

Coastal Commission Comments Ocean Beach Community Plan and Local Coastal Program City Annotation

The City of San Diego has reviewed and integrated Coastal Commission Suggested Modifications transmittal of June 19, 2015 as well as information from the staff meeting on June 29, 2015. The Ocean Beach Community Plan has been revised to clarify the material and reflect the suggested Coastal Commission staff comments and clarify the text. Additionally the document has been formatted and additional images were added to represent the community character and lively atmosphere of the community.

Visitor Serving Modifications

Land Use section 2.5 has been drafted to address Visitor Serving Commercial and specifically the protection of Hotel/Motel/Hostel facilities. Figure 2.5 is included to graphically represent the locations of the commercial preservation area. Additional language was added to Commercial Recommendations and Recreation Goals.

1. NEW Table 2.3, page LU 6
Current inventory of overnight accommodation (include type, capacity, ~~ownership and price ranges~~) ~~and establishment of "lower cost"~~
Figure 2.5 with table has been added to the document on LU22.
2. Figure 2-1 (Land Use Plan Map), page LU 7
Add a Visitor Serving Commercial Overlay for all existing overnight accommodations and commercially designated lots fronting Newport and Niagara.
Section 2.5 and Figure 2.5 has been added to the document on LU21-LU22.
3. Commercial Rec 2.2.3, page LU 11
Maintain the inventory of lower cost rental rooms for visitors and expand the inventory should the opportunity arise (See Table 2.3). ~~Encourage~~ Prioritize provision of lower-cost visitor serving recreation and marine-related development.
Minor revision to language on Page LU20
4. Commercial Rec 2.2.4, page LU 11
Develop commercially designated properties in accordance with the land use designations of the plan. ~~For the identified inventory of visitor serving overnight accommodations in Table 2.3 and the commercially designated properties fronting Newport Avenue and Niagara Avenue, there is a Visitor Serving Commercial Overlay (VSCO) to identify areas that are prime locations for high-priority commercial recreation and visitor serving uses to meet the demands of goods and services required by the tourist and local population. Allowable uses include overnight accommodations, dining, retail, and recreation facilities, as well as mixed-use development with ground floor commercial uses. Prioritize protection of the existing overnight accommodations within the VSCO as permitted uses on existing sites within the VSCO.~~
Revision to language on Page LU20.

5. NEW Commercial Rec 2.2.6, page LU 11
Provide a range of affordability in any new visitor serving overnight accommodations such that at least 25% of the number of proposed units are lower cost. Where new development would consist entirely of higher cost units and lower cost accommodations cannot feasibly be provided on site, require provision of at least 25% of the total proposed units as new lower cost overnight accommodations off-site in the Coastal Zone, preferably within the City of San Diego. If this is not feasible, require payment to the City of \$54,120 per lower cost unit in lieu of provision for deposit into a fund to subsidize the construction of lower cost overnight accommodations in the Coastal Zone, preferably within the City of San Diego. Adjust the payment (i.e. \$54,120 in 2015) to account for inflation according to increases in the Consumer Price Index U.S. City Average.
 Coastal Commission language not included in document.
6. Recreation Goal, page RE 4
 Preserve, protect and, where feasible, provide and enhance lower-cost visitor serving recreational facilities and overnight accommodations, ~~where feasible.~~
 Revision included on page RE 68.

Public Access and Recreation Modifications

Revisions to the Mobility, Recreation and Conservation sections have been included to address necessary typographical corrections and strengthening public coastal access language.

