

CALIFORNIA COASTAL COMMISSION

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W15f

**LCP-6-DMR-20-0079-3 (North Commercial & Professional Commercial
Land Use)**

February 10, 2021

CORRESPONDENCE

Five copies of this comment letter were received.

From: PAMELA SLATER-PRICE <pcslater@mac.com>
Sent: Wednesday, February 3, 2021 1:47 PM
To: SanDiegoCoast@Coastal <SanDiegoCoast@coastal.ca.gov>
Subject: City of Del Mar LCP application LCP-6DMR-20-0079-3

Dear Honorable Coastal Commissioners:

We write regarding City of Del Mar Local Coastal Program Amendment application LCP-6-DMR-20-0079-3 (North Commercial and Professional Commercial Land Use and Zone Amendments) to be considered for a one-year extension on February 10, 2021, Item 15-f.

Two zones, North Commercial (NC) and Professional Commercial (PC) were committed in 2013 to “up-zone” to add high density residential use in the City of Del Mar’s “2013-2021 5th Cycle Housing Element” plan.

The NC and PC changes are separate and independent with different impacts on the community and the coast. We urge the Coastal Commission to find a way to consider amendments for the two zones separately for the following reasons:

Profession Commercial amendments – OK:

The PC amendments are important to the City of Del Mar’s housing planning process, and were well received throughout Del Mar. The parcels involved are relatively small and located along Highway 101, in Del Mar’s commercial center, away from fragile coastal bluffs or sensitive lagoons. The PC zone amendment was approved unanimously by City Council in a separate vote only on PC. **We urge the Coastal Commission to find a way to consider and approve the PC part of the LCPA as soon as possible.**

North Commercial amendments – NOT acceptable:

Reason 1: The NC Zone is in a floodway and adjacent to sensitive lagoon. It is an important part of sea level rise planning. One year after the 2013 Housing Element vote, Del Mar convened its Sea Level Rise Technical Advisory Committee. These undeveloped and underdeveloped lands adjacent to the lagoon were designated as important areas for wetland migration with sea level rise. Ironically, the City’s Sea Level Rise Adaptation Plan is also pending with the Coastal Commission as LCP6-DMR-20-0005-1 (Sea Level Rise). **The Coastal Commission has before it two**

entirely different, irreconcilable uses for the North Commercial lands.

Reason 2: The NC Zone is adjacent to a single-entry-exit bottleneck for 100+ low density homes in Del Mar and San Diego located along the lagoon and Crest Canyon where wildfire is a constant risk. The NC zone amendment would allow over 320 high density residences at this bottleneck (20 units per acre, 16+ acres).

Further, it would enable 480 residences under the State's density bonus laws (30 units per acre if 30% are lower income units). **High density housing at this location would put existing and new homes at higher wildfire escape risk, and would locate all the new homes in a floodway.**

Reason 3: The wetlands in the North Commercial area harbor sensitive biological resources, both plants and wildlife, as has been demonstrated on the so-called "Watermark" parcels – about 2.6 acres of vacant land. The environmental study that accompanied the NC up-zone was deficient in its attention to the impacts of high-density housing on sensitive wildlife and plants, as was the earlier Watermark study which is familiar to the San Diego Coastal Commission staff.

Reason 4: The fragile nature of the NC parcels is well known to Del Mar residents and protected in the Del Mar Community Plan (General Plan). The NC amendments were highly debated across Del Mar and became a contentious issue in the 2018 Council election. The amendments were approved in October 2018 in a 3-2 City Council vote, where two of the Council members who voted "yes" departed Council. Their replacements are committed to protect the fragile lagoon lands adjacent to the North Commercial zone and are actively seeking alternatives together with the State's Department of Housing and Community Development (HCD). The Community (General) Plan was never amended to allow the NC Zone change because that required a supermajority (4 of 5). **The people of Del Mar assign high value to the protection of the fragile lagoons and coastal bluffs for all to enjoy into the future – as reflected and protected in the Community (General) Plan.**

In summary:

- (1) The proposed high-density use of the NC Zone from 2013 runs counter to the more recent Sea Level Rise Adaptation Plan from 2018 and its designation of the same lands for wetland migration and adaptation with sea level rise (under separate consideration as LCP6-DMR-20-0005-1).
- (2) The changes would place high density housing at a wildfire escape route bottleneck that has no room for wider roads.

