

JA 4/6

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302
(562) 590-5071



DATE: March 18, 1998

TO: Commissioners and Interested Persons

FROM: Chuck Damm, Deputy Director
Teresa Henry, District Manager
Robin Maloney-Rames, Staff Analyst

SUBJECT:

City of San Clemente Land Use Plan Amendment 1-97. Scheduled for Public Hearing and Commission Action on April 7-10, 1998

BACKGROUND:

The City of San Clemente Land Use Plan was certified by the Commission with suggested modifications in May 1988 and a major amendment was certified with suggested modifications in 1995. No total Local Coastal Program has been certified, however, the City of San Clemente Implementation Plan is scheduled for Commission action, along with this LUP amendment, at the February 1998 hearing. This is the City's first LUP Amendment for 1997. The LUP Amendment was filed on August 15, 1997. At the November 5, 1997 Commission Hearing the Coastal Commission granted a request to extend the 90 day time limit for up to one year. The amendment was scheduled for hearing in February 1998 but was continued at the request of the City of San Clemente.

SUMMARY OF AMENDMENT REQUEST:

The City of San Clemente has requested to amend the certified Land Use Plan by changing existing land use text and land use designations in the West Pico Corridor Specific Plan area. Specifically, the City proposes to change I1 (Industrial 1) designations to I2(Industrial 2) and a small segment of RL (Residential Low) to I2 (Industrial 2). The amendment also proposes textual changes to pages 3-11 and 3-12 of the certified Land Use Plan.

City of San Clemente
Land Use Plan Amendment 1-97

STAFF RECOMMENDATION:

Staff is recommending approval of the proposed amendment as submitted.

STAFF NOTE:

At the April 7-10, 1998 hearing the Commission will also act on the City of San Clemente Implementation Plan submittal, which includes the West Pico Corridor Specific Plan. The West Pico Corridor Specific Plan includes the land use designation changes proposed herein, and so the LUP Amendment must be approved before action on the Implementation Plan. Otherwise there would be a conflict between land use designations in the Land Use Plan and the Implementation Plan.

The West Pico Corridor Specific Plan area is the light industrial and manufacturing area of the City of San Clemente. No Coastal Act Chapter 3 resources would be impacted by the proposed land use changes.

STANDARD OF REVIEW:

The standard of review for amendments to the Land Use Plan is consistency with the Chapter 3 policies of the Coastal Act.

ADDITIONAL INFORMATION:

Further information on the City of San Clemente Land Use Plan Amendment 1-97 may be obtained from Robin Maloney-Rames at the South Coast District Office of the California Coastal Commission, 200 Oceangate, 10th Fl., Long Beach, CA 90802 (562) 590-5071.

I. MOTIONS AND RESOLUTIONS

MOTION:

"I move that the Commission certify Amendment 1-97 to the City of San Clemente Land Use Plan as submitted."

Staff recommends a YES vote which will result in the adoption of the following Resolution and Findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

City of San Clemente
Land Use Plan Amendment 1-97

RESOLUTION:

The Commission hereby certifies Amendment 1-97 to the City of San Clemente Land Use Plan and finds for the reasons discussed below that the amendment Land Use Plan meets the requirements of and is in conformity 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; that the amended Land Use Plan contains a specific access component as required by Section 30500(a) of the Coastal Act; that the amended Land Use Plan is consistent with applicable decisions of the Commission that shall guide local government actions pursuant to Section 30625(c) of the Coastal Act; and that the certification of the amended Land Use Plan meets the requirements of Section 21080.5(d)(2)(i) of the California Environmental Quality Act, as there are no further feasible mitigation measures or feasible alternatives which could substantially lessen significant adverse impacts on the environment.

