

CALIFORNIA COASTAL COMMISSION

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Th19a

DATE: November 30, 2017

TO: Coastal Commission and Interested Parties

FROM: Karl Schwing, Deputy Director
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Liliana Roman, Coastal Program Analyst

SUBJECT: City of San Clemente LCP Amendment No. 1-16 (LCP-5-SCL-16-0012-1 Comprehensive LUP Update) for the Commission meeting of Thursday, December 14, 2017

PROCEDURAL NOTE

The Commission staff requests that the Commission open an initial public hearing and discussion about the City's proposed Comprehensive Land Use Plan (LUP) Update at the December 14, 2017 meeting. The Commission vote on the proposed LUP Update will occur following a public hearing at the February 7-9, 2018 meeting (there is no scheduled January Commission meeting) in Cambria, CA.

EXECUTIVE SUMMARY

Commission staff recommends that the Commission hold an initial public hearing and discussion on the City's proposed comprehensive LUP update/amendment. Currently, there are a few policies requiring further evaluation and coordination with the City before a final staff recommendation and supporting findings on the LUP Update Amendment can be finalized. Holding an initial public hearing at the December 14, 2017 meeting in Dana Point will allow the local community an opportunity to comment on the LUP Update and proposed land use changes at a local Commission meeting. The two hearing Commission review process will enable Commission staff to take into account comments on the preliminary recommended suggested modifications from both the public and Commissioners during the preparation of the final staff recommendation.

The City of San Clemente's LUP was originally certified by the Commission on May 11, 1988. A comprehensive update was certified by the Commission on March 14, 1996. Since then the City of San Clemente LUP has had several major amendments, the last one in 2006 which involved an update to the water quality and watershed protection policies of the LUP. On November 15, 2016 Commission staff deemed the City's LUP transmittal complete. A one-year extension was subsequently approved at the Commission's January 2017 hearing. Final Commission action on this LUP amendment is required by February 13, 2018. Commission and

City staff have worked together closely in this past year, holding monthly in person or phone conference meetings to develop proposed suggested modifications to the LUP text and policies.

At Commission staff's request, the City provided a reference table showing all the policies proposed in the Updated LUP submittal and the equivalent certified policy, or a notation that the policy is a completely new policy and is not meant to replace a certified policy. Commission staff carefully reviewed each and every equivalent policy proposed to replace currently certified policy language to ensure that the intent of certified policy language was preserved. Many of the new policies pertain to the protection and enhancement of coastal resources and provide clearer procedures and mandates pertaining to development in the coastal zone. New policies provide guiding principles on current issues the certified LUP currently does not specifically address such as, but not limited to, the identification of an alignment of the California Coastal Trail, pedestrian and bicycle trail connectivity, alternative parking strategies, limitations on preferential parking, protection of existing and provision of affordable overnight accommodations, bird safe building standards, tree trimming and removal requirements, cultural resource protections, and policies addressing potential impacts due to sea level rise.

Some of the LUP Chapters as submitted are fragmented and inconsistent in their organization and flow. For example, chapter policies are provided a title, however, sometimes the same title is used for two different policies, the policy title does not match the policy content, or no title is provided at all. The vast majority of staff suggested modifications are simply aimed at restructuring the document to provide a more conventional, logical sequence to both the Chapter text and the policies themselves. A summary of the complete LUP Comprehensive Update submittal is provided in this report.

Significant progress has been made between City and Commission staff toward resolving issues related to coastal hazards, protection of biological resources, protection of water quality and protection and provision of public access to the coast. Although many issues have been resolved, including those relating to coastal hazards, one main substantive difference remains, and that is regarding the waiver of rights to future shoreline/bluff protection and the definition of "existing development" for purposes of shoreline/bluff protection. This issue is discussed in detail in this summary report. City and Coastal staff continue to collaborate toward agreement on other issues. Some of these issues, include but are not limited to, policies pertaining to canyon and bluff edge setbacks, and mitigation ratios for adverse impacts to mature native trees and/or bird nesting trees, and water quality. Policy issues still under dialogue with City staff are highlighted for easy identification on Exhibit 1 – Suggested Modifications. Additionally, staff is still evaluating the proposed land use designation changes. Commission and public feedback on the preliminary suggested modifications would be particularly helpful to staff in preparing a final suggested modifications for Commission action at a subsequent meeting.

