

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

175 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4421

(619) 767-2370



RECORD PACKET COPY

July 15, 2003

Fri 11b**TO: COMMISSIONERS AND INTERESTED PARTIES****FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR**

SUBJECT: EXECUTIVE DIRECTOR'S DETERMINATION that the City of San Diego action, certifying the City's Local Coastal Program Amendment #1-02 (Estates at Costa del Mar), is adequate to effectively certify its local coastal program (for Commission review at its meeting of August 6-9, 2003)

BACKGROUND

At its March 4, 2003 meeting, the Coastal Commission certified, with suggested modifications, the City of San Diego Local Coastal Program Amendment #1-02, regarding the rezoning from AR-1-1 to AR-1-2 and OC-1-1 for the Estates at Costa del Mar. By their action adopting Ordinance No. 19185 on June 3, 2003, the City Council has acknowledged and accepted all of the Commission's suggested modifications. The modifications addressed consistency with the certified land use plan (LUP) by splitting the site zoning between residential and open spaces uses, as designated in the LUP. The City already has coastal development permit authority over this geographic area and will continue issuing permits consistent with the local coastal program as amended.

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).

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



August 11, 2003

[DATE AFTER HEARING]

Mayor Richard Murphy
City of San Diego
202 "C" Street
San Diego, CA 92101

RE: Certification of the City of San Diego Local Coastal Program Amendment
#1-02 (Estates at Costa del Mar)

Dear Mayor Murphy:

The California Coastal Commission has reviewed the City's Ordinance No. 19185 together with the Commission's action of March 4, 2003 certifying City of San Diego Local Coastal Program Amendment #1-02 pertaining to rezoning an existing ten-acre property in the North City community of Carmel Valley from AR-1-1, which requires minimum ten-acre lots to AR-1-2, which requires one acre minimum lots. 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 August 6-8, 2003.

By its action on June 3, 2003, the City has formally acknowledged and accepted the Commission's certification of the Local Coastal Program Amendment including all suggested modifications. The modifications addressed appropriate zoning for the portion of the site designated as open space in the certified LUP. The City is already issuing coastal development permits in conformance with the certified local coastal program for this area.

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

cc: Sherilyn Sarb, Ellen Lirley (CCC)
Bob Manis, Vicky Gallagher (City)

ORDINANCE NUMBER O-19185 (NEW SERIES)

RECEIVED

ADOPTED ON JUN 03 2003

JUL 03 2003

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 10.0 ACRES, LOCATED AT THE NORTHERN TERMINUS OF ARROYO SORRENTO PLACE, IN THE CARMEL VALLEY COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AR-1-1 ZONE TO THE AR-1-2 AND OC-1-1 ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0303 AND 131.0203; REPEALING ORDINANCE NO. O-10936 (NEW SERIES), ADOPTED OCTOBER 5, 1972, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HERewith; AND APPROVING AN AMENDMENT TO THE LOCAL COASTAL PROGRAM.

WHEREAS, Leon Perl, Owner/Permittee, requested a rezone for the purpose of changing a 10.0 acre site, located at the northern terminus of Arroyo Sorrento Place within the Carmel Valley Community Plan area, from the AR-1-1 zone to the AR-1-2 and OC-1-1 zones for the purpose of subdividing the site to create four custom-home lots of a minimum one-acre size for custom single-family residences for Estates at Costa del Mar [Project]; and

WHEREAS, the proposed rezone for the Project site is located within the Coastal Zone, therefore this rezone must be certified by the California Coastal Commission as a Local Coastal Program amendment; NOW, THEREFORE,

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

Section 1. In the event that within three years of the effective date of this ordinance rezoning 10.0 acres, located at the northern terminus of Arroyo Sorrento Place, and legally described as portions of Parcels 2 and 3 of Parcel Map No. 11968, in the City of San Diego, County of San Diego, recorded February 26, 1982, more particularly described as follows: being Parcel 2 of Certificate of Compliance Document #95-0522519 recorded November 16, 1995, Lot Line Adjustment Plat 95-150, in the Carmel Valley Community Plan area, in the City of San Diego, California, from the AR-1-1 zone to the AR-1-2 and OC-1-1 zones, as shown on Zone Map Drawing No. B-4199, the property is subdivided and a map or maps thereof duly submitted to the City, approved by the City, and thereafter recorded, and within such subdivision or subdivisions provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of San Diego Municipal Code [SDMC] sections 131.0303 and 131.0203 shall attach and become applicable to the subdivided land, and the subdivided land shall be incorporated into the AR-1-2 and OC-1-1 zones, as described and defined by SDMC sections 131.0303 and 131.0203, the boundary of such zone to be as indicated on Zone Map Drawing No. B-4199, filed in the office of the City Clerk as Document No.

OO- 19185 The zoning shall attach only to those areas included in the map as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the land described in Section 1 of this ordinance, Ordinance No. O-10936 (New Series), adopted October 5, 1972, is repealed insofar as it conflicts with the rezoned uses of the land.