FINDINGS AND DECLARATIONS

II. Findings for Amendment 1-97: West Pico Corridor Specific Plan Area

A. Amendment Description

The proposed changes to the land use designations of the certified Land Use Plan occur in the West Pico Corridor Specific Plan area. The West Pico Corridor Specific Plan (WPCSP) is roughly located between Interstate 5, Avenida Pico and North El Camino Real. The West Pico Corridor Specific Plan area is split by the Coastal Zone boundary line just east of Los Molinos. Only a small portion of the Specific Plan area is outside the Coastal Zone. Land uses within the Coastal Zone are primarily I2, I3, NC2 and RL. The existing land uses include I3 (Heavy Industrial), I1 (Light Industrial), P (Government), RL ; P and NC2 (Neighborhood Commercial). The City of San Clemente Sewer Plant and City Incorporation Yard are located in the northern portion of the specific plan area. To the southwest is the North Beach Specific Plan area, which includes the Metrolink, some commercial, and a primary beach destination point.

The proposed amendment would change a small segment of residential to I2 (Industrial) and I1 (Industrial) to I2. Existing residential uses are bordered by industrial uses. The proposed change would not adversely impact residential uses. The land use map would be amended to reflect these land use changes. The industrial land use policies are found in Chapter 3, Section 301(C) of the certified Land Use Plan. The

City of San Clemente
Land Use Plan Amendment 1-97

policies proposed for change are policies III.1 and III.2, which are described verbatim in the following text.

INDUSTRIAL LAND USE POLICIES

Policy III.1

Accommodate the continuation of existing and the development of new light manufacturing, research and development, professional offices, supporting retail commercial (including but not limited to, sales areas for manufacturers and photocopy stores), restaurants, financial institutions, and similar uses in areas designated as "I 1" (GP Policy 1.52)

{The city is proposing to change "I 1" to "I 2".}

Policy III.3

Permit development according to the following standards for intensity and height:

- a. "I 1": a maximum FAR of 0.35 and height of two (2) stories (GP 1.5.3)

{Change "I 1" to "I 2" FAR from 0.35 to 0.5 and height from two stories to three stories.}

B. Coastal Act Consistency

New Development

Section 30250 of the Coastal Act states:

- (a) *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the useable parcels in the area have been developed and the*

City of San Clemente
Land Use Plan Amendment 1-97

created parcels would be no smaller than the average size of surrounding parcels.

The proposed land uses would result in changing "I 1" to "I 2" and RL to "I 2" on the land use map. On the Land Use Plan Map "I 1" and "I 2" are both indicated as light industrial, the only difference being that "I 1" has a FAR of 0.35 and "I 2" has an FAR of 0.5. In addition, a small segment of RL would be changed to "I 2".

