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Date: May 25, 2023

To: **COMMISSIONERS AND INTERESTED PERSONS**

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Subject: **STAFF RECOMMENDATION ON CITY OF SAN DIEGO MAJOR
AMENDMENT NO. LCP-6-BRL-22-0022-1 (Barrio Logan Community Plan
Update) for Commission Meeting of June 8, 2023**

SYNOPSIS

The subject City of San Diego Local Coastal Program (LCP) land use plan and implementation plan amendment was submitted on June 8, 2022, and filed as complete on January 17, 2023. A one-year time extension was granted on May 10, 2023. As such, the last date for Commission action on this item is May 25, 2024.

The subject amendment request was included in the City of San Diego's first major LCP amendment package for the 2022 calendar year which was a batch submittal consisting of four additional unrelated items. LCP-6-SAN-22-0023-1 (2020 Code Update Resubmittal) and LCP-6-SAN-22-0025-1 (2021 Code Update) were granted one-year time extensions on August 10, 2022, LCP-6-SAN-22-0026-1 (Housing Action Package) was granted a one-year time extension on September 7, 2022, and LCP-6-SAN-22-0024-1 (TPA Parking Reform) has not been filed as complete.

SUMMARY OF AMENDMENT REQUEST

The City of San Diego is requesting an amendment to the certified Barrio Logan Community Plan, which serves as the City's Land Use Plan (LUP) component for the Barrio Logan community planning area, and an amendment to the Land Development Code (LDC), which serves as the Implementation Plan (IP) for the entire City of San Diego. The modification to the LUP would be a complete update and replacement of the existing Barrio Logan Community Plan to separate land uses, reduce resident exposure to health hazards, and provide new public parks and mobility options. The IP would be amended to remove the Barrio Logan Planned District Ordinance, adopt city-wide zones, add a community overlay implementation zone to establish a transition between industrial port

and residential areas, and add inclusionary housing requirements and dwelling unit protections for existing residents.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending denial of the LUP amendment as submitted, then approval with suggested modifications, and approval of the IP amendment as submitted. City staff is in general agreement with the staff recommendation except on the issues of replacing existing lower cost accommodations at a 1:1 ratio, requiring lower cost options in new overnight accommodation developments, requiring mitigation for new development that does not provide lower cost options, and expanding tribal consultation requirements, all of which are discussed in more detail in the Visitor Serving Use and Archaeological sections.

The Barrio Logan Community Plan Update (LUP or BLCPU) addresses a wide range of issues and planning concerns relevant to the community of Barrio Logan, including separating residential and marine-industrial land uses, increasing the number of parks, providing mobility improvements, adding dwelling unit protections, and increasing housing supply. The entire 1,000-acre planning area is located within the Coastal Zone; however, only approximately half the land area, located within the inland portion of the community, is under the coastal permit authority of the City. The remainder of the land (562 acres) comprises the shoreline and is under the jurisdiction of the Federal Government and the San Diego Unified Port District (Port) ([Exhibit 1](#)).

Barrio Logan is one of San Diego's most culturally diverse neighborhoods. It suffers from high pollution due to historic zoning practices that allowed residential land uses to be located adjacent to marine-industrial uses, and lacks visual and physical access to most of the shoreline within the community planning area. The subject LUP amendment was developed with input from the community and stakeholders, including the shipbuilding industry, which makes up a large portion of the industrial uses along the shoreline in Barrio Logan.

However, several Coastal Act issues are not sufficiently addressed in the comprehensive LUP update as submitted, and staff is recommending suggested modifications to update the plan based on new data and policy direction and to provide clarity and affirmative language to ensure consistency with the Chapter 3 policies of the Coastal Act. The outstanding issues and concerns are cited below, along with a brief summation of recommended modifications:

1. Visitor Serving Uses. Barrio Logan contains one visitor serving overnight accommodation, a lower-cost motel, which is and will continue to be zoned for industrial use. While the LCP allows existing uses that would be inconsistent with new proposed land uses and zoning to be maintained under the previously conforming regulations of the IP, the BLCPU does not contain policies that would require replacement of these lower-cost rooms if redevelopment of the site occurs. In addition, there are no policies that would prevent a new hotel development within the community from being entirely high cost or, if lower-cost rooms cannot be accommodated in the new development, require the developer to financially assist in the future development of lower cost overnight accommodations elsewhere in the coastal zone. Therefore,

suggested modifications add language to acknowledge that the existing overnight accommodation would be non-conforming in the future with policies that require no net loss of lower cost overnight accommodations; new visitor serving accommodation developments to provide a range of affordability such that at least 25% of the number of proposed units are lower cost; or, if this cannot feasibly be provided on-site, require such new higher cost developments to provide mitigation off-site by contributing to the construction or funding of a new lower cost accommodation development equal to 25% of the proposed high cost units.

The BLCPU also contains language that would prohibit all visitor accommodations within Community Commercial and Neighborhood Commercial land use zones, instead of only within the Transition Area segment of the planning area of those two zones as intended by the City. A suggested modification clarifies that overnight accommodations are prohibited in the Transition Area only and allowed elsewhere within the Community and Neighborhood Commercial zones.

Finally, the BLCPU promotes live/work units but allows ground floor requirements for Neighborhood Commercial areas to be met through residential or shopkeeper units with no requirements that activating commercial uses be located on the street front or a certain amount of the ground floor to remain commercial. A suggested modification clarifies that residential uses should not occupy more than 50% of the ground floor area and shall not front a street.

2. Environmental Justice and Marine-Dependent Uses. The BLCPU would update zoning, separate incompatible land uses, and protect the health of the community while supporting marine-dependent industry along the shoreline by designating a Transition Area to buffer residential uses from industrial uses. The BLCPU also contains policies to support the separation of land uses, provide community engagement, increase the number and quality of public facilities such as parks, expand and preserve the supply of affordable housing and limit displacement of residents, and protect and enhance marine dependent and related industrial and commercial uses.

The BLCPU was first drafted and approved by the City in 2013, and modified to its current version in 2021; however, there are now more recent demographic data, planning documents, and updated guidance from the city and state available that should be reflected in the current amendment. Suggested modifications would update report data, descriptions, and definitions and revise policy language for clarity and specificity.

3. Public Access and Recreation. The BLCPU acknowledges that the community lacks sufficient access to the shoreline and public park space, proposes several new inland parks, and contains policies regarding the preservation, protection, and enhancement of public access to recreation areas. However, employee parking from nearby shipbuilding industries often impacts the public's ability to park at Cesar Chavez Park, which is the only public access point along the shoreline in the community, and no direct or convenient public transportation from Barrio Logan to the City's beaches exists. Suggested modifications direct the City to coordinate with the Port, U.S. Navy, and Metropolitan Transit System on strategies to reduce impacts to on-street and off-street parking for parks, including implementing transportation demand management

programs and collaborating on new parking structures, addressing the provision of public transit to beach areas, requiring any pricing programs and parking structures to consider low-income people when implementing parking rates, and providing adequate parking and charging stations for zero emissions and electric vehicles.

4. Visual Resources. The BLCPU designates several new view corridors and contains policies to maintain and enhance views to San Diego Bay, including coordinating with the Port to establish building setbacks within the Port's jurisdiction; however, it does not carry forward several view corridors that are currently designated in the certified LUP including 26th, 28th, and 32nd streets. Suggested modifications would designate 26th St., 28th St., and 32nd St. as view corridors.
5. Biological Resources and Coastal Hazards. The City has recognized the importance of the Chollas Creek Watershed and has designated it as a Regional Park; however, much of the watershed within the Barrio Logan community remains channelized and/or under the jurisdiction of the U.S. Navy and its restoration is a planning goal of the City. Suggested modifications would add language acknowledging the future restoration of Chollas Creek as a goal and direct the City to work with adjacent agencies to restore the creek, require biological productivity of the creek to be maintained, and to protect environmentally sensitive habitat areas.

The BLCPU contains policies that require new development to consider the effects of sea level rise. A suggested modification would further require that developments in proximity to Chollas Creek be designed and sited to avoid or withstand periodic flood events within areas susceptible to flooding.

Lighting can adversely impact biological resources if it contains high blue light frequencies or spills over into the night sky. Suggested modifications require ecological lighting when updating park lighting in the community.

6. Archaeological Resources. The BLCPU contains policies that require tribal consultation take place. Suggested modifications would require development to be sited and designed to avoid adverse impacts to archaeological and paleontological resources to the maximum extent feasible and require the submittal of a monitoring plan if there is a potential to impact archaeological or paleontological resources.

Finally, there are several policies that contain language that are unclear in regard to the responsible parties or specific requirements. Suggested modifications revise policy language for clarity and specificity based on the City's intended goals.

