

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA  
3111 CAMINO DEL RIO NORTH, SUITE 200  
SAN DIEGO, CA 92108-1725  
(619) 521-8036



July 18, 1996

Wed 16c

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: CHUCK DAMM, SOUTH COAST DISTRICT DIRECTOR  
DEBORAH LEE, ASSISTANT DISTRICT DIRECTOR, SAN DIEGO AREA OFFICE  
ELLEN LIRLEY, COASTAL PROGRAM ANALYST, SAN DIEGO AREA OFFICE

SUBJECT: STAFF RECOMMENDATION ON MAJOR AMENDMENT 1-96 (SORRENTO HILLS REZONING) TO THE CITY OF SAN DIEGO LOCAL COASTAL PROGRAM (For public hearing and possible final action at the Coastal Commission Hearing of August 13-16, 1996)

---

SYNOPSISSUMMARY OF STAFF RECOMMENDATION/HISTORY

This submittal consists of a single amendment which would rezone a 40-acre property, approximately half of which is in the coastal zone, in the Sorrento Hills subarea of the North City LCP land use plan segment from A-1-10 to R-1500, M-IP and OS/OSP, with the HR Overlay. Staff recommends approval, as submitted, of the proposed rezone, which is consistent with the land use designations of the certified Sorrento Hills Community Plan.

The City of San Diego Local Coastal Program (LCP) was segmented into twelve geographic areas, corresponding to community plan boundaries, with separate land use plans submitted and certified (or certified with suggested modifications) for each segment except Mission Bay. The Implementing Ordinances were submitted and certified with suggested modifications, first in March of 1984, and again in January of 1988. Subsequent to the 1988 action on the implementation plan, the City of San Diego incorporated the suggested modifications and assumed permit authority for the majority of its coastal zone on October 17, 1988. Isolated areas of deferred certification remain, and will be submitted for Commission certification once local planning is complete. There have been several amendments processed to the certified LCP; these are discussed further under LCP History in the report.

The appropriate resolution and motion may be found on Page 3. The findings for approval of the rezone begin on Page 4.

ADDITIONAL INFORMATION

Further information on the City of San Diego LCP amendment may be obtained from Ellen Lirley, Coastal Planner at (619) 521-8036.

---

PART I. OVERVIEW

A. LCP HISTORY

The City of San Diego has a long history of involvement with the community planning process; as a result, in 1977, the City requested that the Coastal Commission permit segmentation of its Land Use Plan (LUP) into twelve (12) parts in order to have the LCP process conform, to the maximum extent feasible, with the City's various community plan boundaries. In the intervening years, the City has intermittently submitted all of its LUP segments; all of the segments are presently certified, in whole or in part, with the exception of Mission Bay. The earliest land use plan (LUP) approval occurred in May, 1979, with others only occurring in 1988, in concert with the implementation plan.

When the Commission approved segmentation of the LUP, it found that the implementation phase of the City's LCP would represent a single unifying element. This was achieved in January, 1988, and the City of San Diego assumed permit authority on October 17, 1988 for the majority of its coastal zone. Several isolated areas of deferred certification remain; these are completing planning at a local level and will be acted upon by the Coastal Commission in the future.

Since effective certification of the City's LCP, there have been seventeen major amendments and seven minor amendments processed for it. These have included everything from land use revisions in several segments and the rezoning of single properties, to modifications of city-wide ordinances. While it is difficult to calculate the number of land use plan revisions or implementation plan modifications, because the amendments often involve multiple changes to a single land use plan segment or ordinance, the Commission has reviewed, at least, 35 land use plan revisions and 88 ordinance amendments. Most amendment requests have been approved, some as submitted and some with suggested modifications; further details can be obtained from the previous staff reports and findings on specific amendment requests.

B. STANDARD OF REVIEW

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 several Planning Commission and City Council meetings with regard to the subject amendment request and its related planned residential and industrial development approvals, which included a rezone, tentative map, a City-issued coastal development permit, and a Hillside Review permit. The 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 - RESOLUTION

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

- A. RESOLUTION I (Resolution to approve certification of the City of San Diego LCP Implementation Plan Amendment 1-96, as submitted)

MOTION I

I move that the Commission reject the implementation plan amendment relating to the Sorrento Hills rezone.