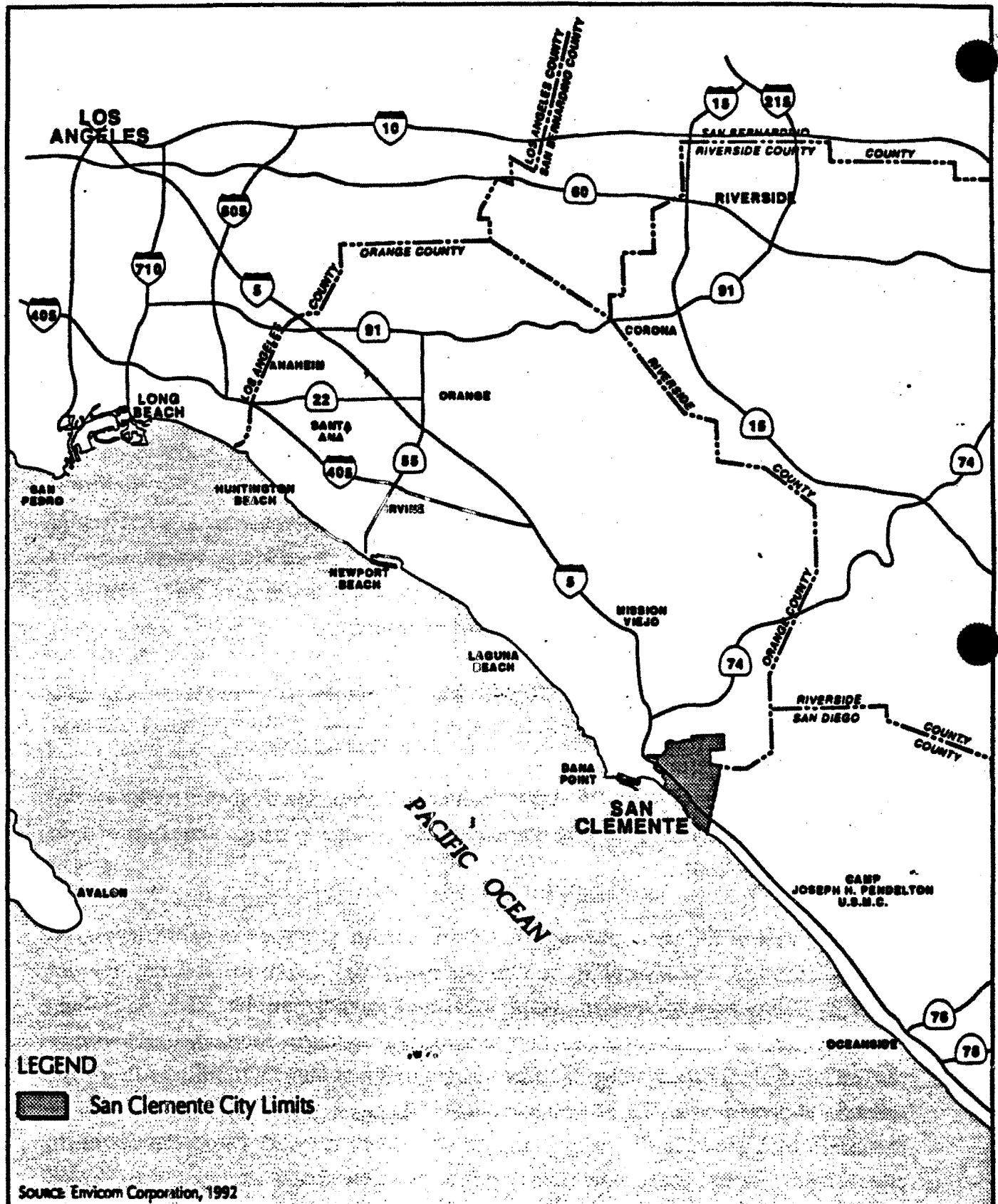
The proposed change in land uses will not result in any adverse impacts, nor create any significant additional adverse impacts on any coastal resources identified in Chapter 3 of the Coastal Act and Section 30250, in particular. The proposed change will not impact beach access or parking, ESHA or visitor-serving recreation.

Therefore, the Commission finds that the proposed Land Use Amendment is consistent with Section 30250 of the Coastal Act.

C. California Environmental Quality Act

The California Environmental Quality Act (CEQA) exempts a local government from the requirement of preparing an environmental impact report 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 has been found by the Resources Agency to be functionally equivalent to the EIR process.

Therefore, the Commission finds that there are no feasible alternatives under the meaning of CEQA which would further reduce the potential for significant adverse environmental impacts.



