

RESOLUTION NUMBER R-298578

ADOPTED ON NOVEMBER 4, 2003

WHEREAS, the La Jolla Community Plan is the policy document for land use in the community of La Jolla; and

WHEREAS, the community plans for all communities are periodically updated; and

WHEREAS, the proposed La Jolla Community Plan is a comprehensive revision of the 1976 La Jolla Community Plan (in effect in the Coastal Zone) and the 1995 La Jolla Community Plan (in effect outside the Coastal Zone); and

WHEREAS, Council Policy 600-7 provides that public hearings to consider revisions to the Progress Guide and General Plan for the City of San Diego may be scheduled concurrently with public hearings on proposed community plans in order to retain consistency between said plans and the Planning Commission and the City Council have held such concurrent public hearings; and

WHEREAS, on May 21, 2002, and June 6, 2002, the Council of the City of San Diego held a public hearing to consider the approval of the June 2002 La Jolla Community Plan update, and repeal of the 1976 and 1995 La Jolla Community Plans, the 1972 La Jolla Shores Precise Plan, the 1983 La Jolla – La Jolla Shores Local Coastal Program, and the 1980 Fay Avenue Plan; and

WHEREAS, on June 6, 2002, the Council of the City of San Diego adopted and recommended certification to the California Coastal Commission of the June 2002 La Jolla Community Plan update, and repeal of the 1967 and 1995 La Jolla Community Plans, the 1972

La Jolla Shores Precise Plan, the 1983 La Jolla – La Jolla Shores Local Coastal Program, and the 1980 Fay Avenue Plan; and

WHEREAS, on January 13, 2003, California Coastal Commission staff issued their recommended findings and fifty-eight suggested modifications to support conditional certification of the June 2002 La Jolla Community Plan update and associated repeal of plans and programs; and

WHEREAS, on February 5, 2003, the California Coastal Commission held a public hearing to consider certification of the June 2002 La Jolla Community Plan update and associated repeal of plans and programs; and

WHEREAS, on February 5, 2003, the California Coastal Commission adopted the Coastal Commission staff proposed findings and conditionally certified the June 2002 La Jolla Community Plan update and associated repeal of plans and programs, subject to sixty-three suggested modifications; and

WHEREAS, on March 7, 2003, the California Coastal Commission transmitted, in writing, to the City of San Diego, the sixty-three suggested modifications for adoption by the Council of the City of San Diego; and

WHEREAS, on April 18, 2003, the California Coastal Commission transmitted, in writing, corrections to five of the sixty-three suggested modifications; and

WHEREAS, on August 8, 2003, the California Coastal Commission clarified its action of February 5, 2003, and adopted Revised Findings in support of the February 5, 2003, conditional certification of the 2002 La Jolla Community Plan and Local Coastal Program Land Use Plan, subject to the sixty-three proposed modifications; and

WHEREAS, by letters dated August 26, 2003 and October 22, 2003, the District Manager of the California Coastal Commission, San Diego area, further clarified the actions of February 5, 2003 and August 8, 2003; and

WHEREAS, on November 4, 2003, the City Council considered the sixty-three California Coastal Commission suggested modifications; NOW, THEREFORE,

BE IT RESOLVED, the Council of the City of San Diego declares that:

1. The reference to Map C-720 does not and is not intended to designate properties as open space beyond those shown on Figure 7 in the 2002 La Jolla Community Plan and Local Coastal Program Land Use Plan.
2. Disturbed or manufactured slopes in areas designated as open space may be considered natural if the disturbance was unauthorized.
3. The term yard, as it relates to view preservation, is intended to pertain only to those yards resulting from the zone required setback and does not include any undeveloped area of a site between a structure and the required setback line where the structure is not built to the setback line.
4. Appendix L provides guidelines for determining the allowable development area and limiting encroachment into sensitive areas for properties designated open space.
5. The guidelines set forth in Appendix L allow for development in excess of the twenty-five percent development area where development could occur in the non-sensitive or disturbed portions of the site that are both inside and outside of the open space designation.
6. The 50% limitation (based on the floor area of the structure) on increases to previously conforming structures is applicable only to structures that are previously conforming with regard to bluff edge setback regulations.

7. Increasing the height of a structure, up to the height allowed in the zone, is not prohibited within a visual access /public vantage point area.

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

8. That this City Council approves the California Coastal Commission sixty-three suggested modifications to the Council-adopted June 2002 comprehensive update of the La Jolla Community Plan, a copy of which is on file in the office of the City Clerk as Document No.

RR- 298578.

9. That the Council hereby repeals the 1967 and 1995 La Jolla Community Plans, the 1972 La Jolla Shores Precise Plan, the 1983 La Jolla – La Jolla Shores Local Coastal Program, and the 1980 Fay Avenue Plan.

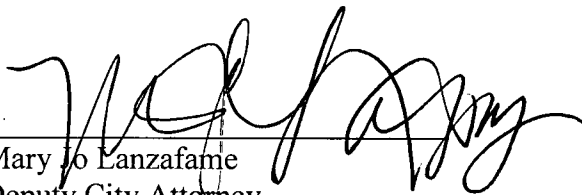
10. That the Council adopts associated amendments to City of San Diego Progress Guide and General Plan and the Local Coastal Program to incorporate the updated La Jolla Community Plan.

BE IT FURTHER RESOLVED, that the updated La Jolla Community Plan and Local Coastal Program Land Use Plan are not effective until unconditionally certified by the California Coastal Commission as a Local Coastal Program amendment, and shall not be applicable to applications for development permits, deemed complete (as defined and set forth in the San Diego Municipal Code) by the City of San Diego, on or before that date.

BE IT FURTHER RESOLVED, that the City Council's adoption of the California Coastal Commission's suggested modifications are expressly contingent upon the declarations one through ten stated herein.

APPROVED: CASEY GWINN, City Attorney

By


Mary Jo Lanzafame
Deputy City Attorney

MJL:cdk
10/21/03
11/18/03 REV.
Or.Dept:Planning
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