line, and telephone conduit.	Expected to be constructed from 2006-2008

TABLE 5.6-7  
Cumulative Projects List

Project Name	Location	Description	Status
Flower Fields Area	Strawberry fields and related open spaces located north of Cannon Road, east of I-5.	The City of Carlsbad is currently in the process of assessing whether the community wants ball fields, natural habitat areas with trails, or community cultural buildings, such as museums, to occupy to the 300-acre region. Homes and commercial buildings are not allowed under the "open space" designation.	Planning document is expected the first quarter or 2008

### 5.6.8.1 Carlsbad Seawater Desalination Plant

Poseidon Resources LLC has processed a Precise Development Plan (PDP 00-02) for the Encina Power Station with the City of Carlsbad to construct and operate an approximately 50 million gallon per day (mgd) Carlsbad Seawater Desalination Plant and other appurtenant and ancillary water and support facilities, including the offsite water delivery infrastructure to produce potable water. The desalination plant would be located within the existing Encina Power Station located at 4600 Carlsbad Boulevard, along the southern edge of Agua Hedionda Lagoon, east of the Pacific Ocean. The desalination plant would occupy an approximately 4-acre parcel in the area currently containing Fuel Oil Tank #3, which is the southernmost of three large tanks nearest Carlsbad Boulevard. The fuel oil tank would be demolished to accommodate the desalination facility. The Final Environmental Impact Report (EIR 03-05) was certified by the City of Carlsbad on June 13, 2006. Review and approval of the California CDP and California State Lands Commission Lease are pending. The project is slated to be operational as early as 2010.

The PDP application was made jointly with Cabrillo, owner and operator of the Encina Power Station which is adjacent to the site of the proposed desalination plant. Although Cabrillo is not a co-applicant for the desalination plant, the co-application on the PDP was necessary to satisfy a City of Carlsbad Zoning Code requirement for properties zoned PU. The desalination plant would be located on the grounds of the power station in a location northeast of the large power generating building and stack, the two prominent features of the power station. The PDP application encompasses the entire Encina Power Station site, which includes 95 acres between Carlsbad Boulevard and I-5 on the south shore of Agua Hedionda Lagoon. The Encina Power Station PDP will establish general planning policies and development standards for the planning area and permit administrative processing for minor land use modifications. It will also serve as the primary land use approval mechanism for approval of the desalination plant.

The proposed desalination plant, would have the capacity to deliver approximately 50 mgd of Reverse Osmosis (RO) permeate (product water). From the desalination plant, the desalinated water would be distributed along several pipeline routes (some proposed, some planned and some existing) to the City of Carlsbad and various local water districts as wholesale water purchasers for ultimate use and consumption by homes and businesses in Northern San Diego County. The offsite facilities primarily consist of water delivery

pipelines and a pump station. The different water delivery pipeline alignments generally follow existing and future roadways, including Cannon Road, Faraday Avenue, Avenida Encinas, Orion Street, Palmer Way, College Boulevard, Melrose Avenue, Shadowridge Drive, Sequoia Crest Drive, Lake Boulevard, Mesa Drive, Thunder Drive, and Waring Road, within the cities of Carlsbad, Oceanside and Vista.

### 5.6.8.2 Interstate 5 North Coast Corridor

This 26-mile project would add highway lanes and operational improvements to provide mobility choices for motorists on I-5 in the northern San Diego region. The project area extends from La Jolla Village Drive (I-5) and Mira Mesa Boulevard (I-805) to Vandgrift Boulevard and includes new connectors at State Route 56 (SR 56). The corridor is critical both for commuters and goods movement.

