

## CALIFORNIA COASTAL COMMISSION

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TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: DEBORAH LEE, SOUTH COAST DEPUTY DIRECTOR  
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SUBJECT: STAFF RECOMMENDATION ON CITY OF SAN DIEGO MAJOR LCP  
AMENDMENT NO. 2-98A (The Lodge at Torrey Pines)

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SYNOPSISSUMMARY OF AMENDMENT REQUEST

The City of San Diego has submitted its second request of 1998 to amend its certified Local Coastal Program (LCP). The request consists of three separate items: Part A addresses the Lodge at Torrey Pines site on Torrey Pines Mesa within the North City LCP segment; Part B addresses the North Bay redevelopment, which includes construction of a channel connecting San Diego and Mission Bays; Part C requests modification of the City's Planned District Ordinances, to make them compatible with the Zoning Code changes addressed in Major Amendment No. 1-98. This staff recommendation addresses only Part A; the other two items will be addressed at subsequent Commission hearings.

Part A, which is the subject of this report, would modify the University Community Plan, a subsection of the North City Land Use Plan segment of the City's certified LCP. The proposal would increase the allowed density at the Lodge at Torrey Pines from 74 hotel rooms to 175 hotel rooms, and the leasehold size from 4.3 acres to 6.0 acres, as identified in the Development Intensity Table of the land use plan. Also included in the LCP amendment request is a proposal to rezone the same site from R1-5000, a single-family residential zone, to CV, a commercial visitor zone.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends denial of the land use plan portion of the amendment request as submitted, then approval with suggested modifications. It is further recommended that the proposed rezone be approved as submitted. The appropriate resolutions and motions begin on page 4. The suggested modifications begin on page 6. The findings for denial of the Land Use Plan Amendment as submitted begin on page 7. The findings for

approval of the plan, if modified, begin on page 11. The findings for approval of the implementation plan, as submitted, begin on page 16.

### BACKGROUND

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. 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 numerous amendments to the certified LCP; these are discussed further under LCP History in the report.

### ADDITIONAL INFORMATION

Further information on the City of San Diego LCP Amendment 2-98A may be obtained from Ellen Lirley, Coastal Planner, at (619) 521-8036.

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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, which are all presently certified, in whole or in part. The earliest LUP approval occurred in May, 1979, with others occurring in 1988, in concert with the implementation plan. The final segment, Mission Bay Park, was certified in November, 1996.

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 remained at that time; some of these have been certified since through the LCP amendment process. Other areas of deferred certification remain today and are completing planning at a local level; they will be acted on by the Coastal Commission in the future.

Since effective certification of the City's LCP, there have been twenty-six major amendments and seven minor amendments processed for it. These have included everything from land use revisions in several segments, to the rezoning of single properties, and 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 a significant number of both land use plan revisions and 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

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 Planning Commission and City Council meetings with regard to the subject amendment request. All of those 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 deny certification of the City of San Diego Land Use Plan Amendment 2-98A [University Community Plan], as submitted)

### MOTION I

I move that the Commission certify the City of San Diego Land Use Plan Amendment 2-98A, as submitted.

### Staff Recommendation

Staff recommends a **NO** vote and 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 denies certification of the amendment request to the City of San Diego Land Use Plan amendment to the University Community Plan, and adopts the findings stated below on the grounds that the amendment will not 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 not 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 does not meet the requirements of Section 21080.5(d)(2)(A) of the California Environmental Quality Act; as there would be 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 San Diego Land Use Plan Amendment 2-98A [University Community Plan], if modified)

MOTION II

I move that the Commission certify the City of San Diego Land Use Plan Amendment 2-98A, if it is modified in conformance with the suggestions set forth in this staff report.

Staff Recommendation

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

Resolution II

The Commission hereby certifies the amendment request to the City of San Diego Land Use Plan amendment for the University Community Plan, if modified, 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 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 does meet the requirements of Section 21080.5(d)(2)(A) 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.

- C. RESOLUTION III (Resolution to reject certification of the City of San Diego LCP Implementation Plan Amendment 2-98A, as submitted)

### MOTION III

I move that the Commission reject the City of San Diego Implementation Plan Amendment 2-98A.

