

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CALIFORNIA 92108-4402
(619) 767-2370 FAX (619) 767-2384
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W15

San Diego Coast District Deputy Director's Report for May 2022

Prepared May 04, 2022 (for the May 11, 2022 Hearing)

To: Commissioners and Interested Parties
From: Karl Schwing, San Diego Coast District Deputy Director

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, emergency CDPs, and local government acceptance of modifications for LCP certification for the San Diego Coast District Office are being reported to the Commission on May 11, 2022. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's San Diego Coast District Office in San Diego. Staff is asking for the Commission's concurrence on the items in the San Diego Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on May 11th.

With respect to the May 11th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on May 11, 2022 (see attached)

Waivers

- 6-22-0085-W, Dooda Duplex and ADU (San Diego)
- 6-22-0123-W, City of San Diego La Jolla Safety Buoys (San Diego)
- 6-22-0240-W, Brown SFR Solar (Solana Beach)
- 6-22-0257-W, Guiney ADU (Solana Beach)

Immaterial Extensions

- 6-18-0266-E2, Worden Residences (San Diego)
- 6-86-396-A13-E7, Belmont Park Valet Program (Mission Beach)

Certification Review

- LCP-6-DMR-20-0079-3 North Commercial and Professional Commercial Land Use and Zone (Del Mar)

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April 28, 2022

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-22-0085-W

Applicant: Lubna Dooda

Location: 115 & 117 South Rios Avenue, Solana Beach, San Diego County (APN(s): 298-073-02-00)

Proposed Development: Construction of a new detached 1,000 sq. ft. 1-story ADU, and replacement of doors, windows, and roofing material on an existing 1,078 sq. ft. 1-story duplex on a 9,000 sq. ft. lot. Construction of new driveways, siding, hardscaping, and fencing.

Rationale: The proposed project is located in an area consisting of a mix of commercial development and single- and multi-family residences similar in size and scale to the proposed development. Thus, the project will not be out of character with the existing community. The site is designated for Medium-High Density Residential land uses in the City of Solana Beach certified LUP, and Special Commercial land uses in the City's General Plan/Zoning Map. The proposed detached accessory dwelling unit is consistent with both the LUP and General Plan designations, and with the Scenic Area and Highway 101 Corridor Specific Plan of the City of Solana Beach's certified Land Use Plan. The development will not block any public views because the property slopes down from South Rios Avenue and the detached ADU will be sited lower in elevation than the existing duplex at the street side of the site, and adequate parking will be provided. The proposed development is consistent with all applicable Chapter 3 policies of the Coastal Act, and no adverse impacts to coastal resources are anticipated. The City has stated that the LUP will be updated to reflect the Special Commercial land use designation for the subject site in the future.

This waiver will not become effective until reported to the Commission at its May 2022 meeting and the site of the proposed development has been appropriately noticed,

Coastal Development Permit Waiver
6-22-0085-W

pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth
Executive Director

Original on File signed by:

Stephanie Leach
Coastal Program Analyst

cc: Commissioners/File

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April 28, 2022

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-22-0123-W

Applicant: City of San Diego

Location: Within near-shore waters at La Jolla Cove and La Jolla Shores, La Jolla, San Diego (San Diego County).


Proposed Development: Placement of nine seasonal navigation/safety buoys until October 31, 2022 and one permanent buoy for a one-year period.

Rationale: The purposed of the buoys to provide demarcated swim areas to separate swimmers from boaters and improve safety and visibility for lifeguards. The buoys have been placed seasonally by the City for many years and are not expected to impact to coastal resources, public access, or public recreation opportunities. The project is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its May 2022 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth
Executive Director

DocuSigned by:

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Melody Lasiter
Coastal Program Analyst

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April 21, 2022

Coastal Development Permit Waiver Improvements to Existing Structures or Repair and Maintenance Coastal Act Section 30610

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13250(c), Section 13252(e), or Section 13253(c), Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-22-0240-W

Applicant: John Brown

Location: 629 W Circle Drive, Solana Beach, San Diego County (APN: 263-021-04-00)

Proposed Development: Installation of rooftop solar photovoltaic panels and energy storage equipment on an approximately 2,200 sq. ft, 1-story single-family residence on a 9,100 sq. ft. lot.

