

CALIFORNIA COASTAL COMMISSION

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



November 16, 1999

Wed 21d**TO: COMMISSIONERS AND INTERESTED PERSONS****FROM: DEBORAH LEE, SOUTH COAST DEPUTY DIRECTOR
SHERILYN SARB, DISTRICT MANAGER, SAN DIEGO AREA OFFICE
ELLEN LIRLEY COASTAL PROGRAM ANALYST, SAN DIEGO AREA
OFFICE****SUBJECT: STAFF RECOMMENDATION ON CITY OF SAN DIEGO MAJOR LCP
AMENDMENT #2-99 (North City rezone - Jewish Academy site) (For Public
Hearing and Possible Final Action at the Coastal Commission Hearing of December
7-10, 1999)**

SYNOPSIS**SUMMARY OF AMENDMENT REQUEST AND STAFF RECOMMENDATION**

This submittal consists of a single amendment request which would rezone portions of a total 40.59-acre site in the Carmel Valley Community of the North City Land Use Plan segment. Specifically, a total of approximately two acres will be rezoned from OS (open space) to SF2 (single family residential) and a total of approximately two and a half acres will be rezoned from SF2 to OS. This adjustment of open space boundaries is intended to accommodate future development of the site with a private school. Staff recommends approval, as submitted, of the proposed rezone which is consistent with the recently-certified land use designations of the Carmel Valley Neighborhood 8 Community Plan portion of the North City LCP Land Use Plan.

The appropriate resolutions and motions begin on page 4. The findings for approval of the Implementation Plan Amendment as submitted begin on page 4.

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 2-99 may be obtained from **Ellen Lirley**, Coastal Planner, at the San Diego Area Office of the Coastal Commission, 3111 Camino Del Rio North, Suite 200, San Diego, CA, 92108-1725, (619) 521-8036.

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. Recently, the City submitted its Land Development Code, a complete reworking of the LCP Implementation Plan. The Commission certified the Implementation Plan with suggested modifications, which were subsequently adopted by the City; the new ordinances will take effect in the coastal zone on January 1, 2000. Several isolated areas of deferred certification remained at the time of original delegation of permit authority in 1988; 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-nine 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

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 - RESOLUTION

Following a public hearing, staff recommends the Commission adopt the following resolution and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to the resolution.

- A. **RESOLUTION I** (Resolution to approve certification of the City of San Diego LCP Implementation Plan Amendment 2-99, as submitted)

MOTION I

I move that the Commission reject the City of San Diego Implementation Plan Amendment 2-99, 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 Commissioners present is needed to pass the motion.

Resolution I

The Commission hereby approves certification of the amendment request to the City of San Diego Local Coastal Program, if modified, 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. FINDINGS FOR APPROVAL OF THE CITY OF SAN DIEGO IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED

A. AMENDMENT DESCRIPTION

The amendment request addresses a single element of the City of San Diego's certified LCP Implementation Plan, by rezoning two small pieces of a total 40.59-acre site (approximately 2 1/2 acres total) from SF2, a single-family residential zone, to OS, open space. Two other small pieces of the property (approximately 2 acres total) will be

rezoned from OS to SF2. The new configuration of zones is consistent with the recently-certified land use plan amendment and more accurately reflects the resources on the ground and identifies the appropriate areas of the site for development.

B. 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 Ordinances. The SF2 Zone is one of several zones used by the City of San Diego to designate areas for single-family residential development within the Carmel Valley Planned District. In addition to residential development, a number of other uses are allowed with a Conditional Use Permit, such as the private school proposed for the site at the local level. The OS Zone is applied to areas intended to be preserved in their natural state, generally due to the presence of sensitive habitats/vegetation, topographic constraints or significant visual amenities.

b) Major Provisions of the Ordinances. The SF2 Zone regulations include development standards addressing minimum lot size and yard dimensions, maximum lot coverage and building height, and required parking. The OS Zone provides that areas so designated be preserved in an undeveloped state through legal means of limiting future uses of a site or portion of a site.