ADDITIONAL INFORMATION

For further information on the City of San Clemente LUP Comprehensive Update or this report, please contact Liliana Roman, Coastal Program Analyst at (562) 590-5071. Correspondence should be sent to the South Coast District Office in Long Beach at 200 Oceangate, 10th floor, Long Beach, CA 90802 or by using the 'submit comment' feature on the Commission's agenda, item Thursday, 19a, at the following link: <https://www.coastal.ca.gov/meetings/agenda/#/2017/12>

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EXHIBITS

[Exhibit 1 – Proposed LUP Amendment with Suggested Modifications](#)

[Exhibit 2 – Complete LUP Amendment Submittal](#)

[Exhibit 3 – LUP Policies Reference Table](#)

[Exhibit 4 – “General Plan Changes” map book and index](#)

I. STANDARD OF REVIEW

The standard of review for Land Use Plan (LUP) amendments is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP amendment if it finds that it meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act.

Section 30512 (c) states:

The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as proved in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the commission.

II. BACKGROUND

City Setting and Existing Conditions

San Clemente is a city in the County of Orange with a population of 62,522 based on the 2010 census. It is the southernmost City in the County of Orange at the border with San Diego County. The City was founded in 1925 by Ole Hanson conceptualized to be a “Spanish Village-by-the Sea,” where the entire City would be a park with streets graded to fit into the natural topography of the land and buildings designed in the Spanish style of white stucco and red tile roofs. He built public structures such as the Beach Club, the Community Center, the Pier and San Clemente Plaza, now known as Max Berg Plaza Park, which were all later donated to the City. The area was officially incorporated as a City in 1928. The abundant visual and physical resources of the City’s coastline have helped establish the community’s character.

The City’s Coastal Zone is approximately half a mile inland from the shoreline and is highly urbanized. Roughly, the Coastal Zone is the area of the City located seaward of Interstate-5. However, the majority of City land is located inland of I-5 outside of the Coastal Zone. Coastal bluffs and coastal canyons are the prominent topographic feature in the Coastal Zone. San Clemente’s beaches are also unique in that there is very little commercial or residential oceanfront development. Developed areas are for the most part, located on bluff top lots. At the toe of the bluffs, there is either a road (Pacific Coast Highway, or El Camino Real, as it is referred to in San Clemente) or the railroad corridor consisting of a single track owned and maintained by the Orange County Transportation Authority utilized by Amtrak and Metrolink. The City maintains 19 beach public access ways consisting of public stairs and ramps down the bluff face and at-grade railroad crossings, and railroad under and overpasses for safe access to beach areas.

LUP Background

The City of San Clemente’s Land Use Plan (LUP) was certified by the Commission on May 11, 1988. In 1990, the City began a comprehensive update to the General Plan which was adopted by the City Council on May 6, 1993. The conclusion of the General Plan process created new

coastal land uses which mandated that the certified LUP be updated to make it consistent with the Land Use Element of the General Plan. On January 18, 1995, this comprehensive LUP update was adopted by the City Council in Resolution No. 95-02, and was revised on December 20, 1995 under Resolution No. 95-91. On March 14, 1996, the Commission approved, and certified, the updated LUP. In 1996, the City prepared and submitted an Implementation Plan (IP) for Commission review and approval; however, the Commission's suggested modifications were not approved by the City and the final certification process was not completed.

Since then, the City of San Clemente LUP has had several major amendments relating to site specific land use designation changes (2001 LUP Amendment SCT-MAJ-1-01 changed six lots at 246-256 Avenida Granada from MU3-p-A to RM-A), modification of standards for mixed-use projects on small lots and on lots with designated historic structures in the Downtown MU3 Zone (2001 LUP Amendment SCT-MAJ-2-01), modification/increase to the allowable FAR for office use components of mixed-use projects in the MU2 land use designation (2002 LUP Amendment SCL-MAJ-1-02), and an amendment updating the water quality and watershed protection policies (2006 LUP Amendment SCL-MAJ-1-05).

