



The County of San Diego

Planning Commission Hearing Report

Date:	December 11, 2015	Case/File No.:	Local Coastal Program – PDS2013-POD-13-009
Place:	County Conference Center 5520 Overland Avenue San Diego, CA 92123	Project:	Local Coastal Program Update Process/Study Topic Report
Time:	9:00 a.m.	Location:	Western areas of the San Dieguito Community Planning Area within the Coastal Zone
Agenda Item:	#4	General Plan:	Various
Appeal Status:	N/A	Zoning:	Various
Applicant:	County of San Diego	Community:	San Dieguito
Environmental:	Exempt - Pursuant to CEQA Guidelines Section 15265(a)(1)	APNs:	Various

A. REPORT SUMMARY AND RECOMMENDATIONS

1. Report Summary

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LCP covers a 1,050-acre portion of the Coastal Zone (CZ) within the unincorporated community of San Dieguito and is outdated and uncertified, which means the California Coastal Commission (Coastal Commission) maintains authority to issue coastal development permits within this area. The County must update its LCP to obtain certification by the Coastal Commission. In order to become effective, the LCP will need to be approved by the Board of Supervisors (BOS) and subsequently approved and certified by the Coastal Commission. Upon certification, the County would assume responsibility for issuance of most coastal development permits within its jurisdiction, subject to the standards of its certified LCP.

On July 31, 2013, the BOS directed the Chief Administrative Officer to prepare and submit a revised LCP to the Coastal Commission for certification and provided authorization to apply for and accept grants for the purposes of updating the LCP. On June 25, 2014, the BOS authorized the application for and acceptance of Coastal Commission grant funds for an update of the County's LCP. The Coastal Commission subsequently awarded a grant to the County on November 13,

2014 to submit a BOS adopted LCP update by April 2017. Staff will present the initial drafts of the LCP in 2016 during the Spring and Summer through a variety of presentations and workshops designed to solicit comments from the community and interested stakeholders. Final drafts of the LCP would be presented to the Planning Commission and the BOS toward the end of 2016 and submitted to the Coastal Commission in early 2017. The overall project schedule anticipates project completion by the Spring of 2017. An update to the LCP will require a general plan amendment to the San Dieguito Community Plan/General Plan and subsequent implementing ordinances to address changes from the LCP update. No changes to land use designations are currently anticipated.

2. Recommendations

Today's public hearing is required by the grant agreement in order to describe the update process and proposed study topics. Staff recommends that the Planning Commission accept this staff report and provide staff with any comments related to preparation of the LCP update.

B. LOCAL COASTAL PROGRAM UPDATE

1. Background

On July 31, 2013, the BOS directed the Chief Administrative Officer to prepare and submit a revised LCP to the Coastal Commission for certification and provided authorization to apply for and accept grants for the purposes of updating the LCP. On June 25, 2014, the BOS authorized the application for and acceptance of Coastal Commission LCP grant funds. The Coastal Commission subsequently awarded a grant to the County on November 13, 2014. Pursuant to this agreement, staff is required to bring this report to the Planning Commission as part of the first phase of community outreach. The purpose of this report is to describe the update process and proposed study topics that may be expanded after data gathering and review.

The County has jurisdiction over approximately 1,050 acres within the CZ in the western areas of the County's San Dieguito Community Planning Area. It is adjacent to the cities of Encinitas and Solana Beach to the west and the City of San Diego to the south (Attachment A). As discussed in the June 25, 2014 (4) Board Letter to the BOS, 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. There are about 160 acres designated as open space which includes San Dieguito Park. There are approximately 3.5 acres designated for office professional use (Attachment B).

The Coastal Act allows cities and counties to assume the Coastal Commission's permitting authority for development occurring within the CZ 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 CZ within its jurisdiction. The adopted LCP must then be submitted to the Coastal Commission for certification.

The County's LCP was certified by the Coastal 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 annexed approximately 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 31 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. An update to the LCP will require a general plan amendment to the San Dieguito Community Plan/General Plan and subsequent implementing ordinances to address changes from the LCP update. However, no changes to land use designations are anticipated.

Due to the uncertified status of the County's LCP, property owners within the CZ must currently go through the Coastal 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 Coastal Commission for approval. Between 2004 and 2014, the Coastal Commission processed 68 permits for new homes or additions to existing residences within the unincorporated CZ.

2. Definition of the Local Coastal Program

An LCP is a comprehensive long-term planning document that guides development in the CZ. It is prepared by local jurisdictions and certified by the Coastal Commission. Each LCP includes:

- a) A Land Use Plan (LUP) that includes applicable resource protection and development policies; and,
- b) An Implementation Plan (IP) that includes zoning ordinances and the zoning district map.

