



## Legislation Details (With Text)

**File #:** 16-0534      **Version:** 2

**Type:** \*Public Hearing - Staff Report      **Status:** Agenda Ready

**In control:** City Council Regular Meeting

**On agenda:** 12/20/2016      **Final action:**

**Title:** Second Reading and Adoption of Ordinance Nos. 16-0029, 16-0030, and 16-0031 for the Downtown Specific Plan and related Amendments, Including Amendments to the Local Coastal Program, and Adoption of Resolution No. 16-0086 Transmitting Ordinance Nos. 16-0030 and 16-0031 to the California Coastal Commission for Amendments to the Local Coastal Program (Community Development Director Lundstedt).  
ADOPT ORDINANCE NOS. 16-0029, 16-0030, AND 16-0031 AND RESOLUTION NO. 16-0086

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. City Council Study Session Consensus Items - April 18, 2016, 2. Final Draft Downtown Specific Plan and Appendices - October 2016, 3. Planning Commission Staff Reports Excluding Attachments, Approved Minutes for April 27, May 11, July 27 August 10, and October 26, 2016 Meetings, and Approved Planning Commission Resolution Nos. 16-06, 16-07, 16-08, and 16-09, 4. Planning Commission Clarification Items, 5. Summary Table of Consensus Items, Planning Commission Clarification Items, & Key Concepts, 6. "Redline Strikeout" of Final Draft Downtown Specific Plan (Chapters 4 and 6), 7. Tenant Frontage Maps, 8. Nonconforming Tenant Frontage Data, 9. Retail Sales Floor Area and Buildable Floor Area Data, 10. Potential Second-Floor Outdoor Dining Map, 11. Proposed Second-Floor Outdoor Dining Map, 12. Second-Floor Outdoor Dining Cross-Section, 13. Live/Work Regulations, 14. MBMC 18.84.120 - Minor Exceptions, 15. Minor Exception Flow Chart, 16. Resolution No. 16-0075, 17. Ordinance No. 16-0029, 18. Ordinance No. 16-0030, 19. Ordinance No. 16-0031, 20. Interim Zoning Ordinance No. 16-0013-U, 21. Public Hearing Published and Mailed Notices, 22. Public Comments, 23. Final Initial Study/Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program (MMRP), and Response to Comments, 24. PowerPoint Presentation, 25. Ordinance No. 16-0029, 26. Ordinance No. 16-0030, 27. Ordinance No. 16-0031, 28. Resolution No. 16-0086, 29. Public Comments Regarding Second Reading, 30. December 6, 2016 City Council Staff Report

Date	Ver.	Action By	Action	Result
12/20/2016	2	City Council Regular Meeting	adopted	Pass
12/20/2016	2	City Council Regular Meeting		
12/6/2016	1	City Council Regular Meeting	approved	Pass
12/6/2016	1	City Council Regular Meeting	accept	Pass
12/6/2016	1	City Council Regular Meeting	approved	Pass
12/6/2016	1	City Council Regular Meeting	approved	Pass
12/6/2016	1	City Council Regular Meeting	approved	Pass
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12/6/2016	1	City Council Regular Meeting	approved	Pass
12/6/2016	1	City Council Regular Meeting	approved	Pass

**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Marisa Lundstedt, Community Development Director  
Nhung Madrid, Senior Management Analyst  
Laurie Jester, Planning Manager  
Ted Faturos, Assistant Planner

**SUBJECT:**

Second Reading and Adoption of Ordinance Nos. 16-0029, 16-0030, and 16-0031 for the Downtown Specific Plan and related Amendments, Including Amendments to the Local Coastal Program, and Adoption of Resolution No. 16-0086 Transmitting Ordinance Nos. 16-0030 and 16-0031 to the California Coastal Commission for Amendments to the Local Coastal Program (Community Development Director Lundstedt).

**ADOPT ORDINANCE NOS. 16-0029, 16-0030, AND 16-0031 AND RESOLUTION NO. 16-0086**

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**RECOMMENDATION:**

Staff recommends that the City Council:

1. Adopt Ordinance No. 16-0029, approving Zoning Code and Zoning Map Amendments to reflect the Downtown Specific Plan;
2. Adopt Ordinance No. 16-0030, approving amendments to the Local Coastal Program's Land Use Policy and Zoning Maps and Implementing Ordinance Section A.16.030(G) to reconcile designation nomenclature and map and text inconsistencies;
3. Adopt Ordinance No. 16-0031, approving amendments to the Local Coastal Program's Implementation Plan to incorporate the Downtown Specific Plan, and related text amendments; and
4. Adopt Resolution No. 16-0086 approving a formal statement of transmittal to the California Coastal Commission to submit the Downtown Specific Plan.

**FISCAL IMPLICATIONS:**

No direct fiscal implications associated with the recommended action.

**BACKGROUND/DISCUSSION:**

The City Council, at its regular meeting of December 6, 2016, conducted a noticed public hearing, received public testimony with several members of the public commenting on second-floor outdoor dining, right-of-way dining, Beach Head turnaround, the Plan's Vision Statement, and retaining the small-town character of the Downtown. The City Council considered the community's input and revised the Final Plan to reflect those changes. Subsequently, the City Council introduced and

approved (4-0-1) Ordinance Nos. 16-0029, 16-0030, and 16-0031 all which are related to the Downtown Specific Plan and proposed amendments to the Local Coastal Program (LCP). Resolution 16-0086 formally submits the amendments to the Coastal Commission for its certification.

Please note that the City Council made a number of changes to the Downtown Specific Plan. However, these revisions were to the Specific Plan, not the Ordinances. Thus, the Ordinances are identical to the Ordinances that were introduced on December 6, 2016. The City Council hereby authorizes the City Clerk to make any other corresponding language changes to the Local Coastal Program and/or the Municipal Code to achieve internal consistency as required.

### **ENVIRONMENTAL REVIEW**

In accordance with the provisions of the California Environmental Quality Act (CEQA), the City prepared an Initial Study to determine whether the proposed project could have a significant adverse impact on the environment. Although the proposed project could have a significant effect on the environment, revisions and mitigation measures have been incorporated into the project and there are no significant impacts.

Therefore, the City prepared a Mitigated Negative Declaration (MND). A Mitigation Monitoring and Reporting Program (MMRP) has also been prepared to ensure compliance with the requisite mitigation measures. The Downtown Specific Plan Draft MND was posted for public review and comment from August 25, 2016 to September 23, 2016. The City received four written comments and has responded to all of them accordingly. Although the MND evaluated the project's environmental effects, CEQA does not apply to activities and approvals necessary for the preparation and adoption of LCP Amendments in accordance with State regulations.

### **LEGAL REVIEW**

The City Attorney has reviewed and approved as to form the ordinances and resolution.

### **ATTACHMENTS**

1. Ordinance No. 16-0029
2. Ordinance No. 16-0030
3. Ordinance No. 16-0031
4. Resolution No. 16-0086
5. Public Comments Regarding Second Reading
6. December 6, 2016 City Council Staff Report