

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
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SAN DIEGO, CA 92108-4421  
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August 23, 2007

# Wed 20a

**TO: COMMISSIONERS AND INTERESTED PERSONS**

**FROM: SHERILYN SARB, SOUTH COAST DEPUTY DIRECTOR  
DEBORAH LEE, DISTRICT MANAGER, SAN DIEGO AREA OFFICE  
LAURINDA OWENS, COASTAL PLANNER, SAN DIEGO AREA OFFICE**

**SUBJECT: STAFF RECOMMENDATION ON CITY OF SAN DIEGO MAJOR  
AMENDMENT 2-07C (Grand Avenue Mixed Use) for Commission Meeting of  
September 5-7, 2007**

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## **SYNOPSIS**

On 4/9/07, the City of San Diego Local Coastal Program Amendment No. 2-07 was submitted in the San Diego District office. The LCP amendment includes three separate components (A, B and C). The LCP submittal was deemed complete and it was filed on 5/29/07. The subject component (C) addresses a land use plan amendment to the Pacific Beach Community Plan and a companion rezone (Grand Avenue Mixed Use).

Component A addresses a rezone in the Carmel Valley Community Plan (Clews Horse Ranch); and, Component C addresses an amendment to the Barrio Logan/Harbor 101 Community Plan and implementation plan. Component A was approved at the August, 2007 Commission meeting and Component C was approved at the June, 2007 Commission meeting. A one year time extension was granted by the Commission for this amendment package at the August 2007 meeting. Therefore, the final date for action on this component would be August 2008.

## **SUMMARY OF AMENDMENT REQUEST**

The proposed submittal consists of an amendment to the Pacific Beach Community Plan to redesignate a 0.11 acre property along the north side of Grand Avenue between Cass and Dawes Street from Medium-Density Residential to Community Commercial and to amend the certified Implementation Plan to rezone the same site from Community Commercial/Multiple Family Residential to Community Commercial. Also proposed is to change the land use designation of two additional properties in the same area (totaling 0.11 and 0.14 acres) from Medium-Density Residential to Community Commercial, to achieve consistency with the community plan. Specifically, all three properties are currently designated Medium-Density Residential (14-29 dua) and two of the three properties are zoned CC-4-2. The proposed land use amendment would make the existing uses and the land use designation consistent with one another, as well as the zoning for the one property.

## **SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending approval of the proposed Pacific Beach Community Plan Land Use Plan and Implementation Plan amendments, as submitted. The appropriate resolutions and motions begin on Page 5. The findings for approval of the Land Use Plan Amendment as submitted begin on Page 6. The findings for approval of the Implementation Plan amendment as submitted begin on Page 10.

## **BACKGROUND**

The City's first Implementation Program (IP) was certified in 1988, and the City assumed permit authority shortly thereafter. The IP consisted of portions of the City's Municipal Code, along with a number of Planned District Ordinances (PDOs) and Council Policies. Late in 1999, the Commission effectively certified the City's Land Development Code (LDC) and a few PDOs; this replaced the first IP in its entirety and went into effect in the coastal zone on January 1, 2000. The City has been reviewing this plan on a quarterly basis, and has made a number of adjustments to facilitate implementation; most of these required Commission review and certification through the LCP amendment process. Additional adjustments will continue to be made in the future. The City's IP includes portions of Chapters 11 through 14 (identified as the Land Development Code or LDC) of the municipal code and associated guidelines.

The Pacific Beach LUP is one of the many segments of the City's certified LCP. The Pacific Beach LUP was submitted on April 30, 1981. On June 12, 1981, the Regional Commission denied the LUP, as submitted, then certified it with suggested modifications. The Commission found that the Regional Commission's decision raised no substantial issue on July 24, 1981. The City resubmitted this LUP in October 1983, and the Commission certified it with suggested modifications on May 23, 1984. Subsequently, the City revised the segment to address the Commission's concerns regarding parking in nearshore areas and resubmitted it a second time. On August 27, 1985, the Commission certified the Pacific Beach LUP as resubmitted (for the second time). A third resubmittal was certified as submitted on July 13, 1988.

On May 11, 1995, the Commission approved, as submitted, an updated Pacific Beach Community Plan & LCP Land Use Plan in Major Amendment No. 2-95C. The main issue addressed in the update was the application of visitor commercial rezoning in two areas of the community.

Two areas of deferred certification were resolved in this segment. The Visitor Commercial Rezones Areas of Deferred Certification (ADC) were created on October 14, 1988, and included the visitor commercial nodes in Pacific Beach located generally west of and fronting on Mission Boulevard between Law Street and Pacific Beach Drive, and the bayside strip generally fronting on Mission Bay Drive. The main issues were priorities for visitor-serving uses and the resulting change from the more typical

neighborhood-oriented commercial strip development presently found in these areas. These concerns were resolved by the Commission's effective certification of LCP Amendment No. 2-95C on May 11, 1995.