Staff is recommending approval of the IP amendment as submitted. The proposed IP amendment is consistent with the LUP as modified.

The appropriate motions and resolutions begin on page 8. The suggested modifications begin on page 9. The findings for denial of the LUP Amendment as submitted begin on page 23. The findings for approval of the plan, if modified, begin on page 25. The findings for approval of the IP Amendment as submitted begin on page 37.

BACKGROUND

The Commission certified the Barrio Logan Community Plan (LUP) in 1978. The LUP was amended in 1983 in conjunction with the adoption of the Barrio Logan Planned District Ordinance (IP). While the plan acknowledged conflicts between heavy industrial uses and residential uses, and lack of shoreline access, the LUP did not propose to rezone property and these issues continued.

In 2013, the City approved an amendment to completely update the Barrio Logan Community Plan. The 2013 update established a buffer to separate incompatible uses, increase the number of allowable housing units, provide sufficient public facilities, and encourage new retail and community serving commercial uses. However, in 2014 the plan was repealed in a City-wide referendum over concerns that the proposed land use and zoning would impact the shipbuilding industry and other maritime industrial uses. In 2020, a Memorandum of Understanding (MOU) was signed by the Barrio Logan Community Planning Group, Environmental Health Coalition, and representatives of the shipbuilding and ship repair industry in agreement of revisions to the 2013 plan to further address the proposed buffer, or transition area, between marine industrial uses and residential areas. The subject LCP amendment advances the policies and goals of the 2013 plan and incorporates the revisions agreed to in the 2020 MOU.

ADDITIONAL INFORMATION

Further information on the City of San Diego LCP Amendment No. LCP-BRL-22-0022-1 may be obtained from [Melody Lasiter](mailto:Melody.Lasiter@coastal.ca.gov), Coastal Planner, at Melody.Lasiter@coastal.ca.gov.

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EXHIBITS

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- [Exhibit 2 – Proposed LUP Update](#)
- [Exhibit 3 – City of San Diego Resolution No. 313813](#)
- [Exhibit 4 – City of San Diego Ordinance No. 21411](#)
- [Exhibit 5 – City of San Diego Ordinance No. 21412](#)
- [Exhibit 6 – City of San Diego Ordinance No. 21413](#)
- [Exhibit 7 – Revised Figure 2-6](#)
- [Exhibit 8 – Revised Figure 2-8](#)
- [Exhibit 9 – Revised Figure 8-1](#)

I. OVERVIEW

A. LCP HISTORY

The City of San Diego has a long history of involvement with the community planning process, and in 1977 requested that the Coastal Commission permit segmentation of its LUP into twelve parts in order to 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.

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, but some have since been certified as LCP amendments. Other areas of deferred certification still remain today and will be acted on by the Coastal Commission in the future.

The Barrio Logan community is one of the City of San Diego's twelve LCP segments. The entire community is located within the coastal zone, bordered by Downtown San Diego to the north, Interstate 5 to the east, the City of National City to the south, and the San Diego Bay to the west. The current LUP for Barrio Logan, the "Barrio Logan Harbor 101 Community Plan," was last certified by the Commission on February 23, 1983.

Since the effective certification of the City's LCP, there have been numerous major and minor amendments processed by the Commission. These have included everything from land use revisions in several segments, to the rezoning of single properties, 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 became effective in January 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.

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 of San Diego 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.

II. MOTIONS AND 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.

1. MOTION:

I move that the Commission certify the Land Use Plan Amendment for the City of San Diego certified LCP as submitted.

STAFF RECOMMENDATION OF DENIAL OF CERTIFICATION:

Staff recommends a **NO** vote on the motion. Failure of this motion will result in denial 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 DENY CERTIFICATION OF LAND USE PLAN AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the Land Use Plan Amendment for the City of San Diego certified LCP as submitted and finds for the reasons discussed below that the submitted Land Use Plan Amendment fails to meet the requirements of and does not conform to the policies of Chapter 3 of the California Coastal Act. Certification of the plan would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures that would substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

2. MOTION:

I move that the Commission certify the Land Use Plan Amendment for the City of San Diego certified LCP as submitted if modified pursuant to the staff recommendation.

STAFF RECOMMENDATION: CERTIFICATION IF MODIFIED AS SUGGESTED:

Staff recommends a YES vote on the motion. Passage of the motion will result in certification with suggested modifications of the submitted land use plan amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

3. MOTION:

I move that the Commission reject the Implementation Program Amendment for the City of 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 AMENDMENT AS SUBMITTED:

The Commission hereby certifies the Implementation Program Amendment for the City of San Diego certified LCP as submitted and adopts the findings set forth below on grounds that the Implementation Program Amendment conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan as amended, and certification of the Implementation Program Amendment 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.

III. SUGGESTED MODIFICATIONS

Staff recommends the following suggested revisions to the proposed Land Use Plan and Implementation Plan be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

Chapter 1: Introduction

1. On page viii, Section 1.4, Planning Process, a third paragraph shall be added as follows:

Starting in September 2020, staff met monthly with the Barrio Logan Community Planning Group to obtain their input. The 2021 Community Plan Update is also based on input solicited through online surveys, outreach events in the community, interviews, and workshops. The Plan Update team conducted in person and over the phone engagement with residents and community members of Barrio Logan. This effort helped to solicit feedback from residents on the proposed land use changes and to hear what other components would be important to include in the Plan Update.

Chapter 2: Land Use Element

2. On page LU-6, Environmental Justice, the third bullet shall be modified as follows:

The larger households in Barrio Logan generally live on less income than those in the City as a whole, with the existing median household income in Barrio Logan being approximately 45 percent lower and forecasted to increase to 54 percent as shown in Table 2-3.

3. On page LU-6, Environmental Justice, a new bullet shall be added as follows:

- The population in Barrio Logan is primarily of Latin or Hispanic descent and this will continue in the future compared to the City as a whole as shown in Table 2-4.

4. On page LU-6, Environmental Justice, modify Table 2-3 and add two new tables with text as follows:

- The larger households in Barrio Logan generally live on less income than those in the City as a whole, with the existing median household income in Barrio Logan being approximately 45 percent lower and forecasted to increase to 54 percent as shown in Table 2-3.

<u>Table 2-3</u>			
<u>Median Household Size and Income and Age Comparisons</u>			
<u>Barrio Logan and City of San Diego for the Year 2050</u>			
	<u>Household Size</u>	<u>Median Household Income</u>	<u>Median Age</u>
<u>Barrio Logan</u>	<u>2.73</u>	<u>\$34,600</u>	<u>39.8</u>
<u>City of San Diego</u>	<u>2.46</u>	<u>\$75,200</u>	<u>41.5</u>

Source: SANDAG, Series 14 Regional Growth Forecast.

- The population in Barrio Logan is primarily of Latin or Hispanic descent and this will continue in the future compared to the City as a whole as shown in Table 2-4.

<u>Table 2-4</u> <u>Percent Population by Race and Hispanic Origin</u> <u>Barrio Logan and City of San Diego for the</u> <u>Year 2050</u>		
	<u>Barrio Logan</u>	<u>City of San Diego</u>
<u>Hispanic or Latino (of any race)</u>	<u>71.5</u>	<u>33.9</u>
<u>Not Hispanic or Latino</u>		
<u>White</u>	<u>13.3</u>	<u>30.4</u>
<u>Black</u>	<u>4.0</u>	<u>5.0</u>
<u>American Indian or Alaska Native</u>	<u>0.6</u>	<u>0.6</u>
<u>Asian</u>	<u>6.6</u>	<u>24.9</u>
<u>Hawaiian or Pacific Islander</u>	<u>0.4</u>	<u>0.3</u>
<u>Other</u>	<u>0.2</u>	<u>0.3</u>
<u>Two or More Races</u>	<u>3.5</u>	<u>4.6</u>

- PLANNING HORIZON

The community plan policies guide growth and development covering a 30-year planning horizon. Table 2-5 presents the potential development capacity resulting from the application of the Community Plan land uses. For the purposes of calculating the future household population, it has been assumed that approximately 3.03 persons reside in each household, which is greater than the SANDAG Series 14 Forecast household size.