#### Staff Recommendation

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

#### Resolution III

The Commission hereby approves certification of the amendment request to the City of San Diego Local Coastal Program Implementation 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. SUGGESTED MODIFICATIONS

Staff recommends adoption of the following suggested revisions to the proposed Land Use Plan (University Community Plan) amendment. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

Excerpt from Table 3. LAND USE AND DEVELOPMENT INTENSITY:

<u>Subarea/ Name</u>	<u>Gross Acres</u>	<u>Land Use and Development Intensity</u>
6 Torrey Pines Golf Course/ City Park/State Reserve	728.05	<u>Minimum 187 public parking spaces retained on public land for golf course use; in addition, there are 40 spaces reserved daily for golfers and 93 spaces reserved during tournaments at The Lodge at Torrey Pines</u>
7 Sheraton Hotel The Lodge at Torrey Pines	11.38 6.00	400 Rooms - Hotel <u>175 Rooms - Hotel; this site includes 40 parking spaces reserved daily for golfers</u>

and 93 parking spaces reserved during  
tournaments for overflow from the Torrey  
Pines Golf Course

PART IV. FINDINGS FOR DENIAL OF CERTIFICATION OF THE CITY OF SAN  
DIEGO LAND USE PLAN AMENDMENT 2-98A, AS SUBMITTED

A. AMENDMENT DESCRIPTION

The North City LCP Land Use Plan is the northernmost coastal community in the City of San Diego. This geographically large area is relatively undeveloped and contains many of the remaining coastal zone natural resources within the City, including: portions of San Dieguito Lagoon and floodplain; Los Penasquitos Lagoon and Creek; the western part of Carmel Valley; portions of Los Penasquitos and Lopez Canyons; and the Torrey Pines State Reserve and Extension. It is a primary goal of the North City LUP to preserve these resources to the maximum extent feasible while at the same time providing for continued growth.

The North City LCP segment has been subdivided into several communities, including Torrey Pines, Mira Mesa, Carmel Valley (formerly North City West), Sorrento Hills, the Future Urbanizing Area and University, which is the subject of this amendment request. Of all the North City communities, University is perhaps the most intensely developed, as it includes the Golden Triangle area with dense office, employment, and residential development, the University of California, San Diego and many scientific research laboratories, high-tech light industrial and medical facilities and corporate headquarters along Genesee Avenue and North Torrey Pines Road. However, the University Community Plan area also contains the Torrey Pines State Reserve, significant open space areas on the UCSD main campus and the Torrey Pines Golf Course and adjacent City park/beach.

The site which is the subject of this LCP amendment request is located on Torrey Pines Mesa, between N. Torrey Pines Road and the Pacific Ocean. It does not extend to the bluff edge. The Torrey Pines Municipal Golf Course is located both west and north of the hotel site, extending to the bluff edge. The Torrey Pines State Reserve is just north of the golf course and extends to Torrey Pines State Beach, which forms part of the northern border of the City of San Diego where it meets the City of Del Mar. South of the subject site, beyond the medical and scientific research facilities on Torrey Pines Mesa, lies the main campus of UCSD, and, south of that, the Scripps Institute of Oceanography campus, the associated Stephen Birch Aquarium, and the beaches of La Jolla. North Torrey Pines Road is the access link connecting all these various public facilities, which provide public open space and a variety of recreational opportunities.

Less than half the University Community Plan area is within the coastal zone, with the more dense "urban" business center (the Golden Triangle) outside the Commission's

jurisdiction. The planning area is divided into many subareas, and then divided again to address individual sites in many instances. The City is not proposing revision to any goals or policies of the certified LUP, but only a revision of Table 3, which identifies the size of individual properties and establishes the allowable development intensities for every subarea, and many individual sites, throughout the community.

The proposed amendment addresses Subarea 7 and would increase the density allocation for The Lodge at Torrey Pines from 74 rooms to 175 rooms and increase the leasehold size from 4.3 acres to 6.0 acres, to accommodate a specific development proposal which has been approved by the City of San Diego. The site is currently developed with a 74-room hotel, two restaurants and lounges, banquet and meeting rooms, a swimming pool and landscaped grounds. The proposed redevelopment of the site would include the addition of 101 guest rooms, for a total of 175 rooms, and an additional 4,500 sq.ft. of banquet/meeting space. Site redevelopment also includes construction of a three-level, semi-subterranean parking garage, which will replace some existing surface parking lots; in all, 294 parking spaces will be provided on-site. However, accessory uses such as parking and banquet facilities are not addressed in the density table of the LUP. The City expanded the subject leasehold in 1996 to accommodate redevelopment of the site. The expansion increased the leasehold from 4.3 acres to 6.0 acres, primarily by adding to the leasehold an approximately 1-1/2 acre area east of the existing hotel. This added area is currently, and was at the time of the expansion, developed with a 94-space, paved parking lot, which was public before the expansion but is now private.