The City currently has a certified LUP, but lacks an Implementation Plan (IP). As such, the Commission maintains coastal development permit issuance authority with Coastal Act Chapter 3 policies as the standard of review and utilizing the certified LUP as guidance.

III. AMENDMENT DESCRIPTION

A. PURPOSE OF LUP AMENDMENT

As previously noted, the City of San Clemente's LUP was certified by the Commission in 1988. It has been 20 years since the major comprehensive LUP update certified in 1996. The proposed LUP amendment would update the San Clemente LUP to reflect current conditions and community goals. Like the previous LUP update, this LUP update follows a newly approved General Plan and will make the LUP consistent with the Land Use Element of the General Plan. In addition, the City has expressed a commitment to becoming fully certified and thus have coastal development permit authority. Certification of an updated LUP is the first step for the City of San Clemente to obtain a fully certified Local Coastal Program (LCP). The City is currently working on a draft Implementation Plan, with the aid of grant funds from the Coastal Commission. Following certification of an updated LUP, the City plans to submit an Implementation Plan and work with Commission staff towards full certification in the next few years.

B. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires local governments to provide the public with maximum opportunities to participate in the development of the LCP amendment prior to its submittal to the Commission for review. The City has held public meetings with regard to the subject amendment request in between 2014 and 2015, beginning with a public workshop on August 21, 2014, Coastal Advisory Committee and Beaches, Parks, and Recreation Commission public meetings in January 2015, four Planning Commission meetings in May-June 2015, and

two City Council meetings on December 15, 2015 and February 2, 2016. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

C. SUMMARY OF LUP AMENDMENT

In June 2014, the City initiated the comprehensive LUP update amendment process with the aid of a Coastal Commission Local Coastal Program (LCP) grant. Additionally, throughout 2014 and 2015, Commission staff provided comments and collaborated on the initial LUP draft over numerous meetings. On March 17, 2016, the City submitted the LUP amendment, deemed complete on November 15, 2016 after receipt of additional information requested from the applicant. At its January 13, 2017 hearing, the Commission extended the 90-day LCP deadline an additional year. Commission action on this LUP amendment is required by February 13, 2018.

Proposed Comprehensive LUP Update

As submitted, the LUP amendment includes an entirely new LUP document and Land Use Map to replace the existing certified LUP and Land Use Map. The entire proposed LUP Update submittal is included as [Exhibit 2](#). Twenty-eight (28) land use designation changes are proposed to the currently certified Land Use Map. The Land Use Map as submitted, reflects these proposed changes. These proposed land use designation changes reflect recent changes made to the General Plan land use designations in a 2015 General Plan update.

Also, at Commission staff request, the City provided a reference table showing all the policies proposed in the Updated LUP submittal and the equivalent certified policy, or a notation that the policy is a completely new policy and is not meant to replace a certified policy. This is included as [Exhibit 3](#) to this summary report.

Some of the LUP Chapters as submitted, are fragmented and inconsistent in their organization and flow. For example, chapter policies are provided a title, however, sometimes the same title is used for two different policies, the policy title does not match the policy content, or no title is provided at all. The vast majority of staff suggested modifications are simply aimed at restructuring the document to provide a more conventional, logical sequence to both the Chapter text and the policies themselves. A summary of the complete LUP Comprehensive Update submittal is provided below.

Chapter 1 – Introduction

Chapter 1 is the introductory chapter of the LUP, setting forth the City's intention that all development within the coastal zone must be consistent with the LUP in order to carry out the statutory requirements of the California Coastal Act. Chapter 1 clearly states that while all policies and regulations specified in the City's General Plan, zoning and any other ordinance apply in the coastal zone, in the event of any perceived conflict between those policies, the policies of the Coastal Land Use Plan shall take precedence. Furthermore, Chapter 1 includes a listing of LUP general goals and objectives meant to achieve conformance with Coastal Act policies. Goals and objectives such as:

1. Protect, maintain and, where feasible, restore and enhance the Coastal Zone's natural and manmade resources;

2. Ensure orderly, balanced conservation and utilization of Coastal Zone resources, taking into account the social and economic needs of the people of the state;
3. Maximize public access to and along the coast and public recreational opportunities in the Coastal Zone, consistent with best resource conservation principles and practices, and with constitutionally protected rights of private property owners;
4. Ensure that coastal-dependent and coastal-related development have land use priority over other types of coastal development; and
5. Coordinate with state and local agencies and to encourage beneficial public uses, including educational uses, in the Coastal Zone.

