



Memorandum Planning Division

April 22, 2015

To: Planning Commission
From: John Ciampa, Associate Planner
Subject: Coastal Land Use Plan
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Background

With the approval of the Centennial General Plan in 2014, the City Council identified the certification of the Local Coastal Program (LCP) as a high priority implementation measure of the General Plan. In April, 2014, the City Council approved a contract with DUDEK and McCabe and Associates to assist staff in the development of the LCP.

The City's LCP is a planning document similar to the General Plan but specific to the City's Coastal Zone. The LCP is divided into two parts: (1) the Coastal LUP, which establishes the City's coastal policies and land uses and; (2) the Coastal Implementation Plan (IP) which includes development standards and requirements that implement the LUP. The first phase in obtaining Certification of the LCP is to gain approval of the LUP. Staff is anticipating City Council approval of phase one by June 2015. The second phase is to obtain approval of the IP. Staff is anticipating City Council approval of phase two by March 2016. Once both phases are approved by the City Council and the Coastal Commission the LCP can be certified and permit authority can be transferred to the City.

The purpose of this study session is to provide the Planning Commission an introduction to the draft Land Use Plan (LUP) to allow the Planning Commission and the public an opportunity to provide comments and feed back on the draft LUP prior to the May 6, 2015, public hearing date. The draft provided to the Planning Commission for the study session is being updated to address the Coastal Commission's staff comments on the LUP. The draft that will be provided to the Planning Commission for the May 6, 2015 public hearing will fully address the Coastal Commission's staff comments. The final public hearing draft LUP will be provided to the public and the Planning Commission at the public hearing. The draft LUP is posted on the City webpage and there is also a designated email address (lcp@san-clemente.com) for the public to send comments.

Purpose of the LCP

Currently the California Coastal Commission (CCC) has permit authority over all development within the City's Coastal Zone. The adoption of a new Local Coastal Program will give the City more control over approving projects in the City's Coastal Zone and will streamline the Coastal Development Permit review process for business and property owners. The purpose of completing the LCP would be to transfer the majority of the permit authority in San Clemente's Coastal Zone to the City. The Coastal Commission will retain coastal permit jurisdiction over development proposed on tidelands, submerged lands, beaches, and the Commission also acts on appeals from certain local government coastal permit decisions.

LUP Policy Development

In the development of the LUP many policies were carried over from the Centennial General Plan and the previous Coastal Element. In addition new policies have been developed by the City's Consultant, or recommended by the Coastal Commission staff to meet the requirements of the Coastal Act. Knowing the document is rather large and to help the Commission understand what is an existing policy, and what is new, references to the origin of each policy are included at the end of each policy. Policies that originate from the certified LUP (previous Coastal Element) have roman numerals and polices from the General Plan have the initials of the element they are from, followed by the policy number. So for example, UD-5.18 is a policy from the Centennial General Plan Urban Design Element and VII.13 is a policy from section 7 of the Certified LUP (previous Coastal Element). New policies that have been added under the direction of the City's consultant team or the Coastal Commission staff do not have a reference.

Review Process

Development of the draft LUP has involved multiple meetings with, and reviewed by, interested parties. A summary of those are provided in bullet format below:

- Staff has met with Coastal Commission staff on several occasions, most recently on April 8, 2015, to discuss comments on the draft LUP.
- On August 21, 2014, the City held a public workshop to gain input from the public on their interests and values to ensure that they are included in the LUP. The City noticed all property owners that live along coastal canyons, bluffs, and individuals that requested to be on the interested parties list. Public comments received at the meeting were related to improving public access, bluff preservation, Capistrano Shores Mobile Home Park land use designation, increasing parking for beach areas, and acquiring public access through Cypress Shores/Cove. See attached public comments.

- On November 6, 2014, the Executive Management Team (ExDMT) reviewed the draft LUP and provided comments. The ExDMT's comments were incorporated into the December 24, 2014 draft for public and Commission/Committee review.
- On December 24, 2014, the California Coastal Commission (CAC) received the updated draft for review. The draft was sent to interested parties and posted on the City's LCP webpage <http://san-clemente.org/departments-services/planning-services/long-range-planning/local-coastal-program>.
- On January 8 and January 15, 2015, the Coastal Advisory Committee (CAC) and the Beaches, Parks, and Recreation Commission (BPRC) reviewed the draft LUP and provided comments to staff and heard input from the public on the draft. The minutes from the meetings are provided as Attachment 1.
- Chapter 4. Marine and Land Resources and the biological inventory will be sent back to the CAC for their comments on May 14, 2015.