<u>Table 2-5</u> <u>Barrio Logan Potential Development</u>			
	<u>Existing (2021)</u>	<u>Future Change</u>	<u>Horizon Total</u>
<u>Household Population</u>	<u>3,900</u>	<u>8,230</u>	<u>12,130</u>
<u>Housing Units</u>	<u>1,280</u>	<u>2,720</u>	<u>4,000</u>

5. On page LU-6, Environmental Justice, the first paragraph shall be modified as follows:

Environmental justice is defined by the State of California as “the fair treatment and meaningful involvement of people of all races, cultures, and incomes levels and national origins, with respect to the development, adoption, implementation and enforcement of environmental laws, regulations, and policies.” “Environmental justice” includes, but is not limited to, all of the following:

- a. The availability of a healthy environment for all people.

b. The deterrence, reduction, and elimination of pollution burdens for populations and communities experiencing the adverse effects of that pollution, so that the effects of the pollution are not disproportionately borne by those populations and communities.

c. Governmental entities engaging and providing technical assistance to populations and communities most impacted by pollution to promote their meaningful participation in all phases of the environmental and land use decision making process.

d. At a minimum, the meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions. [...]

6. On page LU-7, the second paragraph shall be modified as follows:

In 2023, the California Office of Environmental Health Hazard Assessment identified Barrio Logan as a disadvantaged community having some of the highest pollution burdens in the state as shown on the state's CalEnviroScreen¹ mapping tool. The California Air Resources Board has identified Barrio Logan as a low-income community, which is generally defined as census tracts with median household incomes at or below 80 percent of the statewide median income, as shown on California's Climate Investments Priority Populations map.² The City of San Diego also identified Barrio Logan as a neighborhood with "very low access to opportunity" based on environmental, health, housing, mobility, and socioeconomic indicators as shown on the City's Climate Equity Index.³

Barrio Logan has contaminated sites, ~~auto uses,~~ and automobile-oriented and industrial uses that pose health risks to residents due to poorer air quality, ~~loud noises~~ excessive noise from machinery, unappealing facades and open industrial and storage yards, and past and potential hazardous materials and emissions.

The Community Plan provides a thoughtful approach to current and future land uses by providing a policy direction ~~is required~~ to address operations of light industrial and commercial activities and their proximity to adjacent residential land uses. [...]

Footnotes:

1 The latest CalEnviroScreen map can be obtained from the California Office of Environmental Health Hazard Assessment.

2 The latest California Climate Investments Priority Population map can be obtained from the California Air Resources Board.

3The latest Climate Equity Index can be obtained from the City of San Diego Sustainability and Mobility Department.

7. On page LU-8, Policy 2.1.1 shall be modified as follows:

Incorporate measures to ~~improve~~ decrease air quality effects from industrial and commercial sources, which could include increased setbacks, landscaping, ventilation systems, and other measures where appropriate for new residential development.

8. On page LU-8, Policy 2.1.2 shall be modified as follows:

Policy 2.1.2 ~~Promote~~ Work with development applicants to provide affordable space for arts, nonprofit organizations, and other community based organizations as part of new mixed-use commercial and institutional development, where feasible.

9. On page LU-8, Policy 2.1.3 shall be modified as follows:

Policy 2.1.3 ~~Ensure that traditionally~~ Work with underrepresented and disenfranchised community members ~~people, to ensure they~~ are meaningfully involved in the decision-making process.

- Provide engagement opportunities at times the community can attend, providing materials in straightforward and accessible language without extensive use of technical terms and jargon.
- Conduct focused outreach when actions may have an impact on a given block, street, or portion of Barrio Logan.
- Provide incentives to encourage participation such as stipends, childcare, and food, where feasible.

10. On page LU-8, Policy 2.1.4 shall be modified as follows:

Provide translation and interpretation services at public meetings and on meeting and project notices on issues affecting populations whose primary language is not English.

11. On page LU-8, Policy 2.1.5 shall be modified as follows:

Policy 2.1.5: Facilitate partnerships between public agencies and community organizations to address community challenges by having City staff attend community planning group meetings or organize public engagement activities where feasible.

12. On page LU-8, Policy 2.1.7 shall be modified as follows:

Prioritize the delivery of new facilities, services, and community investments in areas with the greatest needs with ongoing input from the community consistent with City Council Policy 800-14.

13. On page LU-8, a new policy shall be added, as follows, and the following policies within the section shall be renumbered accordingly:

2.1.3 Implementation of the LCP shall promote social equity and environmental justice, including the fair treatment and meaningful involvement of people of all races, cultures, and incomes.

When acting on a coastal development permit, amending the LCP, or otherwise implementing the LCP, the City shall consider environmental justice and, where applicable, the equitable distribution of environmental benefits throughout the City. The City shall encourage equitable civic engagement and social inclusion in public decision-making regarding coastal development, prioritizing efforts to reach low-income households and limited English-speaking households.

14. On page LU-11, Section 2.2: Residential Land Use, Policy 2.2.17 shall be modified as follows:

Policy 2.2.17 In cases of planned demolition of existing residential units, work with development applicants to ensure that residents are provided extended notice and options to return to new affordable units to the maximum extent feasible.

15. On page LU-11, Section 2.2: Residential Land Use, Policy 2.2.18 shall be modified as follows:

Policy 2.2.18 ~~Strongly encourage~~ Work with development applicants to provide inclusion of affordable units on-site and incorporating options to retain and relocate existing tenants by directly engaging with existing tenants and residents to the maximum extent feasible.

16. On page LU-10, Section 2.2: Residential Land Use, Policy 2.2.9 shall be modified as follows:

Policy 2.2.9 Conduct site remediation work in order to reduce issues associated with potential ground contamination on parcels that have operated with industrial or heavy commercial uses on site and that have been re-designated for residential and mixed-use development. Require soil remediation to occur as part of development when proposing a change in use from Industrial or heavy commercial to residential and or mixed residential development. Design any future residential use of the site to prevent future residents from coming into contact with and experiencing any adverse impacts caused by potential subsurface contamination.

17. On page LU-10, Section 2.2: Residential Land Use, Policy 2.2.10 shall be modified as follows:

Policy 2.2.10: ~~Promote~~ Work with development applicants to provide the production of very-low and low income affordable housing in all residential and multi-use neighborhood designations rather than paying an in-lieu fee, to the maximum extent feasible.

18. On page LU-12, Section 2.3 Commercial Land Use, a new second paragraph shall be added as follows:

Only one visitor serving overnight accommodation currently exists in Barrio Logan, which is a lower-cost motel on Sampson Street on a parcel zoned for industrial use. In the future, the hotel would not be allowed to redevelop in the same location; however, the community plan requires that lower-cost motel rooms to be replaced in another location at a 1:1 ratio if the motel is removed in the future.

19. On page LU-12, Section 2.3 Commercial Land Use, a new policy shall be added as follows:

Policy 2.3.12 Existing lower-cost overnight accommodations, defined as overnight accommodations with an annual average daily room rate equal to or less than 75% of the annual statewide average daily room rate, shall be protected and maintained. The City shall proactively work with operators of existing lower-cost overnight accommodations to maintain and renovate existing properties. Existing lower-cost overnight accommodations shall not be removed or converted unless replaced at a 1:1 ratio with units comparable in function, location, and cost to the public. If replacement of lower- or moderate-cost units on-site is determined to be infeasible pursuant to a feasibility analysis, then the new development shall provide lower-cost units elsewhere within the City's Coastal Zone.

20. On page LU-12, Section 2.3 Commercial Land Use, a new policy shall be added as follows:

Policy 2.3.13 New hotel and motel development within the City shall provide a range of rooms and room prices in order to serve all income ranges. Priority shall be given to developments that include public recreational opportunities. New high-cost overnight accommodations shall provide at least 25% of the proposed units as lower-cost accommodations on-site. If provision of lower-cost units on-site is determined to be infeasible pursuant to a feasibility analysis, then the new development shall provide lower-cost units elsewhere within the City's Coastal Zone. If provision of lower-cost units off-site in the City's Coastal Zone is determined to be infeasible pursuant to a feasibility analysis, then the new development shall provide lower-cost units elsewhere within the San Diego County Coastal Zone. If it is determined that the project cannot provide lower-cost units on or offsite, in-lieu fees shall be required. An in-lieu mitigation fee of \$137,000 per room adjusted for inflation using the Turner Building Cost Index plus land cost square footage shall be required. Land cost calculations shall be based on the average square footage of commercial land sales in the City over the past five years. The fee shall be used for construction of new lower-cost hotel rooms or other inherently lower-cost accommodations within the coastal zone in the City. All in-lieu fee payments shall be deposited into an interest-bearing account, to be established and managed by the State Coastal Conservancy, or a similar entity approved by the Executive Director of the California Coastal Commission, which shall only be used for the provision of new lower-cost overnight accommodations. Funds may be used for activities including land acquisition, construction, permitting, or renovation that will result in the provision of additional lower-cost overnight visitor accommodations. If any portion of the in-lieu fee remains five years after it is deposited into the interest-bearing account, the funds may be used to provide lower-cost overnight accommodations outside of the City, in the County of San Diego coastal zone.

