



**NATIONAL CITY  
LOCAL COASTAL PROGRAM  
IMPLEMENTATION**

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IMPLEMENTATION

Prepared By  
the City of National City, 1989

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NATIONAL CITY LOCAL COASTAL PROGRAM  
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I. INTRODUCTION

A. Coastal Act Requirements

The Coastal Act states that a Local Coastal Program (LCP) shall consist of a local government's land use plans, zoning ordinances, zoning district maps, and implementing actions which implement the provisions of the Coastal Act at the local level. Further, the Coastal Act provides that the implementation phase shall be developed in a manner consistent with the Land Use Plan. Section 30513 of the Coastal Act reads that the Coastal Commission "may only reject zoning ordinances, zoning district maps, or other implementing actions on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the Certified Land Use Plan." The LCP Implementation document is a compilation and description of the various implementation actions necessary to carry out the policies of the Land Use Plan.

B. National City's implementation

Implementation of the LCP, and therefore the policies of the Coastal Act, will be accomplished by supplementing the existing zoning ordinance (Land Use Code) of National City. Chapter 18.39 of the Land Use Code applies the provisions of the LCP to properties within the coastal zone. It is described in Section X of the Implementation document.

Implementation of the LCP includes only those sections or portions of the Land Use Code which specifically carry out the LCP. It also includes exceptions or additions necessary to achieve consistency with the Land Use Plan. The proposed implementing regulations are described in the document in the same order as the current Land Use Code of the City of National City.

C. Coastal development permit authority

After certification of the total Local Coastal Program, review authority for coastal development will revert from the State Coastal Commission to the City except for specified areas, i.e. tidelands, submerged lands, and public trust lands, according to Section 30519 of the Coastal Act. The San Diego Unified Port District has authority for coastal development permit approval within its territorial jurisdiction. The City, in issuing coastal development permits after certification, must make the finding that the development is in conformity with the approved LCP. After certification of the LCP, the State Coastal Commission will continue to have legislatively mandated responsibilities (Coastal Act Sec. 30603). These include:

- approval of amendments to the LCP
- retained permit jurisdiction over development in certain areas (i.e., development in state tidelands)
- hearing appeals on development in specified areas including development between the sea and the first public road; development within 100 feet from wetlands, estuaries or streams, or within 300 feet of the top of the seaward face of any coastal bluff; and major public works or energy facilities.
- monitoring locally-issued coastal development permits to assure LCP implementation.

## II. DEFINITIONS

The following definitions are in addition to those contained in Chapter 18.04 of the Land Use Code of National City. They apply only to the coastal zone.

Unless specifically defined below, or in Chapter 18.04 of the Land Use Code, or in the Coastal Act, words or phrases used in any implementing regulation of the Local Coastal Program shall be interpreted so as to give them the meaning they have in common usage and to give the implementing regulations of the Local Coastal Program their most reasonable application.

- A. Aggrieved Person - any person who, in person or through a representative, appeared at a public hearing of the City in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing, informed the City of the nature of his concerns or who for good cause was unable to do either.
- B. Appealable Development - in accordance with Public Resources Code (Coastal Act) Section 30603(a) any of the following:
- (1) Developments approved by the City between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
  - (2) Developments approved by the City within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.
  - (3) Any development which constitutes a major public works project or a major energy facility. The phrase "major public works project or a major energy facility" as used in Public Resources Code Section 30603 (a)(5) and the implementing regulations of the Local Coastal Program shall mean any proposed public works project, as defined by Section 13012 of the Coastal Commission Regulations (Title 14, California Administrative Code, Division 5.5), or energy facility, as defined by Public Resources Code Section 30107.
- C. Appellant - any person who may file an appeal, including an applicant, any aggrieved person or any two members of the Coastal Commission.
- D. Applicant - the person, partnership, corporation, state or local government agency applying for a coastal development permit.
- E. Approving Authority - the city officer, planning commission or council approving a coastal development permit.

