

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036

Wilba



**DATE:** March 19, 1998

**TO:** COMMISSIONERS AND INTERESTED PERSONS

**FROM:** PETER DOUGLAS, EXECUTIVE DIRECTOR

**SUBJECT:** EXECUTIVE DIRECTOR'S DETERMINATION that the City of Encinitas' actions, certifying Local Coastal Program Amendment No. 3-97, approved with suggested modifications, are legally adequate (for Commission review at its meeting of April 7-10, 1998)

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**BACKGROUND**

At its February 6, 1998 meeting, the California Coastal Commission certified, with suggested modifications, the City of Encinitas Local Coastal Program Amendment No. 3-97. The amendment revises the City's certified Land Use Plan as well as the Land Use Plan and Implementing Ordinances for the Encinitas Ranch Specific Plan to reflect the property owners choice of LUP Alternative B. In addition, a number of other revisions to the specific plan were approved that include revisions to the boundaries of five of the eight planning areas, revisions to the trail system, several land use designation and zoning changes pertaining to residential and agricultural uses, revisions to the planning and development standards for each of the planning areas and zones, revisions to the design and signage provisions and deletion of the Multi-Family Residential Zone from the Specific Plan. At the time of the hearing, the Commission adopted suggested modifications to assure that multiple use trails in natural open space areas will not adversely impact surrounding sensitive habitat areas while adequate and convenient access is retained.

By their action adopting Resolution No. 98-17 on March 18, 1998, the City Council acknowledged and accepted all 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 that 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).

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL NORTE, SUITE 200

SAN DIEGO, CA 92108-1125

(619) 521-8036



April 13, 1998

Honorable Lou Aspell, Mayor  
City of Encinitas  
505 South Vulcan Avenue  
Encinitas, CA 92024

Re: Certification of the City of Encinitas LCP Amendment #3-97

Dear Mayor Aspell:

The California Coastal Commission has reviewed the City's Resolution No. 98-17, together with the Commission's action on February 6, 1998, certifying, with suggested modifications, Amendment No. 3-97 to the City's Local Coastal Program. This amendment primarily addresses revisions to the Encinitas Ranch Specific Plan to reflect the property owners choice of LUP Alternative B.

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 April 7-10, 1998. By its actions on March 18, 1998, the City has formally acknowledged and accepted the Commission's certification of this amendment, including all suggested modifications, which address the multiple use of trails in natural open space areas such that surrounding sensitive habitat areas will not be adversely impacted and adequate and convenient access is maintained.

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

**RESOLUTION NO. 98-17**

**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  
AS REQUIRED BY THE CALIFORNIA COASTAL COMMISSION'S  
APPROVAL OF THE ENCINITAS RANCH SPECIFIC PLAN  
LOCAL COASTAL PROGRAM AMENDMENT  
(CASE NO. 97-036 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;

**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 February 6, 1998, the California Coastal Commission approved the Encinitas Ranch Specific Plan Local Coastal Program Amendment (Application 97-036 SPA/GPA/LCPA);

**WHEREAS**, a Negative Declaration was previously adopted for the Encinitas Ranch Specific Plan Local Coastal Program Amendments. The City has reviewed the proposed modifications by the California Coastal Commission and has determined that they are within the scope of the previous Negative Declaration and program EIR. No new environmental documentation is required for the purposes of CEQA;

**WHEREAS**, on February 23, 1998, the Planning Commission held a public hearing to review and consider the suggested modifications to the Land Use Plan and Implementation Plan of the Encinitas Ranch Specific Plan as required by the California Coastal Commission; and

**WHEREAS**, on March 18, 1998, the City Council, upon recommendation from the Planning Commission, held a public hearing to review and consider the suggested modifications to the Land Use Plan and Implementation Plan of the Encinitas Ranch Specific Plan as required by the California Coastal Commission and hereby approves said modifications based on the following findings:

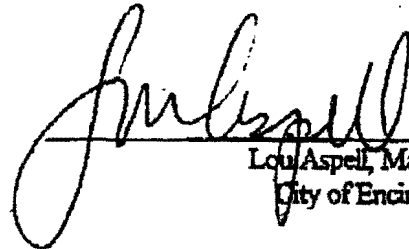
**SEE EXHIBIT "A"**

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


1. That the 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; and
3. That the amendments to the Land Use Plan and Implementation Plan of the Encinitas Ranch Specific Plan, as indicated in Exhibit B of this Resolution, are hereby approved and shall not become effective until the Executive Director of the California Coastal Commission has reported a positive determination to the Coastal Commission, and the Coastal Commission has concurred with the determination.

PASSED AND ADOPTED this 18th day of March, 1998, by the following vote, to wit:

AYES:	Aspell, Bond, Cameron, Davis, DuVivier
NAYS:	None
ABSENT:	None
ABSTAIN:	None

  
Lou Aspell, Mayor  
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 19th day of March 1998.  
Deborah Cervone, City Clerk 

**EXHIBIT "A"**  
**RESOLUTION NO. 98-17**

**FINDINGS FOR APPROVAL OF THE AMENDMENTS TO THE  
LAND USE PLAN AND 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. 97-036 SPA/LCPA)**

**A. That the proposed amendment is consistent with the purposes of the Land Use Plan of the Encinitas Ranch Specific Plan, the Encinitas General Plan and the Local Coastal Program Land Use Plan (LUP).**

**Facts:** The proposed amendments relate to the recreation trails located within the natural open space area and the South Mesa Planning Area, and language relating to the preservation of agricultural uses located within the Sidonia East Planning Area. The Encinitas Ranch Specific Plan, General Plan and Local Coastal Program (LCP) encourages the preservation of agricultural uses and environmentally sensitive areas, along with encouraging recreation trails.

**Discussion:** Allowing multi-purpose trails within environmentally sensitive areas may potentially impact the adjacent natural areas. The proposed amendments address this concern by requiring review and approval from the resource agencies (California Department of Fish and Game and the US Fish and Wildlife Service) prior to allowing horses and non-motorized bicycles on these recreation trails. This is consistent with environmental goals and policies within the Specific Plan, General Plan Land Use and Resource Management Elements and LCP. This is also consistent with the Specific Plan General Plan Recreation Element and LCP, which continues to promote and expand trail usage, where appropriate.

An additional recreation trail is proposed to be located between the golf course and agricultural use, south of Leucadia Boulevard within the South Mesa Planning Area. This trail segment is not required to be constructed until the adjacent agricultural field crop and/or greenhouse uses are terminated. This expands the recreation trails within the Specific Plan, increasing recreational opportunities, while still addressing adjacent agricultural compatibility concerns.

For the Sidonia East Planning Area the Specific Plan included the following language: "If the agricultural use is no longer economically viable, the property shall be rezoned to a land use intensity no greater than R-3." The amendment deletes this language, which helps to preserve the agricultural use and land use designation, consistent with agricultural preservation policies of the Specific Plan, General Plan and LCP.

**Conclusion:** The City Council finds that the proposed amendment is consistent with the purposes of the Encinitas Ranch Specific Plan, General Plan and Local Coastal Program Land Use Plan.

**B. That the proposed amendment is consistent with the Implementation Plan of the Encinitas Ranch Specific Plan and the approved Local Coastal Program Implementation Plan.**

**Facts:** Modifications are proposed to the Implementation Plan of the Encinitas Ranch Specific Plan to insure consistency with the Land Use Plan. The proposed amendments relate to the recreation trails located within the natural open space area and the South Mesa Planning Area. These also implement environmental and recreation goals and policies within the Specific Plan, General Plan and Local Coastal Program.