- Additional lanes would be added from La Jolla Village Drive to Vandgrift Boulevard. This widening is planned for new Managed/High Occupancy Vehicle (HOV) Lanes for transit and carpools.
- Operational improvements such as auxiliary lanes and local freeway interchange modifications would be added incrementally in key locations to improve traffic flow.
- Environmental enhancements (e.g., lagoon restoration) would be implemented early in the project development process to mitigate corridor highway, transit, and arterial impact

The I-5 North Coast corridor experiences recurrent traffic congestion during weekday rush hours and also is heavily traveled on weekends. I-5 is the lifeline corridor connecting San Diego to the Los Angeles, Orange County, and Baja California, Mexico regions.

- Average daily traffic on I-5 is 261,000 vehicles (near SR 56) and is projected to increase to 430,000 daily vehicles by the year 2030. More than 10,000 daily truck trips are made on I-5.
- I-5 is important for commuter, commercial, and recreational travel. Without capacity improvements, the increases in traffic in the corridor will result in congestion throughout the entire day.
- The arterial roadways parallel to I-5 are segmented and do not provide a continuous north-south alternative route to the freeway. No new parallel arterial roadways are planned. The COASTER commuter rail service is being expanded; however, I-5 will carry the burden of trips in the corridor.

Preliminary engineering and environmental work is underway. The overall corridor project is expected to be complete in 2015.

### 5.6.8.3 Capital Improvement Projects

The following is a discussion of some Capital Improvement Program (CIP) projects identified by the City of Carlsbad that are adjacent to CECP.

#### **5.6.8.3.1 Sewer Collection System – Terramar Lift Station Emergency Generator**

The project is located approximately 500 feet west of the railroad right-of-way on the north side of Cannon Road. Implementation of the project would construct approximately 500 linear feet of sewer pipeline from the lift station to the Vista/Carlsbad interceptor or install a standby generator.

#### **5.6.8.3.2 Sewer Collection System - Vista/Carlsbad Interceptor Agua Hedionda Lift Station (VC 12)**

The project is located on the south shore of Agua Hedionda Lagoon adjacent to the east side of the railroad tracks. Implementation of the project would upgrade the existing pump station to increase capacity for buildout conditions. The project would also include replacement of existing pumps with larger capacity pumps and associated appurtenances.

#### **5.6.8.3.3 Sewer Collection System - Vista/Carlsbad Interceptor Sewer Reach VC11B**

The project is located along NCTD railroad right-of-way from Olive Avenue south across Agua Hedionda Lagoon to the Agua Hedionda Lift Station. Implementation of the project would replace the existing Vista/Carlsbad Interceptor Sewer Reach VC11B and bridge (wood trestle) with 800 feet of 54-inch pipeline and a new concrete bridge.

#### **5.6.8.3.4 Sewer Collection System - Vista/Carlsbad Interceptor Sewer Reaches VC13 to VC15**

The project is located from the Agua Hedionda Lift Station south to the Encina Water Pollution Control Facility. Implementation of the project would replace the existing Vista/Carlsbad Interceptor Sewer Reaches VC13 to VC15 with a 54" pipeline.

#### **5.6.8.3.5 Circulation System Street Projects – Carlsbad Boulevard Bridge Over Power Plant Discharge Channel**

The project is located on Carlsbad Boulevard north of Cannon Road over the power plant outlet channel. Implementation of the project includes installation of a concrete barrier on the existing bridge, provide a decorative fence to screen the existing power plant, and provide any needed repair of the bridge deck. The project may require relocation of a 12-inch water line, 4-inch HP gas line, and telephone conduit.

### **5.6.8.4 Flower Fields Area**

In November 2006, the City of Carlsbad voters passed Proposition D, permanently changing the land use designation of the 300-acre agricultural field east of CECP and across I-5 to "open space" from "travel/recreation commercial." The majority of the land is owned by San Diego Gas & Electric Company. The City of Carlsbad is currently in the process of assessing whether the community wants ball fields, natural habitat areas with trails, or community cultural buildings, such as museums, to occupy to the 300-acre region. Homes and commercial buildings are not allowed under the "open space" designation.

