



Planned Development District 2 (PD-2) Belmont Pier Amendments Local Coastal Program Amendment

City Council Public Hearing - July 13, 2021

Recent Actions

- Planning Commission recommended approval of the EIR Addendum and the revised project on December 19, 2019
- City Council denied the appeals, adopted the EIR Addendum, and approved all necessary actions to approve the revised project, amend PD-2 Ordinance, implement zone change, and amend the Local Coastal Program on January 21, 2020
- City staff worked with CCC staff throughout 2020 to address Coastal questions and issues
- CCC denied the appeals and conditionally approved the requested Coastal Development Permit and Local Coastal Program Amendment requests on February 11, 2021
- CCC's conditional approval included nine suggested modifications to LCP/Ordinance language that must be completed by the City by August 11, 2021

Implementation of the Coastal Commission's Suggested Modifications

- Staff has incorporated all of CCC's suggested modifications into a revised PD-2 Ordinance
- The PD-2 Ordinance is both the local zoning, and an Implementing Ordinance of the LCP
- These modifications amend PD-2 and the LCP primarily to:
 - Clarify PD-2 and LCP policies and PD-2 development standards
 - Cleanup to PD-2 Ordinance to be consistent with and reflect previous, certified LCP amendments

Coastal Commission's Suggested Modifications – Summary

Modifications to PD-2/Implementing Ordinance of LCP

Modifications Related to PD-2 and Local Coastal Program in General

- Clarifies public and recreation access purpose;
- Clarifies standard of review (Coastal Act and LCP);
- Corrects references to general plan to refer to versions certified by Coastal Commission; and,
- Cleanup to PD-2 Ordinance to make it conform with certified language on file with Coastal Commission.

Staff have confirmed the suggested modifications do not substantially change plan policies and implementation and do not affect the BBAC project or cause the need for any substantial redesign; neither will they substantively affect any existing uses, residences, or businesses within PD-2.

Required Approvals

Five actions are needed by the City Council to complete the Local Coastal Program Amendment:

- **Zoning Code Amendment to PD-2 Ordinance.** Amends PD-2 zoning ordinance text to include CCC's suggested modifications
- **Zone Change (Ordinance).** Reflects changes to PD-2 on the zoning map
- **General Plan Amendment to Local Coastal Program Element to implement CCC suggested modifications (Resolution).** Adopts amendment of PD-2 as an Implementing Ordinance of the LCP to accomplish the LCP Amendment
- **General Plan Amendment to Local Coastal Program Element to amend the Implementation Plan Land Use Map (Resolution).** Amends Implementation Map of the LCP to reflect the LCP Amendment
- **Resubmittal to CCC for final certification (Resolution).** Directs City staff to resubmit all changes to CCC for final certification by August 11, 2021

Actions Exempt from Environmental Review (CEQA)

- As these actions are necessary for the preparation and adoption of a Local Coastal Program, they are statutorily exempt from the California Environmental Quality Act (CEQA) per Section 21080.9 of the California Public Resources Code, and Section 15265(a)(1) of the CEQA Guidelines.
- These actions involve enabling legislation that is consistent with the Belmont Pool Revitalization Project, which will be presented to the City Council at a later time.

Noticing and Public Comments

- Noticing was provided as required by Chapter 21.21 of the Zoning Regulations and as required by the Coastal Act. This included a 1,000-foot radius mailout via U.S. Mail, a 1/8-page newspaper ad, and email list notifications. All previous commenters and appellants were noticed.
- All public comments received have been forwarded to the City Council.

City Council Action

- Approve a Zoning Code Amendment (ZCA21-001) to the Belmont Pier Planned Development District (PD-2), to implement suggested modifications by the California Coastal Commission (CCC);
- Approve a Zone Change (ZCHG21-001) from the PD-2 Subarea 4 to R-4-R, and from PD-2 Subarea 5 to PD-2 Subarea 4, to implement suggested modifications by the CCC;
- Approve a General Plan Amendment (GPA21-002) to the Local Coastal Program Element of the General Plan to implement suggested modifications by the CCC;
- Approve amendments to the Local Coastal Program (LCP) of the General Plan by amending the Implementation Plan Land Use Map by amending portions of the Map to make conforming changes, incorporating modifications suggested by the CCC; and,
- Authorize the Director of Development Services to submit the Local Coastal Program Amendment (LCPA19-005, LCP-5-LOB-20-0014-1) and associated materials to the CCC for its review and certification.



Thank you

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Coastal Commission's Suggested Modifications

CCC suggests nine modifications to PD-2 (which is an Implementing Ordinance of the Local Coastal Program):

For all modifications, CCC provided suggested language, and staff incorporated as provided.

- 1. Ensure that public access and recreational use of the BBAC, beach, and park areas are provided for all people**
 - General change to ordinance language. Relates to entire PD-2 ordinance, not only BBAC project or area
- 2. Clarify the standard of review and permitting requirements for local CDPs and development located within the Commission's retained jurisdiction**
 - General change to ordinance language. Relates to entire PD-2 ordinance, not only BBAC project or area

Coastal Commission's Suggested Modifications

- 3. Remove a reference to an uncertified element of the City's General Plan and add a reference to the applicable LCP component**
 - Replaces references to uncertified Bicycle Master Plan with references to certified Mobility Element, not directly related to BBAC but must be resolved for this LCPA to proceed
- 4. Remove the exception of the BBAC from meeting the LCPs requirement for buildings not to cover more than 50% of their lot's area**
 - Staff confirmed CCC's understanding of Lot Coverage and that this change would not negatively affect design of BBAC project. Directly related to BBAC

Coastal Commission's Suggested Modifications

5. **Delete language that was already taken out of the certified LCP pursuant to LCPA No. 1-83 and remove the City's proposed language requiring no new parking be provided for new development in the future**
 - Adds language from a 1983 modification to the LCP that was approved by CCC but omitted from City ordinance. Not related to BBAC but must be resolved for LCPA to proceed
6. **Reinstate the policies approved pursuant to LCPA Nos. 1 82B and eliminate the policies proposed under LCPA No. 2-87 that were previously denied by the Commission**
 - Cleanup of language to be consistent with a 1982 modification approved by the CCC, and removal of language adopted by the City in 1987 but denied by the CCC. Not related to BBAC but must be resolved for LCPA to proceed

Coastal Commission's Suggested Modifications

7. Clarify the new allowable uses in Subarea 5

- Clarifies that support and accessory uses to the public aquatics center complex are allowed. Directly related to BBAC

8. Modify the access requirements for the new BBAC subarea to reflect the current project description and ensure the proposed project (and future development) protects public access and recreational opportunities

- Clarifies access requirements to BBAC subarea of PD-2. Directly affects BBAC project but staff has confirmed no negative impacts to the design

9. Distinguish the height of buildings from the height of structures allowed in Subarea 5

- Clarifies difference between permitted height of buildings (30 feet) and non-building structures (60 feet). Non-building structures include accessory structures such as light standards. Directly affects BBAC project. Staff has confirmed no negative impacts to BBAC project design