#### **B. CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT**

The Commission finds, pursuant to Section 30512.2b of the Coastal Act, that portions of the Land Use Plan as set forth in the preceding resolutions, are not in conformance 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 development 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.

The Commission therefore finds, for the specific reasons detailed below, that the proposed land use plan amendment does not conform with Chapter 3 of the Coastal Act or the goals of the state for the coastal zone with regards to public access to existing public recreational amenities (the municipal golf course and potentially the Torrey Pines State Reserve).

**C. NONCONFORMITY OF THE CITY OF SAN DIEGO LAND USE PLAN  
AMENDMENT 2-98A WITH CHAPTER 3 POLICIES**

Many Coastal Act policies address the provision, protection and enhancement of public access opportunities. Most pertinent to the subject LUP amendment request are listed below, 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 30212.**

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby, or

(3) agriculture would be adversely affected. ...

**Section 30212.5.**

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

**Section 30213.**

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...

**Section 30222.**

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

**Section 30223.**

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

The subject LUP amendment request is very specific, in that it only proposes to modify two numbers in existing Table 3 of the University Community Plan. The request would identify the leasehold size as 6.0 acres (an increase from 4.3 acres) and the allowed density as 175 hotel rooms (an increase from 74 rooms). The greater number of hotel rooms is considered by the City to be a minor enough addition to the community as a whole that none of the general policies, goals or calculations in the LUP required modification.

The City did not issue a coastal development permit when it leased the public parking lot to the Lodge in 1996. Typically lease changes or other changes in property ownership do not constitute development and therefore do not require a coastal development permit. However, this particular lease expansion resulted in the conversion of a 94-space public parking lot to private use. Such changes from public to private use can constitute a change in intensity of use such that they do qualify as development and thereby require a coastal development permit. In this instance, a permit would have been issued by the City and been appealable to the Commission. The City has not identified the increase in leasehold size, or addressed potential impacts of the conversion of public parking to private use, in the associated local discretionary approvals, including the City-issued coastal development permit, for the hotel redevelopment. However, since the leasehold size is being modified in Table 3 of the LUP, the matter of leasehold expansion and parking conversion is now before the Commission in the subject action on the LCP amendment request.

The area added to the hotel leasehold is approximately 1-1/2 acres in size and consists almost entirely of a paved parking lot. The future redevelopment plan for the site proposes a three-level, semi-subterranean parking structure in roughly the same footprint as the existing surface parking. The approximately 1-1/2 acre area is public pueblo lands,

but was never dedicated parkland. The existing 94-space parking lot has historically been used for overflow parking for either the municipal golf course, which has a 187-space on-site public parking lot, or the existing hotel, and, based on conversations with the owner of The Lodge at Torrey Pines, is also sometimes used by employees of the Del Mar Sheraton, adjacent to the south. The conversion of this parking lot solely to private hotel use could impair public access to the municipal golf course, particularly during tournaments when the golf course's own parking lot is likely to be filled. Moreover, the Torrey Pines State Reserve is located just beyond (north and northwest of) the golf course; some members of the public park in the golf course parking lot to access the public trails in the Reserve. Although the 94-space parking lot which has been made part of the hotel leasehold is further away from the Reserve, it is possible that persons could park there as well and walk to the Reserve. A final concern is that the existing 187-space parking lot on the golf course site, immediately north of the subject hotel property, is not identified in the University Community Plan as a public recreational resource. Therefore, if the City were to propose to privatize it in the future, the privatization might arguably be consistent with the Land Use Plan. The proposal to revise the LUP to convert the 94-space parking lot to private use would reduce the public parking reservoir on Torrey Pines Mesa and creates the need to ensure that the remaining 187 spaces on the nearby parking lot are identified and protected as a public parking resources that provides access to public coastal recreational sites such as the golf course and State Reserve. Because the proposed LUP amendment does not address the 187 space lot, and for the other reasons identified above, the Commission finds the proposed amendment request inconsistent with the cited public access policies of the Coastal Act.

