

Article 6: Development Permits

Division 7: Coastal Development Permit Procedures

§126.0701 through §126.0703

§126.0704 Exemptions from a Coastal Development Permit

The following *coastal development* is exempt from the requirement to obtain a Coastal Development Permit.

(a) and (b) [No Change]

(c) Any *coastal development* that has been categorically excluded pursuant to Categorical Exclusion Order No(s). **and in accordance with Section 132.0404.** (Editor's note: a number will be inserted if and when a Categorical Exclusion Order is issued by the California Coastal Commission.)

(d) through (i) [No Change]

§126.0704 through §126.0724 [No Change]

Article 2: General Development Regulations

Division 4: Coastal Overlay Zone

§132.0401 [No Change]

§132.0402 Where the Coastal Overlay Zone Applies

- (a) This overlay zone applies to all property located within the boundaries designated on Map No. C-908, filed in the office of the City Clerk as Document No. OO-18872. These areas are shown generally on Diagram 132-04A.
- (b) Table 132-04A shows the sections that contain the supplemental regulations and the type of permit required by this division, if any, for specific types of *coastal development* proposals in this overlay zone.

Coastal Development Permit procedures are provided in Chapter 12, Article 6, Division 7.

Table 132-04A
Coastal Overlay Zone Applicability

Type of <i>Development Proposal</i>	Supplemental Development Regulations	Required Permit Type/ Decision Process
(1) <i>Coastal development</i> that is categorically excluded pursuant to order of the Coastal commission or that is exempted by Section 126.0704	See use and development regulations of the base zone; and Chapter 14, Article 3, Division 1, Environmentally Sensitive Lands Regulations; and Section 132.0404	No permit required by this division
(2) Any <i>coastal development</i> within this overlay zone that is partially or completely within the Coastal Commission Permit Jurisdiction or the Deferred Certification Area	See use and development regulations of the base zone and Chapter 14, Article 3, Division 1, Environmentally Sensitive Lands Regulations	Coastal Development Permit(s) are issued by the Coastal Commission and the City for their respective jurisdictions
(3) <i>Coastal development</i> in this overlay zone that is not exempt under (1) of this table or that is not in the area described in (2) of this table	See use and development regulations of the base zone and Chapter 14, Article 3, Division 1, Environmentally Sensitive Lands Regulations	Coastal Development Permit/Process Two or Three

§132.0403 Supplemental Regulations of the Coastal Overlay Zone

- (a) [No change in text.]
- (b) A visual corridor of not less than the side *yard setbacks* or more than 10 feet in width, and running the full depth of the *premises*, shall be preserved as a deed restriction as a condition of Coastal Development Permit approval whenever the following conditions exist:
- (1) The proposed *coastal development* is located on a premises that lies between the shoreline and the first public roadway, as designated on Map Drawing No. C-731; and
- (2) [No change in text.]
- (b) If there is an existing or potential public view between the ocean and the first public roadway, but the site is not designated in a *land use plan* as a view to be protected, it is intended that views to the ocean shall be preserved, enhanced or restored by deed restricting required side *yard setback* areas to cumulatively form functional view corridors and

preventing a walled effect from authorized developmentcoastal development.

- (d) Where remodeling is proposed and existing legally established developmentcoastal development is to be retained that precludes establishment of the desired visual access as delineated above, preservation of any existing public view on the site will be accepted, provided that the existing public view is not reduced through the proposed remodeling.
- (e) [No change in text.]