**Discussion:** The proposed amendments allow multi-purpose trails in environmentally sensitive areas subject to review and approval from the resource agencies (California Department of Fish and Game and the US Fish and Wildlife Service). This will ensure the protection of environmentally sensitive areas. This is consistent with environmental goals and policies within the Specific Plan, General Plan Land Use and Resource Management Elements and LCP. This is also consistent with the Specific Plan, General Plan Recreation Element and LCP, which continues to promote and expand trail usage, where appropriate.

An amendment to the Implementation Plan of the Specific Plan is also proposed, which includes a recreation trail located between the golf course and agricultural use, south of Leucadia Boulevard within the South Mesa Planning Area. This trail segment is not required to be constructed until the adjacent agricultural field crop and/or greenhouse uses are terminated. This expands the recreation trails within the Specific Plan, increasing the recreational opportunity, while still addressing adjacent agricultural compatibility concerns.

**Conclusion:** The City Council finds that the proposed amendment is consistent with the Implementation Plan of the Encinitas Ranch Specific Plan and the approved Local Coastal Program Implementation Plan.

EXHIBIT "B"  
RESOLUTION NO. 98-17

**PROPOSED ENCINITAS RANCH SPECIFIC PLAN AMENDMENTS  
AS REQUIRED BY THE CALIFORNIA COASTAL COMMISSION**

ENCINITAS LCP AMENDMENT #3-97  
COASTAL COMMISSION SUGGESTED MODIFICATIONS  
ADOPTED ON FEBRUARY 6, 1998

A. Land Use Plan Modifications

1. Section 3.3.1(C)(4)(b), under General Planning Standards - Green Valley on Page 3-22 of the Specific Plan, shall be revised to read as follows:
  - b. Recreation trails in natural open space areas shall be sited to avoid, to the maximum extent feasible, adverse impacts to existing native plant materials and wildlife. The City shall not authorize the use of trails in natural open space areas (subject to the Open Space Zone) by horses and non-motorized bicycles unless such use is first reviewed and approved by the California Department of Fish and Game and the U. S. Fish and Wildlife Service.
2. Figure 12, titled South Mesa Planning Area on Page 3-42 of the Specific Plan, shall be revised consistent with Exhibit #5 attached to show the added trail segment south of Leucadia Boulevard in this planning area.
3. Section 3.3.5(C)(3), under General Planning Standards - Sidonia East on Page 3-45 of the Specific Plan, shall be revised to read as follows:
  3. The 25.7 acres north of Leucadia Boulevard within the Sidonia East Planning Area shall be preserved for agricultural uses. ~~If at some time in the future, the agricultural use is no longer economically viable, the property shall be rezoned to a land use intensity no greater than R-3 (single-family residential, 3 units per acre). At the time of the request for re-zoning the City and the California Coastal Commission shall concur with the economic nonviability of the agricultural use.~~
4. Section 4.3, under Trails System on Pages 4-14/15 of the Specific Plan, shall be revised to read as follows:

In addition to the comprehensive network of vehicular roads, the Encinitas Ranch project will also provide a network of recreation trails for pedestrians, bicycles and horses. The proposed recreation trail system has been incorporated into the design of the Encinitas Ranch Specific Plan to encourage movement within the Specific Plan area. These trails allow the general public to move freely within the Encinitas Ranch property and allow



access to both the natural open space and recreational amenities provided. The system identifies specific trails for pedestrians and combination bicycle and pedestrian use. Horses and non-motorized bicycles may be permitted anywhere on the trail system subject to approval by the City, taking into consideration trail width, surface, maintenance, and natural habitat; provided the City shall assume any additional costs of maintenance associated with the allowance of horses and non-motorized bicycles. In addition, the City shall not authorize the use of trails in natural open space areas (subject to the Open Space Zone) by horses and non-motorized bicycles unless such use is first reviewed and approved by the California Department of Fish and Game and the U. S. Fish and Wildlife Service.

[...]

