

July 15, 2015

Ocean Beach Community Plan & Local Coastal Program - Open Issues

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 the text. The following are the outstanding issues which remain:

35. NEW Erosion Recommendation 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 Recommendation 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 Recommendation 7.3.5, 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.
39. NEW Erosion Recommendation 7.3.7, 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 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 development 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 is not consistent with and exceeds the Previously Conforming regulations City wide.