

CALIFORNIA COASTAL COMMISSION

SAN DIEGO DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
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W14d

Date: February 12, 2021

To: **COMMISSIONERS AND INTERESTED PERSONS**

From: **JOHN AINSWORTH, EXECUTIVE DIRECTOR**

Subject: **EXECUTIVE DIRECTOR'S DETERMINATION** that the action by the City of San Diego , certifying the City's Local Coastal Program Amendment No. LCP-6-SAN-20-0026-1 (12th Update Land Development Code), is adequate to effectively certify its local coastal program (for Commission review at its meeting of March 10, 2021)

BACKGROUND

At its November 5, 2020 meeting, the Coastal Commission certified, with suggested modifications, the City of San Diego Local Coastal Program Amendment No. LCP-6-SAN-20-0026-1, regarding the 12th Update to the Land Development Code. By its action adopting Resolution No. O-21289 on January 26, 2021, the City Council has acknowledged and accepted all of the Commission's suggested modifications. The modifications addressed three issues: restoring a prohibition on new Funeral & Mortuary Services development in the coastal zone floodplain, clarifying that certain exemptions from the Environmentally Sensitive Land regulations only apply to property outside the coastal zone, and clarifying that new market-based standards for determining the loss of previously conforming status in the flood zone apply concurrently with, and not in lieu of, existing certified standards elsewhere in the LCP. The City already has coastal development permit authority over the majority of its 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 San Diego 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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March 15, 2021

Mayor Todd Gloria
City of San Diego
202 C St, 11th Floor
San Diego, CA 92101

Re: Certification of the City of San Diego Local Coastal Program Amendment No. LCP-6-SAN-20-0026-1 (12th Update Land Development Code)

Dear Mayor Gloria:

The California Coastal Commission has reviewed the City's Resolution No. O-21289 together with the Commission's action of November 5, 2020 certifying City of San Diego Local Coastal Program Amendment No. LCP-6-SAN-20-0026-1 pertaining to the 12th Update to the Land Development Code. 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 March 10, 2021.

By its action on January 26, 2021, the City has formally acknowledged and accepted the Commission's certification of the Local Coastal Program Amendment including all suggested modifications. The modifications addressed three issues: restoring a prohibition on new Funeral & Mortuary Services development in the coastal zone floodplain, clarifying that certain exemptions from the Environmentally Sensitive Land regulations only apply to property outside the coastal zone, and clarifying that new market-based standards for determining the loss of previously conforming status in the flood zone apply concurrently with, and not in lieu of, existing certified standards elsewhere in the LCP. 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,

John Ainsworth
Executive Director