21. On page LU-12, Section 2.3 Commercial Land Use, a new policy shall be added as follows:

Policy 2.3.14. Visitor-serving commercial uses shall be prioritized.

22. On page LU-13, Section 2.4 Institutional Land Use, a new policy shall be added as follows:

Policy 2.4.3: Conduct site remediation work in order to reduce issues associated with potential ground contamination on land designated for institutional development that has had past industrial or heavy commercial uses.

A. Require soil remediation to occur as part of development when proposing a change in use from industrial or heavy commercial to institutional development.

B. Design any future institutional use of the site to prevent occupants from encountering and experiencing any adverse impacts caused by potential subsurface contamination.

23. On page LU-14, Section 2.5: Industrial Land Use, Policy 2.5.3 shall be modified as follows:

~~Encourage~~ Coordinate with the San Diego Unified Port District, U.S. Navy, SANDAG, and MTS to implement parking management and transportation demand management programs for employees of port-related industries to increase use of alternative modes of transportation and to reduce impacts to the parking supply for visitor-serving commercial, parks and recreational uses. ~~and additional parking spaces to reduce parking impacts associated with port-related industries.~~

24. On page LU-17, Section 2.7: Neighborhood Guidelines, Policy 2.7.3 shall be modified as follows:

~~Policy 2.7.3 Ensure~~ Preserve and enhance public view corridors are enhanced along Logan Avenue, National Avenue, Newton Avenue, Cesar Chavez Parkway, Beardsley Street, Sigby Street, Evans Street, and Main Street.

25. On page LU-19, Section 2.7: Neighborhood Guidelines, the following new policies shall be added, and the following policies within the section shall be renumbered accordingly:

Policy 2.7.14 Preserve and enhance public view corridors along 26th Street, 28th Street, Newton Avenue, Sampson Street, Evans Street, and Main Street.

Policy 2.7.15 Require development to provide appropriate setbacks between 5 feet and 10 feet in order to emphasize and enhance the designated public view corridors along Newton Avenue, Sampson Street, Evans Street, and Main Street.

26. On page LU-21, Section 2.7: Neighborhood Guidelines, Policy 2.7.17 shall be modified as follows:

~~Ensure that Work with development applicants to provide truck and auto ingress and egress are taken from the west side of from side streets for properties facing the railway and trolley tracks in order to minimize impacts to the community east located on the west side of Main Street within the Transition Area, to the extent feasible.~~

27. On page LU-22, replace Figure 2-6 with [Exhibit 7](#).

28. On page LU-23, Section 2.7: Neighborhood Guidelines, the following new policy shall be added:

Policy 2.7.122 Preserve and enhance public view corridors along 28th Street, 32nd Street, and Main Street.

29. On page LU-24, replace Figure 2-8 with [Exhibit 8](#).

Chapter 3: Mobility Element

30. On page ME-5, Section 3.1 Walkability, Policy 3.1.9 shall be modified as follows:

Policy 3.1.9 Improve the pedestrian environment adjacent and along routes to transit stops and stations through the installation and maintenance of signs, shielded downward lighting, crosswalks, and other appropriate measures.

31. On page ME-7, Section 3.2 Transit Services and Facilities, the following new policy shall be added:

Policy 3.2.11 Collaborate with San Diego Unified Port District, MTS and SANDAG on opportunities to implement micro-transit, such as neighborhood electric shuttles, that would provide access between transit stations, residential neighborhoods, parks, beaches, businesses, and the bayfront.

32. On page ME-13, Section 3.3 Streets and Freeways, the following new policy shall be added:

Policy 3.3.14 Provide wayfinding signage in English and Spanish.

33. On page ME-19, Section 3.6 Parking, the following new policy shall be added:

Policy 3.6.7 Collaborate with San Diego Unified Port District to plan for a parking structure on or adjacent to Port tidelines to serve employees at port related businesses and the public accessing the bayfront and Cesar Chavez Park.

34. On page ME-19, Section 3.6 Parking, the following new policy shall be added:

Policy 3.6.8 Consider parking rates that do not disproportionately affect low-income individuals when considering potential demand base pricing programs or community parking structures.

35. On page ME-19, Section 3.6 Parking, the following new policy shall be added:

Policy 3.6.9 Support the installation of electric vehicle and zero emissions vehicle infrastructure, including charging stations and parking at on-street and off-street locations, throughout the community where feasible.

36. On page ME-20, Section 3.7 Goods Movement and Freight Circulation, Policy 3.7.5 shall be modified as follows:

Policy 3.7.5 ~~Discourage~~ Prohibit trucks from using local streets as a means of cutting through the community to access the freeways and marine terminals. [...]

37. On page ME-20, Section 3.7 Goods Movement and Freight Circulation, Policy 3.7.6 shall be modified as follows:

Policy 3.7.6 ~~Support efforts to p~~Provide street improvements along Cesar E. Chavez Parkway to dissuade trucks accessing the Tenth Avenue Marine Terminal from using the street.

Chapter 4: Urban Design Element

38. On page UD-16, Section 4.3: Urban Forest/Street Trees, Policy 4.3.11.3 shall be modified as follows:

Policy 4.3.11.3: Provide an appropriate mix of both native and drought-tolerant tree types ~~in order~~ to provide a diverse ecosystem more able to adapt to changing environmental pressures.

Chapter 7: Recreation Element

39. On page RE-11, Policy 7.2.2 shall be modified as follows:

Policy 7.2.2: Upgrade Chicano Regional Park and Cesar Chavez Park by providing amenities in underused areas for recreational purposes as well as dark-sky friendly security and sport lighting that are environmentally sensitive to adjacent uses.

40. On page RE-11, the following new policy shall be added:

Policy 7.2.5 Provide all updated or new signage, wayfinding, and informational materials for parks and recreational facilities in English and Spanish.

Chapter 8: Conservation Element

41. On page CE-2, the following new policy shall be added as follows:

Policy 8.1.9 Design and site development in proximity to Chollas Creek to avoid, mitigate, or withstand periodic flood events within areas susceptible to flooding.

42. On page CE-3, Policy 8.2.2 shall be modified as follows:

Policy 8.2.2 ~~Maintain~~ Require best management practices in all development to limit erosion and siltation to the maximum extent feasible.

43. On page CE-5, add the following text and Policy under Air Quality, and renumber the following policies within the section accordingly:

Within Barrio Logan, the majority of diesel fuel emissions come from transporting goods on trucks throughout the community. The State has placed strict limits on the time trucks are allowed to idle on streets.

Policy 8.2.20 Collaborate with the San Diego Unified Port District to promote programs that provide technical assistance to port related industries for complying with state air quality regulations for medium and large diesel trucks, as well as funding for near zero and zero emission trucks and infrastructure.

44. On page CE-6, Policy 8.2.29 shall be modified as follows:

Policy 8.2.29 ~~Promote~~ Require recycling facilities that are to be well maintained, screened, landscaped, kept free of litter, attractive in appearance and help promote waste reduction in the community.

45. On page CE-7, replace Figure 8-1 with [Exhibit 9](#).

46. On page CE-8, a new policy shall be added as follows:

Policy 8.2.36 Preserve and enhance public view corridors along 26th Street and 28th Street.

47. On page CE-9, a new policy shall be added as follows:

Policy 8.2.36 Support the development of community gardens and urban agriculture for crop cultivation that meets best practices for composting and water conservation. For community gardens proposed on sites with former commercial and industrial uses, refer to Policy 2.4.3.

48. On page CE-10, a subsection “Chollas Creek Watershed” and policies shall be added as follows:

CHOLLAS CREEK WATERSHED

The Chollas Creek Watershed has unparalleled historical, biological, and cultural resources, traversing from La Mesa and Lemon Grove into the neighborhoods of City Heights, Eastern Area, Encanto, Southeastern San Diego and Barrio Logan. In 2021, the City Council recognized the multi-faceted significance of the watershed and its importance to the community and the broader region by designating the Chollas Creek watershed as a Regional Park. This designation elevates Chollas Creek Watershed Regional Park within the City’s overall parks system and creates new opportunities for funding to enhance the park from a cultural, ecological and recreational standpoint.

The Citywide Parks Master Plan identifies the preparation of the Chollas Creek Watershed Regional Park Master Plan as an implementation action. The Chollas

Creek Watershed Regional Park Master Plan will provide an opportunity to bring diverse neighborhoods together through a watershed-wide system of trails and parks where people can gather, play, interact and enjoy nature. The Chollas Creek Watershed Regional Park Master Plan will deliver on the broader vision of more opportunities for outdoor recreation as well as preservation and enhancement of natural qualities and habitat within this area, consistent with all applicable Federal and State environmental laws, as well as the City's Multiple Species Conservation Program and Environmentally Sensitive Lands Regulations. The specific park vision will be shaped by public input received through robust and inclusive engagement efforts.