Rationale: The proposed project requires a permit because a special condition previously imposed by the Commission requires that all future development on this site shall require a permit and the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply (CDP #6-02-015). The project is located within an established residential neighborhood consisting of residences similar in size and scale to the proposed development. The proposed development will not block any public views and no adverse impacts to coastal resources are anticipated. The project is consistent with the zoning and plan designations for the City of Solana Beach and its certified Land Use Plan, as well as all applicable Chapter 3 policies of the Coastal Act.


This waiver will not become effective until reported to the Commission at its May 2022 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Coastal Development Permit Waiver
6-22-0240-W

John Ainsworth
Executive Director

Original on file signed by:

Kaitlin Carney 
Coastal Planner

cc: Commissioners/File

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April 26, 2022

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-22-0257-W

Applicant: Patrick and Petra Guiney

Location: 721 Castro St, Solana Beach (San Diego County) (APN: 298-161-04)

Proposed Development: Construction of a 328 sq. ft., one-story detached accessory dwelling unit on a 9,599 sq. ft. lot with an existing approximately 2,032 sq. ft. one-story single family home.

Rationale: The proposed project is located within an established residential neighborhood consisting of single-family residences similar in size and scale to the proposed development, thus the project will not be out of character with the existing community. The proposed accessory unit is consistent with the City of Solana Beach standards for accessory units in an area designated for medium-high density residential uses. The development will not block any public views and is located within a ½ mile of a transit stop so no parking for the accessory dwelling unit is required. Additionally, the project is consistent with the zoning and plan designations for the City of Solana Beach and its certified Land Use Plan, as well as all applicable Chapter 3 policies of the Coastal Act, and no adverse impacts to coastal resources are anticipated.

This waiver will not become effective until reported to the Commission at its May 2022 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Coastal Development Permit De Minimis Waiver
6-22-0257-W

Sincerely,

John Ainsworth
Executive Director

DocuSigned by:

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Melody Lasiter
Coastal Program Analyst

cc: Commissioners/File

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April 26, 2022

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that Greg & Barbara Worden have applied for a one-year extension of 6-18-0266 granted by the California Coastal Commission on November 8, 2018.

for: Demolition of an existing one-story, 508 sq. ft. dwelling unit and public right-of-way encroachments. Construction of a 1,845 sq. ft. addition to existing 3-story, 30-ft. tall, 1,543 sq. ft. single family residence with 508 sq. ft. garage to create an approximately 3,800 sq. ft. duplex with attached garage and carport on a 0.07-acre lot.

at: 721 Niantic Court, San Diego, San Diego County (APN: 423-605-07)


Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

John Ainsworth
Executive Director

Original on File signed by:

Kaitlin Carney 
Coastal Program Analyst

cc: Commissioners/File

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April 22, 2022

**NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT**

Notice is hereby given that Symphony Asset Pool XVI, LLC has applied for a one-year extension of 6-86-396-A13 granted by the California Coastal Commission on January 10, 2014

for: Redevelop existing 463-space public parking lot south of Belmont Park into a 571-space lot, add landscaping, and institute a valet parking program to operate on the redeveloped lot.

at: 3146 Mission Blvd, Mission Beach, San Diego (San Diego County) APN(s): 760-217-07-00

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

John Ainsworth
Executive Director

Original on File signed by:

Alexander Llerandi
Coastal Program Analyst

cc: Commissioners/File

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W15

Prepared April 20, 2022 (for May 11, 2022 Hearing)

To: Commissioners and Interested Persons

From: John Ainsworth, Executive Director
Diana Lilly, San Diego Coast District Manager
Stephanie Leach, Coastal Planner

Subject: Certification Review for City of Del Mar LCP Amendment Number LCP-6-DMR-20-0079-3 (North Commercial and Professional Commercial Land Use and Zone)

On February 10, 2022, the California Coastal Commission considered a proposed City of Del Mar LCP amendment (LCP-6- DMR-20-0079-3) designed to add multiple dwelling unit residential up to a density of 20 dwelling units/acre as an allowable use within the North Commercial (NC) and Professional Commercial (PC) zones with an affordable housing component. At that time, and after a public hearing, the Commission conditionally certified the amendment provided it was modified as suggested by the Commission.

