

City of Del Mar
Planning Commission Agenda
Del Mar Town Hall - **VIA TELECONFERENCE ONLY**
1050 Camino Del Mar
Tuesday, March 9, 2021 at 6:00 PM
(or as soon thereafter as practicable)

Remote Regular Meeting
VIA TELECONFERENCE ONLY
Tuesday, March 9, 2021 at 6:00 PM

Pursuant to the State of California Executive Order N-25-20, and in the interest of public health, the City of Del Mar is temporarily taking actions to mitigate the COVID-19 pandemic by holding City Council Meetings electronically or by teleconference. The Town Hall will not be open to the public for this meeting.

Ted Bakker
Chair

Philip Posner
Vice Chair

Don Countryman
Commissioner

John Farrell
Commissioner

Claire McGreal
Commissioner

Joseph D. Smith, AICP
Planning & Community
Development Director

Amanda Lee
Principal Planner

Agenda

It is the intention of your Planning Commission to be receptive to your concerns about your community. Your participation in local government will assure a responsible and efficient City of Del Mar.

Public Participation/Comment

Members of the public can participate in the meeting in writing or telephonically.

Written Comments

Members of the public can participate in the meeting by e-mailing comments to planning@delmar.ca.us by 12:00 p.m. the day of the meeting. The subject line of your email should clearly state the item number you are commenting on. All comments will be transmitted to the Planning Commission prior to the start of the meeting. Comments will not be read into the record

Telephonic Participation

Members of the public wishing to make comment telephonically at the meeting must submit a tele-comment form www.delmar.ca.us/telecomment through the City's website by 12:00 p.m. the day of the meeting. After you

complete the form, City staff will email you the dial in number and detailed instruction on how to call into the meeting.

Project Applicants/Representatives

Applicants/representatives will be provided a link to participate in the meeting and, unless otherwise noted, for items on the agenda, **applicants and their team of representatives shall limit their [total] presentations to 10 minutes or less.**

Viewing the Meeting and Access to Agenda Materials

Members of the public can watch the meeting live on the City's website at: <http://delmar.12milesout.com/Video/Live> and on Cable TV Spectrum Ch. 24, AT&T Ch. 99 starting at 6:00 PM.

Agenda materials and communications from the public on agenda items, "Red Dots", are available on the City's website only, as City Hall and the Del Mar Library are currently closed to the public. <http://www.delmar.ca.us/AgendaCenter>.

Regular Meetings of the Planning Commission are generally held on the second Tuesday of the month, beginning at 6:00 p.m. For further information regarding the scheduling of meetings or meeting agendas, check the **City's website at www.delmar.ca.us**, or call the Planning Department's office at 858-755-9313. A full Planning Commission agenda packet with all backup information is available at City Hall, the Del Mar Library, and on the City's web site the Friday before each Planning Commission meeting.

Meeting will end at 11:00 p.m. unless extended by a majority vote of the Commissioners. If all the items on the agenda are not heard, the remaining items will be heard the following Tuesday (if facilities are available) at 1050 Camino Del Mar.

Consent Calendar: The Consent Calendar is considered by the Planning Commission near the beginning of the agenda. Items placed on the Consent Calendar will be approved in accordance with the staff recommendations for the item unless removed from the Consent Calendar by Commissioners, staff, or a member of the public. If you wish to keep an item from being placed on the Consent Calendar, please submit an email to planning@delmar.ca.us or to the staff member prior to the meeting by 3:30 p.m. the day of the meeting.

This notice will be the only written notice sent. Items, which are continued by the Planning Commission from one Planning Commission meeting to another "date certain" meeting date, will not be re-noticed through the mail.

Final action. The decision of the Planning Commission is final unless a written appeal is filed with the City Clerk, accompanied with a processing fee, within ten (10) working days from the date of notice of the action taken on the application. An approved permit shall not be valid until the 10-day appeal period has expired. The appeal is then forwarded to

the City Council, which determines at the Initial Consideration whether to reject the appeal, thereby upholding the Planning Commission's decision, or to set the matter for a subsequent date for a new (de novo) public hearing review. If a de novo public hearing is set by the City Council, an additional fee will be required.