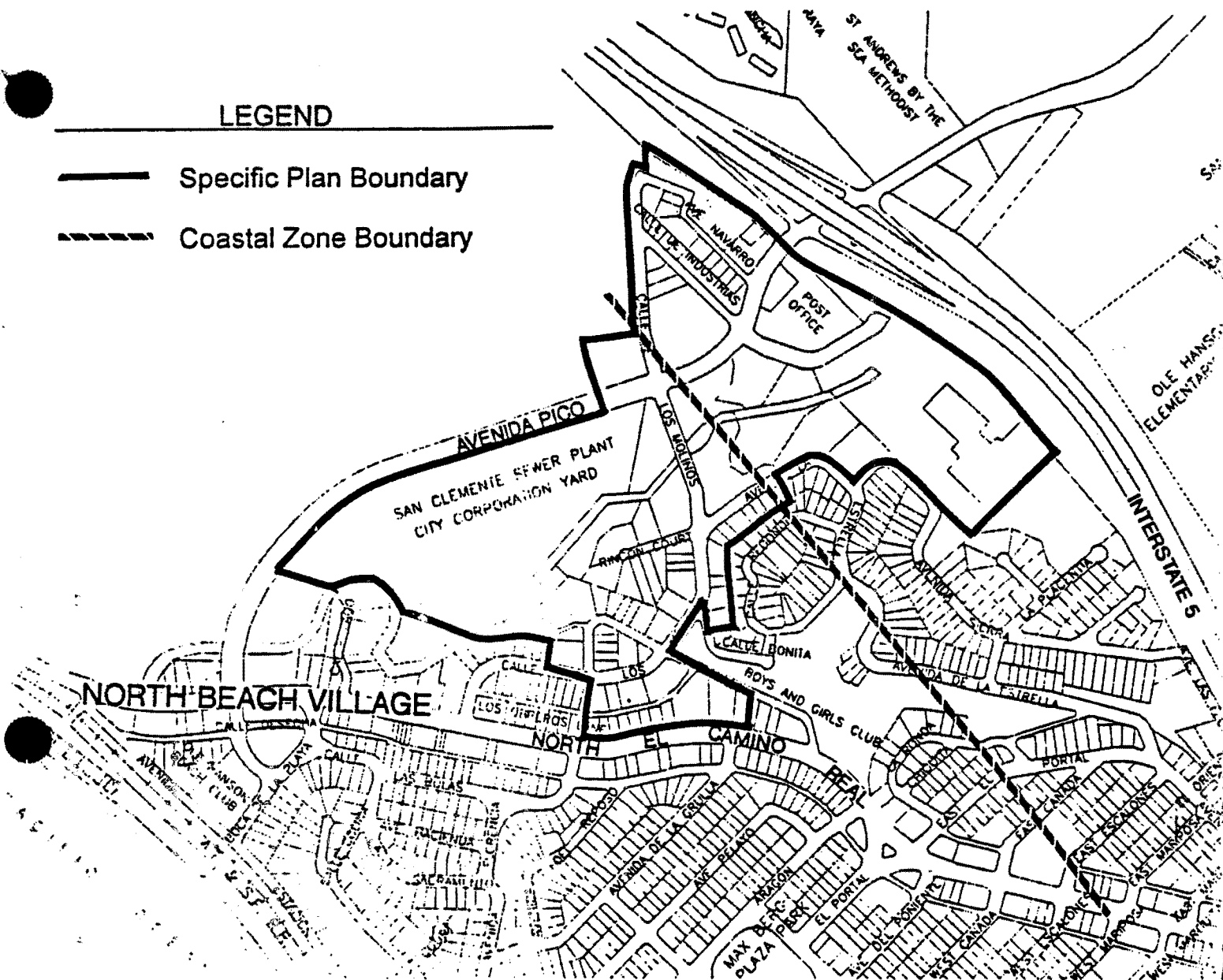
REGIONAL LOCATION
SAN CLEMENTE E.I.R.



EXHIBIT NO. 1
APPLICATION NO.
SC 1-97
LOCATION

LEGEND

- Specific Plan Boundary
- - - Coastal Zone Boundary



LOCATION MAP

	
EXHIBIT NO. 2	
APPLICATION NO.	
SC 10-97	
PICO CORRIDOR SP	
 California Coastal Commission	

WEST PICO CORRIDOR SPECIFIC PLAN

FIGURE 1-1

EXHIBIT GPA-2: GPA 96-05 GENERAL PLAN TEXT CHANGES

Deletions are shown struck over; additions are shown shaded


LAND USE ELEMENT TEXT AMENDMENT:

Page 1-70, Objective 1.24: "... (area designated ~~"I1"~~ and ~~"I3"~~ for industrial use)."

COASTAL ELEMENT TEXT AMENDMENTS:

Page 3-11, Policy III.1: "... and similar uses in areas designated as ~~"I1"~~ ~~"I2"~~ ..."