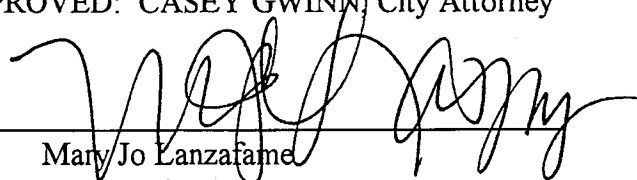
Section 3. That an amendment to the Local Coastal Program for this rezone is approved.

Section 4. 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 5. That this ordinance shall take effect and be in force on the thirtieth day from and after the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment, 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.

APPROVED: CASEY GWINN, City Attorney

By

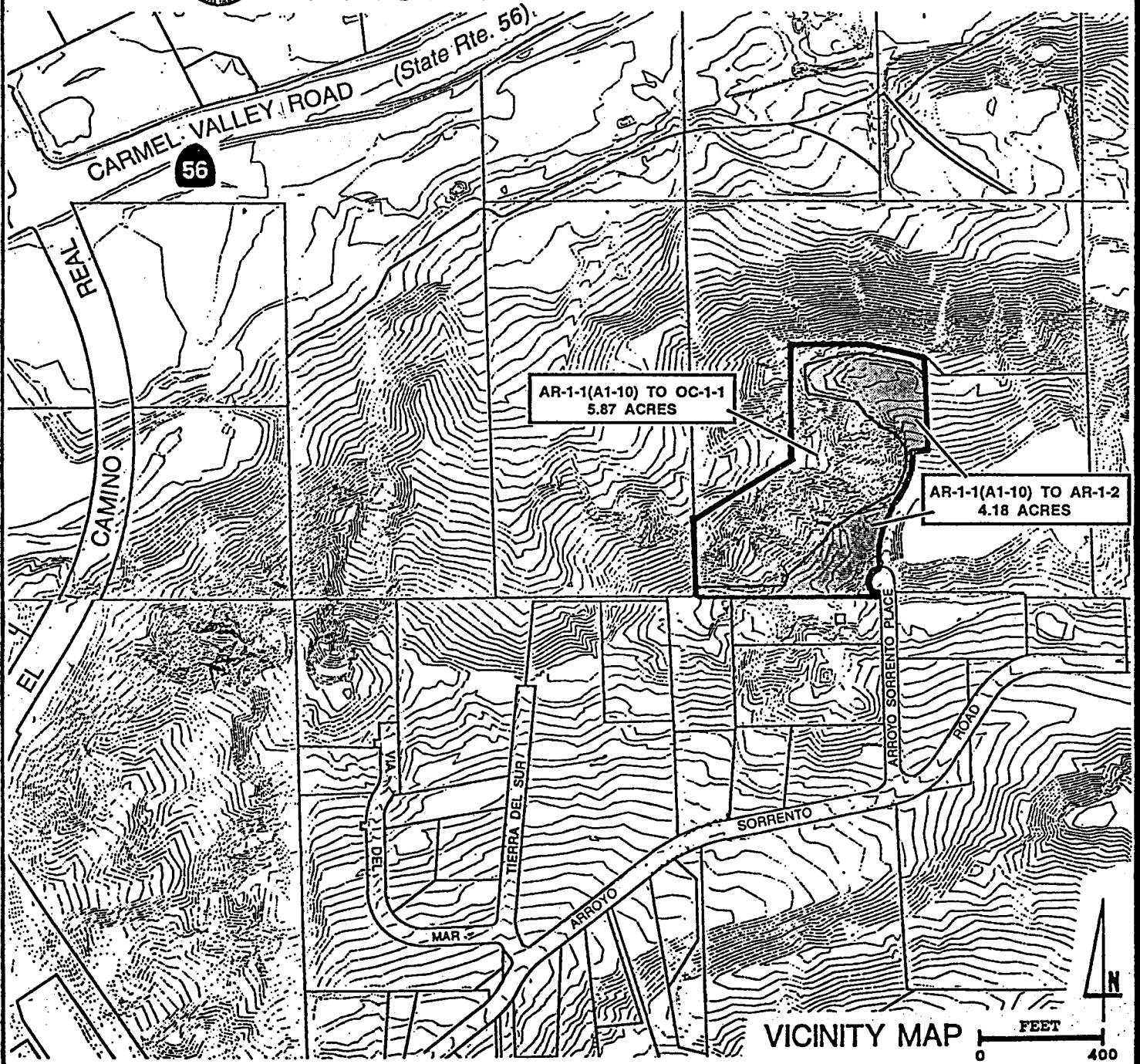

Mary Jo Lanzafame
Deputy City Attorney

MJL:pev
04/04/03
Or.Dept:Dev.Svcs.
O-2003-140
Form=insubo.frm



CITY OF SAN DIEGO • DEVELOPMENT SERVICES

PROPOSED REZONING



Portion of SEC. 30 T14S R3W / Parcel 2 & 3, PARCEL MAP 11968

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

REQUEST AR-1-2/OC-1-1
PLAN. COMM.
RECOMMENDATION
CITY COUNCIL
ACTION

CASE NO. 40-0247

Vicky Salloy
DEVELOPMENT SERVICES MANAGER

B - 4199

APN: 307-051-17

(279-1699) 3-19-2003 bf.

*** SUPERCEDES B-4146 ***

SD LCPA # 1-02