The Garnet Avenue Commercial Strip ADC was created on October 14, 1988, and included 50 acres in the main business district of Pacific Beach. The main issue was how to preserve the pedestrian-oriented and community strip character in this area. In developing its implementation measures, the City applied the CC (Community Commercial) zone to the Garnet Avenue strip; this zone was specifically designed to regulate older commercial districts adjoining residential neighborhoods. Alternate zoning was proposed to implement the certified LUP and its acceptance resulted in resolution of this ADC. This was resolved by Commission effective certification of LCP Amendment No. 4-89 on November 17, 1989.

#### **ADDITIONAL INFORMATION**

Further information on the Pacific Beach (Grand Avenue Mixed-Use) LCP Amendment 2-07C may be obtained from Laurinda Owens, Coastal Planner, at (619) 767-2370.

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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 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 numerous major and minor amendments processed. These have included everything from land use revisions in several segments, to the rezoning of single properties, and to modifications of citywide ordinances. In November 1999, the Commission certified the City's Land Development Code (LDC), and associated documents, as the City's IP, replacing the original IP adopted in 1988. The LDC has been in effect within the City's coastal zone since January 1, 2000.

**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.

Land use plans, or their amendments must conform to the policies and requirements of Chapter 3 to the extent necessary to carry out the basic state goals specified in Section 30001.5 of the Coastal Act. These include goals such as enhancing and restoring the overall quality of the coastal zone, assuring orderly and balanced utilization of coastal zone resources, maximizing public access and assuring priority for coastal-dependent uses. Pub. Res. Code §30001.5.

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.

- I. MOTION:**     *I move that the Commission certify the Land Use Plan Amendment for the Pacific Beach segment of the City of San Diego LCP Amendment #2-07C as submitted.*

### **STAFF RECOMMENDATION TO CERTIFY:**

Staff recommends a **YES** vote. Passage of this motion will result in certification of the land use plan amendment as submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

### **RESOLUTION TO CERTIFY LAND USE PLAN AMENDMENT AS SUBMITTED:**

The Commission hereby certifies the Land Use Plan Amendment for the Pacific Beach segment of the City of San Diego LCP Amendment #2-07C, as submitted and adopts the findings set forth below on grounds that the land use plan will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan complies with the California Environmental Quality Act because either

1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the land use plan.

**II. MOTION:**     *I move that the Commission reject the Implementation Program Amendment #2-07C for the Pacific Beach segment of the San Diego certified LCP, as submitted.*

**STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:**

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Program Amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO CERTIFY IMPLEMENTATION PROGRAM AS SUBMITTED:**

The Commission hereby certifies the Implementation Program Amendment for the Pacific Beach segment of the San Diego certified LCP as submitted and adopts the findings set forth below on grounds that the Implementation Program Amendment will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act, and certification of the Implementation Program will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Program Amendment.

**PART III. FINDINGS FOR APPROVAL OF THE PACIFIC BEACH LAND USE PLAN AMENDMENT, AS SUBMITTED**

**A. AMENDMENT DESCRIPTION**

The proposed submittal consists of an amendment to the Pacific Beach Community Plan to redesignate three separate properties totaling 0.36 acres on the north and south sides of Grand Avenue from Medium Density Residential to Community Commercial. Specifically, the three properties are located as follows: 1042 Grand Avenue (0.11 acre site on the north side of Grand Avenue), 1036 Grand Avenue (0.11 acre site west of 1042 Grand Avenue site), and 1033 Grand Avenue (0.14 acres site across the street from the above two sites) (ref. Exhibit No. 2). The subject site is surrounded by a variety of uses which include commercial use and residential use. The main site (1042 Grand

Avenue) currently has a single-family residence on it. The proposed land use re-designation for this site is proposed to accommodate a three-story mixed-use building (commercial use on the ground floor and residential use on the second and third floors) that will be in close proximity to other community commercial development. In addition, a portion of this same parcel which is currently split-zoned is also proposed to be rezoned in conjunction with the proposed land use plan amendment. Two other properties are also proposed to be redesignated to Community Commercial use (1036 Grand Avenue and 1033 Grand Avenue). As noted in the City's staff report, the property located at 1036 Grand Avenue is owned by a religious organization and developed with a residential use with an existing temple immediately to the west. The proposed land use amendment would allow the potential for an expansion of the existing temple use or for accessory uses allowed under the existing commercial zone that would otherwise conflict with the site's residential land use designation. The property located at 1033 Grand Avenue is currently occupied by a pet hospital business. The proposed land use amendment would make the existing use and land use designation at this site consistent with each other. No rezones are required or proposed for these additional sites, nor are any development projects proposed on these sites at this time.

The subject site is approximately three and-a-half blocks east of the Pacific Ocean and four-and-a-half blocks north of Mission Bay in the Pacific Beach community plan area (ref. Exhibit No. 1).