7. Public Transit Rec 3.2.4, page ME 8
 Coordinate with MTS to provide a shuttle service during summer months to serve the beach and residential areas via a route that would ~~travel east-west with transfer~~ travel east-west with transfer opportunities to and from the two bus routes serving Ocean Beach.
 Revision included on page ME 30.
8. Accessibility Rec 6.3.11, page RE 15
 Preserve, protect, and enhance public access to the beach/coast within the community. Maximize retention of existing on-street public parking for protection of the public beach parking reservoir. ~~Replace any loss of public access easements, including public accessways and parking, in kind.~~
 Revision and City modification of the proposed language included on page RE 80
9. NEW Accessibility Rec 6.3.12, page RE 15
For unavoidable impacts to public access or recreation from shoreline armoring or other development, require ~~mitigation of impacts through the addition of~~ new public access, recreation opportunities, Coastal Trail segments, ~~or beach nourishment or payments in lieu of providing such improvements.~~ Ensure ~~mitigation measures~~ public improvements are sited and designed to avoid or minimize impacts from sea level rise.
 Coastal Commission proposed language and City modification included on page RE 80

10. Conservation Goal, page CE 4
Maintain and enhance physical public access to the coastline maintained and enhanced
in order to facilitate greater public use and enjoyment of the natural amenities.
Revision included on page CE 86.
11. NEW Physical Coastal Access Rec 7.2.6. page CE 9
Encourage the completion of the California Coastal Trail in association with new
development and redevelopment, considering sea level rise in its siting and design.
Revision included on page CE 93.

Water Quality Modifications

Irrigation regulations are addressed and applied by regulation citywide and will be amended and adjusted to meet the region's water availability and climate conditions. Ocean Beach specific irrigation policies are not included. Water quality, wastewater and stormwater infrastructure siting and design policies revised to respond to or avoid potential sea level rise impacts.

12. NEW General Urban Design Rec 4.1.15, page UD 6
Demonstrate with new development and redevelopment that there is an adequate water
supply to serve the project without resulting in adverse effects, either individually or
cumulatively, on coastal resources. Require the use of drip or micro spray irrigation
systems for projects using potable water for irrigation.
Coastal Commission language has not been included in document. Irrigation policies and regulations will be administered City wide issue and may be amended in implementation documents as necessary to address climate conditions and water supply.
13. Water, Waste Water and Storm Water Rec 5.2.1, page PF 6
Upgrade infrastructure for water, waste water, and storm water, facilities and institute a program to clean the storm drain system prior to the rainy season. Ensure new facilities are sited and designed to minimize impacts from sea level rise, and, where feasible, avoid construction of new storm water outfalls in areas that could be impacted by sea level rise.
Coastal Commission language included on page PF 62
14. Storm Water/Runoff Discussion, page CE 10
The General Plan Conservation Element contains policies to manage urban runoff, including protecting and restoring water bodies and preserving natural attributes of floodplains and floodways. The Element also contains policies supporting water quality protection through development practices to protect water quality. The City complies with the requirements of its National Pollutant Discharge Elimination System Permit by documenting Best Management Practices – designed to prevent pollutants from entering storm water and urban runoff – in its annual Urban Runoff Management Plan.

Three areas within the community are mapped as being within the 100-year floodplain by the Federal Emergency Management Agency. See Figure 7-38-3. The City's Land Development Code contains regulations to guide the location of development and protect health and safety as well as the floodplain.
Text is revised to reference the correct figure. Change shown on page CE 95.

15. Storm Water/Runoff Rec 7.4.1, page CE 10
Apply all Best Management Practices found in General Plan, Conservation Element Section C, D and E, to reduce the impacts of construction on adjacent properties and open space or other environmentally sensitive areas. Evaluate and update BMPs to account for changes in water quality that could arise as a result of sea level rise impacts, as applicable.
[Coastal Commission language included on page CE 95](#)
16. Storm Water/Runoff Rec 7.4.6, page CE 12
Allow new construction within floodplain areas only in accordance with adopted development regulations and proper setbacks and buffer areas from wetland areas as applicable.
[Coastal Commission language included on page CE 95](#)