Page 3-12, Policy III.3: "... a ~~"I1"~~ ~~"I2"~~ : a maximum FAR of ~~0.35~~ ~~0.5~~ and height of ~~two (2)~~ ~~three (3)~~ stories ..."

EXHIBIT NO. 4
APPLICATION NO. SC 1-97
TEXT CHANGES
 California Coastal Commission

RESOLUTION NO. 97- 17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION AND APPROVING GENERAL PLAN AMENDMENT NO. 96-05 AMENDING THE GENERAL PLAN LAND USE ELEMENT AND COASTAL ELEMENT IN CONJUNCTION WITH THE WEST PICO CORRIDOR SPECIFIC PLAN

WHEREAS, the City of San Clemente has initiated an amendment to the Land Use Element of the General Plan, to change the land use designations for a portion of the Los Molinos industrial area from I1(Light Industrial) to I2 (Light Industrial) and accompanying Land Use Element text changes, in conjunction with the West Pico Corridor Specific Plan; and

WHEREAS, the City of San Clemente has initiated an amendment to the General Plan Coastal Element and Local Coastal Program (LCP) to change the land use designations for a portion of the Los Molinos industrial area from I1(Light Industrial) to I2 (Light Industrial) and accompanying Coastal Element text changes, in conjunction with the West Pico Corridor Specific Plan; and

WHEREAS, the Coastal Element and Land Use Element amendments are closely related and both amendments together are designated GPA 96-05; and

WHEREAS, the City's Development Management Team has reviewed the subject amendments for consistency with General Plan policies and applicable City ordinances; and

WHEREAS, the Planning Division completed an Initial Study of the project in accordance with the California Environmental Quality Act (CEQA) and based on that Initial Study, the Planning Division has recommended that the Planning Commission recommend City Council approval of a Negative Declaration; and

WHEREAS, on March 18, 1997 the Planning Commission held a duly noticed public hearing on the subject amendments and recommended approval;

NOW, THEREFORE, the City Council of the City of San Clemente hereby resolves as follows:

Section 1: Pursuant to CEQA Guidelines Section 15063, an Initial Study has been prepared for this project. After reviewing the Initial Study, the proposed Negative Declaration and all comments received during the public review process, the Planning Commission recommends the City Council approve a Negative Declaration reflecting the independent judgment of the City of San Clemente, and determine that the project will not have a significant impact upon the environment. Those records are retained in the Planning Division of the City of San Clemente.

Pursuant to Title 14, California Code of Regulation Section 753.5(c), the Planning Commission has determined that, after considering the record as a whole, it

EXHIBIT NO. 5
APPLICATION NO. SC 1-97
APPROVED BY REC

that the proposed project will have the potential for any adverse effect on wildlife resources of the habitat upon which the wildlife depends. Furthermore, on the basis of substantial evidence, the Planning Commission recommends that the City Council find that any presumption of adverse impact has adequately been rebutted. Therefore, pursuant to Fish and Game Code Section 711.2 and Title 14, California Code of Regulations Section 753.5(a)(3), the project is not required to pay Fish and Game Department filing fees.

Section 2: The City Council finds and determines as follows with regard to the amendment to the Land Use Element:

1. The amendment is internally consistent with those portions of the General Plan which are not being amended.
2. The amendment will not adversely affect the public health, safety and welfare.

Section 3: The City Council finds and determines as follows with regard to amendment to the Coastal Element:

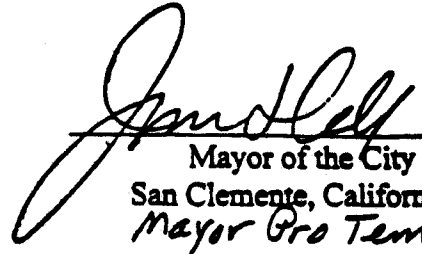
1. The amendment is internally consistent with those portions of the General Plan which are not being amended.
2. The amendment will not adversely affect the public health, safety and welfare.
3. The amendment is consistent with the provisions of the California Coastal Act of 1976

Section 4: The City Council further finds that the amendments will not cause serious public health problems in that an Initial Study was prepared for the project, as required by CEQA, which indicates that the project will not have a negative adverse impact on public health.