- (3) The wetlands adjacent to the NC Zone harbor important biological resources that depend on the existing low density development for their health and sustainability.
- (4) The NC Zone amendment runs counter to the lagoon and open space protections in the Del Mar Community (General) Plan.

Thank you for your consideration.

Sincerely,

Pamela Slater-Price
Del Mar Resident

"Be who you are and say what you feel because those who mind don't matter and those who matter don't mind."

~ Dr. Seuss

From: [janice batter](mailto:janice.batter@coastal.ca.gov)
To: SandDiegoCoast@coastal.ca.gov
Cc: [Lilly, Diana@Coastal](mailto:Lilly.Diana@Coastal)
Subject: LCP-6-DMR-20-0079-3
Date: Thursday, February 4, 2021 2:28:33 PM

Coastal Commission members,

RE: City of Del Mar LCP Amendment No. LCP-6-DMR-20-0079-3 (North Commercial Land Use and Zone Amendments)Time Extension

I object to the change in land use and zone change for the following reasons.

1. Environmental

- a. There are wetlands on some of the properties to be rezoned and the Army Corp of Engineers requires a 100' setback from wetlands unless there is an exemption to reduce to 50'.
- b. Over half of the area proposed for rezone is in the Flood Plain Overlay zone and necessitates the first floor being raised significantly above the natural ground level.
- c. The San Dieguito River Conservatory borders much of this land and high density housing with its related noise and lights is incompatible with the a wildlife sanctuary.
- d. The area of "local coastal bluff scrub" has been erased from the area and will not be map and is not being protected.

2. Health and Safety

- a. The access in this area is two-lane roads which are not equipped to handle emergency exiting from the high-fire area to the east, especially during fair and race periods.
- b. The roundabout installed by the city virtually makes it impossible for fire trucks to operate in the area they cannot easily make the circle around the intersection and exiting citizens will have no way out in a timely fashion..

Within the last 15 years we have been property owners in the area and have been told there was no way to build housing in the zone. It will be an environmental disaster and a severe safety hazard to change the zone to allow high-density housing. Please do everything you can to delay and stop the rezone of the area.

Janice Batter

Subject: FW: February 10, 2021, Item 15-f. CITY OF DEL MAR NO.LCP-6-DMR-20-0079-3
Attachments: IMG_0542.jpg; IMG_1270.jpg; IMG_1293.jpg; IMG_1312.jpg; IMG_3058.JPG;
IMG_3182.JPG

From: annette wiesel <awiesel1@yahoo.com>
Sent: Thursday, February 4, 2021 9:10 AM
To: SanDiegoCoast@Coastal <SanDiegoCoast@coastal.ca.gov>
Subject: February 10, 2021, Item 15-f. CITY OF DEL MAR NO.LCP-6-DMR-20-0079-3

Dear Honorable Coastal Commissioners:

I write regarding City of Del Mar Local Coastal Program Amendment application LCP-6-DMR-20-0079-3 (North Commercial and Professional Commercial Land Use and Zone Amendments) to be considered for a one-year extension on February 10, 2021, Item 15-f.

Two zones, North Commercial (NC) and Professional Commercial (PC) were committed in 2013 to “up-zone” to add high density residential use in the City of Del Mar’s “2013-2021 5th Cycle Housing Element” plan.