c) Adequacy of the Ordinances to Implement the Certified LUP Segment. The proposed LCP amendment does not modify the existing zones in any way, but only applies them to different portions of the site. The certified SF2 and OS Zone Ordinances are attached for reference; these are taken from the San Diego Municipal Code (Carmel Valley Planned District Ordinance). The property is located within the North City LCP segment, which includes several separate communities, one of which is Carmel Valley. The Carmel Valley Community is further divided into several neighborhoods, for planning and development purposes, as well as two isolated areas which were not within any delineated neighborhood. The entire subject site, an approximately 40-acre property currently proposed at the City level to be developed with a private school, is located in both Carmel Valley Neighborhood 8 and in one of the areas of the Carmel Valley community not mapped within any identified neighborhood boundaries. Approximately thirteen acres of the site are located within Neighborhood 8, with the remaining twenty-seven acres located in the area outside neighborhood boundaries.

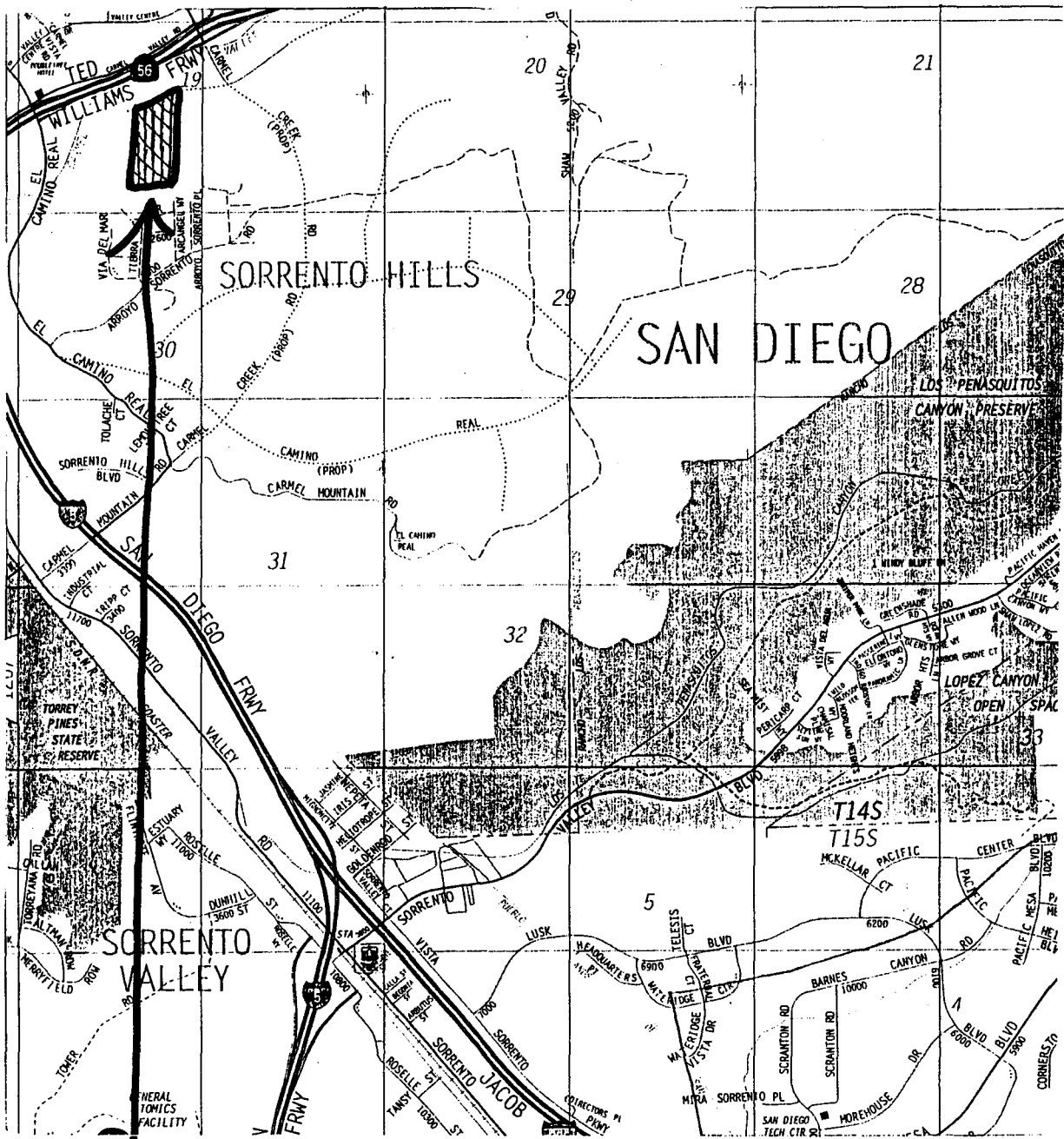
Only the thirteen acres of the site located within Carmel Valley Neighborhood 8 are the subject of this amendment request. The Commission certified City of San Diego LCP Amendment 1-98C for a new LUP for Neighborhood 8 in July, 1999, consistent with the MSCP boundaries for open space. The proposed rezoning of approximately two acres of the site from OS to SF2 is fully consistent with the recently certified LUP for Neighborhood 8 and reflects areas of the site suitable for development, including areas that were formerly improved with structures associated with past agricultural and ranching activities. Moreover, the rezoning of approximately 2 ½ acres of the site from SF2 to OS is fully consistent with the certified land use plan and identifies areas of the