The City of Del Mar considered the Commission's conditional certification on March 21, 2022 and approved a modified version of the LCP amendment that day in response to the Commission's conditional certification, including the suggested modifications (see attachment).

The Executive Director has reviewed the City's March 21, 2022 action, and has determined that it is legally adequate to meet all of the Commission's conditional certification requirements. The Executive Director will report that determination to the Coastal Commission at the Commission's Month meeting on May 11, 2022 as part of the San Diego Coast District Director's Report. The Commission meeting starts at 9am on May 11th, and the District Director's Report is item number 15 on the agenda for that day. Interested persons are welcome to submit comments and/or to sign-up to testify to the Commission regarding this matter under that agenda item (see the Commission's website at www.coastal.ca.gov for further information and instructions to participate in these ways).

Please note that this certification review is not a time to revisit any substantive issues associated with the approval of the subject LCP amendment, as certification review is limited to the question of whether the County adopted the suggested modifications to the LCP amendment approved by the Commission. Please further note that the Executive Director's determination is not subject to any required concurrence or approval by the Commission, but rather is simply being reported to the Commission as is required by the Commission's regulations in order to allow for the amended LCP to be certified in that form (see Title 14, Division 5.5, Sections 13544 and 13544.5). Upon reporting this item to the Commission in the Central Coast District Director's Report, the amended LCP will be certified as of that date and time.

If you have any questions about this LCP amendment certification review process, including questions about how to submit written comments and/or to testify to the Commission, please contact the San Diego Coast office at (619) 767-2370 or SanDiegoCoast@coastal.ca.gov.

Attachment: City of Del Mar's March 21, 2022 Action

ORDINANCE NO. 987

AN ORDINANCE OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING DEL MAR MUNICIPAL CODE (DMMC) CHAPTER 30.24 (NORTH COMMERCIAL ZONE) AS ADOPTED BY PROSPECTIVE ORDINANCE NO. 973; AMENDING DMMC CHAPTER 30.25 (PROFESSIONAL COMMERCIAL ZONE) AS ADOPTED BY PROSPECTIVE ORDINANCE NO. 971; AMENDING THE CITY'S CERTIFIED LOCAL COASTAL PROGRAM (LCP) BY ADDING A NEW EXHIBIT TO THE LCP LAND USE PLAN TITLED "LOCATIONS IN NC ZONE WHERE MULTIPLE DWELLING UNIT DEVELOPMENT IS PROHIBITED"; AMENDING THE "LAND USE DESIGNATIONS/ALLOWED USES" LIST IN THE LCP LAND USE PLAN MAP; AND AMENDING THE "ZONE DESIGNATIONS/ALLOWED USES" LIST IN THE LCP IMPLEMENTATION PLAN ALL RELATING TO AMENDMENTS REQUIRED BY THE CALIFORNIA COASTAL COMMISSION (CCC) AS A CONDITION OF APPROVAL FOR THE CITY TO OBTAIN FINAL CERTIFICATION OF THE SUBMITTED NC/PC LOCAL COASTAL PROGRAM AMENDMENT (LCPA) IN ORDER FOR ORDINANCES NO. 971 (PC ZONE) AND NO. 973 (NC ZONE) TO TAKE EFFECT IN THE CITY OF DEL MAR

WHEREAS, the City of Del Mar needs to obtain CCC certification of the NC/PC LCPA for compliance with State housing law and the City's prior housing commitments for the 5th Cycle (years 2013-2021) and 6th Cycle (years 2021-2029) Housing Elements; and

WHEREAS, on September 8, 2020, the City Council adopted Resolution 2020-48 amending the General Plan land use designation applicable to the Professional Commercial (PC) Zone to implement the City's 5th Cycle Housing Element Program 2F; and

WHEREAS, on September 21, 2020, the City Council adopted Ordinance No. 971 amending the PC Zone in the Del Mar Municipal Code (DMMC) and certified LCP to implement the City's 5th Cycle Housing Element Program 2F; and

WHEREAS, on October 19, 2020, the City Council adopted Ordinance No. 973 amending the North Commercial (NC) Zone in the DMMC and certified LCP to implement the City's 5th Cycle Housing Element Program 2E; and

WHEREAS, on March 15, 2021, the City Council adopted Resolution 2021-12 amending the General Plan land use designation applicable to the NC Zone to implement the City's 5th Cycle Housing Element Program 2E; and

