

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5260
FAX (415) 904-5400

W18a



DATE: July 23, 2009

TO: Commissioners and Interested Parties

FROM: Charles Lester, Senior Deputy Director
Ruby Pap, North Central Coast District Supervisor
Doug Macmillan, Coastal Planner

SUBJECT: **Pacifica LCP Amendment No. PAC-MAJ-1-08 (270 Rockaway Beach):**
Concurrence with the Executive Director's determination that the action of the City of Pacifica accepting the Commission's certification of LCP Amendment No. PAC-MAJ-1-08 and adopting implementing ordinances is legally adequate (For Commission review at the meeting of August 13, 2009).

1. BACKGROUND:

The Commission acted on City of Pacifica LCP Amendment No. PAC-MAJ-1-08 on March 12, 2009. The proposed amendment involved changes to the Rockaway Beach Specific Plan, Figure 7, which is part of the City's Land Use Plan (LUP) to allow office uses located entirely above the ground floor.

The Commission rejected the LUP amendment as submitted and then ultimately approved it with one suggested modification as recommended by staff. The suggested modification was to limit the amendment to the development at 270 Rockaway Beach Avenue.

2. EFFECTIVE CERTIFICATION:

On April 21, 2009, the Pacifica City Council held a public hearing and adopted Resolution No. 01-2009 which acknowledged receipt of the Commission's resolution of certification, accepts and agrees to the Coastal Commission's modifications, agrees to issue permits in conformance with the modified LCP, and formally approves the necessary changes to the City's LUP (see Exhibit No. 2).

As provided in Sections 13544 and 13544.5 of the California Code of Regulations, for the amendment to become effective, the Executive Director must determine that City of Pacifica's actions are legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of the Pacifica LCP Amendment No. PAC-MAJ-1-08 shall become effective upon the filing of a Notice

of Certification for the LCP amendment with the Secretary of Resources, as provided in Public Resources Code Section 21080.5(d)(2)(v).

3. STAFF RECOMMENDATION:

Staff recommends that the Commission concur with the determination of the Executive Director that the actions of the City of Pacifica to accept the Commission's certification of City of Pacifica's LCP Amendment No. PAC-MAJ-1-08 and adopt the necessary changes to the City's LUP are legally adequate, as noted in the attached letter, Exhibit No. 1 (to be sent after Commission concurrence).

EXHIBITS

1. Sample Letter to City
2. City of Pacifica Resolution No. 01-2009

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



August ____, 2009

Michael Crabtree
City of Pacifica
Planning Department
170 Santa Maria Avenue
Pacifica, CA 94044

SUBJECT: Effective Certification of City of Pacifica LCP Amendment No. PAC-MAJ-1-08 (270 Rockaway Beach)

Dear Mr. Crabtree,

The Executive Director of the Coastal Commission has reviewed City Council Resolution No. 01-2009 for effective certification of Pacifica LCP Amendment No. PAC-MAJ-1-08 (270 Rockaway Beach).

The City's resolution indicates that the City acknowledges receipt of and accepts the Commission's resolution for certification and that the City agrees to issue permits in conformance with the modified certified local coastal program.

The Executive Director has found that the City's resolution and ordinance fulfills the requirements of Section 13544(a) of the California Code of Regulations. In accordance with Section 13544(b) of the regulations, the Director has determined that the City's actions are legally adequate.

The Coastal Commission concurred with this determination at its meeting of August 13, 2009 in San Francisco. Commission approval and the amendment process are now complete. If you have any questions, please contact Doug Macmillan in our San Francisco office at (415) 904-5260 or dmacmillan@coastal.ca.gov.

Sincerely,

Ruby Pap
North Central Coast District Supervisor

**Exhibit 1
PAC-MAJ-1-08
Sample Letter to City**

2009 JUN 2 10 2009

RESOLUTION NO. 01-2009

A RESOLUTION OF THE CITY COUNCIL/REDEVELOPMENT AGENCY
AMENDING THE LCP TO ALLOW THE ROCKAWAY BEACH SPECIFIC
PLAN TO BE AMENDED TO ALLOW OFFICE ACTIVITY

WHEREAS, an application has been submitted to develop a 14,075 square foot parcel with a three-story commercial development on property classified C-1, Neighborhood Commercial; and

WHEREAS, the City Council of the City of Pacifica has adopted a Rockaway Beach Specific Plan on February 24, 1986 to provide a bridge between the Local Coastal Land Use Plan (LCP) and development proposals. The Specific Plan combines zoning regulations, capital improvement programs, and development standards which seek to stimulate and attract private investment in the area; and

