

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036

January 17, 1996



Th 13a

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: CHUCK DAMM, SOUTH COAST DISTRICT DIRECTOR
DEBORAH N. LEE, COASTAL PROGRAM MANAGER, SAN DIEGO AREA OFFICE
LEE MCEACHERN, COASTAL PROGRAM ANALYST, SAN DIEGO AREA OFFICE

SUBJECT: STAFF RECOMMENDATION ON MAJOR AMENDMENT 3-95 (Encinitas Ranch/
Leucadia Boulevard) TO THE CITY OF ENCINITAS LOCAL COASTAL
PROGRAM (For Public Hearing and Possible Final Action at the
Coastal Commission Hearing of February 7-9, 1996)

SYNOPSISSUMMARY OF AMENDMENT REQUEST

On August 9, 1995, the Commission approved Encinitas LPCA 1-95-A, adopting the Encinitas Ranch Specific Plan. In approving the specific plan, the Commission also adopted the alignment and design for the extension of Leucadia Boulevard east to E7 Camino Real. The approved alignment, which was determined to be the least environmentally-damaging alternative, extended slightly north into the City of Carlsbad for a small 3.3 acre area as it cuts through the bluffs into Green Valley. To allow for the entire roadway of Leucadia Boulevard to be within the City of Encinitas for construction and maintenance purposes, the two cities have agreed to a boundary adjustment which would add the 3.3 acre area to the City of Encinitas. To add this area, the City of Encinitas has requested approval of LAFCO. However, because annexation of this 3.3 acre area will not be completed prior to the Commission's action on this LCP Amendment, the LPCA, if approved by the Commission, will not become effective until the annexation process is completed and the necessary documents have been recorded.

As such, this submittal consists of a proposal to apply land use and zoning designations to 3.3 acres of land that is currently in the process of being annexed to the City. Specifically, the City proposes an amendment to the certified land use plan and implementation plan to designate and zone the 3.3 acre area as SP-3 (which designates this area as part of the Encinitas Ranch Specific Plan). In addition, the City proposes to amend the certified Encinitas Ranch Specific Plan to designate and zone the 3.3 acre area as OS (Open Space).

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending approval, as submitted, of the entire LCP amendment request, both land use and implementation portions. The appropriate

resolutions and motions may be found on Pages 4-5. The findings for approval, as submitted, of the Land Use Plan revisions begin on Page 6. Findings for approval, as submitted, of the Implementation Plan revisions begin on Page 8.

BACKGROUND

On November 17, 1994, the Commission approved, with suggested modifications, the City of Encinitas Local Coastal Program (both land use plan and implementing ordinances). The City accepted the suggested modifications and on May 15, 1995, began issuing coastal development permits for those areas of the City within the Coastal Zone. The subject LCPA will be the third amendment to the City's certified LCP.

ADDITIONAL INFORMATION

Further information on the City of Encinitas LCP amendment may be obtained from Lee McEachern, Coastal Planner, at the San Diego Area Office of the Coastal Commission, 3111 Camino Del Rio North, Suite 200, San Diego, CA 92108-1725, (619) 521-8036.

PART I. OVERVIEW

A. LCP HISTORY

The City of Encinitas is within the area that was covered by the County of San Diego Local Coastal Program, which covered the north-central coast of San Diego County that included the areas of Leucadia, Encinitas, Cardiff, Solana Beach and other unincorporated communities.

The County LCP Land Use Plan, which comprised approximately 11,000 acres, was approved by the San Diego Coast Regional Commission on March 13, 1981. Subsequently, on May 21, 1981, the State Commission certified the LUP with suggested modifications. After three resubmittals, the Commission certified the LUP on August 23, 1984. On September 26, 1984, the Commission certified, with suggested modifications, the Implementation Plan portion of the County's LCP. Subsequently, the County resubmitted for Commission review the Implementation Plan incorporating the Commission's previously suggested modifications, with the exception of that portion of the plan dealing with the coastal bluff areas. On November 22, 1985, the Commission voted to certify the Implementation Plan for the County, except for coastal bluff lots affected by the Coastal Development Area Regulations, where certification was deferred.

On July 1, 1986 and October 1, 1986, the Cities of Solana Beach and Encinitas incorporated, reducing the remaining unincorporated area of the County within the coastal zone to less than 2,000 acres. Because of these incorporations, the County has indicated that it does not plan to assume coastal development permit-issuing authority for the remaining acreage and the County LCP never became "effectively certified".