site which exist in a natural state, contain sensitive native vegetation and connect with larger areas of open space off-site. The proposed rezoning will also result in a net gain of a ½ acre of open space. The area not located within any identified neighborhood boundary was also recently certified by the Coastal Commission. The effective certification accepted the existing zoning of that area as the implementation component adequate to carry out the land use plan policies. For this area of the site, the zoning establishes the open space boundaries associated with the City's Multiple Species Conservation Plan (MSCP). As proposed, therefore, the Commission finds the rezonings consistent with, and adequate to carry out, the certified land use plan.

PART IV. 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. In the case of the subject LCP amendment request, the Commission finds that approval of the Carmel Valley Neighborhood 8 rezones will not result in significant environmental impacts under the meaning of the California Environmental Quality Act. The Commission has already found the land use designations consistent with CEQA in a prior action, and the subject LCP amendment merely rezones small portions of the community consistent with the certified land use plan. Therefore, the Commission finds that the amendment, as submitted, can be supported.

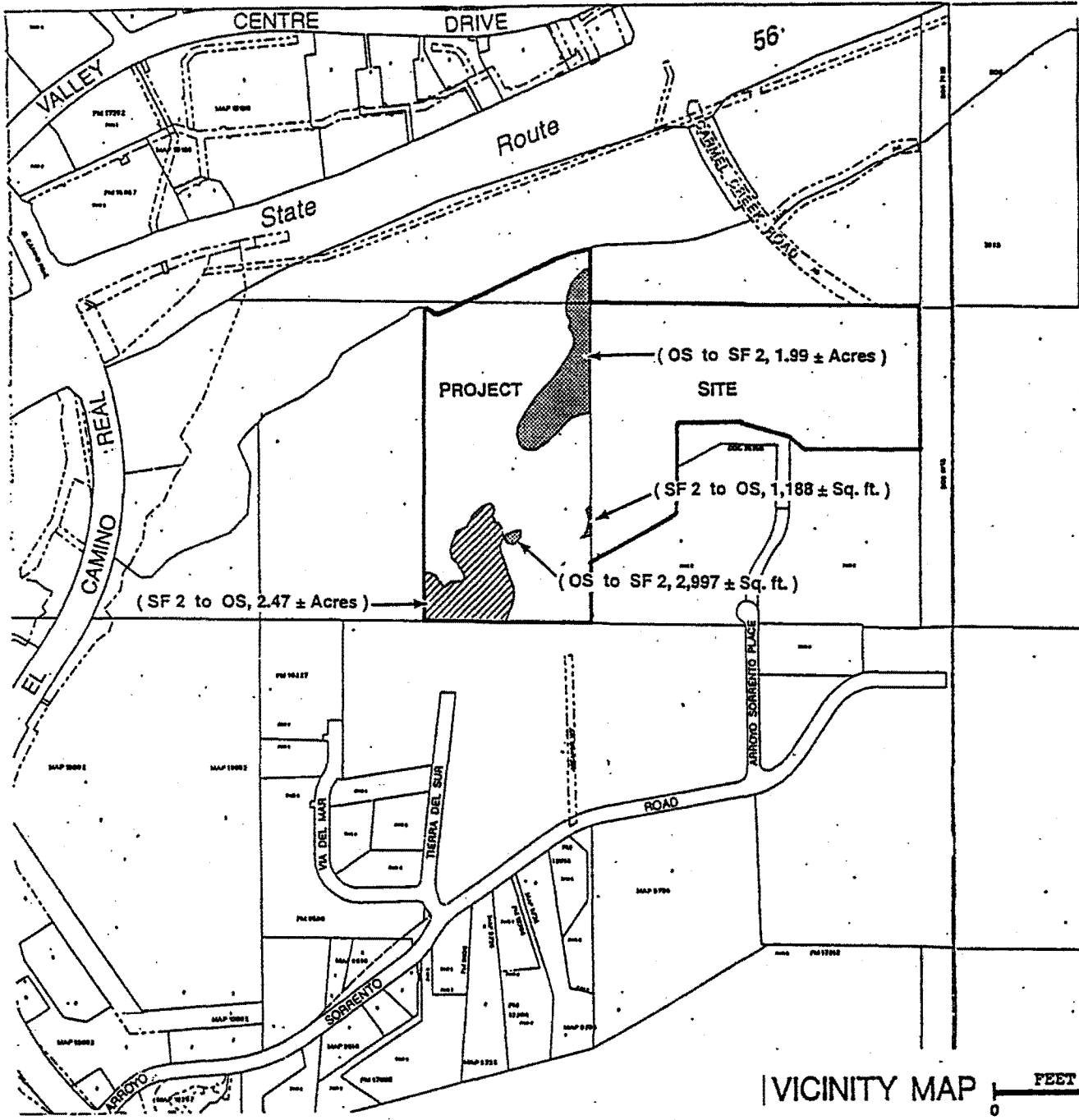


Approximate
Location

City of San Diego
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PROPOSED REZONING



Por. of SEC. 19 & 30 T14S R3W, & Pcl. 3, Parcel Map 11968

ORDINANCE NO. _____
 EFF. DATE ORD. _____