Special Needs: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office at 858-755-9313. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Meeting Decorum:

All persons attending the Planning Commission meeting shall conduct themselves in a courteous and respectful manner. Comments shall be directed to the members of the Commission, rather than to others in attendance at the meeting. The Chairperson (or Vice Chair or Chair pro-tem in their absence), is designated as the parliamentarian for the meeting. As deemed appropriate, they may interrupt a speaker with instruction to redirect their remarks to relevant points on the agenda item before the Commission. They may also terminate a speaker's oral presentation if comments continue to be non-relevant or become disrespectful.

Note: The entirety of the City of Del Mar is located within the Coastal Zone. Some of the development projects listed on this agenda, as noted, require the receipt of a Coastal Development Permit. Some of these projects may also lie in what is known as the "Coastal Development Appeals Area". For the projects located in the appeals area, the City's action on the requested Coastal Development Permit may be appealed to the California Coastal Commission. An appeal may be filed with the Coastal Commission within the ten calendar days following the Coastal Commission's receipt of a notice from the City of its final action on the Coastal Development Permit application. However, before an appeal may be filed with the Coastal Commission, the City's action on the CDP application must be final, meaning that all of the City's [separate and internal] appeals processes must first be exhausted.

ROLL CALL

APPROVAL OF MINUTES

1. Approval of January 12, 2021 Planning Commission Meeting Minutes

UPDATE

PLANNING COMMISSION/STAFF DISCUSSION (Non-Application Items)

HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA (Oral Communications)

Each person wishing to comment to the Planning Commission on any matter not on the agenda can do so in writing or telephonically. To submit a written comment, email the

Planning Department at planning@delmar.ca.us by 12:00 p.m. the day of the meeting. Please note "Public Oral" in the subject line of your email.

If you desire to make comment telephonically, submit a tele-comment form www.delmar.ca.us/telecomment through the City's website by 12:00 p.m. the day of the meeting. After completing the form, City staff will email you the dial in number and detailed instruction on how to call into the meeting.

DISCUSSION AND BRIEFING (Application Items)

CONSENT CALENDAR:

The Planning Commission at the beginning of the meeting can place any item on the agenda upon the Consent Calendar. Consent Calendar items are not subject to public testimony. If you have a concern and wish to present information to the PC, you must be present at the beginning of the meeting to ensure the item will not be placed on consent or write a letter to the PC prior to the meeting expressing why the application should be taken off the Consent Calendar.

NEW APPLICATION(S):

ITEM 1
LCPA20-003
ZA20-003

Project: Proposed Housing Element Implementation Overlay Zone for implementation of 5th Cycle Housing Element Program 2G Rezone

Location: Citywide (including two North Commercial Zone parcels identified as APNs 299-100-47-00 and 299-100-48-00 as part of a separate rezone action to implement 5th Cycle Housing Element Program 2G)

Applicant: City of Del Mar, Planning Department

Description: The proposed zoning actions are required pursuant to the City's existing 5th Cycle Housing Element. State Housing law (Government Code Sections 65583.2(h) and (i)) required the City implement a rezone as part of the 5th Cycle Housing Element Program 2G to allow housing "by-right" at a density of 20-25 dwelling units per acre on APNs 299-100-47-00 and 299-100-48-00. The proposed implementation actions include: (1) Local Coastal Program Amendment (LCPA 20-003) to reflect a new Housing Element Implementation Overlay Zone with design criteria applicable to parcels where the Overlay Zone will be applied pursuant to the City's Housing Element and State Housing law; and (2) Zone Code Amendment (ZA 20-003) to create and implement a new Housing Element Implementation Overlay Zone in the City's Zoning Code. The Planning Commission initially reviewed and recommended approval of the zoning actions on January 12, 2021. The Overlay Zone has since been revised to include objective design standards and ancillary changes pursuant to City Council direction on February 16, 2021, which means an updated Planning Commission review and recommendation to the City Council is required. The City Council will

consider whether to adopt the proposed amendments in a future noticed public hearing.