On April 27, 1994, the City of Encinitas completed its initial submittal for its Local Coastal Program Land Use Plan (LUP) and Implementation Plan. After staff review for compliance with the Commission's regulations on filing, the Executive Director determined the submittal was not adequate for filing. Additional information was subsequently submitted and the Executive Director formally accepted the LCP submittal on June 2, 1994. On November 17, 1994, the Commission certified the City's entire LCP, with suggested modifications. Subsequently, the City accepted the suggested modifications and on May 15, 1995, began issuing coastal development permits.

On August 9, 1995, the Commission approved, with suggested modifications, one portion of the City's first LCP Amendment, Part A, pertaining to adoption of the Encinitas Ranch Specific Plan and the Planned Commercial Development Regulations. Subsequently, on October 10, 1995, the Commission approved, with suggested modifications, Part B of the City's LCPA 1-95 pertaining to several General Plan amendments and various zoning code revisions.

Then on January 12, 1996, the Commission approved the City's second LCP Amendment request, as a minor amendment, pertaining to additional time for completion of a comprehensive plan for the City's shoreline. The subject LCP Amendment will be the City's third such request.

B. STANDARD OF REVIEW

The standard of review for land use plans, or their amendments, is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP or LUP amendment if it finds that it meets the requirements of Chapter 3 of the Coastal Act. Specifically, it states:

Section 30512

(c) The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

C. PUBLIC PARTICIPATION

The City has held both Planning Commission and City Council meetings with regard to the subject amendment request. Each of these local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

PART II. LOCAL COASTAL PROGRAM SUBMITTAL - RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

- A. RESOLUTION I (Resolution to approve City of Encinitas LCPA 3-95 Land Use Plan and Encinitas Ranch Specific Plan Land Use Plan Amendment, as submitted)

MOTION I

I move that the Commission certify the City of Encinitas' Land Use Plan Amendment #3-95, as submitted.

Staff Recommendation

Staff recommends a YES vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution I

The Commission hereby certifies the amendment request to the City of Encinitas Land Use Plan and Encinitas Ranch Specific Plan Land Use Plan, and adopts the findings stated below on the grounds that the amendment will meet the requirements of and conform with the policies of Chapter 3 (commencing with Section 30200) of the California Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act; the land use plan, as amended, will contain a specific access component as required by Section 30500 of the Coastal Act; the land use plan, as amended, will be consistent with applicable decisions of the Commission that shall guide local government actions pursuant to Section 30625(c); and certification of the land use plan amendment meets the requirements of Section 21080.5(d)(2)(i) of the California Environmental Quality Act, as there would be no feasible measures or feasible alternatives which would substantially lessen significant adverse impacts on the environment.

- B. RESOLUTION II. (Resolution to approve certification of the City of Encinitas LCP Implementation Plan and Encinitas Ranch Specific Plan Implementation Plan Amendment 3-95, as submitted)

MOTION II

I move that the Commission reject the City of Encinitas' Implementation Plan Amendment #3-95, as submitted.

Staff Recommendation

Staff recommends a NO vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

Resolution II

The Commission hereby approves certification of the amendment to the Implementation Plans of the City of Encinitas LCP and the Encinitas Ranch Specific Plan on the grounds that the amendment conforms with, and is adequate to carry out, the provisions of the certified land use plan. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval would have on the environment.

PART III. FINDINGS FOR APPROVAL OF THE CITY OF ENCINITAS LCPA 3-95 LAND USE PLAN AND ENCINITAS RANCH SPECIFIC PLAN LAND USE PLAN AS SUBMITTED

A. AMENDMENT DESCRIPTION

The subject request proposes an amendment to the City's certified land use plan to designate an approximately 3.3 acre area, which is currently in the process of being annexed to the City, as SP-3 (which designates this area as part of the Encinitas Ranch Specific Plan). In addition, the City proposes to amend the certified Encinitas Ranch Specific Plan to designate the 3.3 acre area as OS (Open Space). The 3.3 acre area is located in the northeastern portion of the City, west of El Camino Real along the north portion of the Leucadia Boulevard alignment as it extends through the bluffs into Green Valley (ref. Exhibit #3 attached for exact location).

B. CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT

The Commission finds, pursuant to Section 30512.2b of the Coastal Act, that the LCP amendment, as set forth in the resolution for certification as submitted, is consistent with the policies and requirements of Chapter 3 of the Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act which states:

The Legislature further finds and declares that the basic goals of the state for the Coastal Zone are to:

- a) Protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.
- b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- d) Assure priority for coastal-dependent and coastal-related development over other developments on the coast.
- e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

C. CHAPTER 3 CONSISTENCY

1. Environmentally Sensitive Habitat Areas/Public Access.

A number of Coastal Act policies address the protection and enhancement of

sensitive habitat areas as well as public access and recreational resources. The most applicable to the proposed amendment state, in part:

Section 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30240

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

As noted previously, the impetus for the proposed amendment is that the approved alignment of Leucadia Boulevard extends partially into the City of Carlsbad and to effectively implement the construction and future maintenance of this major circulation element roadway, it is necessary for the 3.3 acre area to be in the City of Encinitas. To accomplish this, the City has requested approval of the Local Agency Formation Commission (LAFCO) to annex the area. Because LAFCO's procedures require that an area being annexed to a city be rezoned and provided with a General Plan land use designation, the City has proposed the subject amendment.

The 3.3 acre area which is the subject of this amendment is located within the area of the City governed by the certified Encinitas Ranch Specific Plan. As such, the proposed amendment is to designate the area as SP-3 (designating it as part of the Encinitas Ranch Specific Plan) in the City of Encinitas Local Coastal Program (LCP) Land Use Plan. This designation is consistent with the existing land use designation of SP-3 for the remainder of the area covered by the Encinitas Ranch Specific Plan. In addition, the amendment request proposes to designate the 3.3 acre area as OS (Open Space) in the Encinitas Ranch Specific Plan Land Use Plan. Again, this designation is consistent with the existing land use designation surrounding the area in the Encinitas Ranch Specific Plan LUP.

In review of the Encinitas Ranch Specific Plan (ref. City of Encinitas LCPA 1-95-A), the Commission approved the alignment and design of the extension of Leucadia Boulevard east to El Camino Real. In its findings for approval of the specific plan (and Leucadia Boulevard) with suggested modifications, the Commission found that although the alignment of Leucadia Boulevard through the

bluffs into Green Valley did have impacts to sensitive resources, such impacts would not involve a significant disruption of habitat. Specifically, the Commission found that in order to plan for the permanent protection of sensitive habitat areas on a comprehensive basis (as is the goal of the Natural Communities Conservation Plan (NCCP) planning program), some areas may be disturbed or developed so that other, more meaningful and significant habitat areas, can be preserved. As such, with adequate mitigation for all unavoidable impacts and a requirement that the development be completed in compliance with the NCCP planning process, the Commission found the extension of Leucadia Boulevard through the bluffs to be consistent with Section 30240 of the Coastal Act.

The proposed Local Coastal Program and Specific Plan LUP amendment is only to designate a 3.3 acre area that is needed to accommodate the approved alignment of Leucadia Boulevard (and is currently being processed for annexation to the City) such that the entire roadway will be within the City of Encinitas. No change in the approved alignment of the roadway nor additional impacts to environmentally sensitive habitat areas will occur as a result of the proposed amendment. In addition, the proposed amendment will have no affect on public access/trail improvements approved by the Commission for the Encinitas Ranch Specific Plan. Therefore, the Commission finds the proposed amendment to the City of Encinitas LCP and Encinitas Ranch Specific Plan Land Use Plans is consistent with Sections 30210, 30240 and all other applicable sections of the Coastal Act.

PART IV. FINDINGS FOR APPROVAL OF THE CITY OF ENCINITAS LCP IMPLEMENTATION PLAN AND ENCINITAS RANCH SPECIFIC PLAN IMPLEMENTATION PLAN AMENDMENT 3-95

A. AMENDMENT DESCRIPTION

The amendment request is to apply zoning to 3.3 acres of land that is currently in the process of being annexed to the City. Specifically, the City proposes to amend the certified LCP Implementation Plan to zone the 3.3 acre area as SP-3 (which designates this area as part of the Encinitas Ranch Specific Plan). In addition, the City proposes to amend the certified Encinitas Ranch Specific Plan to zone the 3.3 acre area as OS (Open Space).