- F. Categorically Excluded Development - a development which the Coastal Commission has determined pursuant to Section 30610(e) of the Public Resources Code to have no potential for significant adverse effects, either individually or cumulatively, on Coastal resources or on public access to or along the coast and therefore, pursuant to a categorical exclusion order, has issued an exclusion in accordance with the applicable regulations from the required coastal development permit (defined below).
- G. Coastal Commission - California Coastal Commission.
- H. Coastal-Dependent Development or Use - any development or use which requires a site on, or adjacent to, the sea to be able to function at all.
- I. Coastal-Related Development - any use that is dependent on a coastal-dependent development or use.
- J. Coastal Development Permit - a permit for any development within the Coastal Zone that is required pursuant to subdivision (a) of Section 30600 of the Coastal Act.
- K. Development - on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes and kelp harvesting.
- As used in this subsection, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.
- L. Environmentally Sensitive Area - any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

- M. Feasible - capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.
- N. Grading - Any excavating or embankment or combination thereof.
- Excavation or cut - any act by which earth, sand, gravel, rock or any similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and the conditions resulting therefrom.
- Embankment or Fill - any act by which earth, sand, gravel, rock or any other material is deposited, placed, pushed, dumped, pulled, transported, or moved to a new location and the conditions resulting therefrom.
- O. Implementing Actions - the ordinances, regulations, or programs which implement the provisions of the Certified Local Coastal Program and which are submitted pursuant to Section 30513 of the California Coastal Act.
- P. Intensification of Use - A change of intensity of use which requires either more or less parking, based on the requirements of the LCP Implementation Ordinance.
- Q. Land Use Code - the Land Use Code of the City of National City, Title 18 of the National City Municipal Code.
- R. Land Use Plan - the relevant portions of a local government's Local Coastal Program which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions.
- S. Local Coastal Program - the City's Land Use Plan, zoning ordinances, zoning maps, and other implementing actions certified by the Coastal Commission as meeting the requirements of the California Coastal Act of 1976.
- T. Major Energy Facility - any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy which exceeds \$100,000 in its estimated cost of construction.
- U. Major Public Works Project - Any public works project which exceeds \$100,000 in its estimated cost of construction.
- V. Notice to Issue Coastal Development Permit - letter or certificate issued by the City, approving a development subject to fulfillment of conditions prior to issuance of a coastal development permit, and if such conditions are fulfilled,



approving a development as being in conformance with and adequate to carry out the Local Coastal Program.

- W. Sea - the Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to tidal action through any connection with the Pacific Ocean, excluding nonestuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.
  
- X. Wetland - lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, fresh water marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

### III. COMMERCIAL ZONES

#### A. Purposes

In addition to the general purposes of the commercial zones stated in Section 18.16.010 of the Land Use Code, it shall be the purpose of commercial zones to implement the commercial designations of the Land Use Plan as well as descriptions and policies contained in the Land Use Plan. To comply with the designations of the Land Use Plan, the boundaries of the commercial zones shall be changed in four locations. The changes are described in attached exhibits (see appendix). The Land Use Plan designations and zone boundary changes implement Land Use Plan policies regarding public accessways and tourist commercial and recreational use at the bayfront. Their locations are also described in the text of the Land Use Plan.

National City's Land Use Code contains several commercial zones, of which three apply to areas within the coastal zone. These three commercial zones are the Commercial Tourist (CT) zone, the Commercial Automotive (CA) zone, and the Heavy Commercial (CH) zone. Chapter 18.16 of the Land Use Code provides regulations applicable to the commercial zones. Sections which are necessary to carry out the Land Use Plan are described or listed below. Exceptions and additions to Sections 18.16.020, 18.16.090 and 18.16.350 are described regarding uses to be allowed in the coastal zone, specific to the tourist commercial designations, and regarding height limits. The changes conform to the Land Use Plan policies which provide for specific plans for the CT-zoned area (recreation policies 1 & 3), and to the Land Use Plan description of the tourist commercial designation. Reference should also be made to Section XVII (Site Plan Review) of the LCP implementation document for additional requirements.

