

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

521-8036



May 25, 2000

RECORD PACKET COPY**Tue 28b**

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: EXECUTIVE DIRECTOR'S DETERMINATION that the City of San Imperial Beach's action, certifying the City's Local Coastal Program Amendment #1-99 (Ocean Boulevard Improvements), is adequate to effectively certify its local coastal program (for Commission review at its meeting of June 13-16, 2000)

BACKGROUND

At its February 18, 2000 meeting, the Coastal Commission certified, with suggested modifications, the City of Imperial Beach's Local Coastal Program Amendment #1-99, regarding the construction of public access improvements in Ocean Boulevard. By their action adopting Resolution No. 2000-5212 on April 5, 2000, the City Council has acknowledged and accepted all of the Commission's suggested modifications. The modifications addressed reducing encroachment on the beach and the elimination of lateral access improvements on Ocean Boulevard from the Imperial Beach Pier to Daisy Avenue. The City already has coastal development permit authority over this geographic area and will continue issuing permits consistent with the local coastal program as amended.

As provided for in Section 13544 of the Commission's Code of Regulations, the Executive Director must determine if the action of the City of Imperial Beach is legally sufficient to finalize Commission review of the LCP amendment. The City's actions have been reviewed and determined to be adequate by the Executive Director. Section 13554 of the Commission's Code of Regulations then requires this determination be reported to the Commission for its concurrence.

RECOMMENDATION

Staff recommends that the Commission **CONCUR** with the Executive Director's determination as set forth in the attached letter (to be sent after Commission endorsement).

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SAN DIEGO, CA 92108-1725
(619) 521-8036



June 20, 2000

Mayor Diane Rose
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

RE: Certification of the City of Imperial Beach's Local Coastal Program Amendment #1-99 (Ocean Boulevard Improvements)

Dear Mayor Rose:

The California Coastal Commission has reviewed the City's Resolution No. 2000-5212 together with the Commission's action of February 18, 2000 certifying City of Imperial Beach Local Coastal Program Amendment #1-99 pertaining to the construction of public access improvements in Ocean Boulevard. In accordance with Section 13544 of the Commission's Code of Regulations, I have made the determination that the City's actions are legally adequate, and the Commission has concurred at its meeting of June 13-16, 2000.

By its action on April 5, 2000, the City has formally acknowledged and accepted the Commission's certification of the Local Coastal Program Amendment including all suggested modifications. The modifications addressed reducing encroachment on the beach and the elimination of lateral access improvements on Ocean Boulevard from the Imperial Beach Pier to Daisy Avenue. The City is already issuing coastal development permits in conformance with the certified local coastal program for this area.

In conclusion, I would like to congratulate you and all other elected or appointed officials, staff and concerned citizens for continuing to work towards full implementation of the Coastal Act. We remain available to assist you and your staff in any way possible as you continue to develop and implement the City's local coastal program.

Sincerely,

Peter Douglas
Executive Director

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RESOLUTION NO. 2000-5212

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING THE LOCAL COASTAL PROGRAM (GENERAL PLAN) SPECIFICALLY POLICY P-13 OF THE PARKS, RECREATION AND ACCESS ELEMENT AND POLICY S-11 OF THE SAFETY ELEMENT THAT PROVIDE FOR ENHANCED PUBLIC ACCESS IMPROVEMENTS WITHIN THE OCEAN BOULEVARD RIGHT-OF-WAY.

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

(LOCAL COASTAL PROGRAM/GENERAL PLAN AMENDMENT LCPA/GPA 99-02)

WHEREAS, on November 17, 1999, the City Council adopted Resolution No. 99-5168 to amend two elements of the city's General Plan/Local Coastal Plan that provide for coastal access improvements within the Ocean Boulevard right-of-way between Imperial Beach Boulevard and Carnation Avenue, to include continuous lateral access improvements between the pier at Pier Plaza and Daisy Avenue; and

WHEREAS, the Resolution represents an Amendment to the Local Coastal Program (LCPA/GPA 99-02), and the Amendment request was transmitted to the California Coastal Commission for review and certification; and

WHEREAS, the California Coastal Commission considered the Staff Report on the proposed Amendment on February 18, 2000 and recommended additional language and minor text modification of text relative to public beach access improvements, finding that, as modified, the amendment is consistent with the Chapter 3 policies of the Coastal Act which promote enhanced public beach access opportunities within the coastal zone; and

WHEREAS, the proposed amendment was independently reviewed by the California Coastal Commission pursuant to Section 21080.5 of the Public Resources Code, and determined that the Amendment would not result in significant environmental impacts under the meaning of the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Imperial Beach that the "Parks, Recreation and Access Element" and the "Safety Element" are amended to reflect the Coastal Commission modifications and additions, as follows:

SECTION 1. The Parks, Recreation and Access Element, Policy P-13 is amended by adding the following after the sentence "Said signage shall indicate, where applicable, the existence and location of nearby parking areas."

"In the unimproved right-of-way of Ocean Boulevard north of Imperial Beach Boulevard, the City may construct improvements that provide, preserve, or enhance public access at the street ends and parks, whether vertical or lateral, or both, which will continue to allow access for equipment for emergency and maintenance purposes."

SECTION 2. The "Safety Element", Policy S-11, is amended by adding the following:

"Where enhanced public access to the beach may be provided at street ends and parks within the Ocean Boulevard right-of-way, the improvements may include vertical shore protection, structural support, pavement, walls, ramps and steps, and other improvements necessary to promote vertical and lateral access to the beach. Beach encroachment by public improvements shall be minimized and located as far inland as feasible while meeting enhanced public access objectives. Public improvements shall be designed to avoid shoreline protection, if possible. Any necessary protection shall be the minimum necessary and shall not extend onto the beach further seaward than the authorized vertical shoreline protection on either side of the access improvements; or, in the

City of Imperial Beach LCPA 1-99
Executive Director's Determination
Resolution P. 1 of 2

absence of contiguous shoreline protection, the alignment cannot extend further seaward than the inland extent of the Ocean Boulevard right-of-way. An exception may be made for necessary protection associated with public improvements at the Palm Avenue street end, which may extend seaward a sufficient distance to accommodate a transition to the existing groin. All improvements shall be designed to minimize impacts to shoreline supply sand supply.

SECTION 3. This modified language constitutes an amendment to the Land Use Plan, a component of the City's certified Local Coastal Program, subject to certification by the California Coastal Commission. Therefore, the City Clerk is directed to transmit the Resolution to the California Coastal Commission for effective certification.

SECTION 4. Resolution No. 99-5168 is hereby rescinded.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 5th day of April, 2000, by the following roll call vote:

AYES:	COUNCILMEMBERS: BENDA, MALCOLM, WINTER, MCCOY, ROSE
NOES:	COUNCILMEMBERS: NONE
ABSTAIN:	COUNCILMEMBERS: NONE

Diane Rose

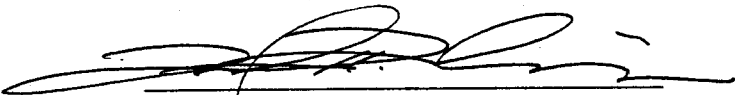
DIANE ROSE, MAYOR

ATTEST:

R. Matt Rodriguez

**R. MATT RODRIGUEZ,
DEPUTY CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2000-5212 - A Resolution of the City of Imperial Beach amending the Local Coastal Program (General Plan) Specifically Policy P-13 of the Parks, Recreation and Access Element and Policy S-11 of the Safety Element that provide for public access improvements within the Ocean Boulevard Right-of-Way.



CITY CLERK

04-07-00
DATE