PART V. FINDINGS FOR APPROVAL OF THE CITY OF SAN DIEGO LAND USE PLAN AMENDMENT 2-98A, IF MODIFIED

A. SUMMARY FINDING/CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT

The Commission has suggested a modification to Table 3 of the University Community Plan, which would identify the remaining 187-space public parking lot on the Torrey Pines Municipal Golf Course. The new language would also include within the LUP the provisions of the City's lease with the hotel operator, which requires reservation of 40 parking spaces within the hotel leasehold for day use by golfers and 94 spaces during tournaments to address overflow crowds. The suggested modification makes the LUP consistent with Section 30001.5 in that it maximizes public recreational opportunities in the coastal zone. Additionally, with this language added to the LUP, any future proposals to privatize the 187-space public lot or change the terms of the lease regarding the reservation of spaces for golf course use would be inconsistent with the certified LCP and require review by the Commission.

B. SPECIFIC FINDINGS FOR APPROVAL

The previously-cited public access and recreation policies of the Coastal Act collectively require the provision, preservation and enhancement of public access opportunities and public recreational resources. As discussed above, the Commission finds that there needs to be adequate public parking to address current and foreseeable needs in this area. It appears that the 94-space lot can be converted to private use by the Lodge without a significant impact on public access as long as the 187-space lot remains available for public use. Additionally, reservation of the 40 spaces within the 94-space lot for daily use by golfers and availability of all 94 spaces to address overflow during tournaments must be assured and has been addressed in the suggested modification detailed above. The golf course is publicly owned and operated by the City of San Diego, and thus represents a lower-cost visitor recreational amenity when compared to private golf courses in surrounding communities. In addition, there is currently no charge for parking at the golf course's remaining 187-space lot; this is probably why some people park there and hike into the Reserve, since a fee is charged to use the Reserve parking areas. Under the terms of the City's lease with the hotel operator, the spaces within the 94-space lot that are required to be reserved for golf course use must remain free as well, unless and until the public lot starts charging a fee. The institution of fees at the public lot in the future could represent a change in the intensity of use of the site, and would thus require public review through the coastal development permit process. Unlike the hotel site, the golf course property, including the 187-space public parking lot, is an area of deferred certification, where the Commission currently retains coastal development permit authority. The entire Torrey Pines City Park, which includes the golf course and beaches at the toe of the bluff, is currently deferred certification, since no formal plan has been adopted for the park. Thus, the LUP policies only provide guidance for the golf course property at this time. Once planning is complete and permit jurisdiction delegated to the City, those policies become the legal standard of review.

Other potential access and recreation concerns raised by the proposed LCP amendment include possible adverse impacts on traffic circulation and access to the beaches and bluffs. With respect to traffic circulation, N. Torrey Pines Road between Genesee Avenue and Carmel Valley Road is not currently experiencing heavy congestion even during commuter peaks. The nearby intersections operate at Level of Service "C," which represents fairly free-flowing traffic, with intersections clearing at each traffic signal change. The proposed increase in hotel rooms will not change that operating capacity. Most of the increase in traffic associated with the hotel expansion will occur outside the main commuter peaks (i.e., morning and evening weekday rush hour). The greatest increase will be the potential for up to 80 additional trips in the afternoon commuter peak, which may also coincide with traffic homebound from recreational sites on summer weekdays. Hotel traffic is more or less constant all day, rather than exhibiting identifiable peaks at certain hours. Moreover, the siting of the hotels in Subarea 7 supports a fair amount of business and medical clientele from the surrounding development, rather than exclusive reliance on the recreational tourist trade as is common with most resorts. In general, more recreational traffic occurs on weekends than weekdays, when rush hours do not occur and the area businesses are not in operation. Thus, if there is an incremental

increase in weekend traffic caused by the increase in hotel rooms, it is offset by the decrease that naturally occurs because of the closure of offices in the area.

For these reasons, the Commission has, in the past, approved other density increases in the University Community Plan area. Such other increases in density have been associated with scientific research and medical facilities, and have included Traffic Demand Management programs, which promote carpooling and alternative forms of transportation like bicycling, bussing, etc. This type of program does not apply well to recreational facilities like hotels, where people come and go individually at all hours and generally have luggage and sports equipment not easily carried on public transit. However, even if all sites in the University Community Plan area were to expand to their maximum allowed densities, the portion of N. Torrey Pines Road between Genesee Avenue and Carmel Valley Road would still operate at LOS "C."