#### 1. Purpose of commercial tourist (CT) Zone

Section 18.16.020 of the Land Use Code states that the purpose of the CT zone is to provide areas catering specifically to the needs of automobile oriented trade, such as transient accommodations and services, certain specialized retail outlets, and commercial amusement enterprises. Within the coastal zone, the purpose of the CT zone is to further accommodate tourist commercial, recreational and open space uses, consistent with the description of the tourist commercial designation of the Local Coastal Program, Land Use Plan, and consistent with the policies of the Local Coastal Program, Land Use Plan.

2. Purposes of the heavy commercial (CH) zone

Section 18.16.070 of the Land Use Code states that the purposes of the CH zone are to:

- A. Provide for an area for intensive commercial activities and specialized service establishments requiring a central location;
- B. Permit limited and restricted manufacturing and wholesaling and distribution facilities governed by standards controlling the intensity of use, the external effects upon surrounding areas, and in general limiting the uses to those that can be operated in a clean and quiet manner.

Within the coastal zone, the CH zone is applied to areas generally developed with industrial and commercial uses near National City Boulevard. It conforms to the general policy direction for commercial and industrial use in subarea III of the coastal zone and with the Land Use Plan map.

3. Purpose of commercial automotive (CA) Zone

Section 18.16.080 of the Land Use Code states that the purpose of the CA zone is to provide an area for new and used automobile and truck sales and services, and for sales and services that support and complement such use. The CA zone also conforms to the general policy direction of the Land Use Plan for commercial use in the area along National City Boulevard.

B. Uses Permitted

1. Principal uses and structures permitted

Section 18.16.090 of the Land Use Code provides for the designation of the principal uses permitted in the commercial zones by use group. The use groups are collections of individual uses of similar character and are fully described in Chapter 18.104 of the Land Use Code. The use groups permitted in commercial zones are listed in Table V, within Land Use Code Section 18.16.090. All use groups listed in Table V, except 9 (dwelling, single-family), 10 (dwelling, two-family) and 11 (dwelling, multi-family) apply to one or more of the three commercial zones in the coastal zone. The applicable use groups, reference sections, and detailed listing of uses by use group in Appendix D of the Land Use Plan describe the principal uses and structures permitted, with the following exceptions:

- a. Offices and studios (Use Group 27) shall be permitted only as an accessory use to a recreational or tourist oriented development.
- b. Eating places (drive-through, drive-in, take-out) (Use Group 14) shall require a conditional use permit in the CT zone.
- c. In the CT-zoned area westerly of Paradise Marsh, uses shall be determined by adoption of a specific plan, consistent with the Land Use Plan. Uses may also be permitted in other CT-zoned areas in the coastal zone by adoption of a specific plan, as provided by the Land Use Code, consistent with the policies of the Local Coastal Program, Land Use Plan, and with the description of the tourist commercial designation of the Land Use Plan. The tourist commercial designation of the Local Coastal Program permits a broader range of uses than the CT zone. It permits boat marinas and supportive commercial and recreational businesses; boat storage areas; boat sales, leasing, rentals and service; restaurants with cocktail lounges, nightclubs, dancing and entertainment; tourist-oriented retail stores; museums and aquariums. Off-street parking facilities may also be permitted as a principal use which would serve nearby tourist-oriented uses. Such uses shall be permitted only with adoption of a specific plan.
- d. In the CT-zoned area north of Paradise Marsh Use Groups 1, 2 and 8 shall not be permitted.

2. Accessory uses.

Section 18.16.100 of the Land Use Code provides for accessory uses and buildings customarily incidental to a permitted use in commercial zones.

Although conditions are required by the Land Use Code for all accessory permitted uses, only those listed in the following Sections are required to carry out the Land Use Plan: 18.16.110 (Commercial uses in hotels and motels), 18.16.120 (Storage buildings and garages), 18.16.130 (Recreational facilities), 18.16.160 (Automobile service stations in the CT zone), and 18.16.180 (Off-street parking and loading). The conditions may be modified by an approved specific plan. Conditions required by the Land Use Code for other permitted accessory uses exceed the directives of the Land Use Plan and are not included in the Local Coastal Program.