B. FINDINGS FOR CERTIFICATION

1. Specific Plan (SP-3)

a) Purpose and Intent of the Ordinance. The purpose and intent of this ordinance is to allow for adoption of individual specific plans which may establish additional or separate provisions and standards in order to address the unique characteristics of a particular area. To date, three specific plans have been adopted under this ordinance: Home Depot Specific Plan (SP-1), Downtown Encinitas Specific Plan (SP-2), and the Encinitas Ranch Specific Plan (SP-3). Both the Downtown Encinitas Specific Plan and the Encinitas Ranch Specific Plan have been certified as part of the City's LCP. However, the Home Depot Specific Plan is located outside of the coastal zone.

b) Adequacy of Ordinance to Implement the Certified LUP. The proposed amendment is to zone 3.3 acre of land as SP-3 (designating it as Encinitas Ranch Specific Plan). The SP-3 Zone designation will indicate that the site is subject to the Encinitas Ranch Specific Plan. In addition, this proposed zoning map change will make the zoning of this 3.3 acre area, which is being annexed to the City to facilitate construction and future maintenance of Leucadia Boulevard, consistent with the SP-3 Zoning applied to the rest of the Encinitas Ranch Specific Plan area and no adverse impacts to coastal resources will occur as a result of the amendment. As the certified LUP designates the area as SP-3 also, the Commission finds the proposed amendment consistent with and adequate to carry out the certified LUP.

2. Open Space (OS) - Encinitas Ranch Specific Plan

a) Purpose and Intent of the Ordinance. The purpose of the Open Space Zone is to establish permitted uses and development standards for areas designated for open space within the specific plan area.

b) Major Provisions of the Ordinance. The Open Space Zone contains two major provisions that include:

- lists the permitted uses and uses that require further discretionary review; and
- establishes development standards for trails and paths to include maximum width, fencing requirements and landscaping provisions.

c) Adequacy of the Ordinance to Implement the Certified LUP. The intent of this zone is to preserve the existing biological and cultural resources within the specific plan area while at the same time providing some limited public access. The Open Space Zone limits permitted uses within open space areas to circulation element roads, hiking trails and paths and limited use by bicycles, when approved by a minor use permit.

The proposed amendment to the Encinitas Ranch Specific Plan Zoning Map will zone the 3.3 acre area OS (Open Space), consistent with the zoning applied to the adjacent bluff area. The proposed change is necessitated in order to facilitate construction and future maintenance of Leucadia Boulevard such that the entire roadway is in the City of Encinitas. The proposed amendment will not affect the approved Leucadia Boulevard alignment nor create additional impacts to environmentally sensitive habitat areas. In addition, the Encinitas Ranch Specific Plan Land Use Plan designates the area as OS (Open Space). Therefore, the Commission finds the proposed amendment to the Encinitas Ranch Specific Plan Zoning Map is consistent with and adequate to carry out the certified LUP.

PART V. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact

report (EIR) in connection with its local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, or LCP, as amended, does conform with CEQA provisions. In the case of the subject LCP amendment request, the Commission finds that approval of the Land Use Plan revisions, as submitted, will not result in significant environmental impacts under the meaning of the California Environmental Quality Act. The proposed amendment, which will amend both the City's LUP and Zoning Map as well as the Encinitas Ranch Specific Plan, will designate and zone a 3.3 acre area that is currently being processed for annexation to the City of Encinitas to implement the construction and future maintenance of Leucadia Boulevard. No change in the approved roadway alignment or additional impacts to environmentally sensitive habitat areas will occur. In addition, no changes in the approved pedestrian access trails will occur. The alignment and design of Leucadia Boulevard have already been reviewed and addressed under CEQA by the City of Encinitas in adopting the EIR for the Specific Plan and by the Commission in review of the LCPA adopting the Encinitas Ranch Specific Plan. Therefore, the Commission finds that no significant unmitigable environmental impacts within the meaning of CEQA will result from approval of the subject amendment.

