

PLANNING COMMISSION REGULAR MEETING AGENDA

Civic Center - Council Chambers
505 South Vulcan Avenue
Encinitas, California 92024

**Thursday, August 5, 2010
6:00 P.M.**

THE CITY OF ENCINITAS IS AN EQUAL OPPORTUNITY PUBLIC ENTITY AND DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE OR DISABILITY IN EMPLOYMENT OR THE PROVISION OF SERVICE. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE PLANNING & BUILDING DEPARTMENT AT (760) 633-2710 AT LEAST 48 HOURS BEFORE THE MEETING IF DISABILITY ACCOMMODATIONS ARE NEEDED.

If you wish to speak to an item on the agenda, please fill out the appropriate speaker's slip and hand it to staff. PLEASE NOTE: SPEAKER SLIPS WILL NOT BE ACCEPTED AFTER THE AGENDA ITEM HEARING HAS STARTED.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the City Hall development services departments (north end) lobby during normal business hours.

To ensure that the City meets your needs when addressing the Planning Commission, all presentation materials which require the use of visual equipment needs to be submitted to the City's IT Division no later than 5:30 p.m. on the day of the actual meeting. This includes photographs, Microsoft Office documents (PowerPoint, Word, Excel), audio and visual CD's, DVD's, and USB thumb/flash drives. All materials must be in PC format. Please label all materials with the agenda item number you are representing. We prefer that digital presentation items be emailed to noconnor@cityofencinitas.org at least 24 hours in advance of the meeting (except for appeal hearings where materials must be submitted 7 days in advance). Should technical assistance be necessary, it will be available to presenters from 5:30 p.m. to 5:50 p.m. on the day of the meeting. Presentation of video/digital/photographs are considered part of the maximum time limit provided to speakers.

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

ORAL COMMUNICATIONS (15 MINUTES): *Oral comments (maximum of three minutes per person) will be heard from people who submit a white speaker's slip to staff. The law precludes the Commission from discussing or taking action upon such non-agenda items. They will be referred to the Planning Staff.*

CLOSING AND ADOPTION OF THE CONSENT CALENDAR

*Items on the **Consent Calendar** are matters, which are either routine, self-explanatory or have been discussed at previous meetings. It is anticipated that they will not be discussed separately. With a motion "**to adopt the Consent Calendar**" the Planning Commission approves all Consent Calendar staff recommendations, as shown on the agenda. These items are grouped together to allow time for other items on the regular agenda.*

However, items may be removed from the Consent Calendar for discussion either by a "Request to Speak" form from the public, handed to staff, or a request by a Commission Member. The Commission may also add items to the Consent Calendar by a majority consensus.

Items removed by a member of the public will be taken up immediately following adoption of the Consent Calendar. Items removed by a Commission Member will be taken up at the end of the regular agenda.

1. Approval of minutes for the Regular Meeting of June 3, 2010

STAFF CONTACT: Deana Gay, Administrative Support Coordinator

2. CASE NUMBER: 09-035 MUP/CDP

FILING DATE: March 17, 2009

APPLICANT: Blue Curl LLC.

LOCATION: 1084-1086 Neptune Ave (APN: 254-291-18)

ZONING: The subject property is located in the R-11 (Residential 11) zoning district of the City of Encinitas and within the California Coastal Commission Appeal Jurisdiction.

DESCRIPTION: Public Hearing to consider a Major Use Permit and Coastal Development Permit to authorize the demolition of existing unpermitted seawalls and the construction of an approximately 50-foot long by 18-foot high seawall and a 50-foot long by 26-foot high upper bluff wall. Both retention systems are proposed with tiebacks and will be colored and textured to match the natural appearance of the bluff. The application request also includes the reconstruction of a pre-Coastal Act stairway destroyed at the time of the 2008 bluff failure and the reconstruction of the mid bluff slope with imported soil and geogrid and proposed landscaping and temporary irrigation.