Two "soft" recreation trails will start at the southern boundary of the Specific Plan Area and continue north; one along each of the eastern and western boundaries of the ER-SFR3V Zone of the South Mesa Planning Area. The trail along the eastern boundary will continue north to the agricultural area located in the South Mesa Planning Area and will include a trail segment connecting to the trail within the natural open space and bluffs within the Green Valley Planning Area. The trail will continue west along the northern boundary of the area zoned ER-SFR3V to Paseo de las Flores. The trail along the western boundary of the area zoned ER-SFR3V will continue north to Paseo de las Flores. Both trails will connect to the trail system on Quail Gardens Drive via a recreational trail along Paseo de las Flores. In addition, a trail shall extend south from Leucadia Boulevard between the golf course and the agricultural area within the South Mesa Planning Area connecting to the trail segment following Paseo de las Flores. However, this trail segment is not required to be constructed until the adjacent agricultural field crop and greenhouse uses are terminated.

5. Figure 20, titled Pedestrian and Bicycle Trails on Page 4-16 of the Specific Plan, shall be revised consistent with Exhibit #6 attached to show the added trail segment south of Leucadia Boulevard.
- B. Implementation Plan Modifications
6. Section 6.4.2(B), under Open Space Zone ("OS" Zone) on Page 6-18 of the Specific Plan, shall be revised to read as follows:
  - B. Recreation trails in natural open space areas shall be sited to avoid, to the maximum extent feasible, adverse impacts to existing native plant materials and wildlife. The City shall not authorize the use of trails in

natural open space areas (subject to the Open Space Zone) by horses and non-motorized bicycles unless such use is first reviewed and approved by the California Department of Fish and Game and the U. S. Fish and Wildlife Service.

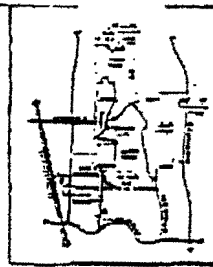
7. Section 9.1.1, under Phase One Development on Page 9-1 of the Specific Plan, shall be revised to read as follows:

[...]