WHEREAS, on March 25, 2021, the City Council adopted the 6th Cycle Housing Element including Housing Element Programs 1A (NC Zone) and 1B (PC Zone), which require the City obtain final certification approval from the CCC in order to maintain adequate sites in the NC Zone and PC Zone (as adopted by the City Council during the

5th Cycle) to meet a portion of the City's assigned 6th Cycle Regional Housing Needs Assessment (RHNA) allocation for lower income households; and

WHEREAS, in September 2021, an agreement was reached to withdraw a Referendum that was filed on November 18, 2020, against the NC Zone Amendment/LCPA (Ordinance No. 973); and

WHEREAS, on December 13, 2021, the City Council re-adopted the 6th Cycle Housing Element to incorporate modifications required by the California Department of Housing and Community Development (HCD); and

WHEREAS, the adopted 6th Cycle Housing Element identifies June 2022 as the deadline for the City to obtain CCC final certification and complete 6th Cycle Housing Element Programs 1A and 1B in compliance with State housing law; and

WHEREAS, on February 10, 2022, the CCC conditionally certified the NC/PC LCPA for Ordinances No. 971 and No. 973 on the condition that the City Council accept the required CCC modifications via ordinance and submit to CCC for final certification; and

WHEREAS, the City Council is required, pursuant to the Coastal Act, to adopt an ordinance accepting the required CCC modifications within 6 months of CCC conditional certification (by August 2022) in order to obtain CCC final certification prior to expiration of the submitted NC/PC LCPA application; and

WHEREAS, the required CCC modifications have been incorporated within this Ordinance; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the proposed action has been the subject of prior environmental analysis and is consistent with the City Council's prior determinations as it will not have a potential to result in a direct or indirect physical change in the environment; no new or substantially greater impacts would result from implementation of the LCPA; and as such, pursuant to CEQA Guidelines Sections 15162 and 15163, the proposed action does not require further environmental review.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Del Mar, California, does hereby ordain as follows:

SECTION ONE:

That DMMC Section 30.24.030, applicable to the NC Zone, is amended to read as follows:

No changes to sub-sections A-B

- C. Multiple dwelling unit residential up to a density of 20 dwelling units per acre subject to the following:
1. Proposed projects shall be consistent with the certified Local Coastal Program.
 2. The density allowance of 20 dwelling units per acre may not be located on parcels adjacent to the San Dieguito River and Lagoon as depicted in the certified LCP Land Use Exhibit titled "Locations in NC Zone Where Multiple Dwelling Unit Development is Prohibited".
 3. During development permit review, the City shall consider the best available science on sea level rise projections (such as the California State Sea Level Rise Guidance (OPC 2018) and the table for La Jolla in Appendix G of the Coastal Commission's 2018 Sea Level Rise Policy Guidance), the status of associated adaptation measures (planned and/or implemented), and analysis of how those adaptation measures minimize projected flood risk. This should include consideration of how projected sea level rise and flooding could affect future provision of services to the site; whether the boundary between public land (tidelands) and private land is projected to shift onto the subject project with rising seas; whether the creation of new lots via subdivision should be limited; and whether additional adaptation strategies should be required as a condition of permit approval to address sea level rise and flooding consistent with the Coastal Act and certified LCP.
 4. If a proposed multiple dwelling unit project is located on a parcel that falls entirely or partially within the special flood hazard areas identified on the 2019 FEMA Flood Insurance Rate Map (FIRM), the following shall apply as a condition of Coastal Development Permit approval:
 - a. Development shall be sited and designed, including elevation and floodproofing, to minimize flood damage and avoid flood hazards including those from the impacts of projected sea level rise and flooding over the anticipated lifetime of the proposed structure using the best available science on sea level projections and in consideration of applicable adaptation measures;
 - b. The landowner shall record a notice on the property and notice all occupants that:
 - i. The development is located in the Floodplain Overlay Zone (2019 FEMA FIRM), which applies to flood prone properties that are subject to periodic inundation due to flooding, including projected sea level rise.
 - ii. The property owner and all successors in interest waive any

rights under Coastal Act Section 30235 and related LCP policies to hard shoreline armoring to protect the development.

