



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: December 12, 2024 REPORT NO. PC-24-060
HEARING DATE: December 19, 2024
SUBJECT: Coastal Commission Modifications to the Mira Mesa Community Plan and Local Coastal Program
REFERENCE: [Report to the Planning Commission, Report No.: 22-050](#)

SUMMARY

Issue: Should the Planning Commission recommend that the City Council adopt an amendment to the Mira Mesa Community Plan and Local Coastal Program to include the California Coastal Commission's suggested modifications?

Staff Recommendation: Recommend that the City Council ADOPT a resolution to amend the Mira Mesa Community Plan and Local Coastal Program to include the California Coastal Commission's suggested modifications.

Fiscal Impact Statement: None

Code Enforcement Impact: None

Housing Impact Statement: The Coastal Commission suggested modifications would not change the Mira Mesa Community Plan land use designations or the base zones.

Environmental Review: The Environmental Policy Section of the City Planning Department has reviewed the Coastal Commission's suggested modifications and determined them to be consistent with and covered in the Final Program Environmental Impact Report (EIR) for the Mira Mesa Community Plan Update (SCH No. 2022090061) which was adopted by the City Council on December 5, 2022 (Resolution R-314478). This activity is a subsequent discretionary action and is not considered to be a separate project for the purposes of CEQA review pursuant to CEQA Guidelines Sections 15378(c) and 15060(c)(3). Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 there is no change in circumstance, additional information, or project changes to warrant additional environmental review for this action.

BACKGROUND

On December 5, 2022, the City Council adopted the update to the Mira Mesa Community Plan and Local Coastal Program and certified a Final Program Environmental Impact Report. On January 10, 2023, the City Council adopted the associated rezone actions, Municipal Code Amendments, and amendment to the Local Coastal Program.

DISCUSSION

A portion of the Mira Mesa Community Plan area is within the Coastal Zone (Attachment 1). As required by the state Coastal Act, the City submitted the update to the Mira Mesa Community Plan and Local Coastal Program to the California Coastal Commission (Coastal Commission) for certification before updated community plan and rezones can take effect in the Coastal Zone. The Coastal Commission staff proposed extensive revisions and additions to the Mira Mesa Community Plan. City staff worked with Coastal Commission staff to address and where possible revise the suggested modifications. This process involved numerous meetings and discussions. The Coastal Commission staff proposed revised policies addressing the following Coastal Act related topics: public access, recreation, environmentally sensitive habitat areas, wetlands and water quality, tribal, cultural and archeological resources, stormwater and fire hazard management, and multi-modal transportation options.

The Coastal Commission staff also proposed modifications to include new policies related to the preservation and construction of low-cost visitor accommodations. This included the addition of a policy that requires that any new visitor accommodation must designate at least 25 percent of the proposed rooms as lower-cost visitor accommodations, which are defined as overnight visitor accommodations with an average daily room rate equal to or less than 75 percent of the annual statewide average daily room rate. The policy also included language that if low-cost visitor accommodations cannot be achieved on-site or off-site within the Coastal Zone, then an applicant would be required to pay an in-lieu mitigation fee for the construction of lower-cost accommodations elsewhere in the Coastal Zone. These modifications are also consistent with the modifications that the Coastal Commission proposed for the certification of the Barrio Logan Community Plan and Local Coastal Program and the amendment to the Otay Mesa-Nestor Community Plan.

On September 6, 2024, City staff provided a comment letter to the Coastal Commission (Attachment 2) which indicated that including policies within the Community Plan requiring new hotels to include on-site or off-site lower-cost accommodations, or the payment of an in-lieu fee to the City is not appropriate for a land use plan (Attachment 2). Staff further recommended that such regulatory language not be included in the community plan since the plan is intended to serve as a policy framework for future development. Additionally, the policy could have the unintended effect of discouraging the development of new overnight visitor accommodations in the community.