Section 5: The City Council hereby adopts a Negative Declaration and approves General Plan Amendment No. 96-05, subject to the preceding findings. The General Plan amendment consists of:

1. An amendment to the Land Use Element of the General Plan to redesignate a portion of the Los Molinos industrial area from I1 (Light Industrial) to I2 (Light Industrial) and to make accompanying Land Use Element text changes, as shown on Exhibits GPA-1 and GPA-2 attached hereto, subject to the preceding findings.
2. An amendment to the Coastal Element of the General Plan, also designated as LCP Amendment 97-07, to redesignate a portion of the Los Molinos industrial area from I1 (Light Industrial) to I2 (Light Industrial) and to make accompanying Coastal Element text changes, as shown on Exhibits GPA-1 and GPA-2 attached hereto, subject to the preceding findings.

PASSED AND ADOPTED this 16th day of April, 1997.


Mayor of the City of
San Clemente, California
Mayor Pro Tem

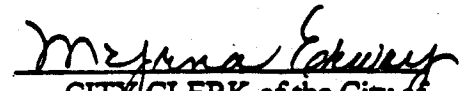
ATTEST:


CITY CLERK of the City of
San Clemente, California

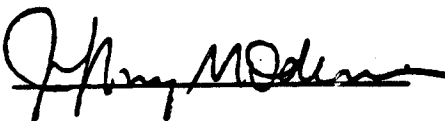
STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF SAN CLEMENTE)

I, MYRNA ERWAY, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 97-17 was adopted at a regular meeting of the City Council of the City of San Clemente held on the 16th day of April, 1997, by the following vote:

AYES: ANDERSON, APODACA, BERG, DAHL
NOES: NONE
ABSENT: MAYOR AHLE


CITY CLERK of the City of
San Clemente, California

Approved as to form:





City of San Clemente Planning Division

James B. Hare, City Planner

Phone: (714) 498-2533 Ext. 3301 Fax: (714) 361-8281

August 15, 1997

Robin Maloney-Rames, Coastal Program Analyst
California Coastal Commission
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302

RECEIVED
AUG 19 1997
CALIFORNIA
COASTAL COMMISSION

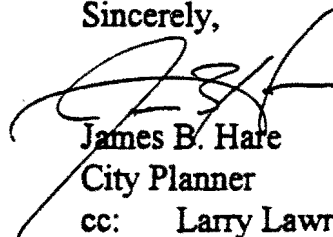
Dear Robin:

The City is in agreement with the Coastal Commission Staff that the West Pico Corridor Specific Plan will require an amendment to the Coastal Element in addition to processing of the Implementation Plan. In fact the City has amended the Coastal Element (Coastal Land Use Plan) to accommodate land use changes in the Los Molinos area with the adoption of the West Pico Corridor Specific Plan.

Larry Lawrence, the City's consultant, coordinated with Coastal Commission staff during the processing of the West Pico Corridor Specific Plan to ensure the Specific Plan met the requirements of the Coastal Act (Letter requesting comments to the West Pico Corridor Specific Plan dated January 28, 1997). As a result of his coordination with Coastal Staff, Resolution 97-17 amends both the General Plan and Coastal Element to accommodate the change of land use in the Los Molinos industrial area from I1 to I2. This resolution is included in the beginning of the Specific Plan.

If you need additional information or clarification regarding this matter, please call Jim Pechous, Associate Planner, at 498-2533, extension 3304,

Sincerely,


James B. Hare
City Planner

cc: Larry Lawrence, Lawrence and Associates
Jim Pechous, Associate Planner

attachments

EXHIBIT NO. 6
APPLICATION NO. SC 1-97
LETTER AMENDMENT