- c. Where necessary to ensure coastal resource protection and compliance with the Coastal Act based on the site-specific context, the notice required per Section 30.24.030(C)(4)(b) shall also reflect the following:
 - i. That sea level rise and flooding could render it difficult or impossible to provide services to the site.
 - ii. That the boundary between public land (tidelands) and private land may shift with rising seas and the development approval does not permit encroachment onto public trust land.
 - iii. That additional adaptation strategies may be required in the future to address sea level rise and flooding consistent with the Coastal Act and certified LCP.
- d. The permittee shall acknowledge as a condition of permit approval that while the approved development meets all safety requirements applicable at the time of approval, the development may be required to be removed or relocated in accordance with the certified LCP if the Building Official determines the development becomes unsafe for occupancy due to future flood hazard conditions.

SECTION TWO:

That DMMC Section 30.24.070(A), applicable to the NC Zone, is amended to read as follows:

- A. Density: Up to a maximum of 20 dwelling units per acre
 1. All residential development or conversions shall provide affordable housing.
 2. [No change]

SECTION THREE:

That DMMC Section 30.25.070(A), applicable to the PC Zone, is amended to read as follows:

- A. Density: Up to a maximum of 20 dwelling units per acre
 1. All residential development or conversions shall provide affordable housing.
 2. [No change]

SECTION FOUR:

That “Exhibit A” to this Ordinance titled “Locations in NC Zone Where Multiple Dwelling Unit Development is Prohibited” is hereby adopted and shall be incorporated into the certified LCP Land Use Plan.

SECTION FIVE:

That “Exhibit B” to this Ordinance, amending the existing list of Land Use Designations/Allowed Uses within the certified LCP Land Use Plan, is hereby adopted and shall replace the existing Exhibit in the certified LCP Land Use Plan.

SECTION SIX:

That “Exhibit C” to this Ordinance, amending the existing list of Zone Designations/Allowed Uses within the certified LCP Implementation Plan, is hereby adopted and shall replace the existing Map Exhibit in the certified LCP Implementation Plan.

SECTION SEVEN:

Pursuant to the California Environmental Quality Act (CEQA), the proposed action has been the subject of prior environmental analysis and is consistent with the City Council’s prior determinations as it will not have a potential to result in a direct or indirect physical change in the environment. This includes action by the City Council on September 8, 2020, adopting Resolution 2020-47 that will apply to future housing development as covered by PC Zone General Plan Amendment Resolution 2020-48 (adopted September 8, 2020), PC Zoning Ordinance 971 (adopted September 21, 2020), NC Zone General Plan Amendment Resolution 2021-12 (adopted March 15, 2021), and NC Zoning Ordinance 973 (adopted October 19, 2020). The Council action on September 8, 2020 specifically included: 1) certifying a Final Program Environmental Impact Report (PEIR) for the Professional Commercial Zoning and North Commercial Zoning Code Amendments (SCH #2019029058) that analyzes and discloses the known potential impacts associated with the land use plan and code amendments; and 2) adopting a Mitigation, Monitoring, and Reporting Program (MMRP) that identifies a mitigation framework for future housing development in the NC Zone and PC Zone.

It also includes action by the City Council on October 5, 2020, adopting Resolution 2020-52 for the 6th Cycle Housing Element Update certifying a Final PEIR (SCH No. 2020029064) and adopting a MMRP, which will apply to future housing development covered by Resolution 2020-48 (adopted September 8, 2020), Ordinance 971 (adopted September 21, 2020), Resolution 2021-12 (adopted March 15, 2021), and Ordinance 973 (adopted October 19, 2020). No new or substantially greater impacts would result from implementation of the LCPAs required per the 5th Cycle Housing Element Programs 2E (NC Zone) and 2F (PC Zone) or the 6th Cycle Housing Element Programs 1A (NC Zone) and 1B (PC Zone). As such, pursuant to CEQA Guidelines Sections 15162 and 15163, and based on the review of the entire record, including without limitation the Final PEIRs, the proposed action does not require further environmental review.

SECTION EIGHT:

This Ordinance was introduced by the City Council on March 7, 2022.

SECTION NINE:

The City Clerk is directed to prepare and have published a summary of this Ordinance no less than five days prior to the consideration of its adoption and again within 15 days following adoption indicating votes cast.