The NC and PC changes are separate and independent with different impacts on the community and the coast. We urge the Coastal Commission to find a way to consider amendments for the two zones separately for the following reasons:

Profession Commercial amendments – Acceptable

The PC amendments are important to the City of Del Mar’s housing planning process, and were well received throughout Del Mar. The parcels involved are relatively small and located along Highway 101, in Del Mar’s commercial center, away from fragile coastal bluffs or sensitive lagoons. The PC zone amendment was approved unanimously by City Council in a separate vote only on PC. We urge the Coastal Commission to find a way to consider and approve the PC part of the LCPA as soon as possible.

North Commercial amendments – NOT acceptable:

Reason 1: The NC Zone is in a floodway and adjacent to sensitive lagoon. It is an important part of sea level rise planning. One year after the 2013 Housing Element vote, Del Mar convened its Sea Level Rise Technical Advisory Committee. These undeveloped and underdeveloped lands adjacent to the lagoon were designated as important areas for wetland migration with sea level rise. The NC zone amendment would allow over 320 high density residences at this bottleneck (20 units per acre, 16+ acres). Further, it would enable 480 residences under the State’s density bonus laws (30 units per acre if 30% are lower income units). The City’s Sea Level Rise Adaptation Plan adopted in Del Mar in 2018 is also pending with the Coastal Commission as LCP6-DMR-20-0005-1 (Sea Level Rise). The Coastal Commission has before it two entirely different, irreconcilable uses for the North Commercial lands.

Reason 2: The NC Zone is adjacent to a single lane-entry-exit bottleneck for 100+ low density homes in Del Mar and San Diego located along the lagoon and Crest Canyon where wildfire is a constant risk. The NC zone amendment would allow over 320 high density residences at this bottleneck (20 units per acre, 16+ acres). Further, it would enable 480 residences under the State’s density bonus laws (30 units per acre if 30% are lower income units). The potential development will create a wild fire death trap for existing residents living along Crest Canyon where their only exit is the single lane San Dieugito Drive into the single lane Jimmy Durante

round-about. High density housing at this location would put present Del Mar residents and existing and new homes at higher wildfire escape risk, and would locate all the new homes in a floodway.

Reason 3: The wetlands in the North Commercial area harbor sensitive biological resources, both plants and wildlife, as has been demonstrated on the so-called “Watermark” parcels – about 2.6 acres of vacant land. The environmental study that accompanied the NC up-zone was deficient in its attention to the impacts of high-density housing on sensitive wildlife and plants, as was the earlier Watermark study which is familiar to the San Diego Coastal Commission staff. *See attached photos of Lagoon wildlife on WaterMark and neighboring residents.

Reason 4: The fragile nature of the NC parcels is well known to Del Mar residents and protected in the Del Mar Community Plan (General Plan). The NC amendments were highly debated across Del Mar and became a contentious issue in the 2020 Council election. The amendments were approved in October 2020 in a 3-2 City Council vote, where two of the Council members who voted “yes” departed Council. Their replacements are committed to protect the fragile lagoon lands adjacent to the North Commercial zone and are actively seeking alternatives together with the State’s Department of Housing and Community Development (HCD). The Community (General) Plan was never amended to allow the NC Zone change because that required a supermajority (4 of 5). The people of Del Mar assign high value to the protection of the fragile lagoons and coastal bluffs for all to enjoy into the future – as reflected and protected in the Community (General) Plan.

In summary:

- (1) The proposed high-density use of the NC Zone from 2013 runs counter to the more recent Sea Level Rise Adaptation Plan from 2018 and its designation of the same lands for wetland migration and adaptation with sea level rise (under separate consideration as LCP6-DMR-20-0005-1).
- (2) The NC Zone amendment would place existing residents and new high density housing residents at a wildfire escape route bottleneck that has no room for wider roads. These changes will create wildfire death trap.
- (3) The wetlands adjacent to the NC Zone harbor important biological resources that depend on the existing low density development for their health and sustainability.
- (4) The NC Zone amendment runs counter to the lagoon and open space protections in the Del Mar Community (General) Plan.

Thank you for your consideration.

