



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: August 31, 2007 REPORT NO. PC-07-120

ATTENTION: Planning Commission
Agenda of September 6, 2007

SUBJECT: Initiation of an amendment to the Via De La Valle Specific Plan and the Progress Guide and General Plan to adjust the development boundaries shown in Development Area 5 of the Specific Plan.
Project No. 123769

OWNER/
APPLICANT: Massih Tayebi

SUMMARY

Issue(s) - Should the Planning Commission INITIATE a land use plan amendment to the Via De La Valle Specific Plan and the Progress Guide and General Plan pursuant to Municipal Code Section 122.0103 to allow an adjustment of the development boundaries shown in Development Area 5 of the Specific Plan.

Mayor's Recommendation - INITIATE the plan amendment process.

Community Planning Group Recommendation – There is currently no recognized planning group for the Via De La Valle planning area. Notice has been sent to the adjacent planning group, the Carmel Valley Community Planning Board.

Environmental Impact - If initiated, the proposed plan amendment and future discretionary actions will be subject to environmental review.

Fiscal Impact – If initiated, processing costs would be paid for by the applicant.

Housing Affordability Impact – None.

BACKGROUND

The Via De La Valle Specific Plan area is located in the northwestern region of the City of San Diego and is situated just east of Interstate 5, south of the City of Solana Beach and west of the County of San Diego. The City's North City Future Urbanizing Sub area II is directly south of the planning area. West of Interstate 5 is the community of Torrey Pines and the City of Del Mar (Attachment 1). The Via De La Valle Specific Plan, although approved by the City of San Diego, was never submitted to the California Coastal Commission for certification. Therefore, there is no certified Local Coastal Program (LCP), and the Coastal Commission has jurisdiction over issuance of coastal development permits in the planning area.

The subject property is an approximately 19-acre site located on Via De La Valle Road and is designated as Open Space and Very Low Density (0-2 du/ac) Residential in the Via De La Valle Specific Plan (Attachment 2). The area designated as Open Space is approximately 12 acres and the area designated for residential development is approximately 6.8 acres. The property is currently undeveloped. The site is constrained by coastal bluff landforms, steep slopes and potentially sensitive biological resources. Existing development on adjacent properties is entirely residential. Land use designations which border the subject property include Open Space to the north, Commercial to the west, Low Density (0-3 du/ac) Residential to the east and the San Dieguito Lagoon to the south (Attachment 3).

The Via De La Valle Specific Plan divides the community into six development areas. The subject property is identified as Development Area 5. Within Development Area 5, there are two residential development footprints. These two proposed development areas were not entirely identified in the areas most suitable for development. One of the larger residentially designated areas contains a prominent coastal bluff landform and steep slopes. There is no connectivity between the two proposed development areas and both areas contain potentially sensitive biological resources, as well as less sensitive previously disturbed land. In addition, there is an existing San Diego Gas and Electric (SDG&E) transmission line easement that runs through the eastern portion of the smaller proposed development footprint that precludes most development activity (Attachment 4). The Specific Plan states that the presence of the easement places significant limitations on the site; however it does not provide guidance on how to alleviate the development constraint.

The proposed land use amendment would adjust the current open space and development boundaries shown within Development Area 5. The open space and development boundary change proposes to remove development within the SDG&E easement; it would also modify the western development footprint, to exclude the steepest slopes; and would connect the two areas to alleviate the current constraints of the site (Attachment 5). The total proposed development area would be approximately 4.1 acres. The total proposed open space would be approximately 14.85 acres, a proposed increase of 2.7 acres of open space. The adjustment to the development boundary would allow the area for development to be located on the flatter portions of the site to better preserve the most prominent coastal bluff landforms. If this initiation request is approved, the proposed development boundary may be further modified through the plan amendment process in conjunction with project grading plans as a result of the more detailed environmental

constraints analysis, to allow for a more sensitive development.

If this initiation request is approved, the applicant has indicated a desire to develop the site with 22 multi-family townhomes. The Specific Plan contains development criteria for each of the development areas indicated in the Plan. Some of the criteria for new development in Development Area 5 include sensitively planned building design, locating development to adhere to the natural landform and minimize grading, and use of native landscaping that blends with the natural setting. Should the proposed amendment be initiated, staff will analyze the appropriate density for development of the site, as well as compliance with Specific Plan policies related to development within Development Area 5, during the review of any required development permits. The permits, including a rezone, would be processed concurrently with the amendment to the Via De La Valle Specific Plan.

Currently, there are no other plan amendments proposed in the Via De La Valle community.

This initiation request does not constitute an endorsement of the project proposal. A staff recommendation will be developed once the project has been fully analyzed. This action will allow the staff analysis to proceed.