While each LCP reflects unique characteristics of individual local coastal communities, regional and statewide interests and concerns must also be addressed in conformity with the California Coastal Act goals and policies.

3. Local Coastal Program Update Process

The proposed comprehensive update to the existing 2011 LCP will be completed in conformance with the Coastal Act to reflect current circumstances and new scientific information. The update will include analysis of the portion of the unincorporated County located within the CZ and the development of related policy for: land use and development standards, public access and recreation, scenic/visual resources, archaeological/paleontological resources, water quality, agricultural resources, sensitive habitats, climate change, hazards, and steep slopes.

The LCP is part of the San Dieguito Community Plan and is intended to apply only to the CZ portion of the San Dieguito Community Plan. An update to the LCP will require a general plan amendment to the San Dieguito Community Plan/General Plan and subsequent implementing ordinances to address changes from the LCP update. No changes to land use designations are currently anticipated. Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15265(a)(1), CEQA does not apply to activities and approvals pursuant to the California Coastal Act by a local government for the preparation and adoption of an LCP.

Staff will present the initial drafts of the LCP in 2016 during the Spring and Summer through a variety of presentations and workshops designed to solicit comments from the community and interested stakeholders. Final drafts of the LCP would be presented to the Planning Commission

and the BOS toward the end of 2016 and submitted to the Coastal Commission in early 2017. The overall project schedule anticipates project completion by the Spring of 2017. Once the County's LCP is certified by the Coastal Commission, the County would assume the Coastal Commission's permitting authority for development occurring within the CZ with the exception of tidelands, submerged lands, and public trust lands. The County's permitting authority would be subject to the standards of its certified LCP. The time required to obtain LCP certification would depend upon, in part, on the Coastal Commission's review time. Staff will continue to collaborate with the Coastal Commission throughout the update process. The County would be required to obtain Coastal 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 CZ. The time required to obtain Coastal 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.

4. Intended Benefits of the Local Coastal Program

An updated LCP would streamline the permitting process within the County's CZ by eliminating the need to obtain approval from the Coastal Commission for certain projects. Intended benefits of the LCP include:

- a) Increasing local control as the County will be authorized to approve certain permits in the CZ, in a streamlined manner, without a need for a Coastal Commission hearing;
- b) Providing an opportunity to identify and provide enhanced public access to the County's CZ;
- c) Protecting scenic resources;
- d) Protecting archaeological and/or paleontological resources;
- e) Reviewing and updating water use policies (i.e., storm water management);
- f) Supporting agricultural lands;
- g) Protecting environmentally sensitive habitat;
- h) Reviewing and updating hazard mitigation policies (i.e., fire protection);
- i) Updating our mapping/GIS layers (i.e., CZ boundary); and
- j) Providing an analysis of climate change and sea level rise as they relate to the CZ.

5. Study Topics

The following study topics, raised by the Coastal Commission, are to be addressed during the update. These study topics may be expanded after data gathering and review as well as comments from various stakeholders. They will help with the preparation of the draft LCP.

- a) Development Standards and Permitting Process: Streamline the permitting process within the CZ by eliminating the need to obtain approval from the Coastal Commission for certain projects.

- b) Public Access and Recreation: Identify and provide enhanced public access to the CZ by incorporating County plans for improvements to trails, pathways, parks, any overnight accommodation and other public facilities.
- c) Scenic/Visual Resources: Identify and evaluate view corridors, vantage points (i.e., from San Dieguito Park) and policies to ensure that the scenic and visual qualities of the area are considered and protected as a resource of public importance.
- d) Archaeological/Paleontological Resources: Establish policies and standards that protect archaeological and/or paleontological resources to the maximum extent feasible.
- e) Water Quality: Update water use policies due to the increasing cost of water and decreasing supplies associated with recent drought conditions.
- f) Agricultural Resources: Update policies that support prime agricultural land and limit threats to agricultural productivity.
- g) Sensitive Habitats: Update policies and programs that protect sensitive species and natural habitats.
- h) Climate Change: Address impacts associated with climate change to properties in the CZ.
- i) Hazards: The County's CZ includes areas with moderate to high wildfire hazard levels. Fire dangers are also exacerbated by drought conditions due to climate change. Address hazard mitigation goals, while ensuring that environmentally sensitive habitat areas are properly preserved.
- j) Steep Slopes: Naturally vegetated steep slopes will be mapped and the updated LCP will help to conserve steep slopes. Improper management of steep slopes can help contribute to erosion issues.

C. PUBLIC INPUT

Staff presented the project scope to the Rancho Santa Fe Association Covenant Board and the San Dieguito Community Planning Group in November 2015. No major concerns were raised during these presentations.

