

CALIFORNIA COASTAL COMMISSION

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



October 19, 1999

TO: COMMISSIONERS AND INTERESTED PARTIES **Th 4d**

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: EXECUTIVE DIRECTOR'S DETERMINATION that the City of San Diego's action, certifying the City's Local Coastal Program Amendment 2-98C (Planned District Ordinances), is adequate to effectively certify its local coastal program (for Commission review at its meeting of November 2-5, 1999)

BACKGROUND

At its February 4, 1999 meeting, the Coastal Commission certified, with suggested modifications, the City of San Diego's Local Coastal Program Amendment 2-98C for revisions to the Planned District Ordinances. Specifically, the amendment included revisions to the Barrio Logan, Carmel Valley, Cass Street, Centre City, La Jolla, La Jolla Shores, Mission Beach and San Ysidro/Southeastern Planned District Ordinances (PDOs) within the coastal zone. The revisions were intended to make the PDOs consistent with the zoning code changes certified by the Coastal Commission in City of San Diego Local Coastal Program Amendment 1-98B.

By their actions adopting Resolution No. R- 292247 and Ordinance No. O-18692 on October 18, 1999, the City Council has acknowledged and accepted all of the Commission's suggested modifications. The two modifications addressed the fact that the Planned District Ordinances take precedence over other ordinances in case of conflict, and that the parking exemption for any redevelopment area within the Centre City Planned District does not apply in the coastal overlay zone. A copy of the adopted resolution and ordinance is attached.

As provided for in Section 13544 of the Commission's Code of Regulations, the Executive Director must determine if the action of the City of San Diego 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 13554 of the Commission's 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).

(SDLCPA298C EDCheckoff11.99)

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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SAN DIEGO, CA 92108-1725
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November 8, 1999

Honorable Susan Golding, Mayor
City of San Diego
202 "C" Street
San Diego, CA 92101

RE: Certification of the City of San Diego's Local Coastal Program Amendment 2-98C
(Planned District Ordinances)

Dear Mayor Golding:

The California Coastal Commission has reviewed the City's Resolution Number R-292247 and Ordinance Number O-18692 together with the Commission's action of February 4, 1999, certifying City of San Diego Local Coastal Program Amendment #2-98C including the Planned District Ordinances. These documents along with the certified Land Development Code and Land Development Manual will serve as a replacement Implementation Plan for the certified City of San Diego Local Coastal Program. In accordance with Section 13544 of the Commission's 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 November 4, 1999.

By its actions on September 28 and October 18, 1999, the City has formally acknowledged and accepted the Commission's certification of the Local Coastal Program Amendment including all suggested modifications. The City is already issuing coastal development permits in conformance with the certified local coastal program for the majority of the City of San Diego coastal zone. Pursuant to City Council action, the ordinance and resolutions will become effective on January 1, 2000.

In conclusion, I would like to congratulate you and all other elected or appointed officials, staff and concerned citizens for continuing to work towards full implementation of the Coastal Act. We remain available to assist you and your staff in any way possible as you continue to develop and implement the City's local coastal program.

Sincerely,

Peter Douglas
Executive Director

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(R-99-1322)(COR. COPY)

RESOLUTION NUMBER R- 292247

ADOPTED ON SEP 28 1999

RESOLUTION ACCEPTING CALIFORNIA COASTAL COMMISSION SUGGESTED MODIFICATIONS FOR CERTIFICATION OF LOCAL COASTAL PROGRAM AMENDMENTS 1-98B AND 2-98C (LAND DEVELOPMENT CODE, MANUAL AND PLANNED DISTRICT ORDINANCES).

WHEREAS, on November 18, 1997, by Resolution No. R-289461, the Council of The City of San Diego at a public hearing authorized the City Manager to transmit to the California Coastal Commission, The City of San Diego's zoning ordinances, certain zoning district maps and other implementing actions related to its Local Coastal Program [LCP]; and

WHEREAS, on February 4, 1999, the California Coastal Commission at a public hearing considered The City of San Diego's zoning ordinances and other implementing actions as City of San Diego LCP Amendment Nos. 1-98B and 2-98C [LCP Amendments]; and

WHEREAS, the California Coastal Commission on February 4, 1999, rejected The City of San Diego LCP Amendments as submitted; and

WHEREAS, with the exception of the Steep Hillside Guidelines of the Land Development Manual, the California Coastal Commission certified The City of San Diego LCP Amendments with suggested modifications which, if adopted by The City of San Diego would conform with the certified Land Use Plans [LUPs] and be adequate to carry out the provisions of the certified LUPs; and

WHEREAS, it is the intention of this Council that The City of San Diego continue permit

issuing responsibility for coastal development permits for all of that area in The City of San Diego within the Coastal Zone currently certified; NOW, THEREFORE,


BE IT RESOLVED, by the Council of The City of San Diego, that it accepts all of the suggested modifications, as certified by the California Coastal Commission, of The City of San Diego's Local Coastal Program Amendment Nos. 1-98B and 2-98C.