With respect to beach/bluff access, this stretch of N. Torrey Pines Road (between Genesee Avenue and Carmel Valley Road) is a major beach access route, although not the only route available to persons coming to the shore from inland communities. Persons accessing the coast from inland sites could exit Interstate 5 at Genesee Avenue to head south towards La Jolla Shores or exit at Carmel Valley Road which directly accesses the Torrey Pines State Beach northern parking lot and also provides access to the beaches in Del Mar. These two areas (La Jolla Shores and Torrey Pines State Beach) provide the closest vehicular beach access points, although public beach does exist at the foot of the bluffs west of the golf course. There is no pedestrian access down the bluffs in this location for two reasons: first, no public access across the golf course to the bluffs is provided due to safety concerns, and second, the bluffs are nearly vertical -- in addition to safety issues of the public climbing down the bluffs in this area, the bluffs themselves could be significantly damaged by such use. Therefore, there are no beach or blufftop access trails available or proposed, and persons using the beach along this stretch walk in from the north or south when the tides permit.

Thus, some of the recreational traffic likely to use this portion of N. Torrey Pines Road would be residents of either La Jolla or Del Mar traveling to beaches, or other recreational destinations/events, in the opposite community or possibly at UCSD. However, N. Torrey Pines Road is also a designated scenic drive, and is regularly used even when it is not the most direct route to a destination simply because it provides a more pleasant visual experience than driving the I-5 corridor. Moreover, Genesee Avenue is often used by those traveling to northern beaches as well as southern ones, because Carmel Valley Road is a narrow two-lane roadway with frequent stops. Finally, persons heading to Torrey Pines Reserve would be more likely to take Genesee from I-5 then N. Torrey Pines Road to avoid the traffic lights and beach crowds along, and near, Carmel Valley Road.

Because N. Torrey Pines Road is both a scenic roadway and major coastal access route, it is critical to maintain visual resources along the street through application of appropriate setbacks and height limits and preservation of view corridors. Protection of scenic resources is required in Section 30251 of the Coastal Act. The certified University

Community Plan, which has been found consistent with the Act, includes the following objective:

Insure that the massing of structures and design detail of new buildings contribute to a visually coherent streetscape.

A number of implementation policies are identified in the LUP to achieve this objective. Most applicable to future development at the subject site is the following:

Staggering individual buildings to maintain view corridors and achieve height and setback variations which fit better into rolling topography. Lower rise buildings should be closer to the street and the periphery of the site, while taller buildings should be towards the center of the development.

The subject site does not currently have any ocean views, due to the location of the golf course between the site and the bluffs. However, the site's location along a scenic corridor warrants special treatment. The existing structures at The Lodge at Torrey Pines, which are a mixture of one and two stories in height, are setback approximately 300 feet from the eastern property boundary along N. Torrey Pines Road. In between the buildings and the street are surface parking areas and landscaping, including many mature trees. Some of the trees are located within the street right-of-way, including both Torrey Pines and eucalyptus, but many others are located on the leasehold for the hotel. The University Community Plan includes a frontyard setback requirement of 50 feet for new buildings at some sites along N. Torrey Pines Road. This particular policy only applies to sites within a specific overlay, which is not applicable to the subject site or the adjacent Sheraton hotel. The Sheraton hotel itself is set back approximately 200 feet from the road, but there is a three-story, above-ground parking garage on the site which observes an approximately 35 foot setback along most of its frontage, with one element adjacent to an elevator shaft is approximately 15 feet from the right-of-way; screened tennis courts at the Sheraton are only set back about 25 feet. Also, further to the south, the parking structure at the Scripps medical building observes only about a 25-foot setback -- this particular structure may predate the City's 50-foot setback requirement, which would otherwise apply to the Scripps site.

Current development is set back nearly 300 feet at the subject site. However, this LCP amendment request is accompanied by a coastal development permit for major redevelopment of the property, including a parking garage set back only 11 feet at its closest point to N. Torrey Pines Road; other proposed structures are set much further back and do not exceed two stories in height. Since the proposed 3-level semi-subterranean parking structure only extends above-ground a total of 13 feet, that particular project can be found consistent with the certified LUP and Coastal Act policies cited above, since the parking garage can be considered a lower rise structure. The Commission recognizes, however, that approval of the subject LCP amendment request could allow any number of different developments to be proposed at the site in the future. Any structures taller than what is proposed in the associated coastal development permit should observe a greater

setback (at least 25 feet) to assure conformity with the cited LUP policy and protect existing views of, and across, the site.