Staff will present the initial drafts of the LCP in 2016 during the Spring and Summer through a variety of presentations and workshops designed to solicit additional comments from the community and interested stakeholders. Final drafts of the LCP would be presented to the Planning Commission and the Board of Supervisors toward the end of 2016 and submitted to the Coastal Commission in early 2017. The overall project schedule anticipates project completion by the Spring of 2017.

D. RECOMMENDATIONS

Staff recommends that the Planning Commission accept this staff report and provide staff with any comments in regards to the preparation of the LCP update.

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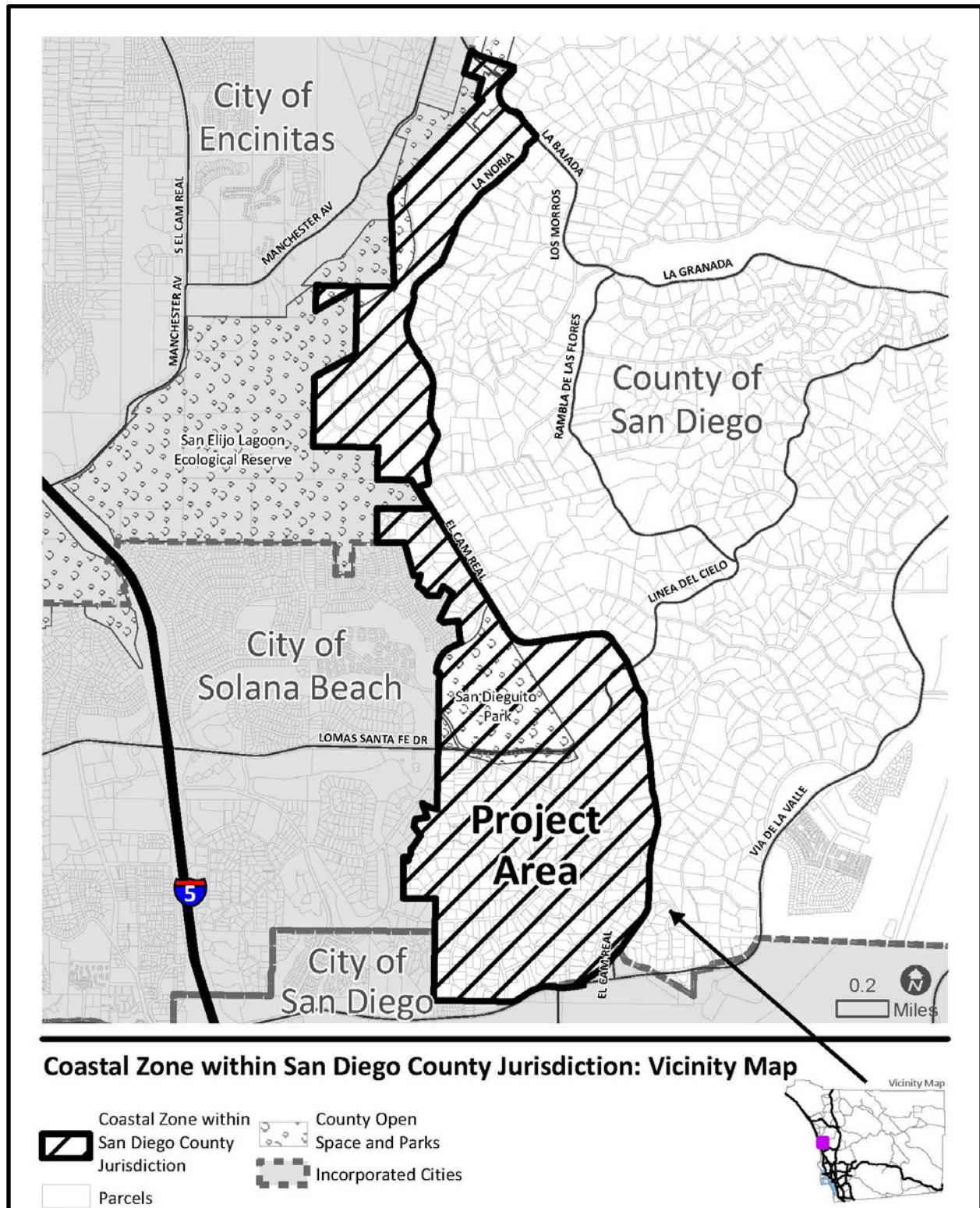
ATTACHMENTS:

Attachment A – Vicinity Map

Attachment B – General Plan Designations in Coastal Zone

Attachment A – Vicinity Map

Attachment A – Vicinity Map



Attachment B – General Plan Designations in Coastal Zone

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