

The City Attorney has prepared the following impartial analysis of Measure T2022:

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CITY OF CARPINTERIA

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BRIAN C. BARRETT  
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### Impartial Analysis by City Attorney Measure T2022

Development in the City of Carpinteria is governed by the combined General Plan/Local Coastal Plan (General Plan) and zoning regulations.

Measure T2022 proposes to change and readopt General Plan and zoning designations for two City-owned parcels: Parcel A, which is located at 499 Linden Avenue and serves as Parking Lot No. 3, and Parcel B, which is an unimproved lot across the railroad tracks from Parcel A.

Measure T2022 also proposes to change the General Plan's citywide definition of open space recreation (OSR), which is the designation used for parks and open spaces.

Generally, the City Council has authority to change General Plan and zoning designations. If Measure T2022 is approved, however, the General Plan and zoning designations that it establishes would require voter approval to be changed.

#### **Changes to General Plan and Zoning Designations for Parcels A and B**

Parcel A is designated in the General Plan as General Commercial (GC) and zoned Commercial Planned Development (CPD). These designations allow both commercial (e.g., office, retail and restaurant) and residential uses.

Measure T2022 would change Parcel A's General Plan designation from GC to OSR, and its zoning from CPD to Recreation (REC) with a residential overlay. These changes would prohibit commercial development. The residential overlay would still allow residential uses on Parcel A, but at a lower density than allowed under current designations. Therefore, the City may be required to upzone other parcels to maintain its housing capacity as required by state law.

The City is considering the development of the Surfliner Inn, including construction of a parking lot, on portions of Parcels A and B. If Measure T2022 is approved, development of the Surfliner Inn would not be possible. If Measure T2022 is not approved, Parcel A would maintain its current designations and the Surfliner Inn could be approved, approved with modifications, or denied through a public development review process.

Parcel B is designated in the General Plan as OSR and zoned REC. Measure T2022 proposes to readopt the current designations for Parcel B.

#### **Changes to Citywide OSR General Plan Definition**

Although Measure T2022 states that proposed changes to the General Plan only affect Parcels A and B, it proposes to revise a citywide definition. Therefore, Measure T2022 would change the

General Plan's definition of OSR to state that "existing parking" and residential overlays are allowed on all OSR parcels within the City.

Lists of allowable uses in the General Plan are normally not exclusive, meaning they provide examples of typical allowable uses. However, Measure T2022's change could be interpreted to mean that OSR parcels may have "existing parking" but cannot add "new parking". If interpreted this way, no new parking could be added to any existing or new parks or open spaces.

By allowing a residential overlay on OSR parcels, Measure T2022 could allow new residential development on any OSR parcel included in a residential overlay in the future.

This measure was placed on the ballot by a petition signed by the requisite number of voters.



Jena Shoaf Acos

On behalf of Brownstein Hyatt Farber Schreck, LLP,  
acting as City Attorney for City of Carpinteria

**A copy of the entire text of Measure T2022 is printed in the voter information pamphlet. You may also access the full text of Measure T2022 on the City's website at <https://carpinteriaca.gov/>.**