Biological Resources Modifications

17. Coastal Resources Discussion, page CE 5
Dog Beach, located adjacent to the estuary and just outside the Ocean Beach boundaries, is the oldest off-leash dog area in the country. ~~The area is also impacted by the line of kelp and other debris including bird and dog feces,~~ known as a “wrack line”, deposited on the sand from the tidal surge is an important coastal resource that contributes to the health and productivity of the sandy beach areas at Dog Beach and in the rest of the community.
~~Just~~ east of Dog Beach is an area of sand dune habitat. East of the sand dunes is the Southern Wildlife Preserve, one location of a least tern nesting site, an area that is fenced off during the nesting period from April through September of each year.
[Coastal Commission proposed language and City modification included on page CE 87.](#)
18. NEW Coastal Resources Discussion paragraph, page CE 5
Environmentally Sensitive Habitat Areas (ESHA) is defined by the Coastal Act as 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. Such areas are critically important for the survival of species or valuable for maintaining biodiversity. Within the Ocean Beach area, the Famosa Slough, San Diego River Channel, and rocky intertidal areas are considered ESHA and are afforded special protection under Coastal Act Section 30240 (see text box and Figure 7-1). The City's LDC does not include "ESHA" as a defined term, but instead includes the term "sensitive biological resources" in the Environmentally Sensitive Lands (ESL) regulations.
[Coastal Commission language included on page CE 89.](#)
19. NEW Coastal Act text box, page CE 5
Coastal Act Chapter 3 Section 30240 (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited

and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.
Coastal Commission language included on page CE 89.

20. Figure 7-1 Coastal Resources, page CE 6

Add ESHA layer over Famosa Slough, San Diego River Channel, and rocky intertidal areas

No ESHA mapping changes have been included in the OBCPU. The Coastal Commissions ESHA layer is not part of the City's GIS layers. Coastal Commission staff to supply digital layer to the City.

21. Coastal Resources Rec 7.1.7, page CE 7

Implement the City's Environmentally Sensitive Lands regulations and Biology Guidelines for preservation, acquisition, restoration, management, and monitoring ~~of biological resources and environmentally sensitive habitat areas over time, in conjunction with up to date biological surveys that include an evaluation of vulnerability to sea level rise, where appropriate. All lands meeting the definition of ESHA should be regulated through the ESL regulations, and only uses dependent on those resources shall be allowed in those areas. As part of the ESL review, the required biological assessment shall include a site specific determination as to whether or not the on-site resources constitute ESHA, as defined herein. If on-site resources are determined to constitute ESHA, prohibit development that is not dependent on those resources and require open space protection or conservation easements as a component of new development. Development adjacent to ESHA and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.~~

Coastal Commission proposed language and City modification included on page CE 91. The City does not have the resources to actively monitor biological habitat in the ESL areas throughout the City and does not review projects for conformance with the Coastal Commissions ESHA. The City will review the areas with any proposed project whether development, restoration, or city/agency enhancement project.

22. NEW Coastal Resources Rec 7.1.8, page CE 7

Implement beach management practices that balance protecting the native beach habitat and maintaining the recreational value of sandy beach areas. ~~Avoid driving, grooming, and sand pushing activities on the beach that would adversely impact beach habitat and resources including beach wrack, kelp, and grunion spawning grounds during grunion mating season.~~

Coastal Commission proposed language and City modification included on page CE 91. City of San Diego Beach Maintenance Guide directs the Shoreline Operational Practices.

Climate Change/Sea Level Rise Modifications

23. Conservation Goal, page CE 4

Preparation for sea level rise and climate change. Prioritize protection of coastal resources from risks of sea level rise, including but not limited to beaches, wetland areas, and physical public coastal access.

Coastal Commission language included on page CE 86.

24. Climate Change and SLR discussion, first paragraph, page CE 13

Sea level rise caused by climate change is an issue of growing concern in California and in coastal communities around the world. ~~The Climate Action Plan is the lead City document 2012 National Research Council Sea Level Rise for the Coasts of California, Oregon, and Washington report is recommended as the current best available science for sea level rise for California. The report's sea level rise projections for California south of Cape Mendocino are 2 to 12 inches (4 to 30 cm) by 2030; 5 to 24 inches (12 to 61 cm) by 2050; and 17 to 66 inches (42 to 167 cm) by 2100. State of California projects rise of 10 to 17 inches (.26 to .43 m) by the year 2050 and a rise of 31 to 69 inches (.78 to 1.76 m) by the year 2100 (State of California, Sea Level Rise Task Force of the coastal and Ocean Working Group of the California Climate Action Team, Sea Level Rise Interim Guidance Document, October 2010).~~

Coastal Commission proposed language and City modification included on page CE 98.