Annette Wiesel
2139 Heather Lane
Del Mar, CA 92014
Del mar Resident













February 4, 2021

Honorable Coastal Commission Members:

We are reaching out today concerning LCP-6-DMR-20-0079-3 (North Commercial and Professional Commercial Land Use and Zone Amendments) that you are considering for a one-year extension on February 10, 2021. It is item 15-f on your agenda.

These Two zones, North Commercial (NC) and Professional Commercial (PC) were committed to in 2013 by the City Council to “up-zone” for the purpose of allowing high density residential use in the City of Del Mar’s as a part of our 5th Cycle Housing Plan.

These two zones should never have **both** been included as a part of that housing element because local residents did not understand at the time the impact that this would have on their community. Especially, the NC upzoning. These two zone changes are really separate and independent and should be considered as such.

The Professional Commercial zone amendments – this makes sense for Del Mar and for the community plan and will direct development in a way that will benefit affordable housing as well as the desire to have a vibrant downtown.

The parcels are relatively small and located along Highway 101, in Del Mar’s downtown, away from fragile coastal bluffs or sensitive lagoons. The PC zone amendment was supported by residents and approved unanimously by City Council in a vote just for that amendment (separate from the NC amendment). **We urge the Coastal Commission to do the same and approve the LPCA for the Professional Commercial zone.**

The North Commercial Amendments - this was done by a council who did not fully understand or did not adequately communicate to residents what this upzoning would mean to Del Mar and the fragile wetlands and already congested Jimmy Durante Blvd.

As you are well aware, decisions we make today impact us for a long term and this is one of them. Development of high-density housing in this area will alter Del Mar forever and will dramatically impact the fragile wetlands that we have all been working so hard to re-habilitate and save for future generations. The reasons to help Del Mar residents and consider these two issues separately are many. Here are a few that were very well stated by a neighbor:

- **Reason 1:** The NC Zone is in a floodway and adjacent to sensitive lagoon. It is an important part of sea level rise planning. One year after the 2013 Housing Element vote, Del Mar convened its Sea Level Rise Technical Advisory Committee. These undeveloped and underdeveloped lands adjacent to the lagoon were designated as important areas for wetland migration with sea level rise. Ironically, the City’s Sea Level Rise Adaptation Plan is also pending with the Coastal Commission as LCP6-DMR-20-0005-1 (Sea Level Rise). **The Coastal Commission has before it two entirely different, irreconcilable uses for the North Commercial lands.**

- **Reason 2:** The NC Zone is adjacent to a single-entry-exit traffic bottleneck for 100+ low density homes in Del Mar and San Diego located along the lagoon and Crest Canyon where wildfire is a constant risk. The NC zone amendment would allow over 320 high density residences at this bottleneck (20 units per acre, 16+ acres). Further, it would enable 480 residences under the State’s density bonus laws (30 units per acre if 30% are lower income units). **High density housing at this location would put existing and new homes at higher wildfire escape risk, and would locate all the new homes in a floodway.**
- **Reason 3: The wetlands in the North Commercial area harbor sensitive biological resources,** both plants and wildlife, as has been demonstrated on the so-called “Watermark” parcels – about 2.6 acres of vacant land. The environmental study that accompanied the NC up-zone was deficient in its attention to the impacts of high-density housing on sensitive wildlife and plants, as was the earlier Watermark study which is familiar to the San Diego Coastal Commission staff.
- **Reason 4:** The fragile nature of the NC parcels is well known to Del Mar residents and protected in the Del Mar Community Plan (General Plan). The NC amendments were highly debated across Del Mar and became a contentious issue in the 2020 Council election. The amendments were approved in October 2020 in a 3-2 City Council vote, where two of the Council members who voted “yes” departed Council. Their replacements are committed to protect the fragile lagoon lands adjacent to the North Commercial zone and are actively seeking alternatives together with the State’s Department of Housing and Community Development (HCD). The Community (General) Plan was never amended to allow the NC Zone change because that required a supermajority (4 of 5). **The people of Del Mar assign high value to the protection of the fragile lagoons and coastal bluffs for all to enjoy into the future – as reflected and protected in the Community (General) Plan.**