See Attachment 2 for the project schedule identifying future milestones and meetings for the LCP.

Discussion:

The City's Goals for the LCP Include:

- Balance competing interests and needs to ensure long-term protection of coastal resources
- Address issues of statewide significance, including maintaining and providing public access, preserving coastal habitats, protecting coastal-related and visitor-serving land uses, promoting recreational opportunities for all income groups, and supporting Smart Growth and transit oriented development
- Update LCP to include current data regarding biological resources through an updated biological inventory and evaluation of coastal canyons, bluffs, ESHAs, and potential ESHAs to identify habitat and species changes, factors affecting biological resources
- Address effects of climate change by including policies and measures to mitigate potential threats from geologic hazards, habitat changes, seismic and coastal flooding, and sea level rise through appropriate land uses and development standards, public improvements, bluff monitoring and protection, and information sharing.
- Receive public input and update policies to reflect local needs, conditions, and concerns
- Develop clear standards and procedures for Coastal Development Permit processing /streamline permit process

The draft LUP is comprised of six chapters that cover much of the same information as the current LUP. The new document provides more policies addressing a range of topics that have become a focal point over the years. The draft LUP addresses issues including: sea level rise, community events, water quality, updated biological inventory, sand replenishment, coastal erosion and protective structures, affordable overnight accommodations, and a number of other issues. The primary chapters of the draft LUP include Land Use, Public Access and Recreation, Marine and Land Resources, Hazards and Shoreline/Bluff Development, and Visual, Historic, and Cultural Resources. A summary of the content within those chapters is provided below.

Land Use

The LUP provides parameters for new development in the City's Coastal Zone. Land use types include residential, commercial, mixed use, public, and open space. The Land Use chapter describes each land use within the City, including the type, maximum density, and intensity for each use that may be permitted.

The major differences in the policies from the 1995 LUP and the draft LUP is the Coastal Commission's request for the protection and continuation of allowing affordable overnight accommodations (hotels and motels). The Coastal Commission is also requiring stronger policies for the protection of visitor service uses in the Coastal Zone. This request is consistent with the City's Business District Overlay, which requires pedestrian uses on the ground floor and pedestrian oriented areas.

Public Access and Recreation

Maximum public coastal access is a fundamental goal of the Coastal Act and a key part of San Clemente's charm. The Coastal Act goes beyond just ensuring physical access, it also emphasizes the importance of recreation and visitor-serving land uses that meet a wide range of incomes and interests. This chapter provides updated descriptions of the City's access points and public amenities, policies of where new access points are required, and improved mobility in the Coastal Zone.

Marine and Land Resources

The Coastal Act sets high standards for the protection of Environmentally Sensitive Habitat Areas (ESHA), including various types of wetlands, riparian areas, coastal prairies, and other natural resources in the coastal zone. The Commission has gained significant experience in applying the Coastal Act and LCPs to the protection of such resources. Also, there have been some important changes regarding the protection of ESHAs that stem from new scientific research, such as the identification of new sensitive species, to court decisions interpreting the requirements of the Coastal Act. The City's consultant has completed a biological inventory of the coastal zone to identify potential ESHA areas that should be

protected from future development. This chapter also addresses water quality, beach management policies, and ESHA buffer requirements.

Hazards & Shoreline/Bluff Development

Potential hazards in the City include, but are not limited to, coastal bluffs, slopes with low stability and high landslide potential, surface slope failures, seismic ground shaking, liquefaction, flooding, wave action, tsunamis, and fire hazards. In addition, storm generated tidal surges and rising sea-levels present potential hazards that must also be considered. These events may result in loss of beach sand and other sedimentary deposits which are critical to the protection of coastal lands and bluffs, public safety, recreation, and wildlife habitat. A key component of the LCP is managing development in conformance with Coastal Act policies in order to respond to coastal hazards, reduce risks to life and property, avoid substantial changes to natural landforms and minimize the need for protective structures.

Visual, Historic, and Cultural Resources

The Coastal Act policies require the protection of scenic coastal areas and the preservation of cultural resources. Scenic resources include coastal bluffs, coastal canyons, natural landforms and designated scenic view corridors from publicly-owned properties along or through public rights-of-way, as defined in the Coastal Act and/or designated by the City.

Conclusion

Staff is providing an introduction to the LCP seeking questions and comments on the draft LUP from the Planning Commission and the public.

Attachments

1. Draft Land Use Plan
2. Biological Inventory
3. Public Comments.