### **C. CONFORMITY OF THE PACIFIC BEACH LAND USE PLAN WITH CHAPTER 3**

1. Land Use/Development Intensity/Public Access. Section 30250 addresses new development and encourages it to be located close to other existing developed areas able to accommodate the proposed use as follows:

#### **Section 30250**

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. [...]

In addition, Section 30210 of the Act states:

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.

Additionally, Section 30252 of the Coastal Act requires that the location and amount of new development should maintain and enhance public access to the coast. In addition,

Section 30252(1) of the Coastal Act encourages alternative transit by concentrating development in appropriate areas along existing transit corridors. The proposed amendment to the Pacific Beach LUP segment of the City's certified LCP to change the land use designation for three properties totaling 0.36 acres in size from Medium-Density Residential to Community Commercial is consistent with these Chapter 3 provisions.

As stated in the City's staff report, dated November 30, 2006, the Pacific Beach Community Plan currently designates land uses on the three properties which are the subject of the land use redesignation as being Medium-Density Residential. Residential uses are permitted at a maximum density of 29 dwelling units per acre. The main site (1042 Grand Avenue) contains an existing single-family residence (which is proposed to be demolished and replaced with a mixed-use development). Initially, only the 0.11 acre site located at 1042 Grand Avenue was proposed for redesignation to Community Commercial. Subsequently, the City conducted a survey of surrounding uses to determine if there were other properties that were developed with non-conforming uses from that shown in the community plan. Two other properties were identified which include another 0.11 acre site immediately west of the first site which is occupied by a religious organization and a 0.14 acre site located across Grand Avenue to the south which is currently occupied by a pet hospital. As was further noted in the City's staff report, both of these latter sites are currently zoned for Community Commercial (CC-4-2) but are designated for residential use in the community plan. The proposed inclusion of the two additional properties would create a feasible extension to the commercial uses that expand from the Cass Street/Grand Avenue intersection given their proximity to existing commercial uses, potential for redevelopment and the nature of the existing uses on site (ref. Exhibit Nos. 2 & 3). The proposed amendment to the Pacific Beach Community Plan would change the land use designation of all three sites to Community Commercial. Both locations (on the north side of Grand as well as on the south side of Grand) are situated contiguously with other properties that are both designated and zoned for commercial use. Although the project itself is not before the Commission, for purposes of discussion regarding land use, the proposed mixed-use development at the 1042 Grand Avenue site would provide a transition between the adjacent single-family development to the east and the commercial designated properties to the west.

The proposed redesignation of Medium Density Residential to Community Commercial will make the land use designations consistent with the zoning for these properties. The proposed community commercial use is compatible with the surrounding existing development. Although the development project is not before the Commission, given that the Pacific Beach Community Plan contains policies and provisions that encourage specific commercial areas be designated for neighborhood (community) commercial uses, the project is found consistent with those goals and development standards. The proposed project is located in an area where the change in land use from Medium density Residential to Community Commercial use will not create traffic congestion or increased average daily trips such that it will impede public access in this area. In addition, the project is located in an area where there are no biological resources and the proposed increase in intensity of development will not result in any impacts to coastal resources. Furthermore, given that the project site and immediate area is in close proximity to public



transit, it is an ideal location for the concentration of development and community commercial uses, which is encouraged by the community plan.

In addition, the proposed land use redesignation from Medium Density Residential use to Community Commercial use will not adversely affect the availability of adequate land for residential use elsewhere in the community. All three sites are located next to commercially designated sites to the west and residentially designated areas to the east. Therefore, the proposed redesignations are compatible with the certified community plan.

As is noted in the earlier part of this report, Garnet Avenue is one of the main business districts in Pacific Beach as is Grand Avenue. The City applied the Community Commercial zone to these areas to regulate older commercial districts adjoining residential neighborhoods. Grand Avenue is a major commercial business district in the Pacific Beach community and is similarly pedestrian-oriented and also a community strip type of commercial district. In this particular case, the redesignation of the three properties from Medium-Density Residential to Community Commercial will result in the preservation of the pedestrian-oriented and community strip character commercial uses in this area, consistent with the certified community plan. The project site is suitable for a mixed-use project because the site is at the boundary between the residential and commercial land uses in the community.

As noted earlier, the project sites are not located near the coast (being approximately three to four blocks away from both the ocean and the bay). The proposed LUP amendment will not have an adverse impact on public access to the coast, and it is therefore in conformity with Section 30210 of the Coastal Act. In addition, the proposed amendment will allow commercial use in close proximity to already developed commercial areas. Therefore, the proposed land use redesignation from Medium density Residential use to Community Commercial use is consistent with Coastal Act Section 30250.

2. Visual Resources/Community Character. Section 30251 of the Coastal Act addresses the protection of visual resources and states the following:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....