The policies contained here, throughout the Conservation Element, and in the Recreation Element are intended to work together in furtherance of the protection, restoration, enhancement, and recreational use of Chollas Creek Watershed Regional Park.

Policy 8.2.37 Prepare the Chollas Creek Watershed Regional Park Master Plan to guide the future restoration and enhancement of the Chollas Creek watershed as a significant ecological, cultural, and recreational resource for the community and the broader San Diego region in compliance with all applicable Federal, State, and local environmental laws and in collaboration with relevant partner agencies and shall reflect input from a wide diversity of voices and interests through robust and inclusive public engagement.

Policy 8.2.38 Work with partner agencies such as Caltrans, the San Diego Unified Port District, and the U.S. Navy to maintain and restore Chollas Creek through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of the creek where feasible.

Policy 8.2.39 Maintain the biological productivity and the quality of Chollas Creek to maintain optimum populations of marine organisms and for the protection of human health.

Policy 8.2.40. Limit all proposed diking, filling, or dredging of Chollas Creek in accordance with applicable provisions of state and federal regulations.

Policy 8.2.41 Avoid significant disruption to marine and wildlife habitats and water circulation when dredging and disposing of spoils.

Policy 8.2.42 Protect environmentally sensitive habitat areas against any significant disruption of habitat.

Policy 8.2.43 Design and site development in areas adjacent to environmentally sensitive habitat areas to prevent compatibility impacts which would significantly degrade the habitat.

Chapter 10: Historic Preservation Element

49. On page HP-7, the following policies shall be modified as follows:

Policy 10.1.5 Conduct project specific Native American consultation early in the development review process for all projects that have the potential to adversely impact cultural resources to ensure culturally appropriate and adequate treatment and mitigation for significant archaeological sites with cultural or religious significance to the Native American community in accordance with all applicable local, state, and federal regulations and guidelines.

Policy 10.1.6 Conduct project-specific investigations in accordance with all applicable laws and regulations, and in consultation with appropriate Tribes, in order to identify potentially significant tribal cultural and archaeological resources.

Policy 10.1.7 Development shall be sited and designed to avoid adverse impacts to archaeological and paleontological resources to the maximum extent feasible. If there is no feasible alternative that eliminates all impacts to these resources, then the alternative that would result in the fewest or least significant impacts to archeological and paleontological resources shall be selected. Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, Ensure adequate data recovery and mitigation for adverse impacts to archaeological and Native American sites as part of development shall be provided; including measures to monitor and recover buried deposits from the tribal cultural, archaeological and historic periods, under the supervision of a qualified archaeologist and a Native American Kumeyaay monitor.

50. On page HP-7, the following policies shall be added as follows:

Policy 10.1.9 Where there is a potential to affect archaeological or paleontological resources, including human remains, require the submittal of an archeological and/or paleontological resources monitoring plan that identifies monitoring methods and describes the procedures that will be followed if additional or unexpected archaeological or paleontological resources are encountered during development of the site. Procedures may include, but are not limited to, provisions for cessation of all grading and construction activities in the area of the discovery that has any potential to uncover or otherwise disturb archaeological or paleontological resource deposits in the area of the discovery and all construction that may foreclose mitigation options to allow for significance testing, additional investigation and mitigation. Require a qualified archaeologist and/or paleontologist and a Native American Kumeyaay monitor to monitor all grading and/or excavation where there is a potential to affect archeological or paleontological resources. If grading operations or excavations uncover archaeological or paleontological resources, require the suspension of all development activity to avoid destruction of these resources until a determination can be made as to the significance of the archeological or paleontological resources. If these resources are determined to be significant, require submittal of a mitigation plan. Mitigation measures considered may range from in-situ preservation to recovery and relocation. Mitigation plans shall include a good faith effort to avoid impacts to archeological or paleontological

resources through methods such as, but not limited to, project redesign, in situ preservation and capping, and placing archeological and paleontological resource areas in open space.

Policy 10.1.9 When feasible and appropriate on public land, consult with local Native American tribes to provide interpretive signage regarding tribal history, language, and context.

Supplemental Development Regulations

51. On page AP-3, SDR-2 shall be modified as follows:

SDR-2 Community Commercial Prohibited Uses within the Buffer Area. Uses prohibited within the CC-2-4 zone are identified in Municipal Code Section §131.0522 Table 131-05B. In addition to the prohibited uses outlined in Table 131-05B, the following uses are prohibited within the Community Commercial land use designation within the Buffer Area.

52. On page AP-4, SDR-3 shall be modified as follows:

SDR-3 Neighborhood Commercial Prohibited Uses within the Buffer Area. Uses prohibited within the CN-1-3 zone are identified in Municipal Code Section §131.0522. In addition to the prohibited uses outlined in Table 131-05B, the following uses are prohibited within the Neighborhood Commercial land use designation within the Buffer Area.

Delete "Visitor Accommodations" under Retail Sales.

53. On page AP-4, SDR-5 shall be modified as follows:

~~Allow ground floor commercial requirements in 131.0540 to be met through development of residential and shopkeeper units.~~ Ground Floor use requirements shall be permitted as follows:

a. For property designated community commercial or neighborhood commercial, shopkeeper units or live work quarters shall be permitted to occupy the entire ground floor.

b. For property designated community village or neighborhood village, a mix of shopkeeper units and residential uses are allowed on the ground floor as follows:

i. Shopkeeper units or live-work quarters may occupy the entire ground floor and can front a street; and

ii. Other residential uses cannot occupy more than 50 percent of the ground floor and shall not front a street.

IV. FINDINGS FOR DENIAL OF CERTIFICATION OF THE CITY OF SAN DIEGO LAND USE PLAN AMENDMENT, AS SUBMITTED, AND APPROVAL IF MODIFIED

A. BACKGROUND & AMENDMENT DESCRIPTION

The proposed amendment consists of a comprehensive update to the certified Land Use Plan (LUP) for the Barrio Logan community, which would replace the existing Barrio Logan Community Plan in its entirety.

The Barrio Logan community is located south of downtown San Diego and is bordered by Interstate 5 (I-5) to the east, the San Diego Bay to the west, and National City to the south. The entire 1,000-acre planning area is located within the Coastal Zone; however, only approximately half the land area, located within the inland portion of the community, is under the coastal permit authority of the City of San Diego. The remainder of the land (562 acres) comprises the shoreline and is under the jurisdiction of the Federal Government and the San Diego Unified Port District (Port) ([Exhibit 1](#)).

Barrio Logan consists of a mixed land use pattern of residential, commercial, institutional, and industrial uses that impact the health of community members. According to CalEnviroScreen, a screening methodology developed by the California Office of Environmental Health Hazard Assessment that can be used to help identify California communities that are disproportionately burdened by multiple sources of pollution, Barrio Logan ranks in the 99 percentile of the most pollution-burdened and population-sensitive communities in the State of California. The majority of the waterfront here is developed with marine-dependent industrial and military uses, with the exception of Cesar Chavez Park, which provides public access to the bayfront.

The Commission certified the Barrio Logan Community Plan in 1978 and it was later amended in 1983 in conjunction with the adoption of the Barrio Logan Planned District Ordinance (IP). While the plan acknowledged conflicts between adjacent heavy industrial uses and residential uses and lack of shoreline access, it did not propose to rezone property and these issues continued.

In 2013, the City approved an amendment to completely update the Barrio Logan Community Plan. The 2013 amendment established a buffer to separate incompatible uses, increased the number of allowable housing units, provided additional public facilities, and encouraged new retail and community serving commercial uses. However, in 2014 the plan was repealed in a City-wide referendum over concerns that the proposed land use and zoning would impact the shipbuilding industry and other maritime industrial uses. In 2020, a Memorandum of Understanding (MOU) was signed by the Barrio Logan Community Planning Group, Environmental Health Coalition, and representatives of the shipbuilding and ship repair industry in agreement with revisions to the 2013 plan to further address the proposed buffer, or transition area, between marine industrial uses and residential areas in order to protect both human health and the viability of the marine industry.

The subject amendment, Barrio Logan Community Plan Update (BLCPU), advances the policies and goals of the 2013 plan, incorporates the revisions agreed to in the 2020 MOU, and updates the plan based on recent data and policy guidance. The BLCPU is organized into ten elements including Land Use; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services, and Safety; Recreation; Conservation; Noise; Historic Preservation; and Arts and Culture; as well as additional Introduction and Implementation chapters. Each of these chapters includes an introduction and contains goals and policies intended to guide future development within the community plan area.