The Climate Action Plan and subsequent Climate Adaptation Plan will be the lead document on the City's response on climate change and adaptation. The plans may be amended to changing condition and the best scientific information available.

~~25. Climate Change and SLR discussion, second paragraph, page CE 13~~

~~The reference to Figure D-4 indicates that the figure is a map showing sea level rise projections, whereas the figure is actually a map of relative erosion risk areas. The figure should also show the potential current and future impacts to the planning area from sea level rise hazards based on sea level rise projections (example: Figure 11 on p. 74 of SLR Guidance Doc). Update "available in July 2014" as necessary.~~

~~The text and map has been removed from the community plan.~~

26. Climate Change and SLR discussion, third paragraph, page CE 13

~~The California Global Warming Solutions Act (Assembly Bill 32) requires that the State's global warming emissions to be reduced to 1990 levels by the year 2020. In accordance with AB32, the City of San Diego General Plan discusses climate change and provides a broad range of policies designed to reduce greenhouse gas emissions citywide. As of 2014, The City is addressing changing climate through the creation of ~~was in the process of updating its~~ the Climate Action Plan to more specifically address green house gas (GHG) reduction ~~in accordance with AB 32~~ and ~~to make~~ progress toward meeting ~~more ambitious~~ the 2050 GHG reduction goals. The ~~draft Climate Action Plan also addressed the need for the~~ City will to prepare a stand-alone Climate Adaptation Plan to proactively prepare for a range of anticipated climate change impacts. ~~In addition to AB32, Governor Brown made an executive order (EO B 30-15) in April 2015 establishing a new interim statewide GHG emission reduction target of 40% below 1990~~~~

~~GHG levels by 2030 in order to reach the state's ultimate goal of 80% below 1990 GHG levels by 2050.~~

~~(Incorporate any recent updates to the progress of the Climate Action Plan as applicable.)~~
Coastal Commission proposed language and City modification included on page CE 98.

27. Climate Change and SLR discussion, page CE 13

The anticipated Citywide Climate Adaptation Plan should include in its scope of work an assessment of potential measures to address the managed retreat or relocation of existing development at risk from bluff erosion or failure, and the degree to which property owners should assume risks associated with their properties in hazardous areas. The ~~Plan~~ CAP should also identify priorities for adaptation planning and response, such as protection of coastal resources, public beach access, coastal dependent infrastructure, and transportation infrastructure.

(Provide a date for the anticipated Citywide Climate Adaptation Plan, if possible.)

Coastal Commission proposed language and City modification included on page CE 98. The resources for the development of the Climate Adaptation Plan have not yet been identified. The City has continued to pursue grant opportunities to fund the effort.

28. Climate Change Rec 7.6.3, page CE 13

Use best available science and site-specific geotechnical reports as needed, to assess public and private projects for their vulnerability to impacts from sea level rise and, if vulnerable, propose a reasonable adaptation strategy. Analyze options for removal or relocation of structures that become threatened by coastal hazards. Use best available adaptation strategies that do not rely on shoreline protective devices in accordance with the California Coastal Act (see Coastal Act text boxes).

Coastal Commission proposed language included on page CE 99.

29. Climate Change Rec 7.6.4, page CE 13

Avoid new bluff development in hazardous locations, and properly site ~~new~~ development ~~and redevelopment~~ to avoid the need for future shoreline protective devices and to avoid and minimize risks from sea level rise over the life of the structure. Utilize adaptation strategies and the best available science, and monitor sea level rise impacts over time.

Coastal Commission proposed language and City modification included on page CE 99.

30. NEW Climate Change Rec 7.6.6, page CE 14

Ensure that implementation of any flood or wave action protection measures such as elevation of habitable areas, break-away walls, etc., as well as implementation of any other adaptation measures will not conflict with the City's LCP provisions designed to protect public coastal views and other coastal resources (ref. Figure 7-3).

Coastal Commission language included on page CE 99.