In addition, the certified Pacific Beach Community Plan contains the following applicable policies:

1. Specific commercial areas in Pacific Beach shall be designated for office, regional, community, neighborhood and visitor-serving commercial uses (see Figure 11). [p.41]

4. To promote transit and pedestrian use along the community's commercial spines, mixed use commercial projects shall be allowed with an increased residential density of up to 43 dwelling units per acre or shared parking as an incentive, only if designed as a transit-oriented development through a discretionary permit process. [p. 41]

With regard to the first policy referenced above, Figure 11 in the certified Pacific Beach Community Plan shows the subject area as being designated for medium density residential development and shows all three sites are located contiguous to other properties designated for community commercial use.

Views to the shoreline are typically on the east-west streets or south/north streets in this area. However, as noted earlier, the project sites are several blocks away from the shoreline and are located mid-block such that views of the ocean are limited. Any newly proposed commercial uses therefore would not adversely affect coastal views. The proposed redesignation of the project sites to community commercial use, can be found compatible with other existing development in the area.

Given that the proposed change to the land use plan which will permit community commercial development compatible with similar uses and the surrounding community character, will not result in any potential impacts to coastal views or the visual quality of the coastal area, adverse impacts to visual resources or community character are not anticipated. Therefore, in summary, inasmuch as the proposed amendment to the Pacific Beach Community Plan segment will not result in any impacts to public views toward the bay or ocean, the Commission finds the proposed community plan land use changes consistent with Chapter 3 policies of the Coastal Act, as submitted.

#### **PART IV. FINDINGS FOR APPROVAL OF THE PACIFIC BEACH IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED**

##### **A. AMENDMENT DESCRIPTION**

A portion of a split-zoned 0.11 acre property located at the 1042 Grand Avenue site is proposed to be rezoned in the certified Implementation Plan to allow a mixed-use commercial/residential project to occur on the subject site consistent with surrounding land uses. The proposed project will result in rezoning the subject property from (CC-4-2)/multiple family residential (RM-2-5) to CC-4-2 for the entire site.

As noted previously, the subject site is surrounded by a variety of uses which includes commercial and residential uses. The project site is located on the north side of Grand Avenue and is bounded by Cass Street to the west and Dawes Street to the east.

##### **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.

1. CC-4-2 Zone.

a. Purpose and Intent of the Ordinance. The purpose of the CC (Community Commercial) zones is to accommodate community-serving commercial services, retail uses, and limited industrial uses of moderate intensity and small to medium scale. The CC zones are intended to provide for a range of development patterns from pedestrian-friendly commercial streets to shopping centers and auto-oriented strip commercial streets. Some of the CC zones may include residential development. Property within the CC zones will be primarily located along collector streets, major streets, and public transportation lines. The CC-4-2 zone is intended to accommodate development with high intensity, strip commercial characteristics.

b) Major Provisions of the Ordinance. The major provisions of the ordinance include where the commercial zones apply, use regulations (i.e., the permitted uses under each zone), permitted residential densities, setback requirements, floor area ratios, building articulation, parking restrictions and parking lot orientation. In addition, the CC zone section of the Land Development Code also includes a detailed table of permitted land use categories for the various commercial zones. The plan also includes several figures which illustrate building articulation and parking layout.

c) Adequacy of the Ordinance to Implement the Certified LUP Segment. In order to accommodate a proposed mixed-use project consisting of demolition of an existing single-family residence and detached garage and construction of a three-story mixed use building with 863 sq.ft. of commercial space on the ground floor and three residential condominium units on the second and third floors, a single property totaling 0.11 acres in size is proposed to be rezoned from its current split zone of commercial (CC-4-2) and multiple family residential (RM-2-5) to CC-4-2 for the entire site.

In this particular case, the property is currently developed with a single-family residence but is proposed to be redeveloped to accommodate a mixed-use project as described above. The project site is located at 1042 Grand Avenue on the north side of Grand Avenue between Cass and Dawes Streets in a commercial business district of Pacific Beach. The proposed rezone of this property from RM-2-5/CC-4-2 to CC-4-2 would be consistent with the existing land use pattern. The project site is at the border between residential and commercial uses. Specific surrounding land uses consist of a single-family residence to the east. Continuing east on Grand Avenue, the residences are a mixture of single-family and multi-family units. To the west is a single family residence which is owned by a Hare Krishna Temple. The temple itself is two lots west of the project site. To the south is a pet hospital (one of the subject properties proposed for redesignation). The pet hospital is located in a commercial building that has a variety of commercial uses including a fitness store and an auto-body repair business. To the north (next block) is residential development. Given that there are a number of commercial uses in this immediate area, the proposed rezone is consistent and compatible with the surrounding uses in this community. The proposed development is ideally located for commercial development because it is located on a transit corridor which fosters the use of alternative transportation. The proposed rezone from medium density residential to

commercial use in this area is fully consistent with the goals of the certified community plan.