The BLCPU seeks to implement a compatible mix of land uses that promote a healthy environment; manage parking impacts and encourage non-automobile modes of transit; provide diverse and affordable housing while limiting the displacement of residents, employment opportunities, and community-serving uses; increase park space; and acknowledge and protect marine-dependent and related uses. The plan includes policies relating to marine-dependent uses, visitor-serving uses, public access, community engagement, environmental justice, sea level rise, air quality, water quality, visual resources, biological resources, and archaeological resources.

The BLCPU identifies five neighborhood areas: the Community Village, a pedestrian focused mixed-use area; Historic Core, an arts district with commercial development and housing that provides live/work space and small lot housing; a Transition Zone, a buffer between heavy industrial uses in the Port District and residential neighborhoods, where new industrial and residential uses would be prohibited; a Prime Industrial Area, with heavy industrial uses; and the Boston and Main Street Corridor, consisting of primarily single-family homes. Several new and expanded parks are proposed throughout the community, including four new neighborhood parks, six pocket-parks, and the expansion of two regional parks to provide the community more access to open space and recreational areas.

Finally, the BLCPU designates a 65-acre Community Plan Implementation Overlay Zone where additional regulations apply in order to further the goals of establishing a transition between industrial uses within the Port and the residential community of Barrio Logan, providing new public spaces and parks concurrent with growth in the community, and providing affordable housing in Barrio Logan. These supplemental development regulations (SDR) are included as an appendix to the BLCPU and prohibit specified uses within the Maritime Commercial, Community Commercial, and Neighborhood Commercial designations in order increase land use compatibility, limit structure height to 40 feet, allow ground floor commercial requirements to be met through development of residential and shopkeeper units, regulate building orientation in relation to pedestrian access, facilitate development of a linear park to connect Boston Avenue Linear Park to the Chollas Creek linear park/trail, and require a 15 percent inclusionary housing requirement for any residential and mixed-use developments of ten or more dwelling units on land designated Community/Neighborhood Village.

B. CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT

The Commission finds, pursuant to Section 30512.2b of the Coastal Act, that portions of the Land Use Plan as set forth in the preceding resolutions, are not in conformance with

the policies and requirements of Chapter 3 of the Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act which states:

The legislature further finds and declares that the basic goals of the state for the Coastal Zone are to:

a) Protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.

b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.

c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.

(d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.

(e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

The Commission therefore finds, for the specific reasons detailed below, that the land use plan does not conform with Chapter 3 of the Coastal Act or the goals of the state for the coastal zone with regard to public access, visual resources, biological resources, coastal hazards, and archaeological resources.

C. CONFORMITY OF THE CITY OF SAN DIEGO BARRIO LOGAN COMMUNITY LAND USE PLAN WITH CHAPTER 3

Relevant Coastal Act policies include the following:

Section 30210 of the Coastal 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.

Section 30212 of the Coastal Act states, in part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway. [...]

Section 30212.5 of the Coastal Act states:

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30213 of the Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30222 of the Coastal Act states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where

feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233 of the Coastal Act states:

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following: [...]

(6) Restoration purposes.

(7) Nature study, aquaculture, or similar resource dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.

Section 30240 of the Coastal Act states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Section 30244 of the Coastal Act states:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Section 30251 of the Coastal Act states, in part:

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. [...]

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30253 of the Coastal Act states:

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
- (d) Minimize energy consumption and vehicle miles traveled.
- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30255 of the Coastal Act states:

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Section 30260 of the Coastal Act states:

Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

Section 30270 of the Coastal Act states:

The commission shall take into account the effects of sea level rise in coastal resources planning and management policies and activities in order to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise.

1. FINDINGS FOR DENIAL

A. VISITOR-SERVING USES

Visitor-Serving Commercial

The BLCPU designates the Community Village Area as a mixed use, pedestrian scale neighborhood and contains policies that protect and preserve its existing small retail establishments and promote the development of a public market with retail, outdoor food and drink establishments, and event spaces. The Historic Core Area is identified as an evolving arts district containing live/work spaces. Together, these two neighborhood areas contain the majority of visitor serving uses in the Barrio Logan community and are largely zoned Community Village and Neighborhood Commercial which would allow most visitor serving uses to continue or expand. However, because these areas would allow a greater breadth of uses more aimed at local residents than visitors, there is the risk of visitor serving uses being crowded out or replaced by more general commercial uses. Additionally, there is no language in the specific plan prioritizing visitor-serving commercial uses.

In addition, the BLCPU allows ground floor requirements for Neighborhood Commercial areas to be met through residential or shopkeeper units with no requirements that activating commercial uses be located on the street front or a certain amount of the ground floor to remain commercial. As such, areas zoned as Neighborhood Commercial could be entirely residential, displacing existing and future visitor-serving commercial uses.

The Coastal Act requires that land suitable for visitor-serving commercial recreational facilities shall be prioritized for such uses over private residential, general industrial, or general commercial development. However, as proposed, the policies of the plan do not adequately prioritize visitor-serving commercial uses as required by the Coastal Act and would allow only residential in sites zone Neighborhood Commercial.

Visitor-Serving Overnight Accommodations

Barrio Logan contains one visitor-serving overnight accommodation, a low-cost motel, that is located in the neighborhood designated as Prime Industrial Area in the BLCPU. The motel is located on a site that is currently and will continue to be zoned for industrial use.

The Coastal Act requires protection, encouragement, and provision of lower-cost visitor and recreational facilities. As the cost of land in California's Coastal Zone is extremely high, hotel accommodations are often higher priced in order to be profitable and lower cost accommodations are becoming increasingly rare. However, it is the Commission's responsibility to ensure all the people are able to access and recreate at California's coast.

While the certified LCP allows existing uses that would be inconsistent with new proposed land uses and zoning to be maintained under the previously conforming regulations of the IP, the BLCPU does not contain policies that would require replacement of these lower-cost rooms if redevelopment of the site occurs. In addition, there are no policies in the plan that would prevent a new hotel development from being entirely high cost or require the developer to contribute financially to assist in the future development of lower-cost overnight accommodations in the coastal zone if lower-cost accommodations cannot be provided on site.

Finally, the proposed amendment contains language that would prohibit all Visitor Accommodations within the Community Commercial and Neighborhood Commercial zones, instead of only within the Transition Area, as intended by the City.

Thus, the absence of policy language in the specific plan addressing this use is not consistent with the requirements of the Coastal Act and the plan would not allow visitor-serving overnight accommodations in the majority of the community planning area.

B. ENVIRONMENTAL JUSTICE AND MARINE-DEPENDENT USE

The Barrio Logan community was primarily home to Mexican immigrants and consisted of homes and businesses catering to its residents until World War II, when Naval Base San Diego expanded along the San Diego Bay waterfront and other large-scale military and shipbuilding industrial uses developed along the Bay. Later, in the 1960's, construction of Interstate-5 and the San Diego-Coronado Bay Bridge (State Route-75) occurred intersecting and dividing the neighborhood, and most of the community was rezoned to industrial use. Many residential uses continued, however, resulting in a mixed pattern of residential, commercial, institutional, and industrial uses which continues today.

Many of the industrial uses in the community are marine-dependent and prioritized under the Coastal Act; however, industrial and heavy commercial uses, along with the development of the highways and overall land use pattern, have resulted in a disproportionately high pollution burden for the community's residents and physical barriers to the shoreline. To separate incompatible land uses and protect the health of the community while supporting marine-dependent industry along the shoreline, the BLCPU designates a Transition Area to buffer residential uses from industrial uses and contains

policies to support the separation of land uses and protect and enhance marine dependent and related industrial and commercial uses.

In order to further environmental justice goals, the BLCPU also contains policies to provide community engagement, increase the number and quality of public facilities such as parks, and expand and preserve the supply of affordable housing and limiting displacement of residents. However, the BLCUP does not contain policies requiring environmental justice to be considered when acting on a coastal development permit, nor require meeting materials and community wayfinding signage be provided in Spanish, which is commonly spoken in the community.

The BLCPU was first drafted and approved by the City in 2013 and recently modified to its current version; however, there are now more recent demographic data, planning documents, and updated guidance from the state available that are not reflected in the current amendment. In addition, several policies contain unclear language regarding responsible parties or specific requirements.

While not the standard of review for LCPs, Section 30604 of the Coastal Act allows the Commission, or the local government, to consider environmental justice, or the equitable distribution of environmental benefits throughout the state, in its permitting decisions. By separating industrial from residential uses, the BLCPU protects both human health and marine-dependent uses. However, as proposed, the BLCPU contains unclear language related to requirements to protect community health, would not provide language access or increase accessibility to meeting and planning materials, wayfinding signage, and does not contain policy language to provide consideration of environmental justice in coastal development permit decisions.