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 I

The Commission hereby approves certification of the amendment to the City of San Diego's Local Coastal Program 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 SAN DIEGO LCP IMPLEMENTATION PLAN AMENDMENT 1-96

A. AMENDMENT DESCRIPTION

The amendment request addresses a single element of the City of San Diego's Implementing Ordinances, by rezoning approximately 20 acres of coastal zone property in Sorrento Hills from A-1-10 to R-1500, M-IP and OS/OSP, with the HR Overlay designation. The proposed amendment is requested in conjunction with a coastal development permit application for subdivision and site grading for a future planned residential and planned industrial project, and is recommended for adoption as submitted.

B. FINDINGS FOR CERTIFICATION

a) Purpose and Intent of the Ordinances. The R-1500 Zone is one of several multi-family residential zone designations in the City of San Diego and is intended to provide for housing at a density of one dwelling unit per 1500 sq.ft. of land. It is applied in several coastal zone communities of the

City. The M-IP Zone provides for areas where high quality industrial parks may be located, and is intended to regulate their design to be visually compatible with nearby open space and transportation corridor uses. The OS/OSP Zone is utilized to preserve natural resources, recreation areas and scenic corridors, among other things. It is generally applied to public lands and private lands where development rights have been transferred. The "P" designator addresses both neighborhood and community parks, and is applied to the subject site because it is adjacent to the Los Penasquitos Canyon Preserve, a regional open space/public recreation system. Finally, the Hillside Review Overlay Zone is applied over much of the coastal zone area of the subject site, and imposes special design standards for sensitive slopes with a gradient of 25% or greater.

b) Major Provisions of the Ordinances. The R-1500, M-IP and OS/OSP Zones contain a number of provisions, including:

- Descriptions of allowable uses in each zone, with minimal uses in the OS-OSP Zone;
- Minimal development standards, including specialized parameters for signage in the M-IP Zone; and
- Off-street parking regulations in the R-1500 and M-IP Zones.

c) Adequacy of Ordinances to Implement the Certified LUP Segment. The proposed LCP amendment does not modify the existing zones in any way, but only incorporates portions of a total forty-acre site into each of the three zones, through adoption of Map No. B-3985. The breakdown by zone is 11.08 acres to R-1500, 8.91 acres to M-IP, and 19.92 acres to OS/OSP. Of the forty-acre total, approximately half is in the coastal zone. Most of the coastal zone property will be rezoned OS/OSP, but small areas of both the residential and industrial zones also occur within the coastal zone. This is a property in the southern part of the Sorrento Hills community of North City, and the City now proposes to rezone it consistent with its land use plan designations, which call for a mixture of residential and industrial development and a large area of open space contiguous with Los Penasquitos Canyon Preserve.

The proposed rezone is associated with a specific planned residential and industrial development proposal, which has received all local approvals and permits for subdivision and initial grading, including a coastal development permit for those areas under City of San Diego coastal permit jurisdiction. There is also a pending coastal development permit application (Application #6-96-97) for those portions of the proposed development under Coastal Commission permit jurisdiction, since part of the site is within an area of deferred certification. The type of multi-family residential development and industrial park use proposed in the associated PRD/PID is consistent with the proposed rezones and the areas designated for such uses in the certified land use plan. The Commission's separate review of the pending permit application will determine if the specific development project currently proposed has been designed to be fully consistent with the standards of those zones. The area to be retained as open space is consistent with the land use map in the

certified Sorrento Hills Community Plan, which the Commission last reviewed and certified early in 1995.

The proposed zones accurately reflect the certified land use plan designations for the site, generally conforming to the conceptual boundaries shown in the LUP. The zones, particularly with the Hillside Review overlay, include design standards and regulations addressing the naturally-vegetated steep slopes found on much of the site, and will require that future development of the property protect the on-site resources. Specifically, a maximum, discretionary encroachment of up to 10% may be allowed on the subject site (based on a sliding scale) under the certified North City LUP and Hillside Review ordinance. Application of this encroachment allowance is based on a demonstration that the property cannot obtain reasonable use without such an encroachment, and the encroachment calculations cover all disturbances, including grading, paving, structures, landscaping and Zone 1 brush management (clear-cutting of vegetation).