A Proposition D Citizens Liaison Committee was developed to help the city conduct a communitywide assessment process, which was required as part of the passage of Proposition D. The process is expected to end with a consultant-produced, regional planning document. The Liaison Committee has begun the six-month process to determine what the future might hold for the privately owned strawberry and flower-growing lands along Cannon Road, and is expected to release a planning document in the first quarter of 2008.

### 5.6.9 Mitigation Measures

Because no significant impacts have been identified, no mitigation is required.

### 5.6.10 Proposed Conditions of Certification

This section describes proposed conditions of certification that will be implemented for the CECP.

**LAND-1:** The Applicant shall ensure that the CECP and its associated facilities are in compliance with the affected City of Carlsbad applicable adopted municipal code requirements for the CECP site's development (e.g., setbacks, zone district requirements, design criteria, height, sign requirements, etc.).

The Applicant shall submit to the City of Carlsbad Planning Department for review and comment, a site plan showing facility dimensions, design and exterior elevation(s) and any other item(s) that may be required by the City of Carlsbad Planning Department to conduct a zoning consistency review of the CECP and its associated facilities in accordance with the jurisdiction's site development requirements. The City Planning Department shall have 30 calendar days to review the plan(s) and provide written comments to the Applicant. The Applicant shall provide a copy of the City Planning Department's written comments and a copy of the site plan to the CPM.

**Verification:** At least 90 calendar days prior to the site mobilization on the CECP site and its associated facilities, the Applicant shall submit the proposed site plan to the City of Carlsbad for review and comment. The Applicant shall provide any comment letters received from the City of Carlsbad along with the proposed site plan to the CPM for review and approval.

**LAND-2:** The Applicant shall limit the time period and amount of excavation/trenching to the minimum necessary to complete the construction of the reclaimed water line from the CECP site to the connection to the City's system at Cannon Road and Avenida Encina. The Applicant shall obtain the required encroachment permit(s) from the City.

**Verification:** The Applicant shall submit to the City of Carlsbad Public Works Department an encroachment permit application for their review and approval and to the CPM for final approval. The permit application shall include a description of the method that would be used to complete any excavations for the reclaimed water line. The application shall include the proposed time to begin and complete the sewer line connection.

Prior to any ground disturbance within the City streets, a copy of the City of Carlsbad approved/issued encroachment permit shall be submitted to the CPM. The CPM or City of Carlsbad designated representative may conduct random site visits to verify compliance.

**LAND-3:** The Applicant shall provide copies of final grading and drainage plans to the City of Carlsbad Planning Department.

**Verification:** Pursuant to the schedule contained in the Condition of Certification, **CIVIL-1**, the Applicant shall also submit copies of the proposed drainage structures and grading plan to the City of Carlsbad Planning Department concurrent with their submittal to the Chief Building Official (CBO) and CPM.

**LAND-4:** The Applicant shall provide copies of the final landscape plan(s) to the CPM.

**Verification:** Following the installation of the landscaping, the Applicant shall contact the CPM to request a final inspection.

**Land-5:** The Applicant shall obtain amendments from the City of Carlsbad to Specific Plan 144 and to the Encina Power Station PDP that are consistent with and allow the project to be built.

**Verification:** The Applicant shall submit copies of the amended plans 30 days prior to beginning foundation excavation.

### 5.6.11 Involved Agencies and Agency Contacts

Table 5.6-8 lists the agency contacts for biological resources.