At the local level, separate from the issues identified above, a point of contention in the proposed plan for Environmental Health Coalition (EHC), an environmental justice non-profit that works in the Barrio Logan Community, is the issue of affordable housing requirements. Specifically, the BLCPU supplemental regulations require that 15% of units in residential or mixed-use developments be set aside as affordable, defined as 80% of the area median income as adjusted for household size as defined by the U.S. Department of Housing and Urban Development for the San Diego Standard Metropolitan Statistical Area. Many of the households in Barrio Logan would be excluded in accessing affordable housing and EHC requested that the income level be increased to 60% of the area median income to protect more of the existing residents. However, the City does not support this change. With the exception of this issue, EHC is in support of the plan.

C. PUBLIC ACCESS AND RECREATION

The BLCPU acknowledges that the community lacks sufficient access to the shoreline and public park space, proposes several new inland parks, and contains important policies regarding the preservation, protection, and enhancement of public access to recreation areas. The BLCPU also includes measures to provide more pedestrian and bike friendly facilities and improve transit stops to encourage non-automobile transportation. New transit hubs and parking lots are proposed to manage parking impacts from Port and Naval facilities, and new truck routes are proposed to minimize the conflicts between cargo trucks traveling from the marine terminals, residential health and safety needs, and

commuter access, in addition to traffic calming measures, improved signage, and investment into technologies that monitor and enforce truck route compliance.

However, employee parking from nearby shipbuilding industries often impacts the public's ability to park at Cesar Chavez Park, which is the only public access point along the shoreline in the community and there is no direct or convenient public transportation from Barrio Logan to the City's beaches exists. While some of these issues are not entirely within the City's purview, the BLCPU does not contain policies that direct the City to coordinate with relevant agencies, such as the Port, Navy, or transportation providers to reduce parking impacts and provide or enhance public transportation to the shoreline.

The Coastal act has numerous policies related to the provision and protection of public access. As such, many categories of development are affected by and must ensure that public access is not adversely impacted. In a community such as Barrio Logan, with limited access to the shoreline, protection and enhancement of public access is particularly crucial. In this case, the BLPCU lacks policies to reduce parking impacts at the community's only shoreline access point and to provide direct or convenient access to the City's many local beaches.

D. VISUAL RESOURCES

Height limits in the community would remain similar to existing requirements except for several parcels in the western portion of the community adjacent to the Port district, which would be rezoned to City-wide industrial zones, effectively removing the height limit. However, heights in this area would be limited by the floor area ratio to approximately three stories, which is not likely to impact views.

The BLCPU designates several new view corridors and contains policies to maintain and enhance views to San Diego Bay, including coordinating with the Port District to establish building setbacks within the Port's jurisdiction; however, it does not carry forward several view corridors that are currently designated in the certified LUP including 26th, 28th, and 32nd streets. As such, the BLCPU does not adequately protect views as required by the Coastal Act.

E. BIOLOGICAL RESOURCES AND COASTAL HAZARDS

Biological Resources

The City has recognized the importance of the Chollas Creek Watershed and has designated it as a Regional Park; however, much of the watershed within the Barrio Logan community remains channelized and/or under the jurisdiction of the Navy, and its restoration is a planning goal of the City.

However, the BLCPU does not address water quality or sensitive habitat that could be located near Chollas Creek. Land use plans and especially comprehensive updates should adopt policies for protecting environmentally sensitive habitat areas (ESHA), consistent with Section 30240, both as currently identified and providing for future determinations to be made as resources and conditions change over time.

In addition, the BLCPU proposes to update lighting at transit stops and security and sports lighting at parks; however, lighting can impact biological resources if containing high blue light frequencies or spillover into the night sky or habitat areas and the BLCPU does not contain policies that require future lighting proposals to be ecologically sensitive.

Coastal Hazards

The BLCPU contains policies that require new development to consider the effects of sea level rise but does not require that developments along Chollas Creek, which are at an increased risk of flooding, be designed and sited to avoid or withstand periodic flood events.

F. ARCHAEOLOGICAL RESOURCES

While the BLCPU contains policies that require tribal consultation take place, it does not require that alternatives be considered that would avoid or reduce adverse impacts to archaeological and paleontological resources or require mitigation measures, such as the submittal of a monitoring plan if there is a potential to impact archaeological or paleontological resources.

G. CONCLUSION

Finally, throughout the BLCPU, there are several policies that contain language that are unclear in regard to the responsible parties or specific requirements.

In summary, although it is clear that the City and other stakeholders involved have made a great effort to update and develop LUP policies that will protect and enhance the community's coastal resources, it is critical that the LUP update contains clear, specific, and detailed policy direction for each of the policy groups contained in Chapter 3 of the Coastal Act, to ensure the LUP's consistency with the Coastal Act. As proposed, the update is lacking the detail and specificity required of an LUP in the policy groups as detailed above.

2. FINDINGS FOR APPROVAL IF MODIFIED

A. VISITOR-SERVING USES

While the focus on mixed-use, pedestrian oriented, and art district development makes it likely that visitor-serving commercial uses will be established in the Community Village and Historic Core areas, stronger language is needed to better ensure such establishment of visitor-uses. To address the lack of prioritization of visitor-serving commercial uses in the plan as proposed, **Suggested Modification No. 21** would add policy language to prioritize visitor-serving commercial uses.

To ensure that areas zoned for Neighborhood Commercial are not entirely residential, as currently allowed by the supplemental regulations, and activating commercial uses are located along the street front, **Suggested Modification No. 53** clarifies that residential uses should not occupy more than 50% of the ground floor area and shall not front a street.

In order to ensure that existing lower-cost overnight accommodations are protected, **Suggested Modification No. 19** requires that replacement of lower-cost units be provided at a 1:1 mitigation ratio within the Coastal Zone. Thus, if it becomes necessary to redevelop the motel, or any other future lower-cost overnight accommodations, adequate replacement will be ensured, including that the replacement units will be in proximity to the coast. **Suggested Modification No. 18** adds language to describe the existing overnight accommodations and identify that the hotel would not be able to redevelop in the future since it is a non-conforming use.

In order to ensure that future development continues to provide a range of affordability in order to serve all incomes, **Suggested Modification No. 20** requires that new development of overnight accommodations include at least 25% of the proposed units as lower-cost. If, the provision of the lower-cost units on-site is determined to be infeasible pursuant to a feasibility analysis, then Suggested Modification No. 20 further requires that the new development shall provide lower-cost units elsewhere within the City's Coastal Zone. If it is determined that the project cannot provide lower-cost units on or offsite, in-lieu mitigation fees shall be required.

In 2014, following Commissioner questions regarding the adequacy of the in-lieu fee for lower-cost accommodations at Commission hearings, Hosteling International provided an updated report representing the true construction costs of a new hostel, which stated that new construction costs approximately \$42,120 per hostel bed, without the cost of land acquisition. In order to verify this information, the Commission consulted Maurice Robinson & Associates. Robinson concurred with the figures and stated:

This lends itself to a two-tiered Index for a representative cost to develop low-cost lodging statewide. The \$42,120 per bed estimate for the structure can be indexed on an annual basis, either by CPI (Consumer Price Index) or, alternatively, with a more construction industry-specific index such as the Turner Building Cost Index.

The Turner Building Cost Index is used widely by federal and state governments to measure costs in the non-residential building construction market in the United States¹. Robinson further expanded on the cost of providing motel or hotel rooms rather than hostel beds and estimated:

These new motel rooms would likely cost nearly \$100,000 per room to develop (excluding land), which is more than twice the cost of a hostel bed, mostly due to the fact that motels require approximately twice the gross square footage per person than hostels.

A standard hotel or motel room (250 sq. ft. average) represents a much larger space than a single hostel bed. The cost of constructing new lower-cost hotel rooms is significantly higher than replacing them with hostel beds. Following this information and suggestion, the Commission required new high-cost hotel projects and projects that eliminated existing lower-cost overnight accommodations to pay an in-lieu mitigation fee of \$100,000 per

¹ The Turner Building Cost Index is used widely by federal and state governments to measure costs in the non-residential building construction market in the United States. (Ref. <http://www.turnerconstruction.com/cost-index>)

required lower-cost room not provided onsite.² This requirement was based on information provided in 2015. However, when considering the approximate 27% increase in the Turner Building Cost Index in the last seven years (likely related to inflation and other factors), the estimated cost of constructing a lower-cost hotel or motel room has increased from \$100,000 per room to \$137,00 per room, as of December 2022.³

In addition, while some visitors may be willing to stay in the type of shared accommodations provided by hostels, many prefer to stay in more traditional rooms. The replacement of lower cost hotel or motel rooms with hostel beds polarizes the overnight visitor-serving accommodation types remaining into two options: high-cost hotel rooms or hostel beds in shared rooms, which may inhibit some members of the public from receiving overnight access to the coast. The mid-range affordable overnight options are effectively eliminated by this replacement method. The same principle is true for mitigating the loss of lower-cost hotel rooms solely with RV parks or campgrounds.