On September 12, 2024, the Coastal Commission conditionally certified the amendment to the Mira Mesa Community Plan and Local Coastal Program with modifications as recommended by their staff (Attachment 3). City staff has included the Coastal Commission's modifications in the Mira Mesa Community Plan and Local Coastal Program in strikeout/underline format (Attachment 4). A summary

of the modifications approved by the Coastal Commission include new and revised policies applicable in the Coastal Zone in the following areas:

- Public Access and Recreation:
 - Adds new policies that focus on the enhancement, protection and preservation of public access and recreation.
 - Adds new provisions to enforce the protection of natural resources through Open Space designations.
 - Provides regulations for public access trails located in biological buffers while still requiring the preservation of major topographic features, sensitive habitats, and natural drainage systems.
 - Prohibits the use of synthetic rubber and artificial turf during improvements to playgrounds, schools, and public trails.
 - Requires the development of lower-cost overnight accommodations in new hotel development or requires developers to pay an in-lieu fee for future lower-cost overnight accommodation development.
 - Encourages new visitor-serving accommodations to provide a range of affordability.
 - Requires no net loss of lower-cost overnight accommodations.
- Environmentally Sensitive Habitat Areas:
 - Creates new policies that ensure development avoids and does not encroach upon wetlands and environmentally sensitive habitat areas as defined in the Coastal Act to help ensure the long-term protection of biological resources.
 - Limits development within biological buffer zones to public trail access only.
 - Encourages Green Building standards and bird-safe building designs.
- Tribal, Archeological and Paleontological Resources:
 - Creates additional regulatory guides to identify development's potential impacts on tribal, archeological, or paleontological resources and requires impacted resources to be avoided or minimized.
 - Promotes early consultation with tribal officials.
 - Provides flexibility for how any identified resources are removed, restored, or protected in place under the supervision of a Native American monitor.
 - Encourages interpretive signage about local Native American history on public lands.
- Multimodal Access
 - Creates new policies that encourage alternative forms of public access to reduce vehicle miles traveled and greenhouse gas emissions.
 - Advances access improvements while ensuring that existing roadway facilities, such as parking, are protected for continued public access to the coast.
- Stormwater Management
 - Includes new policies on stormwater management and low-impact development to encourage private property owners to implement stormwater best management practices (BMPs) and promote using materials and methods that capture and treat runoff, such as green roofs and permeable surfaces.
- Fire Safety and Hazard Management
 - Creates additional regulatory guides to address fire-resistant design and brush management in open spaces to protect against wildfire risks, particularly in very high fire hazard severity zones.

CONCLUSION

For the update to the Mira Mesa Community Plan and Local Coastal Program, associated rezone actions, and Municipal Code amendments to take effect in the Coastal Zone, staff recommends the Planning Commission recommend to the City Council adoption of the amendment to the Mira Mesa Community Plan and the Local Coastal Program to include the Coastal Commission's suggested modifications. If the City Council adopts the amendment to the Mira Mesa Community Plan and the Local Coastal Program, the City Council's action will be forwarded to the Coastal Commission's Executive Director for final unconditional certification.

When the Coastal Commission provides final certification, the update to the Mira Mesa Community Plan, rezone actions, and Municipal Code amendments will go into effect in the Coastal Zone. If the amendment with the Coastal Commission modifications is not adopted, or if any changes to the modifications are made, the Community Plan would need to be resubmitted to the Coastal Commission for review. Therefore, staff recommends that the Planning Commission recommend to the City Council adoption of the amendment with the Coastal Commission's modifications to avoid any further delays in the implementation of the update to the Mira Mesa Community Plan in the Coastal Zone.

Respectfully submitted,



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Attachments:

1. Mira Mesa - Coastal Zone area
2. City Staff Letter to the Coastal Commission dated September 6, 2024
3. Coastal Commission Certification Letter dated September 12, 2024
4. Draft Mira Mesa Community Plan Amendment with Coastal Commission modifications (Strikeout Underline format copy)
5. Draft Mira Mesa Community Plan Amendment with Coastal Commission modifications (Clean copy)
6. Draft Resolution - Planning Commission Recommendation
7. Draft City Council Resolution - Mira Mesa Community Plan Amendment with Coastal Commission Modifications