With the development criteria found in the proposed zones to adequately regulate future buildout of the site, the R-1500, M-IP and OS/OSP Zones are appropriate implementing tools for this property. The Coastal Commission finds the zones consistent with, and able to carry out, the policies of the certified Sorrento Hills Community Plan, which is the land use planning document for this portion of the North City LCP segment.

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

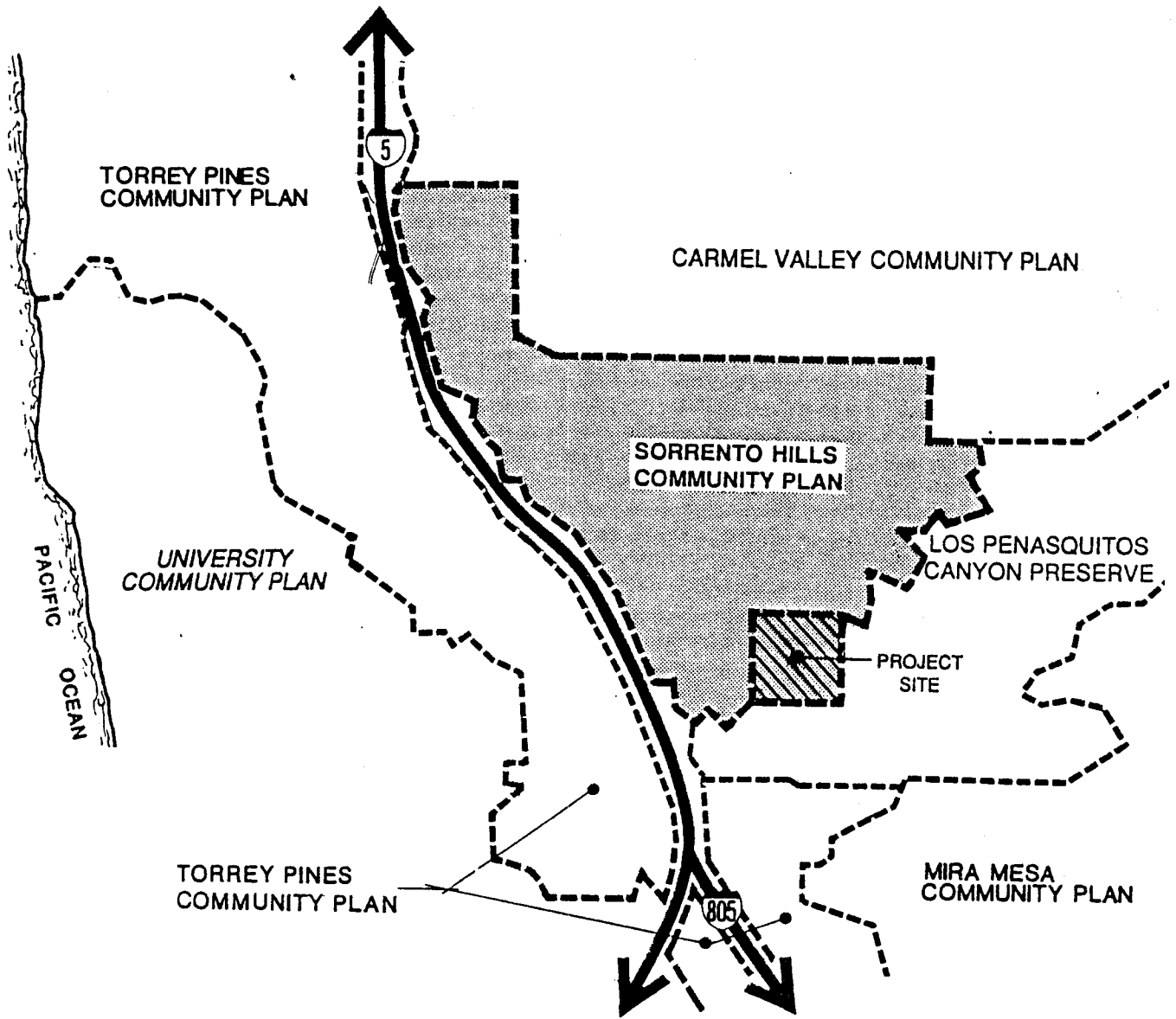
Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's 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 subject LCP amendment, as submitted, would not result in significant environmental impacts under the meaning of the California Environmental Quality Act.

