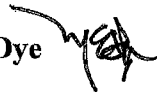THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: September 6, 2013

TO: Planning Commissioners

FROM: Morris E. Dye

SUBJECT: La Jolla Children's Pool Beach Seasonal Closure Coastal Development
             Permit Consolidation, and Plan Amendment Resolution, PTS 225045

On August 29, 2013, the California Coastal Commission (CCC) agreed to consolidate the permit decisions for the Coastal Development Permits (CDPs) required for this project. This means that the City (Planning Commission and City Council) no longer needs to consider the CDP for the La Jolla Children's Pool Beach Seasonal Closure referred to in the subject staff report.

The CCC has permit jurisdiction from the bottom of the Children's Pool stairs seaward (the sand beach). The City of San Diego has permit jurisdiction from the stairs landward. The CCC has the authority to consolidate CDPs required by both agencies. As the proposed closure would affect access seasonally to the beach at the Children's Pool, CDPs are required from both agencies. Given the proposal also requires a Local Coastal Program/La Jolla Community Plan Amendment, the CCC initially declined to consolidate the CDP decisions, electing to wait for the outcome of that amendment decision by the City. However, as the project is controversial, and the potential for an appeal of a City of San Diego CDP approval to the CCC is high, the CCC has agreed to consolidate the CDP decisions.

However, the CCC has indicated that the City is responsible for completing all other necessary local discretionary approvals, including environmental review, before submitting the CDP application for consideration. All associated documentation to support the Negative Declaration must be included.

In addition, attached is the Draft Community Plan Amendment Resolution that was inadvertently left out of the staff report.

RESOLUTION NUMBER R-_____

ADOPTED ON _____

WHEREAS, on _____, the City Council of the City of San Diego held

a public hearing for the purpose of considering an amendment to the General Plan and the La

Jolla Community Plan; and

WHEREAS, the Park and Recreation Department of the City of San Diego, requested an

amendment to the General Plan and the La Jolla Community Plan to close to public access the La

Jolla Children's Pool beach, located at 888 Coast Boulevard, La Jolla, from December 15 to May

15 annually and the site is legally described as being a portion of La Jolla Park, in the City of

San Diego, State of California according to Map thereof No. 352, filed in the Office of the

County Recorder of San Diego County on March 22, 1887 of Official Records; and

WHEREAS, City Council Policy 600-7 provides that public hearings to consider

revisions to the 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 has held such concurrent public hearings; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed

amendment consistent with the General Plan; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and

written documents contained in the file for this project on record in the City of San Diego, and

has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it adopts the amendments to the La Jolla Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-_____ .

BE IT FURTHER RESOLVED, that the Council adopts and amendment to the General Plan for the City of San Diego to incorporate the above amended plan.

BE IT FURTHER RESOLVED, that the La Jolla Community Plan, Local Coastal Program Land Use Plan, and General Plan amendments approved herein are not effective until the La Jolla Community Plan and Local Coastal Program Land Use Plan are unconditionally certified by the California Coastal Commission as a Local Coastal Program amendment.

APPROVED: JAN GOLDSMITH, City Attorney

By _____

    Deputy City Attorney

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xxxxxx
Or.Dept:DSD
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