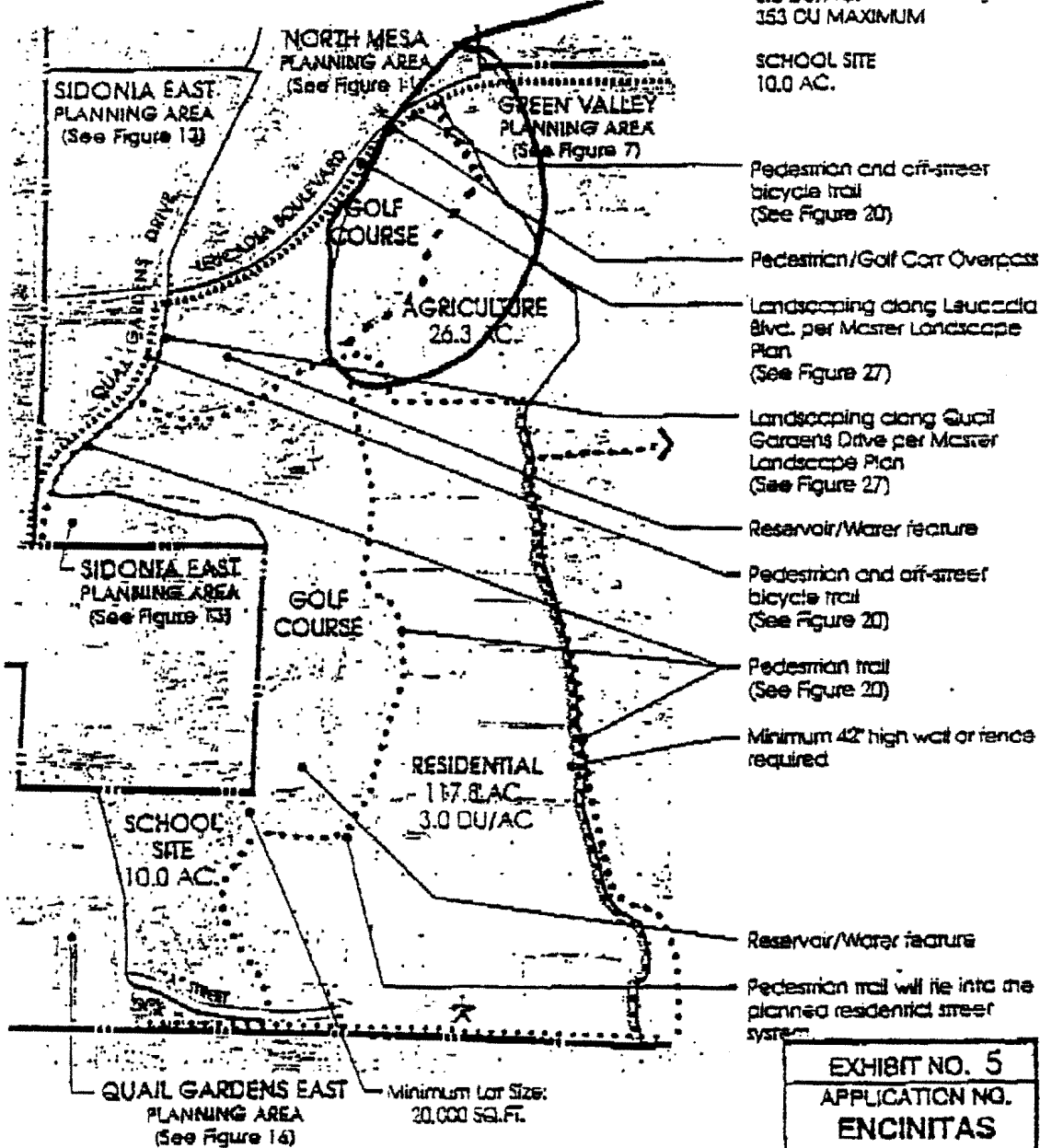
Pedestrian Trail Improvements: All pedestrian and bicycle trails located around the golf course and adjacent to Phase One road improvements and located within Planning Areas where Phase One development is occurring shall be improved and open for public use prior to or concurrent with the first occupancy of 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 Cantabria) shall be improved and open for public use prior to or concurrent with the first occupancy of the commercial center. [...] However, the trail that will extend south from Leucadia Boulevard between the golf course and the agricultural areas within the South Mesa Planning Area 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 agricultural field crop or greenhouse operations adjacent to the trail on the south mesa.

## LEGEND

	GOLF COURSE		RESIDENTIAL (3 DU/AC.)
	RESERVOIR/WATER FEATURE		AGRICULTURE
	PEDESTRIAN AND OFF- STREET BICYCLE TRAIL		SCHOOL SITE
	PEDESTRIAN TRAIL		

SOUTH MESA  
PLANNING AREAGOLF COURSE  
82.3 AC.AGRICULTURE  
26.3 AC.RESIDENTIAL  
117.8 AC.  
3.0 DU/AC.  
353 DU MAXIMUMSCHOOL SITE  
10.0 AC.

## ADDED TRAIL SEGMENT



This exhibit is provided for illustrative purposes only. Actual design of each parcel including ingress, egress, internal circulation, exact parcel size and configuration, etc., will be determined at the tentative map stage.

EXHIBIT NO. 5

APPLICATION NO.