TABLE 5.6-8  
Agency Contacts for Biological Resources

Issue	Agency	Contact
Review and comment upon the AFC	California Coastal Commission	Mark Luster, Coastal Analyst 45 Fremont Street, Suite 2000 San Francisco, CA 94105-2219 (415) 904-5200 mluster@coastal.ca.gov
Amendment to Specific Plan 144H	City of Carlsbad, Planning Department	Scott Donnell, Planner Planning Department 1635 Faraday Avenue Carlsbad, CA 92008-7314 (760) 602-4600
Amendment to the Encina Power Station PDP	City of Carlsbad, Planning Department	Scott Donnell, Planner Planning Department 1635 Faraday Avenue Carlsbad, CA 92008-7314 (760) 602-4600

### 5.6.12 Permits Required and Permit Schedule

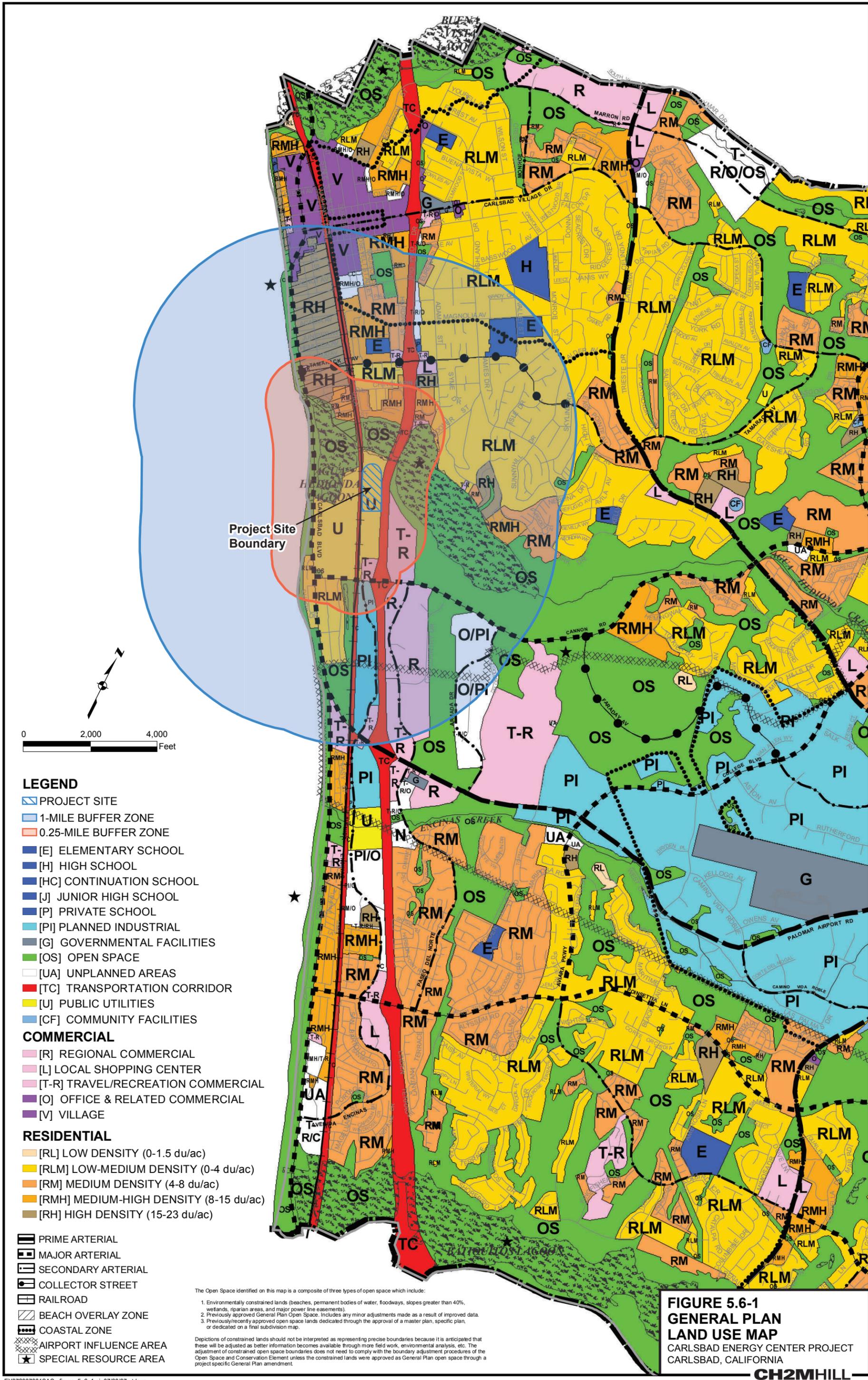
Table 5.6-9 lists the permits and permit schedule for biological resources.