SECTION TEN:


Upon adoption, the Ordinance will be submitted to the California Coastal Commission for final certification as a Local Coastal Program Amendment. The Ordinance will take effect and be in force on the date that the Coastal Commission takes final action to unconditionally certify the Local Coastal Program Amendment.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at a regular meeting held on the 21st day of March, 2022.



Dwight Worden, Mayor
City of Del Mar

APPROVED AS TO FORM:



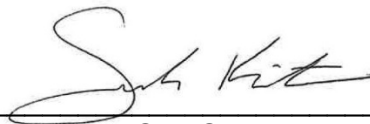
Leslie E. Devaney, City Attorney
City of Del Mar

ATTEST AND CERTIFICATION

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF DEL MAR

I, SARAH KRIETOR, Acting City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Ordinance No. 987, which has been published pursuant to law, and adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 21st day of March, 2022, by the following vote:

AYES: Mayor Worden, and Council Members Druker and Gaasterland
NOES: None
ABSENT: Deputy Mayor Martinez and Council Member Quirk
ABSTAIN: None



Sarah Krietor, Acting City Clerk
City of Del Mar

Locations in NC Zone Where Multiple Dwelling Unit Development is Prohibited

To assure priority for coastal-dependent and coastal-related development that avoids impacts to sensitive wetland habitat and the San Dieguito River and Lagoon, multiple dwelling unit residential use shall be prohibited on the North County Transit District (NCTD)-owned wye property (APN 299-071-02-00) located on the west side of Jimmy Durante Boulevard (labeled parcel 1) and parcels labeled 12-16 located north of San Dieguito Drive on the east side of Jimmy Durante Boulevard (299-100-32-00, 299-100-33-00, 299-100-34-00, 299-100-35-00, 299-100-36-00). Multi-unit development is an allowed use on the interior parcels labeled 2-11.



LAND USE DESIGNATIONS/ALLOWED USES

R1-40	Single Family Residences at a density of 1 dwelling unit/net ac.
R1-14	Single Family Residences at a density up to 3.1 d.u./net ac.
R1-10	Single Family Residences at a density up to 4.3 d.u./net ac.
R1-10B	Single Family Residences at a density up to 4.3 d.u./net ac.
R1-5	Single Family Residences at a density up to 8.7 d.u./net ac.
R1-5B	Single Family Residences at a density up to 8.7 d.u./net ac.
RM-East	Single Family, Duplex and Clustered* Residences at a density up to 8.8-17.5* d.u./net ac. Day Nurseries*, Care Centers*
RM-West	Single Family, Duplex* and Clustered* Residences at a density up to 8.8-17.6* d.u./net ac. Day Nurseries*, Care Centers*
RM-Central	Single Family, Duplex* and Clustered* Residences at a density up to 6.3-12.5* d.u./net ac. Churches*, Day Nurseries*, Care Centers*
RM-South	Single Family, Duplex and Multiple Family Dwellings at a density of 10.9-12.5* d.u./net ac. Boarding houses, Resthomes, Fraternity houses.
R-2	Single Family, Duplex and Clustered* Residences at a density up to 8.8-12.5 d.u./net ac. Day Nurseries*, Care Centers*
RC	Allowed uses in R-2 Zone (at least 60% of floor area on site). Allowed uses in CC Zone (no more than 40% of floor area on site).
CVPP	Uses as allowed per Carmel Valley Precise Plan with floor area ratios and design constraints contained therein

LAND USE DESIGNATIONS/ALLOWED USES

CC	Retailing of goods and dispensing of services, (exclusive of drive-through). Shops, Delis, Restaurants, Cafes, florists, Hardware, Offices, Financial institutions, Pharmacies, Gasoline service stations*, Bars*, Cocktail lounges*, Theatres*, Vet clinics*, Hotels/Motels*.
BC	Retailing, renting or dispensing of services, (exclusive of drive-through). Beach equipment rental, Outdoor recreational facilities, Cafes, Restaurants. Any principal use in CC Zone*.
NC	Repair shops, Blueprinting, Manufacturing, Restaurants, Art and Technical studios, Offices, Warehouses, Multiple dwelling units at a density of up to 20 du/acre, Emergency Shelters, Gasoline service stations*, Bars*, Cocktail lounges*, Theatres*, Hotel/Motel*, Vet clinics*, Kennels*, Refuse recycling centers*.
PC	Offices; professional, medical, dental; banks and financial institutions (exclusive of drive through); Parking lots, Parking garages; Multiple dwelling units up to 20 du/acre.
VC	Hotels, Motels, Boarding houses and Lodging houses.
FR	Regulated by 22nd Agricultural District.
RR	Railroad facilities, related structures*.
FW	(No permanent structures) Aviaries, open crops, Aquaculture, Open recreational uses.
PP	Public parks, beaches, Playgrounds, Ecological preserves.
PF	Public schools; City, County, State and Federal buildings; Utility structures.