In summary, N. Torrey Pines Road is a major coastal access route and provides a more scenic alternative to other roadways, which may be more direct. However, the additional trips associated with an expansion of the Lodge at Torrey Pines will not significantly affect beach traffic, since most hotel-related trips occur outside traffic peaks on weekdays, or on weekends when traffic in the area is much lighter, due to the nature of the majority of development on Torrey Pines Mesa. Moreover, application of the cited LUP policy addressing setbacks, height, etc. to any future development proposals will assure protection of views and scenic areas. The Commission finds that the LUP amendment is consistent with Section 30251 of the Act. The Commission further finds that any minor increases in traffic engendered by the proposed increase in hotel rooms will not have a significant impact on public access to the shoreline. Therefore, with the assurance of full review over any future changes guaranteed by the suggested modification, the Commission finds the amendment request consistent with the cited access, recreation and visual resource policies of the Coastal Act.

**PART VI. FINDINGS FOR APPROVAL OF THE CITY OF SAN DIEGO  
IMPLEMENTATION PLAN AMENDMENT 2-98A, AS SUBMITTED**

**A. AMENDMENT DESCRIPTION**

The City of San Diego proposes to rezone The Lodge at Torrey Pines hotel site from R1-5000, a single-family residential zone, to CV, a zone for commercial uses oriented towards visitors (tourists). This zoning would reflect past and current use of the site, which has never supported residential development. It would also bring the zoning into consistency with the certified University Community Plan, which designated the site for Visitor-Commercial uses.

**B. SPECIFIC FINDINGS FOR APPROVAL**

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP.

a) Purpose and Intent of the Ordinance. The CV Zone is designed to provide for establishments catering to the needs of visitors, primarily consisting of lodging, dining and shopping facilities. Properties so zoned are usually located adjacent to major recreational resources.

b) Major Provisions of the Ordinance. Among other things, the CV Zone provides the following:

- a list of permitted uses

- development standards, including landscaping and parking requirements
- specific regulations to be applied in the coastal zone and beach impact area

c) Adequacy of the Ordinance to Implement the Certified LUP Segments. The proposed rezone from R1-5000 to CV is consistent with the certified University Community Plan. The plan has always designated the subject site for hotel use and identified it as a visitor-serving commercial area. Existing development on the site consists of a 74-room hotel and banquet/meeting space. No residential uses have ever occurred, or been proposed, on the site. Public recreational resources (golf course and State Reserve) are located adjacent to, and nearby, the subject site. Any future development (such as the associated hotel expansion project) would be required to comply with coastal zone and beach impact area regulations. The Commission therefore finds that the proposed rezoning is consistent with, and able to carry out, the certified LUP, as modified herein.

