

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA

1111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



Fr 4a

DATE: December 13, 1996

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: EXECUTIVE DIRECTOR'S DETERMINATION that the City of Encinitas' actions, certifying Local Coastal Program Amendment No. 1-96, approved with suggested modifications, are legally adequate (for Commission review at its meeting of January 7-10, 1997)

BACKGROUND

At its October 8, 1996 meeting, the California Coastal Commission certified, with suggested modifications, the City of Encinitas Local Coastal Program Amendment 1-96, amending both the City's certified Land Use Plan and Implementation Plan. The amendment modified the Encinitas Ranch Specific Plan component of the LCP pertaining to phasing of development, realignment of various approved trails and redesignation and rezoning of a 2.3 acre site from Open Space to Mixed-Use. At the time of the hearing, the Commission adopted suggested modifications to the Implementation Plan addressing the timing of construction for required trail and pedestrian access improvements.

By their action adopting Resolution No. 96-89 on December 4, 1996, the City Council acknowledged and accepted all of the Commission's suggested modifications. As provided for in Section 13544 of the California Code of Regulations, the Executive Director must determine if the action of the City of Encinitas is legally sufficient to finalize Commission review of the LCP amendment. The City's actions have been reviewed and determined to be adequate by the Executive Director. Section 13544 of the California Code of Regulations then requires this determination be reported to the Commission for its concurrence.

RECOMMENDATION

Staff recommends that the Commission CONCUR with the Executive Director's determination as set forth in the attached letter (to be sent after Commission endorsement).

(1488A)

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January 13, 1997

Honorable John Davis, Mayor
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

Re: Certification of the City of Encinitas' LCP Amendment 1-96

Dear Mayor Davis,

The California Coastal Commission has reviewed the City's Resolution No. 96-89, together with the Commission's action on October 8, 1996, certifying Amendment 1-96 to the City's Local Coastal Program. This amendment addressed the Encinitas Ranch Specific Plan component of the LCP pertaining to phasing of development, realignment of various approved trails and redesignation and rezoning of a 2.3 acre site from Open Space to Mixed-Use.

In accordance with Section 13544 of the California Code of Regulations, I have made the determination that the City's actions are legally adequate; and the Commission has concurred at its meeting of January 7-10, 1997. By its actions on December 4, 1996, the City has formally acknowledged and accepted the Commission's certification of the amendment, including all suggested modifications, which pertained to the timing of construction for required trail and pedestrian access improvements.

In conclusion, I would like to extend our appreciation to you and all other elected or appointed officials, staff and concerned citizens for working in a cooperative fashion on this matter. We remain available to assist you and your staff in any way possible as you continue to implement the City's Local Coastal Program.

Sincerely

Peter Douglas
Executive Director

(1488A)

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CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

RESOLUTION NO. 96-89

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ENCINITAS APPROVING MODIFICATIONS
TO THE IMPLEMENTATION PLAN OF THE ENCINITAS RANCH SPECIFIC PLAN
AS REQUIRED BY THE CALIFORNIA COASTAL COMMISSION'S APPROVAL
OF THE ENCINITAS RANCH SPECIFIC PLAN
LOCAL COASTAL PROGRAM AMENDMENT.
(CASE NO. 96-062 SPA/LCPA)**

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; and

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; and

WHEREAS, on May 30, 1996, the Planning Commission held a public hearing and on July 17, 1996, the City Council held a public hearing to review, consider and approve application 96-062 SPA/LCPA to modify the Land Use Plan and Implementation Plan of the Encinitas Ranch Specific Plan relating to four areas (phasing, affordable housing, trails, and zoning); and

WHEREAS, on October 8, 1996, the California Coastal Commission approved the Encinitas Ranch Local Coastal Program Amendment (application 96-062 SPA/LCPA) with suggested modifications; and