The suggested modifications require that if construction of new lower-cost rooms is infeasible on- or offsite, an-lieu mitigation fee shall be required, and that it shall be adjusted over time using the Turner Building Cost Index. The current in-lieu fee amount adjusted using the Turner Index is \$137,000 per room. The fee shall be used for construction of new lower-cost hotel rooms or other inherently lower-cost accommodations within the coastal zone in the surrounding area. All in-lieu fee payments shall be deposited into a fund to be established and managed by the State Coastal Conservancy, or a similar entity approved by the Executive Director of the California Coastal Commission, which shall be in an interest-bearing account and shall only be used for the provision of new lower-cost overnight accommodations. Funds may be used for activities including land acquisition, construction, permitting, or renovation that will result in the provision of additional lower-cost overnight visitor accommodations.

In summary, these suggested modifications will ensure that existing lower cost accommodations are protected from conversion to other uses or to high-cost accommodations and will ensure that new development prioritizes and provides lower-cost accommodations. If lower-cost accommodations are found to be infeasible both on- and off-site, in-lieu fees will be required.

Finally, **Suggested Modification Nos. 51 and 52** clarify that overnight accommodations are prohibited in the Transition Area only, and are allowed elsewhere within the Community and Neighborhood Commercial zones.

B. ENVIRONMENTAL JUSTICE AND MARINE-DEPENDENT USE

Suggested Modification Nos. 1-9, 12, 14-17, 36-37 would update report data, descriptions, and definitions and revise policy language for clarity and specificity.

Since many of the residents in Barrio Logan are Spanish speakers, **Suggested Modification Nos. 10, 32 and 40** requires community meeting materials, park information, and wayfinding signage to be provided in Spanish. **Suggested Modification No. 13** adds

² Ref. CDP 5-18-0872 (Sunshine Enterprises, LP), CDP 5-20-0181 (B&J Capital Group Investments)

³ The Turner Building Cost Index was 943 for 2015 and 1295 for 2022. The figures are $1295 - 943 = 352 / 943 = 0.37 * 100\%$, which results in a 37% increase since 2015.

a policy requiring the consideration of environmental justice in actions on coastal development permits and LCP amendments.

C. PUBLIC ACCESS AND RECREATION

To address barriers to public access to the shoreline, **Suggested Modification Nos. 23 and 3** direct the City to coordinate with the San Diego Unified Port District, U.S. Navy, and Metropolitan Transit System on strategies to reduce the impacts to parking for parks, including implementing transportation demand management programs and collaborating on new parking structures. To ensure that parking fees do not disproportionately impact low-income people, **Suggested Modification No. 34** requires any pricing programs or parking structures to consider low-income people when implementing parking rates. **Suggested Modification No. 31** further directs the City to coordinate with transit agencies to provide public transit to the shoreline and beach areas by neighborhood shuttle connections. **Suggested Modification No. 35** directs the City to support the installation parking and charging stations for zero emissions and electric vehicles.

D. VISUAL RESOURCES

In order to maintain and protect existing views, **Suggested Modification No. 25, 27-28, and 46** designate 26th St., 28th St., and 32nd St. as view corridors. This revision would be consistent with the existing view corridors established in the certified LUP.

E. BIOLOGICAL RESOURCES AND COASTAL HAZARDS

To ensure existing and future biological resources at Chollas Creek are protected, **Suggested Modification No. 48** would add language referencing the Chollas Creek Watershed Regional Park Master Plan and acknowledging the future restoration of the creek, direct the City to coordinate with adjacent agencies to restore the creek, require the biological productivity of the creek to be maintained, limit the fill or dredging of the creek, and protect sensitive habitat. **Suggested Modification No. 41** further requires that developments in proximity to Chollas Creek be designed and sited to avoid or withstand periodic flood events within areas susceptible to flooding.

To ensure future lighting improvements at transit stops and parks are ecologically sensitive, **Suggested Modification No. 30 and 39** requires ecological lighting when updating park lighting in the community. **Suggested Modifications No. 38** clarifies that native landscaping should be considered in addition to drought tolerant species.

F. ARCHAEOLOGICAL RESOURCES

The consideration of tribal cultural resources, alongside archaeological resources, is now required in planning and permitting decisions at the Commission. Tribal cultural resources may include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe. As part of the Commission's Tribal Consultation Policy⁴, one of the guiding principles is to communicate with and engage with

⁴ <https://documents.coastal.ca.gov/assets/env-justice/tribal-consultation/Adopted-Tribal-Consultation-Policy.pdf>

Tribes at the earliest possible stage in the review and decision-making processes. Therefore the Commission recognizes that the value of building in avoidance and mitigation measures in land use plans as well as in ordinances and in permitting conditions.

To ensure that impacts to archaeological and paleontological resources are avoided or reduced, **Suggested Modification No. 49** requires development to be sited and designed to avoid or reduce impacts to the maximum extent feasible. When there is a potential to impact archaeological or paleontological resources, **Suggested Modification No. 50** requires the submittal of a monitoring plan that identifies monitoring methods and describes the procedures that will be followed if additional or unexpected archaeological and/or paleontological resources are encountered during development of the site, including the submittal of a mitigation plan.

V. FINDINGS FOR APPROVAL OF THE CITY OF SAN DIEGO IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED

A. AMENDMENT DESCRIPTION

The proposed IP amendment would amend the City's Land Development Code Chapter 13, Article, Division 14 to remove the Barrio Logan Planned District Ordinance (PDO) ([Exhibit 5](#)), adopt city-wide zones ([Exhibit 6](#)), and add Barrio Logan to the Community Plan Implementation Zone in order to provide enhanced notice and financial support requirements for tenants of existing residential units who may be displaced by new development ([Exhibit 4](#)).

B. CONFORMANCE WITH THE CERTIFIED LAND USE PLAN

The standard of review for LCP implementation plan submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP. The certified LUP has a number of goals and policies relevant to the proposed amendment; the most applicable LUP standards are as follows:

Policy 2.3.1

Enhance and retain maritime-oriented commercial uses that are compatible with surrounding land uses.

Policy 2.3.2

Retain and enhance existing neighborhood-serving commercial uses.

Policy 2.3.5

Ensure that development and uses contained within the Transition Zone does not adversely affect the health and safety of the surrounding community.

Policy 2.5.1

Protect and promote activities, by prohibiting construction of new housing and limiting the amount of office and retail uses that can be introduced in industrial areas.

Policy 2.5.2

Protect and promote development of maritime and maritime-related uses that do not present health-related or environmental hazards to adjacent sensitive receptors.

1. FINDINGS FOR APPROVAL

In the Barrio Logan Planned District Ordinance (PDO), the community was zoned into five zones: the Redevelopment Subdistrict was intended to provide small scale, mixed use, pedestrian-oriented development; Subdistrict A was applied to existing older residential neighborhoods; Subdistrict B was to accommodate areas of the community that provide goods to residential, commercial and industrial uses; Subdistrict C applied to areas with multi-family developments; and Subdistrict D, the largest subdistrict throughout the community, zoned for industrial and heavy commercial lots. The proposed IP amendment would repeal the PDO and apply City-wide zoning classifications. The proposed ordinance amendment does not modify the existing City-wide zoning classifications, but instead is aimed to bring the zoning of the Barrio Logan community planning area into alignment with the proposed LUP, as amended, by separating incompatible uses.

Thus, because the proposed IP amendment will bring the zoning of the community plan area into alignment with the land use designations and associated development policies in the proposed LUP, as modified, the Commission finds that the proposed rezoning as submitted is consistent with, and adequate to carry out, the proposed Barrio Logan Community Plan (LUP).

VI. 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 submission.

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. On October 2, 2013, the City Council of the City of San Diego adopted Resolution No. 308444 certifying the 2013 Final Environmental Impact Report for the Barrio Logan Community Plan (SCH No. 2009091021). An Addendum to the 2013 Final EIR was approved by the City on December 7, 2021 to remove mitigation measures for paleontological resources and transportation as these mitigation measures were no longer necessary due to changes in CEQA requirements.