(0820A)

RESOLUTION NO. 95-123

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ENCINITAS
APPROVING A GENERAL PLAN AMENDMENT,
LOCAL COASTAL PROGRAM AMENDMENT,
AND ZONING MAP AMENDMENT TO DESIGNATE 3.3 ACRES
AS SP-3 AND TO AMEND VARIOUS TABLES AND MAPS
TO REFLECT THE LAND USE DESIGNATION AND BOUNDARY ADJUSTMENT
(CASE NO. 95-274 GPA/ZOA/LCPA/SPA)**

WHEREAS, on May 11, 1995, the City of Encinitas Local Coastal Program was formally certified by the California Coastal Commission and the City began issuing coastal development permits for those coastal zone areas within the City;

WHEREAS, on July 1, 1995, the Encinitas Ranch area was annexed to the City of Encinitas, and became part of the City's Coastal Zone jurisdiction;

WHEREAS, on September 14, 1995, the California Coastal Commission certified the Land Use Plan and Implementation Plan of the Encinitas Ranch Specific Plan through the approval of the Encinitas Ranch Specific Plan Local Coastal Program Amendment;

WHEREAS, on November 30, 1995, the City of Encinitas Planning Commission held a public hearing to consider an amendment to the General Plan, Local Coastal Program and Zoning Map (95-274 GPA/ZOA/LCPA/SPA) to provide a Land Use/Zoning designation of SP-3 (Encinitas Ranch Specific Plan) for 3.3 acres being annexed to the City of Encinitas;

WHEREAS, on November 30, 1995, the City of Encinitas Planning Commission made a recommendation to the City Council to approve an amendment to the General Plan, Local Coastal Program and Zoning Map to provide a Land Use/Zoning designation of SP-3 for 3.3 acres;

WHEREAS, on December 13, 1995, the City Council held a public hearing to consider and adopt Resolution No. 95-123 approving an amendment to the City's General Plan, Local Coastal Program and Zoning Map (95-274 GPA/ZOA/LCPA/SPA) to provide a Land Use/Zoning designation of SP-3 for 3.3 acres being annexed to the City of Encinitas; and

WHEREAS, the City Council, upon the recommendation of the Planning Commission hereby approves an amendment to the General Plan, Local Coastal Program and Zoning Map based on the following findings:

SEE EXHIBIT "A"

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of

EXHIBIT NO. /
APPLICATION NO. ENCIN LCPA 3-95
CITY RESO FOR LCP/ZONING CHARTER
California Coastal Commission

Encinitas, as follows:

1. That the General Plan Amendment, Local Coastal Program Amendment and Zoning Map Amendment are intended to be carried out in a manner in full conformance with the California Coastal Act of 1976;
2. That the Community Development Director is hereby authorized to submit the General Plan Amendment, Local Coastal Program Amendment and Zoning Map Amendment application to the Executive Director of the California Coastal Commission; and
3. That the General Plan Amendment, Local Coastal Program Amendment and Zoning Map Amendment to modify the General Plan/LCP Land Use map, Zoning Map and related General Plan/LCP tables and maps by designating 3.3 acres as SP-3 (Encinitas Ranch Specific Plan), as indicated in Exhibit "B" of this Resolution, is hereby approved and shall not become effective until the Local Coastal Program Amendment is approved by the California Coastal Commission.
4. Pursuant to Sections 15162 and 15168 of the State California Environmental Quality Act (CEQA) Guidelines, the City of Council of the City of Encinitas has reviewed the proposed amendments and has determined that the certified Encinitas Ranch Specific Plan and Leucadia Boulevard Final Environmental Impact Report (Resolution 94-28) and adopted Statement of Overriding Considerations and Mitigation Monitoring Program (Resolution 94-91) adequately describes the associated potential impacts and mitigation measures and no new environmental documentation is required for the purposes of CEQA.

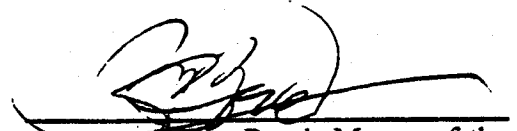
PASSED AND ADOPTED this 13th day of December, 1995, by the following vote, to wit:

AYES: Aspell, Bond, Davis, DuVivier, Hano

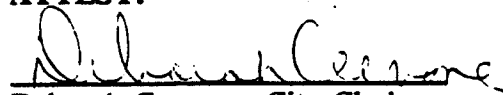
NAYS: None

ABSENT: None

ABSTAIN: None


James Bond, Mayor of the
City of Encinitas

ATTEST:


Deborah Cervone, City Clerk

RESOLUTION NO. 95-124

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ENCINITAS
APPROVING MODIFICATIONS TO THE LAND USE PLAN AND
IMPLEMENTATION PLAN OF THE ENCINITAS RANCH SPECIFIC PLAN
TO DESIGNATE 3.3 ACRES AS "OS" (OPEN SPACE)
AND TO AMEND TABLES AND MAPS TO REFLECT
THE "OS" LAND USE/ZONING DESIGNATIONS AND BOUNDARY ADJUSTMENTS
(CASE NO. 95-274 GPA/ZOA/LCPA/SPA)**

WHEREAS, on May 11, 1995, the City of Encinitas Local Coastal Program was formally certified by the California Coastal Commission and the City began issuing coastal development permits for those coastal zone areas within the City;

WHEREAS, on July 1, 1995, the Encinitas Ranch area was annexed to the City of Encinitas, and became part of the City's Coastal Zone jurisdiction;

WHEREAS, on September 14, 1995, the California Coastal Commission certified the Land Use Plan and Implementation Plan of the Encinitas Ranch Specific Plan through the approval of the Encinitas Ranch Specific Plan Local Coastal Program Amendment;


WHEREAS, on November 8, 1995, the City Council authorized, by Resolution NO. 95-105, the submittal of an application for annexation for 3.3 acres adjacent to the Encinitas Ranch Specific Plan for the purposes of construction and long-term maintenance of Leucadia Boulevard;

WHEREAS, on November 30, 1995, the City of Encinitas Planning Commission held a public hearing to consider an amendment to the Encinitas Ranch Specific Plan (95-274 GPA/ZOA/LCPA/SPA) to provide a Land Use and Zoning designation of "OS" (Open Space) for 3.3 acres being annexed to the City of Encinitas;

WHEREAS, on November 30, 1995, the City of Encinitas Planning Commission made a recommendation to the City Council to approve an amendment to the Encinitas Ranch Specific Plan to provide a Land Use and Zoning designation of "OS" (Open Space) for 3.3 and to modify other appropriate sections to reflect the land use designation and annexation of territory to the City;

WHEREAS, on December 13, 1995, the City Council held a public hearing to consider and adopt Resolution No. 95-124 approving an amendment to the Encinitas Ranch Specific Plan (95-274 GPA/ZOA/LCPA/SPA) to provide a Land Use and Zoning designation of "OS" for 3.3 acres and to modify other appropriate sections to reflect the land use designation and annexation of territory to the City; and

WHEREAS, the City Council, upon the recommendation of the Planning Commission,

EXHIBIT NO. 2
APPLICATION NO. ENCIN. LCPA 3-45
CITY RESO FOR ENC. RANCH S.P. CHY
 California Coastal Commission

hereby approves an amendment to the Land Use Plan and Implementation Plan of the Encinitas Ranch Specific Plan based on the following findings:

SEE EXHIBIT "A"

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Encinitas, as follows:

1. That the Encinitas Ranch Specific Plan amendments are intended to be carried out in a manner in full conformance with the California Coastal Act of 1976;
2. That the Community Development Director is hereby authorized to submit the Encinitas Ranch Specific Plan amendment application to the Executive Director of the California Coastal Commission; and
3. That the Encinitas Ranch Specific Plan amendments to modify the Land Use and Zoning maps, and related texts, tables and maps by designating 3.3 acres as "OS" (Open Space), as indicated in Exhibit "B" of this Resolution, is hereby approved and shall not become effective until the Local Coastal Program Amendment is approved by the California Coastal Commission.
4. Pursuant to Sections 15162 and 15168 of the State California Environmental Quality Act (CEQA) Guidelines, the City Council of the City of Encinitas has reviewed the proposed amendments and has determined that the certified Encinitas Ranch Specific Plan and Leucadia Boulevard Final Environmental Impact Report (Resolution 94-28) and adopted Statement of Overriding Considerations and Mitigation Monitoring Program (Resolution 94-91) adequately describes the associated potential impacts and mitigation measures and no new environmental documentation is required for the purposes of CEQA.