WHEREAS, on November 14, 1996, the Planning Commission held a public hearing to review and consider the suggestion modifications to the Implementation Plan of the Encinitas Ranch Specific Plan as required by the California Coastal Commission in their approval of the Encinitas Ranch Specific Plan Local Coastal Program Amendment; and

WHEREAS, on December 4, 1996, the City Council, upon recommendation from the Planning Commission, hereby approves the modifications to the Implementation Plan of the Encinitas Ranch Specific Plan as required by the California Coastal Commission in their approval of the Encinitas Ranch Specific Plan Local Coastal Program Amendment based on the following findings:

SEE ATTACHMENT "1"

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

1. That the amendments to the Encinitas Ranch Specific Plan are intended to be carried out in a manner fully in conformance with the California Coastal Act of 1976;
2. That the Community Development Director is hereby authorized to submit the Encinitas Ranch Specific Plan amendments to the Executive Director of the California Coastal Commission;
3. That the amendments to the Implementation Plan of the Encinitas Specific Plan, as indicated in Attachment 2 of this Resolution, are hereby approved and shall not become effective until the Executive Director of the Coastal Commission has reported a positive determination to the Coastal Commission and the Coastal Commission has concurred with the determination.

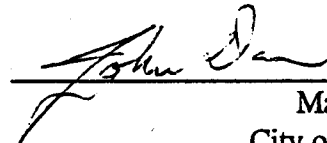
PASSED AND ADOPTED this 4th day of December, 1996, by the following vote, to wit:

AYES: Aspell, Bond, Davis, DuVivier

NAYS: None

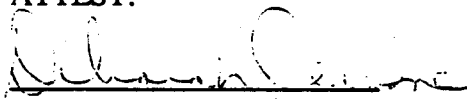
ABSENT: None

ABSTAIN: Cameron

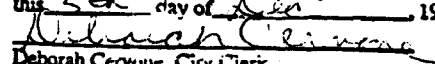


Mayor of the
City of Encinitas

ATTEST:



Deborah Cervone, City Clerk

I, Deborah Cervone, City Clerk of the City of Encinitas, California do hereby certify under penalty of perjury that the above and foregoing is a true and correct copy of this document on file in my office. In witness whereof, I have set my hand and the Seal of the City of Encinitas this 5th day of Dec, 1996


Deborah Cervone, City Clerk

ENCINITAS LCPA 1-96 SUGGESTED MODIFICATIONS
ADOPTED BY THE CALIFORNIA COASTAL
COMMISSION ON OCTOBER 8, 1996

The following are the suggested modifications to the Encinitas Ranch Specific Plan. Deletions are ~~struck~~ out and new language to be added is underlined.

1. Section 9.1.1, under Phase One Development, On Page 9-1 of the Specific Plan, shall be revised to read as follows:

[...]

Pedestrian Trail Improvements: All pedestrian and bicycle trails located around the golf course and adjacent to Phase One road improvements and located within Planning Areas where Phase One development is occurring shall be improved and open for public use ~~upon completion of the development~~ prior to or concurrent with the first occupancy of ~~the issuance of any building permits for residential~~ development within the Planning Area where the trail is located, except that the pedestrian/bicycle trails and paths within the Green Valley Planning Area and along Leucadia Boulevard located east of Garden View Road (formally Via Cantebria) shall be improved and open for public use prior to or concurrent with the first occupancy of the commercial center. The remaining trails and paths within the Green Valley Planning Area shall be constructed and open for public use on or before August 1, 1997. The pedestrian path that runs north along the top edge of the inland hillside in the North Mesa Planning Area shall be improved and open for public use prior to or concurrent with the completion of the golf course (ref. Exhibit Nos. 6 and 7 attached). However, the trail that will extend from Quail Gardens Drive eastward (along Street "A") and north along the eastern edge of the golf course to Leucadia Boulevard (Alternative Land Use Plan A) shall be permitted to be constructed immediately upon termination of any field crop operations adjacent to the trail on the south mesa.

[...]

(1407A)