Chapter 2 – Land Use and New Development

Chapter 2 includes the Coastal Land Use Map (Figure 2-1, A-G) depicting the land use designation for each land parcel within the City’s Coastal Zone. Land use types include residential, commercial, mixed use, light industrial, public, recreational, and open space. Each Coastal Land Use Designation is listed on Table 2-1 along with the allowable land uses, building height, and maximum density for each of those Coastal Land Use Designations. The table also includes a list of “overlay” designations that identify additional restrictions placed over distinct City areas, such as the architectural overlay, visitor serving commercial district overlay, and a mixed-use overlay. For example, the Visitor Serving Commercial District Overlay (VSCD) is a new proposed overlay to ensure the preservation of existing and designation of new suitable areas for these priority uses. There is also a section devoted to four “Focus Areas” in the Coastal Zone, which are distinct districts/neighborhoods where the community has identified specific development goals in order to maintain the distinct community character of each Focus Area.

LUP Chapter 2 – Land Use and New Development policies are divided into two distinct subgroups, one subgroup of policies is based on the Land Use Designations identified in this chapter, such as “Residential, Commercial, and Mixed-Use” and a second subgroup of policies are organized based on broader topics such as “Visitor Serving,” “Conservation and Sustainability,” and “Focus Areas” policies.

Chapter 3: Public Access

Chapter 3 provides a description of the City’s regional transportation system, public transportation services, bike routes, and pedestrian trails. The Chapter’s main focus is the description of existing and proposed coastal and shoreline access. There are 19 private and public coastal access points. Coastal Access Maps (Figures 3-4 through 3-21) identify these coastal access points and there is an accompanying description for each. A section is also dedicated to listing and describing all public recreational amenities in the Coastal Zone (e.g., the Municipal Pier, Ole Hanson Beach Club, and City parks and beaches).

LUP Chapter 2 includes 90 policies divided into subgroups involving mobility and parking, shoreline/coastal access, and recreational amenities.

Chapter 4 – Marine and Land Resources

Chapter 4 provides a description of natural habitats found in the City’s Coastal Zone and provides figures identifying the location of coastal canyons, watersheds and ocean outfall locations, off-shore coastal reefs, and “Potential Habitat Study Areas” as identified by a recent

2015 City Biological Inventory Report. The full report is included as an LUP Appendix. Additionally, Chapter 4 contains a section devoted to coastal water quality concerns.

LUP Chapter 4 – Marine and Land Resources policies are divided into subgroups concerning environmentally sensitive habitat areas (ESHA), marine resources, wetlands, water quality, and other biological resource areas such as coastal canyons.

Chapter 5: Hazards & Shoreline/Bluff/Canyon Development

Chapter 5 provides the background setting of the potential coastal hazards in the City, which include, but are not limited to, coastal bluffs, coastal bluff and canyon slopes with low stability and high landslide potential, liquefaction, shoreline and bluff erosion, tsunami, storm and tidal surges, and coastal hazards associated with rising sea levels.

LUP Chapter 5 – Hazards & Shoreline/Bluff/Canyon Development policies pertaining to appropriate development setbacks from hazards such as beach/oceanfront setbacks, bluff edge and canyon edge setbacks, and development standards in hazard areas.

Chapter 6: Visual, Historic, and Cultural Resources

Chapter 6 focuses on the City’s scenic resources, community character and unique cultural resources. The chapter incorporates policies aimed at protecting coastal scenic and visual qualities, archaeological or paleontological resources, and the minimization of adverse impacts of new development on these coastal resources. The chapter provides figures depicting public view corridors and scenic roadway corridors.