 ZONING SUBJ. TO _____
 BEFORE DATE _____
 EFF. DATE ZONING _____
 MAP NAME & NO. _____

REQUEST SF 2 & OS
 PLAN. COMM. RECOMMENDATION
 CITY COUNCIL ACTION

CASE NO: 98-0837

DEVELOPMENT SERVICES MANAGER

per C - 899

APN: 307-023-23, -051-15 & 18

(279-1698) 9-1-99 bl.

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ORDINANCE NUMBER O- _____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 2.5 ACRES AND 2.06 ACRES LOCATED AT 11657 ARROYO SORRENTO PLACE, WITHIN THE CARMEL VALLEY COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE SF-2 AND OS ZONES INTO THE OS AND SF-2 ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 103.0608 AND 103.0614; AND REPEALING ORDINANCE NO. 17481 (NEW SERIES), ADOPTED JULY 2, 1990, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICTS HEREWITH.

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

Section 1. That 2.5 acres and 2.06 acres, located 11657 Arroyo Sorrento Place, and legally described as portions of Parcels 1, 2, and 3 of Parcel Map 11968, filed February 26, 1982, and a portion of the east half of the northeast quarter of the northwest quarter of Section 30, Township 14 South, Range 3 West, and a portion of the east half of the southeast quarter of the southwest quarter of Section 19, Township 14 South, Range 3 West, all in San Bernardino Meridian, in the Carmel Valley Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. C-899, filed in the office of the City Clerk as Document No. OO- _____, are rezoned from the SF-2 and OS zones into the OS and SF-2 zones, as the zones are described and defined by San Diego Municipal Code sections 103.0608 and 103.0614.