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

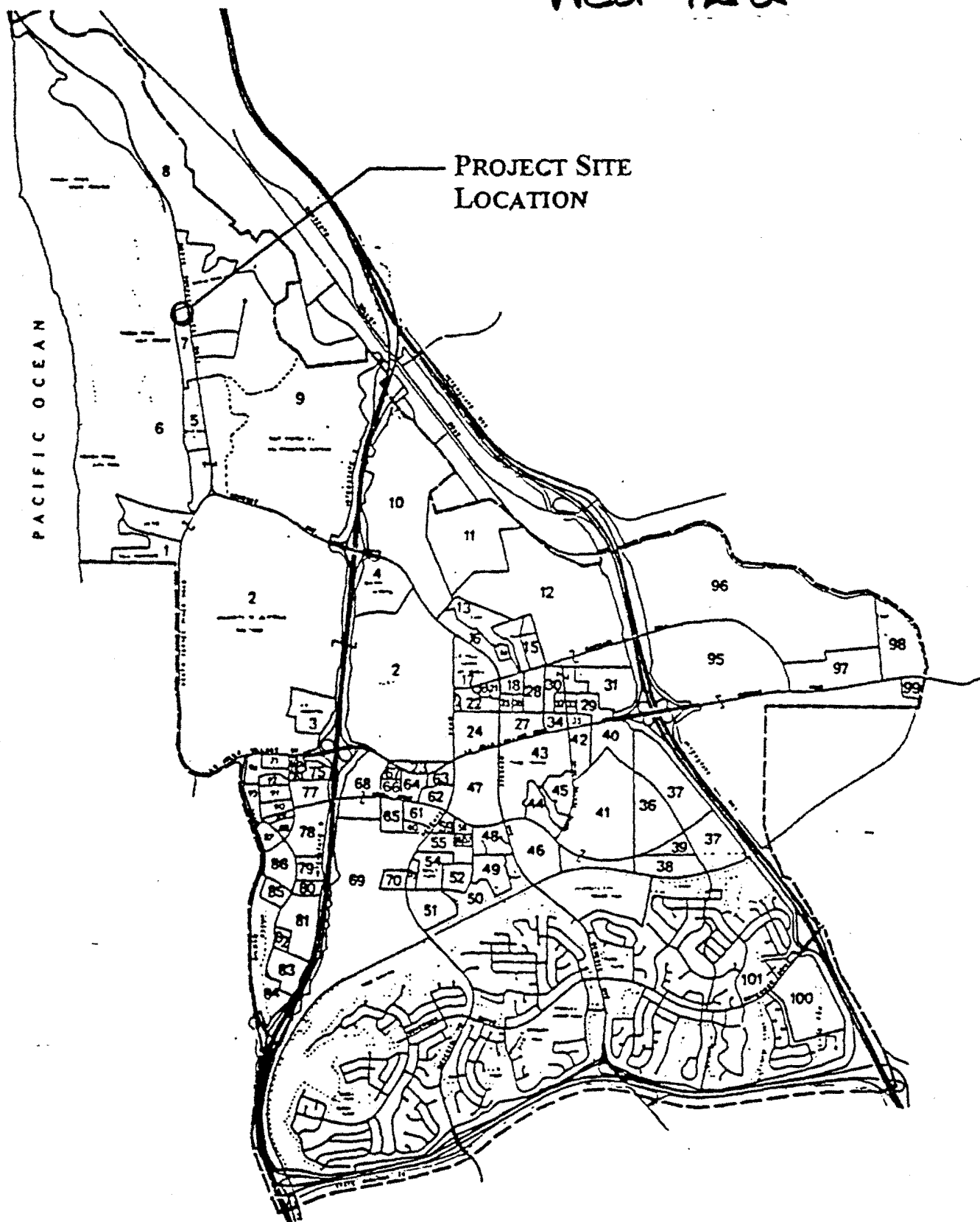
Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's 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. Because the local action on this LCP amendment includes a number of associated local discretionary actions, an Environmental Impact Report was prepared for the proposal and circulated for public review. The only significant unmitigated impact was inconsistency of the hotel development with the NAS Miramar Comprehensive Land Use Plan, which identifies the subject site as being within Accident Potential Zone 2. Although this is a legitimate public safety issue, it is not generally a Coastal Act concern. The City appropriately addressed the matter during local review. The City's Airport Environs Overlay Zone, which would typically not permit the proposed hotel expansion, allows the City to approve such development if it adopts a Findings and Statement of Overriding Considerations, which the City did in this instance. The issue of public safety vis-à-vis potential aircraft accidents is not a Coastal Act issue and is more appropriately addressed by the City. Rezoning of the site from R1-5000 to CV does not raise any significant issues under CEQA or the Coastal Act. Therefore, the Commission has approved the Implementation Plan amendment as submitted by the City.

(SD2-98A.doc)



Wed 12a



City of San Diego  
LCPA 2-98A

University Community Plan Area

Wed 12a

**RESOLUTION NUMBER R-98-1105  
ADOPTED ON MAY 12, 1998**

**WHEREAS**, On March 12, 1998, the Planning Commission of The City of San Diego held public hearings for the purpose of considering the Lodge at Torrey Pines Project and associated amendments to the University Community Plan, Progress Guide and General Plan, and Local Coastal Program; and

**WHEREAS**, the Lodge at Torrey Pines Partnership requested an amendment to the University Community Plan to revise the Development Intensity Element table to increase the maximum number of hotel rooms from 74 to 175; and

**WHEREAS**, City Council Policy 600-7 provides that public hearings to consider revisions to the Progress Guide and General Plan for the City of San Diego may be scheduled concurrently with public hearings on proposed specific and community plans in order to retain consistency between said plans and the Planning Commission has held such concurrent public hearings; and

**WHEREAS**, the Planning Commission of The City of San Diego, after considering all maps, exhibits and written documents contained in the file for this project on record in the City of San Diego, and after considering the oral presentations given at the public hearing, recommended denial of the amendments to the University Community Plan, Progress Guide and General Plan, and Local Coastal Program; and;

**WHEREAS**, on May 12, 1998, the Council of The City of San Diego held a public hearing to approve the amendments to the University Community Plan, Progress Guide and General Plan, and Local Coastal Program; and, by a majority vote, approved such actions; **NOW THEREFORE**,

**BE IT RESOLVED**, by the Council of the City of San Diego, that the Council hereby approves amendments to the University Community Plan, Progress Guide and General Plan, and Local Coastal Program on file in the office of the City Clerk as Document No. RR-\_\_\_\_\_.