Shoreline Development/SPDs Modifications

The shoreline development, erosion, and shoreline armoring language of the Conservation Element was expanded to include new protections and policy on the potential rise in sea level and climate change over the duration of the community plan and proposed structures.

31. Coastal Resources Discussion, page CE 5

The bluffs south of the pier are one of the community's defining natural features. Bluff top residences have commanding views of the Pacific, although many older structures have experienced the effects of severe tidal action which has eroded the bluff face. More recent regulations require an increased distance of up to forty feet between the bluff face and the development envelope to prevent the need for shoreline armoring. Several property owners have received emergency permits to shore up seawalls and revetments in order to prevent homes from sliding down the bluffs. The California Coastal Act allows repairing or rebuilding seawalls when ~~a~~ existing structures are ~~is~~ in imminent danger. Rip rap revetments are discouraged due to their increased encroachment into beach areas. Seawalls are also discouraged as they fix the back of the beach and will prevent public beach access as sea level rise increases over time.

[Coastal Commission revisions included on page CE 89.](#)

32. Coastal Resources Rec 7.1.2, page CE 7

Prohibit coastal bluff development, on or beyond the bluff face, except for public stairways and ramps that provide access to and from the bluff top to the beach and coastal protective devices only if necessary to protect existing development as consistent with other provisions of the Land Use Plan. Require ~~new~~ development and redevelopment to be independently safe from coastal hazards, including sea level rise, without shoreline armoring for its economic life.

[Coastal Commission language and City modification included on page CE 90.](#)

33. Erosion Rec 7.3.1, page CE 9

Set back ~~new~~ development and redevelopment on property containing a coastal bluff a sufficient distance so the structure is safe from geologic and other hazards for its economic life, and at least 40 feet from the bluff edge. This setback may be reduced to not less than 25 feet if evidence is provided that indicates the site is stable enough to support the development for its economic life and without requiring ~~a construction of~~ shoreline protective devices. Do not allow a bluff edge setback less than 40 feet if erosion control measures or shoreline protective devices exist on the sites which are necessary to protect the existing principal structure in danger from erosion and do not assume retention of such structures when calculating bluff setback requirements. Incorporate sea level rise projections into calculations for determining the bluff edge setback.

[Coastal Commission language and City modification included on page CE 93.](#)

34. Erosion Rec 7.3.4, page CE 10

Allow the placement of shoreline protective works, such as concrete seawalls, ~~and~~ revetments ~~and parapets~~, only when required to serve coastal-dependent uses or when there ~~are~~ is no other feasible means to protect existing principal structures, such as homes, in danger from erosion, consistent with Coastal Act Section 30235 and 30253,

and, included as Figure D-4 for reference. Use "soft" or "natural" solutions as a preferred alternative for protection of existing endangered structures. Shoreline protective works should be designed to blend with the surrounding shoreline and provide lateral public access. The seawall along the Bermuda Avenue beach is an excellent example of an appropriately designed shoreline protective work. Site and design ~~new~~ development ~~and redevelopment~~ so it does not rely on existing or future shoreline protective devices. Coastal Commission language and City modification included on page CE 94.

35. NEW Erosion Rec 7.3.6, page CE 10

Require assumption of risk and a waiver of rights to future shoreline protection for any new bluff top development or redevelopment.

Additional Coastal Commission language was not added to the plan. Language was collaboratively worked on by the Coastal Commission and City Staff and inserted into the text July 2014. See Recommendation 7.3.3 page CE 94, Coastal Act text box 30235 on page on CE 90 and Coastal Act text box 30253 on page on CE 91.

36. NEW Erosion Rec 7.3.7, page CE 10

Tie a shoreline protective device to the life of the structure it is protecting and address the feasibility of removing such devices when the structure it is authorized to protect is demolished, redeveloped, or no longer requires a protective device, whichever occurs first. Include mitigation for shoreline armoring, if allowed, for ecological impacts and impacts to shoreline sand supply and public access and recreation over the life of the protective device. Require periodic assessment of the need for additional mitigation and of changed site conditions that may warrant removal or modification of the protective device.