ENCINITAS






LCPA 3-97

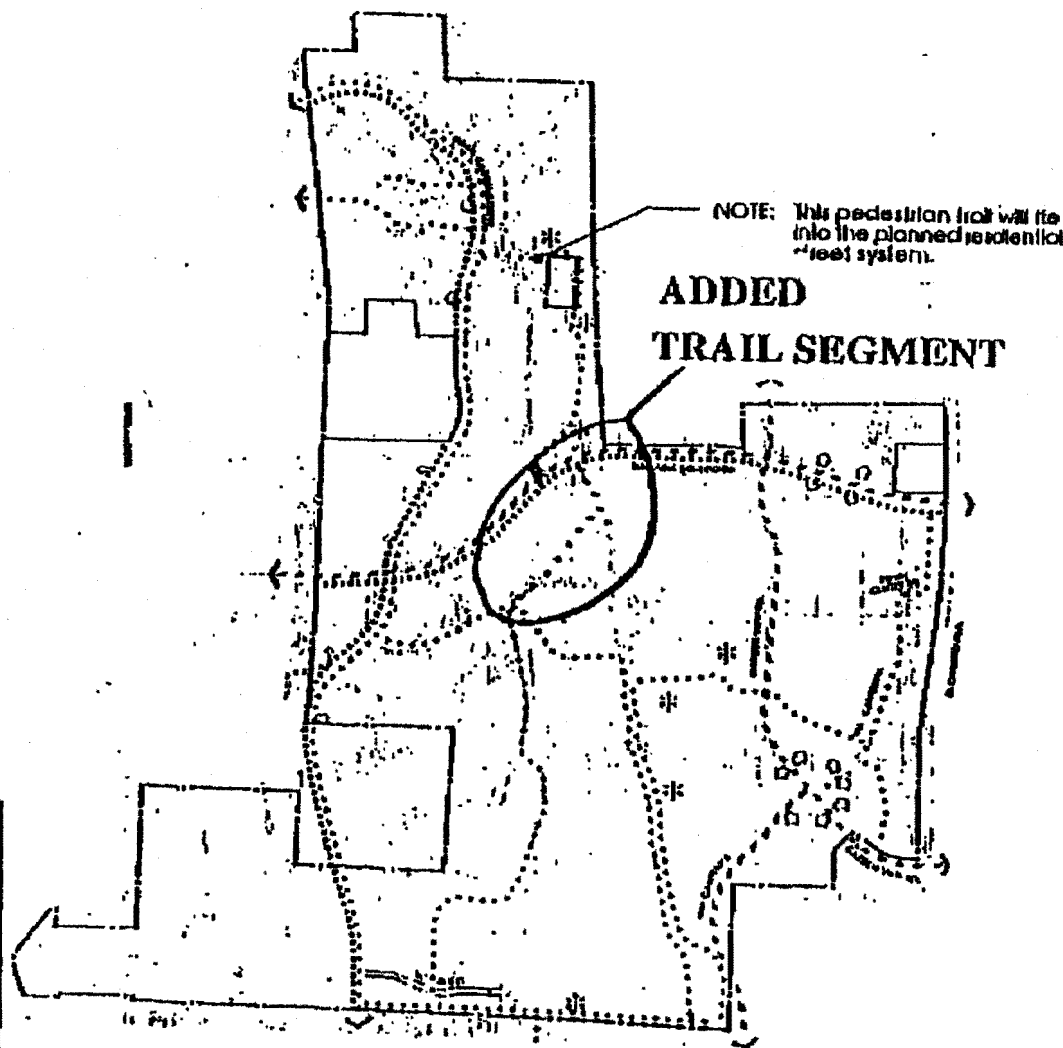
Revised Trail - South  
Mesa Planning Area

California Coastal Commission

# PEDESTRIAN AND BICYCLE TRAILS

## LEGEND

-  RECREATIONAL PATH
-  RECREATIONAL PATH AND OFF-STREET BICYCLE TRAIL
-  POSSIBLE LOCATION OF SCENIC OVERLOOK
-  GOLF CART / PEDESTRIAN AND BICYCLE BRIDGE
-  ON-STREET BICYCLE LANE



Page 4-15

EXHIBIT NO. 6
APPLICATION NO.
ENCINITAS
LCPA 3-97
Revised Trail Plan

ENCINITAS RANCH SPECIFIC PLAN  
FIGURE 20