This LCP amendment request is for the rezoning of a single site in the coastal zone portion of the Sorrento Hills community. An EIR was prepared for this proposal, which also includes future planned residential and planned industrial development for the site, and permanent dedication of a significant area of open space. The complete proposal, of which the subject rezone was only one component, involved a number of local approvals and permits; within that process, the EIR was certified by the City as consistent with CEQA.

Application of the R-1500, M-IP and OS/OSP Zones to the property is fully consistent with all mandates of CEQA, as they appropriately implement a certified land use plan and establish planning parameters by which specific development proposals may be judged. Individual projects resulting from the proposed amendment require coastal development permits issued by either the City of San Diego or Coastal Commission. Throughout the City of San Diego's LCP segments, the specific impacts associated with individual development projects would be assessed through the environmental review process; and, the individual project's compliance with CEQA would be assured. Therefore, the Commission finds that no significant, unmitigable environmental impacts under the meaning of CEQA will result from the approval of the proposed amendment.

(1242A)



City of San Diego LCPA #1-96

15302

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

ADOPTED ON MAY 28 1996

AN ORDINANCE INCORPORATING 40 ACRES LOCATED EAST OF I-5, SOUTH OF CARMEL MOUNTAIN ROAD AND NORTH OF LOS PENASQUITOS CANYON CREEK, WITHIN THE SORRENTO HILLS COMMUNITY PLANNING AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE A-1-10 AND HILLSIDE REVIEW OVERLAY ZONES INTO THE R-1500, M-IP, OS-OSP AND HILLSIDE REVIEW OVERLAY ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 101.0405, 101.0410, 101.0435.1 AND 101.0454, AND REPEALING ORDINANCE NO. 10936 (NEW SERIES), ADOPTED OCTOBER 5, 1972, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That 40 acres, located east of I-5, south of Carmel Mountain Road and north of Los Penasquitos Canyon Creek and described as a portion of Section 32, all in Township 14 South, Range 3 West, S.B.M., in the Sorrento Hills Community Plan area, in the City of San Diego, California, rezoned property from A-1-10 (HR) into R-1500, M-IP, OS-OSP and Hillside Review Overlay Zone, as designated on Zone Map Drawing No. B-3985, filed in the office of the City Clerk as Document No. 00-15302, be, and it is hereby incorporated into the R-1500, M-IP, OS-OSP and Hillside Review Overlay Zone, as such zone is described and defined by San Diego Municipal Code sections 101.0405, 101.0410, 101.0435.1 and 101.0454.

Section 2. That Ordinance No. 10936 (New Series), adopted October 5, 1972, of the ordinances of The City of San Diego be

City of San Diego LC PA #1-96



and it is repealed insofar as the same conflicts herewith.

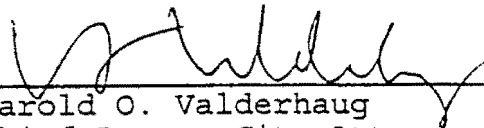
Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, however, the provisions of this ordinance shall not be applicable within the Coastal Zone until the thirtieth day following the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment. If this ordinance is not certified, or is certified with suggested modifications by the California Coastal Commission, the provisions of this ordinance shall be null and void.

Section 4. In areas of the City of San Diego other than the Coastal Zone no permits for development inconsistent with the provisions of this ordinance shall be issued unless application thereof was made prior to the date of adoption of this ordinance.

Section 5. Within the Coastal Zone no permits for development inconsistent with the provisions of this ordinance shall be issued unless application thereof was made prior to the date the California Coastal Commission unconditionally certified this ordinance as a local coastal program amendment.