TABLE 5.6-9  
Permits and Permit Schedule for Biological Resources

Permit	Agency Contact	Schedule
Amendment to Specific Plan 144	Scott Donnell, Planner Planning Department 1635 Faraday Avenue Carlsbad, CA 92008-7314 (760) 602-4600	Prior to Construction
Amendment to the Encina Power Station PDP	Scott Donnell, Planner Planning Department 1635 Faraday Avenue Carlsbad, CA 92008-7314 (760) 602-4600	Prior to Construction

### 5.6.13 References

- California Department of Conservation, Division of Land Resource Protection. 2007. [www.consrv.ca.gov/DLRP/fmmp/county\\_info\\_results.asp](http://www.consrv.ca.gov/DLRP/fmmp/county_info_results.asp). Viewed on July 6, 2007.
- California Coastal Commission. 2007. [www.coastal.ca.gov](http://www.coastal.ca.gov). Viewed on August 8, 2007.
- Carlsbad Unified School District. 2007. <http://www.carlsbadusd.k12.ca.us/distbound.htm>. Viewed on July 16, 2007.
- City of Carlsbad. 1994. General Plan, Land Use Element.
- City of Carlsbad. 1990. City of Carlsbad Landscape Manual. November 1990.
- City of Carlsbad. 1995. City of Carlsbad Noise Guideline Manual. September 1995.
- City of Carlsbad. 2004. Habitat Management Plan for Natural Communities in the City of Carlsbad.
- City of Carlsbad. 2006a. City of Carlsbad Specific Plan 144H.
- City of Carlsbad. 2006b. City of Carlsbad Local Coastal Program, Agua Hedionda Land Use Plan.
- City of Carlsbad. 2007. Zoning Ordinance.
- City of Carlsbad. 2007b. Capital Improvement Program Technical Appendix 2006-2007 to Buildout.
- Hofman Planning and Engineering. 2006. Encina Power Station Precise Development Plan, PDP 00-02.
- North County Times. 2007. [http://www.nctimes.com/articles/2007/08/05/news/coastal/0\\_55\\_528\\_5\\_07.txt](http://www.nctimes.com/articles/2007/08/05/news/coastal/0_55_528_5_07.txt). Viewed on August 15, 2007.
- North County Times. 2007. [http://www.nctimes.com/articles/2007/08/11/news/coastal/23\\_23\\_448\\_10\\_07.txt](http://www.nctimes.com/articles/2007/08/11/news/coastal/23_23_448_10_07.txt).
- Poseidon Resources Corp. 2005. The Carlsbad Desalination project Final Environmental Impact Report, EIR 03-05.
- RSG Intelligent Community Development. 2006. South Carlsbad Coastal Redevelopment Area. January 2006.
- San Diego Association of Governments. 1994. Comprehensive Land Use Plan – McClellan-Palomar Airport Carlsbad, CA. April 1994.
- San Diego Association of Governments. 2007. I-5 North Coast Fact Sheet. May 2007.