Section 2. That Ordinance No. 17481 (New Series), adopted July 2, 1990, of the ordinances of The City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

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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. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

Section 5. The provisions of this ordinance shall not be applicable within the Coastal Zone until the thirtieth day following the date the California Coastal Commission certifies this ordinance as a Local Coastal Program amendment. If this ordinance is not certified or is certified with suggested modifications by the California Coastal Commission, the provisions of this ordinance shall be null and void for the area within the coastal zone.

APPROVED: CASEY GWINN, City Attorney

By _____

Mary Jo Lanzafame
Deputy City Attorney

MJL:pev
10/6/99
11/01/99 Cor.Copy
Or.Dept:Plan.&Dev.Rvw.
Case No. 98-0837
O-2000-55

tained herein and the Design Element of each precise plan adopted by the City Council. The reasons for the appeal shall be submitted to the City Clerk in writing.

(Renumbered from Sec. 103.0606 to Sec. 103.0607 on 1-8-90 by O-17410 N.S.)

§ 103.0608 Single-family Zones (SF)

A. PURPOSE AND INTENT

The single-family zones are designed to encourage a variety of housing types and to provide flexibility relative to the development regulations.

B. DEVELOPMENT REGULATIONS

All paragraphs of Sec. 101.0407 (R-1 Zones) of the Municipal Code shall apply with the exception of paragraph D., Property Development Regulations. Instead, the following regulations shall apply:

1. Minimum Lot Dimensions. The following minimum lot sizes and dimensions shall apply in the SF zones.

Zone	Minimum Area in Square Feet	Minimum Lot Dimensions in Linear Feet	
		*Street Frontage	**Width (Interior)
SF	10,000	65	65
SF1	6,000	50	60
SF 1-A	5,500	50	50
SF2	4,500	40	45
SF3, SF4	3,000	25	30

*Street frontage may be reduced to twenty feet for any lot which fronts on a turn-around or curving street having a radius of curvature of less than one hundred feet.

**Measured at the midpoint of the lot.

Exception: The minimum lot areas shown above may be averaged.

Where such averaging is used, the minimum may be reduced a maximum of 500 SF.

Exception: Other lot configurations (flag lots, clusters, etc.) appropriate for certain product types may be approved by the Planning Commission. Each lot shall have a minimum frontage of fifteen feet (15') on a dedicated public street.

2. Minimum Yard Dimensions. The following minimum yard dimensions shall apply in the Single-Family Zones:

Zone	Minimum Yard Dimensions in Linear Feet				
	Front Yard		Side Yard		Rear Yard
	Residence	Garage	Interior	Street	
SF	20	20	6	10	**6
SF 1, SF 1-A,					
SF 2, SF 3	10	15	4	10	**4
SF4	10	10	Minimum of 6 feet between buildings	10	**4

*Building walls with no openings may be constructed on the side property line.

**Attached and detached one-story accessory buildings not to exceed 500 square feet may disregard side and rear yards if not used for living or sleeping purposes.

3. Maximum Lot Coverage. No building shall cover more than 60 percent of the lot.

4. Maximum Building Height.

No building shall be constructed, altered or enlarged to a height greater than thirty-five feet.

5. On-street Parking. A minimum of twenty feet shall be provided between driveways along the curb, except on a turnaround or curving street having a radius of curvature of less than one hundred feet. If this criteria cannot be met, it must be demonstrated that parking of one-half of one space per dwelling unit is provided at a convenient distance from each dwelling unit.

(Renumbered and Amended from Sec. 103.0607 to Sec. 103.0608 on 1-8-90 by O-17410 N.S.)

§ 103.0609 Multi-family Zones (MF)

A. PURPOSE AND INTENT

The multi-family zones are intended primarily for the development of cluster and multiple residential structures at densities of five to 44 dwelling units per net acre.