APPROVED: JOHN W. WITT, City Attorney

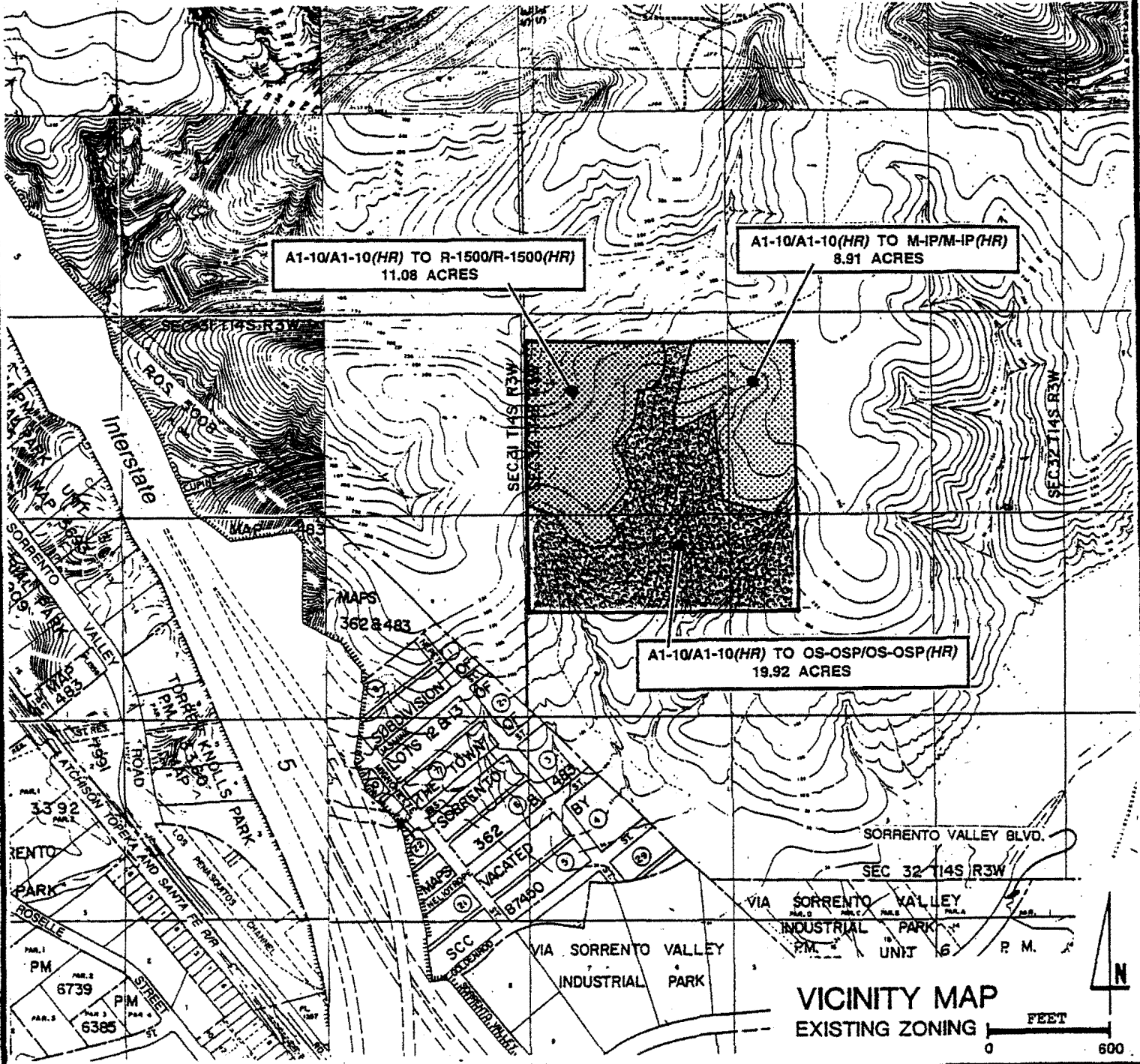
By

  
\_\_\_\_\_  
Harold O. Valderhaug  
Chief Deputy City Attorney

HOV:ps  
03/15/96  
Or.Dept.:Dev.Svcs.  
Case No.91-0540  
O-96-141  
Form=o.inlot



# PROPOSED REZONING



<b>POR. OF SEC 32, T14S R3W</b>		<b>CASE NO. RZ 91-0540</b>
ORDINANCE NO. _____	REQUEST R-1500, M-IP, OS-OSP	<i>Ernst Greenman</i> CITY PLANNING DIRECTOR
EFF. DATE ORD. _____	PLAN. COMM. RECOMMENDATION <b>APPROVAL</b>	
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	<b>B- 3985</b>
BEFORE DATE _____		APN 310-050-03
EFF. DATE ZONING _____		(271-1702) 10/1/91 SH. REV. 11-17-95 bf.
MAP NAME & NO. _____	REDRAWN 12-1-95 bf.	