In addition, the proposed rezone will accommodate the residential component of the proposed development that includes residential condominiums on the second and third floors of a proposed mixed-use building with commercial use on the ground floor. The CC-4-2 zone permits residential development only when a commercial structure exists on the premises or it is a part of the proposed development, as is proposed. Furthermore, the proposed land use amendment and accompanying rezone would make the land use and underlying zone consistent with each other. The proposed CC-4-2 zone would implement the Community Commercial land use designation by allowing multi-family residential use and a variety of retail sales, commercial services and office-related uses. This meets the intent of the Community Commercial land use designation within the Pacific Beach Community Plan, which allows community-serving retail, service and office uses in a pedestrian-oriented development pattern in addition to promoting mixed-use along its commercial/transit corridors. As noted in the City's staff report, given that the proposed development is in close proximity to the existing commercial areas along Grand Avenue, the proposed land use designation would create a feasible and contiguous extension of the commercial areas to the west as well as create a transitional development, in the form of a mixed-use development with the existing residential development to the east. In summary, the Commission finds the City is appropriately rezoning the aforementioned property to CC-4-2, which is consistent with, and adequate to carry out, the certified Pacific Beach Community Plan, as amended.

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

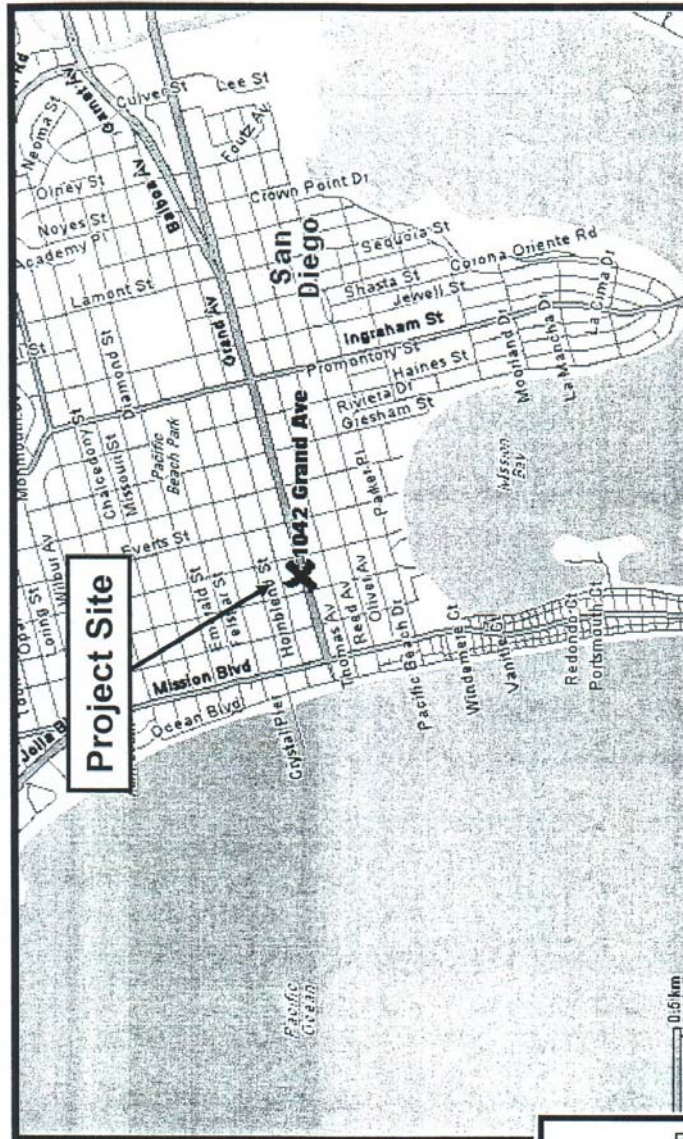
Section 21080.9 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. The Commission's LCP review and approval program has been found by the Resources Agency to be 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, including the requirement in CEQA section 21080.5(d)(2) that the amended LUP/IP will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. 14 C.C.R. §§ 13540(f). In this particular case, the proposed amendments are being approved as submitted. The City of San Diego has prepared a Mitigated Negative Declaration (MND) for the Pacific Beach Community Plan and Implementation Plan amendment. The MND for the proposed project does not identify any significant, unmitigable impacts on aesthetics/neighborhood character, traffic, noise, and air quality, hydrology or water quality resulting from the implementation of this project. Thus, there

are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact on the environment. Therefore, the Commission finds the subject LCP community plan and implementation plan, as amended, conforms with CEQA provisions.