In summary:

- (1) The proposed high-density use of the NC Zone from 2013 runs counter to the more recent Sea Level Rise Adaptation Plan from 2018 and its designation of the same lands for wetland migration and adaptation with sea level rise (under separate consideration as LCP6-DMR-20-0005-1).
- (2) The changes would place high density housing at a wildfire escape route traffic bottleneck that has no room for wider roads.
- (3) The wetlands adjacent to the NC Zone harbor important biological resources that depend on the existing low-density development for their health and sustainability.

(4) The NC Zone amendment runs counter to the lagoon and open space protections in the Del Mar Community (General) Plan.

Please work with the City of Del Mar and help us as we navigate the space between allowing development for affordable housing and protecting the future of our wetlands and bluffs and the safety of our residents from fire dangers. We believe that there are solutions that can work better for all and we appreciate you taking the time to look at these two issues independently. Thank you for your consideration.

Best regards,

Karen and Eddie Lare
Del Mar Residents

Angelina & Ross Neglia
1955 Seaview Avenue
Del Mar, CA, 92014

February 4, 2021

Dear City Council Members,

I am against the up-zoning of the north end of the flood-prone Commercial zone for up to 280 residential units in the north end of Del Mar. This is not the long-term solution considering it is a flood zone, the roads and the circle intersection is not built for increased traffic. We already see congestion at this end of town during the Del Mar Fair, the races, concerts etc.

This is the last undeveloped space left in Del Mar, and is fragile and prone to erosion, flooding and congestion. As everyone discusses Climate Change, and the sea level rising, how can we discuss building in this area?? We all have seen the consequences of the previous City Council's decision to rush to add high-density residential units to all 16 acres of the north commercial district by 2015. This up-zone never happened so Del Mar fell out of compliance 5 years ago in 2015 and the tax paying citizens of Del Mar are faced now with the penalties to pay.

The interesting note is that the City studied the increased risks of flooding and wildfires due to climate change. Yet the same City Council who determined managed retreat is NOT an option for private homes in Del Mar. We all can see the work and restoration of the lagoon at the north end of town for the past few years, because of the fragile environment of the wetlands, and the effects of the rising tides. I am also noticing the erosion of the edge of the river right next to the city public works office. Large amounts of soil are falling into the river now after each high tide and nothing is being done about it. If this is the case, what will happen when we have over-build with 280 residents on the flood plane and we add climate change and rising sea levels? We cannot stop either from happening.

The city and coastal commission is racing to make this decision and needs to step back and recalculate the numbers which the true population and full time employees in Del Mar. The numbers submitted originally were incorrect. So before making any decisions we need real and correct data to correct the number of affordable/low income housing Del Mar really needs to build. So the City Council and the Coastal Commission needs review this process from the beginning again.

In terms of finding solutions for affordable housing in Del Mar, we should look a private homes where residents are considering building or converting a space into housing, (set up workshops to help educate residents to hopefully obtain a few residents that would consider building or converting their property to have a low

income space. We should also consider buildings that have been empty for decades in Del Mar, and see if they can be converted into low-income housing. We could also work with the Fairgrounds to work out a possible solution to build or convert low income or residential homes on its 330 acres. The Fairgrounds with its acreage is the most common sense idea to review. For example the north side of the fairgrounds has main access, wide safe road, and lights at the corner of Via de La Valle and Jimmy Durante. Where as our round about near the public works and the bridge is congested with a small one lane road is not sufficient to handle increased population, traffic and more residents. Please look at other areas through out Del Mar both in the residential areas, Fairgrounds and the commercial areas.

Thank you for receiving residents input,

Kind Regards,

Angelina Neglia

Honorable Coastal Commissioners:

3 February 2021

I am writing this letter regarding City of Del Mar Local Coastal Program Amendment application LCP-6-DMR-20-0079-3 (North Commercial and Professional Commercial Land Use and Zone Amendments) to be considered for a one-year extension on 10 February 2021, Item 15-f.