**BE IT FURTHER RESOLVED**, that the Lodge at Torrey Pines property is located in the Coastal Zone, therefore the City Council's decision requires amending the City's Local Coastal Program. As a result, these amendments will not become effective in the Coastal Zone until the Coastal Commission unconditionally certifies the Local Coastal Program amendment.

**BE IT FURTHER RESOLVED**, that the amendment to the University Community Plan is consistent with the City-adopted Regional Growth Management Strategy, and that the City Clerk will transmit a copy of this Resolution to SANDAG in its capacity as the Regional Planning and Growth Management Review Board.

**APPROVED: CASEY GWINN, City Attorney**

By \_\_\_\_\_  
Richard A. Duvernay  
Deputy City Attorney

City of San Diego  
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TABLE 3. LAND USE AND DEVELOPMENT INTENSITY

Any changes to this table for properties in the Coastal Zone shall require an amendment to the Local Coastal Program.

Subarea/ Name	Gross Acres	Land Use and Development Intensity
1 Salk Institute	26.88	500,000 SF - Scientific Research
2 UCSD	915.00	UCSD Long-Range Development Plan (110,000 ADT)
3 V.A. Hospital	29.95	725 Beds
4 Scripps Memorial Hospital/Medical Offices	41.38	682 Beds 31,500 SF - Scientific Research 315,900 SF - Medical Office 16,628 SF - Medical Office
5 Scripps Clinic	25.17	320 Beds 567,000 SF - Scientific Research 404,000 SF - Medical Office 52,000 SF - Aerobics Center
6 Torrey Pines Golf Course/ City Park/State Reserve	728.05	
7 Sheraton Hotel Torrey Pines Inn	11.38 <del>4.30</del> 6.0	400 Rooms - Hotel 74 <u>175</u> Rooms - Hotel
8 Torrey Pines State Reserve	233.92	

# PROPOSED AMENDMENT TO THE UNIVERSITY COMMUNITY PLAN

(Proposed Community Plan Amendment affects only this page of the University Community Plan)

City of San Diego  
LCPA 2-98A

DRAFT  
ORDINANCE NUMBER O-98-117 (NEW SERIES)  
ADOPTED ON MAY 12, 1998

**RECEIVED**  
MAY 21 1998

AN ORDINANCE INCORPORATING THE LODGE AT  
TORREY PINES PROPERTY, LOCATED IN THE CITY OF  
SAN DIEGO, CALIFORNIA, INTO THE CV ZONE, AS  
DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION  
101.0426.1.

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

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

Section 1. That the Lodge at Torrey Pines property located at 11480 North Torrey Pines Road, in the City of San Diego, California, within the boundary of the district designated R1-5000 on Zone Map Drawing No. B-4071, filed in the office of the City Clerk as Document No. \_\_\_\_\_, be and is hereby incorporated into the CV Zone, as such zone is described and defined by San Diego Municipal Code Sections 101.0426.1.

Section 2. That prior Ordinances No. 13455, effective date 3/17/32, and No. 9779NS, effective date 4/1/68, of the City of San Diego be, and they are hereby repealed insofar as the same conflict herewith.

Section 3. That the Lodge at Torrey Pines property is located in the Coastal Zone, therefore the City Council's decision requires amending the City's Local Coastal Program. As a result, this rezone will not become effective in the Coastal Zone until the Coastal Commission unconditionally certifies the Local Coastal Program amendment.

Section 4. This ordinance shall take effect and be in force only after the Coastal Commission unconditionally certifies the Local Coastal Program amendment, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: CASEY GWINN, City Attorney

By

Richard A. Duvernay  
Deputy City Attorney

*City of San Diego*  
*LCPA 2-98A*



# PROPOSED REZONING



City of San Diego  
LCPA 2-98A