ENVIRONMENTAL STATUS: The project has been determined to be exempt from environmental review as per California Environmental Quality Act (CEQA) Guidelines Sections 15269(c) and 15302. Section 15269(c) exempts specific actions necessary to prevent or mitigate an emergency and Section 15302 exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

STAFF RECOMMENDATION: Staff recommends to the Planning Commission that the findings to approve the subject application can be made should the Commission take action to approve Case No. 09-035 MUP/CDP.

STAFF CONTACT: Roy Sapa'u, Senior Planner

3. CASE NUMBER: 10-080 CDP

FILING DATE: May 19, 2010

APPLICANT: Sawtooth Development

LOCATION: 599 Camino El Dorado (APN: 258-141-56)
ZONING: The subject property is located in the Rural Residential 2 (RR-2) Zone, the Hillside/ Inland Bluff Overlay (HIBO) Zone and within the Coastal Zone.
DESCRIPTION: A Coastal Development Permit for the construction of a new single-family residence with a detached accessory unit on an existing vacant property.
STAFF RECOMMENDATION: Staff recommends to the Planning Commission that the findings to approve the subject application can be made should the Commission take action to approve Case No. 10-080 CDP.
STAFF CONTACT: Andrew Maynard, Assistant Planner

ITEMS REMOVED FROM THE CONSENT CALENDAR BY THE PUBLIC

NOTE: THE PLANNING COMMISSION MAY NOT BEGIN A NEW HEARING AFTER 10:00 PM UNLESS APPROVED BY A MAJORITY OF THE COMMISSION.

REGULAR AGENDA

- 4. CASE NUMBER:** 10-006 GPA/LCPA/SPA/EIA
FILING DATE: January 14, 2010
APPLICANT: Encinitas Union School District
LOCATION: 608 Third Street (APN 258-151-22) – (formerly Pacific View Elementary)
ZONING: The subject property is located in the Downtown Encinitas-Public/Semi-Public (D-P/SP) zone and the Coastal Zone.
DESCRIPTION: A public hearing for proposed amendments to the General Plan, Local Coastal Plan, and Downtown Encinitas Specific Plan to modify the land use designation and zoning classification for 2.8 acres of developed property located at 608 Third Street. The amendments would redesignate the current land use designation from Public/Semi-Public (P/SP) to Residential 15 (R15) and reclassify the current zoning classification from Downtown Encinitas-Public/Semi-Public (D-P/SP) to Downtown Encinitas-Residential 15 (D-R15). No development is proposed as part of this application.
ENVIRONMENTAL STATUS: Pursuant to the California Environmental Quality Act (CEQA), the City has performed an Environmental Initial Study, which has determined that no significant environmental effects would result from the proposed land use amendments. Therefore, a Negative Declaration is recommended for adoption. The draft Negative Declaration was available for public review from June 4, 2010 through July 5, 2010.
STAFF RECOMMENDATION: Staff recommends that the Planning Commission **RECOMMEND** approval to the City Council to:
1. **Adopt** the Final Negative Declaration;
 2. **Approve** the redesignation of 2.8 acres from the existing General Plan Land Use and Local Coastal Program Land Use Plan designation of Public/Semi-Public (P/SP) to Residential 15 (R15), and the reclassification of its zoning from Downtown Encinitas-Public/Semi-Public (D-P/SP) to Downtown Encinitas – Residential 15 (D-R15);
 3. **Authorize** submittal of 10-006 GPA/LCPA/SPA to the California Coastal Commission.
- STAFF CONTACT:** J. Alfred Dichoso, Associate Planner

PLANNING COMMISSION/DIRECTOR REPORTS :

ADJOURNMENT: Adjourn to the Regular Meeting of August 19, 2010.

NOTES:

Final action by the Planning Commission may be appealed to the City Council accompanied by the required filing fee within fifteen (15) calendar days. The actions are not final until the end of the appeal period, or if appealed, the end of City Council review. Under California Government Code Sec. 65009, if you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Encinitas at, or prior to, the public hearing.

Items 2 and 3 above are located within the coastal zone and require issuance of a regular Coastal Development Permit. The action of the Planning Commission relative to Item 3 may not be appealed to the Coastal Commission. The action of the Planning Commission relative to Item 2 is appealable to the Coastal Commission. Item 4 requires the approval of the Coastal Commission following City action.