*provided a Conditional Use Permit has first been obtained and is in full force and effect.

941SP	Uses as allowed per the 941 Specific Plan
HSP	Uses as allowed per the Hotel Specific Plan
PSP	Uses as allowed per the Plaza Specific Plan

ZONE DESIGNATIONS/ALLOWED USES

R1-40	Single Family Residences at a density of 1 dwelling unit/net ac.
R1-14	Single Family Residences at a density up to 3.1 d.u./net ac.
R1-10	Single Family Residences at a density up to 4.3 d.u./net ac.
R1-10B	Single Family Residences at a density up to 4.3 d.u./net ac.
R1-5	Single Family Residences at a density up to 8.7 d.u./net ac.
R1-5B	Single Family Residences at a density up to 8.7 d.u./net ac.
RM-East	Single Family, Duplex and Clustered* Residences at a density up to 8.8-17.5* d.u./net ac. Day Nurseries*, Care Centers*
RM-West	Single Family, Duplex* and Clustered* Residences at a density up to 8.8-17.6* d.u./net ac. Day Nurseries*, Care Centers*
RM-Central	Single Family, Duplex* and Clustered* Residences at a density up to 6.3-12.5* d.u./net ac. Churches*, Day Nurseries*, Care Centers*
RM-South	Single Family, Duplex and Multiple Family Dwellings at a density of 10.9-12.5* d.u./net ac. Boarding houses, Resthomes, Fraternity houses.
R-2	Single Family, Duplex and Clustered* Residences at a density up to 8.8-12.5 d.u./net ac. Day Nurseries*, Care Centers*
RC	Allowed uses in R-2 Zone (at least 60% of floor area on site). Allowed uses in CC Zone (no more than 40% of floor area on site).
CVPP	Uses as allowed per Carmel Valley Precise Plan with floor area ratios and design constraints contained therein

ZONE DESIGNATIONS/ALLOWED USES

- CC** Retailing of goods and dispensing of services, (exclusive of drive-through). Shops, Delis, Restaurants, Cafes, florists, Hardware, Offices, Financial institutions, Pharmacies, Gasoline service stations*, Bars*, Cocktail lounges*, Theatres*, Vet clinics*, Hotels/Motels*.

- BC** Retailing, renting or dispensing of services, (exclusive of drive-through). Beach equipment rental, Outdoor recreational facilities, Cafes, Restaurants. Any principal use in CC Zone*.

- NC** Repair shops, Blueprinting, Manufacturing, Restaurants, Art and Technical studios, Offices, Warehouses, Multiple dwelling units at a density of up to 20 du/acre, Emergency Shelters, Gasoline service stations*, Bars*, Cocktail lounges*, Theatres*, Hotel/Motel*, Vet clinics*, Kennels*, Refuse recycling centers*.

- PC** Offices; professional, medical, dental; banks and financial institutions (exclusive of drive through); Parking lots, Parking garages; Multiple dwelling units up to 20 du/acre.

- VC** Hotels, Motels, Boarding houses and Lodging houses.

- FR** Regulated by 22nd Agricultural District.

- RR** Railroad facilities, related structures*.

- FW** (No permanent structures) Aviaries, open crops, Aquaculture, Open recreational uses.

- PP** Public parks, beaches, Playgrounds, Ecological preserves.

- PF** Public schools; City, County, State and Federal buildings; Utility structures.

*provided a Conditional Use Permit has first been obtained and is in full force and effect.

- 941SP** Uses as allowed per the 941 Specific Plan

- HSP** Uses as allowed per the Hotel Specific Plan

- PSP** Uses as allowed per the Plaza Specific Plan