Environmental Status: Pursuant to the California Environmental Quality Act (CEQA), the proposed actions have been analyzed and determined to be Statutorily Exempt pursuant to CEQA Guidelines Section 15265 because the proposed action constitutes an amendment to the City's certified Local Coastal Program (LCP) to facilitate the implementation of Government Code Section 65583.2 (h) and (i) pursuant to State Housing law. CEQA does not apply to activities or approvals by a local government as necessary for the preparation and adoption of a LCP amendment for review and certification by the California Coastal Commission (CCC) as set forth in Section 21080.9 of the Public Resources Code. Accordingly, the certified City of Del Mar LCP constitutes a plan for use in the CCC's regulatory program as certified under Section 21080.5 of the Public Resources Code. The proposed actions include a corollary amendment to the City's Municipal Code (Zoning). The future application of the Overlay Zone to certain parcels as required by the City's Housing Element to implement Government Code Section 65583.2 (h) and (i), including 5th Cycle Program 2G for multiple-dwelling residential use on two vacant parcels in the North Commercial Zone that requires the City Council's discretionary approval resulting in a physical change to the environment, will be analyzed in accordance with CEQA prior to such approval.

Contact Person: Joseph D. Smith, AICP, Director of Planning and Community Development jsmith@delmar.ca.us.

ITEM 2
GPA20-003

Project: 6th Cycle Housing Element Update – General Plan Amendment

Location: 6th Cycle HEU will facilitate housing citywide and may include the following sites:

- Accessory Dwelling Units (ADUs) on lots that allow residential citywide
- City-owned land: 28th Street (Candidate Site 7 APN 299-030-02 - RM East Zone) and 10th Street City Hall Expansion Lot (Candidate Site 55 APN 300-093-17 - PF Zone)
- Border Avenue Rezone (APNs 298-241-34, 298-241-29, 298-241-35, 298-241-36)
- North Commercial (NC) (2002 Jimmy Durante Blvd (JDB), 2010 JDB, 2120 JDB, 2126 JDB, 2148 JDB, 2236 JDB, and Watermark APNs 299-100-47 and -48)
- Professional Commercial (PC) Zone (807 Camino del Mar (CDM) and 853 CDM)
- Central Commercial (CC) and 941 Camino del Mar Specific Plan Zones
- Public Facilities (PF) Zone
- State Fairgrounds properties (Candidate Sites 2A-2H)

- North Bluff (Candidate Sites 1E-1F APNs 298-241-06 and 298-241-07) and South Stratford (Candidate Sites 98A-98C) APNs 300-321-14, 301-010-01 and 301-010-02) as a contingency program for the State Fairgrounds

Applicant: City of Del Mar, Planning Department

Description: This is a request for the Planning Commission to review the proposed 6th Cycle Housing Element Update (HEU) General Plan Amendment (GPA 20-003), including revised Housing Programs to address direction provided by the City Council on February 16, 2021, and comments provided by HCD for compliance with State law. The revisions include a new program to meet the State-mandated rezone requirement on Border Ave parcels 298-241-34, 298-241-29, 298-241-35, 298-241-36 per Government Code 65583.2(h) and (i) to allow residential at 20-25 du/ac “by-right” and other changes to meet State law. The Planning Commission is asked to provide a recommendation to the City Council. The City Council will consider whether to adopt the 6th Cycle HEU General Plan Amendment (GPA 20-003) at a future public hearing.

Environmental Status: The 6th Cycle HEU Final Program Environmental Impact Report (PEIR) and associated Mitigation, Monitoring, and Reporting Program (MMRP) was certified by the City Council on October 5, 2020 (State Clearinghouse (SCH) No. 2020029064). The 6th Cycle Final PEIR is available at: www.delmar.ca.us/DocumentCenter/View/7171/Final-PEIR-91020.

Housing Programs in the 6th Cycle HEU are also covered, in part, by a separate PEIR (SCH No. 2019029058) prepared for amendments related to 5th Cycle Housing Element Programs 2E (NC zone) and 2F (PC zone). The NC/PC PEIR, which analyzed future housing in the NC, PC, and PF Zones, was certified by the City Council on September 8, 2020. The NC/PC Final PEIR is available at: www.delmar.ca.us/Archive.aspx?ADID=1428.

Contact Person: Amanda Lee, Principal Planner alee@delmar.ca.us

ADJOURNMENT:

I, Jennifer Gavin, Associate Planner for the City of Del Mar, certify that a copy of the foregoing was posted at the Del Mar City Hall on Thursday, February 25, 2021.



Jennifer Gavin
Associate Planner