WHEREAS, based on the results of the initial study, a Mitigated Negative Declaration has been prepared and adopted concluding that the project will not result in any significant effects on the environment; and

WHEREAS, on July 14, 2008, the City Council/Redevelopment Agency held a public hearing on the proposed project and Mitigated Negative Declaration, and considered all comments and testimony received pertaining thereto; and

WHEREAS, on November 10, 2008, the City Council/Redevelopment Agency held a public hearing to adopt a resolution amending the Local Coastal Land Use Plan (LCP) to allow the Rockaway Beach Specific Plan to be amended to allow office activity; and

WHEREAS, on May 26, 2009, the City Council/Redevelopment Agency held a public hearing to amend the resolution adopted on November 10, 2008 amending the Local Coastal Land Use Plan (LCP) to allow the Rockaway Beach Specific Plan to be amended to allow office activity above the ground floor at 270 Rockaway Beach Avenue; and

WHEREAS, said project is intended to be carried out in a manner fully consistent with the provisions of the City's certified Local Coastal Plan and the California Coastal Act; and

WHEREAS, the amendment of the Local Coastal Land Use Plan (LCP) to allow the Rockaway Beach Specific Plan to be amended to allow office activity shall take effect after the California Coastal Commission also approves the amendment to the LCP; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council/Redevelopment Agency of the City of Pacifica does hereby amend the Local Coastal Program Land Use Plan that would amend the Rockaway Beach Specific Plan Figure 7, Land Use Boundaries and Parking Locations, page 13 to allow office uses located entirely above the ground floor at 270 Rockaway Beach Avenue, as indicated on the attached Exhibit A.

* * * * *

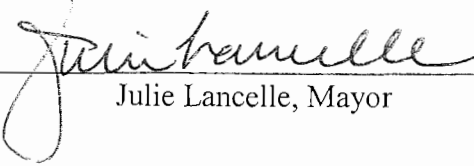
Passed and adopted at the regular meeting of the City Council of the City of Pacifica held on May 26, 2009 by the following vote of the members thereof:

AYES, Agency Members: Nihart, DeJarnatt, Digre & Lancelle

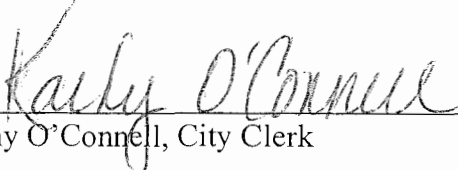
NOES, Agency Members: None

ABSENT, Agency Members: Vreeland


ABSTAIN, Councilmembers: None


Julie Lancelle, Mayor

ATTEST:


Kathy O'Connell, City Clerk

APPROVED AS TO FORM:


Cecilia Quick, City Attorney

* * * * *

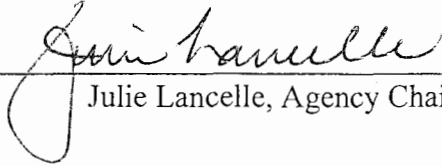
Passed and adopted at the regular meeting of the City Council/Redevelopment Agency of the City of Pacifica held on May 26, 2009 by the following vote of the members thereof:

AYES, Agencymembers:

NOES, Agencymembers:

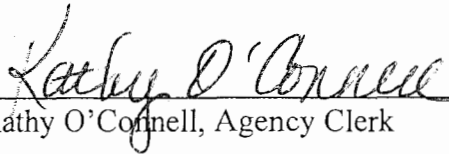
ABSENT, Agencymembers:

ABSTAIN, Agencymembers:




Julie Lancelle, Agency Chair

ATTEST:







Kathy O'Connell, Agency Clerk

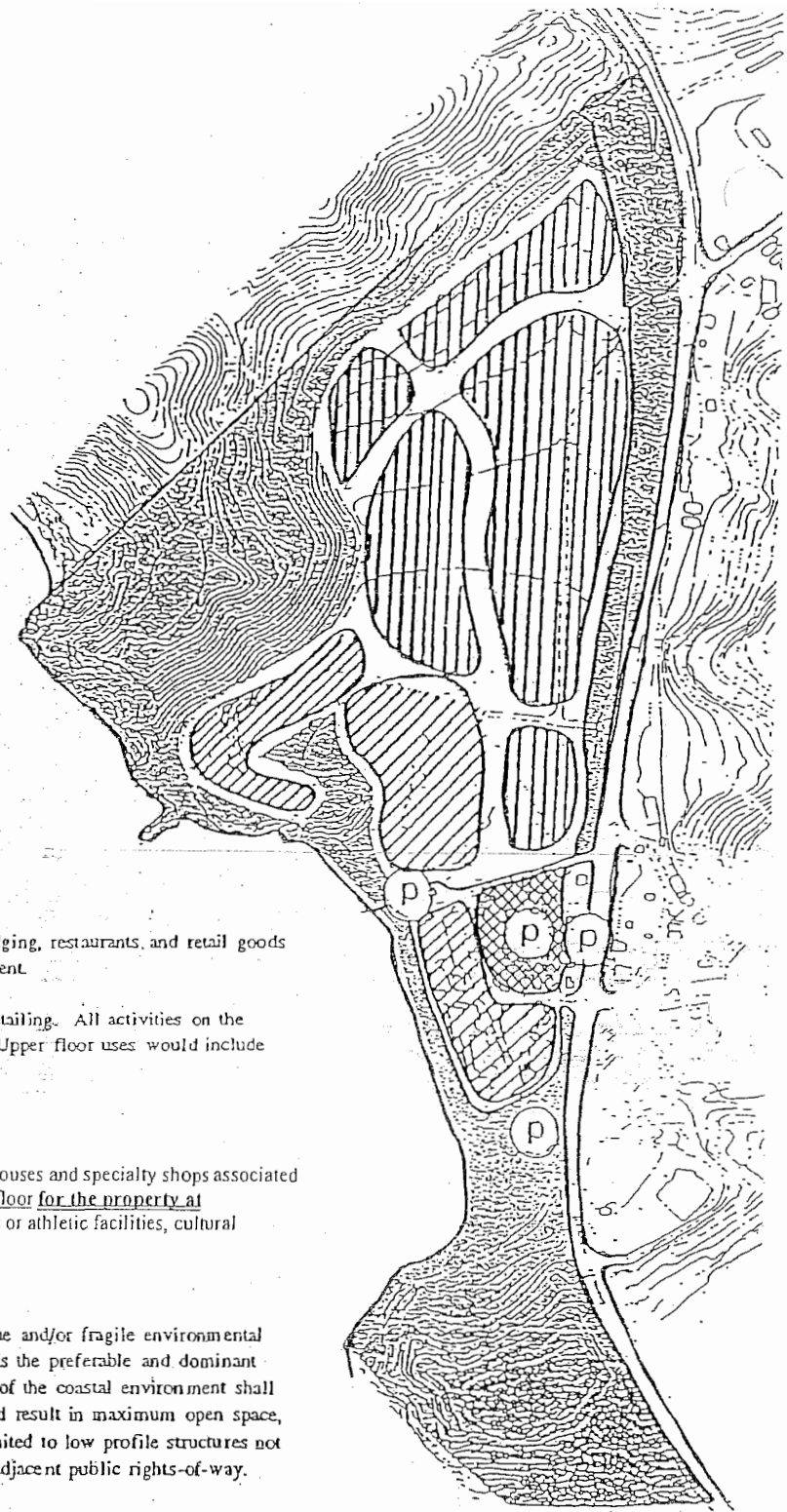
APPROVED AS TO FORM:



Cecilia Quick, Agency Attorney

Figure 7
 Land Use Boundaries and
 Parking Locations

Mixed Use	
Visitor Commercial	
Open Space/Recreation	
Parking	P
Business Commercial	



DESCRIPTION OF USES

Mixed Use

This land use category is intended to allow activities such as lodging, restaurants, and retail goods and services which enable visitors to enjoy the coastal environment.

Permitted uses include lodging houses and pedestrian oriented retailing. All activities on the ground floor shall be limited to retail and/or personal services. Upper floor uses would include retail, office or residential activities.

Visitor Commercial

Allowable uses would include restaurants, motels, hotels, lodging houses and specialty shops associated with these uses, and offices uses located entirely above the ground floor for the property at 270 Rockaway Beach Avenue. Other permitted uses include sports or athletic facilities, cultural centers, museums and other similar activities.

Open Space/Recreation

This land use category is limited to areas having high scenic value and/or fragile environmental characteristics. While open space for public use and enjoyment is the preferable and dominant activity, commercial uses that are in harmony with the character of the coastal environment shall be conditionally permitted. Such commercial development should result in maximum open space, public access and usage, extremely low building coverage, be limited to low profile structures not located on prominent ridgelines and preserve scenic vistas from adjacent public rights-of-way.

Parking

This use category is intended to allow commercial activities that provide employment and services to the community, but might be inappropriate in the Rockaway Beach neighborhood. Such commercial activities that would be encouraged include new office, business and research enterprises and financial institutions. Visitor commercial activities are also allowed and encouraged in the Business Commercial area.