Coastal Commission proposed language was not added to the plan. Similar language was rejected in July 2014. The proposed language would require a LDC amendment and additional environmental analysis.

37. NEW Erosion Rec 7.3.85, page CE 10

Limit the use of foundations or basements that can interfere with coastal processes. If no less damaging foundation alternatives are possible, ensure that the foundation design allows for incremental or complete removal as the foundation elements become exposed to avoid future resource impacts.

Coastal Commission proposed language was not added to the plan. The City has asked for further clarification on the proposed recommendation. The ramifications of the proposal may need to be reviewed by the City Engineer.

38. NEW Erosion Rec 7.3.96, page CE 10

Any expansion or alteration of a pre-Coastal Act or legally permitted bluff or shoreline protective device requires a new CDP. Include a reassessment in the permit review of the need for the protective device and an assessment of changes to geologic site and beach conditions including but not limited to, changes in beach width relative to sea level rise,

implementation of any long-term, large scale sand replenishment or shoreline restoration programs, and any ongoing impacts to public access and recreation from the existing device, and provide options for the ultimate goal of removing the protective device. Coastal Commission language included on page CE 9.

39. NEW Erosion Rec 7.3.107, page CE 10

Existing, lawfully established structures that are located between the sea and the first public road paralleling the sea built prior to the certification date of the LCP that do not conform to the provisions of the LCP shall be considered legal non-conforming structures. Such structures may be maintained and repaired, as long as the improvements do not increase the size or degree of non-conformity. When ~~redevelopment~~ renovation of an existing previously conforming structure on a bluff top property includes the demolition or removal of 50 percent or more of the exterior walls or replacement of more than 50% of the structure, require the entire structure to be brought into conformance with all policies and standards of the Local Coastal Program, including, but not limited to, bluff edge setback. Additions that increase the size of the structure by 50 percent or more shall not be authorized unless the structure is brought into conformance with all policies and standards of the Local Coastal Program. Address the status of any existing shoreline protective device with proposals for bluff top redevelopment, including the feasibility of removing such devices. Additions and improvements to such structures that are not considered bluff top ~~redevelopment~~ may be permitted provided that such additions or improvements themselves comply with the current policies and standards of the LCP. The baseline for determining the percent change to the structure is the structure as it existed on July 13, 1988. Any changes to the structure that have occurred since July 13, 1988 shall be included when determining if the 50 percent threshold is met. This policy does not apply to development that is exempt from coastal development permit requirements pursuant to the Land Development Code.

Coastal Commission language was not added to the plan. Previously conforming language proposed by Coastal Commission staff exceeds the Previously Conforming regulations City wide.

Miscellaneous Modifications

The Ocean Beach Community Plan has been revised to clarify the material and reflect the suggested Coastal Commission staff comments and clarify the text.

40. Purpose of the Plan, page Intro 3

The Plan is a revision of the Ocean Beach Precise Plan and Local Coastal Program Addendum adopted by the City Council in July, 1975 and certified by the California Coastal Commission in May, 1980.

Coastal Commission language included on page Intro 03.

41. Figure 1-2, page Intro 7

Modify Figure 1-2 to extend first public roadway along Nimitz and West Point Loma within OB planning boundary. ****check permitting jurisdictions with mapping unit****

Coastal Commission generated Draft Post-LCP Certification Permit and Appeal Jurisdiction Map 22 is consistent with the City and Ocean Beach Community Plan & LCP limits of the First Public Roadway. No expansion of the First Public Roadway is included the plan.

42. Residential Neighborhood Rec 4.2.9, page UD 8
Maintain the community's small-scale character and avoid exception to established floor area ratios to the greatest extent possible under the law.
Coastal Commission revision included on page UD 48.
43. Mixed-Use Rec 4.3.14, page UD 10
4.3.14
Coastal Commission revision included on page UD 50.
44. Population-Based Parks discussion, page RE 5
A Community Park is not planned specifically for the Ocean Beach Community due to the future full community development; however active recreation and sports fields can be accessed at Robb Field in Mission Bay Park.
Coastal Commission revision included on page RE 69.