



AGENDA REPORT
SAN CLEMENTE CITY COUNCIL MEETING
 Meeting Date: November 5, 2013

Agenda Item 6E
 Approvals: _____
 City Manager [Signature]
 Dept. Head [Signature]
 Attorney [Signature]
 Finance [Signature]

Department: Community Development
Prepared By: Jeff Hook, Principal Planner

Subject: *LOCAL COASTAL PROGRAM PLANNING GRANT*

Fiscal Impact: If the planning grant is awarded, the City will receive a \$100K grant to cover costs of consultant services to prepare the Local Coastal Program (LCP), technical and environmental studies, and grant coordination. The City Council approved and budgeted \$54,917 for the in-house preparation of the LCP, as part of FY 2013 budget. This money will meet the required 20 percent local match and no other funding is required.

Summary: The California Coastal Commission (CCC) has issued a Notice of Funding Availability for Local Coastal Program Planning Grants for 2014. For FY 2014, Governor Brown and the California Legislature approved an augmentation of \$1 million to the California Coastal Commission's budget to support local government's efforts to develop or update Local Coastal Programs (LCPs).

Local governments in the coastal zone are the only eligible applicants. For FY 2014, a total of \$1 Million in grant funds is available statewide, with target grant amounts ranging from \$50K to \$300K per award, with a 20 percent local match required. Pursuant to the Commission's LCP Grant Program [see <http://documents.coastal.ca.gov/reports/2013/8/W31b-8-2013.pdf>] projects may include:

- 1) Completion of land use plan and/or zoning work to achieve certification of a Local Coastal Program (LCP) resulting in the transfer of coastal development permit authority to the local government;
- 2) Planning and/or zoning work to significantly update certified LCPs or LCP segments in whole or in part to reflect changed conditions, information, scientific knowledge, new programs and policies, or other significant changed circumstances (e.g. new general plan).
- 3) LCPs and Updates that address the effects of climate change, such as sea-level rise, will be given special consideration.
- 4) Completion of updated resource studies or other potential components needed to complete an LCP submittal or LCP.

Background: Under State law, all coastal California cities and counties must adopt a Local Coastal Program and submit it to the State for review. LCPs consist of two parts: the Land Use Plan and the Implementation Plan. San Clemente's LCP was partially completed with the Coastal Commission's certification of the City's LUP on May 11, 1988. The LCP Implementation Plan was drafted in the 1990s but was never certified by the CCC.

State certification of a complete, Local Coastal Program continues to be an important City goal, both to ensure long-term coastal protection and to provide improved customer service through a City-administered permit process in the Coastal Zone. The proposed Centennial General Plan calls for the City to "Prepare a Local Coastal Program and secure California Coastal Commission approval." (Draft Coastal Element, p. C-17). The 2010 Citygate management study identified completion of the LCP as a high priority to improve customer service.

Council allocated \$54,917 for preparing the LCP "in house", using consultant assistance for technical services, including graphic, environmental and legal services. With adoption of the new General Plan, staff anticipates a number of high priority follow-up actions will be needed, especially Zoning Ordinance and Specific Plan updates to ensure consistency with the new General Plan. It takes approximately two years to update the LCP and secure Coastal Commission approval. To achieve this objective within the near term, the LCP Planning Grant presents an opportunity to bring in additional "outside" expert consultant resources to complete these tasks in a timely manner. For this reason, staff recommends Council direct staff to pursue grant funding.

Authorization

Request:

This is a request for the City Council to approve a resolution authorizing staff to apply for a \$100,000 grant to 1) conduct a biological inventory of coastal canyons within the Coastal Zone, 2) update the coastal Land Use Plan (LUP), 3) prepare a new coastal Implementation Plan, and 4) prepare CEQA environmental documentation, and 5) submit the LCP and work with the Coastal Commission staff to secure certification. Certification would transfer final permitting authority for most development projects in the Coastal Zone to the City of San Clemente. Such a transfer would improve customer service by streamlining Coastal Zone review and permit processes and will help the City to update Coastal Zone policies including technical data upon which policies are based.

Recommended

Action:

STAFF RECOMMENDS THAT the City Council:

1. Adopt Resolution No. ____, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA COASTAL COMMISSION FOR A LOCAL COASTAL PROGRAM GRANT TO ASSIST IN THE PREPARATION OF AN UPDATED COASTAL LAND USE PLAN AND COASTAL IMPLEMENTATION PLAN.

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Attachments:

1. Draft Council Resolution

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA COASTAL COMMISSION FOR A LOCAL COASTAL PROGRAM GRANT TO ASSIST IN THE PREPARATION OF AN UPDATED COASTAL LAND USE PLAN AND COASTAL IMPLEMENTATION PLAN.

WHEREAS, the Budget Act of 2013 provides an appropriation of \$1 million for Coastal Commission grants in FY 13-14 to local governments to support Local Coastal Program (LCP) planning, and

WHEREAS, the California Coastal Commission, under the authority of the California Coastal Act, may provide financial assistance to support coastal planning and has approved a competitive grant program to provide such financial assistance for LCP planning; and

WHEREAS, the goal of the grant program is to develop new or updated LCPs in conformance with the California Coastal Act and to reflect current circumstances and new scientific information, including new understandings and concern for the effects of climate change, and

WHEREAS, grant proposals submitted under this grant program must complete land use plan and/or zoning work to either achieve submittal for certification of a Local Coastal Program (LCP) or an Area of Deferred Certification (ADC) or of an LCP Amendment to significantly update a certified LCP or LCP segments, including special emphasis on effects of climate change and sea-level rise; and

WHEREAS, the City of San Clemente has a certified Coastal Land Use Plan but does not yet have a fully certified LCP; and

WHEREAS, the City of San Clemente desires to pursue a project that would result in the completion and submittal for certification by the California Coastal Commission of an Amendment to fully update the LCP and to assume permit issuing authority in the Coastal Zone, as provided under State law; and

WHEREAS, the City of San Clemente commits to and agrees to fully support a planning effort intended to fully update the LCP pursuant to the provisions of the California Coastal Act, with full public participation and coordination with the Coastal Commission staff.

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NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Clemente hereby:

Section 1. Directs Community Development Department staff to submit the grant application package to the California Coastal Commission to provide financial and planning assistance, under authority of the California Coastal Act, in the amount of \$100,000 (One Hundred Thousand Dollars) to fund the project more particularly described in the grant application package.

Section 2. Authorizes the City's Community Development Director to execute, in the name of the City of San Clemente all necessary applications, contracts and agreements and amendments thereto to implement and carry out the grant application package attached hereto and any project approved through approval of the grant application.

Section 3. The Mayor of the City of San Clemente shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption of this Resolution and it shall become effective at the time(s) specified below and in accordance with applicable law.

PASSED, ADOPTED and signed this 5th day of November, 2013 by the following vote:

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

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Resolution No.

STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the City Council of the City of San Clemente held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, _____.

CITY CLERK of the City of
San Clemente, California

Approved as to form:

City Attorney

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