C. Development Standards

Uses, lot area, required setbacks, signing, parking, building aesthetics and materials, building height, and other design standards would be in conformance with Chapter 18.16 of the Land Use Code of National City for all commercial zones. Specifically, only two portions of Chapter 18.16 are necessary to implement the Land Use Plan (Visual Resources Policy 5): Section 18.16.340 (Building aesthetics and materials) and the portion of Land Use Code Section 18.16.350 regarding building height. Although not specifically addressed by the Land Use Plan, subsection B of Section 18.16.192 (Motels) also carries out the intent of the Land Use Plan. It prohibits kitchen facilities from motel rooms (except the manager's unit), consistent with the tourist, nonresidential use and the related parking requirement for such use. In the coastal area, height limits for the CT zones shall be further established by required specific plans, described in Section X of the Local Coastal Program Implementation document.

Sections XI, XII, and XIII of the LCP Implementation document, regarding parking, signing and landscaping, also implement the Land Use Plan and contain provisions for the commercial zones. Also, regulations listed in Section X of the LCP Implementation document shall apply, based on development site characteristics.

#### IV. INDUSTRIAL ZONES

##### A. Purposes

In addition to the general purposes of industrial zones provided in Section 18.18.010 of the Land Use Code, it shall be the purpose of the industrial zones to provide for the continued operation of marine related industrial uses within the coastal zone. Such purpose conforms with the general policy direction of the Land Use Plan that priority shall be given to marine related industrial uses in the event that different industrial land uses are competing for available industrial land. The analysis provided in the chapter of the Land Use Plan regarding industrial development indicates no current need for governmental regulation to restrict industrial uses which are not marine related. It recommends policy to allow the free market to operate with minimum regulatory intervention. Much of the area for marine related industrial uses in National City lies outside of National City's LCP jurisdiction, and is under the jurisdiction of the U.S. Navy and San Diego Unified Port District.

The Land Use Code of National City contains several industrial (manufacturing) zones, of which three apply to areas within the Coastal Zone under its jurisdiction. The three industrial zones are Light Manufacturing (ML) Medium Manufacturing (MM) and Heavy Manufacturing (MH). The different industrial zones reflect the different uses addressed by the Land Use Plan east and west of I-5.

To comply with the Land Use Plan Map, zone boundaries shall be modified, affecting the MM-CZ zone west of Paradise Marsh and the ML-CZ zones east of I-5, south of 30th Street and north of Rt. 54, as well as the ML zoned property on the east side of National City Boulevard, northeast of 33rd Street. See attached maps. The modifications are consistent with the land use plan designations and with policies which encourage tourist commercial and recreational use in the area west of Paradise Marsh and with marshland preservation policies.

Chapter 18.18 of the Land Use Code provides regulations applicable to the industrial (manufacturing) zones. Sections which are necessary to implement the Land Use Plan are listed or described below. Reference should also be made to Section XVI (Site Plan Review) for additional requirements.

##### 1. Purposes of light manufacturing (ML) zone

Section 18.18.020 of the Land Use Code states that the purposes of the ML zone are to:

- A. Establish low intensity industrial uses in areas near residential and commercial zones;

- B. Require all industrial uses to be adequately housed in completely enclosed buildings;
- C. Limit, with the aid of performance standards, the physical effects of industrial activities to levels permitting no objectionable or obnoxious smoke, noise, vibration, fumes, radiation, glare phenomena, and fire and explosive hazards.

2. Purposes of medium manufacturing (MM) zone

Section 18.18.030 of the Land Use Code states that the purposes of the MM zone are to:

- A. Establish intermediate industrial uses in areas in which production and processing activities involve some degree of noise, vibration, air pollution, radiation, glare phenomena, and fire and explosive hazards;
- B. Limit, with the aid of performance standards, the physical effects of such phenomena beyond the boundaries of the industrial property.

3. Purposes of heavy manufacturing (MH) zone

Section 18.18.040 of the Land Use Code states that the purposes of the MH zone are to:

- A. Establish areas for the heaviest and most intensive industrial uses in areas in which production and processing activities would involve the highest expected amounts of noise, vibration, air pollution, radiation, glare phenomena, and fire and explosive hazards.
- B. Control and suppress any hazards and prevent adverse effects to the community.