As has been fully discussed and is probably well understood, the two zones, North Commercial (NC) and Professional Commercial (PC) were committed in 2013 to “up-zone” to add high density residential use in the City of Del Mar’s “2013-2021 5th Cycle Housing Element” plan.

The two zones are very different and should not be considered together. They should not be looked at as a unit! They differ in:

- **The community acceptance**
- **Impact on the safety of the community**
- **Impact on the environment**

Profession Commercial (PC) Zone:

The PC amendments are well received by the residents of Del Mar and the business community. There are no environmental issues regarding these parcels. The PC is in Del Mar’s commercial center (away from the bluffs and lagoons) and it is important to the City of Del Mar’s housing planning process. The PC zone amendment was approved unanimously by the City Council in a separate vote, only on PC. **As a resident of Del Mar, I would urge the Coastal Commission to approve the PC part of the LCPA.**

North Commercial Zone is an entirely different matter. Again, as a Del Mar resident I would urge to extend the NC for one year.

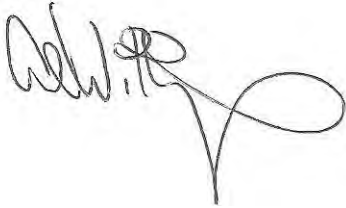
There are several issues regarding the NC zone to consider:

- **It was up zoned in 2013. MANY things have changed since 2013! The very definition of “By-Right development” has changed since 2013. Much of our understanding of sea level rise has occurred since 2013. Only recently has FEMA been tasked with looking into relocating homes that could be affected by the process of sea level rise. And now, in Del Mar, we are to consider building high density housing IN A FLOODWAY, ADJACENT TO A SENSATIVE LAGOON?!!!**
- **There is not the community support for NC re-zone and development. It was part of a contentious City Council race and two supporters of the re-zone were replaced by residents who were opposed to the re-zone. The residents have spoken by electing their leadership who want to explore different options rather than to exploit our fragile coast and wetlands.**
- **Traffic has long been a problem in Del Mar. The city built a “traffic circle”, adjacent to the NC parcels to “slow traffic”. This circle is an important “bottleneck” for over 100 homes currently in existence both in Del Mar and San Diego. To add 320 to 500 high density units in the NC would create a traffic slowdown that would be extremely inconvenient in the best of time and a**

disaster, should an evacuation be needed to escape a wildfire! Let me emphasize, the traffic circle is DESIGNED TO SLOW TRAFFIC!

- **Do we really need to put the wildlife at the lagoon at risk for high density housing? REALLY? Development, lighting, noise, pollution, etc...**

Respectfully,

A handwritten signature in black ink, appearing to read 'Alan Wittgrove'. The signature is stylized with a large loop at the end.

Alan Wittgrove MD
Del Mar resident

Subject: Public Comment on February 2021 Agenda Item Wednesday 15f - City of Del Mar LCP Amendment No. LCP-6-DMR-20-0079-3 (North Commercial and Professional Commercial Land Use and Zone Amendments) Time Extension

-----Original Message-----

From: Denise Smart <dsmart49@gmail.com>

Sent: Tuesday, January 26, 2021 8:36 PM

To: SanDiegoCoast@Coastal <SanDiegoCoast@coastal.ca.gov>

Subject: Public Comment on February 2021 Agenda Item Wednesday 15f - City of Del Mar LCP Amendment No. LCP-6-DMR-20-0079-3 (North Commercial and Professional Commercial Land Use and Zone Amendments) Time Extension

We definitely support the staffs recommendation to keep the trail location unchanged! Its history and location are what makes this such a special trail for the community! Please vote to keep and preserve this location for all current and future nature lovers!

With gratitude for your efforts to preserve this trail at its current location!

Sent from my iPhone

Remember Kristin

www.kristinsmart.org