

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
 7575 METROPOLITAN DRIVE, SUITE 103
 SAN DIEGO, CA 92108-4421
 (619) 767-2370



November 19, 2018

TO: COMMISSIONERS AND INTERESTED PARTIES**Th19e****FROM: JOHN AINSWORTH, EXECUTIVE DIRECTOR**

SUBJECT: EXECUTIVE DIRECTOR'S DETERMINATION that the action by the County of San Diego, certifying the County's Local Coastal Program Amendment No. LCP-6-SDC-17-0015-1 (County of San Diego Land Use Plan), is adequate to effectively certify its local coastal program (for Commission review at its meeting of December 12-14, 2018)

BACKGROUND

At its May 11, 2017 meeting, the Coastal Commission certified, with suggested modifications, the County of San Diego Local Coastal Program Amendment #LCP-6-SDC-17-0015-1, a comprehensive update to its Land Use Plan (LUP) to address current circumstances and incorporate the most up-to-date scientific information on sea level rise adaptation strategies. On November 9, 2017, the Commission granted a one year time extension for the County to consider acceptance of the Commission's action. By its action adopting Resolution No. 18-136 on September 12, 2018, the County Board of Supervisors has acknowledged and accepted all of the Commission's suggested modifications. The modifications clarified the maximum allowable extent of new, multi-use trails within or adjacent to ESHA, identified that trails are considered major public works and as such, all trails are appealable to the California Coastal Commission. Additional modifications required the use of current and future sea level projections when determining setbacks and buffers, limited the maximum allowable height of buildings, and reordered specific policy language to provide clarification on various policies. The County does not have coastal development permit authority over this geographic area; thus, the Commission will continue issuing permits consistent with the policies of Chapter 3 of the Coastal Act. Commission staff is working with the County to prepare its Implementation Plan for certification.

As provided for in Section 13544 of the Commission's Code of Regulations, the Executive Director must determine if the action of the County of San Diego is legally sufficient to finalize Commission review of the LCP amendment. The County'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).

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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December 17, 2018

Kristin Gaspar, Chairperson
San Diego County Board of Supervisors
County Administration Center
1600 Pacific Highway, Room 335
San Diego, CA 92101

RE: Certification of the County of San Diego LCP Amendment No. LCP-6-SDC-17-0015-1 (County of San Diego Land Use Plan)

Dear Chairperson Gaspar:

The California Coastal Commission has reviewed the County's Resolution No. 18-136 together with the Commission's action of May 11, 2017 certifying County of San Diego Local Coastal Program Amendment # LCP-6-SDC-17-0015-1 pertaining to an update of the County's LCP Land Use Plan (LUP) to address current circumstances and incorporate the most up-to-date scientific information on sea level rise adaptation strategies. In accordance with Section 13544 of the Commission's Code of Regulations, I have made the determination that the County's actions are legally adequate, and the Commission has concurred at its meeting of December 12-14, 2018.

By its action on September 12, 2018, the County has formally acknowledged and accepted the Commission's certification of the LUP Update including all suggested modifications. The modifications clarified the maximum allowable extent of new, multi-use trails within or adjacent to ESHA, identified that trails are considered major public works and as such, all trails are appealable to the California Coastal Commission. Additional modifications required the use of current and future sea level projections when determining setbacks and buffers, limited the maximum allowable height of buildings, and reordered specific policy language to provide clarification on various policies. The County does not have coastal development permit authority over this geographic area; thus, the Commission will continue issuing permits consistent with the policies of Chapter 3 of the Coastal Act. Commission staff is working with the County to prepare its Implementation Plan for certification.

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 County's local coastal program.

Sincerely,

John Ainsworth
Executive Director