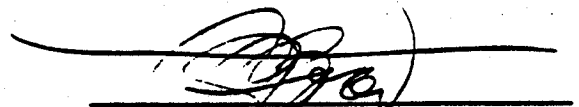
PASSED AND ADOPTED this 13th day of December, 1995, by the following vote, to wit:

AYES: Aspell, Bond, Davis, DuVivier, Hano


NAYS: None

ABSENT: None

ABSTAIN: None


James Bond, Mayor of the
City of Encinitas

ATTEST:

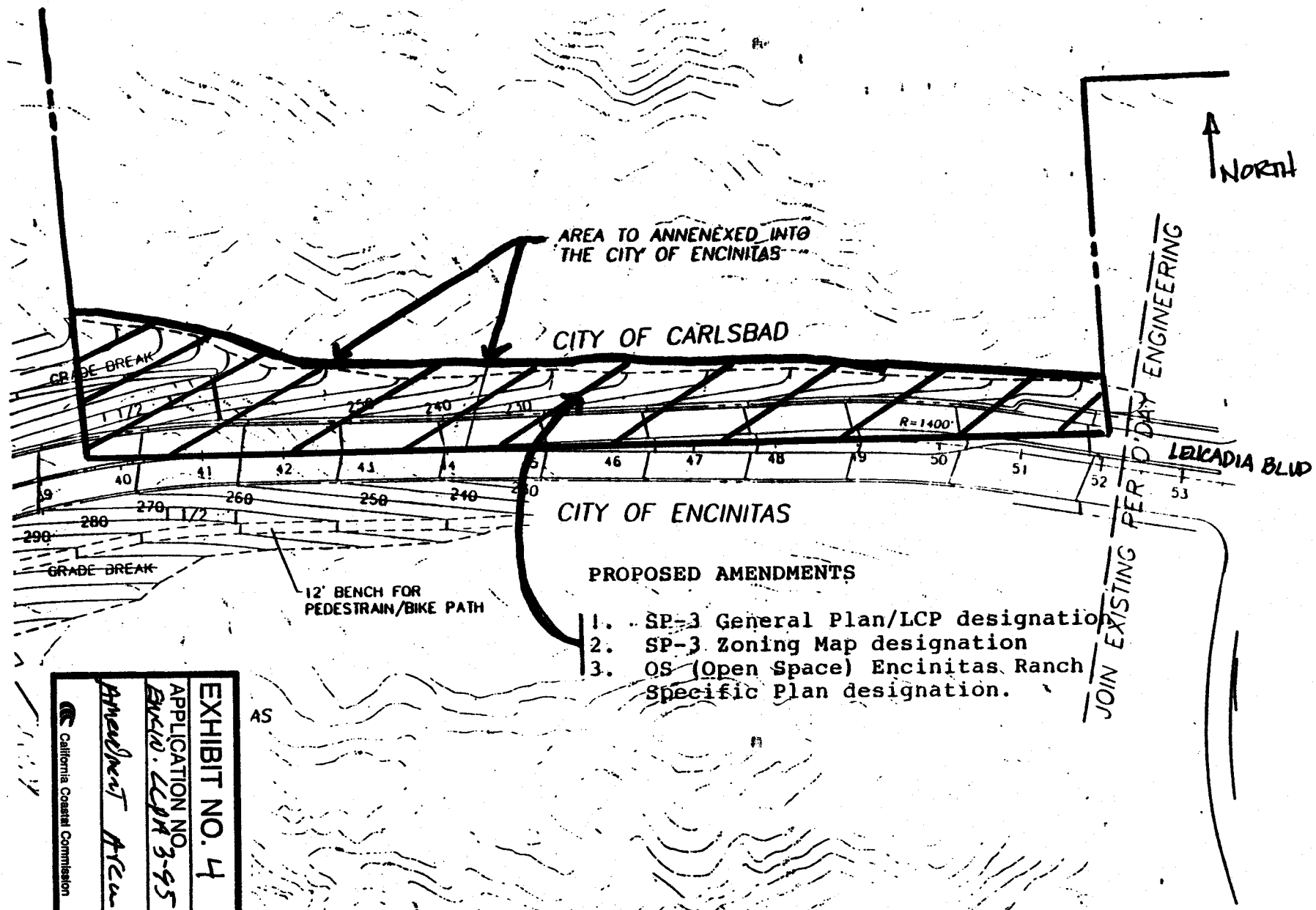

Deborah Cervone, City Clerk



3.3
Acre
Site
Subject
To The
Proposed
Amendment


EXHIBIT NO. 3
APPLICATION NO.
ENCIN. LCPA 3-95
LOCATION MAP.
California Coastal Commission