B. Uses Permitted

1. Principal Uses and structures permitted

Section 18.18.060 of the Land Use Code designates the principal uses permitted in the manufacturing zones by use groups. The use groups are collections of individual uses of a similar character and are fully described in Chapter 18.104. The use groups permitted in manufacturing zones are listed in Table IX of Section 18.18.060.

2. Accessory uses and structures permitted.

Accessory uses and buildings customarily incidental to a permitted principal use in manufacturing zones are listed in Table X of Land Use Code Section 18.18.070.

All conditions required by the Land Use Code for all accessory permitted uses would apply to the coastal zone. However, they are not specifically required to carry out the Land Use Plan and, therefore, are not listed here.

3. Development standards

Uses, lot area, required setbacks, signing, parking, building aesthetics and materials, building height, and other design standards would be in conformance with Chapter 18.18 of the Land Use Code. Two sections of Chapter 18.18 are necessary to implement visual resources policy 5 of the Land Use Plan: Section 18.18.240 (Building aesthetics and materials) and the portion of Section 18.18.250 regarding building height. Maximum height limits are 35 ft. in the ML, Light Manufacturing, zone and 60 ft. in the MM, Medium Manufacturing, and MH, Heavy Manufacturing, zones.

Sections XI, XII and XIII of the LCP Implementation document regarding parking, signing and landscaping, also implement the Land Use Plan and contain provisions for the industrial zones. Also, regulations listed in Section X of the LCP Implementation document shall apply, based on development site characteristics.



V. OPEN SPACE RESERVE ZONE

A. Purpose

Intent and Purpose

Section 18.21.010 of the Land Use Code states the following: The intent and purpose of the Open Space Reserve (OSR) zone is to provide a use category to include public and private lands, playgrounds, salt marsh and coastal wetlands, water areas, uninhabited agricultural lands, recreational lands, public utility areas, flood control channels, and other scenic and open space areas shown in the Open Space and Conservation Element of the City's General Plan and Local Coastal Program. It is also the intent of this zone to provide for permanent open space use in the City by restricting development in such areas as designated on the zoning map.

To comply with the policy recommendations of the Land Use Plan, the zoning designation for Paradise Marsh shall be Open Space Reserve (OSR). The OSR designation applies to the marsh area required for acquisition by the Army Corps of Engineers for the Sweetwater River Flood Control Improvements, marsh area within Caltrans right-of-way, east of the SDG&E right-of-way, and marsh area east of I-5 and west of Hoover Avenue, south of 30th Street.

The Combined General Plan/Zoning Map shall be modified to reflect the Land Use Plan. Changes add property to the MM and CT designated areas west of Paradise Marsh and add area to the ML designation both north and south of existing marsh area east of I-5. (See attached maps.) The changes are consistent with the boundaries of the OSR designation as described in the Land Use Plan.

Additional wetlands in private ownership are not designated OSR but are addressed by regulations which apply to the coastal zone. Refer to Section X of the LCP Implementation document.

Chapter 18.21 of the Land Use Code applies to the areas of the coastal zone designated OSR. The only section of the chapter necessary for implementation of the Land Use Plan is described below.

B. Uses permitted

Section 18.21.030 of the Land Use Code lists the uses permitted in the open space reserve zone. It designates different use groups with specific uses for water areas and land areas.

Not all uses listed in Section 18.21.030 may be appropriate for the OSR designation within the coastal zone. The following shall also apply to the OSR designation in the coastal zone:

Provisions of the City's Local Coastal Program, classified in Section X of the LCP Implementation document, shall be applied to determine whether the uses listed in Land Use Code Section 18.21.030 may be permitted in the coastal zone. In addition, typical permitted uses in wetland areas shall be limited to those uses listed in use group 38 - Open Space Reserve (water areas). They include incidental public service purposes, restorative measures, and nature study, consistent with Marsh Preservation Policy 1 of the Land Use Plan. Additionally, permitted uses in the wetland buffer areas are limited to open space, landscaping with native species and hiking trails. Any permitted passive recreational improvements for the public shall be limited to the upper half of the wetland buffer. No other uses are permitted by the OSR designation in the coastal zone.