B. DEVELOPMENT REGULATIONS

All paragraphs of Section 101.0410 for the R-3000 Multiple Family Residential Zone of the Municipal Code shall apply with the exception of Paragraph E., DENSITY REGULATIONS, Paragraph F., MINIMUM LOT AREAS AND DIMENSIONS, Paragraph G., YARD REQUIREMENTS, Paragraph H., MAXIMUM BUILDING HEIGHTS, LOT COVERAGES, AND FLOOR AREA RATIOS (FAR), and Paragraph I., LANDSCAPING REGULATIONS. Instead, the following regulations shall apply:

1. Density Regulations.

Subarea	DWELLING UNITS PER NET ACRE PERMITTED	
	Minimum	Maximum
MFL	5	9
MF1	7	15
MF2	13	22
MF3	15	29
MF4	29	44

2. Property Development Regulations.

a. Minimum Project Area Regulations: The minimum project area in the MFL, MF1, MF2, MF3 and MF4 Subareas shall be 6,000 square feet.

b. Open Space:

(1) The open space provided on the property shall not be less than that shown in the following table:

Subarea	Total Required O.S. per D.U. (sq. ft.)	Required Usable O.S. per D.U. (sq. ft.)
	MFL & MF1	1,800
MF2 & MF3	900	450
MF4	500	250

(2) Usable open space shall not have an overall grade exceeding ten percent and shall not be occupied by buildings, streets, driveways, or parking

care of children under the age of 16 years — one space for each two adult residents and employees.

(10) For theaters (indoor only) and places of assembly not otherwise provided for in this section — one parking space for each three fixed seats or one space for each 21 square feet of gross floor area where there are no fixed seats.

b. Where ambiguity exists in the application of these off-street parking requirements or when any use not specified above is found by the Planning Commission to be a permitted use, the off-street parking requirements shall be determined by the Planning Commission.

c. Off-street parking facilities shall be constructed, maintained and operated in compliance with Division 8 of this Article.

(Amended on 6-24-91 by O-17657 N.S.)

§ 103.0614 Open Space (OS)

Open space preservation is required. Approval of the final map shall be conditioned upon preservation of the open space through a mechanism acceptable to the City, limiting the future use of the open space and preserving it as an open space.

(Renumbered from Sec. 103.0613 to Sec. 103.0614 on 1-8-90 by O-17410 N.S.)

§ 103.0615 Maintenance

A maintenance district shall be established to assure the maintenance of open space, the parkway area of perimeter streets, and the landscaped islands at the entrances to development areas and settling/catchment basins.

(Renumbered from Sec. 103.0614 to Sec. 103.0615 on 1-8-90 by O-17410 N.S.)

§ 103.0616 Energy Conservation

In order to reduce the amount of energy consumed, the following criteria shall be considered:

1. Where possible, building should be oriented to receive maximum benefits of active and passive solar access.

2. Outside shades and awnings for windows may be utilized.

3. The exterior of dwelling units should be shaded with vegetation, using non-deciduous trees on the north and deciduous trees on the south, where feasible.

The project applicant shall also comply with Section 101.0200 (Solar Energy Systems) of the Municipal Code.

(Renumbered from Sec. 103.0615 to Sec. 103.0616 on 1-8-90 by O-17410 N.S.)

§ 103.0617 Floodway Zone

The provisions of Section 101.0403 of the San Diego Municipal Code shall apply.

(Renumbered from Sec. 103.0616 to Sec. 103.0617 on 1-8-90 by O-17410 N.S.)

§ 103.0618 Floodplain Fringe Zone

The provisions of Section 101.0403.1 of the San Diego Municipal Code shall apply.

(Renumbered from Sec. 103.0617 to Sec. 103.0618 on 1-8-90 by O-17410 N.S.)

§ 103.0619 A-1-10 Agricultural Zone

The provisions of Section 101.0404 of the San Diego Municipal Code shall apply.

(Renumbered from Sec. 103.0618 to Sec. 103.0619 on 1-8-90 by O-17410 N.S.)

§ 103.0620 Permanent and Temporary Signage Guidelines

Notwithstanding any provision of the North City West Planned District Ordinance to the contrary, all signage located within the North City West Planned District area shall conform to the North City West Signage Guidelines and Criteria adopted by the City Council on January 9, 1991, and filed in the office of the City Clerk as Document NO. OO-17578. This document shall apply to all areas of the North City West Planned District. All other signage provisions contained within the North City West Planned District are superseded by the regulations set forth in this Section.

(Added on 1-9-91 by O-17578 N.S.)

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