



# AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING  
Meeting Date: September 4, 2018

Agenda Item	<u>6K</u>
<b>Approvals:</b>	
City Manager	<u>[Signature]</u>
Dept. Head	<u>CGD</u>
Attorney	<u>[Signature]</u>
Finance	<u>[Signature]</u>

**Department:** Community Development  
**Prepared By:** Carl Stiehl, Senior Planner & Leslea Meyerhoff, AICP, LCP Manager

**Subject:** LOCAL COASTAL PROGRAM PLANNING GRANT

**Fiscal Impact:** Yes, if the California Coastal Commission (CCC) grant is awarded to the City of San Clemente (City), the City will receive a grant from the CCC for \$75,000 to fund consultant services to support the City's goal of obtaining a fully certified Local Coastal Program (LCP). Additionally, city staff and city contract staff time that is already budgeted, will be utilized as matching funds and in-kind services to support the grant.

**Summary:** The CCC has issued a Notice of Funding Availability for \$750,000 for Local Coastal Program Planning Grants for FY 2019. This will be the fifth annual round of grant funding that the CCC has made available to local governments to support LCP development and updates. Building on the success that was accomplished with the support of the first two grants, City Staff is requesting that the City Council authorize the submittal of an application for a CCC LCP Planning Grant to provide additional funds to support the continued development of the LCP Implementation Plan (IP) and the City's goal of obtaining a fully certified LCP. An LCP consists of a Land Use Plan (LUP) and an Implementation Plan (IP).

**Background:** On April 24, 2013, the City received a grant for \$90,000 in the first round of Coastal LCP grant funding to develop a comprehensive update to the City's LCP Coastal Land Use Plan (LUP). On January 3, 2017 the City received a second grant in the third round of Coastal LCP grant funding for \$135,000 to continue work to complete the LUP, begin development of the companion IP and prepare a Sea Level Rise Vulnerability Assessment (SLRVA). On August 10, 2018 the City's LUP, prepared with the assistance of the previous two grants, was fully certified by the Executive Director of the CCC.

To obtain full LCP certification, the IP must be approved by the City Council and the CCC. In order to complete an IP, staff is recommending pursuing this additional grant for funding. Moving forward in the process, staff will continue to work with CCC staff and interested stakeholders to develop a complete IP. Staff anticipates that it will take approximately 12-18 months to have a City Council adopted IP that can be submitted to the CCC for review and processing.

**Discussion:** Under State law, all coastal California cities and counties must adopt an LCP and submit it to the CCC for review. CCC certification of a complete LCP continues to be an important City goal, both to ensure long-term coastal resource management and protection and to provide more certainty through a City-administered permit process in the Coastal Zone.

The Centennial General Plan calls for the City to "Prepare a Local Coastal Program and secure California Coastal Commission approval." (Coastal Element, Implementation Measure #1). The 2010 management study identified completion of the LCP as a high priority to improve customer service in the City.

Staff is requesting a third grant in the amount of \$75,000 to complete the development of the IP and obtain a certified LCP. The amount of the grant request may change based on refinements to the scope of work and related budget that is being developed. This grant amount is therefore an estimate and may change. The grant application is due to the CCC no later than September 14, 2018 and awards will be announced in November 2018.

The City's first round grant award of \$90,000 was fully utilized in preparing the draft LUP between 2014 and 2016. There is approximately \$23,000 of City allocated LCP grant funds remaining from the second round LCP grant (\$135,000 awarded) that is contingent on completion of final deliverables. Remaining deliverables supported with the second grant include submittal of a draft SLRVA to the CCC for review and comments as well as conducting public outreach on the SLRVA. In addition, the draft IP is also in progress and is approximately 60% complete and has been supported by the second grant. A third grant is necessary to complete both the draft SLRVA as well as the draft IP.

In order to improve the competitiveness of the City's grant application, City staff and City contract staff time, will be utilized as matching funds and in-kind services to support completion of the grant related tasks for the grant. If awarded, the third grant will fund continued consultant team efforts that include preparation of the draft SLRVA and the draft IP.

To achieve LCP certification in the near term, the LCP Grant presents an opportunity to support continued consultant resources to complete the remaining tasks. For this reason, staff recommends Council direct staff to submit an LCP Grant application to the CCC no later than September 14, 2018.

**Recommended**

**Action:**

STAFF RECOMMENDS THAT the City Council

1. Authorize staff to submit an application for an LCP Planning Grant in the amount of approximately \$75,000.
2. 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 LCP IMPLEMENTATION PLAN AND SEA LEVEL RISE VULNERABILITY ASSESSMENT.

**Attachments:**

1. Draft City Council Resolution

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 LCP IMPLEMENTATION PLAN AND SEA LEVEL RISE VULNERABILITY ASSESSMENT.

WHEREAS, the Budget Act of 2013 provided 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, on April 24, 2014, the City of San Clemente received a grant of \$90,000 for the City to obtain certification of an Local Coastal Program and on April 29, 2016 the grant period ended and all of the allocated funds were exhausted, and

WHEREAS, on February 2, 2016, the City Council approved an update to the City's Coastal Land Use Plan which was submitted to the Coastal Commission, approved with suggested modifications by the Coastal Commission on February 8, 2018, approved by the City Council on June 12, 2018 and certified by the Coastal Commission on August 10, 2018, and

WHEREAS, the Budget Act of 2016 provides an appropriation of \$3 million for Coastal Commission grants in FY 16-17 to local governments to support Local Coastal Program (LCP) planning, and

WHEREAS, on date January 3, 2017, the City of San Clemente received a second grant of \$135,000 for the City to obtain certification of an Local Coastal Program and the City continues to use the allocated funds until they are exhausted, and

WHEREAS, the Budget Act of 2018 provides an appropriation of \$750,000 for Coastal Commission grants in FY 18-19 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 with special emphasis on effects of climate change and sea-level rise;

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

WHEREAS, the City of San Clemente has made significant progress toward LCP certification by the California Coastal Commission which will result in the City assuming permit issuing authority in the Coastal Zone, as provided under State law; and

WHEREAS, the City intends to submit an application for a third CCC LCP Planning Grant in September 2018 building on the successful efforts supported by two previous LCP Planning grants; and

WHEREAS, the City will also utilize in-kind staff time as a source of matching funds to increase the competitiveness of the City in the grant award process; 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.

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 approximately \$75,000 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 above and in accordance with applicable law.

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Section 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, ADOPTED and signed this 4th day of September, 2018 on the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

\_\_\_\_\_  
Mayor of the City of  
San Clemente, California

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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