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ATTACHMENT 4



Project Location Map

GRAND AVENUE MIXED USE - PROJECT NUMBER 59006  
1042 Grand Avenue



EXHIBIT #1

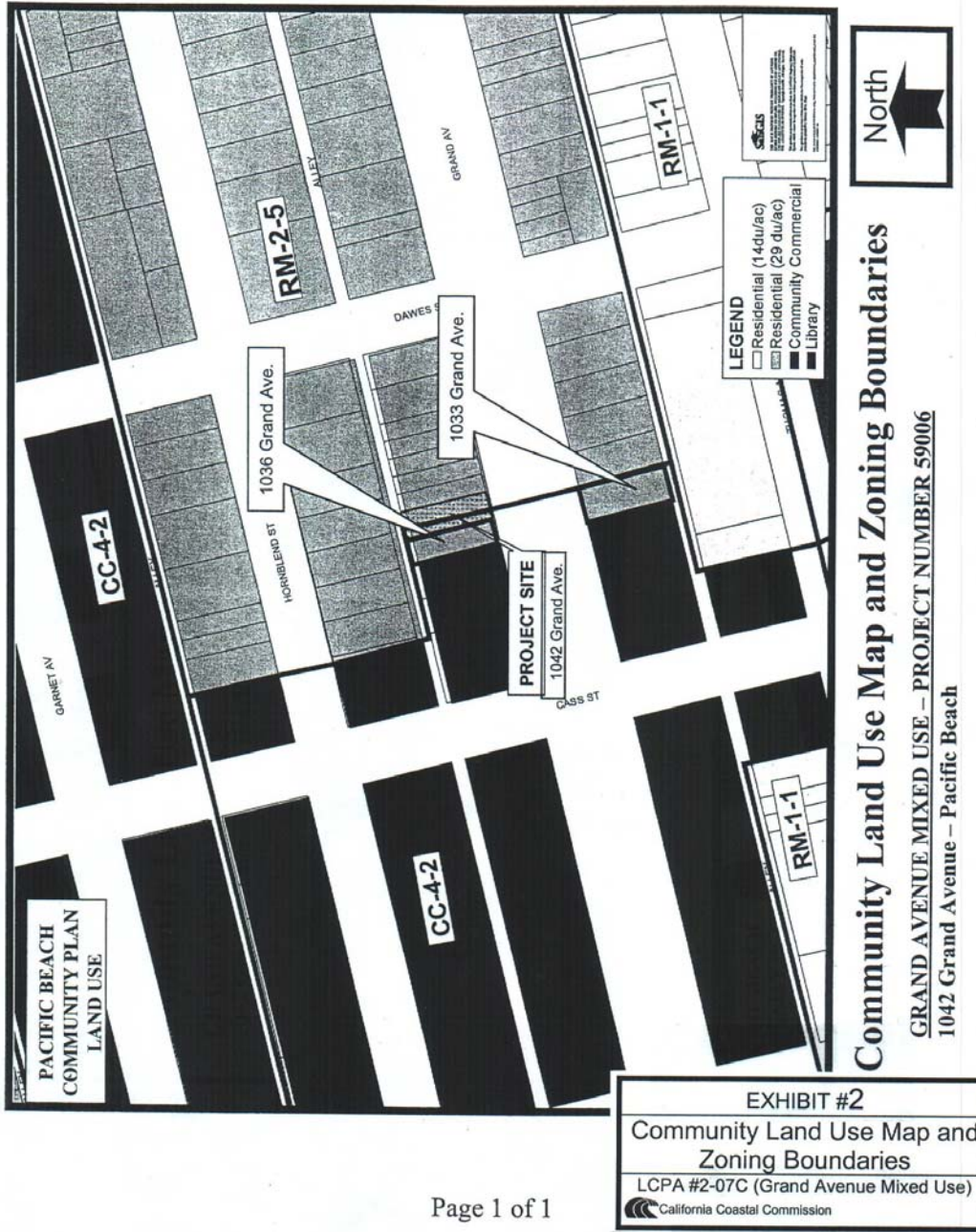
Location Map

LCPA #2-07C (Grand Avenue Mixed Use)