**LEGEND**

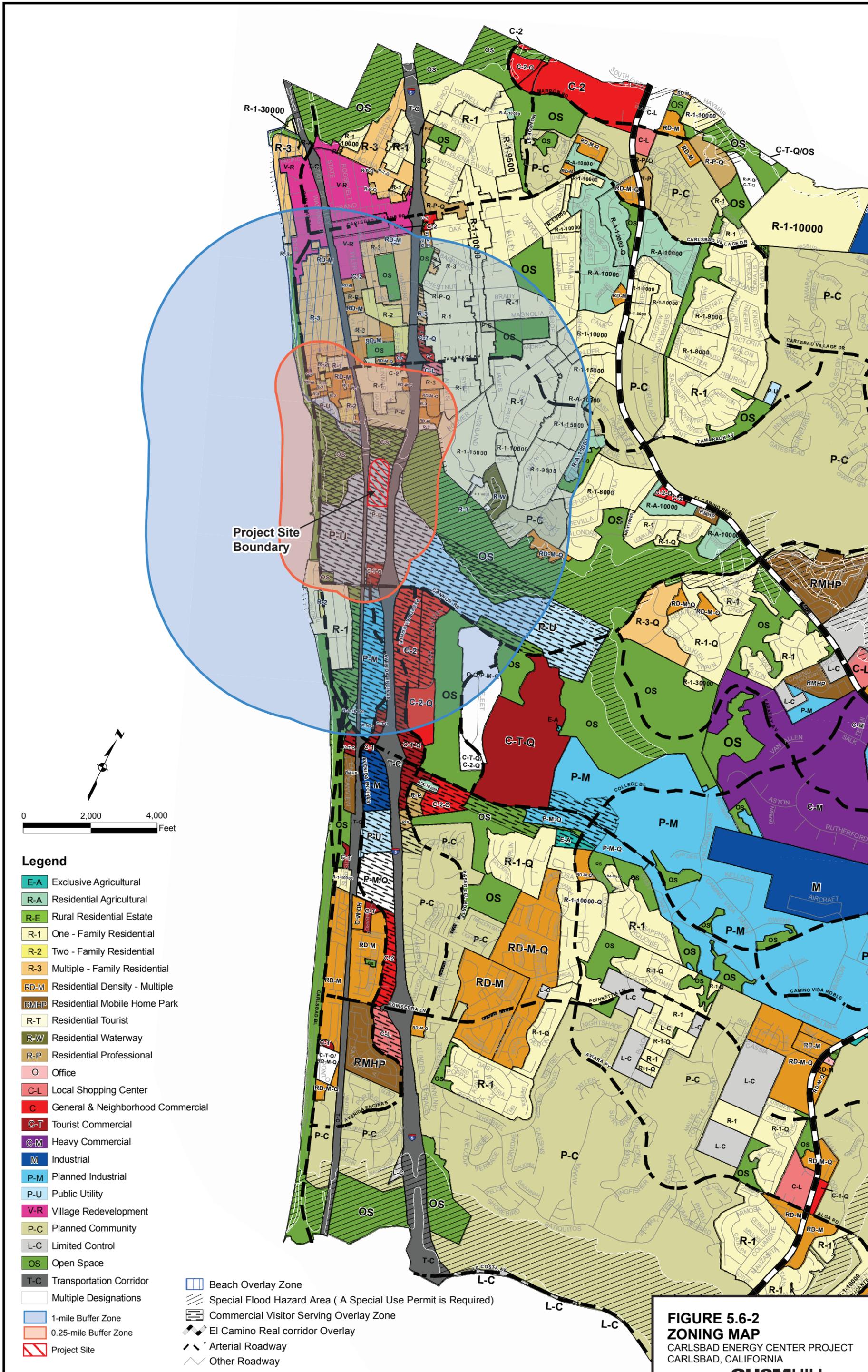
- PROJECT SITE
- 1-MILE BUFFER ZONE
- 0.25-MILE BUFFER ZONE
- [E] ELEMENTARY SCHOOL
- [H] HIGH SCHOOL
- [HC] CONTINUATION SCHOOL
- [J] JUNIOR HIGH SCHOOL
- [P] PRIVATE SCHOOL
- [PI] PLANNED INDUSTRIAL
- [G] GOVERNMENTAL FACILITIES
- [OS] OPEN SPACE
- [UA] UNPLANNED AREAS
- [TC] TRANSPORTATION CORRIDOR
- [U] PUBLIC UTILITIES
- [CF] COMMUNITY FACILITIES
- COMMERCIAL**
- [R] REGIONAL COMMERCIAL
- [L] LOCAL SHOPPING CENTER
- [T-R] TRAVEL/RECREATION COMMERCIAL
- [O] OFFICE & RELATED COMMERCIAL
- [V] VILLAGE
- RESIDENTIAL**
- [RL] LOW DENSITY (0-1.5 du/ac)
- [RLM] LOW-MEDIUM DENSITY (0-4 du/ac)
- [RM] MEDIUM DENSITY (4-8 du/ac)
- [RMH] MEDIUM-HIGH DENSITY (8-15 du/ac)
- [RH] HIGH DENSITY (15-23 du/ac)
- PRIME ARTERIAL
- MAJOR ARTERIAL
- SECONDARY ARTERIAL
- COLLECTOR STREET
- RAILROAD
- BEACH OVERLAY ZONE
- COASTAL ZONE
- AIRPORT INFLUENCE AREA
- SPECIAL RESOURCE AREA