C. Development Standards

In the coastal zone, development shall comply with regulations listed in Section X of the LCP Implementation document. As noted in Section X, a specific plan shall be prepared to address requirements for restoration of Paradise Marsh.

## VI. FLOOD PLAIN ZONING

### A. Purpose

The purpose of flood plain zoning regulations is to carry out environmental hazards policy 1 of the Land Use Plan and to protect development from flood hazards.

### B. Regulations

Chapter 18.24 of the Land Use Code provides regulations for three floodway overlay zones. The floodway fringe overlay zone (-FF-1) is the only floodway overlay zone in the coastal zone. With the exception of any references to manufactured homes, the following sections of Chapter 18.24 are applicable to the Local Coastal Program implementation:

- 18.24.050 (Lands to which this Chapter Applies)
- 18.24.070 (Floodway Fringe Combining Zone (-FF-1) Established)
- 18.24.090 (Standards Applicable to All Areas of Special Flood Hazard)
- 18.24.110 (Standards applicable to designated floodway fringe zone (-FF-1))
- 18.24.130 (Flood hazard area development permit (FHAD) established)
- 18.24.160 (Alteration of watercourse- conditional use permit required)
- 18.24.170 (Determination of special flood hazard zone)
- 18.24.180 (Appeals)
- 18.24.190 (Exceptions).

## VII. OPEN SPACE DESIGNATION

### A. Intent and purpose

Section 18.42.010 of the Land Use Code states that the intent and purpose of the open space combining zone (-OS) is to provide an open space combining zone to include public school sites, public and private lands, playgrounds, salt marsh lands, water areas, uninhabited agricultural or aquacultural lands, recreational lands, public utility areas, freeway rights-of-way, railroad rights-of-way, flood control channels, and other scenic and open space areas shown on the “Open Space and Conservation Element” of the City’s general plan. It also states that it is the intent of this zone to provide for permanent open space and open space use in the City by limiting development in such areas as designated on the zoning map.

The Land Use Plan and the Combined General Plan/Zoning Map apply the OS (Open Space) designation to the I-5 and Rt. 54 freeway right-of-way, the MTDB San Diego Trolley right-of-way, and the Sweetwater River Flood Control Channel. As noted in the Land Use Plan, no development of the area in the right-of-ways is anticipated, other than landscaping and transportation related improvements. There is one exception, which applies to a triangular-shaped area, approximately one-half acre, underneath I-5 on the north side of Civic Center Drive, west of the trolley right-of-way. It is undeveloped. The ML (light manufacturing) zone applies to the property. Any improvements would require approval by both Caltrans and the City. No change to the ML designation is necessary since it does not affect the intent of the Land Use Plan for the general development of the area. However, the CZ (Coastal Zone) designation shall be added to apply to the area (see attached map).

Other minor changes to the Combined General Plan/Zoning Map are proposed to reflect the Land Use Plan. The boundary of the OS and OSR designations, in the area northeast of I-5 and Rt. 54 shall be relocated to follow the eastern boundaries of freeway and trolley right-of-ways. The OS designation shall also be applied to the Sweetwater River Flood Control Channel west of I-5. A minor boundary change is also needed with regard to the CH zone south of Rt. 54. See attached maps.

### B. Regulations

Section 18.42.030 of the Land Use Code states that areas designated -OS shall be limited to the primary uses designated in Chapter 18.42 as established at the date of adoption of the National City Land Use Code and as may be maintained and expanded within the properties now established for such use and secondary uses. However, within the coastal zone, new open space uses may be developed where the OS designation is applied. Such uses shall be limited to the primary and secondary uses listed in Sections 18.42.040 and 18.42.050.

Any development shall comply with regulations listed in Section X of the LCP Implementation document.

Section 18.42.060 of the Land Use Code, which allows for additional, conditional uses, does not apply to the coastal zones. Also, Section 18.42.070 of the Land Use Code, regarding filling or dredging in bay, slough, or salt marsh areas, applies to the OS designation city-wide. However, it is not required to carry out the Local Coastal Program. Regulations regarding filling or dredging in the coastal zone are addressed in Section X of the LCP Implementation document.