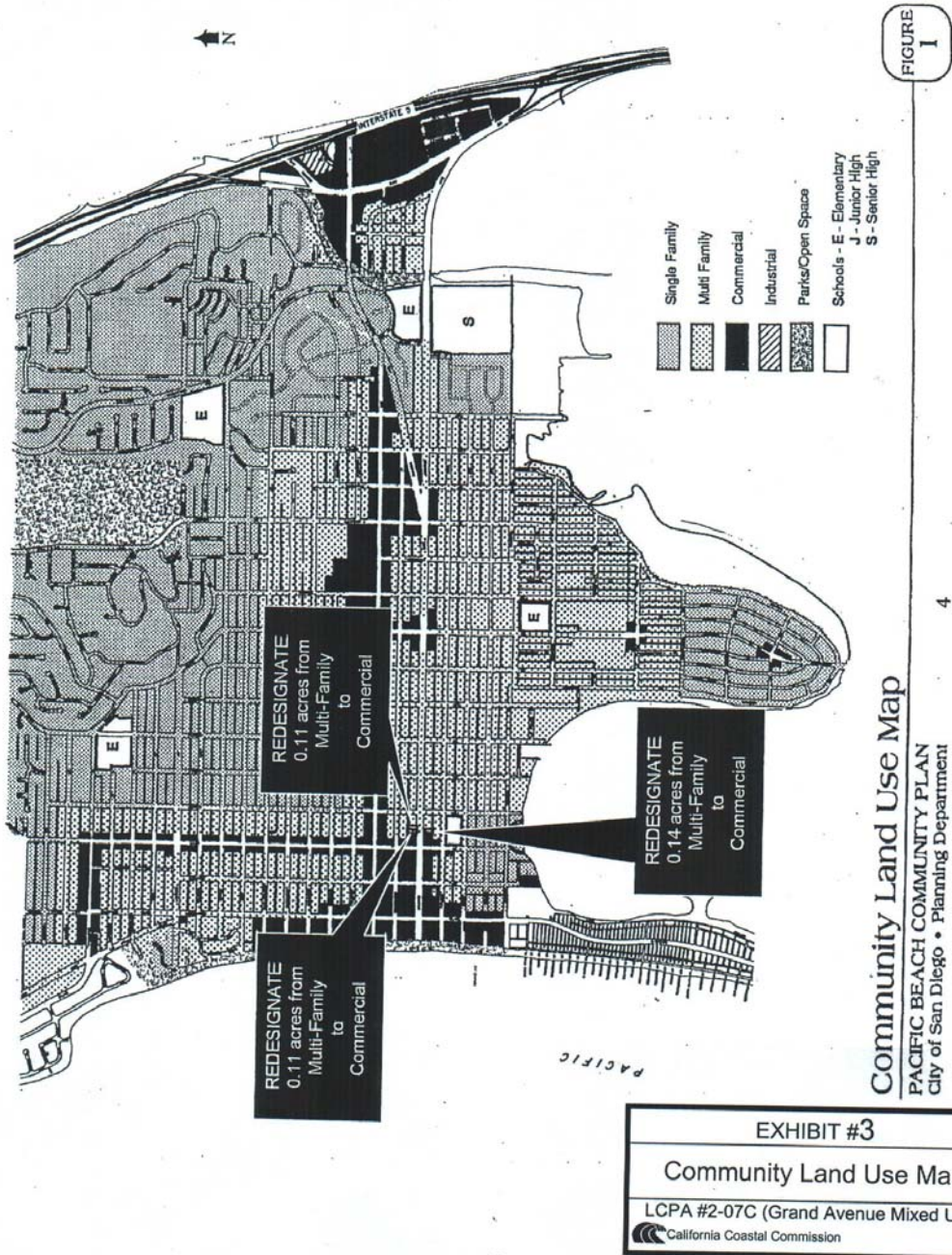
California Coastal Commission



ATTACHMENT 5



ATTACHMENT 14





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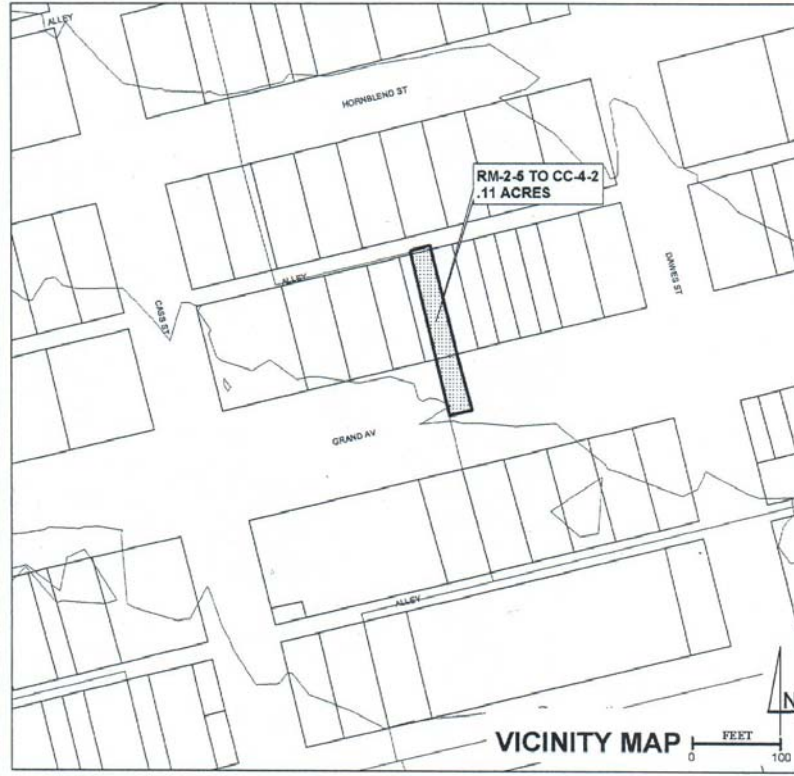
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CITY OF SAN DIEGO • DEVELOPMENT SERVICES

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

# PROPOSED REZONING



East 1/2 of Lot 30 & 31 in Block 230

ORDINANCE NO. _____	REQUEST <b>CC-4-2</b>	CASE NO. _____
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION	DEVELOPMENT SERVICES MANAGER
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	<b>B- 4247</b>
BEFORE DATE _____		APN: 423-052-16
EFF. DATE ZONING _____		
MAP NAME AND NO. _____		

**EXHIBIT #4**

Proposed Rezoning

LCPA #2-07C (Grand Avenue Mixed Use)

California Coastal Commission

(R-2007-815)

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

R

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
DIEGO AMENDING THE PROGRESS GUIDE AND GENERAL  
PLAN, PACIFIC BEACH COMMUNITY PLAN AND LOCAL  
COASTAL PROGRAM TO REDESIGNATE  
APPROXIMATELY 0.36 ACRES FROM MEDIUM DENSITY  
RESIDENTIAL TO COMMUNITY COMMERCIAL.