The Open Space identified on this map is a composite of three types of open space which include:

1. Environmentally constrained lands (beaches, permanent bodies of water, floodways, slopes greater than 40%, wetlands, riparian areas, and major power line easements).
2. Previously approved General Plan Open Space. Includes any minor adjustments made as a result of improved data.
3. Previously/recently approved open space lands dedicated through the approval of a master plan, specific plan, or dedicated on a final subdivision map.

Depictions of constrained lands should not be interpreted as representing precise boundaries because it is anticipated that these will be adjusted as better information becomes available through more field work, environmental analysis, etc. The adjustment of constrained open space boundaries does not need to comply with the boundary adjustment procedures of the Open Space and Conservation Element unless the constrained lands were approved as General Plan open space through a project specific General Plan amendment.

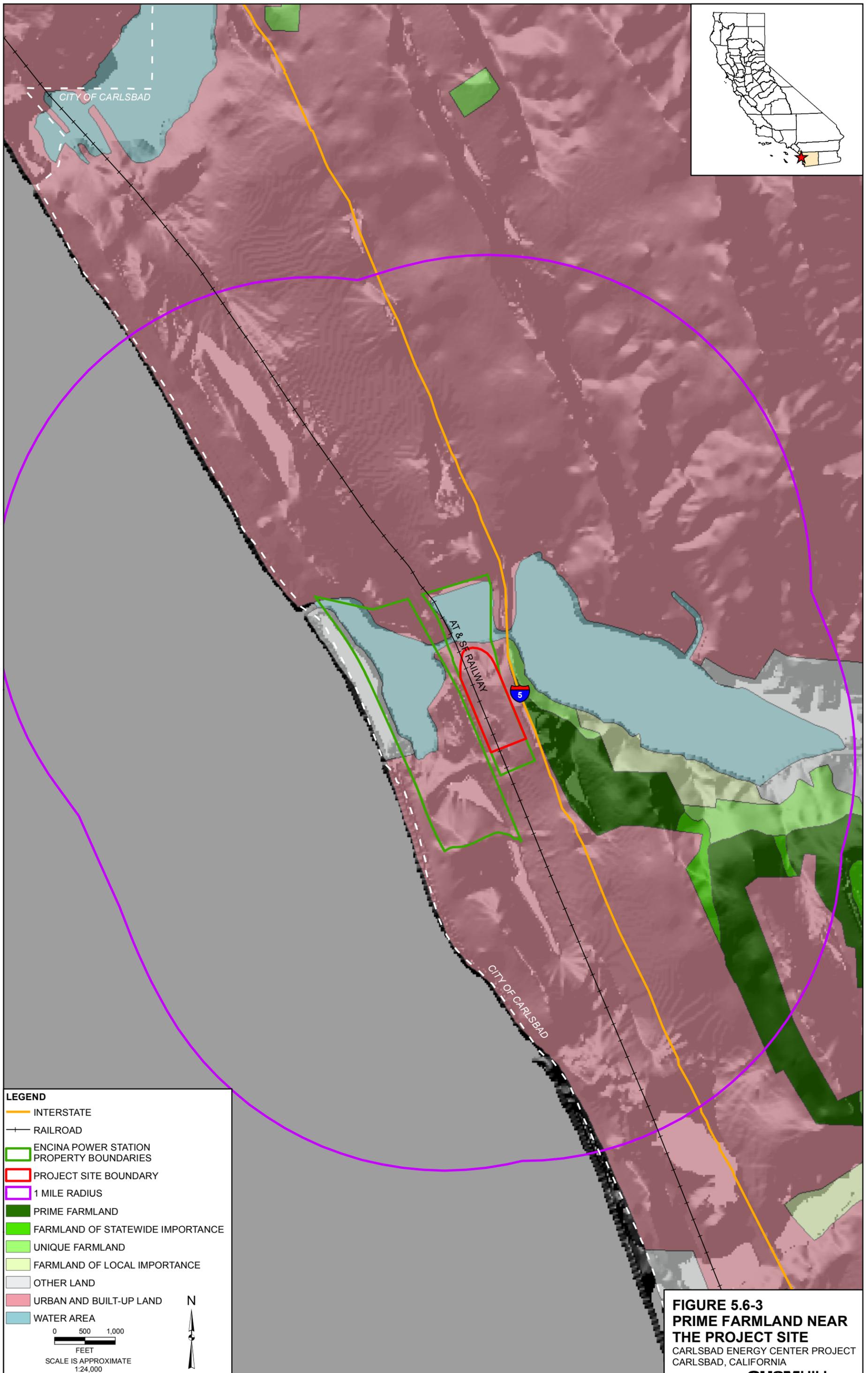
**FIGURE 5.6-1  
GENERAL PLAN  
LAND USE MAP  
CARLSBAD ENERGY CENTER PROJECT  
CARLSBAD, CALIFORNIA**



**Legend**

- E-A Exclusive Agricultural