DISCUSSION

Before a community plan amendment can be initiated, Section 122.0104 of the Municipal Code requires that any one of three initial criteria or all four supplemental criteria specified in the code must be met. The Planning Department does not believe that any of the following three initial criteria can be met:

- (1) **The amendment is appropriate due to a mapping or textual error or omission made when the original land use plan or local coastal program was adopted or during subsequent amendments;**
- (2) **Denial of initiation would jeopardize the public health, safety or general welfare;**
- (3) **The amendment is appropriate due to a material change in circumstances since the adoption of a land use plan or local coastal program whereby denial of initiation would result in a hardship to the applicant by denying any reasonable use of the subject real property.**

The Planning Department does, however, believe that all of the following supplemental criteria can be met:

- (1) **The proposed land use plan amendment is consistent with the goals and objectives of the Progress Guide and General Plan and the Via De La Valle Specific Plan.**

An important goal in the General Plan is to assure the proper management and preservation of the City's unique landforms and to establish an open space system that

provides for the preservation of natural resources. The proposed plan amendment would be consistent with these goals by evaluating and providing a more sensitive development area located on the flatter portions of the site adjacent to Via De La Valle Road, thus moving the development area closer along the road potentially protecting the more prominent coastal bluff landforms and visual aesthetics of the site. The area proposed for development would also be slightly less than the acreage identified for development in the Specific Plan. The designated open space would increase and would be placed in an open space easement to contribute to the open space network, which is consistent with the City's long-range planning goals.

Primary goals in the Via De La Valle Specific Plan include encouraging an intensity of development on the buildable portions of the site which facilitates the environmentally sensitive areas of the property to be preserved in natural, undisturbed open space; and to encourage sensitive grading techniques which will retain the overall landform. The proposed plan amendment would be consistent with these goals, since the proposed boundary adjustment could potentially allow for a more sensitive development. However, the adequacy of the preservation of sensitive biological resources will be examined in more detail if this initiation request is approved.

(2) The proposed land use plan amendment appears to offer a public benefit to the community or City.

Modifying the development boundary of the residentially designated areas based upon a detailed site specific environmental analysis could preserve more environmentally sensitive resources onsite than development within areas currently designated residential, as discussed in more detail above. The proposed development boundary adjustment could potentially provide for a better development configuration by providing residential development on the flatter portions of the site, thus potentially protecting the more prominent coastal bluff landforms and visual aesthetics of the site.

The proposed plan amendment would also coordinate with the current City project of widening Via De La Valle Road from two to four lanes.

(3) Public services appear to be available to serve the proposed increase in density or intensity of use.

Public services appear to be available to serve the proposed development boundary adjustment, as Via De La Valle is a planned urbanizing community, and services are available for this and surrounding uses. However, the adequacy of all public services to serve the proposed increase in intensity of use will be examined in more detail if this initiation request is approved.

(4) City staff is available to process the proposed land use plan amendment without any work being deferred on General Fund supported programs or ongoing plan updates.

Staff is available to process this amendment request without delaying general fund programs or ongoing plan updates, as the Planning Department's work program includes staff time for non-general fund development projects. However, delays in processing the plan amendment could occur based on staff levels and workloads. The costs associated with processing this amendment will be paid for by the applicant.

CONCLUSION

As outlined above, the proposed plan amendment meets all of the supplemental initiation criteria; therefore, staff recommends that the proposed amendment to the Via De La Valle Specific Plan and the Progress Guide and General Plan be initiated.

The following land use issues have been identified with the initiation request. If initiated, these issues, as well as others that may be identified, will be analyzed and evaluated through the community plan amendment review process:

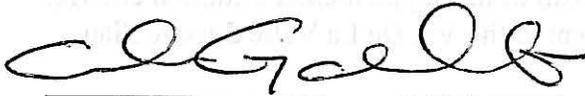
- Analysis of the appropriate land use designation and zoning for the subject property
- Compatibility of the proposed development with surrounding uses
- Analysis of existing sensitive biological resources on the site and their potential impacts
- Comparison of the existing and proposed development boundaries and acreage to determine the most sensitive development footprint
- Analysis of potential grading impacts to the site for existing and proposed development boundaries
- Evaluation of a proper product type and unit count for the proposed development
- Evaluation of traffic impacts of the proposed development and determine if any circulation improvements would be necessary
- Compatibility between the proposed General/Specific Plan amendment and the City's General Plan and Strategic Framework Element
- Compliance with policies of the Via De La Valle Specific Plan related to open space and resource management.

Although staff believes that the proposed amendment meets the necessary criteria for initiation, staff has not fully reviewed the applicant's proposal. **Therefore, by initiating this community plan amendment, neither staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment.**

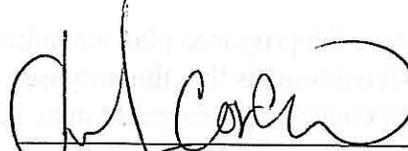
ALTERNATIVES

Find the proposed land use plan amendment does meet the criteria as described and deny the General/Community Plan amendment initiation request.

Respectfully submitted,



CECILIA GALLARDO, AICP
Program Manager
City Planning & Community Investment



JENNIFER CORDEAU
Associate Planner
City Planning & Community Investment

Attachments:

1. Via De La Valle Location Map
2. Via De La Valle Specific Plan – Land Use Map
3. Aerial Map
4. Aerial Map - Site Constraints
5. Proposed Boundary Adjustment Map
6. Ownership Disclosure Statement