



# COUNTY OF SAN DIEGO

## LAND USE AGENDA ITEM

### BOARD OF SUPERVISORS

GREG COX  
First District

DIANNE JACOB  
Second District

DAVE ROBERTS  
Third District

RON ROBERTS  
Fourth District

BILL HORN  
Fifth District

**DATE:** June 25, 2014

**04**

**TO:** Board of Supervisors

**SUBJECT:** ADOPT A RESOLUTION TO APPLY FOR AND ACCEPT FISCAL YEAR 2014-15 CALIFORNIA COASTAL COMMISSION LOCAL COASTAL PROGRAM PLANNING GRANT FUNDS (DISTRICT: 5)

### Overview

The California Coastal Act (the “Coastal Act”) requires the adoption of a Local Coastal Program (LCP) to implement the Coastal Act’s statewide goals and policies at a local level. The County’s LCP covers a 1,050-acre portion of the Coastal Zone within the unincorporated community of San Dieguito and is outdated and uncertified, which means the Commission maintains authority to issue coastal development permits within this area. The County must update its LCP to obtain certification by the Commission. Upon certification, the County would assume responsibility for issuance of most coastal development permits within its jurisdiction.

This is a request to adopt a Resolution authorizing the Department of Planning & Development Services to apply for and accept up to \$52,000 of California Coastal Commission LCP grant funding to update the County’s LCP. In addition, this request is to authorize the Director, Department of Planning & Development Services, or his designee, to conduct all negotiations and to execute and submit all documents that may be necessary to apply for and accept the grant funds.

### Recommendation(s)

#### CHIEF ADMINISTRATIVE OFFICER

1. Find that the Resolution complies with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines because CEQA does not apply pursuant to Section 15265(a)(1) of the CEQA Guidelines.
2. Adopt the Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF CALIFORNIA COASTAL COMMISSION LOCAL COASTAL PROGRAM GRANT FUNDS.

### Fiscal Impact

There is no fiscal impact associated with today’s action to authorize the submittal of an

**SUBJECT: ADOPT A RESOLUTION TO APPLY FOR AND ACCEPT FISCAL YEAR 2014-15 CALIFORNIA COASTAL COMMISSION LOCAL COASTAL PROGRAM PLANNING GRANT FUNDS (DISTRICT: 5)**

application for grant funds to the California Coastal Commission. The total estimated cost for the update to the County's Local Coastal Program is \$104,000 for County staff time. If a grant is awarded, funds may offset up to 50 percent of these costs. The staff time necessary to complete this project is included in the Fiscal Year 2014-16 CAO Approved Operational Plan. However, work on the LCP will take the place of one community plan update. If staff does not work on the LCP, two community plan updates would be completed during this time period. The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

**Business Impact Statement**

The County's Local Coastal Program (LCP) is currently uncertified, which means the California Coastal Commission (Commission) maintains authority to review and issue coastal development permits for the portion of the Coastal Zone within the unincorporated area (Attachment B). Property owners within the Coastal Zone must go through the Commission to receive coastal development permits in addition to permits required by the County. Upon obtaining a certified LCP, the County would assume responsibility for issuing coastal development permits, which would streamline the application process for property owners by eliminating the need to go to the Commission for approval. Once an LCP is certified, the County would be required to obtain Commission certification for any subsequent changes to the LCP's implementing regulations (General Plan, Zoning Ordinance, County Code) prior to those changes taking effect within the Coastal Zone. The time required to obtain Commission certification on an LCP amendment would vary based on the complexity of the changes. However, even minor changes to LCP implementing regulations could add an additional 60 to 90 days to the County's standard ordinance amendment process.

**Advisory Board Statement**

N/A

**Background**

The County has jurisdiction over approximately 1,050 acres within the Coastal Zone. The area includes 473 parcels in the community of San Dieguito, of which 424 parcels are already developed and 49 are not developed. Most parcels are designated for low density residential use, with about 160 acres designated as open space and 3.5 acres designated for office professional use. The area includes San Dieguito Park.

The Coastal Act allows cities and counties to assume the Commission's permitting authority for development occurring within the Coastal Zone with the exception of tidelands, submerged lands, and public trust lands. The Coastal Act requires the County to adopt an LCP for that portion of the Coastal Zone within its jurisdiction. The adopted LCP must then be submitted to the Commission for certification.

The County's LCP was certified by the Commission in 1984 and remained certified until the cities of Solana Beach and Encinitas incorporated in 1986. The County adopted a revised LCP in 1988; however, it was never re-certified. The LCP became outdated again when Encinitas

**SUBJECT: ADOPT A RESOLUTION TO APPLY FOR AND ACCEPT FISCAL YEAR 2014-15 CALIFORNIA COASTAL COMMISSION LOCAL COASTAL PROGRAM PLANNING GRANT FUNDS (DISTRICT: 5)**

annexed an additional 850 acres in 1995. In 2011, as part of the General Plan Update, the County adopted a slightly revised version of the LCP to reflect this annexation.

Although the County LCP has been revised over the years to reflect changes in the unincorporated Coastal Zone due to annexations, it has not been comprehensively updated for thirty years and has not kept pace with changes to the Coastal Act and other relevant regulations. Revisions are necessary to qualify for certification. In particular, the LCP will need to address potential impacts from climate change and sea-level rise. The LCP is part of the San Dieguito Community Plan; therefore, an update to the LCP will require an amendment to the General Plan. However, no changes to land use designations are anticipated.