- R-A Residential Agricultural
- R-E Rural Residential Estate
- R-1 One - Family Residential
- R-2 Two - Family Residential
- R-3 Multiple - Family Residential
- RD-M Residential Density - Multiple
- RMHP Residential Mobile Home Park
- R-T Residential Tourist
- R-W Residential Waterway
- R-P Residential Professional
- O Office
- C-L Local Shopping Center
- C General & Neighborhood Commercial
- C-T Tourist Commercial
- C-M Heavy Commercial
- M Industrial
- P-M Planned Industrial
- P-U Public Utility
- V-R Village Redevelopment
- P-C Planned Community
- L-C Limited Control
- OS Open Space
- T-C Transportation Corridor
- Multiple Designations
- 1-mile Buffer Zone
- 0.25-mile Buffer Zone
- Project Site
- Beach Overlay Zone
- Special Flood Hazard Area ( A Special Use Permit is Required)
- Commercial Visitor Serving Overlay Zone
- El Camino Real corridor Overlay
- Arterial Roadway
- Other Roadway

**FIGURE 5.6-2**  
**ZONING MAP**  
 CARLSBAD ENERGY CENTER PROJECT  
 CARLSBAD, CALIFORNIA



**FIGURE 5.6-3**  
**PRIME FARMLAND NEAR**  
**THE PROJECT SITE**  
 CARLSBAD ENERGY CENTER PROJECT  
 CARLSBAD, CALIFORNIA



**FIGURE 5.6-4**  
**PROJECTS IN THE**  
**VICINITY OF CECP**  
 CARLSBAD ENERGY CENTER PROJECT  
 CARLSBAD, CALIFORNIA