§132.0404 Categorically Excluded Development

The following categories of *coastal development* are categorically excluded from the requirement to obtain a Coastal Development Permit:

- (a) In the Barrio Logan community planning area, specifically within the boundaries designated on Map No. C-[insert number upon adoption] filed in the office of the City Clerk as Document No. [insert number upon adoption], and generally shown in Diagram 132-04B, *coastal development of residential, institutional, retail sales, commercial services, or office uses in accordance with the following:*
 - (1) *Coastal development that does not require a Neighborhood Use Permit, Conditional Use Permit, Neighborhood Development Permit, Site Development Permit, Planned Development Permit, or Variance.*
 - (2) *Coastal development for which the applicant provides a verification letter from the County of San Diego Department of Environmental Health stating that:*
 - (A) *No hazardous materials impacts would result from the *coastal development*, or*
 - (B) *No hazardous materials impacts would result from the *coastal development* upon completion of required remediation.*
 - (3) *Coastal Development complies with the Barrio Logan Community Plan.*

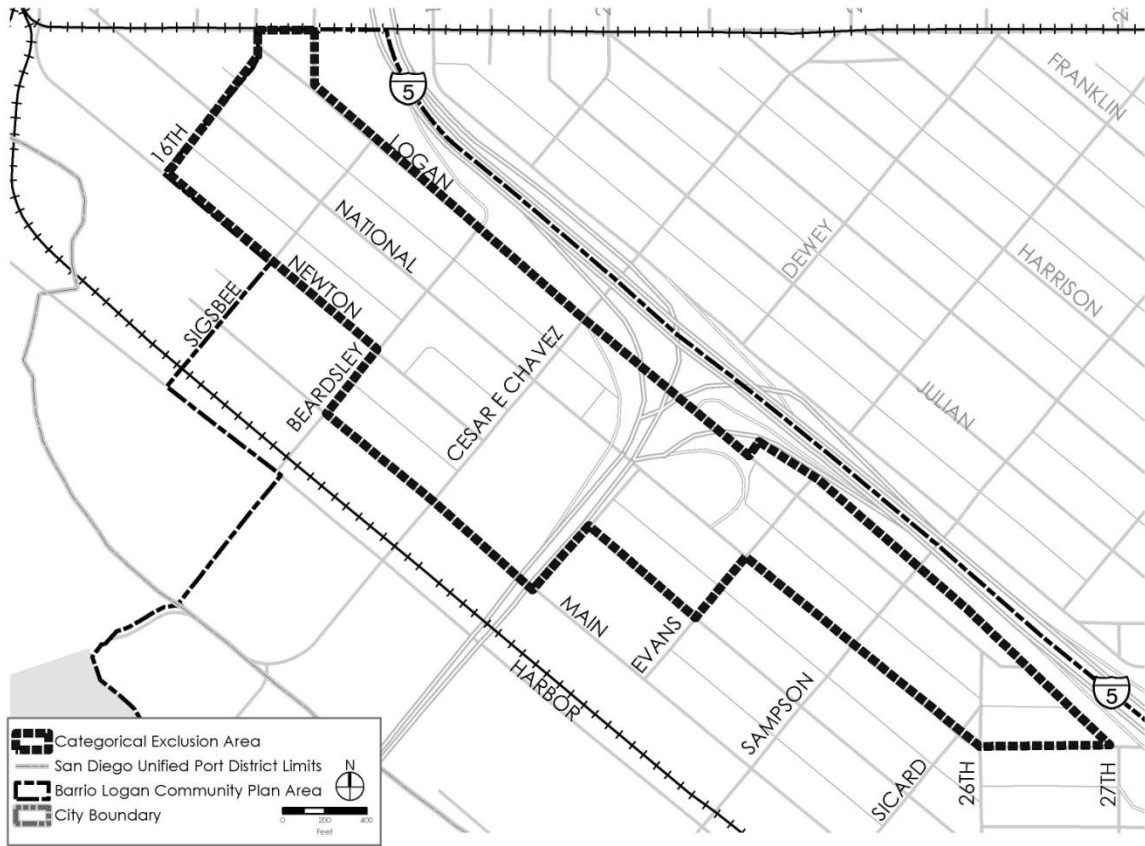


Diagram 132-04B
Barrio Logan Categorical Exclusion Boundaries
This is a reproduction of Map No [Insert number upon adoption]
For illustration purposes only.