Chapter 6 – Visual, Historic, and Cultural Resources policies are aimed at identifying, protecting, and enhancing scenic and visual resources including coastal bluffs, visually significant ridgelines, coastal canyons, open spaces, mature trees, and significant public views. Development design policies are proposed to protect these resources such as building heights and setbacks, compatible landscaping and fencing, and to maintain the natural topographic and physiographic characteristics of a development site. Policies regarding the protection of cultural resources, including historic, archaeological and paleontological resources, emphasize avoidance and minimization of impacts.

Chapter 7: Definitions

Chapter 7, the final LUP chapter is a glossary providing definitions of terms and acronyms contained throughout the LUP. For example, terms such as coastal bluff, low impact development (LID), environmentally sensitive habitat area (ESHA), public trust lands, wetlands, and shoreline protective device are specific terms defined in this Chapter.

LUP Map

Numerous land use designation changes were made as part of the City’s 2015 General Plan Update. The City proposes to incorporate the land use changes in the Coastal Zone as part of their Comprehensive LUP Update submittal. The majority of these proposed changes are “clean-up” corrections and clarifications with just a handful of significant changes.

[Exhibit 4](#) provides a “General Plan Changes” map book depicting the geographic location of proposed land use and policy changes with an index describing each proposed change and identifying each change by specific number. As submitted, the “General Plan Changes” map book and index identifies all proposed land use changes citywide, not just those in the Coastal Zone. Twenty-eight (28) out of fifty-eight (58) proposed land use changes are in the Coastal Zone and labeled as “Coastal Zone Relevant” in the map book index.

Additionally, the Land Use Map included in Chapter 2 – Land Use and New Development as submitted, already depicts the proposed land use changes.

D. SUGGESTED MODIFICATIONS -AREAS OF CONTROVERSY

Commission staff suggests that the following changes (i.e., “suggested modifications”) to the San Clemente LUP Comprehensive Update are necessary to ensure that the LUP is consistent with and adequate to carry out the policies of Chapter 3 of the Coastal Act.

Suggested modification to the policies of the proposed Land Use Plan are shown in [Exhibit 1](#) (changes shown in ~~strike-out~~ are proposed to be deleted, and changes shown in underline are proposed to be added) chapter by chapter. Suggested modifications shown **highlighted** are those policy areas which the City and Commission staff are still working through to reach full agreement, or which may remain controversial.

Commission staff and City staff worked together for over a year prior to the City’s submittal of the comprehensive LUP update and have continued to work together since the application was deemed complete on November 15, 2016. In the past year, City and Commission staff have collaborated on suggested modifications to clean up and improve both the organization of the LUP policies and the policy language itself. City staff has generated many of the suggested modifications contained herein, either in response to Commission staff concerns or to supplement various sections. Wherever possible, Commission staff has incorporated the City’s suggestions and language changes. Suggested modifications are proposed in order to ensure consistency with the Coastal Act and provide clarity on the intent of the policy. Confusing and misleading policy language can be misinterpreted or misconstrued due to lack of clear intent. Based on these past discussions and collaborations with City staff, Commission staff believe that the majority of suggested modifications to the LUP Update are acceptable to the City.

Significant progress has been made toward resolving issues related to coastal hazards, protection of biological resources, protection of water quality and protection and provision of public access to the coast. Although many issues have been resolved, including those relating to coastal hazards, one main substantive difference remains, and that is regarding the waiver of rights to future shoreline/bluff protection and the definition of “existing development” for purposes of shoreline/bluff protection. This issue is discussed in greater detail in the section below.

City and Coastal staff continue to collaborate toward agreement on other issues. Some of these issues include but are not limited to, policies pertaining to beach curfews, canyon and bluff edge setbacks, mitigation ratios for adverse impacts to mature native trees and/or bird nesting trees, and water quality. Policy issues still under dialogue with City staff are highlighted for easy identification on [Exhibit 1](#) – Suggested Modifications. Additionally, staff is still evaluating the

proposed land use designation changes. Commission and public feedback on the preliminary suggested modifications would be particularly helpful to staff in preparing a final suggested modifications for Commission action at a subsequent meeting.