WHEREAS, Stanley R. Simpson, requested an amendment to the Progress Guide and  
General Plan, the Pacific Beach Community Plan, and the Local Coastal Program in order to  
redesignate an approximately 0.11-acre site from Medium Density Residential (14 to 29 dwelling  
units per acre) to Community Commercial, located at 1042 Grand Avenue (Assessor's Parcel  
Number 423-052-1600); and

WHEREAS, the site is legally described as Lot 30 and the easterly half of Lot 31,  
Block 230 of Pacific Beach, in the City San Diego, County of San Diego, State of California,  
according to the maps thereof No. 697 and 854, filed in the Office of the Recorder of said San  
Diego County January 8, 1892 and September 28, 1898, respectively, and to incorporate within  
the proposed amendment an 0.11-acre lot located at 1036 Grand Avenue (Assessor's Parcel  
Number 423-052-1700) and legally described as the west half of Lot 31 and all of Lot 32 in  
Block 230 of Map 854 as filed in the Recorder's Office of the City and County of San Diego,  
California and a 0.14-acre lot located at 1033 Grand Avenue (Assessor's Parcel  
Number 423-154-0300) and legally described as Lots 9 & 10 in Block 257 of Map 854 as filed in  
the Recorder's Office of the City and County of San Diego, California within the Pacific Beach  
Community Plan and Local Coastal Program area; and

-PAGE 1 OF 3-



(R-2007-815)

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 community plans in order to retain consistency between said plans and the Planning Commission has held such concurrent public hearings; and

WHEREAS, on December 7, 2006, the Planning Commission of the City of San Diego held a public hearing for the purpose of considering an amendment to the Progress Guide and General Plan, the Pacific Beach Community Plan, and the Local Coastal Program; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the Progress Guide and General Plan, the Pacific Beach Community Plan and the Local Coastal Program; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on \_\_\_\_\_, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the Progress Guide and General Plan, the Pacific Beach Community Plan and the Local Coastal Program; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

(R-2007-815)

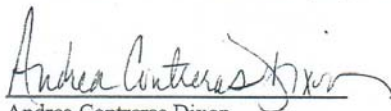
BE IT RESOLVED, by the Council of the City of San Diego, that the Council adopts the amendments to the Pacific Beach Community Plan and the Local Coastal Program, a copy of which is on file in the office of the City Clerk as Document No. RR-\_\_\_\_\_.

BE IT FURTHER RESOLVED, that the Council adopts the amendment to the Progress Guide and General Plan for the City of San Diego to incorporate the above amended plan.

BE IT FURTHER RESOLVED, that this project 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.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Andrea Contreras Dixon  
Deputy City Attorney

ACD:pev

02/20/07

Or.Dept:DSD

R-2007-815

MMS #4444

Community Plan Amend - Applicant Initiated Amendment 11-01-04



(O-2007-103)

CITY ATTORNEY DIGEST

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

EFFECTIVE DATE \_\_\_\_\_

**RECEIVED**  
APR 09 2007

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING A 0.11-ACRE SITE, LOCATED AT 1042 GRAND AVENUE, NORTH OF GRAND AVENUE, EAST OF CASS STREET, WEST OF DAWES STREET AND SOUTH OF HORNBLEND STREET, IN THE PACIFIC BEACH COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CC-4-2 AND RM-2-5 ZONES INTO THE CC-4-2 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0406 AND 131.0507, AND REPEALING ORDINANCE NO. O 10864 (NEW SERIES), ADOPTED JUNE 29, 1972 AND ORDINANCE NO. O-15150 (NEW SERIES), ADOPTED JANUARY 7, 1980, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HEREWITH.

This ordinance approves the rezoning of 0.11 acres from the CC-4-2 and RM-2-5 zones to the CC-4-2 zone, in connection with property located at 1042 Grand Avenue, north of Grand Avenue, east of Cass Street, west of Dawes Street and south of Hornblend Street, in the Pacific Beach Community Plan, in the City of San Diego, California.

This ordinance contains a notice that a full reading of this ordinance is dispensed with prior to its final passage, since a written or printed copy will be available to the City Council and the public a day prior to its final passage.

This ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

-PAGE 1 OF 2-



(O-2007-103)

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

ACD:pev  
01/20/07  
Or.Dept:DSD  
O-2007-103  
MMS #4444  
ZONING Rezone Digest 11-01-04