## VIII. PLANNED DEVELOPMENT DESIGNATION

### A. Intent and Purpose

Section 18.32.010 of the Land Use Code describes the intent and purpose of the Planned Development (PD) Overlay Zone. Furthermore, the PD designation provides for discretionary review to determine whether a proposed development is designed appropriately for its intended use. The PD overlay is applied with the light manufacturing (ML) zone to an area under the Caltrans (I-5) right-of-way, on the north side of Civic Center Drive. It is also applied with the tourist commercial (CT) zone to the area north of Paradise Marsh and south of 24th Street. The overlay zone conforms with the objective of visual resources policy 5 of the Land Use Plan to ensure visually appropriate development. A specific plan is also required for the CT-zoned area, as described in Section X of the LCP Implementation document. The Specific Plan may set sufficient direction to avoid the planned development permit procedure.

### B. Procedure

The PD overlay requires approval by the Planning Commission or City Council on appeal, for new project design, determined by a planned development permit. A planned development permit may be approved subject to consistency with the Land Use Code, if after public notice and hearing, required findings for approval are determined to be supported by project information or by required conditions of approval.

Chapter 18.126 of the Land Use Code provides that planned development permit applications shall be processed in the same manner as conditional use permits. Conditional use permit regulations are included in Chapter 18.116 of the Land Use Code and referenced in Section XVI of the LCP implementation document. No exceptions to Land Use Code requirements referenced in the LCP implementation document may be granted with approval of a planned development permit without a variance and an amendment to the local coastal program implementation.

## IX. REDEVELOPMENT AREA DESIGNATION

### A. Intent and Purpose

Section 18.36.010 of the Land Use Code describes the intent and purpose of the redevelopment area (RD) overlay zone.

Although not required, a City redevelopment plan may be considered to carry out the policies of the Land Use Plan. In some areas, existing development does not conform to the Land Use Plan. For example, industrial buildings in the area north of Paradise Marsh do not conform to policies for tourist commercial development.

### B. Procedure

The RD overlay is applied after approval of a redevelopment plan by City Council, as referenced by Section 18.36.020 of the Land Use Code. Such application goes beyond the requirements of the Local Coastal Program and does not affect Land Use Plan policies for implementing ordinances and procedures. However, a redevelopment plan or portions of a redevelopment plan may be determined equivalent to a specific plan required by the Local Coastal Program. Redevelopment projects must be in conformance with local coastal program requirements and may require an amendment to the Land Use Plan or implementing ordinances.

X. COASTAL ZONE DESIGNATION

A. Intent and purpose

Section 18.39.010 of the Land Use Code states that the intent and purpose of the coastal zone is to identify and give notice that properties within this zone are affected by the city's Local Coastal Program. The General Plan/Zoning Map shall be modified to add the CZ (Coastal Zone) designation to freeway and trolley rights-of-way within the coastal zone. (See attached maps).

B. Regulations

Section 18.39.030 of the Land Use Code provides that, in addition to meeting the requirements of the underlying zone, any use on a property bearing the symbol -CZ on the zoning map must in addition meet the provisions of the City's Local Coastal Program. When there is a conflict between the provisions and requirements of the underlying zone and the CZ overlay zone, the provisions and requirements of the CZ zone shall prevail.

The following regulations for development in the coastal zone are supplementary to those referenced in other sections of the LCP Implementation document and shall be addressed as conditions for approval of a coastal development permit. They are required to implement the policies of the Land Use Plan. (At the end of each proposed section, the applicable Land Use Plan policy is referenced.)

1. Access requirements

a. New development shall provide public accessways, consistent with Figure No. 4 of the Land Use Plan and, to the maximum degree feasible, with the coastal access standards prepared jointly by the California Coastal Commission and the Coastal Conservancy. The accessways shall be protected through public access easements or other suitable means of conveyance. (public access policies 1, 2, 4)

b. New development shall be reviewed to determine evidence of public use and shall not interfere with any desirable public access established by public use. (public access policy 9)

2. Specific Plan requirements

Specific plans, listed below, shall be adopted by the City and certified by the Coastal Commission before coastal development permit issuing authority is transferred to the City for these areas. Each specific plan may be prepared separately or in combination with any other.