Definition of “Existing Development” and Waiver of Right to Shoreline Protective Device for New Development

Commission staff included a suggested modification in Chapter 7 – Definitions to define the term “Existing Development,” which is not currently defined in the certified LUP. Commission staff defines existing development as a structure that was legally permitted prior to the effective date of the Coastal Act (January 1, 1977) and has not undergone a major remodel since then. The term is used extensively throughout the chapters of the LUP, of particular importance in Chapter 5 – Hazards. The City has expressed a concern, noting that this definition is not explicitly included in (or in their view required by) the Coastal Act. The City would prefer that the January 1, 1977 date not be used in the definition of existing development.

Although it is true that the Coastal Act does not explicitly define what qualifies as an “existing structure” for purposes of Section 30235¹, how this term is interpreted in specific cases and through LCPs is critical to ensuring the protection of shoreline resources and public access and recreation consistent with the Coastal Act, especially in light of current planning efforts to address future sea level rise impacts.

Read together, the most reasonable and straight-forward interpretation of Coastal Act Sections 30235 and 30253² is that they demonstrate/substantiate a broad legislative intent to allow shoreline protection for development that was in existence when the Coastal Act was passed. This would have been allowed in order to address investment-backed expectations related to existing development which predated the regulatory requirements imposed by the Coastal Act (subject to other requirements of Section 30235 of the Coastal Act). But, for structures built after the Coastal Act was passed such protective structures were disallowed due to the well-known adverse impacts to coastal resources typically caused by shoreline protection, as recognized by the requirements codified in Section 30253. In this way, the Coastal Act’s broad purpose to protect natural shoreline resources and public access and recreation would be implemented to the maximum extent when new, yet-to-be entitled post-Coastal Act development was under consideration while shoreline development that was already entitled in 1976 would be “grandfathered” and allowed to protect itself from shoreline hazards if it otherwise met the requirements applicable to 30235 protection. Such grandfathering of existing conditions is typical in the land use and permitting context when new land use and resource protection policies are enacted that would in turn, make existing development “legal non-conforming.”

¹ Coastal Act Section 30235 reads, in relevant part: Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.

² Coastal Act Section 30253 reads, in relevant part: New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Going forward, staff has recommended the Commission interpret “existing structures” to mean that structures built after 1976 pursuant to a coastal development permit are not “existing” as that term is intended to be understood relative to applications for shoreline protective devices, and that the details of any prior coastal development approvals should be fully understood before concluding that a development is entitled to shoreline protection under Section 30235. This interpretation is consistent with many recent decisions by the Commission that interpret “existing structure” to mean pre-Coastal Act development. The Commission has used a number of different approaches to find new development consistent with Section 30253 or related LUP policies to limit the potential proliferation of shoreline and bluff armoring to protect newly approved structures. Instead of allowing new shoreline protection for post-Coastal Act structures being built in hazardous locations, the Commission has long used setbacks, assumption of risk conditions and waivers of any potential rights under Section 30235 to build shoreline and/or bluff protective devices for the proposed new development on the basis of an established showing of the adverse impacts that such shoreline protection would have on coastal resources. Notably, no appellate court decision addresses whether the term “existing structure” in this context includes only structures built prior to the Coastal Act or instead includes structures in existence at the time the Commission acts on an application for shoreline protection, or otherwise addresses the interplay between Sections 30235 and 30253, so no binding legal precedence sheds light on this issue. This LUP update provides an opportunity to clarify the distinction the Commission has made consistently over the last 20 years between existing and new development on CDP approvals in San Clemente since the last comprehensive LUP update.

Public Correspondence

To date, staff has received a few letters of correspondence raising concerns about the City’s regulation of short-term rentals in the Coastal Zone. Public correspondence letters to the Commission are included under the Correspondence tab. Chapter 2 – Land Use and New Development contains a suggested modification to add policy LU-50 generally addressing short-term lodging and vacation rentals as an allowable use in residential and mixed use zones and shall conform to the requirements of the underlying land use designation and all standards and laws established by the City. The issues raised in these public correspondence letters are more appropriately considered in the Implementation Plan portion of the LCP which the City is still working on and is not before the Commission at this time.