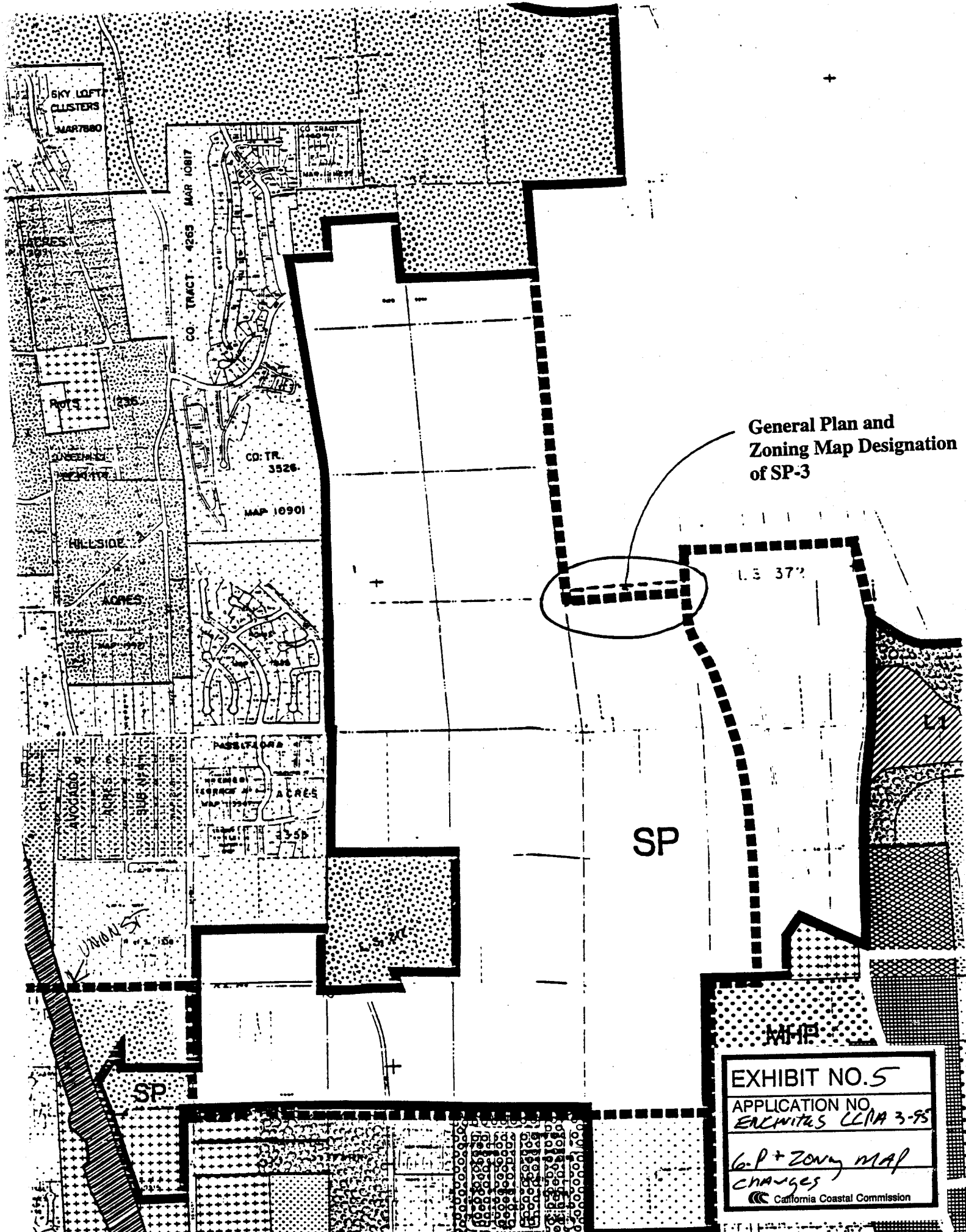
PROPOSED AMENDMENTS



PROPOSED AMENDMENTS

1. SP-3 General Plan/LCP designation
2. SP-3 Zoning Map designation
3. OS (Open Space) Encinitas Ranch Specific Plan designation.

 California Coastal Commission	AMENDMENT AREA
	ENCINO. LCP# 3-95
	APPLICATION NO.
	EXHIBIT NO. 4



General Plan and
Zoning Map Designation
of SP-3

SP

EXHIBIT NO. 5
APPLICATION NO.
ENCINITAS CCRA 3-95
G.P. + ZONING MAP
CHANGES
California Coastal Commission