BE IT FURTHER RESOLVED, that the following listed LCP Amendments have been adopted to incorporate the suggested modifications recommended by the California Coastal Commission and are approved pursuant to Ordinance Nos. O- 18691 (O-99-116)(Land Development Code Amendments) and O- 18692 (O-99-117) (Planned District Ordinance Amendments), and Resolution Nos. R- 292248 (R-99-1323)(Coastal Bluff and Beaches Guidelines), R- 292249 (R-99-1356)(Biology Guidelines), R- 292250 (R-99-1357)(Historical Resource Guidelines) and R- 292247 (R-99-1322)(Deviation Application Submittal Requirements).

BE IT FURTHER RESOLVED, that the City Manager is authorized to transmit these City of San Diego LCP Amendments to the California Coastal Commission for effective certification, pursuant to Section 30513 of the Public Resources Code, upon confirmation by its executive director.

APPROVED: CASEY GWINN, City Attorney

By



Prescilla Dugard
Deputy City Attorney

PD:cdk

05/19/99

09/03/99 COR. COPY

Or.Dept:Plan.&Dev.Rev.

R-99-1322

SEP 28 1999

Passed and adopted by the Council of The City of San Diego on
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Harry Mathis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Byron Wear	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christine Kehoe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barbara Warden	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *[Signature]*, Deputy.

(Seal)
I, CHARLES G. ABDELNOUR, Clerk of
the City of San Diego, California,
hereby certify that this is a true
copy of papers on file and of
record in the office of the Clerk
of said City.

CHARLES G. ABDELNOUR, City Clerk

By *[Signature]*, Deputy.

Dated October 19, 1999

Office of the City Clerk, San Diego, California

Resolution Number *292247* Adopted

SEP 28 1999

ORDINANCE NUMBER O- 18692 (NEW SERIES)

ADOPTED ON OCT 18 1999

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 103.0109; AND AMENDING CHAPTER 10, ARTICLE 3, DIVISION 19, BY AMENDING SECTION 103.1959, BOTH SECTIONS RELATING TO THE PLANNED DISTRICT ORDINANCES.

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

Section 1. That Chapter X, Article 2, Division 3, of the San Diego Municipal Code is amended by amending section 103.0109, to read as follows:

SEC. 103.0109 - Applicable Regulations

(a) The applicable zoning regulations in a Planned District are those included in the Planned District and any Land Development Code zoning regulations expressly incorporated into the Planned District. Planned District regulations supercede any inconsistent zoning regulations in the Land Development Code not expressly incorporated into the Planned District regulations. Within the Coastal Overlay Zone, exceptions to the standards in a Planned District shall not be granted except as specifically provided for in the Planned District. Subdivision, building, plumbing and mechanical, and electrical regulations are not zoning regulations for purposes of this section and are not superceded by adoption of a Planned District.

(b) [No change.]

Section 2. That Chapter X, Article 2, Division 19, of the San Diego Municipal Code is amended by amending section 103.1959, to read as follows:

SEC. 103.1959 - Conditional Use Permit for Living Units, parking Requirements

A. through C. [No change.]

D. DEVELOPMENT CRITERIA

Living unit projects in The City of San Diego may be permitted by Conditional Use Permit subject to the provisions of this ordinance and are not subject to existing residential density standards.

1. and 2. [No change.]

3. Parking Requirements.

(a) and (b) [No change.]

(c) Except in the Coastal Overlay Zone, an exemption under this section shall be considered by the City Council for projects in designated Redevelopment Areas and granted only if the City Council finds that the project will contribute to the health, safety, and general welfare and that its contribution will exceed any negative impact caused by implementation of the project.

E. through G. [No change.]

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. That the ordinance shall take effect and be in force on the date the Land Development Code becomes effective pursuant to Ordinance No. O- 18691 (O-99-116).

APPROVED: CASEY GWINN, City Attorney

By Prescilla Dugard
Prescilla Dugard
Deputy City Attorney

PD:cdk
05/12/99
09/01/99 COR. COPY
Or.Dept:Plan.&Dev.Rev.
O-99-117
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Passed and adopted by the Council of The City of San Diego on
OCT 18 1999 by the following vote:

YEAS: MATHIS, WEAR, KEHOE, STEVENS, WARDEN, STALLINGS,
MCCARTY, VARGAS.

NAYS: NONE.

NOT PRESENT: MAYOR GOLDING.

AUTHENTICATED BY:

SUSAN GOLDING
Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California

(Seal)

By: Lori A. Witzel, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. O-18692 (New Series) of The City of San Diego, California.

I FURTHER CERTIFY that said ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on SEP 28 1999 and on OCT 18 1999.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California

(Seal)

By: Lori A. Witzel, Deputy