Due to the uncertified status of the County's LCP, property owners within the Coastal Zone must currently go through the Commission to receive coastal development permits in addition to obtaining permits required by the County. Upon certification of its LCP, the County would assume responsibility for issuing coastal development permits, which would streamline the application process for property owners by eliminating the need to go to the Commission for approval. Over the last 10 years, the Commission has processed 68 permits for new homes or additions to existing residences within the unincorporated Coastal Zone.

Once an LCP is certified, the County would be required to obtain Commission certification for any subsequent changes to the LCP's implementing regulations (General Plan, Zoning Ordinance, County Code) prior to those changes taking effect within the Coastal Zone. The time required to obtain Commission certification on an LCP amendment would vary based on the complexity of the proposed changes. However, even minor changes to LCP implementing regulations could add an additional 60 to 90 days to the County's standard ordinance amendment process.

On July 31, 2013 (1), the Board directed the Chief Administrative Officer to prepare and submit a revised LCP to the Commission for certification and provided authorization to apply for and accept grants for the purposes of updating the LCP.

The Commission recently announced the availability of Fiscal Year 2014-15 grants to support the development of new and updated LCPs for areas that are currently uncertified. The State budget includes funding for the Commission to provide competitive grants with anticipated award amounts ranging from \$50,000 to \$250,000. Applications are due on July 7, 2014, and require the submittal of a Resolution adopted by the governing authority, as well as a completed application, the goals and objectives of the project, project details, a description of other funding resources, a complete work program with milestones, a budget, and a schedule for completion (see Attachment C for additional application information). The available grants are competitive statewide, and selection criteria include: the public benefit and statewide significance of proposed changes to the LCP, the relative need for and extent of the LCP update, the extent to which the effects of climate change will be addressed, the likelihood of project success, alleviation of Commission workload, and funding leverage. The grant application requests 50% of the total estimated project cost (\$104,000) in order to leverage grant funds. The staff time necessary to complete this project is included in the Fiscal Year 2014-16 CAO Approved

**SUBJECT:** ADOPT A RESOLUTION TO APPLY FOR AND ACCEPT FISCAL YEAR 2014-15 CALIFORNIA COASTAL COMMISSION LOCAL COASTAL PROGRAM PLANNING GRANT FUNDS (DISTRICT: 5)

Operational Plan. However, work on the LCP will take the place of one community plan update. If the grant is not awarded to the County, other Advance Planning Division projects may need to be delayed in order to ensure there are sufficient staff resources to complete the LCP.

Today's Board action is necessary to adopt a formal Resolution that authorizes application for and acceptance of LCP funds, as required by the grant.

**Environmental Statement**

Pursuant to CEQA Guidelines Section 15265(a)(1), CEQA does not apply to activities and approvals pursuant to the Coastal Act by a local government for the preparation and adoption of an LCP.

**Linkage to the County of San Diego Strategic Plan**

Today's proposed action to authorize the application for and acceptance of grant funds to update the County's LCP supports the Sustainable Environments and Safe Communities Strategic Initiatives of the County of San Diego's 2014-2019 Strategic Plan by updating policies and implementation measures which safeguard coastal resources for public use and enjoyment while ensuring that safe development standards are used to improve property within the County's unincorporated Coastal Zone.

Respectfully submitted,



SARAH E. AGHASSI  
Deputy Chief Administrative Officer

**ATTACHMENT(S)**

ATTACHMENT A – Resolution entitled A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF CALIFORNIA COASTAL COMMISSION LOCAL COASTAL PROGRAM GRANT FUNDS

ATTACHMENT B – Map of Unincorporated County Coastal Zone with Supervisorial Districts

ATTACHMENT C – California Coastal Commission Application Form for Local Coastal Program Planning Grant

**SUBJECT:** ADOPT A RESOLUTION TO APPLY FOR AND ACCEPT FISCAL YEAR 2014-15 CALIFORNIA COASTAL COMMISSION LOCAL COASTAL PROGRAM PLANNING GRANT FUNDS (DISTRICT: 5)

**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:**        Yes      No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**  
   Yes      No

**PREVIOUS RELEVANT BOARD ACTIONS:**

July 31, 2013 (1), approved Updating the County’s Local Coastal Program  
November 6, 2013 (8), provided Authorization to Submit an Application for and Accept California Coastal Commission LCP Grant Funds

**BOARD POLICIES APPLICABLE:**

N/A

**BOARD POLICY STATEMENTS:**

N/A

**MANDATORY COMPLIANCE:**

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):**

N/A

**ORIGINATING DEPARTMENT:** Planning & Development Services

**OTHER CONCURRENCES(S):**   N/A

**CONTACT PERSON(S):**

Mark Wardlaw  
\_\_\_\_\_  
Name  
(858) 694-2962  
\_\_\_\_\_  
Phone  
Mark.Wardlaw@sdcounty.ca.gov  
\_\_\_\_\_  
E-mail

Noah Alvey  
\_\_\_\_\_  
Name  
(858) 694-8846  
\_\_\_\_\_  
Phone  
Noah.Alvey@sdcounty.ca.gov  
\_\_\_\_\_  
E-mail